

مروری بر نظام حقوقی روسیه با توجه قانون اساسی

لیلا آرین پارسا^{۱*}، علیرضا محمد بیکی^۲

^۱ دانشجوی دکتری حقوق جزا و جرم شناسی، دانشگاه آزاد اسلامی، واحد بین المللی کیش (نویسنده مسئول)

^۲ استادیار، گروه فقه و مبانی حقوق اسلامی، دانشگاه آزاد اسلامی، واحد تهران مرکزی، تهران، ایران

چکیده

اصلاحات قانون اساسی روسیه در سال ۲۰۲۰ بزرگ‌ترین و مهم‌ترین تغییرات از زمان ظهور نظام سیاسی جدید در روسیه در سال ۱۹۹۳ به شمار می‌رود، زیرا فدراسیون روسیه بزرگ‌ترین کشور در جهان است و یک‌هشتم از مساحت زمین‌های قابل سکونت را در بر می‌گیرد. این کشور همچنین پرجمعیت‌ترین کشور در اروپا و نهمین کشور پرجمعیت در جهان است. روسیه یک کشور فدرال با نظام نیمه‌ریاستی است. اولین قانون اساسی در این کشور در سال ۱۹۹۳ تصویب شد و از آن زمان برخی اصلاحات و تغییرات در قانون اساسی انجام شده است که گسترده‌ترین آن در سال ۲۰۲۰ صورت گرفته است. روش تحقیق: توصیفی، تحلیلی، با استفاده از مطالعات کتابخانه‌ای، چه مجازی و چه واقعی، برای اثبات ایده. نتیجه‌گیری: قانون اساسی فدراسیون روسیه سیستم دوکامره‌ای را برای این کشور به رسمیت شناخته است که در آن مجمع فدرال شامل دوما و شورای فدراسیون است. قدرت در فدراسیون روسیه بر اساس اصل تفکیک مطلق قوا به قوای مقننه، مجریه و قضائیه تقسیم شده است. در قانون اساسی فدراسیون روسیه، جایگاه رئیس قوه قضائیه پیش‌بینی نشده است و قانون اساسی تصریح می‌کند که عدالت تنها از طریق دادگاه‌ها و بر اساس رویه‌های مدنی، اداری و کیفری که در اصلاحات داخلی و خارجی قانون اساسی فدراسیون روسیه در سال ۲۰۲۰ منعکس شده‌اند، اجرا می‌شود. با در نظر گرفتن تمام این ویژگی‌ها به‌طور مجموع، این ادعا را تأیید می‌کند که این اصلاحات نشان‌دهنده ادامه و حتی تشدید تحول نظام سیاسی روسیه از یک نظام دموکراتیک به یک نظام اقتدارگرا است، هرچند که دارای نهادهای دموکراتیک است.

واژه‌های کلیدی: سیستم حقوقی، روسیه، قانون اساسی

An Overview of the Russian Legal System with Regard to the Constitution

Leila Arin Parsa¹, Alireza Mohammad Beyki²

¹PhD student in criminal law and criminology, Kish International Azad University, Iran (Corresponding Author)

²Assistant Professor, Fiqh and Fundamentals of Islamic Law Department, Central Tehran Branch, Islamic Azad University, Tehran, Iran

Abstract

The amendments to the Russian Constitution in 2020 represent the largest and most important changes since the emergence of the new political system in Russia in 1993, since the Russian Federation is the largest country in the world and is one-eighth of the land area of habitable land. It covers the world. It is also the most populous country in Europe and the ninth most populous country in the world. Russia is a federal country with a semi-presidential system. The first constitution in this country was approved in 1993, and since then some amendments and changes have been made in the constitution, the most extensive of which was made in 2020. Research method: Descriptive, analytical, using library studies, both virtual and real, to prove the idea. Conclusion: The Constitution of the Russian Federation has recognized the bicameral system for this country, in which the Federal Assembly consists of the Duma and the Federation Council. Power in the Russian Federation is divided into legislative, executive and judicial powers based on the principle of absolute separation of powers. In the Constitution of the Russian Federation, the position of the Head of the Judiciary is not foreseen, and the Constitution stipulates that justice is administered only through the courts and according to the civil, administrative and criminal procedure, which have been reflected in the external and internal amendments of the Constitution of the Russian Federation in 2020. Considering all these features together, it confirms the claim that these reforms show the continuation and even the intensification of the evolution of the Russian political system from a democratic system to an authoritarian system, although it has democratic institutions.

