

Transition Project



The Importance of Timing

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When, sooner or later, events occur that could restart the process of democratic transit in Russia, potential future reformers will inevitably be faced with the question “where to start?” and one can only hope that it will be accompanied by the question “how to avoid making new mistakes?”. The lessons of the first transit are analyzed in Chapters 1 and 3, and this analysis will probably help the next generation of politicians to avoid repeating the mistakes already made; however, it is also necessary to anticipate new problems, and to have ideas and tools ready to solve them.

Putin’s death or any other “exclusion” does not mean that the new Kremlin authorities will decide the morning after to repeal all his laws, release political prisoners, welcome back those in exile, and call free elections. On the contrary, it is much more likely that immediately after Putin’s “expulsion,” the regime will need a forceful reinforcement and tightening of domestic politics, since Putin’s successor needs — even with the best future intentions — to first consolidate his own power and ensure its retention and stability. We proceed from the assumption that Putin’s “sudden” successor will not be interested in continuing the war in Ukraine — but we do not rule out the possibility that the continuation of the war is the only tool to achieve consensus in the ruling elite. Also, the current economic situation in Russia is not acutely crisis-ridden, but the possibility of a sharp escalation of socio-economic tensions cannot be ruled out, which will certainly affect the available policy options.

The long “fall of the patriarch”, continuing as another presidential term of Vladimir Putin (who will turn 78 at the end of this period, exactly as Stalin did in 1953), will no doubt complicate any attempt to return the Russian Federation as a whole to the path of democratic transit.

Therefore, while in the rapid (within a year) change of power option it makes sense to talk about the sequence of actions within the framework of a unified Russian state, in which, among other things, it is necessary to restore normal federal relations, in the second case the central issue becomes the problem of moderating the disintegrating imperial state, parts of which seek to separate from it at all costs, while chauvinistic and xenophobic sentiments are growing in the state-forming nation.

As it seems to us, any periodization and definition of the sequence of

actions in case Russia starts moving towards a new period of democratic transit must proceed from the fact that such a movement has 4 (5 at best) stages:

The stage of long-term preparation, which has been underway for several years, including through the efforts of such projects as [Reforum](#), [Re:Russia](#) and some others. At the same time, it is necessary to conduct political work, both in exile and inside Russia, to build consensus around the general direction of reforms, to create potential framework coalitions and alliances that can be activated as soon as the situation allows.

The stage of detailing and correcting and pitching in a moment of crisis; no matter how Vladimir Putin's personal regime ends, it is unlikely that his potential successors have (or will have) elaborate plans for what should be done after his departure. The readiness of the successor regime to dismantle Putin's repressive legacy opens up limited opportunities to offer him reasonable plans and roadmaps thought out in the previous period. The existence of proto-unions of political forces that, on the one hand, represent significant groups of the population and, on the other hand, have a more ready and perfect agenda for future changes, allows the liberal group to increase its weight in the future inevitable roundtable.

The stage of the "round table"¹ occurs when various political forces negotiate the rules for a return to a civil, electoral, representative democratic regime. The reasons why an authoritarian power agrees to the "round table" format are usually related to mass discontent and economic and social crises, which cannot be suppressed with brute force. The experience of Spain and Poland in the 1980s is particularly relevant for a future Russia, since in both cases the democratization of fairly rigid authoritarian regimes took place (in the case of Poland, with the presence of Soviet troops). This format, especially in a situation where a weakening authoritarian power agrees to negotiations under pressure, is characterized by the gradual "migration" of legitimacy and actual power from the dictator (or party) into the hands of institutions, the creation of which is agreed upon within the framework of the "round table." It is likely (albeit not necessary) that during this period, the final dismantling of the quasi-institutions created by the Putin regime will take place, along with the formation

1 The political format of the "round table" has been deployed several times in the process of restructuring states as a method of reaching agreements on future reforms. The most notable example of the "round table" was Poland at the end of the communist regime (if interested, refer to detailed analyses by Alexei Makarkin or Brian Porter). The Moncloa Pact, which put an end to Franco's dictatorship in Spain, contained elements of the "round table," although it was not called that. The "round table" format has also been repeatedly deployed to discuss decolonization issues (British Empire and India, 1930–1932; Netherlands and Indonesia, 1949; Belgium and Congo, 1960). The future democratization of Russia should contain a significant element of "decolonization," although not from an external suzerain but from an internal usurper.

of new ones, possibly based on the principles proposed by liberals. It is important to note that the “round table” format typically emerges as a gesture of goodwill from the hegemon (or the authorities), whether compelled or voluntary. Generally, this approach serves as a means to avoid revolutionary violence as a method of regime change and to offer specific guarantees to representatives of authoritarian or totalitarian power after free elections.

