

## From constitutional to political asymmetry: crafting authoritarian regimes in Russia's regions and republics

Russia's constitutional asymmetry has prevented the development of universal norms of citizenship and human rights in the federation. As long as republic and regional leaders pledged support for Yeltsin and 'brought home the bacon', in the way of ethnic stability, tax revenues and electoral support, federal authorities have been quite happy to turn a blind eye to the flagrant violations of the Russian Constitution by regional elites. Russia's 'federation' without 'federalism' has simply allowed the authoritarianism of the centre to be replaced by local level authoritarianism.

As we discussed in chapter 3 regional and republican elites have been able to adopt constitutions/charters and other laws which violate the federal constitution. And a number of the bilateral treaties signed between Moscow and the regions have sanctioned the transfer of unconstitutional rights and powers to the republics.<sup>1</sup> Thus, authoritarian leaders have been able to use the federal system as a protective shield in their quest to consolidate their various brands of authoritarianism. Moreover, the greater the degree of autonomy given to a federal subject in Russia the greater the degree of authoritarianism we find.

Below we discuss the various ways in which presidents and governors have been able to gain a dominant control over their political systems. In particular, we examine the way in which leaders of the ethnic republics have been able to maintain power by manipulating the electoral system.

Sartori has described the electoral system as the most specific manipulative instrument of politics.<sup>2</sup> As we discussed in chapter 1, free and fair elections are a major prerequisite for democracy. Moreover, Huntington's 'two-turnover test' for a consolidated democracy is centred on elections.<sup>3</sup> Certainly, democracy 'may entail more than a fair election' but as Blais and Dion note, 'without an election no democracy'.<sup>4</sup> And as Pammatt stresses, only after elections 'allow power to be peacefully handed over to the opposition' can it be argued that, 'the initial phase of democratic construction is in some sense completed'.<sup>5</sup> According to Blais and Dion in a democracy:

1) All citizens must have the right to vote, with no exclusion based on sex, race, opinion or religion, 2) voting must be secret so as to minimize potential intimidation, 3) the election must be regular: it must be held at steady intervals, as prescribed by law, 4) the whole process must be fair, devoid of violence or fraud and, 5) finally, the election must be competitive, that is to say, all positions can be contested, all groups or parties may run candidates and are free to express their points of view.<sup>6</sup>

For O'Donnell elections can be considered institutionalised only when

1) Leaders and voters take for granted that in the future inclusive, fair, and competitive elections will take place as legally scheduled, 2) voters will be properly registered and free from physical coercion, 3) their votes will be counted fairly, 4) winners will take office, and will not have their terms arbitrarily terminated.

And he notes that countries 'where elections do not have these characteristics do not qualify as polyarchies'.<sup>7</sup>

As we shall document below, many of Russia's republics and regions patently fail to even meet Dahl's minimum conditions for polyarchy never mind the more stringent prerequisites for consolidated democracy as discussed in chapter 1. The fact that most deputies work part-time, that many work for the executive branch of government, and that parties are non-existent or very weak have all conspired to give regional executives a free reign to govern their regions as they see fit. In most regions there is no effective democratic opposition to challenge the authority of the executive branch.

In Russia, presidents and governors, as we discussed in chapter 8, have captured control over the nomination and appointment of heads of federal bureaucracies situated in their territories (including members of regional courts, law enforcement and security bodies etc.). And they have also been able to draw on the considerable financial resources of their administrations (local government printing presses, administrative staff, transport and hotels) to support their electoral campaigns. In addition, the press in most regions is firmly under the control of the executive.<sup>8</sup>

One of the most important powers of regional executives has been their control over the appointment of the chairs of local electoral commissions. Thus, for example, in Sverdlovsk, the governor (Rossel) was able to remove the chair of the regional electoral commission from power in 1995, and the President of Buryatiya (Potapov) saw to the removal of the chair of the republic's electoral commission in 1998. In Krasnodar the governor solved the problem by simply appointing himself chair of the krai electoral commission. And according to the central electoral commission there were serious infringements of federal legislation with regard to the appointment of members of electoral commissions in eleven regions in the most recent assembly and gubernatorial elections which were conducted over the period 1998–2000.<sup>9</sup>

According to article 111 of Tatarstan's Constitution, the President has the right to nominate candidates for half the members of the republic central electoral commission and half the members of the Constitutional Court. The other half of both bodies are chosen by members of the Parliament. Thus, by packing the Parliament with his administrative subordinates (see chapter 8) the Tatarstan President can maintain control over the courts and the electoral process in the republic, which in turn guarantees the president's complete domination of the legislature. For Farukshin, 'therein, lies the roots of servile obedience, hypocrisy and flattery that the appointed officials abundantly exhibit for the person of President Shaimiev and for the Kazan Kremlin's policies'.<sup>10</sup>

### Language, residency and age

Although federal legislation states that citizens of the Russian Federation may be elected regardless of their 'sex, race, nationality, language, origin, property and official status, place of residence, religion, beliefs, affiliation of public associations, and other factors',<sup>11</sup> as we discussed in chapter 4, ten republics require that presidential candidates possess knowledge of both Russian and the titular language.

