

THE DOUBLE-HEADED EAGLE  
SEMI-PRESIDENTIALISM AND DEMOCRACY IN FRANCE AND RUSSIA

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# **The Double-Headed Eagle: Semi-Presidentialism and Democracy in France and Russia**

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University of Pittsburgh, 2008

It has become a commonplace observation in recent years that Russian democracy is in remission. Indeed there is a significant difference between the struggling democratic performance of Russia and that of a consolidated democracy such as France. The modern French and Russian states are both semi-presidential states, meaning that in each country executive power is shared between an elected president and an appointed prime minister who can (at least in theory) be voted out of office by the legislature. Despite this broad similarity, semi-presidential institutions are organized in significantly different ways in each country. This paper examines those differences in order to understand how they can help account for poor democratic performance in Russia and strong democratic performance in France.

Four political institutions will be examined in each country: presidents, prime ministers, parliaments, and political parties. By comparing these institutions across two semi-presidential states, important differences can be unearthed and their implications for democratic performance analyzed.

This paper concludes that, if anything, the Russian legislature is more independent than the French National Assembly, and more capable of influencing independent policies and laws. However, a weak vote of no-confidence means that the Russian legislature has little control over the selection of the prime minister and cabinet. This severely hobbles Russian political parties and creates a leadership class that is not dependent on party support for its position. These non-partisan leaders are therefore free to create the clientelistic ‘parties of power’ that have become characteristic of the Russian system. By contrast, the strong vote of no-confidence in the National Assembly obliges French national leaders to cultivate and reward political parties in order to build a supportive majority in the legislature. As a result, French parties are able to act as links between the state and society, while Russian society remains alienated from its leaders.

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## I. INTRODUCTION

At the close of the year 2000, President Vladimir Putin signed into law a parliamentary bill establishing the state symbols of Russia. Along with a new national anthem, the law provided for a national emblem: a two-headed, golden eagle with wings outstretched. The symbol harkens back to Russia's imperial history, having been employed by the grand dukes and tsars as far back as Ivan III. Before that, the double-headed eagle had been the emblem of the Byzantium, symbolizing that great empire's power over both East and West. For Russia, which straddles two continents, the same symbolism is still apt.

Yet the double-headed eagle is also an appropriate symbol for the form of government Russia has chosen for itself, known to political scientists as semi-presidentialism. Semi-presidential systems blend the characteristics of presidential and parliamentary republics, the two primary archetypes of democratic government. Specifically, a semi-presidential system includes a president who is elected by the voters and a prime minister who is accountable to the parliament. Power must be divided in some way between the two figures. A semi-presidential state, like the state emblem of Russia, has two executive 'heads.'

The modern French and Russian states are two of the most prominent semi-presidential states in the world. Established in 1958 under the aegis of Charles de Gaulle, the French Fifth Republic was one of the first such systems and has been perhaps the most stable and effective political arrangement of post-revolutionary France. Several of the states which emerged from the collapse of the Soviet Union, including Russia, looked to the Fifth Republic as a model when

drafting new constitutions. While the two systems are broadly similar, there are significant differences in the details. Yet direct comparisons of the form semi-presidentialism has taken in France and Russia are scarce, despite the international importance of the countries in question.

Practically no one questions the democratic credentials of the modern French state. The rights and freedoms of citizens are respected, and voters are able to choose their leaders in elections that are free and fair. The media is free to criticize the government, and the rule of law is pervasive. Like any government, the Fifth Republic is imperfect, but no one suggests that it is not a democracy. By contrast, outside observers increasingly lament the state of affairs in Russia. Many journalists, academics, and politicians have described Russia during the tenure of President Putin as a democracy in remission, if not an outright authoritarian state. The Russian leadership itself speaks of ‘managed’ or ‘sovereign’ democracy, forgetting that it is rarely a good thing when leaders feel obliged to qualify the state of democracy in their country with an adjective. Russia is not the Soviet Union of days past; its citizens enjoy substantially more freedom than they did under any Soviet government. Yet the national media is firmly controlled by the state, and the most recent presidential election had all the elements of a farce.

The goal of this paper is to determine, by comparison, whether the differences in institutional arrangement present in each country can account for the disparity in democratic performance. In other words, while France and Russia fall under the same broad political category, can the differences in how power is embodied and arranged in the two systems explain why Russia appears less democratic than France?

In Chapter II of this paper, I will examine the relationship between the legislature and the executive in each country. This relationship is critical to democratic performance in any state. Legislatures, with their numerous members, are more representative of the society as a whole

than majoritarian executives and provide opportunities for the opposition to criticize the majority and influence policy. An independent parliament is also necessary to provide oversight of the executive. A too-powerful executive with few checks on its ability to determine policy is detrimental to democratic performance.

I conclude in Chapter II that the crucial distinction between the French National Assembly and the Russian State Duma is one of institutional independence from the executive. Unlike the Assembly, the Duma has the authority to direct the legislative process on its own. The Duma establishes its own committees and chairpersons, and determines which bills get sent to which committees. The French executive can ram bills through parliament in whatever form it likes, due to constitutional provisions that enable it to cherry-pick amendments and pass legislation without an affirmative vote in the assembly. The Russian government has none of these advantages. As a result, the procedural rules of the Duma create more room for negotiation between the executive and the legislature, both when the majority in the Duma is supportive of the government, and when it is not. By contrast, the French government has less need to pursue conciliation with the Assembly since it can pass legislation without time-consuming negotiation and coalition-building. Consequently, I argue that the Russian legislature has more influence over the formation of individual policies than does the French National Assembly. The Russian constitution, therefore, better establishes a legislative check on executive power than does the French constitution.

However, the Duma has one important weakness when compared to the Assembly: it is exceedingly difficult for the Duma to reject the president's nominee for prime minister. This has important ramifications not only for executive-legislative relations, but also for the political party system in each country. In Chapters III and IV, I argue that the weak no-confidence mechanism

in Russia keeps genuine, interest-based political parties in disarray by denying them access to executive power. Since political parties do not offer a viable route to the executive, aspiring national leaders do not need to rely on parties in the same way that French politicians do. The strong vote of no-confidence in France means that parties control the prime minister's office. French leaders need their parties in order to win elections, but they also need a supportive majority in the legislature in order to govern. Parties in France are, as a result, partners in governance. French presidents have always emerged from political parties, as have most ministers. Parties are extremely successful at colonizing the state through presidential patronage.

The inability of Russian parties to capture the apex of state power creates a vacuum. This vacuum has been filled by the 'party of power,' a characteristic element of the Russian party system. Parties of power have close ties with the elite, often having been created by the ruling cadre in order to win the next election. As such, they have *de facto* access to the executive, with the implied connections and influence. Even a party of power with a modest parliamentary delegation can become the key majority-maker in the legislature, due to its connection with the executive.

The purpose of a party of power is to aggregate votes in favor of the current regime without limiting that regime's freedom of action. Consequently, parties of power assiduously avoid issuing policy programs, even in advance of elections. They rely instead on vague appeals and their close association with the national leadership. As a result, such parties are not interest-based in the way that Western parties typically are; they do not emerge organically from the cleavages present in society. They fail, therefore, to perform the functions that make parties vital to a healthy democracy. They are poor channels for political communication from society to the state, and they do not check the executive's freedom of maneuver. The weak confidence

mechanism in Russia provides fertile ground for parties of power to develop, while it prevents interest-based parties from gaining real influence. Democratic performance in Russia suffers accordingly.

In sum, this paper concludes that the State Duma is capable of challenging the executive and influencing individual policies in a way that the National Assembly cannot. However, the Duma is most effective in this capacity when the opposition is in the majority. The Duma's weak power of no-confidence makes this unlikely, as it promotes parties of power at other parties' expense. The executive is therefore advantaged in the parliament without being connected to society by an interest-based political party. Majorities in opposition to the executive are less likely to form. This explanation accounts for the rise of United Russia and the diminution of virtually every interest-based party in Russia. Interest-based parties will be beating against the wind so long as executive power remains inaccessible to them. It also accounts for the central flaw in Russian democracy—an executive with few checks on its authority and few connections with the electorate.

#### A. DEFINING DEMOCRACY

In order to pursue this comparison, it is necessary to establish an adequate definition of democracy. There are numerous competing definitions which emphasize different aspects of the democratic state. Larry Diamond provides a definition that encompasses a variety of provisions that must be present for a political system to be fully democratic. I will reprint Diamond's full ten-point definition here.

1. Control of the state and its key decisions and allocations lies, in fact as well as in constitutional theory, with elected officials (and not democratically unaccountable actors or foreign powers); in particular, the military is subordinate to the authority of elected officials.
2. Executive power is constrained, constitutionally and in fact, by the autonomous power of other government institutions (such as an independent judiciary, parliament, and other mechanisms of horizontal accountability).
3. Not only are electoral outcomes uncertain, with a significant opposition vote and the presumption of party alteration in government, but no group that adheres to constitutional principles is denied the right to form a party and contest elections (even if electoral thresholds and other rules exclude small parties from winning representations in parliament).
4. Cultural, ethnic, religious, and other minority groups (as well as historically disadvantaged majorities) are not prohibited (legally or in practice) from expressing their interests in the political process or from speaking their language or practicing their culture.
5. Beyond parties and elections, citizens have multiple, ongoing channels for expression and representation of their interests and values, including diverse, independent associations and movements, which they have the freedom to form and join.
6. There are alternative sources of information (including independent media) to which citizens have politically unfettered access.
7. Individuals also have substantial freedom of belief, opinion, discussion, speech, publication, assembly, demonstration, and petition.
8. Citizens are politically equal under the law (even though they are invariably unequal in their political resources).
9. Individual and group liberties are effectively protected by an independent, nondiscriminatory judiciary whose decisions are enforced and respected by other centers of power.
10. The rule of law protects citizens from unjustified detention, exile, terror, torture, and undue interference in their personal lives not only by the state but also by organized non-state or anti-state forces.<sup>1</sup>

Present-day Russia, if held up to the standard of these ten criteria, falls considerably short of a fully democratic state. Executive power is very broad. The outcome of the 2007 parliamentary and 2008 presidential elections was never seriously in doubt, and the opposition has for the most part been tamed. Ethnic, regional, religious, and occupational groups are prohibited from forming political parties.<sup>2</sup> The hurdles for forming a political party in the first place are lofty and complex, while the threshold for gaining seats in parliament is an unusually high seven percent of the national vote. While the print media remains relatively unfettered, and

the internet is uncensored, the national television media toes the Kremlin line. Justice can be arbitrary; corruption rampant.

The situation in France is of course quite different. Political parties are easier to form, the media is freer, and the outcome of elections is uncertain. The opposition has not been routed as it has in Russia. The annual Freedom House reports on political and civil liberties in countries around the world provide another means of comparing democratic performance in the two countries. While it is important to take Freedom House's conclusions with the proverbial grain of salt, they are a useful guide to general democratic performance in a given country.

Freedom House releases a detailed examination of the level of freedom found in each country, accompanied by a rating between 1 and 7 in both political and civil liberties, with a score of 1 representing the best performance<sup>3</sup>. Each state is also given an overall label ranging from 'free' to 'not free.' The Freedom House website states that the organization ranks states based on the availability of political and civil rights as detailed in the Universal Declaration of Human Rights.<sup>4</sup> According to Diamond, "The 'free' rating in the Freedom House survey is the best available empirical indicator of liberal democracy."<sup>5</sup> That said, we should not take the Freedom House survey as an absolute indicator of democratic performance. Indeed, it seems to overstate the presence of anti-democratic developments in Russia. Nevertheless, the survey finds a wide disparity between the democratic performance of France and Russia.

The Freedom House 2007 report on world freedom holds a fairly bleak opinion of civil and political liberty in Russia. Russia rates a 5 in its protection of civil liberties and a 6 with regard to political rights, just one step shy of the worst-possible rank of 7. Overall, Freedom House places the Russian political system in the 'not free' category, in the company of China,



Libya, and Iran. In fact, the 2006 report bluntly states that, “Russians cannot change their government democratically.”<sup>6</sup> The report provides the following summary:

During 2005, President Vladimir Putin took further steps toward the consolidation of executive authority by increasing pressure on the opposition and civil society, strengthening state control over the economy, and pursuing politically driven prosecutions of independent business leaders. The government introduced legislative changes making governors appointed rather than elected officials, as well as electoral system reforms making it almost impossible for parties outside the control of the Kremlin to enter the State Duma (lower house of parliament). New media legislation adopted in 2005 further restricted freedom of speech.<sup>7</sup>

It is misleading to suggest that ‘parties outside the control of the Kremlin’ cannot enter in the State Duma. The Communist Party of the Russian Federation, while increasingly pliant, is not under the Kremlin’s control. Furthermore, Freedom House reserves a political score of 6 for “military juntas, one-party dictatorships, religious hierarchies, or autocrats.”<sup>8</sup> In fact Russia’s predecessor, the Soviet Union, received a political score of 6 as early as 1973, the height of the Brezhnev years. To equate the current regime with the hegemony of the Communist Party of the Soviet Union is an exaggeration of the political consolidation that has occurred under Putin. A score of 4 or 5 might be more appropriate, referring as they do to systems characterized by “unfair elections [or] one-party dominance.”<sup>9</sup>

The 2005 edition of the Freedom House report on transitional states, *Countries at the Crossroads* notes that “All persons in Russia are not treated equally before the law. For example, Russian public officials suspected of crimes are not commonly prosecuted, although exceptions do exist.” In contrast, there is the famous case of oil magnate Mikhail Khordorkovsky, who was arrested and convicted of tax evasion in October 2003. According to the Parliamentary Assembly of the Council of Europe, Khordorkovsky’s arrest, and others:

put into question the fairness, impartiality, and objectivity of the authorities [in Russia]...[T]he interests of the State’s action in these cases goes beyond the mere pursuit of criminal justice, to include such elements as to weaken an outspoken political

opponent, to intimidate other wealthy individuals and to regain control of strategic assets.<sup>10</sup>

That Khordorkovsky and others implicated in financial crimes may in fact be guilty is somewhat beside the point. It is more important that law enforcement is often arbitrary and selective, sparing oligarchs loyal to the Kremlin while targeting those seen as oppositional. Even jury decisions have been overturned when they ran contrary to the Kremlin's wishes.<sup>11</sup>

France, by contrast, rates the best possible marks from Freedom House—1/1—in the company of countries like Great Britain, the United States, Norway, and Canada. Freedom House notes that “[political] parties organize and compete on a free and fair basis,” and “the French media operate largely freely and represent a wide range of political opinion.”<sup>12</sup> Though the degree of difference between democratic performance in France and Russia is open to discussion, the fact that a significant gulf exists is beyond debate.

In making my comparisons, I will emphasize two elements of a healthy democracy in particular. A strong legislature, capable of challenging the executive and influencing policy on its own is an essential element of a democratic order. The parliament must be able to exert a will that is independent of the executive, in order to not simply rubber-stamp executive proposals. Secondly, and perhaps more importantly, there must be a strong and vibrant system of political parties. Parties serve as channels for expression of people's demands and as media for communication between state and society.<sup>13</sup> A weak political party system divorces the rulers from the ruled, and reduces citizens' ability to communicate their interests to the elite. Both of these preconditions—strong parties and a strong legislature—provide horizontal accountability for the executive (and for each other), as well as enhancing the vertical connection between the state and voters.

## B. SEMI-PRESIDENTIALISM

One final term that must be defined is ‘semi-presidentialism,’ the target set of institutions for this study. As the name implies, semi-presidential systems attempt to strike a balance between the two basic forms of democratic government, that is, presidential and parliamentary systems.

Maurice Duverger provides the classic definition.

[A] political regime is considered as semi-presidential if the constitution which established it combines three elements: (1) the president of the republic is elected by universal suffrage; (2) he possesses quite considerable powers; (3) he has opposite him, however, a prime minister and ministers who possess executive and governmental power and can stay in office only if the parliament does not show its opposition to them.<sup>14</sup>

Here we have the essential elements of semi-presidentialism—a president whose electoral legitimacy is derived from the electorate at large and a prime minister who is dependent on parliament, with executive power split between them. However, there is some ambiguity in Duverger’s second criterion. What exactly constitutes “quite considerable powers?” To answer this question, it is helpful to look at the two traditional archetypes of democratic governance, that is, pure presidential and parliamentary regimes.

In a presidential regime, the executive is elected by the voters themselves, and is not at all responsible to the legislature. In a parliamentary regime, the executive is chosen by the legislature, and can be made to fall by a vote of no-confidence. In a properly semi-presidential regime, I argue, the government is responsible to *both* the legislature and the president—hence, semi-presidential. In other words, the president must be able to dissolve the legislature and thereby cause the government to fall. He must have the constitutional authority to do this on his own discretion, rather than on the advice of the prime minister. Consequently I amend

Duverger's second criterion to read "he possesses quite considerable powers, chiefly, the right to dissolve the legislature to which the government is responsible."

One characteristic that semi-presidential systems share with presidential systems but not parliamentary systems is the potential for divided government. Unlike a presidential system, however, a majority in parliament that is in opposition to the president can create an ideological split in the dual executive. The possibility of a no-confidence vote in the parliament gives the parliamentary majority some influence in the naming the prime minister, and creates the possibility of a divided executive. Consequently, this situation is not referred to as simply divided government, but rather 'cohabitation.' This term indicates that not only are the executive and legislature divided, but the executive itself is split. Such a phenomenon is unique to semi-presidential states. Cohabitation differs from coalition government in that coalitions are engineered to ensure majority support for the executive in the legislature. During cohabitation, one part of the executive remains opposed to the parliamentary majority.

According to these definitions, both France and Russia qualify as semi-presidential states. In each state a popularly elected president shares power (to varying degrees) with a prime minister who is dependent on the parliament. Therein lies the academic value of this comparison. While Russia and France share very similar formal institutional structures, the democratic performance of the two countries varies widely. What can account for this difference?

## II. EXECUTIVE-LEGISLATIVE RELATIONSHIPS

### A. THE CASE IN FRANCE

We will now turn to an examination of the French dual executive. The constitution stakes out areas where the president and prime minister may act independently, as well as an area of shared responsibility. Additionally, each executive has a different source of democratic legitimacy. The combination of these factors—constitutional responsibility and electoral legitimacy—determine where the balance of power is found between the two officials.

Most importantly, the constitution gives the prime minister a battery of provisions with which to control the parliament. As a result, parliamentarians have little influence over individual policies. Nevertheless, a strong vote of no-confidence ensures that the prime minister will be someone of the parliament's choosing, making the composition of the National Assembly vitally important in national politics.

#### 1. Presidential Powers

The discretionary powers of the president, those areas where the constitution empowers him to act without reference to the prime minister, are limited in number and scope. In fact, the constitution defines only seven powers the president may utilize on his own authority alone. They are a) the appointment of the prime minister (Article 8), b) dissolution of the National

Assembly (Article 12), c) the right to chair the Council of Ministers (Article 9), d) the right to have a message read in parliament (Article 18), e) the right to ask the Constitutional Council to consider the constitutionality of a bill (Article 61), f) the appointment of three members of the Constitutional Council, one of whom is the president of that body (Article 56), and g) the assumption of emergency powers (Article 16). Additionally, the president has the power to resign and thereby provoke a new presidential election (Article 7).

Most strikingly, Article 16 of the constitution empowers the president to assume full emergency powers when the republic faces a “serious and immediate threat.” While this provision has been used only once, it remains controversial. April of 1961 saw an attempted coup in Algeria, a French colony heading toward independence, by factions of the military opposed to the process of decolonization. In response, the Fifth Republic’s first president, Charles de Gaulle, assumed emergency powers under Article 16. While the rebellion lasted only a few days, de Gaulle did not relinquish his decree powers for a full five months. The prolonged and unjustified use of Article 16 by a president who lacked de Gaulle’s personal authority would probably provoke some sort of constitutional crisis. However, that the provision makes the president the sole judge of what constitutes a dire emergency, and provides no legal recourse for the termination of emergency presidential rule, is troubling.

While these powers can be exercised unilaterally, very few of them are decisive. Instead, they pass an issue on to another set of authorities, who then make the final decision. The appointment of the prime minister must be confirmed by the National Assembly. Referring a bill to the Constitutional Council places the matter in question before the nine judges of that body. Dissolving the Assembly puts the matter in the hands of the voters. In all of these cases, the final decision-making power lies beyond the presidency. The constitution envisions the president as a

referee between the other organs of government, a sort of governmental traffic cop who is above the political fray.

The situation is predictably different, however, if the president has the support of a parliamentary majority or a majority of the voters. Under these conditions the power of appointment becomes much more important from the president's perspective. Indeed,

Successive Presidents have been able to use Article 8 to appoint loyal and indeed sometimes deferential Prime Ministers. Notable examples in this regard include de Gaulle's appointment of Pompidou and Couve de Murville, Pompidou's appointment of Messmer, Mitterrand's appointment of Cresson and Bérégovoy, and Chirac's appointment Juppé and Raffarin.<sup>15</sup>

Such examples indicate that when backed by a loyal majority in the Assembly, the president can become the dominant force in the French political arena, appointing a loyal prime minister and controlling the course of national policy. Yet there is no constitutional guarantee of this preeminence. Much of the president's power rests on shifting political conditions.

## 2. Powers of the Prime Minister

The powers of the prime minister are somewhat more expansive than the president's, as envisioned by the constitution. The premier is charged with directing the operation of the government, which is responsible for determining and conducting national policy (Articles 21 and 20). The constitution puts both the armed forces and the civil service at the government's disposal (Article 20). The prime minister and cabinet are responsible for dealing with parliament (notably Articles 37-39, 41, 43-45, and 47-50). The prime minister may issue decrees concerning subjects outside of parliament's jurisdiction, which have the force of law (Article 21).

The constitution of the Fifth Republic, interestingly, limits parliament's legal domain (Article 34). Unlike traditional parliaments, which can legislate on any subject without

limitation, the French constitution sets down in fourteen bullet points the subjects on which the parliament may deliberate. While these fourteen points encompass taxation, social services, the criminal code, labor relations, property ownership, and other typical subjects of legislation, excluding some subjects from parliament's authority is a striking step away from parliamentary sovereignty. Those subjects which fall outside of parliament's jurisdiction are subject to the decree power of the prime minister. This arrangement allows the government to quickly pass laws without debate in the legislature. So while parliament passes approximately 70 laws each year, the prime minister issues around 8,000-9,000 interministerial decrees<sup>16</sup>. As such, the office of the prime minister is closely involved with the day-to-day governance of the nation.

Only the prime minister and members of parliament themselves have the right to introduce legislation in parliament (Article 39). Neither the president nor the individual ministers have this right, although government bills must be discussed in the Council of Ministers prior to their introduction. Consequently the president is almost entirely excluded from the legislative process, at least formally. He has no power to introduce legislation and no power to veto enacted bills. He may only delay the passage of a bill, by asking parliament to reconsider it (Article 10), withholding his signature for fifteen days (Article 10), or referring the bill to the Constitutional Council. These are all ultimately only delaying tactics, and indicate how little influence the president has over legislation during a period of cohabitation, when the parliamentary majority is opposed to him. The situation is quite different, however, if the president *has* the backing of a majority in the Assembly. In this case, the president will be able to use his power of appointment to install a loyal prime minister, sealing the rupture between president and parliament. The president may broadcast legislative proposals to the parliament through the prime minister, and can use his influence to kill bills he finds unacceptable.



