

RUSSIA'S CONSTITUTIONAL COURT: RETHINKING ITS EXPERIENCE

Multi-authored monograph under the general editorship of Professor Andrey Medushevsky

ABSTRACT

This book is the first comprehensive work on the Russia's Constitutional Court since its establishment in 1991 and transformation in 1994, up to the constitutional reform of 2020. It examines the Court's history, stages of development, place in the legal and political system, evolution of its doctrinal positions, and changing contributions to shaping Russian constitutionalism. The authors present a comparative study of Russian constitutional justice; a periodization of the Court's development, taking into account changes in its legal status, structure and composition; and a review of its legal positions, typology of decisions, methods of constitutional interpretation, and modes of reasoning, as well as the execution of its decisions and their impact on the evolution of the constitutional order. In showing the place of the Constitutional Court in the system of separation of powers, the authors analyze its contribution to the development of basic constitutional principles, the correlation of law and politics in its activities, and the basis for the legitimacy of its notable decisions in society. Special attention is paid to the ambiguous contribution of the latest constitutional amendments to changing the status, powers and role of the Court in the political and legal system. From a fully independent institution capable of opposing the other branches of power, including the President (as it was in the first stage of its existence), the Court becomes an institution oriented mainly towards reaching a loyal compromise with them (in the second stage), in order to then turn into an institution whose decisions appear to be quite predictable (in the third stage). A long-term perspective makes it possible to show that the Court's evolution fits into the cyclical dynamics of Russian constitutionalism and the Russian political system, reflecting its shift towards authoritarianism. The book will therefore be of interest to lawyers as well as specialists in other humanities, public figures, politicians, students and university professors.

Publisher: Center for Constitutional Studies (Moscow, Russia)
Print publication date: 2022
Print ISBN: 978-5-6047474-0-7

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