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From History to Identity: The Dynamics of Identitarian Constitutionalism in Russia

by

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Abstract

This article explores constitutional identity in contemporary Russia, emphasizing the interplay of historical memory, internal ethnic and cultural diversity, and international influence in shaping the country's legal and political framework. Through an analysis of Russian constitutional law, it examines how these factors affect both domestic governance and Russia's engagement in regional and global affairs. The study highlights the role of diverse communities in shaping political and legal norms and underscores the ongoing negotiation between national priorities and external expectations. Despite challenges, Russia's reflective approach to its history and social complexities signals a positive trajectory for its constitutional development.

Keywords

constitutional identity, historical memory, ethnic diversity, international influence, legal development



1. Introduction

Constitutional law resists reduction to constitutional provisions and official state acts. What truly defines the foundations of statehood and the guiding legal principles of a nation emerges from a web of practices, historical contexts, and pressing necessities. In this sense, identitarian constitutionalism offers a way to grasp a country not merely as a legal abstraction but as a living socio-political community, whose constitutional identity is continually shaped by memory, contestation, and self-representation.

Russia certainly makes a particularly compelling case for such an investigation. As a federal, multiethnic, and multicultural state, Russia must grapple with the challenge of integrating significant internal diversity while also cultivating a sense of common constitutional belonging. Since the adoption of the 1993 Constitution, this balancing act has been visible in shifting emphases between recognition of pluralism and the drive for cohesion. These dynamics have only intensified in recent years, as constitutional discourse has become intertwined with broader debates about national identity, historical continuity, and Russia's place in the world.

The global context has also shaped the trajectory of Russian constitutionalism. Whereas in some regions constitutional identity is discussed in the context of integration, in Russia international and supranational institutions are often perceived as external actors with their own agendas. This framing places sovereignty at the center of constitutional discourse, not only as a legal principle but also as a marker of identity in an increasingly contested international environment (Laruelle 2025).

This dimension has gained particular importance over the last decade. Political developments at home and abroad, coupled with the constitutional reforms of 2020,¹ have drawn renewed attention to the foundations and future of the Russian constitutional order. The military and political crisis surrounding Ukraine, together with heightened confrontation between Russia and Western states, has deeply influenced how Russia is perceived externally and how its citizens perceive their own constitutional system. Abroad, Russia is frequently portrayed as pursuing an increasingly centralized and insulated model of governance (Treisman 2018), while inside the country, public opinion remains divided: some see the



constitution as a bulwark of stability in turbulent times, while others regard it as weakened or overshadowed by political expediency (Gel'man & Zavadskaya 2021).

These developments have created a highly polarized environment for assessing Russian constitutionalism. Internationally, debates about Russia are often framed in terms of broader geopolitical conflicts, which can overshadow more nuanced legal and historical questions (for example, Hendl et al. 2024). Domestically, official narratives stress continuity and resilience (Kononov 2024), while critical voices emphasize fragility and contestation (Klimenko 2021). For scholars, this polarization presents both a challenge and an opportunity: the challenge of disentangling constitutional dynamics from political polemics, and the opportunity to contribute a more balanced and context-sensitive perspective.

Such a perspective is especially needed because Russia complicates many conventional assumptions in comparative constitutional studies. In much of the literature, constitutional identity is associated with strengthening democratic pluralism, human rights, or shared memory of overcoming authoritarianism (Gogoase 2022; Lee 2024; Scholtes 2023). In the Russian case, however, identity is often articulated through appeals to history, unity, and cultural self-understanding. Sovereignty plays a central role here as well, serving as a lens through which constitutional selfhood is defined in relation both to internal diversity and to external pressures. This does not mean that Russian constitutionalism is unique in every respect, but it does highlight the importance of studying how different historical trajectories and political contexts shape the meaning of constitutional identity.

This article aims to explore the dynamics of identitarian constitutionalism in Russia across several interrelated dimensions. It examines how questions of diversity and pluralism are reflected in constitutional language; how historical narratives and memories of past transitions inform constitutional self-understanding; and how international debates and crises influence the ways in which Russia defines and defends its constitutional order. The goal is not to offer a celebratory or condemnatory account, but rather to situate Russian constitutionalism within a broader comparative conversation about how states craft and contest their constitutional identities.



2. Diversity and Pluralism in the Russian Constitutional Framework

Diversity and pluralism are central to Russia's political, social, and legal identity. With over 190 ethnic groups, dozens of languages, multiple religious traditions, and a wide political spectrum, the country presents complex challenges for its constitutional system in balancing formal equality with governance and social cohesion. Studying how Russia manages this diversity offers insight into broader issues of federalism, national identity, and social integration.

At the heart of the Russian Constitution is a formal commitment to equality and non-discrimination. Article 19 explicitly prohibits discrimination on the basis of nationality, language, social origin, and other factors, establishing equality under the law as a cornerstone for protecting diversity. Article 26 further guarantees the right of citizens to express their national identity and cultural heritage freely, including the choice of language used in communication and education. These provisions provide a normative foundation for the inclusion of various social groups in political, social, and cultural life. However, legal recognition does not automatically ensure effective protection, and the practical implementation of these guarantees often encounters structural and political obstacles.