Keywords: legal system, Russia, constitution

1. Introduction

The constitution of every country is considered as a mother legal document on which other legal documents are regulated and should not be in conflict with this supreme document. This document also defines the fundamental principles on which the political structure of every country is based. In addition, the limits and powers of the ruling powers, rights and civil liberties are also mentioned in this law. The public of this document in a way at the moment, regardless of some countries such as England, New Zealand and the Zionist regime, where there is no single and written document called the Constitution, and the government system and the ruling relations in these societies are based on separate laws. Respect for traditions and judicial decisions is required for everyone, the vast majority of countries in the world have a single legal document called the Constitution (Berezin et al., 2022). July 4, 2020 marked the adoption of 206 amendments to the 1993 Constitution of Russia. However, this was far from the conclusion of the constitutional reform initiative. First, the amendments had significant consequences for the country's legal framework and necessitated numerous changes to align existing laws and other regulations with the new constitutional norms and language. In addition, many of the constitutional amendments were broad declarations that required further elaboration in separate laws. On December 11, 2020, Pavel Krashinnikov - Chairman of the State Duma Committee on State Construction and Legislation and Co-Chairman of the Working Group for Monitoring the Implementation of Constitutional Amendments - provided an updated status of these legal developments. Based on Krashinnikov's statements, Rossiyskaya Gazeta reported that "the main part of the work to align federal laws with the new constitutional norms" has now been completed (Maggs, 1997). The constitution of any country is considered as a parent legal document on which other legal documents are based and should not be in conflict with this supreme document (Kremyanskaya, Kuznetsova, & Rakitskaya, 2014). Also, the constitution in many countries has a dynamic nature, and according to political, social and even economic changes and developments, the necessity of making reforms in it is raised. Sometimes the changes are so fundamental that another constitution must be drafted. For example, in the period of revolutions and deep social and political disturbances, when the political system changes or even completely collapses, the constitution quickly becomes obsolete and can no longer play its previous role (Jamieson & Trapeznik, 2006). In this situation, there is a noticeable gap between the existing reality and what is stated in the constitution, which indicates a crisis of the constitution. In such a situation, the constitution is no longer effective and this can lead to chaos and disorder. Therefore, the government and the society are faced with the urgent need to draft a new the new constitution became not only an objective necessity, but also the only possible way to preserve the country. At the beginning of this report, the researchers of the Majlis Research Center gave a brief introduction of the history of the formation of the structure of the Russian legislative system and emphasized that one of the capacities and diplomatic initiatives to accelerate the process of the formation of the next century - the Asian century, is to identify the neglected capacities of the development of bilateral parliamentary diplomacy (Sanai & Karamatinia, 2021). The Russian legislative system is structured as a bicameral legislature, consisting of the State Duma and the Federation Council, known as the lower and upper houses, respectively. The 1905 Revolution played a major role in establishing the initial foundations of the Russian parliament, leading to the creation of the State Duma, which was established by decree of Tsar Nicholas II, albeit with very limited powers. Between 1917 and 1936, the Congress of Soviets held legislative power in what is

now Russia, and from 1936 until the dissolution of the Soviet Union in 1991, the Supreme Soviet of the USSR, with 542 seats, fulfilled this role(Ampleeva & Karaulova, 2017).