Thus, for example, Valentin Lednev was prevented from standing in the 1997 Adygeyan Presidential election because he did not speak the Adygeyan language, even although Adygeyans make up only 20 per cent of the republic's population. Other republics have placed unconstitutional residency and age requirements on candidates.<sup>12</sup> Thus, for example, according to local electoral legislation, candidates standing for presidential elections in Sakha must have resided in the republic for fifteen years. In Adygeya, Bashkortostan, Buryatiya, Kabardino-Balkariya and Komi ten years; Kareliya and Khakasiya seven years. And in more than fifty regions of the Russian Federation local electoral laws place similar residency restrictions on candidates for regional assemblies. These laws have been used by incumbent presidents and governors to prevent opposition candidates from participating in elections. Local electoral laws also stipulate minimum and maximum age requirements for electoral candidates which infringe federal legislation.<sup>13</sup>

### Nomination signatures

Chief executives have also manipulated the rules for collecting nomination signatures to squeeze out opposition candidates from the elections. According to the 1997 Federal Law on elections, 'The maximum number of signatures required for a candidate to be registered must not exceed two percent of the total number of voters' in the electoral district where the candidate is standing' (article 31.1).<sup>14</sup> However, in the republics of

Buryatiya, Sakha, Tyva; Stavropol' Krai, Orenburg and Tomsk Oblasts, electoral rules call for nomination signatures from 3 per cent; in Kurgan, Saratov, Chelyabinsk, 5 per cent, and in Dagestan and Kalmykiya, 10 per cent. The system of collecting signatures is often corrupt, with candidates paying for signatures with money, vodka or even other household goods such as sugar. As Fillipov notes, in rural districts it would quite literally be impossible to gather such a large number of signatures without the active support of the regional authorities.<sup>15</sup> In the 1997 law on elections a much stricter regime for regulating the collection of signatures and for checking their accuracy was introduced. Nonetheless, in elections under the new rules in Rostov oblast which took place in 1998, 38 of the 238 candidates (19 per cent) were still refused nomination, and in Kalmykiya 11 of 13 opposition candidates were refused registration for elections in that Republic.<sup>16</sup> In regional elections (for governors and assemblies) conducted in 2000, 22 regions violated federal legislation with regard to the collection of signatures.<sup>17</sup>

In Bashkortostan and Mordoviya the incumbent presidents (Rakhimov and Merkushkin, respectively) used identical ploys to stop popular opponents from standing against them in presidential elections. Special clauses were added to the local election rules which declared that candidates would be barred from the elections if more than 3 per cent of their nomination signatures were invalid. By this method, all but one 'bogus opposition candidate', was expelled from the presidential elections in both republics. In Bashkortostan the bogus candidate was a minor member of President Rakhimov's own cabinet, and in Mordoviya, the director of a factory. In Bashkortostan, a Russian Supreme Court order demanded that two of the expelled candidates be reinstated, but this decree was simply ignored by the Bashkortostan Republican Court which is under the control of the President. As Lussier notes: 'the electorate had little knowledge of these events since the local media offered a one sided support for Rakhimov, the independent newspaper and radio stations had been shut down, and the station director arrested'.<sup>18</sup>

Both Presidents easily won re-election, Rakhimov gaining 70 per cent and Merkushkin 96.6 per cent of the votes cast.<sup>19</sup> In Bashkortostan the protest vote against all candidates was 17 per cent, the highest ever in an election at this level.<sup>20</sup> In Ufa, the capital and a region of high sympathy for one of the expelled candidates, only 53.4 per cent of the voters participated in the election, and over one-third (34.6 per cent) voted against both the candidates.<sup>21</sup> The former Governor of Primorskii Krai, Nazdratenko, has also engaged in similar actions in elections which Yeltsin finally cancelled in October 1994. Nazdratenko also engaged in outright intimidation of rival candidates in the gubernatorial election of December 1999. The former mayor of Vladivostok, Cherepkov, withdrew from the race in November. His bank accounts had been seized by the krai administration.