The 1993 Constitution recognizes Russia's diversity by defining its citizens as a "multinational people" (многонациональный народ, mnogo-natsional'nyy narod), a deliberate phrasing that emphasizes civic inclusivity while acknowledging ethnic plurality. Linguistically and politically, this is reflected in the distinction between русский (russkiy), denoting ethnic Russians, and российский (rossiyskiy), referring to all citizens of the Federation as a civic nation. This distinction is not merely semantic; it frames debates over minority rights, national policy, and the balance between ethnic and civic identity in law and governance, with policies often prioritizing broader civic identity while public discourse and regional initiatives continue to negotiate boundaries between ethnic particularity and civic belonging (Lunkin 2008; Ostapchuk & Kamusella 2012). By framing Russia as a "multinational people" rather than a "multiethnic nation," the Constitution underlines that multiple peoples coexist within a single state rather than forming a single nation composed of many ethnicities. This raises fundamental questions about whether Russia should be considered primarily a civic or a national state. Theories of nationalism, which link the nation



to a unified political community and emphasize alignment of ethnicity with statehood (Anderson 1983; Gellner 1983), help explain the tension between the state's pursuit of national unity and its acknowledgment of multiple autonomous nations – entities with distinct cultural and political identities – thus highlighting the enduring challenge of balancing ethnic autonomy and centralized governance.

The tension between national unity and the autonomy of diverse peoples is reflected in the constitutional architecture of Russia. The Constitution acknowledges the existence of multiple peoples and provides mechanisms for their political and cultural expression through federalism, designed to balance centralized authority with regional autonomy. Article 5 defines the Federation as a union of republics, territories, regions, cities of federal significance, and autonomous units, creating a multi-tiered governance system. Republics such as Tatarstan, Bashkortostan, and Chechnya may adopt their own constitutions and establish official languages in addition to Russian (Article 68). These provisions theoretically allow for the preservation of local cultural identity within the federation.

In practice, Russian federalism is asymmetrical. While the Constitution formally distinguishes between exclusive federal jurisdiction (Article 71), shared competencies (Article 72), and residual regional authority (Article 73), in substance the balance of power heavily favors the federal center. Key areas such as foreign policy, defense, taxation, and the judiciary are reserved for exclusive federal control, while “shared powers” are largely exercised through federal legislation and oversight (Articles 76, 78, 85), leaving regions with limited room for independent action. Among the subjects themselves, there is formal equality: republics, territories, and regions all possess the same standardized set of competencies under the Constitution, apart from symbolic distinctions such as republics' constitutions and official languages. Genuine asymmetry emerged in the 1990s, when the Federative Treaty allowed certain republics, most notably Tatarstan, to exercise broader rights in areas like taxation and policing (Mitukov 2019). Although the treaty has remained in force, its practical impact was significantly reduced in the 2000s, as Federal Law No. 184-FZ standardized the distribution of powers, curtailed the scope of treaty-based arrangements, and subordinated regional legislation to federal norms. The result was a highly centralized system in which regional variation and autonomy were constrained, and the federal center consolidated its dominance over the subjects.



Language policy exemplifies these tensions. Prior to 2018, republics were required to provide instruction in local languages alongside Russian. The 2018 amendments to the federal education law (Federal Law No. 273-FZ) made the teaching of regional languages optional, subordinating minority linguistic rights to federal priorities. Legal scholars have argued that this represents a weakening of Article 68 guarantees, illustrating the asymmetry between formal constitutional recognition of diversity and its practical enforcement (Kozhevnikov et al. 2020). Incidents such as the self-immolation of Udmurt scholar Albert Razin in 2019 highlight the societal resonance of these legal and policy choices.¹¹

Another important aspect of diversity in Russia is the presence of a large number of religions across its territory. Religious freedom is guaranteed by Article 28 of the Constitution, which secures freedom of conscience and the right to profess any religion or none at all. This principle is further implemented by Federal Law No. 125-FZ “On Freedom of Conscience and Religious Associations”, which establishes a registration system for religious organizations and defines their rights and obligations. Paradoxically, religion in Russia remains largely detached from questions of collective identity, federalism, or societal pluralism, since the country is officially secular and society mostly adheres to secular norms (Skladanowski & Smuniewski 2023). Nevertheless, the law explicitly references the “traditional religions of Russia” – Orthodoxy, Christianity, Islam, Buddhism, and Judaism – granting them recognition and reflecting the state’s aim to promote traditional values and the role of religion in public life.

In practice, Russian Orthodoxy enjoys privileged status, reflected in public ceremonies, educational content, and influence over legislation and social policy (Antonov 2022). Minority religions are legally recognized but often face bureaucratic hurdles, heightened scrutiny, or administrative obstacles, particularly “non-traditional” faiths, new religious movements, and missionary communities (Boeva 2013). These groups may encounter difficulties registering officially, accessing public space, or organizing educational and charitable activities, leading to de facto restrictions on religious practice.

Even registered groups must navigate frequent inspections, reporting requirements, and potential fines. Anti-cult rhetoric and public campaigns often stigmatize smaller religious communities, affecting social perception and participation, while Orthodox, Muslim, Buddhist, and Jewish institutions retain comparatively smooth relations with the state. Thus,



the constitutional ideal of religious pluralism is moderated by institutional preference for traditional religions and by centralized legal enforcement (Stoeckl 2020).

Women, LGBT individuals, and people with disabilities represent important dimensions of Russia's social diversity, yet these groups remain particularly vulnerable. Women are legally guaranteed equal rights in employment, education, and political participation. Despite this, issues such as domestic violence, unequal opportunities in the workplace, and underrepresentation in politics persist (Rebrey 2023). In recent years, the state has introduced several initiatives aimed at addressing domestic violence, including proposals for specialized support services, awareness campaigns, and the establishment of hotlines and shelters. However, these efforts often intersect with the promotion of traditional values, which can emphasize family cohesion and hierarchical gender roles, sometimes limiting the scope of protections for women.^{III}

LGBTQ+ rights are heavily constrained by Federal Law No. 135-FZ, which bans “propaganda” of non-traditional sexual relationships among minors, limiting both civic expression and educational inclusion. Reports from human rights organizations document harassment, restricted access to community resources, and social stigma affecting LGBTQ+ individuals (Stoltz & Khlusova 2024).