Articles 43, 44, and 45 allow the government to steer legislation through the houses of parliament with relative ease. The government is responsible for directing bills to the appropriate committees, and is given the power of amendment and the power to table discussion and call for a vote on a particular bill. The government is also responsible for resolving disputes between the upper and lower houses of parliament. It is the prime minister's prerogative to form joint committees of the two houses in order to reach a compromise, and this prerogative is exercised at his sole discretion. If, even after calling for a joint committee, the issue proves intractable, the prime minister may direct the National Assembly to make the final decision at the expense of the Senate. The prime minister may also skip the joint committee phase by declaring a bill urgent, referring it immediately to the National Assembly. Given that the prime minister enjoys by definition the support of the National Assembly, it is likely that the version of the bill most favorable to the government will emerge from that body. Article 47 grants the government the power to pass financial and budgetary acts by decree, if the parliament cannot reach a decision by a specified time. Article 48 gives precedence on the parliamentary agenda to government bills and members' bills supported by the government. The Assembly cannot refuse to consider government bills, and private lawmakers will find their bills farther down on the docket. Lastly, Article 49 permits the prime minister to make the passage of a bill "an issue of the Government's responsibility before the National Assembly." This provision will be discussed in detail in Section 7 of this chapter.

The end result of all these provisions is that, while the government remains responsible to the Assembly and vulnerable to censure, the government (headed by the prime minister) is in firm control of the legislative process. It can initiate legislation, and directs the operation of committees. It can determine which amendments succeed, and which fail. It controls the pace of

debate and keeps a firm grip on the agenda. “In fact,” Elgie writes, “in the absence of an opposition majority, the government can pass any bill that it wants in whatever form it wants.”<sup>17</sup>

The government’s many advantages diminish the space available for parliamentarians to negotiate with the executive. Since the parliament does not control its own agenda, it cannot hold up the passage of important bills in order to gain concessions. Even the budget can be passed by decree if parliament delays too long. The government can pick and choose which amendments to accept and can, if necessary, force the passage of legislation without taking a vote in the parliament. The legislative process is dominated, as a result, by the executive.

### 3. Shared Powers

Additionally, there are areas where the constitution obliges the prime minister and president to share power. In some areas, notably foreign policy and defense, the president has emerged as the dominant figure. While the constitution places the armed forces at the disposal of the government, it also names the president as commander-in-chief (Article 15), proclaims him the guarantor of national independence and territorial integrity (Article 5), and places him at the head of “the higher national defense councils” (Article 15). A 1962 decree further reinforces the president’s authority over defense policy, by making the president “responsible for ‘the conduct of operations’ in the event of war.”<sup>18</sup> While this decree is not part of the constitution, and could be revoked, a precedent for presidential leadership in matters of defense is well-established.

Presidents have also been assertive in the area of foreign policy. The constitution states that “The President shall negotiate and ratify treaties” (Article 51). However, any treaty which concerns a subject under parliament’s normal legislative domain can only be approved by an act of parliament (Article 53). Considering the prime minister’s intimate involvement with the

legislative process, any parliamentary ratification would have to first meet with ministerial approval. Nevertheless, owing to their direct election by the nation as a whole, each president has claimed the right to speak as the voice of France in the international arena.<sup>19</sup> Even during unified government, when president and prime minister hail from the same party, the ministers have had little input in the determination of foreign policy, playing only “bit parts.”<sup>20</sup> During cohabitation, the government may have some delaying power over the ratification of treaties. But it is a constitutional reality that in foreign policy the president acts and the ministers react.

While defense and foreign policy are largely controlled by the president, there are times when presidential decisions are subject to veto by the prime minister, and vice versa. This mutual veto increases the likelihood of friction and government gridlock, but also obliges the two executives to work more closely together, and encourages negotiation and compromise. For example, the president is empowered to call national referendums, but only on the proposal of the prime minister or a joint resolution of the houses of parliament (Article 11). Both players, then, have an effective veto over a proposed referendum. The president may decline to formalize a referendum proposed by the prime minister, and the prime minister may refuse to propose a referendum desired by the president. The appointment of the various ministers is another area of shared responsibility. It is the president who appoints and dismisses the government ministers, but only on the proposal of the prime minister himself (Article 8). So again there is room for negotiation. Furthermore, some decisions of the prime minister must first be discussed in the Council of Minister, which the president chairs, before taking effect. This includes all government bills before they are sent to the legislature. The president, by virtue of his right to set the agenda of the Council, holds some administrative power over government business.

#### 4. Presidential Strength and Shifting Majorities

So far this examination does not explain how, in David Bell's words, "the President became one of the most powerful Western executives (more so, in fact, than the President of the United States)." <sup>21</sup> The powers and responsibilities that we have now surveyed weigh heavily in the prime minister's favor. In a literal reading of the constitution, the prime minister directs the operation of the government, which determines the policy of the nation, while the responsibilities of the president are mostly that of a political policeman, directing policy proposals from one authority to another. Yet the president has consistently been at the forefront of politics and policy-making. How has this come to be?

The secret to the riddle is the direct election of the president, established by referendum in October 1962. Prior to this reform, the constitution stipulated that the president be chosen by an electoral college made up of parliamentarians and local notables. After the referendum of 1962, which was passed by 62 percent of voters, the president has been elected by direct and universal suffrage. The effect of this change on the institution of the presidency cannot be underestimated. It is this direct election which erects the second tier in the political system, after parliamentary elections, and makes the president democratically legitimate in his own right. It gives him a mandate to govern that is entirely separate from that of parliament. As the only single individual elected to office by the nation as a whole, he boasts democratic credentials no other official can match. Due to French electoral law, any presidential candidate must win at least fifty percent of the vote to win office. This transforms the president's campaign promises into the leading political agenda in the country, and turns the president into a coalition-builder who must reach beyond his own political base. As such, he becomes a truly national figure in a way that the prime minister cannot equal. So, while the president's constitutional power is

somewhat limited, his constitutional *authority* is very broad. It is the president, after all, who appoints the prime minister and dissolves the National Assembly. His is the highest office in the land, and the national character of presidential campaigns only confirm this. Ezra Suleiman writes that “The activity, strategy, and ambitions of parties and politicians are all directed toward presidential elections.”<sup>22</sup> Furthermore, the prime minister is always liable to eviction from office by a vote of censure from the Assembly, dismissal by the president, or the dissolution of the Assembly. The president, once elected, is secure for a five-year (formerly seven-year) term. As a figure whose electoral program garnered the endorsement of more than half of the electorate, and whose legitimacy is enduring over a long period of time, a newly-elected president is the driving force in French politics. The government of the day must treat the president’s campaign platform as the nation’s business, approved by the majority. French presidents are quick to capitalize on this momentum. President Mitterrand went so far as to dissolve conservative Assemblies, hoping (correctly) that his own victory would usher in a more supportive, left-leaning majority. The combination of the president’s constitutional majesty and national democratic legitimacy make him potentially the most powerful figure in French politics.

## 5. Cohabitation

For most of the Fifth Republic’s history, there have been two fundamental political possibilities. Either the majority in the National Assembly supports the president, or it does not. If it does, the entire political edifice comes into alignment, with the president at its apex. The president may appoint a loyal prime minister, and through him, exercise power over parliament. If it does not, the president must contend with an empowered and independent prime minister. Losing the Assembly is a political disaster for any president. It indicates that the policy program of the

opposition has been endorsed by the electorate, and gives the prime minister free reign to oppose the president and enact his own policies. Parliament is sealed off from the president's influence, and the president's ability to control domestic policy is erased. Foreign policy and defense remain his prerogative, but a president without the support of the Assembly is a president severely hobbled.

Backed by the newly-elected majority, the prime minister becomes the leading political figure during cohabitation. It is his responsibility to turn the new majority's campaign promises into law, and it his political future that is staked on their success. Liberated from presidential influence, the prime minister is in control of parliament, thanks to his constitutional privileges. The power to set the agenda passes to the prime minister, while the president is largely sidelined. During cohabitation, "there is no doubt that Prime Ministers have exercised policy leadership," while presidents "have been relatively powerless."<sup>23</sup>

This interplay of shifting electoral majorities is aptly demonstrated by the period 1981-1986, which saw the left in the majority for the first time in the Republic's history, and 1986-1988, during which time the right recaptured the parliament and ushered in the first period of cohabitation. Following his election in 1981, President Mitterrand immediately dissolved the Assembly. The subsequent election returned an outright majority for Mitterrand's Socialist Party (285 seats out of 490), and allowed Mitterrand to select a socialist prime minister. With the presidential and parliamentary majorities in alignment, the president "dominated the government, and through the government and the party he dominated the parliament."<sup>24</sup> Thus enthroned, Mitterrand and his supporters began to enact an extensive social reform package. One major element of this socialist reformation was a series of nationalizations, including five major industrial concerns, two financial companies, thirty-six banks, and numerous smaller ventures. It

has been calculated that this nationalization program increased the size of the public sector from ten percent of French industrial capacity to twenty-five percent. Other reforms included the extension of paid holidays, and the implementation of a wealth-tax aimed at the wealthiest citizens. The Mitterrand government also abolished the death penalty, devolved more authority to the localities, granted amnesty of 130,000 illegal immigrants, and increased the minimum wage.<sup>25</sup> The extent of these reforms, particularly the nationalization effort, indicates the sweeping power available to a president who has the backing of the Assembly.

The only check on presidential power in this circumstance is a significant show of popular opposition to the president's policies, and the associated fear of losing the next election. Mitterrand's presidency faced just such a display when the conservative opposition, lead by Jacques Chirac, pounced on Mitterrand's proposed education reform in 1984. The Savary Bill, named after education minister Alain Savary, would have brought France's Catholic schools under the authority of the Ministry of Education. A crowd one million strong gathered in the streets of Paris to protest a policy that conservatives had labeled an attack on choice in education. The bill was quickly scuttled, and Mitterrand was forced to accept the resignation of both his prime minister and minister of education.<sup>26</sup>

The euphoria surrounding Mitterrand's election had fully ebbed by the parliamentary elections of 1986, and a conservative coalition emerged with control of the Assembly. The new government, headed by Chirac, practically reversed the policies enacted by the Socialists five years earlier. Under Chirac, sixty-five state-held companies were put on auction, including one national television channel, an arms and electronics manufacturer, and several banks.<sup>27</sup> That the policies of the government of the day, backed by their legislative majority, could run so counter to the policies of a president still in office help to demonstrate how effective is the prime

minister during cohabitation, and how isolated is the president. Mitterrand, Atkin writes, “recognized that the voters had spoken,” and adapted himself to a more limited role by asserting his rights in the reserve domain of defense and foreign policy, actively criticizing the Chirac government, and applying presidential leverage to negotiate the composition of the cabinet and to secure political patronage.<sup>28</sup> Mitterrand’s astute reading of the new political situation played well with the voters, who returned him for a second term in 1988. Five days later, the president dissolved the Assembly. The Socialists won in the elections that followed, bringing the first period of cohabitation to an end.

The experience of the 1980s demonstrates the key features of the French model. When backed by a loyal majority in the Assembly, President Mitterrand was able to exert tremendous influence on the system and enact wide-ranging policies. However, when Mitterrand lost the Assembly to the conservatives, policy-making initiative passed to that new majority headed by a conservative prime minister. The policy actions of the Chirac government were similar in scale to Mitterrand’s, indicating that the ability of the two executives to realize their political will when supported by the Assembly is roughly equal. Nevertheless, Mitterrand remained in office, still able to act independently in the reserve domain and to serve as a rallying point for the opposition. He was quick to seize on political opportunity to bring the Assembly back in line following his own reelection.

## 6. Presidential Control during Unified Government

As previously noted, when the president has a legislative majority, he is able to install a loyal prime minister and control the parliament. But why do parliaments submit to this kind of treatment? After all, presidents and parliaments are elected by different constituencies and



represent different interests. Inter-branch competition of the kind seen in the United States is not unimaginable. What forestalls parliamentary mutinies? Why do parliaments not clamor for more independence—in particular, why do they not insist on prime ministers less deferential to the president? A political answer is most relevant. Successively denying the president's appointee to the premiership exposes a rift between the president and the rank and file of his party or coalition. The political opposition would be quick to pounce on this rift and exploit it to their advantage. Ultimately, the parliament would be faced with either accepting the president's nominee or submitting to dissolution. Dissolution, as ever, carries with it the threat of the majority party losing its dominance in the legislature. If conservative parliamentarians are forced to choose between serving under a conservative president or a socialist prime minister, it should surprise no one if they choose the former. This acts to prevent parliamentary rebellions, by pinning the majority's political future to the president's political successes

Indeed, in all the Fifth Republic's history, the National Assembly has passed a motion of no-confidence in the government exactly one time. In response to de Gaulle's proposed referendum establishing the direct election of the president, the National Assembly passed a vote of censure against the Pompidou government. De Gaulle, in a move that probably contradicts the spirit of the constitution, dissolved the legislature and asked Pompidou to remain in office. The president stipulated that the new round of parliamentary elections would occur after the referendum. De Gaulle's referendum was passed by a sizeable majority (62 percent), somewhat marred by a low turnout (42 percent of the electorate), and his party, the UNR, won control of the Assembly in the following elections. De Gaulle duly reappointed Pompidou prime minister.<sup>29</sup> The one and only vote of censure in the Republic's history is not a very auspicious

episode for the institution of the National Assembly. Pompidou remained in office, the Assembly was dissolved, and new elections returned a pro-presidential majority.

In addition, presidents have extrapolated from the constitution the authority to dismiss the prime minister, leaving aside that the text of the constitution itself provides no means of removing a premier from office other than the legislative vote of censure. President de Gaulle, whose extra-constitutional authority allowed him to inaugurate such a practice, went so far as to demand undated letters of resignation from his nominees to the premiership.<sup>30</sup> De Gaulle was clear in his memoirs that, constitution aside, “when one is a minister, it is to de Gaulle and to him alone that he is responsible.”<sup>31</sup> Presidents of lesser stature have followed the General’s spirit, but have instead relied on their political primacy, outside of cohabitation, and merely requested their prime ministers to resign. Seven premiers (Debré, Pompidou, Chaban-Delmas, Mauroy, Rocard, Cresson, and Raffarin) have been thus removed from office.

## 7. Government and Parliament

Any analysis of the French legislature must contend with two facts. First, governments have been extraordinarily successful in passing legislation. According to Elgie, “It is virtually unknown for majority deputies to defeat government legislation.”<sup>32</sup> During the Socialist majority of 1981-86, the government won 99.2 percent of votes in the Assembly and passed 100 percent of its legislation<sup>33</sup>. Secondly, it must be noted that the Assembly has brought down only one sitting government in the entire history of the Fifth Republic. From these premises it is easy to deduce that governments, once approved, can be assured of support in the Assembly. However, the source of this legislative obedience is as much political as it is institutional. I will deal with the institutional aspect first.

A variety of provisions curb the power of the individual deputies to the government's advantage. Bills and amendments proposed by members of parliament are inadmissible if they would result in either an increase in government expenditures or a decrease in revenue (Article 40). As a result, only the government participates in budgetary decisions, with the deputies themselves voting either yes or no on a package they cannot amend without the government's consent. Deputies' amendments in general must first be approved by one of the Assembly's committees before being discussed on the floor (Article 44). In addition, the constitution gives automatic precedence to the government's bills at the expense of those of private members, meaning the parliament cannot delay or avoid considering the government's proposals (Article 48). And of course, members' amendments must fall within parliament's legal jurisdiction, and not in the government's domain of regulation (Articles 34 and 41).

Finally there are the government's two most powerful weapons—the *vote bloqué* and the so-called 'guillotine,' a poetic reference to Article 49 of the constitution. The *vote bloqué*, or package vote, allows the government to call for a single vote "on all or part of the text under discussion, on the sole basis of the amendments proposed or accepted by the Government" (Article 44). This provision allows the government to nullify amendments it objects to, even if they have made it past the other procedural hurdles present in the Assembly.

The 1986 Chirac government, whose majority was wafer-thin, used the package vote 43 times during its two years in power. The previous Socialist government, in power for five years and with a larger majority, used the provision only three times. Before that, the government of Raymond Barre (whose party was the 'minority of the majority') used the package vote eighteen times.<sup>34</sup> The package vote allows more vulnerable governments to successfully steer their bills through a less hospitable Assembly, safeguarding it from unwanted amendments. This

highlights the parliament's inability to influence individual policies, even under a minority government.

The government's last and most potent weapon, Article 49, empowers the government to make the passage of a bill an issue of the government's responsibility to the National Assembly. In this case, a bill is considered passed unless a motion of censure is signed by at least ten percent of deputies, and approved by a majority of the Assembly, within 24 hours. By making use of this article, the government can pass a bill into law without it ever being voted on by the Assembly, so long as a majority cannot form in favor of dismissing the government. Article 49 can be used to circumvent debate, avoid potentially embarrassing (for the government) votes, and to pass legislation that might not command the support of the full house. Even governments with comfortable majorities have resorted to Article 49 to pass controversial bills<sup>35</sup> or to speed up legislation.<sup>36</sup> Article 49 was most frequently invoked, however, in the period 1988-1993, years when the sitting governments did not enjoy the support of a full majority in parliament. In fact, Article 49 was used no fewer than 39 times in this period, more than in the previous thirty years put together.<sup>37</sup> During this time, motions of censure were successfully tabled only fourteen times, and of those, none were passed by the full Assembly.

It is clear, then, that Article 49 helps to keep minority governments in office, and can bring about the passage of legislation that would not ordinarily garner the support of a full majority. Yet there is something counterintuitive about this conclusion. Why would minority governments, already vulnerable, invite censure upon themselves? The answer has less to do with the institution of Article 49 than with normal party politics. The minority governments of 1988-1993 survived because a diverse parliamentary majority comprised of such unusual fellow-travelers as communists, centrists, and the right failed to coalesce against the socialist

government. In 1989, for example, Prime Minister Rocard deployed Article 49 to pass the annual budget, to which both the communists and centrists were opposed, secure in the knowledge that the communists would not join the right in bringing down a left-leaning government. Article 49 served in this period not as a survival tactic, but rather as a means to pass legislation in the absence of a legislative majority. A disciplined majority can dismiss a government at any time, despite the government's legislative arsenal. A fractious majority, though opposed to the government's program, may be unable to coalesce around a motion of censure. What is remarkable in the French parliament is not that minority governments can survive, but that they can legislate so effectively.

This point illustrates the political nature of the government-parliament relationship. The distinction between government and parliament obscures another, perhaps more important distinction, that of majority and opposition. The majority is composed of the government and its supporters in the legislature, with parliamentary deputies opposed to the government constituting the opposition. The government wishes to remain in office and enact its policies, while the opposition hopes to defeat the government in the next election. Each side seeks to maximize political gain. As a result, there is little incentive for the majority to include the opposition in policy-making. Not only is each side liable to disagree on basic issues, but the opposition is sure to attempt to create political capital out of any influence it might have over policy. By the same token, the majority is little inclined to allow the opposition any oversight of the government, as the opposition will only be too happy to point out mistakes in order to discredit the majority. Along with the constitutional provisions that protect the government, this parliamentary game helps explain why governments have been so successful and so secure. Majority deputies are inclined to defend the government in the interest of their own political future.

## 8. Amendment and Oversight

Since the institutions of the Fifth Republic give the government a firm hand at the legislative rudder, deputies' influence on legislation is modest. During the period of 1958-1988, private members' bills (that is, bills not originating from the government) made up an average 16 percent of final legislation.<sup>38</sup> Private bills originating from within the majority are far more likely to succeed than bills originating in the opposition. From 1978-1981, only four opposition bills were passed by the Assembly. Similarly, only two were passed from 1986-1988 (plus one from the far-right National Front). In both cases, conservative majorities prevented the passage of private bills proposed by leftist deputies. Conservative deputies had remarkable success in passing private bills during the Socialist government of 1981-1986. They were able to pass eighteen private bills, eclipsing the Socialists' thirteen, and the Communists' six. In all cases, however, private bills accounted for a small share of total legislation: 16% of all laws from 1978-1981, only 9% from 1981-1986, and a record high 24% from 1986-1988.<sup>39</sup>

As far as the passage of amendments is concerned, those originating from within the parliamentary majority are heavily favored. Seventy-five percent of amendments proposed by the standing committees of parliament, which have pro-government majorities, are passed into law. During the Socialist government of 1981-86, amendments proposed by Socialist deputies were adopted 61% of the time. Meanwhile, the center-right saw only four percent of its amendments passed into law. The Chirac government (1986-88), which made frequent use of the package vote and Article 49, passed into law only 21% of its own backers' amendments, and only three percent of Socialist amendments.<sup>40</sup> This demonstrates how effectively the

government can protect its bills from amendment, even though the majority party usually does wield some influence in crafting legislation.

Forgetting success rates entirely for a moment, the sheer number of proposed amendments shows that majority and opposition lawmakers alike take their parliamentary responsibilities quite seriously. From 1981 to 1986, a staggering 34,932 amendments were proposed by the committees and deputies from all parties. The Senate, which can be overridden by the National Assembly, produced a further 25,000 amendments.<sup>41</sup> This demonstrates that the Assembly actively reviews, amends, and in some cases even successfully proposes legislation on its own, rather than blindly approving the government's proposals. That the majority passes its legislation more frequently than the opposition should not be troubling to democrats. What is somewhat troubling, however, is that the government's procedural tools allow it to pass legislation without an affirmative vote by a majority of the Assembly.

The aging of the Fifth Republic has seen a resurgence in the parliament's institutional strength. While a variety of small reforms have contributed to this resurgence, it is chiefly due to a 1974 reform initiated by President Giscard, allowing any sixty deputies or senators to refer a proposed law to the Constitutional Council. Prior to 1974, the Council comported itself as "a self-effacing guard dog of the executive and its prerogatives," ensuring that the parliament never overstepped its bounds.<sup>42</sup> From 1959 to 1974, the right to refer bills to the Council was limited to the president, the prime minister, and the presidents of the two assemblies—in other words, the majority. Consequently during that period only 9 laws were referred to the Council, and only once did the Council rule against the executive.<sup>43</sup> The 1974 reform opened the Council to opposition deputies in the legislature, and as a result the number of bills referred surged. By 1981, 45 bills had been referred to the Council by the parliament. During Mitterrand's first term,

another ninety-two laws were sent to the Council, forty-nine of which were at least partially annulled.<sup>44</sup> The 1974 reform provides an important tool for the opposition to challenge the majority, and to help frame the debate. The opposition's right to refer draft laws to the Council leads to self-restraint on the part of the executive, which hopes to minimize referrals and avoid annulments.

Other institutional reforms have increased the parliament's powers of oversight. The procedures for 'questions to the government,' weekly confrontations between the ministers and the deputies, have been modified for increased transparency and spontaneity. The committees of the National Assembly have received the right to monitor the implementation of legislation and to hold public hearings with the relevant ministers. Committees of inquiry, ad hoc committees established to investigate a particular issue, now sit for six months instead of four. A 1995 reform reserves one day per month for parliamentary business, rather than the government's, allowing opposition deputies to circumvent the government's priority on the agenda. While much of these sittings are dominated by majority deputies, the reform cleared the way for the passage of twenty bills in its first two years. Additionally, 1995 saw parliament's two three-month sessions replaced by a single nine-month period, limiting the amount of time per year the government operates without immediate oversight.<sup>45</sup> These reforms, particularly the ability to refer bills to the Council, have given the legislature a much-needed boost as an agent of accountability.



## 9. The French Case in Sum

The French system, like the American system, is one of dual majorities elected by different constituencies. One majority is represented by the presidency, and the other by the legislature. However, in France both institutions have access to executive power. The most important facts of the system are: that the president, once elected, cannot be removed from office before his term expires; that the president cannot override a determined legislative majority when appointing the prime minister; and that the president can dissolve the National Assembly. This means that the president is unassailable in a way that the government and Assembly are not, and that he potentially occupies the most politically powerful space in the system. Nevertheless it is the National Assembly that has the final say over who sits in the prime minister's office, and as a result the two majorities do not always coincide.