Another rival for the governorship, Svetlana Orlova, was 'removed forty-eight hours before the election by the Krai Duma' leaving only one serious candidate. Nazdratenko, not surprisingly won the election, picking up 65 per cent of the vote.<sup>22</sup>

### **Single candidate uncontested elections**

It is against federal laws to hold uncontested elections for the post of chief executive, but even so the republics of Tatarstan, Kalmykiya and Kabardino-Balkariya continue to flout this law. In Tatarstan where the republican constitution (article 77) states that 'any number of candidates can be listed on the electoral ballot', President Shaimiev simply interpreted this to mean that only one candidate may be nominated. Shaimiev was subsequently elected President in uncontested elections in 1991 and 1996. Similarly, in the 1995 campaign for the Tatarstan legislature, twenty-one heads of local governments, who were the direct appointees of Shaimiev, were allowed to run unopposed.<sup>23</sup> In Tatarstan's presidential elections voters who supported Shaimiev simply had to place their ballots in the ballot box; however, if they wanted to vote against him they had to take the ballot paper, in the full view of members of the electoral commission, to a cabinet where they crossed out his name and then return to place this in the ballot box. This is exactly the way elections were conducted during the Soviet period.

Kalmykiya's law on elections permits presidential candidates to stand in single candidate races and to gain office with as little as 15 per cent of the vote, from a turnout of just 25 per cent of registered voters. Kalmykiya President Ilyumzhimov reportedly rejected suggestions from members of the parliament (Khural) that he should be elected for life, saying that 'for the time being, we must outwardly observe democratic procedures'.<sup>24</sup>

### **Manipulation of the date of elections**

Presidents and governors have also not been averse to changing the date of elections to their own advantage. Thus, for example elections were called before their due date in Ingushetiya in 1994, Kalmykiya in 1995, Tatarstan in 1996, Orel in 1997, and Bashkortostan in 1998.<sup>25</sup> In a rather extreme case, in 1995 the President of Kalmykiya, Ilyumzhinov, called for new presidential elections to be held three years ahead of schedule where he stood as the only candidate, winning 85.1 per cent of the vote.<sup>26</sup>

In February 1999, Belgorod Governor Yevgenii Savchenko managed to persuade the regional legislature to change the timing of the election from December 1999 to May 1999. And as Danielle Lussier notes, Savchenko's

success in both moving up the date and winning his election inspired other regional leaders to follow suit. Soon after, Omsk Governor, Leonid Polezhaev, Novgorod Governor Mikhail Prusak, and Tomsk Governor Viktor Kress all managed to move their elections to September and secure landslide victories. Moscow Mayor Luzhkov opted to have the election for his post changed from June 2000 to December 1999 to coincide with the State Duma elections. As expected Luzhkov easily won another term, earning 71.5 per cent of the vote.<sup>27</sup> We should not forget, of course, that Yeltsin cynically brought forward the Russian presidential elections from July to March 2000 in order to ensure Putin's victory.<sup>28</sup>

### **Manipulating rules on election turnout**

There are also wide variations in regional electoral laws over the minimum turnout required for elections to regional assemblies and executives to be valid. According to federal legislation a 25 per cent minimum turnout is the norm for legislative assemblies, but in some regions it is as high as 50 per cent (for example, republics of Altai, Kabardino-Balkariya, North Osetiya-Alaniya and Khakasiya) and in others as low as 15 per cent (Kalmykiya). In total contravention of federal law, no minimum turnout is stipulated for elections to regional assemblies in Stavropol' and Khabarovsk Krai; Belgorod, Volgograd, Kirov, Leningrad, Novgorod and Chita Oblasts.<sup>29</sup> In a similar manner minimum turnout requirements also vary considerably for gubernatorial elections. Thus, in fifty-six regions it was stipulated as 25 per cent; in two regions 33 per cent; four regions 35 per cent; and nineteen regions 50 per cent. In five regions no norm was noted.

Turnout for the 2000–1 round of gubernatorial elections averaged 51.8 per cent with the lowest registered in Vladimir oblast (34 per cent) and the highest in Nenetsk AO (73.8 per cent). However, unusually high turnouts may not represent a high level of democracy but quite the opposite. High turnouts may indicate that political pressure was put on citizens to participate in the elections much as happened during the Soviet period (see discussion on 'guided elections' below).