People with disabilities are covered by Federal Law No. 181-FZ “On Social Protection of Disabled Persons,” yet barriers to physical access, employment, and social participation remain, particularly in regions with limited administrative capacity. Municipal and regional authorities have constrained power to expand protections without federal authorization, reflecting the structural asymmetry inherent in Russian federalism. The gap between legal entitlement and social reality highlights ongoing challenges in inclusive policy implementation, and underscores the need for stronger enforcement, local advocacy, and coordination across federal, regional, and municipal levels to ensure practical access to rights (Gurina et al. 2023).

The Russian constitutional framework proclaims protections for ethnic, religious, and social diversity, and the federal system in theory allows regions to preserve local identities. In practice, however, asymmetry between the center and regions, the centralization of authority, and selective enforcement of guarantees constrain pluralism. Language, religion, and social identity often intersect with federal oversight, producing tensions between regional autonomy and central control. This unresolved balance – the “pendulum” between ethnic-



majority influence and civic inclusivity – continues to shape debates over identity and governance, while also raising broader questions of how multiethnic federations can reconcile diversity with central authority.

3. Historical Arguments and the Shaping of Constitutional Identity

Post-Soviet Russia faced the daunting challenge of forming a coherent national identity amidst a profound historical and ideological rupture. The collapse of the Soviet Union in 1991 was not only a geopolitical and economic upheaval but also a seismic cultural and ideological shift (Bassin & Kelly 2012; Kaneff & Gallinat 2022; Yurchak 2006). For decades, the Soviet regime had imposed a unifying narrative centered on class struggle, socialist internationalism, and the primacy of the Communist Party. The end of this system created a vacuum in which the symbols, values, and collective memory that had structured political and social life were destabilized.

Russia's transition required a selective retrieval of historical narratives and an effort to define nationhood in the absence of a singular ideology. The state's constitutional framework reflects both the struggle to reconcile competing historical legacies and the deliberate shaping of a legal identity grounded in historical memory. In this context, historical memory plays a pivotal role in shaping national identity, acting as a record of collective experience and a foundation for legitimizing political and legal structures. In the absence of a unifying contemporary ideology, shared – or sometimes imposed – memory provides the cohesion necessary for constitutional identity (Kurilla 2024).

This reliance on history is not unprecedented. Russia has turned to history in moments of constitutional re-foundation before. The clearest early example came under Stalin during World War II, when the Soviet regime abandoned its revolutionary internationalist rhetoric and invoked Russian patriotism, military traditions, and national heroes to mobilize the population. Later, in the 1980s, perestroika was accompanied by a profound reconsideration of Soviet history, exposing Stalinist crimes and opening public debate on the legitimacy of the Soviet project itself. In the 1990s, the young Russian Federation sought to distance itself from Soviet totalitarianism while experimenting with liberal-democratic narratives. Under Vladimir Putin, history once again became a central tool of state-building, with official



narratives selectively integrating imperial and Soviet elements into a coherent, state-approved vision of the past.

The resurrection of imperial symbols alongside selected Soviet elements illustrates the pragmatic yet contradictory use of history. After the Soviet collapse, the Russian tricolor, the double-headed eagle, and St. George the Victorious were revived, while parts of the Soviet anthem were retained with new lyrics (Matjunin 2000). This combination attempts to reconcile different historical legacies, but it also reflects tension between imperial and Soviet identities. The blended symbolism seeks to legitimize authority, foster national pride, and shape citizens' understanding of the state, while simultaneously highlighting the uneasy negotiation of Russia's past in constructing a post-Soviet national identity.

Historical narratives are also deeply embedded in Russia's management of interethnic and interreligious relations. Some scholars point to Russia's colonial past, highlighting the violent conquest and forced Russification of numerous indigenous peoples from the Volga region, the Caucasus, Siberia, and Central Asia (for example, Morrison 2021). These historical processes, though officially reframed as "integration" or "development," remain partially visible today in ongoing cultural and linguistic marginalization of minority groups.^{IV} At the same time, the historical expansion of Russia eastward to the Pacific Ocean and beyond functions as a powerful legitimating narrative for the imperial component of Russian constitutional identity. It provides grounds for portraying Russia not merely as a nation-state, but as a distinct "civilization-state" with its own unique path (Bondarev et al. 2024). This framing is actively employed in political discourse, often contrasted with Western models of constitutionalism and democracy.

Such historical narratives also enable provocative political claims. They provide a discursive foundation for rhetoric about the "return of ancestral lands," most dramatically visible in Russia's claims over Ukraine, but also in references to the Baltic states, northern Kazakhstan, Belarus, and even Alaska, once part of the Russian Empire.^V While these projects are largely rhetorical and instrumental, they reveal how the past functions as a reservoir of symbolic capital for constitutional identity and geopolitical ambition. Inside Russia, separatist or decolonizing sentiments are limited, despite occasional Western commentaries predicting fragmentation (for example, Lenton 2025). Nevertheless, the multiplicity of historical interpretations among Russian citizens remains a challenge for constitutional cohesion.



Russian society does not hold a uniform view of history. Divergent interpretations reflect a broader identity crisis. For some, especially descendants of those who suffered from political repression, the past is remembered as a source of trauma. For others, including monarchists or communists, different historical eras serve as sources of pride and legitimacy. Many citizens, however, have only fragmentary connections to their ancestry, with little awareness of their family history beyond the Soviet period. In this fragmented memory landscape, the one event that unites the overwhelming majority is the victory in World War II. This explains why May 9 – Victory Day – has become the cornerstone of contemporary Russian identity and the foundation of Putin’s ideology (Danilova & Sulyak 2021). It is not merely a commemoration of the past but a state-orchestrated ritual that anchors national unity.

