

Technology Development of the Institute of Presidency in the Russian State

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Abstract: *The article deals with a comprehensive study of the process of emergence, formation, and development of the institution of the presidency in the Russian state. Both general scientific and specific scientific methods of cognition were used for the study. We have established that globally the presidency institution has been developing for more than a hundred years. The purpose of this article is to study the historical processes that influence the formation and development of the institution of the presidency in the Russian state. As a result, it was concluded that in the Russian state the idea to introduce the institution of the presidency in the Russian state first appeared in the first half of the nineteenth century. We have revealed that after the destruction of autocracy in Russia, a part of the Russian elite was interested in creating an institution of presidency in the country – as a result a draft Constitution was developed, which has never been adopted because of the Great October Revolution. Repeated attempts were made to introduce the institution of presidency into the country's political system during the Soviet period. The authors determined the differences in the development of the institution of presidency in the Russian state, where this institution appeared relatively recently, and in foreign countries, where the post of the head of state was introduced a long time ago and significantly developed since then.*

Index Terms: *Constitution of the Russian Federation, control mechanisms, institution of presidency, President of the Russian Federation, President's term of office, vertical of power.*

I. INTRODUCTION

A. Introduction of the Problem

Currently, most countries in the world, including the Russian Federation, adhere to the republican form of government. K.S. Gorislavskaya, O.E. Shevnina correctly note that one of the key features of the republic is the existence of the institution of presidency in the political system of the state [1]. Studying the process of its emergence, formation, and development is of great importance for understanding the role of this institution both in the Russian Federation and in the world.

As Zh.S. Tleubayev notes, the very concept of a “president” originates from the Latin word *Praesidens*, which means “the person sitting in front of/presiding over” [2]. The first Presidents appeared in the antiquity. In that era, the word was used for the persons, who headed the People's Assemblies in the Mediterranean countries. Sometime later, this word became a name for an official post. A historic example of this was the emergence of the post of the

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President of the Senate in ancient Roman Republic. This historical fact may indicate that the concept of a “president” in that period already had a certain political meaning. However, one should not forget that the meaning of this concept was different and very far from its current understanding.

According to A.T. Hidzev, today the concept of a “president” is understood as the head of a state elected by citizens of a country in the presidential elections [3]. This is a civil servant holding the highest position in the hierarchy of state institutions and implementing the supreme representation of the state in the national public life and the highest representation of the country in international relations.

B. Importance of the Problem

Despite the obvious importance of a comprehensive study of the process of emergence, formation, and development of the institution of presidency in the Russian state, this issue has not been given the necessary attention in the scientific literature. Nevertheless, various authors have carried out research of some aspects of the problem of studying the process of emergence, formation, and development of the institution of presidency in the Russian state.

Some ways to solve this problem were shown in the fundamental research by Dobrynin [4]. Bobrova G.S. [5] raised some questions in her theses.

Some aspects of the history of the emergence, formation, and development of the institution of presidency in the Russian state were investigated in the scientific articles by Gorislavskaya K.S., Shevnina O.E. [1], Tleubayev Z.S. [2], Salnikov V.P., Kaynova V.I. [6], Balashov T.N., Miramonov F.M. [7], Ochirova V.M. [8], Vasilyeva M.M. [9], Genzhaliyeva T.N. [10], Vodyanitsky V.A., [11], Gadzhiev Kh.A. [12], Ilin V.A., Morev M.V. [13], Marysheva A.A. [14].

Some foreign authors were also engaged in solving certain aspects of the problem in their scientific research: Huskey E. [15], Rumer E.B. [16], Kolsto P. [17], Danilovich A. [18], Sperling V. [19], Shevchenko I. [20], Worth O. [21].

II. PROPOSED METHODOLOGY

When writing this scientific article, both general scientific and specific scientific methods of cognition were used. The general scientific methods used in the study include system analysis, synthesis, induction, and deduction. Out of the specific scientific methods of cognition, historical-legal, comparative-legal, system-structural, analytical, formal-legal and statistical methods were applied.



The historical-legal method helped to reveal the peculiarities of the effect that historical conditions had on the emergence, formation, and development of the institution of presidency in the Russian state. The comparative legal method made it possible to compare individual aspects of the problem under study in different historical periods.