The “new parliament” stage, when all or part of the worked-out proposals are carried through the legislature and become law, with liberal factions able to push for the interests of their constituents and the democratic order of the country as a whole.

The stage of a government of national confidence, when, as a result of elections, all or a majority of political forces agree to a broad coalition government, cooperation in parliament and local governments for a certain period, to “heal” society and the country from the wounds and diseases inflicted by the Putin regime. Such an agreement would be an ideal format for putting Russia back on the path of democratic transit.

Despite the significant differences between the circumstances that will accompany the new launch of the democratic transition “earlier” and “much later,” there are common fundamental problems in both cases. For example, in the first scenario, it is quite likely that, in order to consolidate power and eliminate political unrest, the potential successor to Putin will have to impose martial law, completely abolishing civil liberties. Despite the radical anti-democratic nature of such measures, they may be beneficial for getting rid of some individuals and institutions (quasi-institutions) that emerged under Putin. However, the range of political forces that the interim regime deems acceptable to discuss the future with may also be reduced. On the contrary, in the second scenario, when the regime’s end turns into a large-scale civil-military conflict over a vast territory, future reformers may face radical regionalism, whose leaders, while agreeing to preserve the federation, will insist on the priority of local legislation and local, including religious, interpretation of rights. In both cases, potential liberal-democratic reforms will have to take the prevailing circumstances into account and adapt to them.

Let us try to describe the general tasks below. Naturally, the zero-level task is to stop military actions in Ukraine and start the negotiation process. The second “zero” task is to establish control — at least some control — over the Russian Armed Forces and Rosgvardia in order to control the use of military force inside Russia.

Demonstration of repressive law (before the Round Table)

Regardless of when Putin is “subtracted” and his regime change begins, a key condition for moving toward a more open, and as a result, potentially democratic state in Russia is the decision to abolish all repressive legislation passed in the Russian Federation after at least 2011 (the end of the term of the last relatively legitimate State Duma). Without fulfillment of this condition, such crucial actions for the future of the country as release and rehabilitation of all political prisoners convicted under the laws passed by the illegitimate State Duma and investigation of law enforcement officials (FSB, MVD, IC and others) who used the repealed legislation for political persecution are impossible.

The dismantling of repressive legislation also implies the abolition of the status of “undesirable organizations” and “foreign agents”, thus opening the way for the participation in the political life of Russia of organizations and persons previously marked with these “stigmas”, removes the problems of financing political activities from outside (perhaps for a certain period of time).

Formation of politically neutral temporary/transitional organizations of executive government and personal civil control of the Armed Forces, Rosgvardia and other military structures (in the process of the Round Table)

In itself, the formation of the Round Table structure will mean the return to the socio-political process of forces whose supporters and leaders were victims of unlawful repression. At the same time, however partially, a leader or group of leaders who change the course of the post-Putin state in the direction of liberalization will be at least complicit in the illegal and criminal actions of the regime BEFORE the process of national reconciliation and harmony begins. With that in mind, opposition leaders must agree to a certain level of cooperation with post-Putin officials participating in the transition process in advance. Arguably, long before the actual onset of the relevant stage, the leaders of these political groups and organizations must agree to some level of cooperation with post-Putin officials involved in the transition. While the demands for lustration and prosecution of broad groups in Putin’s entourage are justified, it should be understood that their decision to agree to democratize the country is a manifestation of goodwill, and they are doing so not so much out of altruism as for selfish reasons (preservation of capital gained during Putin’s time, the possibility of avoiding lustration and even more so criminal prosecution, etc.).