When the Assembly backs the president, the two majorities are in alignment. Here the president will be the dominant figure because of his constitutional prerogatives (appointment and dissolution), his political strength (directly elected by the nation at large), and the august nature of his office (the guarantor of national integrity). The power of the government to direct legislation will serve to put the parliament under the thumb of the president, since the prime minister is the president's man. The united majority will carry out its program for a full five years until the next election. But during cohabitation, preeminence will pass to the legislative majority and policy direction will be the province of the prime minister. The electoral success of the legislative majority will be portrayed as a mandate to enact its own policies and as a repudiation of the president. With the support of the majority in the legislature, the government will be able to enact those policies relatively unhindered, while the president will be cut off from the legislative process. Yet the president will remain an independent power center, influential in

foreign and defense affairs, and the central figure in the opposition to the new majority. The prominence of his office will allow him to criticize the government of the day in a very public way. And, the president will vigilantly observe public opinion, ready to dissolve the Assembly should the government proceed too aggressively or its programs founder.

The institutions of the Fifth Republic, therefore, establish an elaborate, oscillating system that moderates periods of unbridled majoritarianism with periods of divided government. If a single majority captures both the presidency and the Assembly, that majority can enact its policies almost without hindrance. There is little opportunity for the opposition to influence policy in the legislature, and almost no opportunity in the executive. This sort of runaway majoritarianism is not inherently undemocratic, but it does offer little incentive for consensus-building and negotiation across party lines. Periods of cohabitation provide opportunities for negotiation without unduly hamstringing the majority in power. When presidential and legislative majorities are split, the government can enact the policies newly endorsed by the voters. Yet the president remains in power, able to delay the government somewhat, but, more importantly, ready to create and exploit political opportunities. In this way, cohabitation provides extra avenues of horizontal accountability.

That same referendum which approved the five-year presidential term may also spell the end of French cohabitation, at least temporarily. Previously, presidential and parliamentary terms had been staggered—seven years for presidents, and five years for parliaments (if they lasted that long). The uneven terms created a situation where parliaments would come up for election two or four years into a president's term—enough time for that president's policies to become unpopular, to the opposition's benefit. This provided fertile ground for cohabitation to occur. Now, with the reduced presidential term, presidential and parliamentary terms have been

more or less synchronized, much reducing the possibility for cohabitation. How many voters, after all, will cast votes for a conservative president and a socialist parliament within the space of a few days? France is likely to be on a more majoritarian track for the foreseeable future, as presidents are all but assured of a like-minded parliament. Unified majorities, which the synchronization of terms will produce regularly, do create a monarchical presidency which can all but shut out the parliamentary opposition. The only real check on the president's policy-making power is the voters at the next presidential election—five years away. Of course, should a president die in office, resign, or dissolve parliament early, the two terms will again become staggered.

The French parliament has serious weaknesses in its relationship with the executive. The Assembly is hobbled by a battery of imaginative provisions, enshrined in the constitution itself, which advantage the executive throughout the legislative process. The government can determine the final shape of a bill, by using the package vote to disregard any objectionable amendments. It can pass the budget by decree, if the Assembly does not pass it within seventy days. It can shut out the Senate, by declaring a bill urgent. It can pass legislation without an affirmative vote, by making the bill an issue of confidence. And, it can shut out opposition bills by refusing them a place on the agenda. Deputies are not even permitted to propose legislation that would involve public expenditures. In two cases<sup>\*</sup>, the government passed the entire federal budget as an issue of responsibility, meaning that deputies had no opportunity to vote up or down on a document they had no authority to propose or even to amend—a document which, it is worth pointing out, defined the structure and priorities of the national government for the year to come.

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<sup>\*</sup> Barre's budget in 1979, and Rocard's in 1989.

Deputies have little influence over particular policies since the government can draft a proposal, shield it from amendment, and pass it as a law without a vote in the Assembly. Of course, governments do not always behave this way. However, even a supportive majority in the Assembly will be more pliant in negotiation with the executive, knowing that the government has the power to shape and pass a law without parliamentary input. Nevertheless the National Assembly has great influence over the broad, strategic orientation of national policy. The Assembly is therefore crucially important to any president, who cannot govern without a supportive majority there. This has important implications for the party system, which will be discussed in Chapter IV.

## B. THE RUSSIAN CASE

While the Russian constitution is often said to establish an over-powerful executive (the term ‘superpresidential’ has been suggested), such a characterization overlooks important subtleties in the Russian political system. The much-criticized State Duma, Russia’s lower house of parliament, shows surprising institutional resilience, despite sharing power with a constitutionally powerful executive. Unlike the French National Assembly, where the agenda is set by the government as per the constitution and standing committees are limited to six, the State Duma has the authority to set its own rules, determine its own agenda, and name its own committees. The Duma is therefore more capable than the National Assembly of determining which legislation to pass and which legislation to reject. As a result, it is better able to influence national policy making between elections, which makes it a more effective check on executive control of the system.

## 1. The President

In describing the role of the president, the language of the constitution is quite clear. The president is explicitly called “the Head of State,” and “the guarantor of the Constitution;” he is called upon to “adopt measures to protect the sovereignty of the Russian Federation...and [to] ensure the coordinated functioning and interaction of State government bodies,” and he is empowered to “determine the basic objectives of the internal and foreign policy of the State” (Article 80). Already the authority of the president and the boundaries of political power are much clearer in the Russian constitution than in the French. The constitutional responsibility for directing the basic objectives of the government lies not with the prime minister, as in France, but with the president.

The powers and responsibilities of the president of the republic include: a) the appointment of the prime minister with the consent of the lower house of parliament; b) the right to chair cabinet meetings; c) the right to decide on the resignation of the government; d) the appointment and dismissal of ministers; e) the nomination of judges to Russia’s three supreme courts; f) the right to head security councils and to decide military strategy; g) the right to form the presidential administration (Article 83); h) the right to dissolve the lower house under certain circumstances; i) the right to call referendums; j) the right to introduce draft laws to the legislature (Article 84); k) the power to veto a law, which may be overridden only by a two-thirds vote in each house of parliament (Article 107); l) the right to suspend the acts of regional governments if such acts conflict with the constitution or federal law (Article 85); m) the right to

declare martial law and states of emergency (Articles 87 and 88), and n) the right to issue binding decrees as long as they do not contradict federal law (Article 90).

Clearly, the formal powers of the Russian president as laid out in the constitution far outstrip those of his French counterpart. In particular, the French president lacks both the power to introduce legislation into the legislature and the power to veto laws. Consequently, the president of France has very little influence over the framing of legislation if he loses the support of the prime minister. In Russia, even a president facing a very hostile parliament will still be able to influence legislation by making use of his veto and decree powers.

## 2. Government and Parliament

The Russian parliament is, like the French parliament, bicameral. It is composed of the Federation Council and the State Duma. The Council is comprised of two representatives from each of Russia's 89 regions, while the Duma is made up of 450 elected deputies. As in France, it is the lower house, the Duma, which has the power to vote no-confidence in the government. Despite these similarities, however, the Russian legislature differs significantly from its relative in France. The Federation Council is a stronger body institutionally than the French Senate. Firstly, a specific body of issues pertain solely to the Council and not to the Duma. These include the approval of martial law and states of emergency, border changes, the use of the armed forces outside Russia, and the impeachment of the president. Furthermore, the Council has veto power over any law passed in the Duma. A veto from the Council can only be overridden by a two-thirds vote in the Duma, rather than the simple majority necessary in France (Article 102). This gives the Federation Council a greater say in the legislative process than the French Senate, which can be more easily overridden by the lower house.

The Duma also has an area of particular responsibility. Most importantly, all draft laws begin their legislative journey in the Duma. The Duma must decide on the appointment of the prime minister and on issues of confidence in the government. The Duma also has authority over the appointment and dismissal of the chairman of Russia's central bank, half the auditors of the Accounts Chamber, and over the granting of amnesty. Impeachments proceedings also begin in the Duma, before being referred to the Council. (Article 103)

Two major differences help define the operation of the State Duma and the Federation Council. The Duma is a much more active body, a full-time legislature. The Federation Council, by contrast, holds less than half the number of sessions held by the lower house.<sup>46</sup> Even more importantly, political parties are absent from the Federation Council, while the State Duma is practically defined by them. Prior to the 2007 election, half of the Duma's 450 deputies were elected from party lists in a system of proportional representation. In other words, at least half of the Duma's membership was drawn from national parties. The other half were elected from single-member districts and need not necessarily be affiliated with any party. Beginning with the 2007 election, all the deputies were elected by party list.

The right to introduce legislation belongs to the president of the republic, the government, regional legislatures, members of the Federation Council and Duma, as well as the Constitutional Court, Supreme Court, and Supreme Arbitration Court. Bills concerning the state's finances—including the introduction or cancellation of taxes, government loans, or any bills involving expenses to be paid from the federal budget—can only be initiated by the government (Article 104). Statutes that are purely regulatory can originate from outside the government, giving private deputies more liberty to contribute to the legislative process. Furthermore, the Russian government lacks the ability to disregard amendments it disapproves of, as is possible in France.

A 2001 law on political parties, for example, was amended more than a thousand times before it finally passed the Duma.<sup>47</sup> Since the government cannot invalidate amendments, the government may propose an important bill only to have it radically amended by the Duma.

Just as in France, the political composition in the State Duma in many ways determines the character of executive-legislative relations. A Duma dominated by a coherent majority opposed to the president has the ability to significantly frustrate presidential initiatives. Likewise a compliant Duma can greatly smooth the president's agenda. The contrast is vivid between the terms of President's Yeltsin and Putin. Yeltsin, particularly in his second term, faced determined opposition from the Communist Party of the Russian Federation and other allied groups, while Putin has enjoyed a supportive majority.

a. No Confidence and Dissolution The president may only dissolve the State Duma following votes of no-confidence in the government. This can occur under two different circumstances. When the president nominates a candidate for prime minister after the office has fallen vacant, the Duma is required to vote on the president's nominee. If the Duma rejects the president's nominee three times, the president is *constitutionally obligated* to dissolve the Duma, call for new elections, and install the prime minister over the Duma's objections. This process can occur indefinitely—the Duma gains no immunity from dissolution following its election (Article 111). As a result, the Duma is in no position to block the president's nominee. It can only register its opposition with the executive and with the public—a potentially effective political strategy in circumstances which nevertheless heavily favor the executive.

Additionally, the Duma may choose to vote no-confidence in a sitting government at any time. If the Duma does so twice within three months, the president must either accept the



resignation of the government or dissolve the Duma. If the Duma is dissolved under these circumstances, it is immune to dissolution for one year following its election (Article 117).

This indicates an interesting departure from the earlier French model. The French president may dissolve the National Assembly at his own discretion, while the Russian president may only do so in response to parliamentary action against the government. The government of Russia is also much less susceptible to the vote of censure than the government of France. A simple majority vote in the National Assembly is enough to evict the ministers from their offices, and, therefore, the French president cannot appoint a prime minister who does not enjoy the Assembly's support. The French constitution provides the president no room for maneuver here.

In Russia, however, the no-confidence vote is significantly watered down to protect the executive. Even a strongly oppositional Duma is forced to accept the president's nominee, at least temporarily, or face dissolution. In order to remove a prime minister truly unacceptable to the parliament, the Duma would have to vote no-confidence at least four times and endure at least one dissolution and subsequent re-election. Of course, choosing such a course of action would set in motion a protracted political battle in which the public would surely be enlisted. An unpopular president would likely be forced to cede ground to the legislature. Similarly, the Duma would find it difficult to maintain such determined opposition in the face of public loyalty to a popular president. Of course, the executive operates from somewhat higher ground, as the president's job is not threatened in the same way as those of the legislators.

The dissolution of parliament carries with it, as ever, the threat that individual deputies will not be re-elected, as well as the concern that the overall composition of the house might shift. Additionally, in Russia, the loss of a parliamentary seat entails the loss of immunity from prosecution that all parliamentarians hold *ex officio* as well as the loss of various government

perks. All these counterincentives suggest that Duma deputies will make use of ‘throwaway’ votes of no-confidence, the votes that the president and prime minister can ignore, in order to make a political statement or to lobby for concessions. Yet they will shy away from casting definitive votes that will result in dissolution and their own re-election campaigns. Consequently the Russian government is far less dependent on the parliamentary majority for its survival than is its counterpart in France.

b. Government Control? The French and Russian governments are not equivalent terms. The powers of the French government to control debate in the legislature and to control the passage of laws far exceed the constitutional prerogatives of the Russian government. The Russian government lacks the powers to curb amendments and limit debate, which the ministers of France have found so useful. Draft laws cannot be made ‘an issue of the government’s responsibility’ as they can in France. Government bills do not enjoy constitutional precedence on the agenda as they do in France. The Russian and French governments do share the right to issue legal decrees, and have monopolies on the introduction of bills that would result in a change in state revenues or expenditures. Nevertheless, the similarities end there, and the French government acts as a parliamentary gatekeeper in a way that the Russian government does not. Thus, while the Russian parliamentarians have less control over the government than do their French compatriots, the Russian government exerts less influence on the parliament.

Considered in this way, the Russian system begins to take on the appearance of a fully presidential system, rather than a semi-presidential one. The executive is more unitary than in France, and the line between the executive and the legislature is more distinct. The Duma will find it very difficult to procure a prime minister that is loyal to the parliamentary majority rather

than to the president, while the president (or prime minister) will have a harder time taming the parliamentary majority. The two institutions can be derived from different political majorities, and hence opposed in political outlook, without the prime minister going over to the parliament's side. Yet there are still good reasons to label Russia a semi-presidential regime. The parliament does have the power to dismiss the government, however weakened it may be, and therefore the power to bargain for a more acceptable prime minister. Equally, the president does have the right to dissolve the parliament, if only under certain conditions. The dependence across branches characteristic of semi-presidential systems is present, albeit in a weaker form than in France. And of course, the president cannot be removed from office except by impeachment and does possess 'quite considerable powers.' The differences between France and Russia are differences within one regime type, rather than across types. France represents a more integrated subtype, where the executive and legislative branches are more closely intermingled. Russia, by contrast, establishes a somewhat stricter separation of powers. Yet each conforms to the definition of semi-presidentialism laid out in the introductory pages of this essay.

The place held in by the government in France, that of legislative gatekeeper, is held in Russia largely by the Duma's committees. Proposed laws can only reach the floor of the Duma for a full vote after being approved in committee. It is the Duma Council, made up of the leaders of all the parliamentary factions as well as the chair of the Duma, that decides which bills to send to which committee for consideration. In France, the government performs this role. While the French constitution mandates that there be no more than six standing committees in the National Assembly, the first State Duma decided to establish twenty-three, with membership ranging from ten to forty-three deputies. Committee chairs and membership, prior to reforms instituted under Putin, were decided on a power-sharing, token-based system.<sup>48</sup> Under this system, parties were

awarded tokens based on their representation in the Duma. Tokens could be used to ‘purchase’ committee memberships and leadership posts. Even the parliamentary majority was not guaranteed all chairmanships or a majority on all committees under these rules. In fact, from 1994 to 1995, only one party went without the chairmanship of any committee, and no party held more than four chairmanships.<sup>49</sup> The smaller size and greater number of the committees allows for greater specialization and better oversight, compared to those in France. So, for example, while it is practically unheard of for deputies to defeat government legislation in France, ratification of the START II treaty with the United States, advocated by Yeltsin, remained tied up in committee for more than seven years.<sup>50</sup> Stronger committees give the deputies the ability to delay or scrub proposed legislation, and provide more space for compromise and negotiation (and gridlock). The Duma Council, and not the government, is in charge of setting the legislative agenda. All this gives the parliament a mechanism to check the power of the executive, and gives the parliament a louder voice in policymaking.

Of course, the party composition of the Duma will affect the relationship between the government and the deputies in significant ways. When the majority is supportive of the government, as it has been under Putin, the relationship between the ministers and the deputies will be more collaborative. When the Duma is in opposition to the government, as was often the case during Yeltsin’s tenure, the relationship will be more confrontational. Crucially, the Russian government lacks all the institutional measures by which the French government retains control of the legislative process. It cannot control which amendments succeed or fail, it cannot control which committees receive which bills, it cannot make bills an issue of confidence, and it cannot pass the budget by decree. As such, the Russian government is obliged to negotiate with Duma leaders, whether the majority is pro-presidential or not, to advance its policies.

### 3. Boris Yeltsin and the Duma: Decrees, Policy Initiation, Vetoes, and Cabinets

The period of Russian history presided over by Boris Yeltsin was one of revolutionary change. Russian society moved from a centralized command economy to private markets, and from a Soviet political structure dominated by the Communist Party to a more Western form of democracy. It was also a period marked by political confrontation between Yeltsin and his opponents. The most confrontational episode of the era came in 1993, when President Yeltsin unconstitutionally ordered Russia's legislature, the Congress of People's Deputies, to dissolve. The legislators refused to disband, passed articles of impeachment against Yeltsin, and barricaded themselves within the parliament building. The crisis provoked large demonstrations in Moscow, including an attack on the national television center at Ostankino by supporters of the parliament. Elements of the military, siding with Yeltsin, began to bombard the parliament building leading to the capitulation of the Congress. Yeltsin submitted to referendum a new draft constitution, which became the foundation for the present Russian state.

While Yeltsin twice won the presidency, he was often faced with majority opposition in the State Duma. Indeed after parliamentary elections in both 1993 and 1995, liberal reform parties sympathetic to the president accounted for roughly a third of Duma seats.<sup>51</sup> As a result, Yeltsin was obliged to deal with a powerful, but fractious opposition in his interaction with parliament. Despite the Russian president's very strong position constitutionally, Yeltsin was often forced to offer concessions to the Duma. This unexpected degree of compromise between branches can be attributed to the Duma's surprising institutional resilience during the 1990s, but also to Yeltsin's consistently low approval ratings and increasingly frail health.

There are four key elements in the relationship between the president and the Duma as laid out in the constitution—presidential decrees versus parliamentary laws, vetoes and veto overrides, the composition of the cabinet and policy initiation. These four issues represent points of contact between the executive and legislative branches. By examining them it is possible to ascertain the relative strength of each institution during the Yeltsin presidency.

a. Decree Power      It is impossible to overlook the president's broad decree power when reading the Russian constitution. He is empowered to make law in his own right, which can only be contravened by a full parliamentary law passed on that subject. It is an impressive addition to the presidential arsenal, and one which allows him to dispense with parliament to a certain degree. Nevertheless it should not be forgotten that parliament has the final say, and as more and more laws are passed covering more and more legal ground, the area subject to presidential decree shrinks. Furthermore, significant policy instruments like treaties and the federal budget cannot be passed by decree, giving the Duma some significant leverage.

The majority of decrees issued by the president are non-normative. That is, they are administrative or executive, rather than policy-making in nature. In fact, non-normative decrees signed by President Yeltsin from 1994-1998 number 4352, while normative decrees for the same period total only 1420, or about one-third of all presidential decrees. By comparison, the State Duma produced 822 laws in the same period that were signed and promulgated by the president. The disparity between decrees issued and laws passed is not surprising considering both the relative youth of the Duma (no laws whatsoever were passed in the first three months of the Duma's existence, during which time Yeltsin issued 811 decrees), and the arduous nature of the legislative process compared to the drafting and signing of decrees.<sup>52</sup> While the president's

decree output from 1994 to 1998 was about sixty percent greater than the number of laws passed, it is important to remember that parliamentary laws always supersede presidential decrees once promulgated. In the long-run, then, full-fledged laws are more durable than decrees and, once passed, build up an area of policy where presidential decrees no longer have any force.

In addition, some policy areas can only be decided by a parliamentary law. Treaty ratification is one area where presidential decrees have no force, and the president must rely on the Duma's good graces. As an example, the START II treaty on nuclear arms limitation was signed by Presidents Yeltsin and Bush on January 3, 1993. It was not ratified by the Duma until April 14, 2000, after the election of President Putin. More importantly, presidential decrees also have no authority over the federal budget. Unlike in France, where the government can pass a budget by decree after seventy days' debate in the Assembly, the Russian federal budget can only be passed by the State Duma. By shielding such key elements of statecraft as the budget and international treaties from the presidential decree power, the constitution grants the Duma an important bargaining piece in its dealings with the executive. It can hold off on passing the budget or ratifying a treaty in hopes of gaining concessions from the executive. Other policy areas immune from the presidential decree include the minimum wage, social security, and taxation.<sup>53</sup>

b. Policy Initiation From January 1996 to December 1999, the most effective initiator of legislation was the president. Sixty-four percent of all bills initiated by the president passed the Duma, received the presidential signature, and were passed into law, compared to 50.2% of government legislation, and only 17.9% of legislation initiated by Duma deputies. It is the Duma itself, however, which blocks most of the bills proposed by deputies. Deputies proposed 1,629 bills in this period, of which only 488—less than one-third—were actually passed by the Duma.

Meanwhile, the Duma rejected about half of the government's proposed legislation. Rejecting government bills is no small matter, and it almost never happens in France. The Duma's ability to do so highlights its independence as an institution.

Indeed, 64% of deputy-sponsored bills passed by the Duma were signed into law by the president from 1994-1995, and 59% of such bills became law from 1996-1999.<sup>54</sup> Deputy-sponsored bills accounted for 40% of final legislation in the latter period. French parliamentarians accounted for, on average, only 16% of final legislation from 1958-1988 (See footnote 27). The Duma's influence is even more noticeable in some sectors: deputies initiated 64% of social policy legislation and 63% of economic legislation from 1994-1995. Those numbers remained practically unchanged from 1996-1997, when deputies accounted for 61% and 63% of social and economic legislation respectively.<sup>55</sup> Duma deputies were clearly a crucial source of legislation during the Yeltsin presidency. The government cannot monopolize the agenda as it can in France, making the Duma a more independent institution when it comes to law-making.

In absolute terms, the president and government together initiated 492 laws, while deputies sponsored 292. This seems mostly be to an effect of double veto threat that faces Duma legislation. Of the laws passed by the State Duma, 196 were vetoed by either the president or the Federation Council. Government legislation was vetoed only 35 times, and only six pieces of presidential legislation were turned down after passage by the Duma<sup>†</sup>.<sup>56</sup> This confirms the powerful influence the president and government have in the legislative process. Nevertheless, the Duma in the 1990s was an important source of legislation, and frequently shot down government bills.

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<sup>†</sup> These six laws could have been vetoed either by the Federation Council or by the president himself, if the Duma's version differed dramatically from the president's original proposal. The data does not specify.



c. Vetoes      The power to veto legislation presents another meeting-point between executive and legislative interests. It is important to note that the president can attempt to bypass parliament entirely by issuing a decree on a subject, and then vetoing any parliamentary attempt to override his decree. The success of such a strategy hinges at least partially on whether or not the legislature will be capable of forming the supermajorities necessary to overturn a presidential veto, since constitutional law stipulates that two-thirds majorities are necessary in *each* house of parliament to override a veto. Data from 1996 through 1998 indicate that President Yeltsin made frequent use of his veto power to influence policy. And while the legislature could not always override the president's veto, it did show a surprising ability to assemble the necessary two-thirds majority on numerous occasions. In 1996, for example, the president vetoed 48 laws. The Duma and Federation Council together were able to overturn 23, or 47.9%, of those vetoes. Overall the president vetoed 193 laws in this period, of which the Duma managed to overturn 101.<sup>57</sup> This does not mean that the legislature passed 101 laws over the president's objection, since the Federation Council must also approve a vetoed bill by a two-thirds margin in order for it to pass as a law. However, it does indicate that opposition in the Duma was cohesive and determined.

d. Cabinet Formation      As noted previously, the constitution places significant constraints on the Duma's ability to vote no-confidence in the government, and hence weakens the parliament's capability to demand an acceptable prime minister. Despite this fact, however, the Duma was able during the Yeltsin years to use its power of confirmation to gain concessions from Yeltsin, and once secured a prime minister of the Duma's choosing.