This politics of memory generates a paradox. On the one hand, official narratives emphasize the myth of a “thousand-year-old Russia,” portraying the state as an eternal and continuous civilization stretching back to Kievan Rus’. On the other hand, the modern Russian Federation is a relatively young state, barely three decades old, still struggling with the legacies of Soviet collapse. The tension between mythic antiquity and institutional youth underscores the fragility of Russian constitutional identity.

In conclusion, history is central to Russia’s constitutional identity. In the absence of a unifying post-Soviet ideology, it serves as a surrogate, providing legitimacy, social cohesion, and moral authority. Through imperial symbols, constitutional text, commemorative laws, and public rituals, historical narratives define the nation, reinforce state power, and shape citizenship. Russian elites’ instrumental use of history demonstrates that constitutional identity is historically mediated, with memory and law closely intertwined. By emphasizing a heroic and triumphal past, Russia’s approach contrasts with other constitutional traditions, setting the stage for examining how memories of authoritarianism influence transitions to constitutional democracy.

4. The Authoritarian Legacy and Russia’s Constitutional Identity

Russia’s transition to constitutional democracy has been deeply shaped by its authoritarian past, particularly the legacy of the Soviet system. The country continues to



grapple with the memory of wide-ranging historical traumas: political repression, famine, economic instability and poverty, the consequences of war and forced collectivization, as well as censorship, restrictions on freedom of expression, and campaigns against religion. These experiences remain embedded in collective memory and continue to influence Russia's constitutional identity. This is further complicated by a legal framework that both reflects and regulates the state's engagement with history. Laws, official texts, and public commemorations not only codify the past but also establish which interpretations are considered legitimate, shaping collective memory and civic identity.

After the Soviet collapse in 1991, the 1993 Constitution sought to mark a decisive departure by enshrining human rights, separation of powers, and the rule of law (Schwartz 2009). Yet the legacy of authoritarianism persisted in political culture, institutions, and public attitudes. Instead of a clean break, the 1993 Constitution preserved key elements of Russia's authoritarian heritage. While it declared human rights, separation of powers, and federalism, it also concentrated extensive authority in the presidency: Article 80 defined the president as both head of state and guarantor of the Constitution, placing him "above" the branches of power. Articles 83–90 granted the president wide powers to appoint the government, dissolve the State Duma, issue decrees with the force of law, and even initiate constitutional amendments, while parliament's ability to constrain the executive remained weak. These provisions reflected not only a rejection of Soviet totalitarianism but also a compromise with its legacy, embedding in the constitutional order the enduring preference for centralized authority and limited checks on executive power.

The concentration of political power in the presidency was a direct consequence of the constitutional crisis of October 1993, when violent confrontation between the executive and the parliament was resolved in favor of Boris Yeltsin.^{VI} The new Constitution institutionalized this outcome by granting the president exceptional authority over the legislature and government, setting the trajectory of Russian constitutionalism from the very beginning. This formative moment reinforced the idea that strong, centralized leadership was essential for stability, while the legitimacy of state violence as a means of resolving political conflict became tacitly embedded in the political order. As a result, historical examples of repression and state coercion could not be officially represented as unequivocally negative, since they echoed the very logic upon which the constitutional system itself had been constructed.



The memory of repression has produced conflicting narratives across Russian society.^{VII} For some citizens, these events symbolize resilience, national sacrifice, and the consolidation of the state; for others, they are injustices demanding full acknowledgment and reckoning. These divisions persist in constitutional discourse, making the realization of democratic ideals uneven and contested. This unresolved tension underscores the difficulty of forging a collective constitutional identity that can reconcile law, governance, and memory.

The Russian state has increasingly sought to regulate historical interpretation. A striking example is the 2022 Federal Law No. 103-FZ, which bans comparisons between Soviet repression and Nazi crimes. By criminalizing such equivalences, the state defends the narrative of Soviet wartime victory as a morally unique achievement, while systematically downplaying the darker aspects of Stalinism, including widespread repression, forced collectivization, and political executions. Such measures do more than shape historical memory – they actively influence constitutional identity by privileging one sanctioned version of history, thereby undermining pluralism, a cornerstone of constitutional democracy. As Nekoliak and Primbs (2025) observe, Russian memory legislation has gradually shifted from addressing explicit neo-Nazi symbolism to reinforcing the state’s preferred moral framing of the Soviet past. By limiting certain historical comparisons, this legal approach reduces the scope for constitutional debate over the normative implications of state violence.

Independent initiatives, such as the Memorial Society,^{VIII} have long sought to preserve the memory of repression. Activists like Yuri Dmitriev,^{IX} who painstakingly documented mass graves of Stalin’s victims, became symbols of resistance to state-sanctioned historical amnesia. Yet both Memorial and Dmitriev faced severe persecution, illustrating the state’s hostility toward uncontrolled narratives of the past. This pattern exemplifies the broader dynamics of memory policy under Putin: as Bogush (2025) demonstrates, independent historical narratives are increasingly treated as challenges to state authority. The persecution of memory activists thus reflects a constitutional logic in which plural forms of remembrance are seen as incompatible with a centralized and loyal political order.

Symbolic spaces also play a crucial role in public memory. The Solovetsky Stone on Lubyanka Square, transported from the site of the first Soviet labor camp, stands as a memorial to political repression, and citizens regularly bring flowers there, including following the death of prominent opposition figures like Alexei Navalny, transforming it into a living site of memory (Arkhipova & Lapshin 2024).



By contrast, the fate of the Dzerzhinsky monument – removed in 1991 and still subject to debate regarding its possible restoration – reveals the contested nature of public symbols.^x Similarly, the “Last Address” project, which installs plaques at the homes of repression victims, has faced vandalism and removal of memorial signs, underscoring the fragility of remembrance in contemporary Russia.^{xi} These examples illustrate a society caught between the imperatives of remembrance and the pressures of erasure, between the urge to move forward and the persistence of unresolved trauma.