If possible, in the process of coordinating the agenda of the Round Table, agreements should be reached on the formation of a temporary non-party government with sufficient powers to manage the economy of the Russian Federation, along with the mandatory creation — most likely on a parity basis with the participation of the widest possible range of political forces — of temporary bodies of civilian control over the Armed Forces, Rosgvardia and other paramilitary state organizations, primarily the Ministry of Internal Affairs and the Federal Penitentiary Service of the Russian Federation.

Ensuring transitional justice (primary reform of the courts) (in the process of the Round Table)

One of the primary tasks of the Round Table will be the primary reform of the judiciary. The court system established in 2003-2023 and especially the selection of judges should be abolished and replaced by an interim structure that, in the meantime, is able to provide primary justice in most criminal, civil and family cases. It is likely that transitional justice should be limited in both duration and competence, with any complex cases (including those with potential jury trials) deferred until full courts of all instances have been established.

In the period of transitional justice, the key role is played by courts of first and cassation instances, which should be formed from citizens with legal education, but not involved in any way (through checks, including polygraph tests) in repressive acts of the previous period.

Construction of the legal basis for a new federative contract and procedure (in the process of the Round Table)

This point, in case of realization of the second transit option (“long autumn of the patriarch”), will most likely become first. The existence of the state “Russian Federation” (in approximately modern borders) will be possible only if the conditions favorable to the national regions are defined and fixed in the new Federal Treaty, which should be a precursor to the Constitution, not a part or a consequence of it. Accordingly, the problem of the structure of the federation, the division and balance of powers between the constituent entities and the federal government, the issues of admission, withdrawal and exclusion of the constituent entities from the Federation should be thought over and comprehended long before this problem comes to the center of attention. The draft Federal Treaty should be prepared and initially agreed upon in the course

of the Round Table's activities, since only a multilateral act of re-establishing the Federation can define legal formulas in terms of federal, regional and local powers, issues of joint jurisdiction and guarantees of regional representation in the federal legislature, which require reflection both in the future Constitution and in other constitutional laws.

Construction of the legal basis of a new constitutional process (in the process of the Round Table)

Most likely, the Round Table will come to a consensus that the new Russia (Russian Federation) will need a completely new version of the Basic Law. The most likely solution would be to form one or more working groups consisting of legal scholars and politicians who would propose basic versions of a new Constitution-Main Law (based on the basic agreements agreed upon at the Round Table, e.g., on parliamentary or presidential-parliamentary forms of government). At the same time, the Round Table should determine the terms, parameters and rules for the formation of a Constitutional Council authorized to adopt (and in the future, to amend and modify) the Basic Law. The decisions of the Round Table should be as close as possible to the future laws (sections of the Constitution) determining its adoption, amendments and additions.

Formation of new bodies for elections, referendums and local control elections (Round Table result)

In addition to issues of constitutional construction, the Round Table should agree on a whole group of issues related to the will of the citizens (other than approval of the Constitution, if it is decided to approve the Basic Law by direct vote of citizens). Depending on the decisions made, for example, it will be possible (or not) to combine referendums with voting on federal, regional and local elections. Among other things, initial decisions on whether or not the formation of electoral blocs is permissible, the powers of election commissions in the first elections (they should be significantly expanded compared to previous versions), and the procedures for resolving disputes and conflicts should be elaborated and adopted.

Constitutional additional legislative establishment of freedom of speech, assembly, protest, parties and other public associations

Given the peculiarities of Russian political history, one of the most important tasks of the pre-election work of liberal forces is the additional, explicit constitution of civil rights and freedoms necessary to resist usurpation of power, political domination and autocracy. Additional regulation will be needed, incorporated into the Basic Law as directly applicable legislation prohibiting any restrictions on freedom of speech, assembly, protest, parties and other public associations. In fact, future Russia needs an analog of the Bill of Rights, inseparable from the Constitution, but specifically designed to make judicial revision of its provisions impossible.