The first vote of no-confidence in the new republic was held on October 27, 1994, against the government of Viktor Chernomyrdin. The vote was spurred by economic woes and the accusation that the government was not implementing the budget approved by the Duma.<sup>58</sup> The motion failed to carry, with 42.9 percent of deputies voting against the government. Remarkably, only 12 percent voted in support of Chernomyrdin, while 32.9 percent of deputies did not vote at all. Party discipline was quite weak during this vote, with deputies from only three parties (the Liberal Democrats, the Communist Party, and Yabloko) voting according to party lines.<sup>59</sup> Even though the vote failed, Yeltsin acted to forestall a successful second vote by offering a concession to the oppositional Agrarian Party. Yeltsin dismissed his minister for Agriculture and replaced him with a representative of the Agrarian Party. Fresh from the constitutional crisis of 1993, when Yeltsin's unconstitutional dismissal of the predecessor to the State Duma resulted in the use of tanks on the streets of Moscow, it appears that neither Yeltsin nor the Duma wished to provoke another serious confrontation. Even though the vote of no-confidence did not pass, and would not have resulted in the fall of the government if it *had* passed, the Duma was able to use its non-binding vote of censure to attack the president politically. After the 1995 elections, the Duma would use this tactic to great effect to bargain with the president for policy changes and staff shakeups.

On June 21, 1995, the Duma successfully passed a motion of no-confidence in order to protest the handling of the war in Chechnya. Since the vote was conducted by secret ballot, only the raw outcome is available. On this occasion, 68.9% of deputies voted against the government, 16% in favor, with 4.4% choosing to abstain, and 24.7% not voting at all.<sup>60</sup> By carrying one vote of no-confidence, the Duma raised the possibility that the president would have to dissolve either his government or the Duma, should the parliament again vote against Chernomyrdin. The

deputies' main goal in this confrontation was the removal of the so-called 'power ministers'—the Minister of Internal Affairs, the Director of the Federal Security Service, the Minister of Defense, and one of Yeltsin's Deputy Prime Ministers.<sup>61</sup> Yeltsin responded to the vote by declaring, through a spokesman, that "the President of Russia believes that the Government's dismissal at this time would destabilize the political situation, give rise to negative trends in the economy, and complicate the crime situation."<sup>62</sup> Yet even though, in the event of a second successful vote Yeltsin could have dissolved the Duma and retained his government, he still offered a flurry of concessions to stave off a second defeat. Yeltsin removed the Minister of Internal Affairs, the Federal Security Service Director, and the Deputy Prime Minister, according to the Duma's wishes. He also directed the government to cooperate with the Duma to complete the 1996 budget, and permitted some deputies to join the Federation's official delegation to Chechnya. Yeltsin also promised reform of the Defense Ministry.<sup>63</sup>

When the second vote of no-confidence was held, 42.9% of deputies voted for the government's dismissal, while 26% voted to retain the government, 10.7% abstained, and 20.4% did not vote. The dramatic turnaround between the first vote, where more than two-thirds of deputies voted against the government, and the second vote is attributable to several factors. Firstly, the deputies were aware that by twice voting no-confidence they would provoke either the dissolution of the Duma or the government. One deputy noted that "to defeat Chernomyrdin's Government implied undoing the whole hierarchy in the executive and extreme confrontation with the executive."<sup>64</sup> If the Duma, instead, were dissolved, individual deputies would face the potential loss of their own seats, in addition to the harm done to the national political and economic climates while the Duma sat vacant. In either case the outcome would be political instability, which both the president and the Duma were keen to avoid.

Indeed, so keen to avoid confrontation was President Yeltsin, that he offered major concessions to the Duma in 1997 simply because the deputies *threatened* to hold another no-confidence vote in Chernomyrdin. At the time, it should be noted, Yeltsin was still recovering from a major heart operation. In exchange for cancelling the vote, Yeltsin withdrew a contentious tax code from the 1998 budget, postponed housing reform, signed a bill limiting the president's power over the prime minister, agreed to schedule regular roundtable meetings with the deputies, and extended coverage of parliament on state-owned television and radio. Yeltsin also dismissed his Finance Minister in favor of the chairman of the Duma's Committee on the Budget, Taxes, Banks, and Finance.<sup>65</sup>

Another enlightening episode in the history of legislative-executive relations in Russia is the short-lived tenure of Russia's second prime minister after 1993, Sergei Kiriyenko. On March 23, 1998, Yeltsin dismissed Chernomyrdin (and, as required by law, the entire cabinet) in response to what Yeltsin perceived to be Chernomyrdin's overlarge political ambitions. To fill the post, Yeltsin nominated the former Fuel and Power Minister, Kiriyenko. Kiriyenko had only recently been elevated to a cabinet portfolio, being plucked from the Duma only one and a half years before. With Yeltsin's health ever in parlous condition, it was conceivable that the young and inexperienced Kiriyenko, if confirmed as prime minister, could become Acting President if Yeltsin suddenly declined. It is not surprising, then, that such a candidate would meet with some resistance in the Duma. In his first confirmation vote, only 31.8% voted in favor, with 41.3% opposed, only 1.1% abstaining, and 25.8% declining to vote.<sup>66</sup> The outcome in the second vote, held a week later, was even worse for Yeltsin and Kiriyenko. Twenty-five percent of deputies voted in favor, while more than 60% voted against, 2.4% abstained, and 11.8% did not vote.<sup>67</sup>

The outcome of the third and final vote is particularly revealing. If the Duma three times rejects the president's nominee for prime minister, the constitution requires that the Duma be dissolved and the prime minister be installed despite the Duma's opposition. In this vote, 55.8% of deputies endorsed Kiriyenko, while only 5.6% were opposed, no one abstained, and 38.7% chose not to vote. This vote indicates that deputies realized that they had little to gain from opposing the executive a third time. In particular the deputies elected from single-member districts, rather than party lists, could not be sure of their own re-election, should the Duma be dissolved. The deputies used the first two votes to register their opposition and to bargain for time and concessions. But the third vote presents an obstacle difficult for the Duma to surmount. The political cost (dissolution) was too high, and the gain (showing steely resolve and burnishing their oppositionist credentials) was too low. Instead, many deputies chose not to vote. In this way they avoided casting a potentially damaging 'no' vote, without actually supporting Kiriyenko.

Yeltsin offered fewer concessions in Kiriyenko's confirmation battle than when Chernomyrdin faced votes of no-confidence. This is understandable, considering that even if the deputies chose to reject Kiriyenko a third time, he would be appointed all the same and the deputies would go packing. Nevertheless, Yeltsin promised not to veto certain laws which were awaiting his signature. He also leaned on certain other presidential prerogatives, instructing the President's Administrative Office, which is in charge of distributing state cars and apartments to public officials, to treat those deputies favorably who displayed a 'constructive attitude.' He further threatened to change electoral law by decree once the Duma was disbanded, to eliminate the party-list portion of parliamentary elections. This would leave the party leaders just as vulnerable to defeat as their rank-and-file members. In response the Duma threatened to take up

impeachment proceedings against Yeltsin, which would automatically grant the Duma immunity from dissolution.<sup>68</sup> All in all, Yeltsin's style of conflict management during the Kiriyenko votes was less conciliatory and more confrontational. Yeltsin, and the deputies, knew that in this case the president had the weight of the constitution behind him. Unfortunately for Kiriyenko, he took office just as Russia plunged into the financial crisis of 1998. The Duma cried foul and not only scheduled a no-confidence vote, but called on the president himself to resign. Yeltsin, eager for a scapegoat, dismissed Kiriyenko and his government.

To replace Kiriyenko, Yeltsin again nominated Viktor Chernomyrdin, citing his years of experience as prime minister. By this time, however, the political environment had changed. The deputies understood that, with the country in perilous economic times and Yeltsin's own popularity low, Yeltsin could ill-afford to dissolve the Duma. With his back to the wall politically, Yeltsin offered the Duma significant concessions, including the power to approve and dismiss individual ministers and a promise not to dissolve the Duma for one year, if the legislature agreed to refrain from holding no-confidence votes and impeachment proceedings for the same period. Initially agreed to by all parties, the pact was broken by Gennady Zyuganov, the Communist Party leader, who called on Yeltsin to resign on the eve of the first vote.<sup>69</sup> The deputies soundly defeated Chernomyrdin in the first two votes—55.8% and 60.7% voting against confirmation in each vote, respectively.<sup>70</sup> While the coalition that Yeltsin had tried to construct around his offer of increased parliamentary control of the government did not hold, that the president made such an offer at all is telling of the Duma's strength during this period, and Yeltsin's weakness.

The Duma, sensing that a weakened Yeltsin lacked the political resources necessary to dissolve the legislature, held out for a more acceptable candidate. Nevertheless, the deputies

took the precautionary step of preparing impeachment proceedings against Yeltsin and threatened to put them to a vote if Yeltsin renominated Chernomyrdin. The president backed down. In the third vote, held on September 11, 1998, Yeltsin nominated Yevgeniy Primakov on the recommendation of Grigory Yavlinsky, leader of Yabloko. Primakov was supported by 70 percent of deputies, with 14% voting against, 3.3% abstaining, and 12.7% not voting. The low number of abstentions and non-voters seems to indicate that Primakov enjoyed wide support in the Duma. He was supported by more than 75% of deputies from five parties—the Communists, Yabloko, Russia’s Regions, People’s Power, and the Agrarian Party. The implication comes as quite a jolt. The Duma, with its weak no-confidence power, was able to force the president to nominate a candidate that the Duma preferred.

e. Conclusions        The picture that emerges during the Yeltsin years is not that of the monarchical president than can be envisioned from a reading of the constitution. Particularly in the field of cabinet formation, President Yeltsin adopted a generally conciliatory approach to the Duma. Yeltsin was obliged to offer concessions to the Duma to secure the approval of his nominee or to forestall no-confidence votes. The constitution allows the Duma to make use of expendable, ‘throwaway’ votes of no-confidence. While this insulates the executive to some degree from parliamentary influence, it also creates a political opportunity for the Duma. Deputies exploited this opportunity during the Yeltsin era to lobby for concessions from the executive and to publicly register their opposition. They were able to secure the passage of laws, curb the president’s power over the prime minister, prevent vetoes, and force the president to dismiss cabinet members and install new ministers supported by the Duma. In one case they

were even able to repel the president's nominee and force the president to appoint a prime minister that enjoyed the Duma's confidence.

Furthermore, the Duma emerged as a vital center of law-making, accounting for a sizeable proportion of final legislation in the new republic. Presidential decrees did not significantly overshadow parliamentary laws, and vetoes were frequently overturned. The Duma was able to stand up to the executive on numerous occasions. For example, shortly after taking office in 1993, the Duma used its amnesty power to pardon the leaders of the August 1991 coup against Mikhail Gorbachev and the leaders of the 1993 parliamentary uprising, Yeltsin's "most despised political opponents."<sup>71</sup> The Duma in the 1990s, as these examples illustrate, became a real counterweight to the executive.<sup>72</sup>

Yet the Primakov government, amenable as it was to the Duma, was not a Russian case of French cohabitation. Yeltsin was able to sack Primakov in May 1999 when he perceived the prime minister's increasing popularity as a threat to his power.<sup>73</sup> Yeltsin's next appointee, Sergei Stepashin was approved by the Duma, but dismissed by the president three months later. This episode indicates that the president still enjoys primary power over the government. In France, there is no mechanism for the president to dismiss an opposition prime minister, except to dissolve the National Assembly *en masse*. Yeltsin was able to dismiss Primakov in favor of a Yeltsin loyalist without new elections or any change in the composition of the Duma. Mitterrand and Chirac never had that option. Once a French president finds himself sharing power with an opposition prime minister, he must content himself with the situation until the next election.



#### 4. Vladimir Putin and Party Politics in the Duma

The Yeltsin era can be characterized as a period of competition between the executive and legislative branches, a competition which neither side could dominate. By contrast, the tenure of President Vladimir Putin has been one of increased cooperation between the two branches, with the executive taking the lead. The hastily-assembled pro-Putin party, Unity, enjoyed a close second-place in the Third Duma (1999-2003), trailing the more established Communist Party by only a handful of seats. By February of 2001, Unity could claim eighty-four deputies to the Communists' eighty-seven.<sup>74</sup> Unlike Yeltsin, Putin proved adept at forming parliamentary coalitions. Unity cooperated with the Communists to undo the Duma's token-based system of allocating committee posts and chairmanships, which distributed parliamentary power widely, to the expense of the larger parties. This move heralded a shift in the operation of the Duma, away from consensualism and toward majority control.

Throughout the First and Second Dumas (covering a period from 1994 to 1999), the largest party or coalition in the Duma controlled a number of chairmanships almost identical to the proportion of seats that party held in the chamber. In the First Duma, Russia's Choice was the largest party, with 17% of seats. Correspondingly, they controlled 17% of committee chairs. Likewise, the Second Duma coalition of the Communist Party, Agrarian Party, and Popular Power held 49% of seats and 50% of chairmanships. After the procedural changes of 2000, however, the largest parties began to claim a larger percentage of committee chairs. At the beginning of the Third Duma, the Communist Party and the allied Agro-Industrial Deputies' Group controlled 29% of seats, but 39% of committee chairs. In April 2002, a pro-government coalition comprised of Unity, Fatherland-All Russia, Russia's Regions, and People's Deputy gained the strength of numbers necessary to relieve seven Communist committee chairmen of

their posts. The coalition at that time held 52% of seats, but 68% of chairmanships. Finally, the 2004 parliamentary elections swept Putin's United Russia to victory, capturing 68% of seats. United Russia used its outright supermajority to claim 100 percent of committee chairs.<sup>75</sup>

Not only did the token system allow for proportional distribution of committee chairs, it allowed even small parties to chair important committees. In the 1993 Duma, Yabloko controlled only 5% of seats, but managed to chair the committee on Budget, Taxes, Banks, and Finance and the committee on International Affairs. The even smaller Democratic Party of Russia, with 3% of seats, chaired the committee on Economic Policy. The 1995 Duma saw some consolidation of major committee chairs in the hands of the larger parties, however, the number of political parties present in the lower house dropped from eleven to seven, making more committees available for fewer parties.<sup>76</sup>

United Russia's landslide victory in the 2003 election earned the party more than 300 of the Duma's 450 seats. Backed by such numbers, United Russia embarked on a program to change the procedural rules of the Duma in favor of the majority. United Russia deputies voted to raise the number of independent deputies required to form 'groups,' which enjoy the same privileges as political parties within the Duma. Independents, finding it harder to form their own associations, now had greater incentive to merge with larger parties, particularly United Russia. The guiding Duma Council, formerly composed of the leaders of all parliamentary factions, was changed to represent the chair of the Duma and his deputies, with only nominal representation from minority parties. This eases the legislative process for the majority, which can now better control which bills are accepted for consideration and which committees receive them. A further rule change permitted party leaders to hold parliamentary office. As a result, the leader of United Russia, Boris Gryzlov, became chair of the Duma. The leaders of the various divisions

within United Russia were each given deputy chairmanships. As Paul Chaisty notes, “the relative autonomy that parliamentary leaders had enjoyed from their parties in previous Dumas was reversed; the leadership of the Duma was now the leadership of the dominant party: United Russia.”<sup>77</sup>

The new majority also helped enable a process known as ‘zero-readings,’ wherein the parliamentary and executive leaders reconcile their differences on a piece of legislation before the bill reaches the Duma.<sup>78</sup> Zero-readings began in the Third Duma, when the presidential party did not yet command a full majority. In the Third Duma, the president relied on a ‘coalition of four,’ including Unity, Fatherland-All Russia, Peoples’ Deputy and Russia’s Regions, to pass legislation. Leaders of these four factions met frequently with the finance ministry in advance of the 2002 budget, in order to negotiate a document that would be acceptable to the government and to the coalition in parliament. Over the course of these meetings, according to reports, the government agreed to raise expenditures in areas important to the coalition, including the Pension Fund, highway construction, and aid to the regions. The finance bill passed in its first reading with 262 votes.<sup>79</sup>

Zero-readings removes the legislative process from the Duma, to some degree, since opposition deputies are not involved in the drafting or review of legislation. Yet it also indicates the continued relevance of the Duma as a partner with the executive in lawmaking. Since the executive cannot rely ‘legislative steamrollers’ like Article 49 of the French constitution, it must negotiate with even a supportive majority.

Legislation did not always take the form Putin wanted during his first term, and bargaining with even a friendly Duma was still commonplace.<sup>80</sup> Some of Putin’s proposals, such as a law

regulating the sale of land, a labor code, and a law on federal relations with the regions, were delayed by months or even years as negotiations continued between the relevant parties.<sup>81</sup>

Legislative-executive relations under Putin, due to the presence of a large pro-presidential majority, have been far less confrontational than during the Yeltsin era. The overall number of vetoes, from both the Federation Council and the president, has declined since United Russia's ascent, while the share of priority legislation initiated by the executive has increased dramatically.<sup>82</sup>

It is clear that as Putin has cultivated a pro-presidential majority in the Duma, the confrontation between the two branches that characterized the Yeltsin period has ebbed. There is close cooperation between the executive and United Russia, as evidenced by the 'zero-readings' process. Simultaneously, United Russia has moved to change the character of the Duma from a consensual and power-sharing body, to a more majoritarian chamber. Yet it is important to keep these developments in perspective. As a leading member of the Liberal Democratic Party of Russia noted regarding Unity's rewriting of the Duma's procedures, "In America, with just a majority of one the whole apparatus becomes theirs, all the committee chairs become theirs, and the speaker theirs, without discussion, do you understand? With just one additional person!" There is nothing inherently undemocratic about procedural rules that benefit the majority. Nevertheless there are checks inherent in the American system that are absent in Russia, notably a Senate that grants more power to the political minority. Russia's Federation Council is not organized on a party basis, and if anything, treats the Putin presidency with deference.<sup>83</sup> The autonomy of the upper house appears further threatened when it is recalled that half the senators are appointed to their posts by regional governors, who are in turn appointed by the president.

5. Comparing French and Russian Institutions

The notable differences between the French and Russian semi-presidential regimes are 1) the strength of the presidency as an institution, apart from its political power; 2) the vulnerability of the government, and 3) the independence of the legislature. These values must all be determined under two conditions: when the parliamentary majority supports the president, and when it does not. While bearing in mind that such qualifiers as “strong” and “weak” reduce complex situations into a single word, it is possible to see general outlines of institutional strength and weakness in the various actors of the French and Russian states.

**Table 2.1** The majority supports the President

<b>Majority supports the president.</b>	<b>President</b>	<b>Government</b>	<b>Parliament</b>
France	Strong (Controls the appointment of PM, and hence the legislative agenda.)	Weak (Directed by the president.)	Weak (Controlled by the government, which takes its orders from the president.)
Russia	Strong (Decree and veto power plus supportive assembly mean very few checks on president.)	Weak (President can shuffle ministers almost at will.)	Moderate (Supportive majority will have some say in crafting legislation.)

**Table 2.2** The majority opposes the President

<b>Majority opposes the president.</b>	<b>President</b>	<b>Government</b>	<b>Parliament</b>
France	Weak (loses PM, little legislative influence)	Strong (Effectively controls parliament, most policy)	Weak (Little opportunity to control legislation. Can dismiss PM, but might invite dissolution.)
Russia	Strong (Veto and decree power, can install PM over Duma's objections.)	Weak (President has almost unlimited power to shuffle ministers. Protected from no-confidence, but relatively little legislative control.)	Moderate (Controls its own agenda, but difficult to choose PM, faces double veto threat.)

a. Presidents    The Russian presidency comes with powers French presidents can only envy. Russian presidents can veto bills, introduce legislation to parliament, and pass their own executive decrees. Taken together, the powers of the Russian presidency mean that even an unpopular president facing a hostile parliament can never be fully sidelined. President Yeltsin was still an important policy initiator, even when he faced a Communist-controlled parliament. He could still deploy vetoes and decrees to shape policy. By contrast, a French president loses control of national policy when he loses the Assembly, and must content himself with the role of leader of the opposition. The Russian president has the ability to stay in the game with an opposition parliament that the French president lacks.

However, the French president is more powerful than his Russian counterpart when he has majority support in the Assembly. In that case, the government's constitutional advantages

allow the executive to carry out a legislative program with less interference from the parliament, and less need for bargaining with deputies. With the new five-year presidential terms synchronized to parliamentary terms, it is unlikely that the French president will ever be without a supportive majority. Barring an ill-advised dissolution of parliament, or the death or resignation of the president, France is likely to be on a majoritarian and presidential track for the foreseeable future.

b. Governments        The Russian government is in a much weaker position than the French government. Ministers can be shuffled at will by the president, and an assertive parliament may demand some cabinet posts as well. The Russian government is less vulnerable to censure, meaning that it can survive parliamentary displeasure, and that the president has a freer hand in nominating ministers. But it lacks all the tools the French government uses to guide legislation through parliament.

The French government can, during cohabitation, become the leading source of policy direction in the country. This is highly unlikely to occur in Russia, where the president's powers and the weak confidence mechanism conspire to keep the government subordinate to the president.

c. Parliaments        The French National Assembly's ability to select the prime minister is its one great strength. The composition of the National Assembly is the most important determining factor of the direction of national policy. A mid-term election in which the president loses control of the Assembly will shift policy control to the new prime minister.

Between elections, however, deputies have little influence on legislation. The government is in control at every stage of the process—proposal, steering, amendment, and

adoption—whether the government is in cohabitation or not. The Assembly’s voice in French politics is strong, but infrequent. Synchronized elections for president and parliament will diminish the parliament’s influence even further, by removing the possibility of cohabitation. Presidents still need a cooperative parliament to govern, but the sheer proximity of the two elections makes a split decision unlikely. For all these reasons I have labeled the National Assembly ‘weak’ under both unified and divided government.

The State Duma is a mirror image of the Assembly. The weak confidence mechanism in the Duma makes it difficult for the parliamentary factions there to claim executive power. The Duma cannot force a change in national policy orientation as quickly and as dramatically as the Assembly can after an election. However, the Duma is much more important in the day-to-day legislative process, since it can control its own agenda. Government bills do not enjoy automatic precedence on the agenda, and can be delayed or voted down. The Duma, not the government, controls the amendment process. Big-ticket items like the federal budget can become focus-points for bargaining between the executive and the legislature. More than the National Assembly, the Duma constantly influences the shape of individual policies. Even a supportive majority influences legislation, as the practice of zero-readings indicates.

d. Conclusions        While the Russian system has been accused of being ‘superpresidential,’ executive power is significantly less constrained by the legislature in France than in Russia. Executive power may change hands in France, from the president to the prime minister. In neither case, however, can the Assembly seriously influence the executive’s proposals. French executives expend less time and resources making policies amenable to the Assembly, since the constitution empowers them to pass proposals without a vote. Deploying Article 49 is a drastic



step, and one that governments may employ only with reluctance. But its presence affects the bargaining strategies of both sides. Presidents, prime ministers, and deputies know that the executive has a reserve option it can rely on to get its way. Negotiation takes place in that context.

Russian presidents, by contrast, cannot rely on constitutional provisions to secure the passage of legislation. Decree power is useful, but only as a temporary measure, since decrees can be overridden by parliament. Presidents cannot pass real legislation without submitting it to the full legislative process in parliament. This process involves amendment, which the executive cannot control except by threatening to veto the final bill if it is unacceptable to the president.

Instead of using methods like Article 49 and the package vote, Russian presidents must negotiate with Duma deputies. In this negotiation process, the Duma has numerous bargaining chips. Consequently, presidents must take the Duma's preferences into account, whether or not it is in opposition.

In sum, while both countries have powerful executives, the French government's means of parliamentary control severely limit parliamentary influence in policy-making, while the Duma is a partner (if often a junior one) in that process. However, the Assembly's strong vote of no-confidence ensures that the Assembly is relevant during every election cycle. This has important implications for the party system in each country.

### III. POLITICAL PARTIES IN RUSSIA

Political parties have long been taken to be essential to a functioning democracy.<sup>84</sup> They perform a variety of functions, three of which are of particular importance to this study. These three are:

- To aggregate and express the interests of society;
- To recruit the political elite, and form governments, and
- To institutionalize an opposition.