Therefore, the researchers introduced the history of the formation of the structure of the Russian legislative system in this way and added that Mikhail Gorbachev's coming to power and the implementation of large-scale political and economic reforms in the form of "perestroika" and "glasnost" provided the necessary basis for structural and functional changes in the Soviet parliament. The beginning of the presidency of "Boris Yeltsin" is a turning point in the transformation and fundamental changes in the Federal Parliament and the formation of the current Russian parliament. After the constitutional referendum in 1993, the powers of the parliament were reduced and the powers of the president were significantly increased. For example, the Federal Parliament must operate permanently and the country should never be governed without parliament, but the president, based on Articles (111) and (117) of this constitution, has the authority to dissolve the Duma under the conditions stipulated in the constitution of this country. The report further states that at the beginning of the establishment of the new Russian Federal Parliament (1993), political competition between the president and the speaker of the Duma was very high(Kremyanskaya et al., 2014). The Russian Constitution approved in 1993 includes 9 chapters and 137 articles. This constitution was approved amid growing political tension between the parliament and the government. In the fifth chapter of the Russian Constitution (Articles (94) to (109)), the structure and mission of the Federal Parliament of Russia are defined. Therefore, referring to the way of approving bills in the structure of the Russian legislative system and the duties of the government, they explained, in addition to the presidency; The Federal Council, the members of the Federation Council, the members of the State Duma and the Government of the Russian Federation also have the initiative to submit legal bills(Grigoriev, 2021). If the president refuses to sign the resolution of the State Duma and the Federation Council, the bill will be voted on again in the Federal Assembly, and if more than two-thirds of the representatives of the State Duma and the senators of the Federation Council re-approve the bill, the president must re-approve it within 7 days at the latest. Explain the bill. Experts who compiled this research report added that each federal unit has two seats in the Council of the Russian Federation(Långström, 2021). One senator is chosen from the executive branch and the other from the legislative branch of each state. As a result, in this council, the considerations of both the executive and legislative pillars are taken into account, and each federation has two seats in the federal council, apart from the size and population, for this reason, it has a higher political position compared to the State Duma. In the continuation of this report, it was pointed out that if the president and the prime minister are unable, the chairman of the Council of the Russian Federation will perform the duties of the presidency until elections are held(Allison, 2022).

The representatives of the Federal Council of Russia elect the chairman and his deputies from among themselves. boss; Manages the meetings of the Federation Council and supervises the internal laws of the Parliament. Therefore, according to the report, the number of legislators of the State Duma is 450 people, who are elected for 5 years based on the votes of the citizens of this country, and "Vyacheslav Volodin" from the United Russia faction is in charge of it. On the part of the political studies office, the mission of developing parliamentary relations with other countries and attending parliamentary assemblies is the responsibility of the "permanent diplomatic delegations of the Russian State Duma" and explained that the members of these delegations are elected based on the rule of proportionality of factions and

the majority faction is the leader of most of the delegation. is in charge of diplomatic affairs. Of course, the executive guarantee for the recommendations of these boards is not provided in the constitution, but at the same time, the government cannot ignore it, because the State Duma has the authority and authority to act with treaties and agreements between, If the international government opposes it, and until the Duma approves it, the said agreement will not come into force(Mälksoo, 2021).

The Russian Federation has faced some amendments and changes in its constitution since the approval of the first constitution in 1993. After the approval of this law by popular vote, the first amendments were made three years later in 1996. In this year, by the decree of President Baris Yeltsin, the names of the two republics were changed. The next amendments in 2001 and 2003 were related to the inclusion of new names of units of the Russian Federation in Article 65, 2005 and 2006, changes related to some titles of the Constitution. In 2004, federal units took place. In 2008, Dmitry Medvedev II implemented amendments in the constitution related to the increase of the presidential term (from four to six years) and the State Duma (from four to five years).

It is worth noting that the extension of the presidential term is one of the most important changes to strengthen the presidential system of the Russian Federation. Also in 2013, Vladimir Putin presented to the State Duma a draft law on the merger of the Arbitration Court and the Supreme Court of the Russian Federation, as well as on the Russian Prosecutor's Office. Based on this, the Supreme Court of Arbitration of the Russian Federation was dissolved as a specialized judicial body, and the powers of the president were increased in terms of appointing prosecutors. Before the reforms in 2020, the last change in the Russian Constitution was made in connection with the annexation of Crimea to the Russian Federation in 2014 and the addition of a clause in this regard to Article 65 of the Constitution(Fahner, 2020).