Turnout is generally lower for elections to regional assemblies than for gubernatorial elections. In some cases where turnout has been very low the legitimacy of the assembly has been weakened and in extreme cases it has made it impossible for the legislature to gain the necessary quorum to function. Thus for example, In Kaluga in the election of August 25, 1996 turnout was less than the minimum requirement in nineteen electoral districts out of forty. In Ryazan oblast in the election of March 30, 1997 in ten of thirty-six electoral districts turnout was also below the 25 per cent minimum. This was a marked improvement over 1994 when because of political apathy at the elections the assembly did not have the necessary

two-thirds complement of deputies for a quorum, and it required a special edict from the President to function. The Chuvash elections which first took place in March 1994 were followed by seven further rounds of elections over the course of the following two years, as the regional assembly desperately sought to raise its electoral turnout.<sup>30</sup> In Khakasiya in the election of December 1, 1996, twenty electoral districts out of seventy-five had turnouts of less than the required 50 per cent and a hurried executive order to lower the minimum turnout requirement to 25 per cent was quickly adopted in the midst of the electoral campaign! In July 2001 legislators in Primorski Krai made an even more drastic amendment to their law on elections by abolishing the requirement for a minimum turnout altogether. In perhaps the most infamous case of all, it took until May 2001 before the citizens of Vladivostok were finally able to elect a city Duma. There had been no representative body in the city since Yeltsin disbanded the soviets in 1993. The previous twenty attempts had all failed due to low turnout.<sup>31</sup>

### **Gerrymandering**

A number of regional executives have also sought to redraw the boundaries of their electoral districts to favour their candidacies. Federal law states that variations in the size of electoral districts must not vary by more than 10 per cent. But a number of regions have simply ignored this law when drawing up their electoral registers. In the regional elections of 1995–97, of the 3,154 electoral districts, 350 had variations in size of more than 10 per cent and 124 more than 15 per cent. In Novgorod oblast the difference between the largest and the smallest electoral district varied by a magnitude of 5.6 times, in Tula a magnitude of 6.8. In the 1999 elections for the State Council in Tatarstan some districts were 100 times larger than others. The Russian Supreme Court declared these district boundaries illegal, and opposition groups called for the legislature to be disbanded.<sup>32</sup> In Rostov oblast almost one-quarter of the rural districts are flat plains which many railways and roads traverse, and the population in these rural districts are predominantly communist in political orientation. In drawing up the boundaries of the electoral districts the anti-communist governor was able to dilute the communist vote by artificially joining some of the rural districts with the more 'reformist oriented' urban districts. The new electoral districts now include combined rural and urban districts which do not even have borders with one another.

### **Changing the rules on tenure of office**

Once in office, regional leaders have also used their considerable autonomy to manipulate local election rules in order to hold on to power.

Thus, for example, on November 27, 1996 the Tatarstan parliament made changes to article 108 of the Republic's Constitution, which stipulated that a person may be elected Republic President for only two five-year terms in a row. The parliament also removed the age limit for presidents which had been set at 65 years. This allowed President Shaimiev to run for a third term in March 2001 which he won easily with 80 per cent of the vote (this time the election was competitive, with four other contenders).

More recently new legislation promoted by President Putin has sanctioned the further infringements of such tenure rules. Thus, on January 25, 2001 the State Duma (with Putin's express wish) approved a law that allowed sixty-nine regional leaders to stand for a third term and a further seventeen to seek a fourth term in office. According to this new legislation a governor's term is now considered to start after October 1999. The new rules will permit President Shaimiev of Tatarstan to run for a fourth term. Also eligible for a fourth term will be the leaders of the republics of Kalmykiya, Ingushetiya, Adygeya, Tyva, Kabardino-Balkariya, Buryatiya, Bashkortostan, Sakha, Komi and Chuvashiya, as well as the governors of Tomsk, Omsk, Novgorod, Sverdlovsk, Belgorod and Orel oblasts.<sup>33</sup> The law was a concession to regional leaders for their loss of membership in the Federation Council (see chapter 8).

### **Electoral fraud**

If all else fails, republican elites have not been loath to resort to outright fraud and the falsification of election returns. As Lowenhardt notes, during the 1996 presidential elections in Tatarstan the republican leadership illegally transferred somewhere between 35–45,000 votes from Zyuganov, Lebed, Yavlinskii and Zhirinovskiy to Yeltsin.<sup>34</sup> According to Lowenhardt the following foolproof methods of falsifying election results were common practice in the Republic:

- 1) Widespread tampering with voters' registers: voters' registers contain considerable numbers of 'dead souls' (deceased or non-existent people); others vote in their name;
- 2) Pressure of local officials on voters to vote for the establishment candidate;
- 3) Fictive voting (particularly in the countryside);
- 4) 'mistakes' made by polling station members during counting, in favour of one particular candidate;
- 5) Intimidation of local election observers;
- 6) Replacement of ballots during or after counting in favour of a particular candidate;
- 7) Outright falsification of counting protocols in cases where all other methods have failed.<sup>35</sup>

## Guided elections

Governing elites are also not averse to using coercion and/or persuasion to mobilise their citizens to come out and vote for their choice of leaders. The votes of the electorate in these 'guided' elections always coincide with the interests of the local elites.<sup>36</sup> A first clue to the phenomenon of guided elections is where the electorate always cast their votes for the dominant political force in Moscow, the 'party of power'. Thus, for example in the 1991 Russian presidential elections the majority of citizens in Dagestan, Kabardino-Balkaraya, Karachaevo-Cherkesiya, Tatarstan, North Osetiya, Ingushetiya, Bashkortostan, Kalmykiya, Sakha, and Tyva, rejected Yeltsin who, at that time, was the representative of the democratic opposition, and they cast their votes in favour of Nikolai Ryzhkov, a leading member of the CPSU. But in 1996 citizens in these republics were called upon by the governing elites to support Yeltsin as he now represented the 'party of power' and they duly voted according to the wishes of the regional elites.

Another indication that we might be witnessing a guided election is the presence of a high election turnout figures, far above the national average. Thus, for example, in the 1996 Russian presidential elections turnout was over 90 per cent in 60 electoral districts: 25 of these districts were in Bashkortostan and 24 in Tatarstan. Such figures smack of a throw-back to the Soviet period where mobilization of the electorate was common practice.

A major study of voting patterns in the lowest level of electoral commissions, the Territorial Election Commission (TIK) in the 2000 presidential elections showed that there were just 121 out of 2,748 commissions where turnout was above 90 per cent. And once again the majority of these were in the republics of Bashkortostan (31 out of 70 ) and Tatarstan (35 out of 62). In Ingushetiya all 6 of its TIKs had high turnouts; Kabardino-Balkariya (8 of 11) and Mordoviya (7 of 27).<sup>37</sup>

According to official election figures, in the Kaibitsk district of Tatarstan, of the 11,676 voters on the electoral register only 20 did not participate in the elections! In Dzheirakhskoi electoral district there was supposedly a 100 per cent turnout!, which was higher than that reported for election turnout in Soviet times.<sup>38</sup> According to Mikhailov such high turnouts are the result of mobilisation campaigns directed from above, and in some instances the outright falsification of data by electoral commissions under the guidance of regional elites.

According to Kozlov and Oreshkin further evidence for the existence of such 'guided' elections can be seen in election data for those regions which radically changed their political orientation between rounds of presidential elections or across time between different elections. Thus, for example, major changes took place in voting patterns in Bashkortostan,

Tatarstan and Dagestan between the two rounds of the 1996 Russian Presidential elections.<sup>39</sup> In forty-one rural electoral districts in Tatarstan (all but two) the share of the vote for Zyuganov dropped sharply. In thirty-four districts by more than 15 per cent, and in several others 30–50 per cent. Thus, for example in Zaynisk district in the first round Zyuganov polled 68 per cent of the votes and in the second round only 18 per cent (Yeltsin polled 76 per cent).<sup>40</sup> Such variations in voting can only be explained with reference to the work of the local elites and their ability to mobilise the population behind their choice of candidates.

A third source of evidence for guided elections is related to the level of support given by citizens to candidates in republican presidential elections. Where a candidate receives a very high percentage of the vote, much higher than the average, this is likely to suggest that the electorate has been subjected to some form of extra-legal coercion or 'persuasion'. This applies even to uncontested elections (e.g., in Tatarstan, Kalmykiya and Bashkortostan). Thus for example (in elections conducted over the period 1995–98), the President of Kabardino-Balkariya Republic, Valerii Kokov received 99.35 per cent. In Tatarstan Mintimer Shaimiev received 97.14 of the vote. Over 80 per cent was received by Moscow Mayor Yurii Luzhkov (88.49 per cent), the President of the Republic of Kalmykiya, Kirsan Ilyumzhinov (85.09 per cent), head of the administration of Krasnodar Krai, Nikolai Kondarenko (82 per cent), the governor of Vologda Oblast, Pozgalev (80.69 per cent), and the governor of Saratov Oblast, Ayatskov (80.19 per cent).