Despite individual initiatives and resistance, official state policy as a whole does not encourage a full understanding of the difficult aspects of the Soviet past. The 2012 Russian “foreign agent” law, officially titled Federal Law No. 121-FZ of July 20, 2012, came into effect on November 21, 2012. It mandates that non-governmental organizations (NGOs), media outlets, and individuals receiving foreign funding and engaging in “political activity” register as “foreign agents.” This designation carries a strong negative connotation in Russian society, equating it with “traitors” or “spies.” In June 2022, the European Court of Human Rights (ECHR) ruled in the case *Ecodefence and Others v. Russia* (Application No. 9988/13) that this law violates the rights to freedom of expression, association, and respect for private life, as enshrined in the European Convention on Human Rights. The court found that the law’s application led to undue restrictions on the activities of civil society organizations and individuals, including mandatory labeling and intrusive reporting requirements, which deterred public engagement and stifled dissent. Despite this ruling, Russia’s withdrawal from the Council of Europe in 2022 has rendered the ECHR’s decisions unenforceable within the country.

The memory of the Holocaust adds another layer of complexity. While Russia emphasizes its pivotal role in defeating Nazi Germany, it has been slower to embrace broader European practices of Holocaust remembrance. The Holocaust is frequently framed within the context of national heroism and wartime sacrifice, rather than as a universal lesson on the consequences of authoritarianism, anti-Semitism, and human rights abuses (Pakhaliuk 2025). This selective remembrance limits the capacity of Russia’s constitutional identity to internalize global norms of human dignity and minority protections, reflecting an emphasis on national narratives over universal ethical principles.

Russia’s constitutional identity is deeply entangled with its authoritarian legacy, where unresolved Soviet repression continues to shape collective memory and political culture.



Many Russians prefer to “move on,” yet the past refuses to disappear, leaving tensions that weaken constitutional norms and make them vulnerable to manipulation. The 1993 Constitution, particularly its first two chapters, was conceived as a declarative response to totalitarianism, proclaiming freedom, dignity, and rule of law. However, without genuine societal reckoning, these ideals remain fragile. Memorials, debates over monuments, education, and state-directed history policies reveal the ongoing struggle to balance remembrance with denial, while international actors like the UN and the ECHR play a potential role in reinforcing or challenging domestic constitutional development.

5. International and Supranational Influences on Constitutional Identity

Russia’s constitutional law has long been shaped not only by internal historical and political dynamics but also through its interactions with international and supranational institutions, revealing a complex interplay between the imperatives of national sovereignty and the pressures of international legal norms. Over the past three decades, Russia has engaged with organizations such as the European Union (EU), the Council of Europe (CoE), the United Nations (UN), and various international human rights organizations. These interactions have played a significant role in shaping debates around governance, human rights, and constitutional identity. However, they have simultaneously highlighted enduring tensions between adherence to international standards and the desire to preserve domestic constitutional autonomy. The resulting dynamic is one in which international influence is both welcomed and resisted, negotiated carefully to reinforce domestic priorities while maintaining a façade of global legitimacy.

Although Russia is not an EU member, the European Union has exerted a measurable influence on its legal and political framework, particularly in the post-Soviet period. The 1994 Partnership and Cooperation Agreement (PCA) established the foundation for Russia-EU relations, creating avenues for cooperation in trade, economic regulation, political governance, and human rights promotion.^{xii} Within this framework, the EU has sought to promote democratic reforms, judicial independence, and protections for political freedoms. These efforts were often presented in the form of recommendations, technical assistance programs, and conditionalities attached to trade or economic cooperation. While such



measures sought to encourage convergence with European norms, Russia's response has often been characterized by cautious engagement mixed with resistance. For instance, while some administrative and market reforms aligned with EU expectations, the Russian government has consistently resisted reforms that might diminish central control over media, political parties, or civil society organizations (Mazepus et al. 2021).

Russia's relationship with the Council of Europe and its judicial arm, the European Court of Human Rights (ECtHR), provides another crucial example of the complex interplay between international obligations and constitutional sovereignty. As a member of the CoE, Russia was bound by the European Convention on Human Rights (ECHR) and the rulings of the ECtHR. Over the years, Russian courts received thousands of cases brought by citizens claiming violations of civil and political rights, from issues of unlawful detention to restrictions on freedom of expression. The ECtHR decisions occasionally forced Russia to amend laws or compensate victims, creating moments in which international legal oversight appeared to influence domestic legal practice (Dzehtsiarou & Helfer 2022). Nevertheless, tensions escalated over time, culminating in the landmark Resolution of the Constitutional Court of the Russian Federation of 14.07.2015 N 21-P, which declared that the ECtHR's judgments could be disregarded if they conflicted with the Russian Constitution. This decision underscored a fundamental tension: while Russia formally participated in supranational institutions, it reserved the right to prioritize constitutional sovereignty whenever international norms threatened to override domestic authority. The tension came to a head in 2022, when Russia formally withdrew from both the ECHR and the CoE, severing legal ties with European human rights frameworks.