In the meantime, the amendments to the Russian Constitution in 2020 after the approval of the 1993 Constitution are the most important amendments to the Russian Constitution, which were also implemented through a popular referendum. These amendments have been applied in 206 cases out of 9 chapters of the Constitution of the Russian Federation in chapters 3 to 8. According to Article 135 (Chapter 9), the first, second, and ninth chapters cannot be revised unless a revision proposal is proposed by three-fifths of the entire Federation Council and the State Duma, which must be approved by the Constitutional Assembly (with two-thirds of the votes) regarding non-changeability and or decide to draft a new constitution. Other reforms that were implemented between 1993 and 2020 were partial and in some cases were implemented only by the decree of the President of Russia at the time or according to the requirements of federal laws in the Constitution of the Russian Federation. In response to these questions, this study, while dealing with various aspects of the Russian Constitution, proposes the idea that the set of laws entered into the Russian Constitution, although the changes have been made on the social political structure and... Therefore, the purpose of the present research was to review the Russian legal system with regard to the Constitution(Mälksoo, 2021). The political structure is a whole unit consisting of institutions and centers that have political power, and this whole is affected by all the characteristics that give identity to the society So, the political structure is the government that the way of distribution of political power in a specific country or political unit within the national borders is determined based on the type and nature of that government or political structure, The latter comes back in the governments, which is indicative of their functional nature and includes the

three branches of the executive, legislature and judiciary. An important point in the functional division of government is the issue of separation of powers, which is based on Montesquieu's thoughts (Azari & Tabatabai Hesari, 2017). On the other hand, it is proposed based on the relationship between the executive and legislative powers; So that if the executive branch and the legislative branch are equal, the government has a presidential or non-parliamentary system, and if the executive branch is responsible and subordinate to the legislative branch, the form of government is parliamentary (Remington, 2015). Russian political culture is not very inclined to the basic norms of democracy. The history of this country proves that the people of this land are hardly receptive to democracy, and powerful governments have always been more important to these people, so that in the formation of this type of political culture that prefers internal stability and security to the values of freedom and liberal democracy. At the foreign level, it wants authority and promotion of international image. A series of historical and geographical factors have been effective (Gsovski, 1949). The geographical extent of Russia, the vulnerability of the borders, the lack of access to the open seas, the dispersion of the population and the wide ethnic diversity have all led to the necessity of establishing a powerful government in this land and as a result getting used to the political culture of the state. The acceptance of Orthodox Christianity, which is tied to the connection between religion and state, church and court, has also played a very important role in the authoritarian and state-oriented political culture of Russians (McFaul, 1995). The invasion of the Mongols and the dominance of the Golden Horde as an eastern government on the land of the Russians and as a result of their isolation from the culture and economy of the West for more than 240 years have not been ineffective in shaping the authoritarian political culture of these people. Also, the collective way of life in ancient Russia and the undisputed authority of the head of the family has led to collectivism and patriarchy in the political culture of Russia. On the basis of patriarchy, while calling the tsar a kind father, the society considered itself to be his vassal and believed that the well-being and happiness of the members of the society was tied to a good tsar. Such a view of the government led to the high expectations of the society from it, while also strengthening the statism in the society. In addition, the existence of an image of the enemy in the form of another ethnic group in the political culture of Russians is one of the most important effective components in Russian identity and nationalism, in which the borders of self and others are defined. Patriotism and national pride is another prominent element of Russian political culture, which has replaced communism, especially in the post-Soviet era (Sakwa, 2020). The purpose of writing this article was to provide a brief overview of the Russian legal system with respect to the Constitution.

2. Results and Discussion

The Russian political system is democratic on the one hand and authoritarian on the other. is democratic; Because not only the first article of the Russian Constitution states the democratic nature of the Russian political system and its republican form, relatively competitive elections are held in this country and no one can deny the existence of relative democracy in Russia. For example, in the last presidential election that resulted in Vladimir Putin being elected in 2018, almost all the opposition leaders were presidential candidates. Also, the Russian political system is multi-party according to article 13, paragraph 3 of the constitution. However, the current trends practically indicate the active presence of a main party and other parties have limited powers and maneuvers. In this regard, it should be said that on the one hand, the achievements of Putin's government up to now, and on the other hand, the failure of other parties to modernize themselves and carry out intra-party reforms have led to the

supremacy of the United Russia Party(Lukyantsev, 2015; Sakwa, 2020). Before the collapse of the Soviet Union, Russia had no experience with the usual institutions of democracy and common forms of political structures. Following the dissolution of the Russian Parliament in 1993, a Constitutional Assembly was convened and a new draft constitution was published on November 10. In the new version, the constitution had prepared articles for the transition period, which specified that the president should be in power until the end of his term, i.e. June 1996, thus ending the discussions about early presidential elections(Ostroukh, 2013).