Previous studies of political parties have emphasized the first two functions.<sup>85</sup> However, the overlooked third function, which I have proposed, is of no less importance.

All of these functions are forms of political communication which forge crucial links between the state and society. “Parties are channels of expression,” Sartori writes. “They transmit demands backed by *pressure*. The party throws its own weight into the demands it feels compelled to respond to.”<sup>86</sup> By organizing, expressing, and advancing the interests of various constituencies, parties keep one foot in society. By winning votes, capturing power, and influencing legislation, they keep the other foot in the state. In order to serve as a link and communication channel across the state-society divide, parties must be engaged in interest aggregation. In order to be relevant, they must be able to capture power, and, when out of power, serve as a repository of opposition.

The extent to which a political party system as a whole fulfills these three functions is a factor in the overall health of democratic governance in that state. In all categories, French political parties are performing their function better than their Russian counterparts. Parties are

interest-based and programmatic, and are very effective at recruiting the leadership and forming governments. There is a vibrant and credible opposition. Meanwhile, in Russia, the dominant party is a ‘party of power’ which is rooted, not in society, but in the state. That party, United Russia, has little leverage with the executive, and as a result has scarcely been able to claim any ministerial posts or other political appointments. United Russia, by competing in the electoral marketplace, has drawn votes from genuine, interest-based parties. These parties, which now represent the opposition, have been steadily squeezed from the political arena thanks to the popularity of Vladimir Putin, whom United Russia unflinchingly supports.

The weak power of no-confidence of the Russian Duma is a significant cause of this sad state of affairs. It prohibits the Duma (and by extension, parties) from influencing the composition of the government. National leaders, as a result, are not dependent on parties for their position. Instead, they rely on different forms of political capital, such as a personal association with the president. Since national leaders are free from party influence, they are able to piece together their own, clientelistic party to serve their own ends. These parties of power are then unleashed in the political realm, to the detriment of ordinary, interest-based political parties. Real parties, unable to capture the executive and losing votes to parties of power, lack the pressure necessary to advocate social interests.

The success of parties of power, which can be traced back to the weak confidence mechanism, has a profound effect on democracy in Russia. It produces a party system that is “seriously alienated from society,” and that “mirrors not social cleavages but the still-unsettled fragmentation of the near-the-power establishment.”<sup>87</sup> Parties of power inhibit real political communication, and provide few real limits on the executive—two crucial elements of a democratic order.

## A. INTEREST AGGREGATION IN RUSSIA

Parties that engage in interest aggregation wind up being closely tied to segments of society. In the process of aggregating interests and competing for office, parties form vital links between the society and the state. Parties that actively aggregate interests respond to real cleavages in society, coming down on one side or another of a cultural divide. Interest-based parties are essential to a working democracy.

Party platforms are a useful gauge of interest aggregation. While platforms are only one piece any electoral struggle, they indicate what kind of voters parties intend to claim. A platform that defends the interests of working-class people signals that the party is hoping to win the votes of blue-collar voters, not just through its platform, but through its ads and candidates' appeals.

Voters' response to those appeals is an equally important test of interest aggregation. If working-class voters support the party which release a working-class program, it is safe to say that interest aggregation is taking place.

Interest aggregation began to occur normally in Russia after the constitutional crisis of 1993. Interest-based parties found electoral success, particularly in the 1995 election. However, interest-based parties in post-Soviet Russia have always faced competition from 'parties of power.' Parties of power are electoral vehicle of the current ruling elite, and are not tied to social cleavages. Parties of power have been increasingly successful since the surprising showing of the pro-Putin party Unity in 1999.

## 1. The 1995 Parliamentary Election

The 1995 elections sent deputies to the first five-year Duma. The previous Duma, elected in the aftermath of the 1993 crisis, served for a provisional two years. The Second Duma was characterized by a large and coherent Communist bloc, which served as the majority-maker in the parliament. The Communist Party was highly programmatic and interest-based, while the second-largest party, Our Home is Russia, was neither. Our Home is Russia was a proto-party of power, the predecessor of Unity and United Russia. The third party in the Duma, the Liberal Democratic Party of Russia, was partially interest-based, but also made vague appeals to nationalistic sentiment.

**Table 3.1** The 1995 State Duma Election. Source: Belin and Orttung pp. 114-117

<b>Parties</b>	<b>PR List % (Seats)</b>	<b>Single- Member District Seats</b>	<b>Total</b>
Communist Party of the Russian Federation	22.3% (99)	58	157
Agrarian Party of Russia	3.78% (0)	20	20
Yabloko	6.89% (31)	14	45
Our Home is Russia	10.13% (45)	10	55
Liberal Democratic Party	11.18% (50)	1	51
Independents	0	77	77
Other left-wing parties	0	30	30
Other pro-reform parties	0	19	19
Other pro-government parties	0	3	3
Other nationalist parties	0	7	7
Others		7	7
<b>Total</b>	<b>225</b>	<b>225</b>	<b>450</b>

a. The Communist Party During the Yeltsin presidency, the Communist Party attempted to earn the votes of those most disaffected by the recent political and economic reforms. In the run-up to the 1993 Duma elections, the party advocated state control of the traditional 'commanding heights' of the economy, the nationalization of banks, and the prohibition of private ownership of land. It also promised to guarantee welfare payments, to restore guaranteed employment,<sup>88</sup> and to compensate ordinary citizens for their losses during the price liberalization of 1992.<sup>89</sup> In its party program, the Communist Party launched a searing attack on President Yeltsin's policies in particular as well as capitalism in general.<sup>90</sup> The program also called for the restoration of elected soviets, free education and health care, and the re-establishment of a single state on the territory of the former USSR.<sup>91</sup> This program was meant to appeal to pensioners and other welfare recipients, Communist Party members, and those who craved the stability of the old regime. The party's support in this period was primarily rooted among rural and regional voters, pensioners, low-income earners, workers, and the less-educated.<sup>92</sup> Most tellingly for the subject of interest aggregation, support for the party program among Communist Party voters was significantly stronger than support for the party leader, Zyuganov.<sup>93</sup> Voters had similar attitudes toward the allied Agrarian Party of Russia, which devised a party platform meant to appeal to those with vested interests in Russia's large collective and state-owned farms. It stridently opposed land reform that would allow the breakup of state farms, supported price controls for agricultural goods, and opposed the sale of any land to foreigners. The Agrarian Party, like its Communist counterpart, appealed to a reliable and clearly defined constituency whose support was based on the party program, rather than the party leaders.<sup>94</sup>

b. Our Home is Russia    The primary pro-government party in the 1995 election was *Nash Dom—Rossiya*, or Our Home is Russia. Led by Prime Minister Chernomyrdin, NDR set the tone for future ‘parties of power’ by relying on amorphous policy proposals that could appeal broadly without offering specifics. The party program called for “stability and development, democracy and patriotism, confidence and order,” as well as “pragmatism” and “a civilized market.” Other proposals were so contrived to offend no one that they appear vaguely contradictory—the party proposed, among other things, to encourage foreign investment while protecting Russian manufacturers, and to promote agricultural reform while regulating land ownership.<sup>95</sup> As an early party of power, NDR established a model that would later be followed by United Russia. Many regional and federal elites, as well as prominent businessmen, associated themselves with the party, which benefited as a result from significant financial and political advantages. The party was designed to protect the interests of the already-established executive and industrial elite. One Russian newspaper, *Nezavisimaya gazeta*, suggested that the party’s initials stood for *Nomenklaturniy dom Rossii*, or ‘the Nomenklatura’s Home of Russia.’<sup>96</sup> Since the party was really aggregating the interests of the ruling elite—that is, to secure the re-election of the president and hence defend the political status quo—rather than the interests of specific groups in society, NDR made only broad, mushy proposals in order to appeal to as wide an electorate as possible. This behavior is typical of future parties of power.

c. The Liberal Democratic Party of Russia    It is impossible to ignore the nationalist Liberal Democratic Party of Russia, however distasteful the proposals of its leader, Vladimir Zhirinovskiy. The LDPR has enjoyed consistent and at times surprising electoral success. Zhirinovskiy won six million votes in the 1991 elections for president of the RSFSR, polling



third. His electoral bloc was the second largest in the 1993 Duma, behind Russia's Choice. The party platform in the 1995 election called for the expansion of Russia's borders and the division of the world into spheres of influence, a strong executive, and a reduction in the price of alcohol. Zhirinovskiy also made efforts to stir up anti-Semitism.<sup>97</sup> The party appealed to those whose sensibilities lay on the far right, who wanted to see Russia strong on the world stage and orderly at home. But it also had significant appeal as a middle way between the pro-Yeltsin reform parties, which were tarnished by the pain of economic transition, and the Communist opposition, which was at least partially discredited by association with the previous regime. As such, the LDPR can be seen in part as having aggregated the interests not just of nationalists, but of ordinary people dissatisfied with the emerging political dichotomy between reform parties centered around Yeltsin, and anti-reform leftists led by the Communist Party. However, on the presidential campaign trail Zhirinovskiy made ample use of vague appeals to patriotism and other non-controversial values that are the antithesis of interest aggregation.<sup>98</sup>

## 2. The 1999 Duma Election

The 1999 elections to the State Duma were dominated by three parties which together made up well over fifty percent of the Duma: the Communist Party, Unity, and Fatherland-All Russia (OVR). Most surprising was the success of Unity, a pro-government, pro-Putin party. Formed just three months before the election, Unity finished a close second behind the more established Communist Party in the party list vote. As a party of power, Unity benefited from financial and other resources provided by powerful businessmen, campaign managers, and even government ministries. It also received overwhelming and positive media coverage on the major television networks.<sup>99</sup>

**Table 3.2** Results of the 1999 State Duma election. Source: Central Electoral Commission of the Russian Federation 2000 (a) 121-2, 172.

Parties	PR List % Vote (number of seats)	Single-Member District Seats	Total number of seats
Communist Party	24.3% (67)	46	113
Unity	23.3% (64)	9	72
Fatherland-All Russia	13.3% (36)	31	66
Union of Right Forces	8.52% (24)	5	29
Yabloko	5.93% (16)	4	21
Zhirinovsky Bloc	5.98% (17)	0	17
Our Home is Russia	1.2% (0)	7	7
Other Parties		9	9
Independents		106	106
Total Seats	224	215	439

a. Fatherland-All Russia    Fatherland-All Russia is often described, like Our Home is Russia and United Russia, as a party of power. While it is true that Fatherland-All Russia enjoyed the support of a significant portion of the elite, and benefited from the political, administrative, and financial resources associated with those elites, OVR differed from other parties of power in one significant way. Unlike those parties, OVR was formed by elites in *opposition* to the ruling federal cadre—that is, against Yeltsin and his supporters. OVR’s support was founded on regional elites, rather than the federal center, which resisted OVR’s rise. The party was a coalition of elites seeking to capture the pinnacle of power from those already occupying it. Nevertheless, OVR still fit the mold of a party of power in its composition and its methods. Rather than providing a concrete policy program, OVR relied on vague, non-controversial and sometimes contradictory appeals to the median voter.

OVR explicitly rejected any ideological label, claiming only to be a party of “pragmatists.”<sup>100</sup> Its leading candidates were portrayed as able technocrats with years of experience. This is admittedly a fine electoral strategy, but has very little to do with the aggregation of citizens’ interests. OVR’s platform was tellingly brief, totaling just 575 words, about twice the length of this paragraph. That platform, such as it was, claimed that, “We are all for providing decent living conditions to every Russian family, women, children, the elderly. Our principle of vital importance is to concentrate on concrete actions in the name of Russia and her people.”<sup>101</sup> OVR wanted to maintain an “indivisible,” but still federated Russia; to create “the best conditions for active, talented people who take the initiative,” while “help[ing] those who need support;” to protect private property without tolerating “unfair enrichment that goes against the interests of society;” to “maintain the rights of [minority] nationalities,” while preserving “uniform standards for citizens’ rights over the whole territory of the country.”<sup>102</sup> These proposals are meant to appeal to everyone and leave no one behind. Colton and McFaul’s surveys find that voters’ issue concerns had no bearing on whether or not they voted for OVR. The party did pick up some of the protest vote against the outgoing Yeltsin administration, and did well among Muscovites and non-ethnic Russians.<sup>103</sup> This tendency does not indicate that OVR advanced the particular interests of those constituents, however. The Moscow vote was largely driven by the prominence of Moscow’s popular mayor, Yurii Luzhkov, within OVR. Likewise, the national minority vote was encouraged by the presence of well-known non-ethnic Russian leaders, like Tartarstan president Mintimer Shaimiyev, in the party.

b. Communist Party True to form in the past elections, the Communist Party explicitly identified its position on a variety of campaign issues. This time, however, the party attempted to broaden its appeal to non-communist voters without alienating its base. It sought in its campaign materials to attract younger voters and city-dwellers. The party moderated its economic positions, even going so far as to affirm the sanctity of property rights. Nevertheless it continued to resist the privatization of urban utilities and farmland. The party attempted to straddle traditionally conservative communists and more moderate voters by standing firm on key issues like farm reform, without advocating a reversal of Yeltsin's market reforms. However, Yeltsin and his policies were not spared the Communists' vitriol. They decried Yeltsin for having created a culture of theft that benefited only the oligarchs at the expense of the Russian people. In keeping with this populist theme, the Communists also called for reductions in the price of food, industrial commodities, energy and public transportation.<sup>104</sup>

The Communist Party flavored its concrete proposals with nationalist slogans. The party accused various enemies of Russia of seeking to destroy Russian culture. The Communists took particular aim at the United States, NATO, and global institutions like the World Bank, which the party accused of cooperating to denigrate Russia in the interests of foreign capital. Furthermore, the Communist Party did not distinguish itself from Unity, OVR, or the nationalist parties by opposing the second war in Chechnya.<sup>105</sup>

Voters drawn to the Communist Party were largely rural and old. The CPRF drew its strongest support from the smallest communities, and from the oldest voters. Approximately 46 percent of voters who were born in the 1930s voted for the Communists, as opposed to only 13 percent of voters who were born in the 1970s and 80s. Likewise, approximately 41% of voters in the smallest quintile of communities voted Communist, compared to 17 percent of the largest

quintile.<sup>106</sup> Communist voters tended to be poorly-educated and low on the economic ladder.

As a party, the Communists seem to have aggregated the interests of those most disadvantaged by the economic and political transformations of the 1990s, and those most critical of them.

c. Liberal Parties The liberal parties, the Union of Right Forces (SPS) and Yabloko, “went to great lengths to systematize their policy ideas and to hang their 1999 campaigns on them.”<sup>107</sup>

Each party advocated policies they claimed would bring Russia in line with European standards in quality of life, business practice, as well as democracy and human rights. SPS supported smaller government, a balanced budget, and a flat income tax.<sup>108</sup> Yabloko promised to reduce taxes and create free trade zones to encourage foreign investment. Yabloko tempered its liberal policies with a leftist touch, however, calling for increases in pensions, social security benefits, student stipends, and the minimum wage.<sup>109</sup>

d. Unity Unity’s modus operandi provides the paragon for parties of power. Unity published its policy ideas two months *after* the election. The party, like OVR, publicly eschewed ideology, even ‘centrism.’ Unity claimed to be nothing more than the party of ‘consolidation.’ Broadly, Unity’s position was pro-market and opposed any re-division of property. It also promised to come down on corruption. The party’s leaders urged patriotism and the development of a national, rather than political, ideology. The party took a firmly nationalistic stance on Chechnya. Unity, more than anything, portrayed an attitude. It was pro-system, and supported the current regime. At the same time, it advertised itself as a party of youth and vigor; an insurgent party of promise, but still allied with the current status quo.<sup>110</sup> The party was also closely associated with the popular prime minister, Vladimir Putin. Unity’s leader, Sergei

Shoigu, proclaimed that “The policy of the current government is worthy of support. This is all the more so now that, under the leadership of Vladimir Putin, policy has come to be so decisive and purposive.”<sup>111</sup> At the same time, while supporting the government’s policy, Unity expressed disdain for petty politicians and careerists. Shoigu claimed:

Our voters are tired of endless political chirping, of public intrigues, and of one politician scheming ad hominem against the other...the Duma factions live in a virtual world they created for themselves alone. They are driven by political sloganeering and programs and care only for their own image. We are driven by a sense of responsibility, which we feel almost in our bones. It is political theater which excites them. It is the rebirth of Russia that excites us.<sup>112</sup>

Clearly, Unity’s appeal did not rest on a policy platform that represented the specific interests of large numbers of citizens. Instead, Unity attempted to appeal to everyone, without alienating anyone. Hence the absence of a party program, and the reliance on a vaguely contradictory attitude to earn votes. By supporting the government’s policies, Unity maintained its mantle as a party of power, and held on to all the trappings such a status entails—resources, connections, money, media access, and so on. At the same time, it could appeal to those who were dissatisfied with the status quo by claiming to be a party of up-and-comers who would do away with the corruption, mismanagement, and ‘political theater’ of the previous years. That Unity could successfully play both angles, and refuse to produce a party program, and still be so enormously successful, speaks volumes about the state of party politics in Russia. Unity owed its success to many factors, not least of which was its association with Putin. Nevertheless, the fact that Unity became the second-largest faction in the Duma two months after its inception without bothering to put forward a party platform indicates that the process of interest aggregation was very undeveloped in the 1999 election. Voters were not concerned that a party expressed their particular, issue-based interests. Those who supported Unity were not looking

for lower taxes, higher subsidies, or any other particular programmatic demand. Instead, Unity's appeal was based on a fuzzy aura that combined newness with stability and firmness of purpose.

### 3. Subsequent Elections

Subsequent parliamentary elections in Russia have expanded the influence of the party of power. Elections in 2003 gave a two-thirds majority to United Russia, the party formed by the merger of Unity with Fatherland-All Russia, after being joined by over 80 percent of single-member district deputies.<sup>113</sup> United Russia won 37% of the vote, easily eclipsing its nearest rivals.<sup>114</sup> In doing so, it did not deviate from its methods in 1999. United Russia, according to Lilia Shevtsova, “did not participate in televised debates, it did not present its platform—it did nothing.”<sup>115</sup> Instead of competing for votes based on interest aggregation, the party continued to cling to the persona of the president.

The most recent elections, held in December 2007, were the first conducted under new electoral procedures which abolished the single-member districts and raised the threshold for participation in the Duma to seven percent of the national vote. As expected, United Russia won the vote handily, with more than sixty percent support from the electorate. The once-mighty Communist Party is be the only opposition group in the legislature, but its influence will be much reduced after winning only eleven percent of votes. The mostly pro-government Liberal Democratic Party, along with the Kremlin-backed Just Russia, just passed the electoral threshold with eight percent support each.<sup>116</sup>

**Table 3.3** National vote for the Fifth State Duma, December 2007. Taken from the Central Electoral Commission of the Russian Federation. Parties entering the Duma listed in italics.

<b>Party</b>	<b>Percentage of National Vote</b>
<i>United Russia</i>	64.1
<i>Communist Party of the Russian Federation</i>	11.6
<i>Liberal Democratic Party of Russia</i>	8.2
<i>A Just Russia</i>	7.8
Agrarian Party of Russia	2.3
Yabloko	1.6
Civic Force	1.1
Union of Right Forces	1.0
Patriots of Russia	0.9

The new Duma will be completely controlled by United Russia, thanks to that party's large majority and the absence of any independent deputies. United Russia's majority was not achieved by appealing to the discrete interests of particular sectors of society. United Russia did not cobble together a coalition of voters and interest groups the way that parties and nominees do in, for example, the United States. Instead, United Russia cast the parliamentary elections as a personal referendum on President Putin's leadership, and his future after 2008. Barred by the constitution from accepting a third consecutive term as president, Putin agreed to head United Russia's party list as a candidate for the Duma. With the president's endorsement, a vote for United Russia became a vote for Putin. Indeed, United Russia's campaign advertisements scarcely mentioned the name of the party or its proposals. Instead, billboards proclaimed slogans



like “Moscow votes for Putin!” or “Putin’s Plan—the Victory of Russia!” Days before the election, *The New York Times* observed that “Mr. Putin has transformed the election into a vote of confidence on his leadership and on the nation’s economic recovery...”<sup>117</sup> Rather than running a campaign based on issues, United Russia relied upon President Putin’s immense popularity to make a very limited case to the Russian people—that a vote for United Russia, and thus for Putin, was a vote for strength and prosperity. United Russia immediately seized upon the results as a popular blessing of Putin and his policies. “The vote affirmed the main idea: that Vladimir Putin is the national leader, that the people support his course, and this course will continue,” announced Boris Gryzlov, Duma speaker and leader of United Russia.<sup>118</sup>

Nationwide polling in the run-up to the 2007 Duma elections reveals that United Russia remains a program-averse party, at least in voters’ perception. When asked why they intended to vote for United Russia, forty percent of supporters cited the party’s close affiliation with Putin. Nineteen percent intended to vote United Russia because it is the strongest party, and 15% supported United Russia because of its program. Only six percent claimed that United Russia represented their interests, and another six percent believe that United Russia defends ordinary people. By contrast, supporters of the CPRF were much more likely to defend their choice by responding that the Communist Party represented their interests (22%), defends ordinary people (27%), and has a program worthy of support (37%). Respondents were much more likely to say that United Russia represented the interests of oligarchs, bureaucrats, and siloviki, while they associated the CPRF with ordinary people and “the poorest of the poor.”<sup>119</sup> Even eight years after the founding of Unity, United Russia is far more associated with the persona of Vladimir Putin than with any program or ideology. The Communist Party, at least in the eyes of voters, remains a programmatic, interest-aggregating party.



**Figure 3.1** “Moscow Votes for Putin!” United Russia campaign billboard, December 2007. Image taken from eHistory at The Ohio State University.

#### 4. Trends

In every Russian election since 1993 there has been a dichotomy, not between parties of the left and right, but between programmatic parties of ideology and state-affiliated parties of ‘pragmatism.’ Parties that respond to genuine social cleavages, like the CPRF, Agrarian Party, and liberal parties, are more programmatic. They have to be. In order to survive, real political parties must identify with a portion of society and advance the interests of that group. In return, that group rewards the party with votes, members, and donations. Parties of power, on the other hand, are created from the top down. They have a ready-made power base in state administrative resources and connections, as well as (frequently) the support of financial leaders with a stake in the status quo. Their purpose is to maximize political support for the ruling cadre without unduly hampering the leader’s freedom of maneuver with binding campaign promises. Parties of

power make blanket appeals and project attitudes rather than proposals. By doing so they hope to win the support of large numbers of voters in order to legitimate the current elite. Regional, federal, and business elites join parties of power so long as it is politically expedient, but readily abandon them if the parties fall out of favor.<sup>120</sup>

The success of parties of power in modern Russia does not bode well for the health of democracy there. When votes for United Russia and Just Russia are totaled, 72% of voters in the Duma election cast their vote for a party of power. Months later, in April, the chairman of Just Russia, Sergei Mironov, declared that the party must draft a political program and formulate “a strict ideology” to inform voters of the party’s socialist stance.<sup>121</sup> Where was Just Russia’s platform in the 2007 campaign? Without responding to real cleavages in society, parties of power are poor conduits of political communication from the bottom up. Instead, they procure a semblance of electoral legitimacy for the status quo without facilitating any real dialogue between the elite and the populace.

## 5. Presidential Politics and Interest Aggregation

Russia’s post-1993 presidential elections are also illuminating on the subject of political parties. In all four elections—1996, 2000, 2004, and 2008—the winning candidate has not been explicitly affiliated with any party. In 1996, Boris Yeltsin was able to personally construct a winning coalition using the specter of a return to communism as a rallying point. Victory for Vladimir Putin in 2000 was ensured by Yeltsin’s early resignation, which allowed Putin to ‘campaign’ as acting president. By 2004, Putin’s popularity was incontrovertible and he sailed to an easy victory. In 2008, Putin orchestrated the succession of Dmitri Medvedev to the

presidency while Putin himself took up the job of prime minister. In all four cases, the role of political parties in assembling the winning coalition has been peripheral at best. Parties' ability to communicate the interests of society upward to the state is consequently hampered.