Based on the system-structural method of cognition, structural links were established between legal elements, value-based elements, and legal-value elements that existed during different periods of the state's development: Kievan Rus, Moscow State, Russian Empire, the Union of Soviet Socialist Republics, and the Russian Federation. Use of the formal legal method allowed investigating and analyzing the norms of the Constitutions from time to time adopted in the Russian state and the draft Constitutions, which for various historical reasons were not adopted.

This scientific study was carried out in stages. Initially, the research topic was determined, and its relevance was justified. Further, the purpose and objectives of the study were identified. The search and study of scientific literature on this issue was carried out. At a later stage, research methods were identified and their selection was justified. Further, the relevant data was obtained, processed and analyzed for the problem under study. After the completion of the research process, conclusions were formulated and a number of unresolved issues were identified that could be resolved in subsequent studies.

Stages of the scientific research	
1.	Definition of research topic
2.	Justification of the relevance of scientific research
3.	Definition of the purpose and objectives of scientific research
4.	Search and study of scientific literature
5.	Selection of research methods and their justification
6.	Receiving, processing and analyzing data
7.	Making conclusions
8.	Determination of outstanding issues

III. RESULTS

Results of the scientific research		
№	Results of the scientific research	Results description
1.	Establishing that globally the presidency institution has been developing for a long while.	The original meaning of the concept of "president" was "the person sitting in front of." It first appeared in the period of Antiquity (Ancient Greece, Ancient Rome). This concept differed in its meaning from the modern one; and only in the process of its development, it acquired the current meaning.
2.	Definition of the historical period in which the idea of introducing the institution of presidency in the Russian state was first proposed.	For the first time, the idea of introducing the institution of presidency in the Russian state, influenced by the fall of monarchies in European countries, appeared in the first half of the nineteenth century and was manifested in the speeches of the Decembrists.

3.	Identification of time and factual circumstances contributing to the second attempt to introduce the institution of presidency in the Russian state.	After the destruction of autocracy in the Russian state, part of the national elite again became interested in introducing the institution of presidency in the country, a Constitutional Commission was established under the leadership of Professor N.I. Lazarevskiy. This Commission carried out a number of activities to create the first-ever draft of the Constitution.
4.	Finding that repeated attempts were made to introduce the institution of presidency in the political system of the state in the Soviet period.	The first attempt to introduce the institution of presidency in the USSR was made in 1936 when the Constitution of the USSR was created in 1936. Its draft contained a recommendation to elect the Chairman of the Presidium of the Supreme Council by nation-wide elections, not to be limited to the USSR Supreme Council alone. The second attempt was made when drafting a new 1977 Constitution of the USSR. In 1962, the Constitutional Commission was formed under the leadership of N.S. Khrushchev. This commission completed a new draft in 1964, it provided for the introduction of the post of the head of state.
5.	Determining the stages of development of the institution of presidency in the Russian state after its introduction into the country's political system.	In the Russian state, the institution of the presidency appeared relatively recently. Nevertheless, it went through several stages of its development: the initial stage at which the institution of the presidency was formed in the state; the stage of this political institution strengthening; the stage of its full formation and steady development.

After a comprehensive research, it was found that the institution of presidency has come a long way of its development. Initially, the meaning of the concept of a "president" was completely different from the modern one and only in the process of its development it did acquire its current meaning. Currently, the institution of presidency is a fundamental element of the political systems of many states. Each state decides for itself what role the head of state plays in its political structure and, therefore, in the modern world there are both a system of presidential government and a system of parliamentary government.

It was determined that for the first time the idea of the institution of presidency introducing into the Russian state arose in the first half of the 19th century influenced by the fall of monarchies in Europe and manifested itself in the speeches of the Decembrists.



An example of this idea could be the testimony of Colonel P.I. Pestel. He was the head of the Southern Decembrists. In his testimony, the colonel mentioned that in 1820 their secret meeting took place in the apartment of Colonel F.N. Glinka. The participants discussed their political preferences choosing between the monarchy and the republic. A unanimous decision was made to prefer the republican form of government and the post of the President. This fact is an evidence that part of the Russian society in the early 19th century was ready to move to the republican form of government.