According to Article 10 of the Constitution, government power in the Russian Federation was divided into legislative, executive and judicial branches. The legislative, executive and judicial institutions were independent. The current Russian system can be seen as a semi-presidential system because the presence of the prime minister alongside the president has created a hybrid political system(Maggs, Schwartz, & Burnham, 2015). Russia has a semi-presidential system in which the power of the president is shared with the prime minister and the cabinet, although the constitution is clear in giving the president the right of precedence. In fact, the executive system in Russia has two parts; On one side, the president and his forces are located in the Kremlin Palace, and on the other side, the prime minister and the cabinet. The center of political gravity belongs to the Kremlin. The president has his own security service, security council and executive bodies, and on the other hand, the power of the cabinet is more limited. The power of the president at the head of the government along with his symbolic power as the head of state has made this position more powerful(Yulia, 2020). In the presidential system, the president supervises the regulation and implementation of regulatory policies; But in the parliamentary system, this is the responsibility of the prime minister and he is responsible to the parliament. In the Russian system, which is a combination of two systems, although there is a position of prime minister, the cabinet and the government are basically answerable to the president and only in a few cases are answerable to the parliament, so the successful functioning of a system with the president and the prime minister depends on the working relationship(Nakhova, 2022).

The 1993 Constitution of the Russian Federation recognized a bicameral system for the country, in which the Federal Assembly consists of two Houses of Commons or Duma and the Senate or Federation Council. The number of members of the House of Commons is 450, who are elected for a five-year term through a parallel electoral system. The parallel electoral system means that 50% of Duma members are elected by a majority system and the remaining 50% are elected by a proportional system based on party lists. In the proportional system, each party must win 5% of the votes to win a seat. The Senate has 170 seats and the term of service of the members is four years. The members of the Senate are appointed by the executive and legislative authorities of 89 regions of Russia; In this way, two representatives are elected from each region, one by the executive authorities and the other by the legislative authorities to hold the seat of the Senate(Ghesare, 2010).

The powers of the Duma are specified in Article 103 of the Constitution of the Russian Federation. Some of these options include:

- Approval of the nomination of the Prime Minister of the Russian Federation at the suggestion of the President of the Russian Federation
- The decision of the vote of confidence in the government of the Russian Federation
- Installation and dismissal of the head of the Central Bank of the Russian Federation

- Installation and dismissal of the Chairman of the Court of Accounts and half of its members

- Filing charges against the President of the Russian Federation with the aim of removing him from office or against the President of the Russian Federation who has stopped exercising his powers in order to deprive him of his immunity(Maggs, 1997).

The Federation Council supervises the issues within their jurisdiction and holds parliamentary report hearings. This council and its members can propose new laws or propose amendments to new laws(Kayurov, 2013). The Federation Council must deal with bills that have been approved by the Duma and are related to a number of specific issues and policies, including the federal budget, taxes and federal government expenses, and other financial and credit issues such as printing money and issuing financial obligations. The council is also required to review laws that relate to Russia's duties as a state. These duties include approving international treaties and withdrawing from them, issues related to the country's borders and their protection, and issues of war and peace(Smith, 2013). In the Constitution of the Russian Federation, the position of the Head of the Judiciary is not foreseen, and paragraphs one and two of Article 118 of this law stipulate that justice is administered only through courts and according to civil, administrative and criminal procedure. However, considering the high position of the head of the Federal Supreme Court of Russia, it can be said that this position is considered the head of the judiciary, just like in other countries where the head of the Supreme Court heads the judiciary(Yakovlev, 1993). The merger or dissolution of the courts authorized in the constitution is done by the constitution itself and the creation, merger or dissolution of other federal courts is done by the federal law. The establishment, merger or dissolution of peace courts and constitutional courts of territorial units of the Russian Federation shall be governed by their own(Partlett, 2015; Smith, 2013).