Candidates for Russia's highest office can engage in interest aggregation. Significantly however, this aggregation can occur outside the confines of political parties. Consider, for example, President Yeltsin's campaign during the 1996 election. Yeltsin ran a campaign that emphasized Russia's 'forced choice.' Instead of allowing the campaign to be fought over the effects of Yeltsin's policies in office (wage arrears, unemployment, poverty, crime, the war in Chechnya, and so on), Yeltsin turned the election instead into a referendum on communism. He portrayed himself as the only viable alternative to a return to communist control—and heavily emphasized all the negatives of the Soviet past. Yeltsin, without joining a party or accepting a nomination, heavily courted particular constituencies: voters in key regions and the major cities, the young, nationalists, liberals, and, most importantly, the wealthy business and banking elite. In short, Yeltsin attempted to create an

anti-communist coalition composed of those social groups who either already had benefited from the reforms or hoped to benefit from them, and who for ideological or other reason were afraid of even a partial restoration of communist-era political and economic systems.<sup>122</sup>

And he was largely successful. The president dominated the youth vote, polling thirty-nine percent of voters under the age of twenty-four. By contrast, Yeltsin's communist rival Gennady Zyuganov earned the support of only eleven percent of young voters. Yeltsin fared even better among the well-educated. Fifty-two percent of those with a university degree voted for Yeltsin, while twenty-three percent chose Zyuganov. Thanks to extensive campaigning, he fared well in regions which had supported him in 1993, but had started to slip away in the 1995 parliamentary election. Eight of fourteen such regions saw marked gains for Yeltsin.<sup>123</sup> The president

effectively aggregated the interests of these sectors, but—significantly—as an individual, not as a party representative.

Russia's oligarchs owed their privileged positions to Yeltsin's privatization policies, and feared a rollback under communist leadership. As such, they heavily favored Yeltsin with financial resources and access to their media networks.<sup>124</sup>

It is of great significance that this coalition could be forged without the support of a durable, well-organized party apparatus. After rejecting his Communist Party membership in the latter days of the Soviet Union, Yeltsin studiously avoided affiliating himself with any political party. In fact, in the early stages of his reelection campaign, Yeltsin and his advisers attempted to run a campaign exclusively based on patronage and administrative leverage, eschewing a party apparatus entirely. Yeltsin leaned on appointed regional administrators, who could be dismissed by Yeltsin at any time, to stump on his behalf. He encouraged elected regional leaders, who could not be dismissed, to aid the Yeltsin campaign, offering them favorable power-sharing deals between the center and the periphery. This bureaucratic approach failed miserably, as most regional leaders defected to the sidelines, waiting to see which presidential candidate would emerge on top.<sup>125</sup>

After a change in campaign management, Yeltsin's team tried a different approach, this time relying on political organization rather than bureaucratic pressure. The new team, led by Anatoli Chubais, formed the Social Movement in Support of the President (or, using its Russian initials, the ODOPP). The Social Movement was not a broad-based political party. Rather, it was a campaign organization staffed by former operatives of Our Home is Russia and Democratic Russia, parties whose stars had waned in the aftermath of the Communist victory in

the 1995 Duma election. The movement was generously bankrolled by the business community.<sup>126</sup>

Just as significantly, the coalition quickly fell apart after Yeltsin's re-election. The ODOPP, which was organized around a single purpose, lacked the longevity of a genuine political party, which continues to aggregate the interests of its constituents and lobby for them between elections. With Yeltsin safely in office and in the absence of an imminent Communist threat to hold the coalition together, ODOPP collapsed. Within a month of Yeltsin's reelection, the press, politicians, and parties which had endorsed Yeltsin's bid began once again to criticize him.<sup>127</sup>

Yeltsin's success in the absence of an entrenched, broad, and well-organized party apparatus stands in stark contrast to the situation for his rival for the presidency, communist party leader Gennady Zyuganov. While Yeltsin effectively had no political organization capable of supporting a reelection bid until the creation of the ODOPP, Zyuganov had at his disposal the largest and best-disciplined political party in Russia. The Communist Party of the Russian Federation could at the time claim more than half a million members, regional branches in every corner of Russia, and a loyal constituency with a propensity for high levels of turnout.<sup>128</sup> The party was coming off a win in 1995, which had thrown the liberal and democratic parties into disarray and given the communists and their allies a plurality in the Duma. All the same, Zyuganov lost the runoff election by 13 points, at a time when social and political issues tilted against the incumbent.

Assured of the support of the voters who had propelled the communist bloc to victory in the Duma elections, Zyuganov eyed capturing the votes of those with nationalist sympathies. Yeltsin attempted to create a broad coalition of anti-communists; Zyuganov hoped to forge an

alliance of communists and nationalists. Indeed, Zyuganov did not run for president as the nominee of the Communist Party, but rather as the nominee of a national-patriotic bloc. His rhetoric emphasized *rodina* and *narod*, the motherland and the people.<sup>129</sup> Zyuganov was cast as a hard-working, good-hearted man of peasant stock, and the peasantry itself was extolled as a pillar of the state.<sup>130</sup> Zyuganov's program denounced Western values, called for the restoration of the territory of the USSR, and accused Yeltsin of abandoning 25 million ethnic Russians to the newly-independent republics.<sup>131</sup> Overtly communist proposals, such as the abolition of the presidency, were downplayed or removed altogether, while values shared by communists and nationalists alike took center stage. A strong military, higher minimum wage, and state ownership of the "commanding heights" of the economy, for example, were all advocated by Zyuganov.<sup>132</sup>

The 1996 presidential election illustrates an important fact: It has not been necessary for candidates to rely on the blessings of a political party to succeed in capturing the most powerful position in Russian politics. Boris Yeltsin was able to win reelection by relying on an ad hoc political organization that quickly dissipated after his victory. He was able to personally cobble together a temporary coalition to safeguard the reforms of the post-Soviet era. He accomplished this feat through the financial blessings of the business elite, his dominance of national television, and a campaign strategy that successfully reduced the field to a stark choice: Yeltsin or a return of Soviet-style communism. The campaign also indicates that, at least for Yeltsin, an outright bureaucratic approach to campaigning would not be sufficient. Some measure of political organization was necessary to carry out the campaign. This last was a lesson well-learned by Vladimir Putin and his team when assembling Unity on the eve of elections in 1999.

## 6. Putin and Medvedev

Putin's campaign for the presidency in 2000 was not unlike Unity's campaign for the Duma in its scarcity of campaign proposals. He produced no written program, claiming it would be wrong to do so in an abbreviated campaign.<sup>133</sup> Instead he relied on his visibility and authority as acting president to win support. Putin repeated this routine in the 2004 election, declaring that "it is inappropriate for an incumbent head of state to be advertising himself."<sup>134</sup> Dmitry Medvedev, too, did not place much emphasis on policy when campaigning for president. As his official campaign began, Medvedev gave a platform speech that was light on specifics and heavy with platitudes.<sup>135</sup> Some Russian observers noted that Medvedev's maiden speech contained something for everyone. He vowed to fight corruption, gave his support to freedom, justice, and an independent media, and declared that what Russia needs most are a few decades of "calm and stable development."<sup>136</sup> "In general, the presidential candidate sent a message to practically all groups of the population - the retirees, the low-paid, the small and medium businesses, the political opponents and the skeptics," observed one Russian internet news portal.<sup>137</sup> Presidential politics have followed the pattern of party politics. Presidents have been able to win reelection and secure their chosen successors without resorting to messy electoral politics. Instead, they have been able to rely on systemic resources while using non-controversial campaign appeals to win votes without alienating large sections of the electorate. This trend has only accelerated with time, ranging from President Yeltsin's narrow victory in 1996 to Vladimir Putin's smooth transfer of power to Dmitri Medvedev in 2008.



## 7. Conclusions

Some political parties in Russia do perform interest aggregation. However, such parties are hampered by the ability of the president and his affiliated parties to build ad hoc coalitions at election time. Presidential candidates and political parties can win broad electoral support without actively campaigning on behalf of some particular group in society. Since parties of power can be successful without aggregating the interests of particular segments of society, those parties cannot effectively advocate for those interests before political leaders, and have no reason to try. Genuine parties lose votes and influence to the parties of power, reducing party-based interest aggregation to an anemic state in Russia.

The Duma's weak power of no-confidence is partially responsible for this state of affairs, by making it difficult for parties to win executive power. As a result, parties formed by those already in power have a distinct advantage in access and influence. In 2007, 19% of United Russia voters supported that party because it was 'the strongest party.' Only 4% of Communist supporters took the same position.<sup>138</sup> Real, interest-based political parties are continually disadvantaged by their inability to claim executive power, allowing parties of power to fill the void.

### B. POLITICAL PARTIES AND OPPOSITION IN RUSSIA

Political opposition in the Russian Federation may form in a variety of places—in the State Duma, in the regional executives and legislatures, in powerful business interests and political clans, or even in the street. During the Yeltsin years the locus of political opposition was the

State Duma, particularly after the victory of the Communists and allied groups in the 1995 election. This opposition took advantage of its own discipline and size, as well as Yeltsin's political weakness, to deal the executive a few major defeats. Over the course of Putin's tenure, on the other hand, political opposition in the Duma has been largely sidelined or co-opted, forcing the remaining dissenters into the streets, where they have been vigorously contained by the security forces.

Political parties form an opposition by stymieing the proposals of the leading faction, advancing their own proposals, and by presenting a coherent alternative to the voters in the hopes of capturing the leading role after the next election. Size matters in an opposition, but cohesion is just as (or more) important. A hopelessly divided opposition will not have much success in any of these three categories.

In Russia, political opposition has arrayed itself against the executive along three flanks: market-democratic parties, such as Yabloko; nationalist-patriotic parties, like Zhirinovskiy's LDPR; and most importantly, the communist-agrarian left. Even under Yeltsin, opposition from all three flanks was neither constant nor intractable. Compromise and cooptation was frequent. However, the size of the Communist bloc in the State Duma after 1995 as well as the disciplined voting of its deputies enabled it to affect government policy ranging from the federal budget all the way to the appointment of the prime minister.

The Duma's weak power of no-confidence contributes to a system which excludes opposition parties and advantages parties of power, by making it difficult for parliamentary factions to influence executive power. Even when the opposition controlled the Duma and influenced the formation of the Primakov government, it was unable to fulfill its goals.<sup>139</sup> Blocked from winning executive power through parliament, parties exercise little influence over

national leaders. These leaders are able, in turn, to manufacture parties of power to defend their own interests. Parties of power are advantaged by their access to the executive and, when attached to a popular leader like Vladimir Putin, can steadily push opposition out of the system.

## 1. Fragmentation in the First Duma

The First State Duma of the new republic was highly fragmented, with seats divided among eight significant parties, a smattering of smaller parties, and a large group of independents. The three main players in the Duma were pro-government Russia's Choice, Zhirinovskiy's Liberal Democrats, and the Communist Party of the Russian Federation.

**Table 3.4** Membership of the First Duma  
Modified from <http://www.russiavotes.org> The Levada Center

<b>Party factions</b>	<b>Seats in the First Duma (%), 1994</b>
Russia's Choice	70 (15.6%)
Liberal Democratic Party of Russia	64 (14.2%)
Communist Party of the Russian Federation	48 (10.7%)
Agrarian Party	33 (7.3%)
Yabloko	23 (5.1%)
Women of Russia	23 (5.1%)
Party of Russian Unity and Consensus	18 (4.0%)
Democratic Party of Russia	15 (3.3%)
Small parties and others	15 (3.3%)
Independents (at the time of election)	141 (31.3%)
Total	450

Opposition in this First Duma was sporadic and piecemeal. Deputies' voting behavior indicates the inability of a coherent opposition coalition to form. Consider the voting on the government's proposed budgets from 1994 to 1996. The government passed the 1994 federal budget with only Yabloko and the Liberal Democrats dissenting. Yabloko, in particular, displayed a low level of party discipline, with nearly half its deputies straying from the party line and refusing to vote. Both the Communist and Agrarian parties supported the 1994 budget in large numbers. As a result, the budget passed with 60 percent of deputies voting in favor, 18 percent against, and 22% abstaining or not voting at all.

In 1995 the LDPR switched sides and supported the government overwhelmingly. The Agrarian Party voted in favor of the budget with a high degree of discipline, while the Communist Party largely voted against. Yabloko joined the Communists in voting against the budget, but with more than a third of its deputies choosing not to vote. The 1995 budget passed with 63% approval, with 18% voting with the opposition.

The vote on the 1996 budget mirrored the 1995 vote, with only Yabloko and the Communists voting against. Disciplined majorities in all other significant parties ensured the passage of the bill. In all three cases the government was better able to form a coalition around the passage of the budget than the opposition was able to block it. Wooing the Communist and Agrarian parties in the 1994 vote practically guaranteed the passage of the budget.<sup>140</sup>

Another test for the opposition in the early days of the republic occurred on October 27, 1994, when a vote of no-confidence was called in the government of Viktor Chernomyrdin. The vote was called in response to "the Government's failing to carry out the 1994 budget and the devaluation of the ruble by 30 percent" on the so-called Black Tuesday two weeks prior.<sup>141</sup> The measure did not reach the simple majority necessary to pass, although a large plurality of

deputies voted in favor of censuring the government. By contrast only 12 percent opposed the motion outright. Highly disciplined votes from the LDPR and the CPRF formed the backbone of support for the measure, in addition to less consistent support from the Agrarian Party and independents. Two parties—Yabloko and Women of Russia—were successful in instructing their deputies not to vote one way or another.

The story of the First Duma is the inability of any stable parliamentary alliance to form in opposition to the government. In the first budget vote only two parties defied the government—the Liberal Democrats and Yabloko. It would prove impossible for a cohesive opposition to form along the LDPR-Yabloko axis, however, as the political differences between those two parties are too deep for them to build an alliance with any staying power. In the succeeding budget battles, the LDPR sided consistently with the government. The inability of the Communists and Agrarians to vote together on the 1995 and 1996 budgets, despite their sympathetic ideological positions, further spelled defeat for any potential opposition bloc.

It is notable that in all of these cases—three budget votes and one vote of no-confidence—the full spectrum of political opposition in the Duma failed to coalesce around one position. Never did the LDPR, the Communist Party, the Agrarian Party, and Yabloko vote as one bloc to defeat the government. The fractious nature of the opposition allowed the government to steer its policies through the Duma without much resistance. This situation would change with the composition of the Duma after the 1995 parliamentary election.

## 2. The Second Duma and Communist Control

In 1995 voters returned a Duma that was far less fragmented than its predecessor. Only four political parties earned more than the 5% of the vote necessary to win representation in the Duma on the party-list ballot. The largest of these was the CPRF, which won 149 seats in the new legislature. The pro-government party, Our Home is Russia, came in a distant second with 65 seats, followed by the LDPR (51 seats) and Yabloko (46 seats). In this environment the political opposition found it much easier to muster the votes necessary to defeat President Yeltsin on a variety of issues. This was particularly true during Russia's economic and political crisis of 1998. During this period the opposition was able to secure its preferred candidate for prime minister over the president's own pick, and became increasingly adept at overturning presidential vetoes.

**Table 3.5** Membership of the Second Duma

<b>Party Factions</b>	<b>Seats in the Second Duma (%), 1996</b>
Communist Party of the Russian Federation	157 (34.9%)
Liberal Democratic Party	51 (11.3%)
Our Home is Russia	55 (12.2%)
Yabloko	45 (10%)
Agrarian Party of Russia	20 (4.4%)
Independents	77 (17.1%)
Russia's Choice	9 (2%)
Power to the People!	9 (2%)
Small parties*	27 (6%)
Total	450

\*Parties with 5 or fewer seats.

Modified from [www.russiavotes.org](http://www.russiavotes.org) The Levada Center

A major test for the opposition came in April of 1998, when Yeltsin sacked his overambitious prime minister, Viktor Chernomyrdin, and nominated as his replacement the formerly-obscure Sergei Kiriyenko. Kiriyenko had served a year and a half as the government's Fuel and Power minister before being tapped as prime minister. Duma deputies rebelled at the prospect of such a political neophyte becoming next-in-line for the presidency and began to resist his candidacy. The first vote on Kiriyenko's nomination failed, receiving only 32% support, with 41% opposed and 26% not voting. The second vote, which occurred a week later, was even more decisive as opposition coalesced against the president's nominee. Sixty percent of deputies opposed Kiriyenko, while 25% voted in favor, and 15% did not vote. The Communist Party, the LDPR, Yabloko, People's Power, and Agrarian Party all voted against the measure with an impressive degree of discipline. Our Home is Russia and Russia's Regions supported Kiriyenko, but could only muster some eighty votes between them. The government also picked off the support of a majority of independents.<sup>142</sup>

The third vote, of course, is the most important and consequential in the nomination process. According to the constitution, if the Duma rejects the president's nominee three times, the president is entitled to dismiss the Duma and install his nominee over its objection. As a result it is not surprising that in the third round, the Duma approved Kiriyenko's appointment. The third vote passed with 56% support, only 5% voting in opposition, and 39% not voting.<sup>143</sup>

While the opposition was unable to prevent Kiriyenko's appointment due to the constitutional machinery of the republic, the nomination battle marks the first major instance of cohesion and cooperation both within and among parties opposed to the president. All three flanks of the political opposition—democratic, hard left, and nationalist—were able to control

their deputies and vote as a bloc. The united opposition was able to extract a few concessions from Yeltsin, but the real benefits would accrue to the party factions in another nomination fight four months later.

The escalating financial crisis destroyed what little confidence the parliament had in Kiriyenko's government. Deputies began to call for Yeltsin's resignation, and preparations were made for a no-confidence vote on the government. Seeking a scapegoat, Yeltsin dismissed Kiriyenko. In his place, Yeltsin re-nominated Chernomyrdin, expecting a swift confirmation. The parliament again revolted, blaming Chernomyrdin and Yeltsin for the economic policies which had brought Russia to the 1998 crisis. In the first vote, 56% of deputies voted against Chernomyrdin, with only 21% voting in favor. The Communists, Agrarians and Yabloko were particularly strident in their opposition to the nominee, while the Liberal Democrats refused to vote almost to a man. Only Our Home is Russia voted for Chernomyrdin with any discipline.

The outcome of the second vote was better for the government, which picked up 44 votes in favor of Chernomyrdin. However, the vote still revealed how far the parliament had swung against Yeltsin, as 60% of the chamber still opposed the nomination. The big success for the government in this vote was bringing Zhirinovskiy and the LDPR into the 'yea' column. Forty-eight Liberal Democrats voted for Chernomyrdin, while only two did not vote. Nevertheless the alliance of Communists, Agrarians, Yabloko, People's Power, and a majority of independents continued to hold. The stage was set for the third and final vote. The opposition had a choice: to accept Yeltsin's nominee, or to defy the president and risk the consequences of dissolution. A third option was also prepared in the form of articles of impeachment against Yeltsin. The Duma cannot be dissolved constitutionally while impeachment proceedings are underway.



Opposition leaders calculated that Yeltsin was politically too weak, and the economic crisis too severe, for him to contemplate dissolving the parliament and adding to the chaos.

Kommersant, a business-oriented newspaper, reported on September 2, 1998 that,

[Communist Party leader Gennady] Zyuganov is very well aware that the Yeltsin of 1998 is not the Yeltsin of 1993. He knows what it cost the President back then to bring tanks onto the streets of Moscow. He is certain that the President could not repeat that episode today.

A parliamentary dissolution, or (even worse) a standoff like that in 1993 would only add to the uncertainty in Russian markets, while the economy continued to founder. Acknowledging that the worsening economic situation gave him no room to make a stand against parliament, Yeltsin accepted the deputies' choice for prime minister. Yevgeny Primakov, the Duma's candidate, was approved by 70% of deputies. He enjoyed vigorous support from the Communists, Agrarians, Yabloko, Russia's Regions, and People's Power. His nomination even won the support of about half of Our Home is Russia deputies, with the other half not voting. Only the Liberal Democrats opposed Primakov in large numbers.<sup>144</sup>

The crisis of 1998 also enabled the opposition to assemble majorities large enough to overcome presidential vetoes in significant numbers. In fact, the opposition became increasingly capable after the 1995 election of generating the two-thirds majority necessary to overturn a veto. In 1996 the Duma successfully voted to override 20 presidential vetoes. In 1997 that number rose to 37 veto overrides.<sup>145</sup>

**Table 3.6** Presidential Vetoes and Overrides by the State Duma

<b>Year</b>	<b>Presidential Vetoes</b>	<b>Vetoes overridden by the State Duma (percentage of total vetoes)</b>
1996	48	20 (41.7%)
1997	80	37 (46.3%)
1998	65	44 (67.7%)
Total	193	101 (52.3%)

Modified from Troxel, Tiffany pp 98-99.

It must be noted that the academic literature on presidential vetoes in Russia is somewhat vague and contradictory. The reporting of vetoes by the presidential administration and the media is sporadic and irregular, unlike the procedures in place in the United States. As a result, for example, Andrea Chandler arrives at a smaller number of vetoes in the period 1996-1999 than does Troxel. Chandler counts only 126 vetoes by surveying the publications of the presidential administration as well as various Russian newspapers.<sup>146</sup>

The data presented accounts for veto overrides by the State Duma only. It does not consider overrides of the same vetoes in the Federation Council, which would be necessary for the bill to become law over the president's objection. However, whether or not any particular vetoed bill became law is irrelevant to the topic at hand. It is more important to note that the opposition coalition was able to generate two-thirds majorities on a variety of bills.

### 3. Opposition in the 1990s – Conclusion

Earlier I discussed these events—the appointment of Primakov and the overturning of presidential vetoes—in the context of political institutions. I used the situation to demonstrate that the State Duma, as an institution, is capable of triumphing over the presidency in the process of choosing a new prime minister. Here it is also illustrative of the potential for a vigorous opposition to form against the government, organized along political party lines. The First Duma was too fragmented, both between political parties and within them, to mount an effective opposition. Deputies' voting behavior was undisciplined, and factions proved unable to align consistently to oppose the government's proposals. Parties in the Second Duma, by contrast, were able to form stable coalitions around the large Communist-Agrarian bloc. The resurgence of the CPRF in the 1995 election indicates that political parties offered a credible alternative to President Yeltsin's policies and the turbulence associated with them. This coalition was able to behave as a genuine political opposition, which was able to assert its will even in the face of the president's considerable constitutional advantages. Of course, had Russia a strong vote of no-confidence, the Communist Party could have claimed the premiership outright. Despite the limitations imposed by the constitution, opposition was present and healthy both inside and outside the parliament in the 1990s. The opposition coalition, which ranged from the far left to the far right, would no longer be able to perform this role after the election of President Putin and the ascendancy of United Russia.

#### 4. Counter-Opposition – United Russia

It is impossible to consider the state of political opposition in Putin's Russia without discussing the party with which the opposition must contend. That party, which has emerged as a political juggernaut, is United Russia. Party politics under Putin is defined by the rise of United Russia, the country's first truly effective party of power. Originally organized by Kremlin insiders to deflect the presidential ambitions of a different set of political elites, United Russia has grown to become by far the most popular political party in the history of the Russian Federation. In all the elections it has contested, from 1999 to 2007, it has served as the repository of votes in favor of Vladimir Putin, rather than advancing its own independent agenda. From its very inception it was intended to stave off and eliminate political opposition, and it continues to serve that purpose today.