Free, open, concurrent elections recognized by other countries (Round Table result)

Liberal forces will represent an insignificant (at first) group of Russian voters, but it is crucial that this faction has a program of action — in terms of legislation, social state, human rights, international relations, etc. — to expand its electoral base. Counting on anything more than a minority faction in the first iterations of the new Russian parliament is certainly no better than believing in a world of pink ponies and unicorns. However, the key task of the liberal minority is to uphold the principles of the institutional structure of the state, meritocracy, the triumph and prevalence of laws, and the political neutrality of the law enforcement system.

As noted above, the order of tasks to restructure the political and legal system will differ if the changes begin earlier (within the 12-month horizon) and later, at the end of or beyond the next term of Vladimir Putin's presidency (beyond the 6-year horizon).

Accordingly, additional specific tasks for the “close” option should be based on the circumstances that are currently affecting Russia's domestic and foreign policy, with the need for a substantial course correction as soon as possible.

In addition to constitutional reform and the transition to a balanced institutional system of government, the liberal and democratic forces' tasks include, with high priority, **the task of restoring international relations**, especially with regard to those countries that Putin's regime calls “unfriendly,”

while at the same time clearly controlling the “eastern direction” of Russian foreign policy in order to prevent (at the very least) Chinese discontent with Russia’s possible return to the West’s sphere of influence. Most likely, Putin’s potential successor will also — after consolidation of power — be interested in at least moving relations with the West in a constructive direction. This will require not only replacing diplomatic representatives in the respective countries, but also restructuring the Foreign Ministry and its relations with intelligence and security agencies. And this task is important precisely for the early transition period because, among other goals, post-Putin Russia must convince the key opponents of its policy in Putin’s last years that the turnaround is being carried out, in Lenin’s words, “seriously and for a long time”.

An important goal of the constructive forces in the “close” version, comparable to the main legislative and institutional tasks, will be to **restore public confidence in the values of democracy, competitive politics, and respect for human rights**. A decade of Putin’s propaganda will not go in vain: significant groups of the population are immersed in a state of anti-democratic resentment, the word “liberal” is now a swear word for many Russians, and human rights exist only in relation to oneself. The issues of restoring confidence in democracy and liberal values, as well as the complexity of such activities, are separately addressed in Chapter 9, and the problems of restoring individual and citizen rights, as well as respect for them, are addressed in Chapter 4. However, speaking precisely about the place of this work in the priorities of Russia’s future return to the path of democratic transit, political forces need to exercise restraint, not use propaganda techniques, and strive to develop citizens’ interest in participating in political activity, rather than “reprogramming” them with the same means by which Putin and his media machine have brought Russians to such a life.

It is hoped that Vladimir Putin’s potential successor will be interested **in ending the war in Ukraine and achieving a consensual peace settlement**. It is quite likely that the initial resolution of the military phase will take place even before the involvement of democratic forces; for obvious reasons, under the interim military dictatorship that the successor will need to consolidate power, it will be easier (if at all) to explain the reasons for an outcome of the war unfavorable to Russia and to suppress possible resistance and inevitable conflicts.

In any case, in the “close” variant, it will require complex and serious political work to moderate the consequences of the war, both in terms of compensating Ukraine for the material damage caused, and in terms of treating Russian society

for the traumas suffered during the war. We cannot predict the exact moment at which hostilities will stop, the state of the Armed Forces, much less whether radical pro-militarist forces will resist the policy of ending the war. On the other hand, no matter how great and obvious the guilt of the Russian authorities in unleashing and waging a war of aggression, the excessive desire to “at any cost” to make amends and punish those responsible will clearly not contribute to a positive public opinion, which, alas, will have to be prepared and persuaded for a long time to accept the relevant decisions as a given.

Special challenges of the “long version”

What will Russia be like if Vladimir Putin rules the country for another 6 years or more? In what state will society approach the biologically inevitable end of the regime? Will the war in Ukraine end in the lifetime of its initiator? How far can Russia’s isolation and self-isolation go? How will this isolation affect the economy, science, education and culture? In many respects, the tasks of the “long variant” will be determined by the answers to these questions, but we can, using extrapolation, assume that:

- The regime will increasingly rely on ad hoc institutions of governance and control (various committees, commissions, special agencies) to carry out operational management; in fact, the country will continue to sink further into the “legal Middle Ages”;
- The policy of isolation and self-isolation will continue at least as long as the war in Ukraine; at the same time, there will be no real “turn to the East” (or to Africa), for various reasons — from Putin’s total suspicion, who will sooner or later decide that China is also interfering in Russia’s internal affairs, and there is not enough money or resources for African adventures, eaten up by the war in Ukraine;
- Prohibitionist legislation will become so extensive over the years that the executive branch will become confused about what is allowed;
- As Putin physically weakens, at least part of his powers, primarily in operational decisions, will be — semi-officially — transferred to some collective body (a veritable new Politburo) in which the actual stakeholders of the regime, i.e. those who will determine the course of the country after Putin, will be represented.

Clearly, these are more than general, broad images, and the specific details of the “long fall of the patriarch” will depend on many factors, including those

unknown to us today. In any case, it seems to us that by the end of Putin's next term, the Russian Federation will be a weakened but militarized state, with a pile of internal conflicts, including suppressed ones, and in a high degree of isolation from the rest of the world. Internal problems in the economy, in the psychological state of significant groups of the population traumatized to a greater or lesser extent by the war in Ukraine (God willing, only in Ukraine), degrading education, medicine, science and culture — while Putin and the population are told by the same propaganda about the unprecedented prosperity of everything, first of all, the Armed Forces of the Russian Federation.

As bleak as this picture may seem, it describes a highly unstable state that could be undermined by any acute crisis at the center of power — which is likely to happen when, amid the physical end of Vladimir Putin's life, factions within his entourage begin to divide the falling wreckage of power. The escalating contradictions will, unfortunately, lead to almost inevitable violence, localized conflicts and, almost inevitably, the growth of separatist sentiments in the regions.

In the “long variant” the way to launch the transit is most likely through the growth of political tension in the largest cities of the country — and the open use of violence, especially factional violence (we pointed out above that factions from Putin's entourage are fighting for power), provokes the growth of unrest, large unorganized and then, possibly, organized demonstrations. The likelihood of localized unification of opponents of the authorities across the broad political spectrum becomes higher, and the ability to use suppression by the authorities becomes less, and a local transition of power is likely to occur, with the largest cities coming under the control of the protesters and their political leaders. At the same time, the events in Moscow, St. Petersburg or Novosibirsk are not synchronized and have different slogans, except for the main one — the desire for greater independence and autonomy of the regional authorities. In addition to the crisis of “factions” in Putin's power-sharing entourage, the country is plunged into a specific “parade of sovereignties,” in which the federal center is rapidly losing resources, primarily military and power resources. The army is actually leaving the front, seeking to participate in the division of Putin's inheritance and power — in formations and individually (but with weapons).

We do not know exactly what kind of tortuous path Russia might then take to begin transit again, but the conditions under which reforms will be needed are fairly predictable. The process, which in this case can really be called “saving Russia,” can only be led by a decisive leader capable of negotiation and alliance-building, interested in stopping the chaos, in turning

the “war of all against all.” He may be a democratic idealist, but initially he will have to implement the agenda of consolidating power at least to the extent that will allow him to move from authoritarian politics to the re-formalization of the Federation and the re-establishment of the state.

In a certain sense, it is less problematic than, as in the “close” version, sawing out a new Russia from the array of layers, from the empire to Putin — many laws and rules will simply be abolished without much bowing to the remnants of the previous regime (or regimes), the reconstitution of the Federation can be launched immediately, dissolving the previous version and declaring a new one — voluntary for all regions, with their own vision of autonomy and regional organization.

In contrast to the “close” variant, in which the need to cooperate with the past is obvious, the military-revolutionary development of the situation requires only the presence of a clear idea, political will and the force that realizes it — apparently, as in 1918, some kind of “revolutionary guard” protecting the new regime, but limited in existence in time, until the restoration of law and order.

In fact, the consequences of the “long option” will require the creation of the state “from below” — through local self-government (which will inevitably be strengthened in the process of crisis), to the regional level (which must be reconstituted to resolve the question of membership in the Federation), and only then to the formulation of the idea of a federal-level organization.

Only after the federal relationship is built anew can we move from temporary solutions for organizing the country to permanent ones — with the same general components.