Judiciary is an independent power that is exercised only by courts, juries and judges according to the law and based on basic, criminal, civil and administrative procedures. The Russian court system can be divided into three categories according to jurisdiction:

General courts with general jurisdiction: These courts have jurisdiction over civil, criminal and administrative lawsuits and administrative lawsuits of individuals against institutions

The public will handle it. In public courts, the peace court is the first and lowest level and the Federal Supreme Court is the last

They are at the highest level of the judicial hierarchy. Military courts are also included in this category(Vlasenko, 2019).

The Federal Constitutional Court and the Constitutional Courts of the Territorial Units of the Federation: These courts examine the conformity of laws with the federal or republican constitution. Constitutional courts of the republics and Regions are not legally subject to the Federal Constitutional Court.

Arbitration Courts: This court deals with commercial lawsuits and economic disputes between legal entities, including public and private institutions, and the Federal Supreme Court of Arbitration is at the highest level of these courts(McFaul, 1995; Vlasenko, 2019). In a general classification, the courts of the Russian Federation can be divided into two categories: federal courts and courts of territorial units of the federation. According to Article 125 of the Constitution of the Russian Federation, the Constitutional Court of the Russian Federation is

the supreme judicial body for monitoring the Constitution in the Russian Federation, which exercises judicial power through constitutional proceedings with the aim of protecting the fundamentals of the constitutional system, the basic rights and freedoms of man and citizen, and Provision of supremacy and direct implementation of the Constitution of the Russian Federation throughout the territory of the Russian Federation(Sakwa, 2020). The Constitutional Court of the Russian Federation consists of 11 judges, including the President of the Constitutional Court of the Russian Federation and his deputy. This court examines the compliance of the following with the Constitution of the Russian Federation:

- Federal constitutional laws, federal laws, instructions of the President of the Russian Federation, the Federation Council, the State Duma and the Government of the Russian Federation
- The basic laws of the republics, statutes, as well as the laws and other instructions of the units of the Russian Federation, which are issued regarding issues related to the administration of the governing bodies of the Russian Federation and the joint administration of the governing bodies of the Russian Federation and the governing bodies of the units of the Russian Federation(Khabrieva, 2020).
- Contracts between the governing bodies of the Russian Federation and the governing bodies of the units of the Russian Federation, contracts between the governing bodies of the Russian Federation
- International agreements of the Russian Federation that have not been implemented

The Constitutional Court of the Russian Federation will act on disputes between the federal state bodies, as well as the state bodies of the Russian Federation and the state bodies of its members. Also, this court interprets the Constitution at the request of the President of the Russian Federation, the Federation Council, the State Duma, the Government of the Russian Federation and the legal authorities of the constituent entities of the Russian Federation(Smith & Sharlet, 2008). Handling complaints related to the violation of the constitutional rights and freedoms of citizens according to the procedure prescribed in the Federal Constitutional Law is also one of the duties of the Constitutional Court of the Russian Federation(Partlett, 2021). At the request of the Council, this court reports on the observance of the established procedure for bringing charges of treason or other serious crimes against the President of the Russian Federation or the President of the Russian Federation who has stopped exercising his powers(Lomovtseva & Henderson, 2009). According to Article 126 of the Constitution of the Russian Federation, the Supreme Court of the Russian Federation is the highest judicial body in civil cases, resolving economic disputes, criminal cases, legal cases and other cases that are under the jurisdiction of public courts and arbitration, formed in accordance with the federal constitutional law. And it exercises its judicial power through civil, arbitration, legal and criminal proceedings(Sadowski, 2022). The Supreme Court of the Russian Federation supervises the activities of public courts and arbitration in the forms of proceedings provided for in the federal law and provides explanations on issues related to judicial custom(Brzezinski, 1993). Article 127 of the Constitution of the Russian Federation is about the functions of the Supreme Court of Federal Arbitration. This court is the supreme judicial institution for resolving economic claims and other disputes that are referred to it, and in accordance with the procedures prescribed in the federal law, it supervises the activities of the courts and provides explanations on their issues(Domańska, 2020). Referring to these courts

is an agreement and it is obvious that if one of the parties to the lawsuit does not wish, the case will be sent to the public courts. The Ministry of Justice is in charge of preparing legal bills and managing courts and prosecutors (Morozov & Rumelili, 2012). The legal and judicial policy of the government is prepared by the Ministry of Justice, and this ministry is the communication channel of the government with the State Duma and the Federal Council in the field of legislation, and all bills prepared by the government must be reviewed by this ministry before being submitted to the parliament (Riekkinen, 2025). The appointment, transfer, and dismissal of non-federal judges, judicial and administrative staff of judicial centers, supervision of their work, and management of prisons are the responsibility of the Minister of Justice. Therefore, the role of the Ministry of Justice in the judiciary of the Russian Federation is basically administrative and support and does not interfere in judicial affairs.