In 1998, Moscow's outspoken mayor, Yury Luzhkov, formed a political party named 'Fatherland.' For several years prior, Luzhkov had been laying the groundwork for a presidential campaign—marshalling political and economic resources, and cultivating relationships with business and regional elites. His position as mayor of Russia's largest and capital city gave him ready access to television as well as a network of connections and influence. In 1999, Luzhkov wooed former prime minister Yevgeny Primakov, a man who was credited with Russia's emergence from the economic fiasco of 1998, and hence widely popular. The alliance between Luzhkov and Primakov proved compelling enough to attract many of Russia's powerful regional governors. The governors' political vehicle, 'All Russia,' joined forces with Luzhkov's Fatherland and formed the hyphenated political party Fatherland-All Russia. This party would contest the 1999 parliamentary election in order to pave the way for a presidential run, in

keeping with the understanding that parliamentary elections serve as de facto presidential primaries in the Russian Federation.

By this time, alarm bells had begun to ring throughout the Kremlin, and it is easy to see why. A rival group of elites, namely the regional governors spearheaded by the mayor of Moscow and a popular former prime minister, had organized itself with the intention of capturing the summit of political power in Russia. The new party was well-financed, well-connected, and highly visible. What's worse, the rival campaign began to suggest that the president and his courtiers could be liable to criminal prosecution for their illicit accumulation of wealth and abuse of power.<sup>147</sup> Losing control of the presidency would put at risk everything Yeltsin's inner circle had assembled. In order to prevent such a reversal of fortunes, the Yeltsin 'Family' implemented a three-prong plan to defeat Luzhkov, Primakov, and the governors' bloc. First, they launched a blistering media campaign to discredit the leading figures of the rival camp. Second, they cultivated Prime Minister Putin as a counterweight to Primakov. And third, they formed Unity, a political party intended to siphon support from Fatherland-All Russia and deny Primakov and Luzhkov crucial support going into the presidential elections.

Media magnate and Yeltsin insider Boris Berezovsky was primarily responsible for Unity's formation out of an earlier coalition of governors, which then reached out to those governors who had not signed up with Fatherland-All Russia. Thirty-nine governors gave signatures of support to the new party. It was understood, however, that Unity's expected role was that of spoiler, not victor. Only one governor added his name to Unity's list of Duma candidates.<sup>148</sup>

On the campaign trail, Unity's positions were almost identical to those of Fatherland-All Russia, although Unity emerged as more supportive of the free market than Fatherland-All

Russia, which advocated significant state involvement in the economy.<sup>149</sup> It was the intention of Unity's founders to occupy Fatherland-All Russia's political space, draw away the support of some of the regional governors, and split the pool of voters that might have cast their support for Luzhkov and Primakov. By causing Fatherland-All Russia to perform below expectations, Unity could derail the presidential ambitions of Fatherland's leaders.

The rising profile of Vladimir Putin, however, proved to be an unexpected asset. Having risen from a meager 2 percent approval rating upon taking office as prime minister in August of 1999<sup>150</sup> to 80 percent approval by November, Putin had become a major force in Russian politics.<sup>151</sup> In recognition of Putin's sky-high popularity, Unity began to affiliate itself closely with the prime minister. Putin himself endorsed Unity in late November, telling voters on national television that, "I personally, as a citizen, will vote for Unity."<sup>152</sup> Accordingly, Unity's support among the populace began to take off, jumping from 9 percent the week before the 18 percent just after the endorsement.<sup>153</sup> The day of the election, Unity won 23 percent of the vote, easily outpacing Fatherland-All Russia, which took 13 percent—an astonishing collapse for a party which had once been slated to win the election outright. Primakov withdrew his presidential bid.

Unity fulfilled its mission in this regard, by disrupting the rival cadre of elites aiming for the presidency. But its unexpected electoral success allowed it to play a new and welcome role, that of presidential vehicle in the parliament. Unity continued to act as a curb on political opposition in this regard. Its size and connections to the Kremlin allowed it to become the vital cog in almost every winning coalition in the Third Duma. However, the presence of other large parties necessitated bargaining and coalition building to generate majority votes.

**Table 3.7** Membership of the Third Duma (2000)

<b>Party Factions</b>	<b>Seats in the Third Duma (%)</b>
Communist Party of the Russian Federation	90 (20%)
Liberal Democratic Party of Russia	17 (3.7%)
Yabloko	21 (4.6%)
Unity	82 (18.2%)
Fatherland-All Russia	45 (10%)
Union of Right Forces	32 (7.1%)
People's Deputy	57 (12%)
Russia's Regions	41 (9.1%)
Agro-Industrial Group	39 (8.6%)
Small parties	26
Independents	105 (23.3%)
Total	450

Modified from [www.russiavotes.org](http://www.russiavotes.org)

Unity's share of the parliament was large, but not large enough to control the agenda or dictate the outcome of debate. Immediately, Putin and his legislative liaisons (particularly chief political advisor Vladislav Surkov) moved to divide and co-opt the opposition. A temporary alliance was forged between the two largest factions in the Duma, Unity and the Communist Party, to prevent the election of Primakov as Duma speaker. The Unity-Communist alliance was also able to upend the Duma's traditional power-sharing rules and distribute committee chairmanships along more majoritarian lines than in the past. The Communists were outmaneuvered in this deal, however, as they did not gain control of any politically important committee chairs. Foreign relations, defense, the budget, legislation, property and banking all

fell outside their purview. This break with tradition relegated the opposition to the back-benches in a way that had been unheard of in previous Dumas.

Once committee chairs had been so allotted, Unity broke with the Communist Party and began to piece together a permanent, if not entirely reliable, coalition to advance the government's program. The so-called Coalition of Four included Unity, Fatherland-All Russia, People's Deputy, and Russia's Regions, and comprised exactly half of the Duma. The latter two of these groups were not parties per se, but rather deputy groups formed in the Duma. Deputy groups, which must be formed by at least 35 deputies who have no other party affiliation, are entitled to the same privileges in the legislature as parties proper. However, owing to their origin among independent deputies, they tend to be less cohesive than ordinary political parties. Consequently, Unity and the Putin government were still forced to resort to case-by-case bargaining and concessions to advance their legislation.

The need to bargain with independents and other parties allowed the opposition, such as it was, to extract concessions from time to time. Such success tended to be ephemeral, however, as exemplified by Putin's land reform bill of 2001. Led by the communists, the opposition forced the government to drop from the bill a provision legalizing the sale of agricultural land—a contentious issue in post-communist Russia. The government abandoned the agricultural portion, only to pass it separately a year later. On this and many other issues, an opposition bloc capable of forming a majority in the Duma could not form. Unity had become the majority-maker in the legislature, and the Kremlin used it to pass almost any bill it cared to propose.<sup>154</sup> Unity's connection with the executive allowed it to act as the fulcrum of the Duma. In September 2001, Fatherland-All Russia admitted defeat and merged with Unity outright, forming



United Russia. United Russia would go on to contest the 2003 and 2007 elections with such success that political opposition was practically banished from the Duma.

United Russia won 37 percent of the vote in the 2003 election, which translated into 120 party-list seats. Those deputies were joined by a further 102 deputies from the single-member district vote, giving United Russia just control of just under 50 percent of the legislature. Its nearest rival, the Communist Party, could muster only 52 seats, or 11.6 percent of the chamber.

**Table 3.8** Membership in the Fourth Duma (2003)

<b>Party Factions</b>	<b>Seats in the Duma (%)</b>
United Russia	222 (49%)
Communist Party of the Russian Federation	52 (11.6%)
Liberal Democratic Party of Russia	36 (8%)
Motherland (Rodina)	37 (8.2%)
Yabloko	4 (.9%)
Union of Right Forces	3 (.7%)
People's Party	17 (3.8%)
Small parties	11 (2.4%)
Independents	68 (15.1%)
Total	450

Modified from [www.russiavotes.org](http://www.russiavotes.org)

After the election, 80 percent of deputies elected in the single-member districts joined United Russia, swelling its ranks to 300 deputies—a two-thirds majority.<sup>155</sup> With such overwhelming numbers United Russia was able to consolidate majoritarian procedures even more firmly in the

Duma, taking control of the Duma Council, naming its members to all committee chairmanships, and giving committees increased power to defeat bills. The opposition had been routed.

With a newly minted and highly acquiescent super-majority Putin passed legislation to further centralized power in the presidency. The parliament passed bills that

Severely reduced the power of regional governments, limited the political rights of opposition groups, limited media freedom, eliminated gubernatorial elections, and altered the parliamentary election system so as to eliminate any local power base for deputies.<sup>156</sup>

These bills all passed the Duma easily, with few United Russia deputies (if any) revolting.

Opposition deputies could do little more than complain.

The 2007 election bodes even worse for opposition parties. United Russia received a crushing 64.3 percent of the vote, under rules that for the first time eliminated the single-member districts. The Communist Party came in second, with 11 percent. Two other parties barely cleared the 7% threshold for representation: the Liberal Democrats and Just Russia. The absence of independent deputies means that these four parties alone will comprise the Duma until the next election. United Russia's overwhelming victory will give it a free hand in the legislature.

**Table 3.9 5** Membership of the Fifth Duma (2007)

<b>Party Factions</b>	<b>Seats in the Duma (%)</b>
United Russia	315 (70%)
Communist Party of the Russian Federation	57 (12.7%)
Liberal Democratic Party of Russia	40 (8.9%)
A Just Russia	38 (8.4%)
Total	450

Taken from the Central Election Commission of the Russian Federation at <http://www.vybory.izbirkom.ru>. Accessed January 25, 2008.

The Duma, for the time being, has ceased to be a locus of any real opposition. United Russia's majority is unassailable. Even before United Russia's overwhelming victory, political opposition had been relegated to moderately-attended street protests, crushed by the police and denigrated in the mainstream media as assemblies of 'provocateurs'.<sup>157</sup>

One such protest, a so-called "Dissenters' March" held in Moscow on April 15, 2007, drew an estimated 2,500 protestors—and 9,000 heavily armed riot police.<sup>158</sup> The overwhelming security response demonstrates how seriously the Putin regime takes even the smallest suggestion of organized public opposition. Having squeezed the opposition out of the institutions of government, the government fears only a large-scale popular revolt similar to Ukraine's Orange Revolution. Indeed, one of the few cases of democratic pressure forcing the government to change its policies occurred in 2005, when the government abolished in-kind social benefits, such as free public transportation for veterans and the elderly, in favor of cash payments. Veterans and pensioners took to the streets across Russia. The government quickly ameliorated the new law by raising monthly pensions by as much as one-third.<sup>159</sup>



**Figure 3.2** Riot police overwhelm a ‘Dissenters’ March’ in downtown Moscow, April 2007. Photograph taken by the author.

## 5. Party Opposition – Conclusions

To summarize, political opposition was not particularly unhealthy in the Russia of President Yeltsin. A politically viable Communist Party formed the core of a relatively stable coalition that was able to deal defeats to the government on a regular basis, most notably in the appointment of Prime Minister Primakov, but also on individual laws and annual budgets. Since Yeltsin’s resignation, Vladimir Putin has become a towering figure in Russian politics, all but overshadowing any real opposition. United Russia has risen to become the voice of the executive in parliament, and dominates that body so effectively that other parties have been all but driven out.

Again, Russia's weak confidence mechanism is partially responsible for the failure of opposition parties. The weak vote shields the executive from party influence and excludes opposition parties from the realm of executive power. As a result, leaders who rise to national prominence do not owe their positions to party resources and networks. They are therefore free to use their own political resources to assemble parties of power in order to defend the status quo. When these parties are attached to a popular leader like Vladimir Putin, they drain votes and influence from interest-based parties. As a result, almost every party not aligned with the government has seen its electoral support collapse under Putin's tenure.

### C. PARTIES AND GOVERNMENT FORMATION

Concerning party influence in the formation of governments, the most important episodes have already been discussed. The high-water mark for political parties in that regard, not surprisingly, is Evgeny Primakov's appointment as prime minister. Overall, political parties have shown to be an anemic, although not totally impotent, force in the formation of governments.

Of course, initiative and the bulk of the decision-making power lie with the president when forming a government. It is he who nominates the prime minister and the cabinet, and the inability of the parliament to reject the president's nominee without inviting dissolution gives the president a distinct advantage. When one considers that none of the Russian Federation's three presidents have belonged to a political party or owed their election to a political party, and only one prime minister (the briefly-tenured Viktor Khristienko<sup>160</sup>) had a party affiliation upon taking office, it becomes clear that party affiliation is a secondary characteristic when constructing governments. At times parties have been able to lay claim to a ministerial post or two in

exchange for some favor in the legislature. This has, however, been more of an exception than a rule. Nearly all government ministers are career bureaucrats and administrators. During Mikhail Fradkov's cabinet in Putin's second term, only five of nineteen ministers had a party background.<sup>161</sup> The most important qualification for office is more often loyalty to the president than partisan affiliation. Twice President Putin has nominated prime ministers from obscure branches of the bureaucracy, ensuring that his nominees have no basis of support other than the patronage of the president. This prevents the prime minister from emerging as a counterweight to the president, but also underscores how little party considerations figure in the nominating process.

Even United Russia has had little success in translating its support for President Putin into ministerial portfolios. Putin has appointed prime ministers based on other political criteria than the composition of the legislature. For example, Viktor Zubkov was appointed to that post in September of 2007 not because United Russia demanded it, but in order to better prepare for the presidential elections of March 2008. Both Putin and the outgoing prime minister, Mikhail Fradkov, announced that the shakeup was intended to "prepare the country for the period after the March [presidential] election."<sup>162</sup> Putin's public rationale for the change was future-oriented and presidential, rather than in response to the demands of the present legislature. Zubkov himself was an obscure bureaucrat, heading a financial crimes agency before being nominated to Russia's second-highest executive post. Zubkov had no party affiliation, but was a confidant of the president, having served with him in the St. Petersburg city government in the early 1990s. Observers in the Western media speculated that Zubkov's appointment was meant to balance the Kremlin's internal factions, or perhaps to put Zubkov in position to win the presidency in March, only to step down in short order to make way for a Putin restoration.<sup>163</sup> The Russian press

gravitated toward the former interpretation. The Russian newspaper *Gazeta* quoted anonymous Kremlin insiders as saying “one should not underestimate the prime minister’s powers during a change of president,” while *Nezavisimaya Gazeta* declared that “Putin has succeeded in maintaining a degree of intrigue over the identity of his future successor, thus keeping the political situation under control.”<sup>164</sup> Again, Putin’s considerations in changing the government were political, but not parliamentary. Party considerations did not even enter the picture.

The Zubkov nomination is emblematic of the general pattern of United Russia’s relationship with the executive. The executive proposes, and United Russia ratifies. Given United Russia’s size and influence in the parliament, the party places surprisingly few demands on Putin or the government. The government that was formed after the 2003 parliamentary election contained almost no members of United Russia, despite the public confidence of United Russia leaders that the government would be formed on the basis of the majority in parliament.<sup>165</sup> Despite its size in parliament, the party remains largely a Putin instrument. In April 2008, the party congress formalized Putin’s control by unanimously confirming him as party chairman. Yet Putin and Medvedev continue to studiously avoid party membership.<sup>166</sup>

As in every other category, government formation in Russia is a tale of two presidents. An antagonistic Duma with a relatively coherent opposition coalition was able to insert some of its own into the government. Ministerial portfolios were offered to the Communist Party and others, in order to ease the passage of a given bill or defuse a particular crisis. The Primakov government, amenable as it was to the Duma, took on a semblance of a coalition government with the Duma’s parties better-represented than in the past. The only party missing from the government was Our Home is Russia, while the CPRF, the Liberal Democrats, and Yabloko all found representation.<sup>167</sup> Under Putin, parties have fared poorly in gaining seats at the cabinet

table. Under neither president, however, have parties been as successful in filling government posts as in France.

The weak confidence mechanism shields governments from parliamentary and party influence. A leadership class that is non-partisan can then develop, since presidents and ministers are not dependent on party backing to win their posts. Non-partisan national leaders are then free to assemble their own, clientelistic parties, like Unity. These parties of power are advantaged by their connection to the elite and, if successful, drain votes and influence from genuine political parties. The appearance of parties of power intensifies an already vicious cycle. “Having no considerable power, parties cannot expect to establish stable linkages with constituencies, but without their support they cannot expect to play a significant role in the political system.”<sup>168</sup> This development is crucially important for understanding the state of democracy in Russia.

#### D. PARTIES IN RUSSIA -- CONCLUSIONS

Emerging from the disarray and division of the founding of the present Russian state, political parties began to find positions of power and influence after the 1995 election. Programmatic parties fared well, indicating that interest aggregation was occurring and that the population responded. The opposition to Yeltsin emerged as a relatively stable coalition that was capable of defeating the president in the legislature. That coalition proved itself capable of actually forming a government, by forcing the appointment of Primakov and a somewhat party-based cabinet. However, under Putin’s presidency the party system’s vital signs have all but collapsed. The dominant party is non-programmatic, offering nothing but unabashed support for whatever the



president should propose. It aggregates the interests only of the ruling class—those politicians and bureaucrats already in power, who hope to maintain their position by securing successive electoral mandates. The opposition has been steadily squeezed out of the parliament (and the television media) leaving opposition parties and candidates in the wilderness. United Russia serves as a tool of the executive in an asymmetric relationship that makes few demands on the president, while governments are formed without paying any heed to the composition of the legislature. At present, it is safe to say that Russia’s party system is elite-dominated, and shows “little potential to grow substantial partisan roots in the society.”<sup>169</sup>

The Duma’s weak power of no-confidence is central to all of the party system’s ills. The weak confidence mechanism shields the executive from party influence by preventing parliament from choosing the ministers. As a result, parties that emerge organically from social cleavages find it difficult to win executive power. Non-partisan executives, drawn from the president’s inner circle and from the state bureaucracies, take up positions of national leadership instead. This process has been constant under both Presidents Yeltsin and Putin. This leading class, unencumbered by party influence, is free to assemble parties of power as electoral vehicles. The purpose of such parties is to earn enough votes to legitimate the ruling clan electorally, without limiting its freedom of action with campaign platforms and promises. By being connected to powerful patrons *a priori*, parties of power benefit from money, connections, and influence that ordinary parties lack. United Russia has had an irresistible draw on the elite since its founding. For example, United Russia was heavily favored by the business elite in the 2003 parliamentary campaign, receiving more than \$1.2 billion in donations from business leaders.<sup>170</sup> After the 2003 election, eighty percent of deputies elected from the single-member districts joined United Russia, presumably to advance their careers, earn perks, or win influence by joining the party of

power. The other parties in the Duma consequently had a sharply reduced pool of independent deputies with which to build coalitions. The mass defection of independent deputies to United Russia is a perfect example of the deleterious effect parties of power have on interest-based parties.

Since these parties are non-programmatic and are created by state actors, they are little inclined to advocate the interests of particular sections of society. As such, they block political communication by preventing interest-based parties from winning power, and then refusing to perform interest aggregation themselves. Furthermore, parties of power decrease the opportunities available to the opposition to win power, by drawing votes away from opposition parties.

The relationship between national leaders and their party of power is asymmetrical. Leaders are not dependent on party networks for their position. Consequently parties of power serve as political instruments, rather than governing partners. This helps account for Russian parties' inability to colonize the state. Presidents and prime ministers do not need to reward party leaders and activists with positions in the state, since they do not owe their own position to party resources.

All this conspires to keep Russia's leading class divorced from society. A weak power of no-confidence prevents interest-based parties from winning power, and allows the elite to form their own, clientelistic parties. As a result, interests are not communicated upward by political parties who have one foot in society and the other in government. The opposition is further diminished by the electoral draw of the party of power, and its own inability to win power. The success of parties of power is therefore highly detrimental to democracy in Russia, by inhibiting political communication and by contributing to a monolithic state that has few links to society.

When the president is politically damaged, as Yeltsin was in the late 90s, parties of power may falter and the opposition may gain a foothold. But when the president is popular, like Putin, they will naturally drain support from interest-based parties. So long as Russia's constitution prevents political parties from gaining executive power through the parliament, this pattern will hold.

#### IV. POLITICAL PARTIES IN FRANCE

While the Russian party system does generally fit along a traditional left-right spectrum, location along that spectrum is not the most relevant quality of a political party. Instead, relationship to the elite is a more important quality. A left-right line would see the Communists anchoring the far left, the LDPR holding the far right, and the various democratic (Yabloko, Union of Right Forces) and centrist (United Russia) parties making up the middle. An outside-insider spectrum is more telling for Russian politics, however, and would see United Russia and its predecessors arrayed on one side against other parties positioned according to the degree to which they have been co-opted by established elites. For example, the Communist Party would occupy the far end of the spectrum in the latter years of Yeltsin's reign, when it embodied the irreconcilable opposition. When it began to cooperate with Unity and United Russia in Putin's first term, the Communist Party moved closer to the 'party of power' end of the spectrum. This dimension is key to unraveling the Russian party system.

Such a dimension is not relevant in the French party system. There, the traditional left-right dichotomy is the defining characteristic. Electoral rules have produced several credible parties which cover the spectrum from far-left, Trotskyist communists to far-right parties sympathetic to fascism. The largest and most important parties include: the Communist Party of France (PCF), the Socialist Party (PS), the non-Gaullist right historically embodied in the *Union pour la démocratie française* (UDF), the Gaullist right mostly organized by the *Rassemblement pour la République* (RPR), and the far-right *Front National* (FN). Recently, the parties of the mainstream right have merged to form the *Union pour un Mouvement Populaire* (UMP), of which President Nicolas Sarkozy is a member. Other parties have also gained a foothold in the

system, including far-left Trotskyite parties, a green party (*Les Verts*), and a sportsmen's party (*Chasse, Pêche, Nature et Traditions*). Mostly this analysis will focus on the major electoral players.

The French electoral system allows for two rounds of voting in both presidential and parliamentary elections. A candidate is elected in the first round in a presidential race if he or she wins more than fifty percent of votes cast. If no candidate crosses the fifty percent mark, a run-off is held among the two leading candidates. In parliamentary elections, a candidate may proceed to the second round of voting if he or she earned the support of more than 12.5% of registered voters in the first round. This system encourages fragmentation prior to the first ballot, but favors consolidation between rounds. Even small parties can put forth candidates in the first round with a reasonable hope of overcoming the 12.5% barrier to the second round. The multiplicity of political parties in France is the result, even in the absence of the proportional representation that usually corresponds to multi-party systems. The second ballot favors alliances between parties of similar ideological stripe.

Consider an election wherein a Communist, a Socialist, a Gaullist, and a non-Gaullist conservative all proceed to the second round. The Gaullist and non-Gaullist parties have an agreement that binds the second-place conservative to drop out of the race before the second vote and endorse the first-place conservative. The two leftists have no such agreement, and both remain in the race. As a result, the leftist vote is split between the two and the conservative takes the election. Such a result was not uncommon in the early years of the Republic, and was a major stimulus for the formation of the *union gauche* which united the Communist and Socialist parties under a Common Program for much of the 1970s. The emphasis on consolidation between rounds deepens the left-right divide in French politics, by encouraging alliance and

compromise between ideological fellow-travelers. Overall, the double ballot produces a system of fragmented bipolarity. Fragmented, because the first round allows small parties to test their appeal in the marketplace; bipolar, because the second round encourages alliance and favors large parties. Over time, the system has become less fragmented with the declining appeal of the Communist Party of France, and the consolidation of the parties of the mainstream right.<sup>171</sup> Yet the system remains split into a left flank anchored by the Socialist Party, and a right flank dominated by the UMP.

The French party system is healthier than the system in Russia. Interest aggregation is more recognizable, and parties are genuinely able to capture executive power in the premiership and the presidency. Prime ministers of France are almost always partisans of one party or another, and presidents after de Gaulle have all claimed a party affiliation (though he took great pains to appear aloof from partisan politics, the General was himself a highly involved party manager during his presidency<sup>172</sup>). Even more importantly, the constitutional powers of the prime minister indicate that the president cannot govern without the support of a majority in parliament—which makes political parties a vital player in determining who controls the levers of power. Parties also form the opposition in France. Even though opposition partisans are all but shut out of the halls of power (except, perhaps, during cohabitation) they still provide an alternate program for the nation and represent an alternative from the current majority.