Beyond Europe, Russia's engagement with the United Nations demonstrates both selective adherence to international norms and strategic use of global governance mechanisms. As a permanent member of the UN Security Council, Russia maintains a privileged position in influencing decisions on international security, peacekeeping, and the regulation of armed conflict (Götz & Gejl Kaas 2022). Russian constitutional identity reflects its global role through strategic engagement in the United Nations, particularly via Russia's use of its veto power in the Security Council. For example, Russia has repeatedly vetoed resolutions on Syria to defend state sovereignty and prevent external intervention, demonstrating how it balances international obligations with domestic and constitutional priorities.^{XIII}



A key aspect of Russia's ability to navigate these complex international interactions is its strategic deployment of political capital derived from the outcomes of World War II and its Soviet-era influence in the Global South. Russia has leveraged the narrative of the Soviet Union's decisive role in defeating Nazi Germany to maintain symbolic authority on the global stage, emphasizing historical legitimacy in international forums and public diplomacy (David-Fox 2022). Similarly, the enduring political, economic, and cultural influence established during the Soviet era allows Russia to maintain partnerships and alliances in parts of Africa, Asia, and Latin America, creating a buffer against international isolation.^{xiv} This strategic positioning was particularly evident in 2022, when despite widespread sanctions and condemnation following the invasion of Ukraine, Russia was not fully isolated from the international system, largely due to these historical and geopolitical relationships.

International human rights NGOs influence Russia's constitutional discourse, though their impact on public opinion is complex. Organizations such as Human Rights Watch, Amnesty International, and Front Line Defenders monitor human rights conditions, publish reports, and advocate for judicial independence, civil liberties, and democratic reforms. While their work informs domestic debates and legal discussions, research indicates that many Russians remain indifferent, often viewing these NGOs through the lens of state propaganda portraying them as foreign agents undermining sovereignty (Gerber 2016). Nevertheless, these organizations provide resources and platforms that support civil society, subtly shaping discourse on constitutional rights despite official resistance.

This interplay between external advocacy and domestic perceptions mirrors Russia's broader engagement with international institutions. Early in Vladimir Putin's presidency, narratives emerged regarding Russia's alleged attempts to join NATO and the European Union.^{xv} While often simplified in popular accounts, these episodes are significant because they illustrate the delicate and contested nature of Russia's integration into European security and economic structures. The subsequent expansion of NATO into former Warsaw Pact countries added further complexity, as Russia perceived a strategic encroachment on its traditional sphere of influence. Scholars argue that this context cannot be reduced to mere aggression; rather, it reflects a broader security dilemma shaped by historical anxieties, regional balances of power, and the evolving architecture of European defense (Chae 2024; Duke & Gebhard 2017; Israelyan 1998).



In this context, Russia's interactions with post-Soviet states, particularly the countries of the Commonwealth of Independent States (CIS) and the Baltic region, further complicate the picture. Efforts to maintain influence over these neighboring states, whether through economic, political, or security arrangements, demonstrate an ongoing concern with regional hierarchy and stability.^{xvi} These interactions are closely tied to Russia's domestic constitutional narrative, which frames national sovereignty, territorial integrity, and regional influence as central pillars of state identity. Externally, Russia increasingly looks to the political and economic model of China as a reference point for governance, particularly regarding the integration of authoritarian control, economic modernization, and strategic international positioning (Pradt 2025, 245–271). This orientation is reinforced by the resource-dependent structure of Russia's economy, which links external policy directly to energy exports and natural resource diplomacy. Reliance on oil, gas, and mineral wealth shapes both domestic priorities and international strategies, constraining flexibility in policy while enabling leverage over dependent states.

International and supranational actors have shaped Russia's constitutional identity, yet their influence is constrained by domestic priorities and sovereignty concerns. Engagements with the EU, Council of Europe, and UN illustrate how external legal norms interact with Russia's self-conception, while international human rights advocacy is often framed as adversarial. These interactions influence the development of an identity-focused constitutionalism, highlighting tensions between global expectations and Russia's emphasis on national independence, state authority, and historical traditions.

6. Conclusion

Russia's constitutional identity is dynamic and evolving, shaped by historical memory, societal debate, internal diversity, and international engagement. It reflects ongoing efforts to understand the past, reconcile competing narratives, and articulate a vision for the future. Engagement with history – from the Soviet legacy and wartime achievements to contemporary governance – demonstrates a willingness to grapple with complex realities and develop a coherent constitutional self-conception.



Internal ethnic, cultural, and linguistic diversity plays a central role in shaping this identity. The presence of numerous ethnic groups, indigenous communities, and regional traditions creates both challenges and opportunities for governance. Incorporating these diverse voices encourages inclusive legal and political practices, fosters a sense of belonging, and strengthens institutional resilience, signaling that pluralism is essential to Russia's evolving legal framework.

Debates over historical interpretation, memorialization, and legal norms reflect a vibrant public sphere that promotes reflection, discussion, and gradual consolidation of constitutional principles. Engaging with competing narratives – both historical and cultural – demonstrates a meaningful commitment to self-examination and underscores that constitutional development is as much social and cultural as it is legal.

International and supranational actors have significantly influenced Russia's constitutional discourse, offering models, critique, and opportunities for collaboration. Institutions such as the European Union, the Council of Europe, and the United Nations, along with global human rights networks, shape debates on governance, human rights, and legal norms. Russia's selective engagement reflects a strategic balance between international participation and national priorities, showing that constitutional identity operates at the intersection of domestic aspiration and global interaction.

This identity is also evident in Russia's external relations. Historical experience, international role, and regional influence inform both foreign policy and global perception. By asserting its governance vision abroad, Russia contributes to regional and global dynamics. Understanding this self-conception is crucial for building constructive and mutually respectful relationships.

Ultimately, Russia's search for constitutional identity signals political and legal development. Reflection, debate, international engagement, and recognition of internal diversity demonstrate a meaningful commitment to progress. Appreciating the historical depth, pluralism, and global dimensions of Russia's constitutional identity allows scholars, policymakers, and international partners to engage with the country in a realistic, forward-looking, and constructive manner.