We found that after the destruction of autocracy in Russia, part of the Russian elite again became interested in introducing the institution of presidency in the country, and a Constitutional Commission was created chaired by Professor N.I. Lazarev. It worked on the draft of the Constitution. The draft contained provisions that Russia should have become a capitalist republic with the President heading the country and elected by the Constituent Assembly for a year. The head of state had a lengthy list of powers: representing the country at the international level, exercising supreme leadership of the army, appointing and dismissing a higher bureaucratic apparatus, directing foreign policy. There were no control mechanisms regarding the Russian leader in the Constitution draft. This draft was not adopted, since the Great October Revolution took place.

We determined that during the Soviet period, numerous attempts were made to introduce the institution of the presidency into the country's political system; however, all of them were nipped and not realized practically.

We saw that, unlike many foreign countries where the position of head of state was introduced quite a long time ago and developed significantly, an institution of presidency appeared in the Russian Federation relatively recently. Nevertheless, it already went through several stages of its development: the initial stage, at which the institution of presidency was formed in the state; the stage of this political institution strengthening; and the stage of its full formation and stable development.

IV. DISCUSSION

In Russian statehood and its political system, the institution of presidency is a new and recently emerging element of government. V.P. Salnikov, V.I. Kainov rightly point out that the Russian state has existed for more than a thousand years and during its existence it took on various political forms [6].

Originally it was called Ancient Rus, it was a tribal state with territorial division into principalities headed by the princes. Each prince personally ruled his principality and their only way to interfere in the political life of another principality was to try to conquer these territories. Somewhat later, Kievan Rus appeared after the conquest of the Kiev tribal state by Novgorod and the transfer of the capital from Novgorod the Great to Kiev.

After 1237, Kievan Rus disintegrates due to the invasion of the Golden Horde, and the gradual formation of the Moscow State begins. The invasion had a very negative impact on the Russian statehood, on the socioeconomic and military sphere; it took away many human lives and predetermined

the Horde's domination until 1480, before the Great Stand on the Ugra River, which was the result of the Grand Prince Ivan III's refusal to pay tribute to Akhmat Khan.

After this historical event, the Russian statehood fully restores and its further development begins, which was expressed in territorial acquisitions and state economic reforms, but the princes also continued to rule the country. This trend continued until the Time of Troubles, which was in the years 1598-1613. This period can be characterized by various natural disasters, the intervention of Poles and Swedes, severe governmental and socio-economic crisis, and change of ruling dynasties: from the Rurik dynasty to non-dynastic rulers and further to the Romanov dynasty, who ultimately became the new kings of all Russia.

A new period in the history of the Russian state has begun. The Romanov dynasty ruled the country until 1917; the state transformed from estate-representative monarchy to absolutism, its territory increased significantly, many political, judicial, social and economic reforms were introduced, the Russian Empire emerged. However, T.N. Balashov, F.M. Miramonov correctly note that the Russian state was ruled by a monarch; it was primarily a monarchical form of government, although the idea of introducing the institution of presidency in Russia appeared in the first half of the 19th century and was manifested in the speeches of the Decembrists. However, there were no significant changes in the legal status of the head of state until 1917 [7].

According to G.S. Bobrova, after the February Revolution, an attempt was made to introduce the institution of presidency in the country; a draft of the new Constitution was drafted. However, it was not adopted, since the Great October Revolution took place [5]. In 1918, the Constitution of the RSFSR was adopted and the state introduced a republican form of government, its new type – the republic of the Soviets of workers', farm laborers' and peasants' deputies. Over the entire existence of the Union of Soviet Socialist Republics, the institution of presidency was introduced only towards the end of its functioning, although there were some attempts to introduce this institution earlier. This situation arose due to the Soviet state's rejection of the theory of separation of powers. The state power was based on the principle of unity of power, its entire concentration in the Council of People's Deputies.

The first attempt to introduce the post of president in the USSR was made in 1936 when the 1936 Constitution of the Russian Federation was created. Its draft recommended electing the Chairman of the Presidium of the Supreme Soviet by the nation-wide elections, not by the USSR Supreme Soviet alone. However, I.V. Stalin in his report "On the Draft of the Constitution of the USSR" reminded that the USSR had no sole President, his functions and authorities were performed by the Presidium of the Supreme Soviet of the USSR [22].



The second attempt to establish the post of head of state was made in the development of the draft of the new 1977 Constitution of the USSR. On April 25, 1962, the USSR Supreme Soviet ordered the creation of a draft of a new Constitution. Therefore, the Constitution Commission was formed and it was chaired by N.S. Khrushchev. It completed a new draft in 1964. This version consisted of 276 articles and provided for the introduction of the post of head of state. This new draft of the Constitution has not been approved. On December 11, 1964, L.I. Brezhnev was appointed the Chairman of the Constitution Commission. His variant presumed that the role of the president was to be performed by the Presidium of the Supreme Council.