As the law enforcer, the Ministry of Justice has the duty of control and supervision in the following fields:

- How to implement criminal penalties
- Activities of associations and non-governmental organizations
- Offices of international organizations in the Russian Federation
- Political parties and religious organizations
- Registration of documents and preparation of registration maps
- Civil registration
- Ensuring the execution of court rulings
- Combating corruption and cooperating with the Prosecutor General of Russia (Grigoriev, 2021)

In the Russian Federation, special emphasis has been placed on the independence of prosecutors, and this point is evident in the Constitution and the Law of the Prosecutor's Office of the Russian Federation. The prosecutor's office is almost completely independent from the three powers, and this independence adds to the authority and health of this institution. The prosecutor's office is obliged to prosecute only on behalf of the Russian nation and not personal and factional interests or the government, so this institution is only a representative of the people. If the prosecutors find the rulings and decisions of the courts against the law, they can inform the issuing authority about the illegal cases and refuse to implement it (Grigoriev, 2021).

3. Conclusion

The 2020 constitutional amendments to the Russian Federation represent a significant return to specific tsarist traditions, a greater focus on the concept of great power, and a greater emphasis on governance. In domestic policy, many practices of the 18th and 19th centuries have been revived, while foreign policy has adopted effective methods reminiscent of the Soviet era. Current dynamics in global politics, especially tense relations with the West and the security challenges it faces today, significantly contribute to these developments.

However, the desire of the Russian people for a strong ruler and a stable, socialist economy plays a significant role in shaping this path. Formally, Russia operates as a federal, semi-presidential system with a president alongside a prime minister and cabinet. The 2020 constitutional amendments further strengthen the power of the president, reduce the efficiency of parliament, and increase the concentration of power within the state. As a result, the head of state now has greater authority over legislative bodies, the supreme courts, and the prosecutor's office. The creation of the State Council of the Russian Federation is another important development in the administrative structure. There are also reforms aimed at strengthening governance from within and fostering nationalism, emphasizing the primacy of Russian law over international standards. It is worth noting that even before the 2020 reforms, a 2015 ruling by the Constitutional Court confirmed the primacy of the Russian Constitution over decisions of the European Court of Human Rights.

References

1. Allison, R. (2022). Russian revisionism, legal discourse and the 'rules-based' international order. In *Hybridisation of Political Order and Contemporary Revisionism* (pp. 46-65): Routledge.
2. Ampleeva, T. Y., & Karaulova, J. A. (2017). Constitutional control in Russia: Issues of evolution, theory and practice. *Giornale di storia costituzionale*: 33, 1, 2017, 81-95.
3. Azari, H., & Tabatabai Hesari, N. (2017). The Iranian Legal System Challenges regarding Accession to the Human Rights Treaties from the Perspective of International Law. *Comparative Law Review*, 8(1), 1-24.
4. Berezin, M. Y., Goncharov, I. A., Kallagov, T. E., Larina, T. V., Nesmeianova, I. A., & Shutikova, N. S. (2022). CONSTITUTION IN THE LEGAL SYSTEM OF A STATE. *International Journal of Ecosystems & Ecology Sciences*, 12(4).
5. Brzezinski, M. F. (1993). Toward "Constitutionalism" in Russia: the Russian Constitutional Court. *International & Comparative Law Quarterly*, 42(3), 673-690.
6. Domańska, M. (2020). "Everlasting Putin" and the reform of the Russian Constitution.
7. Fahner, J. (2020). A New Hope for the Yukos Shareholders—PCA Awards Revived by the Hague Court of Appeal.
8. Grigoriev, I. S. (2021). What Changes for the Constitutional Court with the New Russian Constitution? *Russian Politics*, 6(1), 27-49.
9. Gsovski, V. E. (1949). Soviet Civil Law: Private Rights and Their Back-Ground Under the Soviet Regime Comparative Survey and Translation of the Civil Code; Code of Domestic Relations; Judiciary Act; Code of Civil Procedure; Laws on Nationality, Corporations, Patents, Copyright, Collective Farms, Labor; and Other Related Laws. Volume 2.
10. Jamieson, N. J., & Trapeznik, A. (2006). A Legislative (Logico-Linguistic) Analysis of the Common Law Components of the Russian Constitution. *Transnat'l L. & Contemp. Probs.*, 16, 431.
11. Kayurov, E. A. (2013). Constitutional Law Regulation of State (Municipal) Finances in Russia. *Law: J. Higher Sch. Econ.*, 48.
12. Khabrieva, T. Y. (2020). Constitutional reform in Russia: Searching for national identity. *Herald of the Russian Academy of Sciences*, 90(3), 273-282.
13. Kremyanskaya, E. A., Kuznetsova, T. O., & Rakitskaya, I. A. (2014). *Russian constitutional law*: Cambridge Scholars Publishing.