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¹ The 2020 Russian constitutional reform refers to a package of amendments to the Constitution of the Russian



Federation adopted through a nationwide vote in June–July 2020. The reform introduced over 200 changes, the most consequential of which were the “zeroing” of presidential terms (allowing Vladimir Putin to run again after 2024), the strengthening of presidential powers, and the reconfiguration of the relationship between domestic law and international legal norms. The amendments also included provisions emphasizing traditional values, social guarantees, and references to Russia’s historical continuity, thereby reshaping both the institutional framework of governance and the symbolic foundations of constitutional identity (Partlett 2021).

^{II} In September 2019, Albert Razin set himself on fire outside the State Council of Udmurtia in protest against policies diminishing the role of minority languages (Radio Free Europe/Radio Liberty (2019, September 12), Hundreds Bid Farewell To Udmurt Scholar Who Immolated Himself Protesting Russia's Language Policies, available at: <https://www.rferl.org/a/hundreds-bid-farewell-to-udmurt-scholar-who-immolated-himself-protesting-russia-s-language-policies/30160616.html>).

^{III} In Russia, efforts to address domestic violence remain highly constrained. Legislative initiatives aimed at criminalizing all forms of domestic abuse have been delayed or blocked, reflecting the influence of traditional and religious values on policymaking. Authorities have explicitly postponed comprehensive legal reforms, citing the preservation of the “traditional family” as a priority. As a result, many cases of domestic violence continue to be treated as minor offenses with minimal penalties, leaving victims with limited protection or recourse and highlighting persistent gaps in gender equality enforcement (Meduza (2024, June 21), It could undermine the traditional family, available at: <https://meduza.io/en/feature/2024/06/21/it-could-undermine-the-traditional-family>).

^{IV} The persistence of cultural and linguistic marginalization in contemporary Russia reflects a long-standing tension in Russian statecraft. As Alexei Miller (2008) shows, both in the Romanov Empire and today, national policy balanced coercion with selective accommodation: some minority groups were integrated through legal or cultural concessions, while others faced pressures to conform to dominant norms. Unlike classic European colonial systems, Russian policy was not purely extractive or territorial; it often combined administrative pragmatism with ideological arguments about civilizational hierarchy. Understanding this dual legacy helps explain why “integration” efforts can coexist with continued marginalization of certain ethnic communities.

^V In the case of Ukraine, Russian President Vladimir Putin has referred to the invasion as a mission to “return Russian land,” drawing parallels to historical figures like Peter the Great (The Guardian (2022, June 10), Putin compares himself to Peter the Great in quest to take back Russian lands, available at: <https://www.theguardian.com/world/2022/jun/10/putin-compares-himself-to-peter-the-great-in-quest-to-take-back-russian-lands>). Similarly, Russian officials have made claims about the Baltic states and northern Kazakhstan, suggesting they are historically Russian territories. Even Alaska, purchased by the United States in 1867, is occasionally mentioned in Russian discourse as part of a broader imperial nostalgia (France 24 (2025, August 14), Alaska: A source of Russian imperial nostalgia, available at: <https://www.france24.com/en/live-news/20250814-alaska-a-source-russian-imperial-nostalgia>).

These assertions are not merely historical reflections but are actively employed to justify contemporary geopolitical actions. For instance, during the 2025 summit in Alaska, discussions between Putin and former U.S. President Trump reportedly touched upon territorial issues, with Alaska’s historical ties to Russia being part of the conversation (Time (2023), Trump and Putin’s Alaska summit: A window into the Ukraine war, available at: <https://time.com/7309587/trump-putin-alaska-summit-ukraine-war>).

^{VI} The 1993 Russian constitutional crisis was a pivotal moment in the nation’s post-Soviet history, underscoring the centralization of presidential power. The conflict escalated when President Boris Yeltsin dissolved the parliament, leading to violent confrontations in Moscow. On October 4, Yeltsin ordered military forces to shell the parliament building, resulting in significant casualties. This decisive action effectively ended the power struggle, consolidating presidential authority. Subsequently, a new constitution was adopted, granting the president extensive powers and shaping Russia’s political trajectory toward a more centralized governance structure (AP News (2021, August 19), Russia marks anniversary of 1991 mutiny against Yeltsin and Putin, available at: <https://apnews.com/article/russia-mutiny-anniversary-putin-yeltsin-346eaba32afeac511fdf3c2b8fd33912>).

^{VII} According to a July 2023 survey by the Levada Center, approximately 47% of Russians express respect for Joseph Stalin, while 23% feel indifferent toward him. Notably, 54% agree that Stalin was a great leader, a sentiment that has remained consistent since 2021. Despite this admiration, over half of the respondents view Stalin’s purges and repressions as unjust and criminal. This complex and contradictory perception reflects a broader ambivalence in Russian society regarding Stalin’s legacy (Levada Center (2023, August 15), Attitudes toward Stalin, available at: <https://www.levada.ru/2023/08/15/otnoshenie-k-stalinu/>).

^{VIII} Founded in 1987 by Soviet dissidents including Andrei Sakharov, Memorial is one of Russia’s oldest and most prominent human rights organizations. Its mission is to preserve the memory of Soviet-era political



repression and to promote human rights and democratic values. Memorial has played a pivotal role in documenting the crimes of Stalinism, supporting political prisoners, and advocating for historical truth. In 2022, Memorial was awarded the Nobel Peace Prize alongside Ales Bialiatski and the Center for Civil Liberties for their efforts to combat authoritarianism and promote human rights (Britannica (n.d.), Memorial (Russian organization), available at: <https://www.britannica.com/topic/Memorial-Russian-organization>).