Finally, we can learn a great deal by studying the number of wasted ballot papers. Thus, Mikhailov in his study of the March 2000 presidential elections found unusually high percentages of wasted ballots in a number of TIKs. Thus, for instance, in Mamadyshskii TIK (Tatarstan) 11.19 per cent of all ballots were deemed wasted; in Chernozemel'skii TIK (Kalmykiya), 8.26 per cent, Shemyrshinskii TIK (Chuvashiya), 6.87 per cent, El'nikovskii TIK (Mordoviya), 5.01 per cent, Relyubskii TIK (Saratov), 4.05 per cent, Bokovskii TIK (Rostov), 3.98 per cent, Maiskii TIK (Kabardino-Balkariya), 3.35 per cent, Chaa-Khol'skii TIK (Tyva), 3.27 per cent.<sup>41</sup> Moreover, further study of these TIKs showed that turnout was not particularly high. So another explanation is needed to explain why there were so many wasted ballots in these particular districts. As Mikhailov notes, the most likely explanation is that there was a deliberate process of falsification in favour of the candidates supported by the regional elites.

Taking into consideration factors such as extraordinary high turnout levels, higher than average numbers of wasted ballots and extraordinary levels of support for one candidate, Mikhailov argues that the most serious infringement of electoral laws and the highest levels of falsifica-

tion took place in the following regions: Bashkortostan, Dagestan, Tatarstan, Saratov Oblast, Mordoviya, and Kabardino-Balkariya.<sup>42</sup> And the overall picture confirms that it is in the ethnic republics where such infringements are most common. Thus, in a study of elections for regional heads of administration (1995–97) the following twelve federal subjects (all ethnic republics) were found to be the least democratic: Dagestan, Kabardino-Balkariya, Karachaevo-Cherkessiya, Tatarstan, Bashkortostan, North Osetiya-Alaniya, Ingushetiya, Kalmykiya, Sakha, Mordoviya, Aдыgeya and Altai.<sup>43</sup>

Furthermore, Stepan’s study of over a hundred gubernatorial and presidential elections conducted over the period June 1991–99, shows the dominant power of incumbents, and particularly incumbent presidents. As can be seen from table 9.1, the higher the status of the federal subject the less competitive the elections. Thus, for example, ‘in 7 of the 34 republican elections (20.5 per cent) only one name appeared on the ballot’ whereas ‘in none of the 72 elections in the other two hierarchical categories did this occur’. Moreover, ‘the highest percentage of victories, by

**Table 9.1** Comparative prima facie evidence of electoral competitiveness and non-competitiveness in elections for the chief executive in the eighty-nine subjects of the Russian Federation, all elections held between June 1991 and May 1999 (%)

	<i>Elections in titular republics (N = 34)</i>	<i>Elections in titular autonomous units (N = 11)</i>	<i>Elections in non-titular oblasts, krajs and federal cities (N = 68)</i>	<i>All elections (N = 106)</i>
Prima facie evidence of competitiveness: incumbents contested and were defeated	23.7	40	50.8	2.5
Prima facie evidence of non-competitiveness: only one candidate on the ballot	20.5	0	0	6.2
Victory by incumbent by more than 85% of valid vote	20.5	0	4.1	8.5

Source: A. Stepan, ‘Federalism and democracy: beyond the U.S. model’, *Journal of Democracy*, 10:4 (October 4, 1999), 153.

more than 85 per cent, [were] also found overwhelmingly in the republics'.<sup>44</sup>

### The development of authoritarianism in the regions

As O'Donnell notes, in democracies accountability runs not only vertically, making elected officials answerable to the ballot box, but also horizontally, across a network of relatively autonomous powers that can call into question, and eventually punish, improper ways of discharging the responsibilities of a given official.<sup>45</sup>

The inability or the unwillingness of the Russian Constitutional Court, the central electoral commission and other federal law enforcement agencies, to step in and declare such elections null and void, has fundamentally undermined the Constitution and set back the development of a legal culture in Russia. The politicisation of the judiciary, electoral commissions and the courts, is a particularly worrying development. The law of 30 September 1997, 'On the Basic Guarantees of Electors to Participate in Elections and Referendums' which reiterated the dominance of federal electoral laws over regional ones, has so far failed to bring uniformity to electoral rules and practices. As Dmitri Oreshkin noted with regard to the latest round of gubernatorial elections conducted over the period 2000–01, 'elections in Russia have not become an institution for the electors to control the governors, [rather] it is the governors who control the electors'.<sup>46</sup> The unwritten message from the Yeltsin and Putin administrations to the Russian Central Electoral Commission, has been, to turn a blind eye if those infringing electoral laws are their supporters.