14. Långström, T. (2021). *Transformation in Russia and International Law* (Vol. 6): BRILL.
15. Lomovtseva, M., & Henderson, J. (2009). Constitutional justice in Russia. *Rev. Cent. & E. Eur. L.*, 34, 37.
16. Lukyantsev, A. (2015). On modern Civil law in Russia in the system of private law. *Terra Economicus*, 13(3), 147-155.
17. Maggs, P. B. (1997). The Russian Courts and the Russian Constitution. *Ind. Int'l & Comp. L. Rev.*, 8, 99.
18. Maggs, P. B., Schwartz, O., & Burnham, W. (2015). *Law and legal system of the Russian Federation*: Juris Publishing, Inc.
19. Mälksoo, L. (2021). International law and the 2020 amendments to the Russian Constitution. *American Journal of International Law*, 115(1), 78-93.
20. McFaul, M. (1995). State power, institutional change, and the politics of privatization in Russia. *World Politics*, 47(2), 210-243.
21. Morozov, V., & Rumelili, B. (2012). The external constitution of European identity: Russia and Turkey as Europe-makers. *Cooperation and conflict*, 47(1), 28-48.
22. Nakhova, E. A. (2022). The comparative analysis of the law of evidence in civil proceedings in France and Russia. *Vestnik Saint Petersburg UL*, 257.
23. Ostroukh, A. (2013). Russian Society and its Civil Codes: A Long Way to Civilian Civil Law. *J. Civ. L. Stud.*, 6, 373.
24. Partlett, W. (2015). Courts and Constitution-making. *Wake Forest L. Rev.*, 50, 921.
25. Partlett, W. (2021). Russia's 2020 Constitutional Amendments: A Comparative Analysis. *Cambridge Yearbook of European Legal Studies*, 23, 311-342.
26. Remington, T. (2015). *Politics in Russia*: Routledge.
27. Riekkinen, M. (2025). Freedom of Expression and the Law in Russia: Asymmetrical Information. In: Taylor & Francis.
28. Sadowski, J. (2022). Amendments of 2020 to the Russian Constitution as an Update to Its Symbolic and Identity Programme. *International Journal for the Semiotics of Law- Revue internationale de Sémiotique juridique*, 35(2), 723-736.
29. Sakwa, R. (2020). *Russian politics and society*: Routledge.
30. Smith, G. B. (2013). The Russian Constitution. In *Routledge Handbook of Russian Politics and Society* (pp. 71-80): Routledge.
31. Smith, G. B., & Sharlet, R. S. (2008). *Russia and its constitution: promise and political reality* (Vol. 58): Brill.
32. Vlasenko, N. A. (2019). Modernization of the Constitution of Russia (to the results of the discussion in connection with the 25th anniversary). *RUDN Journal of Law*, 23(2), 163-183.
33. Yakovlev, A. (1993). Russia: The Struggle for a Constitution. *Emory Int'l L. Rev.*, 7, 277.
34. Yulia, K. (2020). Constitutional review and dissenting opinions in nondemocracies: an empirical analysis of the Russian Constitutional Court, 1998-2018. *Экономическая социология*, 21(3), 129-150.