Once M.S. Gorbachev came to power, a new phase began in the political life of the state. It was accompanied by the strongest social and economic crises, the destruction of the established ideology, territorial losses resulting from the collapse of the USSR, an increase in crime, serious legislative changes in the country, the adoption of the USSR law dated March 14, 1990 "On the establishment of the Post of President and the introduction of amendments and additions to the Constitution of the USSR". This is how the process of democratization of the state and formation of a civil society began [23]-[25].

Along with the emergence of the post of the head of state, the post of Vice-President of the USSR appeared. The Vice-President was obliged to exercise certain powers of the President of the USSR and to act instead of him in the latter's absence or inability to fulfill his official duties. According to the Constitution of the USSR, the head of state could issue binding decrees, had immunity and could be removed from his post only by the Congress of People's Deputies of the USSR in case of his violation of the Constitution of the USSR and the laws of the USSR. V.M. Ochirova notes that the institution of presidency in the USSR was introduced for various reasons: the emergence of the democratization process in the country government, the development of practical separation of powers, the search for a faster and more convenient way to form a government, the weakening of the role of the Communist Party of the Soviet Union in the political arena, and the need to stabilize the internal political situation in the country [8].

According to M.M. Vasilyeva, during this period, a difficult political situation has developed in the state – there was a strong separatist movement in the Union republics, and the ruling elite could not cope with it. Because of this and many other socio-economic, external factors, the USSR ceased to exist and broke up into a number of independent states, and the RSFSR was one of them [9]. The post of the President of the USSR ceased to exist on December 25, 1991. M.S. Gorbachev resigned from the Presidential office. On March 17, 1991, the post of President of the RSFSR was established.

Although the institution of presidency was introduced in the country, this did not change the political situation in the state. The leading role belonged to the Congress and the Supreme Soviet of the RSFSR. These state bodies determined the powers of the President, provided monetary funding to the head of state and his Administration, and could repeal any of his laws. Thus, contradictions were laid between the legislative and executive branches of government, which

eventually became an open confrontation and ended with a political crisis in 1993 [26], [27].

At the end of 2008, the term of office of the President of the Russian Federation increased to 6 years, and the term of office of the State Duma – to 5 years. It was a kind of compromise with the legislature, which allowed to make these changes to the Constitution of the Russian Federation.

V. CONCLUSION

In the Russian state, the institution of the presidency appeared relatively recently. Nevertheless, it went through several stages of development:

- the initial stage, at which the institution of the presidency was formed in the Russian state;
- the stage of strengthening of the institution of the presidency;
- the stage of its formation completion and steady development.

The stage of formation completion and steady development of the institution of presidency took place at the turn of 2007-2008. Conventionally, it started on February 10, 2007, after V.V. Putin's speech at the conference in Munich. It preceded Russia to conduct an independent foreign policy, assisting a sovereign Syrian state in its fight against terrorism [13], [28]. Further, the new foreign policy course was reflected in the speech of the head of state at the meeting of the Valdai International Discussion Club on September 19, 2013.

It should be noted that D.A. Medvedev was elected the President of the Russian Federation for the years 2008-2012. In those years, the entire system of the vertical of presidential power was preserved, and moreover, new reforms were implemented, which improved this system, which acquired a new format. In 2010, the eighth federal district was introduced, the governors of the Russian subjects now were both elected by the population and appointed by the head of state.

In 2012, V.V. Putin was elected the head of state and still holds this post. According to A.A. Maryshev, the Russian Federation and its leader had many trials during 2012–2018: the annexation of the Crimea, anti-Russian sanctions, the Ukrainian crisis, the war with terrorism in Syria [14].

Based on the results of the research, we become able to update the current Russian constitutional and legal legislation, to eliminate many legal gaps in the constitutional and legal status of the President of the Russian Federation that currently exist. It also seems possible to create a system of public bodies to ensure the practical implementation of these changes and the organization of the work of legal institutions that guarantee the fastest and most efficient opportunity to implement the powers of the head of state.

Although these issues were not raised in the framework of the study, they may become the ground for further research.

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