Politics in Russia's regions is epitomised by the domination of informal over formal rules. The 'politics of uncertainty'<sup>47</sup> still dominates the political landscape of most regions. Regional elites are not fully committed to the democratic 'rules of the game', and in many of the ethnic republics, in particular, they have 'crafted' authoritarian regimes rather than consolidated democracies.

### Notes

- 1 As Löwenhardt notes, in 1995 the Secretary of Tatarstan's Central Electoral Commission declared that 'since Tatarstan is part of the Russian Federation but not as one of its subjects, the federal law, "On Basic Guarantees of Electoral Rights of the Citizens of the Russian federation", is not in force on the territory of Tatarstan'. Löwenhardt, 'The 1996 presidential elections in Tatarstan', *Journal of Communist Studies and Transition Politics*, 13:1 (March 1997), 135.
- 2 Cited in R. G. Moser, 'The impact of parliamentary electoral systems in Russia', *Post-Soviet Affairs*, 13:3 (1997), p. 284.

- 3 S. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman and London: University of Oklahoma Press, 1991), p. 263.
- 4 A. Blais and S. Dion, 'Electoral systems and the consolidation of new democracies', in D. Ethier (ed.), *Democratic Transition and Consolidation in Southern Europe, Latin America and Southeast Asia* (Basingstoke: Macmillan, 1994), pp. 251–2.
- 5 J. H. Pammett, 'Elections and democracy', 45.
- 6 Blais and Dion, 'Electoral systems', p. 251.
- 7 G. O'Donnell, 'Illusions about consolidation', *Journal of Democracy*, 7:2 (April 1996), 37.
- 8 One of the most graphic examples of media control was in Primorskii krai where Governor Nazdratenko closed down the local television channel after its editor compromised the Governor's reputation. Later an assassination attempt was made on the author of the programme. See, P. Kirkow, *Russia's Provinces: Authoritarian Transformation versus Local Autonomy* (Basingstoke: Macmillan, 1998), p. 133. For other examples of corruption and dictatorial power in Primorskii krai, see J. Hahn, 'The development of political institutions in three regions of the Russian Far East', in C. Ross (ed.), *Regional Politics in Russia* (Manchester: Manchester University Press, 2002).
- 9 Buryatiya, Marii El, Chuvashiya, Khabarovsk, Lipetsk, Novgorod, Ryazan, Samara, Smolensk, Chelyabinsk and Yaroslavl'. V. A. Malyshev and V. I. Raudin, 'Neobkhodimo sovershenstvovat' poryadok formirovaniya izbiratel'nykh komissii', *Vestnik Tsentral'noi Izbiratel'noi Komissii*, 8:122 (2001), 49.
- 10 M. Kh. Farukshin, 'Federalizm i demokratiya: slozhnyi balans', *Polis*, 6:42 (1997), 171.
- 11 Federal Law, 'Ob Osnovnykh Garantyakh Izbiratel'nykh', as amended March 30, 1999, article 4.2.
- 12 *Kommersant Daily* (March 13, 1997), p. 2.
- 13 In a similar manner whilst the law does allow regions to add some age restrictions for candidates it firmly states that these must not exceed a minimum age of 21 for candidates in legislative elections, and 30 for candidates in gubernatorial elections. But again these federal norms have simply been ignored. In some republics presidential candidates must have a minimum age of 35 (Adygeya, Bashkortostan, Kabardino-Balkariya, Kareliya, Komi, North Osetiya, Tatarstan, Khakasiya, Chechnya) whilst in others they must be at least 40 (Sakha). In other republics candidates must be under the age of 65 (Bashkortostan, Kabardino-Balkariya, Kareliya, Komi, Tatarstan, Krasnoyarsk Krai) and in others, under 60 years of age (Kalmykiya, Sakha, Khakasiya, Stavropol Krai, Ivanovo, Kirov, Kurgan, Nizhegorod, Tambov oblasts, Taimyr AO).
- 14 *Vybory v zakonodatel'nye predstavitel'nye*, p. 34
- 15 A. Fillipov, 'Vybory zakonodatel'nykh (predstavitel'nykh) organov gosudarstvennoi vlasti sub'ekotov Rossiiskoi Federatsii (1990–98)', in *Vybory i Partii*, p. 120.
- 16 *Ibid.*
- 17 T. N. Bukhanova, 'Vydvizhenie i registratsiya kandidatov na regionalnykh vyborakh v 2000', *O Vyborakh*, 2 (2001), 19.