^{IX} Yury Dmitriev is a Russian historian and human rights activist known for his work uncovering mass graves of Stalinist repression victims in Karelia, particularly in Sandarmokh. He led the local branch of Memorial and was instrumental in compiling the “Book of Remembrance” for the region. In 2016, Dmitriev was arrested on charges widely regarded as politically motivated. He was convicted in 2020 and sentenced to 13 years in prison, later increased to 15 years in 2021. International human rights organizations, including Memorial, have condemned his prosecution as an attempt to suppress historical memory and intimidate dissent (PEN America (2023), Yury Dmitriev, available at: <https://pen.org/individual-case/yury-dmitriev/>).

^X In 2023, a bronze statue of Felix Dzerzhinsky, founder of the Soviet secret police, was unveiled at the headquarters of Russia’s foreign spy service (SVR) in Moscow (Kim, Lucian (2020, July 21), What To Do With Toppled Statues? Russia Has A Fallen Monument Park, WUSF, available at: <https://www.wusf.org/2020-07-21/what-to-do-with-toppled-statues-russia-has-a-fallen-monument-park>). This monument mirrors the one that stood on Lubyanka Square until it was toppled by protesters in 1991. The installation has been interpreted as a symbolic restoration of Soviet-era authority, reflecting a broader trend of rehabilitating controversial historical figures in Russia. Critics argue that such actions undermine efforts to confront past injustices and promote democratic values.

^{XI} The Last Address is a civic initiative in Russia aimed at commemorating victims of Soviet-era political repression (International Coalition of Sites of Conscience (2023), Last Address (Russia), available at: <https://www.sitesofconscience.org/membership/last-address/>). Inspired by Germany’s Stolpersteine project, it involves installing small metal plaques at the last known residences of individuals who suffered under the regime. These plaques bear the name, birth year, profession, dates of arrest, death, and year of legal rehabilitation of the victim. As of 2023, over 1,500 plaques have been installed across Russia and in several other countries, serving as a poignant reminder of the atrocities committed during that period.

^{XII} The 1994 Partnership and Cooperation Agreement (PCA) between the European Union and Russia was signed on June 24, 1994, and entered into force on December 1, 1997. This agreement established a comprehensive framework for political dialogue, trade, investment, and cultural exchange, aiming to promote mutual understanding and support Russia’s transition to a market economy and democratic governance. The PCA was designed to be automatically renewed annually until replaced by a new agreement; however, negotiations for a successor were halted in 2012, leaving the PCA as the primary legal instrument governing EU–Russia relations (Council of the European Union (1997, October 30), Decision on the conclusion of the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part, Official Journal of the European Communities, L 327, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX%3A31997D0800>).

^{XIII} Since 2011, Russia has cast 19 vetoes in the UN Security Council, with 14 of these concerning Syria. These vetoes have notably blocked the condemnation of chemical weapons attacks, the cessation of a chemical weapons investigation mechanism, and the referral of Syria to the International Criminal Court. Such actions underscore Russia’s prioritization of state sovereignty and its strategic interests over broader international obligations (Security Council Report (2025), The Veto, available at: <https://www.securitycouncilreport.org/un-security-council-working-methods/the-veto.php>).

^{XIV} Drawing on its Soviet-era legacy, Russia implements concrete measures to maintain influence in Africa, Asia, and Latin America. This includes bilateral agreements on military and economic cooperation, arms and energy supplies, and the promotion of anti-colonial and pro-Russia initiatives in international forums. This strategy enables Moscow to build durable alliances, resist international isolation, and expand its geopolitical influence (Sabanadze, Natalie (2024, May 16), Russia is using the Soviet playbook in the Global South to challenge the West – and it is working, Chatham House, available at: <https://www.chathamhouse.org/2024/05/russia-using-soviet-playbook-global-south-challenge-west-and-it-working>).

^{XV} In the early 2000s, Russia pursued exploratory diplomatic contacts with Western institutions, assessing potential pathways for cooperation and integration. These efforts were driven by domestic priorities, including consolidating political authority and supporting economic modernization, as well as by strategic considerations aimed at positioning Russia within the post-Cold War European security order. While no formal accession resulted, these initiatives reflected an attempt to navigate the tension between domestic objectives and the broader international geopolitical landscape (Rankin, Jennifer (2021, November 4), Ex-Nato head says Putin



wanted to join alliance early on in his rule, The Guardian, available at: <https://www.theguardian.com/world/2021/nov/04/ex-nato-head-says-putin-wanted-to-join-alliance-early-on-in-his-rule>).

^{xvi} Russia's relations with its post-Soviet neighbors reflect a complex mix of influence, cooperation, and contestation. In the Commonwealth of Independent States (CIS), Moscow leverages organizations such as the Collective Security Treaty Organization (CSTO) and the Eurasian Economic Union (EAEU) to maintain economic and security ties. For example, Kazakhstan and Belarus participate actively in these frameworks, while Ukraine and Georgia have sought to limit Russian influence by pursuing closer ties with the EU and NATO. In the Baltic states – Estonia, Latvia, and Lithuania – Russian influence is sharply constrained, as these countries integrate fully with Western security and economic institutions. Lithuania, for instance, has reinforced its borders with Russia and Belarus to deter potential aggression.

In the South Caucasus, Russia's role is both strategic and highly contested. Moscow maintains peacekeeping forces in Nagorno-Karabakh following the 2020 conflict between Armenia and Azerbaijan and continues to mediate energy, security, and transport corridors. Armenia remains closely aligned with Russia through the CSTO, whereas Azerbaijan leverages Russian relations pragmatically while cultivating ties with Turkey and Western partners. These regional interactions demonstrate Moscow's ongoing concern with maintaining hierarchical influence and regional stability, but they also reveal the limits of Russian power in the face of divergent national strategies and external alignments (More about this: de Waal, Thomas (2024, May 16), The End of the Near Abroad, Carnegie Europe / IWM, available at: <https://carnegieendowment.org/research/2024/05/the-end-of-the-near-abroad?lang=en>).

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