- 18 D. Lussier, 'Bashkortostan's president re-elected in campaign plagued by violations', *EWI Russian Regional Report*, 3:25 (1998), 13.
- 19 *Ibid.*
- 20 *Russkii Telegraf* (June 16, 1998).
- 21 D. Lussier, 'Bashkortostan's president', 14. See also J. Grävingsholt, 'Bashkortostan: a case of regional authoritarianism', in C. Ross (ed.), *Regional Politics in Russia* (Manchester: Manchester University Press, 2002), pp. 177–92.
- 22 J. Hahn, 'The development of political institutions in three regions of the Russian Far East', in C. Ross (ed.), *Regional Politics in Russia* (Manchester: Manchester University Press, 2002), p. 153.
- 23 Farukshin, 'Federalizm i demokratiya', p. 171. See also, M. Farukshin, 'Tatarstan: syndrome of authoritarianism', in Ross, *Regional Politics in Russia*, pp. 193–206.
- 24 Ya. Tregubova, 'Kirsan Ilyumzhinov dreams of a stable and peaceful Kalmyk Khanate within Russia', *Sevodnya* (17 October 1995), p. 3. Translated in *CDPSP*, 47: 42 (1995). 16. Ilyumzhinov was first elected President in April 1993, he then won a second term in a hastily called election in October 1995 – with a 7-year term.
- 25 N. Petrov and A. Titov, 'Vybory glav ispolnitel'noi vlasti regionov', in *Vybory i partii*, p. 59.
- 26 Following amendments made on January 17, 2001, Kalmykiya's Law on the Presidency has now been brought into line with federal norms.
- 27 D. Lussier, *EWI Russian Regional Report* (January 2000), 16.
- 28 *EWI Russian Regional Report*, 6:15 (April 25, 2001), 2.
- 29 *Vybory v zakonodatel'nye predstavitel'nye*, p. 11.
- 30 J. Kahn, 'A federal façade: problems in the development of Russian federalism', D. Phil. thesis (University of Oxford, 1999), p. 252.
- 31 O. Zhunusov, *EWI Russian Regional Report*, 6:20 (May 30, 2001), 4.
- 32 *EWI Russian Regional Report*, 6:16 (May 2, 2000), 10–11.
- 33 *Kommersant Daily* (January 25, 2001).
- 34 J. Lowenhardt and R. Verheul, 'The village votes: the December 1999 elections in Tatarstan's Pestretsy District', *Journal of Communist Studies and Transition Politics* 16:3 (September 2000), 118.
- 35 J. Lowenhardt, 'The 1996 presidential elections in Tatarstan', *Journal of Communist Studies and Transition Politics*, 13:1 (March 1997), 138.
- 36 R. F. Turovsky, *Politicheskaya Geografiya* (Moscow and Smolensk: MGU, Geograficheskii Fakul'tet, 1999), p. 337.
- 37 V. Mikhailov, 'Demokratizatsiya Rossii: raslichnaya skorost' v regionakh', in *Osobaya Zona*, p. 54.
- 38 *Ibid.*
- 39 V. N. Kozlov and D. B. Oreshkin, 'Regional'nyi analiz resul'tatov vyborov i tipologiya regionov po politicheskim predpochteniyam izbiratelei', in *Vybory Prezidenta Rossiiskoi Federatsii 1996* (Moscow: Ves Mir, 1996), p. 190.
- 40 *Ibid.*, p. 42.
- 41 *Ibid.*, p. 58
- 42 *Ibid.*, p. 72.
- 43 D. B. Oreshkin, 'Elektoral'naya demokratiya i tselostnost' politicheskovo

prostranstva Rossii', *O Vyborakh*, 2 (2001), 29. For other interesting recent studies of regional elections, see D. B. Oreshkin, 'Geografiya eletoral'noi kul'tury i tsel'nost' Rossii', *Polis*, 1 (2001), 73–93; E. V. Popova, 'Problemy izmereniya elektoral'noi politiki v Rossii: gubernatorskie vybory v sravnitel'noi perspektive', *Polis*, 3 (2001), 47–57.

- 44 A. Stepan, 'federalism and democracy: beyond the U.S. model', *Journal of Democracy*, 10:4 (October 4, 1999), 152.
- 45 G. O'Donnell, 'Delegative democracy', *Journal of Democracy*, 5:1 (January 1994), 61.
- 46 D. Oreshkin, Seminar, 'Russia's regions: the results of the year 2000', Carnegie Centre, Moscow, January 19, 2001.
- 47 See, M. McAuley, *Russia's Politics of Uncertainty* (Cambridge: Cambridge University Press, 1997).