French parties are able to bridge the gap between state and society because the strong vote of no-confidence in the Assembly makes political parties indispensable to the leadership class. Leaders and parties are mutually dependent on each other for their success.

National leaders cannot be shielded from party influence, as they are in Russia, since the prime minister must reflect the party composition of the Assembly. This precludes the formation of parties of power, and makes interest-based parties the only game in town.

#### A. INTEREST AGGREGATION IN FRANCE

French political parties respond to the social cleavages that emerged over time in Western Europe. The most relevant of these cleavages tends to be the distinction between the working class and the bourgeoisie. Other cleavages exist—the agricultural class against the industrial class, the center versus the periphery, and the religious against the irreligious—and play a role in the system. But it is the working class-bourgeoisie distinction that primarily defines the split between left and right.

##### 1. The 1970s and 80s

A watershed moment in the history of the left political parties came in 1972, when the Communist and Socialist Parties agreed on a Common Program for Left Government, cementing an alliance they hoped would prevent the deleterious vote-splitting that had been the hallmark of the past. While the alliance eventually crumbled, the program represents the middle ground between the two parties' ideological foundations and can be used as a rough guide to the essential causes of the French left. It called for a 37% increase in the minimum wage, as well as a similar increase in allowances for families with children and stipends to the elderly and the unemployed.<sup>173</sup> The program also called for the nationalization of nine large industrial groups,

in addition to the whole banking and financial industry. The Communist Party, predictably, wanted to go even further with a nationalization program, urging the state to take control of no fewer than twenty-five companies, including oil, steel, and automobile concerns.<sup>174</sup> Such demands were not limited to the 1970s. Mitterrand based his 1981 presidential campaign on his ‘110 propositions for France,’ which called (among many other things) for nationalizations, higher wages, a reduction in working time, and the construction of communal housing and social facilities.<sup>175</sup> Both parties, as these platforms evince, are highly programmatic.

The Communist Party electorate was heavily blue-collar. In the 1981 presidential election the Communists won the support of 30% of voters who worked in blue-collar jobs, as opposed to just 10% for the Gaullist candidate. The Socialists were even more successful in this demographic, capturing 33% of blue-collar voters, as well as 23% of farmers (the Communists took only 2%). Seventeen percent of retired voters opted for the Communists, while 28% supported the Socialist Party. Together, the two leftist parties won 63% of blue collar voters, 25% of farmers, and 45% of retirees.<sup>176</sup> Clearly working-class voters were inclined to vote for leftist parties in 1981. The two parties advocated either the outright abolition of capitalism or the amelioration of it in favor of the weaker members of society. Workers responded to this message for much of the Fifth Republic’s history. Indeed, in legislative elections from 1967 through 1981, the two parties together averaged 58% support from working-class voters.<sup>177</sup>

Party membership also reflects the association of workers with the Communist and Socialist parties. Blue-collar workers accounted for over 46% of Communist Party members in 1979, followed by routine white-collar workers at 25%, and retirees at 15 percent. The Socialist party did not fare quite so well with blue-collar members; its party membership was only 14 percent workers, on average, from 1973 to 1985. It made up for this deficit with a higher



proportion of teachers, managers, and other intermediate professions, as well as those with a self-described center-left ideology.<sup>178</sup> Interest aggregation appears healthy on the left of the political spectrum in the 1970s and 80s, with the major parties highly programmatic and drawing crucial support from specific sectors of the electorate.

The parties of the right, by contrast, have typically benefited from the votes of farmers, artisans, small businesspeople, and managers. In the 1981 presidential election, the mainstream rightist candidates won 69% of farmers' votes, 64% of artisans' votes, and 60% of managers' and professionals' votes. A similar effect can be seen in subsequent elections, although Gaullist candidates have consistently earned around 10% of the blue-collar vote.<sup>179</sup> Overall, however, the parties of the right are the parties of business.

Gaullism is a broad church, incorporating numerous ideologies at various times. Its central tenet has historically been a strong state at home and abroad. This position has become increasingly problematic in the modern era of closer European integration. Gaullism has also been characterized by a distinct free-market flavor, launched by Chirac in the mid-1980s<sup>180</sup> and now aggressively championed by Nicolas Sarkozy.<sup>181</sup>

## 2. The 1990s and beyond

From the 1990s on, the Gaullist right has drawn the majority of its support from the more prosperous portions of the electorate and has lost the bulk of its lower-class support.<sup>182</sup> Many lower-class voters have migrated to the Front National and Jean-Marie Le Pen. The 2002 presidential elections in France stunned the world, when Le Pen—a confirmed extremist—knocked out Socialist Prime Minister Lionel Jospin in a first round characterized by low turnout.<sup>183</sup> Le Pen voters tended to be workers, lower-middle class, and poorly educated.

Workers and low income earners chose Le Pen over the Socialist and Communist candidates by convincing margins.<sup>184</sup> Le Pen's support in the electorate did not much exceed the 16% or so of voters who chose him in the first round, however, and he was soundly rejected by French voters in general. Le Pen only picked up a few hundred thousands votes in the second round, while the whole political spectrum consolidated around Chirac as the only alternative to the extreme right. Chirac won 82% of the vote.<sup>185</sup>

Le Pen's success in the first round indicates a new fluidity in French party politics, as the close affiliation of the working poor with the parties of the left was attenuated. Instead, new issues like immigration and criminality rose to the fore. Surveys in 2002 indicate that crime was of very high concern to voters, second only to unemployment. On criminality, Le Pen was viewed as the best candidate by a narrow margin; on immigration he was by far the favored candidate.<sup>186</sup> However, support for the far-right in 2002 may have been a fluke: the National Front received only a million votes in the first round of the 2007 election, beating the Communist Party by a small margin, but falling far behind the UMP (ten million votes) and the Socialist Party (6.4 million votes).<sup>187</sup>

The 1990s was a period of change for the parties of the left. The Communist Party had been seriously discredited by the collapse of the Soviet Union, and chose as a result to reformulate itself. It formally embraced representative democracy and civil rights, formerly conceived of as bourgeois boondoggle. It remained, however, a party of the traditional left, advocating an increase in the minimum wage and in welfare benefits, high corporate taxation, support for the 35-hour workweek, and opposition to privatization of state firms.<sup>188</sup>

The Socialist Party likewise sought to affirm its leftist credentials, after a period of Socialist governments pushing market-oriented policies. Prime Minister Jospin's policy program emphasized equality and social justice, reduction in unemployment, and minority rights.<sup>189</sup> Parties on both side of the spectrum continue to seek voters on a programmatic and interest-oriented basis.

### 3. Conclusions

The left-right divide also exists in Russia, but is eroded by non-programmatic parties of power. United Russia is defined by its connection to the president, and this is what introduces the second axis of the Russian political spectrum, Putin's own "power vertical." We have seen in recent elections that Russians are more than willing to judge parties along this axis—United Russia's big win in 2007 was essentially a plebiscite on President Putin. A popular president can often sweep his own party into power in the legislature in any country. President Mitterrand did exactly that in 1981 and 1988. But for a non-programmatic party to enjoy dominance of the legislature purely on the basis of its unwavering support for a non-partisan president is a body-blow to party-based interest aggregation.

In France, the lines are much more clearly drawn. Almost all French voters, when surveyed, are willing to position themselves on a left-right axis, and "the great majority of respondents of all positions...held party sympathies and voted for candidates that were consistent with their positions."<sup>190</sup> It should be noted that other studies have found different results in this regard. One 1993 survey found that only 56 percent of respondents felt loyal to a particular party, while 77 percent were capable of placing themselves on a left-right axis.<sup>191</sup>

By contrast, almost half of Russian voters held that no party represented their interests.<sup>192</sup> These floating voters are a major target of opportunity for non-ideological parties of power, and indicate how undeveloped interest aggregation by parties remains in Russia.

## B. PARTIES AND OPPOSITION

French parties, when they are not in government, are governments-in-waiting. They are the primary vehicle of political opposition, both external (the Socialist Party versus the RPR, for example) and internal (Balladur versus Chirac for leadership of the RPR). Opposition parties play a vital role in creating alternatives to the current government. Indeed, French voters from 1981 have shown a penchant for tossing out incumbents. In 1981, the voters evicted Giscard and endorsed Mitterrand. After five years of Socialist government, the voters returned a conservative majority, with Chirac as prime minister. Then in 1988, the left triumphed again with Mitterrand's reelection and successful dissolution of the Assembly. In the 1993 parliamentary election the voters gave the majority back to the conservatives, giving Balladur the premiership in the last years of Mitterrand's presidency. Chirac had a supportive majority when he was elected president in 1995, but faced a leftist majority when he dissolved parliament early in 1997. In three cases—1986, 1993, and 1997—voters used the parliamentary elections to rebuke the president and hand national leadership over to the opposition.

Prior to the constitutional reform reducing presidential terms from seven to five years, the French system allowed voters to pass judgment on the governing majority twice: once at mid-term parliamentary elections, and once again when the president's own term of office expired.

Opposition occurs mostly in the context of campaigning prior to these elections, since the rules of the National Assembly preclude the parliamentary opposition from accomplishing much in the way of the formation or even delay of policy. As noted in Chapter II Section A, opposition deputies rarely see their amendments passed, and have almost no claim on the agenda of the Assembly. Their power to scrutinize the majority is also limited. Parties must therefore aim to capture power in the next election, by criticizing the majority and offering alternatives.

The outcome of such an arrangement, as seen above, has often been a period of cohabitation. During cohabitation, the opposition becomes the parliamentary majority and gains control of the levers of power. The president becomes commander-in-chief of the new opposition. The process of criticism from the outside begins anew, although an opposition which still claims a president in its camp wields more influence than an opposition which is confined to the parliamentary minority.

Despite the weakness of opposition deputies in the parliament, political parties are still highly relevant in the establishment of an opposition. They act as power-bases for presidential candidates when they are not in office, and as media for transmitting alternative policies. In 1976, Chirac resigned as prime minister, a position he felt did not carry enough political weight, to cultivate the Gaullist party. The RPR was an essential pillar of Chirac's political support into his presidency.<sup>193</sup> Chirac's leadership of the RPR is a case in point of the political resources parties can provide for presidential candidates in France. Presidents Mitterrand and Sarkozy followed similar paths to power. Aspirants to the French presidency, as well as sitting presidents, have found it necessary to mould and manage a party organization in order to advance their political agenda. The relationship is symbiotic: the candidate wins the use of the party's resources, while the party gains influence and patronage. By contrast, politicians in

Russia tend view parties as merely instrumental, and rarely invest in maintaining party organizations.<sup>194</sup> Putin himself, for example, hopped from one party of power to another in the 1990s, switching allegiance when it became politically expedient.<sup>195</sup>

French parties' relevance in this regard is primarily a function of the National Assembly's strong vote of no-confidence. The vote of no-confidence means that organized blocs in the legislature—political parties—determine who holds the premiership. A president must be able to count on a supportive majority in the Assembly in order to govern. Good relations with a large and cohesive political party or coalition are therefore vital. This imbues political parties and parliamentary elections with a degree of significance they lack in Russia. A change in the partisan composition of the National Assembly can significantly alter government policy. Consider the conservative policies of the Chirac government after 1986, when Francois Mitterrand was still president, in contrast to the broadly liberal policies of the previous five years. The about-face was possible precisely because a conservative coalition was able to control the Assembly. In Russia an organized opposition in the State Duma can delay and obstruct policy, it can lobby for concessions, and it can on occasion triumph over the executive, but it cannot determine the general direction of the government.

Since the minority delegation in parliament is relatively powerless to affect policy, the extra-parliamentary party structure becomes the main locus of political opposition. Opposition political parties provide the connections, resources, and visibility necessary to provide an alternative set of proposals and establish a base from which the opposition can lob attacks at the government. This process, if successful, leads to a turnover in government.

The reduction of the presidential term to five years, and the resulting synchronization of presidential and parliamentary elections, is a negative development for opposition in this system.

Under the old rules, parliaments always expired before the president's term came to a close, allowing the opposition party to try to claim executive power in mid-term legislative elections. Now, though the president's term is shorter, presidents will almost always be assured of a supportive Assembly for the duration of their term in office. The activity of parties and politicians will be focused on capturing the presidency. Parliamentary elections, with their focus on political parties, will diminish in importance. A supportive majority in the Assembly is still vital for a president, but voters will be unlikely to rebuke a president elected just days before by handing the parliament to an opposition party. The opposition blocs in parliament will remain relatively powerless, and political parties' main task will continue to be preparation for the next election. However, the coming election will always be a presidential one, and the presidency will be parties' main objective. The goal will be to ensure that a party supporter becomes president, rather than to gain power directly by winning the largest share of parliament. Parties will still wield some influence, but they will be somewhat diminished by the outsize personas of presidential candidates on the campaign trail.

In all, political parties are a more vibrant source of opposition in France than they are in Putin-era Russia. French parties act as repositories of opposition when they are not in power, poised to become the next governing majority if given the chance. There are parties in Russia that are alternatives to United Russia, at least formally. The elections of 2007 indicate, however, that no party represents a credible opposition. Members of the urban intelligentsia, typically the backbone of the liberal parties, often voted Communist in the 2007 legislative election, not because they genuinely supported Zyuganov and his ilk, but rather to protest the political hegemony of Putin and United Russia.<sup>196</sup> Such voters were not voting *for* the Communists, but

rather *against* the majority. No party has yet emerged which can agglomerate the dissatisfied or attract United Russia voters in the numbers needed to rival that party.

Russia's opposition parliamentarians are, like their counterparts in France, quite powerless. They, however, are not shackled by constitutional rules but by the size of United Russia's majority. Unlike the French opposition, Russian parties are unable to act as alternative governments. They are hobbled by their inability to win executive power, either in the parliament or through the presidency. Two Russian presidents have been able to ensure the election of a hand-picked successor without relying on party mechanisms, but by relying instead on their own political resources. Yeltsin appointed Putin prime minister before resigning, provoking early elections and giving Putin all the advantages of incumbency. Putin used his immense popularity to anoint his successor, touching off an intricate succession ballet that allowed Putin to consolidate his post-presidential job as prime minister and leader of United Russia. United Russia was marshaled to ensure a positive result in the elections, but neither Putin nor Medvedev have joined the party. Political parties outside the state's sphere of influence have seen their fortunes wane: promising results for Yabloko and the Union of Right Forces have all but evaporated, and the once-mighty Communist Party is now the lone voice of opposition in the Duma. Rodina and Just Russia, parties with ties to the state, have been successful without rivaling United Russia as the dominant party.

Allowing the Duma a stronger vote of no-confidence would be a partial cure for what ails Russian parties. Parties could then win executive power directly by claiming a majority in the Duma. As in pre-reform France, this would enhance the importance of legislative elections and greatly increase the influence of political parties. If parties can capture executive power, they can act as a real locus of opposition as they compete for votes in the run-up to elections. Of



course, parties will only be able to act as true loci of opposition when they can genuinely compete for the real prize, the presidency. At present, their ability to do so is limited by tight control of the national media and the influence of state power on the presidential succession.

### C. PARTIES IN GOVERNMENT

Parties capture high office in France in two ways: by winning a majority in the National Assembly (or participating in a governing coalition there), and by securing the presidency for one of their own. It is true that the president is a towering figure in French politics, but his independence from the party political nature of French politics is often overstated. First and foremost, it is a fact of the system that presidents have only emerged, with the exception of de Gaulle, from the ranks of a political party. So vital are political parties as presidential springboards that “They appear...to be an inevitable channel for those who aspire to become president.”<sup>197</sup> For example, Lionel Jospin, prime minister during Chirac’s first term and himself a presidential candidate in 2002, began his political career as a hard-working party secretary with little publicity.<sup>198</sup> Mitterrand was a party leader and parliamentarian in the Fourth Republic before assuming control of the Socialist Party in 1971.<sup>199</sup> Chirac was the dominant figure in the RPR for more than twenty years. Sarkozy left the government to take the reins of the UMP, the main party of the right, in 2004. He used this position to enhance his own visibility, to choose parliamentary candidates, and to influence the party program and budget.<sup>200</sup> Each successive president has first relied on party infrastructure to advance his political career. Conversely, the

failure of former prime ministers Raymond Barre and Édouard Balladur to reach the presidency is closely linked to their belief that parties were dispensable.<sup>201</sup>

Parties' role as essential presidential springboard makes them powerful electoral players. French presidential hopefuls need the structural support of a political party to ensure a national presence for their campaign, and to orient themselves in the electorate's mental map. As a result, a French president is in many ways an advocate for the forces which propelled him to the top. Even a sitting president is by necessity a party leader, since he cannot govern without a parliamentary majority.

This observation also calls attention to the fact that French parties are highly personalized. In this respect they do not much differ from their Russian counterparts. For twenty years the RPR loyally supported Chirac as its undisputed presidential candidate. Mitterrand, too, dominated the Socialist Party for almost a quarter-century, just as Zyuganov, Zhirinovskiy and Putin have dominated their respective parties. In Russia, however, political power can be captured without significant party backing. As a result, parties have little claim on Russia's leaders.

The direct influence of the party on the French president once he is in office varies from president to president, but is always present. Closely associated with the Socialist Party in the minds of voters and party activists, Francois Mitterrand emphasized the role of the party as a key institution in future power arrangements when he was campaigning.<sup>202</sup> The Mitterrand presidency ushered in an era of particularly frequent contact between party officials and members of the government, including high-level summits to hash out policy disputes, working groups, annual budget meetings, and the so-called 'elephants' breakfast'—a weekly meal shared by the president, prime minister, and party leader at the Elysée palace.<sup>203</sup> Even the de Gaulle

presidency, famously wary of political parties, was characterized by informal contacts between party functionaries and parliamentarians, and the members of the government. Charlot writes:

In the course of time a whole web of relations has been woven between the Gaullist group and the government, a network of men on Christian-name terms with friendships dating back over twenty-five years...

[T]he party and the [parliamentary faction] alert, by internal channels, the government to any errors and omissions in its policies.<sup>204</sup>

Parties, as the organizational framework which launches and sustains presidential campaigns, continue to influence the executive in an advisory role. After all, even a French president at the beginning of a seven year term (now reduced to five years) must eventually contemplate a re-election bid or hope to ensure a successor of his own ideological stripe.

Parties in Russia have not yet taken on this crucial importance. No president of Russia has won his position by emerging as the candidate of a popular party. Things may change, as Vladimir Putin has agreed to head United Russia, not as president, but as party leader.<sup>205</sup> Since the premiership is a relatively weak office compared to the presidency, Putin may feel compelled to turn United Russia into a genuine power base, independent from the state. In order to become such a power-base, the party would have to turn towards society and begin advocating for people's concrete interests. United Russia, in that circumstance, could morph into a genuine political party. At present, however, such an outcome is purely speculative.

Even more important from the perspective of party influence, parties in France benefit tremendously from the executive's power of patronage. Members of the party of a victorious president or prime minister are appointed to head ministries, to advise ministers, and to work in the bureaucracy and in the public sector. "In short, parties invade the state."<sup>206</sup> All presidents have been either *de facto* or *de jure* leaders of political parties at the time of their election, and all prime ministers (excepting Georges Pompidou and Raymond Barre) have been party figures at

the time of their appointment. Moreover, the majority of ministers have been, not just party members, but parliamentarians prior to their appointment. The first government of the Fifth Republic, headed by Michel Debré, reflected President de Gaulle's skepticism of parties and legislatures, and set a low-water mark for parliamentary participation in government. Still, 63% of ministers in the Debré government were drawn from the parliament. Just a decade later, under the 1968 government of Couve de Murville, almost all ministers hailed from the parliament. On average, more than seventy percent of government ministers have been drawn from the parliament.<sup>207</sup> By joining the government, ministers abandon their legislative position, but they are not obliged to abandon their party contacts and ambitions.

Party members are also widely appointed to lesser posts in the government and in the public sector. The huge presence of party figures in administrative and executive positions has led those shut out of power to complain of a party-state throughout the republic's history. In the 1960s, *l'état-UDR* (the UDR state) was criticized, followed by complaints of a UDF state after the election of Giscard d'Estaing. Likewise the Socialists dominated in the early 80s, and the RPR during the Mitterrand cohabitations.<sup>208</sup> This extensive penetration of the state by the officials of victorious parties links party and state and gives party officials greater influence over state decision than is apparent at first glance.

That winning parties are showered with the spoils of victory owes something to the fact that a new president or prime minister will want his appointments to come from his own ideological family. But it also reflects the interdependent nature of the party-executive relationship in France. On their own, parties cannot wield much influence over policy since the executive closely supervises the parliament. Yet aspiring future presidents cannot win power without the backing of well-organized and effective political party. President Giscard d'Estaing

learned this lesson all too well, in the 1981 presidential election. Giscard was disinclined toward mass parties and party organization, and as such did not begin to build a party machine until late in his presidency. Jacques Chirac, by contrast, had left the premiership to build for himself a political party in the Gaullist tradition, the RPR. Giscard's UDF, a loose organization cobbled together out of smaller parties,<sup>209</sup> lost a significant number of votes to Chirac's RPR and, ultimately, Mitterrand's Socialist Party. Despite the broad powers of the presidency, Giscard was dethroned. The realities of the French electoral system, in particular the two-ballot vote, require presidential candidates to win the backing of large, well-organized parties. Likewise, once in office, a president needs the support of the parliamentary majority in order to govern. Successful presidents or prime ministers use patronage to reward and cultivate their party backers.

In Russia, where parties are not the essential springboard of presidential politics, they have not been the recipients of the same degree of presidential patronage. During Putin's tenure, posts in the ministries, the presidential administration, the seven federal super-districts, and the public business sector have more often been given to the so-called *siloviki*, former members of the military and security services. According to one study, military and security personnel occupied more than a quarter of elite posts in the Russian government as of 2002. Almost sixty percent of members of the Russian Security Council had a military-security background in 2003, along with a third of government ministers and deputy ministers. Both figures are a significant jump from the Yeltsin years.<sup>210</sup> Under the Yeltsin presidency, three-quarters of the presidential administration and government had origins in the Soviet-era nomenklatura.<sup>211</sup> Since presidents do not rely on parties to enter office or to maintain their power, patronizing party members is not as necessary as it is in France. Parties do not colonize the state as in France, and therefore wield

even less influence. Other sectors of society, like the siloviki, fill this role instead. Parties in France are instrumental in staffing governments and other elite posts. The same cannot be said of Russia, where transfers of power occur without party influence.

#### D. PARTY DURABILITY

The longevity of parties is another characteristic difference between the French and Russian party systems. Many French political parties can trace their origins back to the turn of the century. The Socialist Party, Communist Party, and various Trotskyite communists can all refer back to the *Section Française de l'Internationale Ouvrière*, formed in 1905. The SFIO split in 1920, in the aftermath of the formation of the Soviet Union, into Communist and Socialist strands. The parties of the right have endured many name changes and shifts in alliance, but also have their earliest origins at the beginning of the twentieth century. Even relative newcomers like the Greens or the National Front have been around since the 1970s. The durability of parties in France allows them to build loyalty among voters, and to establish a more or less stable ideological position. They are also able to operate as institutional players when dealing with political elites. Politicians and bureaucrats operate with the understanding that the Socialist Party will continue to exist and provide resources and contacts for Socialist politicians for many years to come.

Parties in the relatively young Russian republic have not shown the same degree of durability. The Communist Party of the Russian Federation is the only party which can trace its origins back beyond perestroika, since prior to the Gorbachev reforms alternative political parties were banned outright. A few parties formed near the collapse of the Soviet Union have persisted

to this day, notably Yabloko and the Liberal Democrats. While the LDPR is one of only four parties to enter the Duma after the 2007 election, Yabloko has seen its vote totals dwindle and is no longer represented in the legislature. Too often parties are created, not organically in response to genuine social cleavages, but by fiat from above—Our Home is Russia, Fatherland-All Russia, Unity, United Russia, and Rodina are all important examples. Parties that have fared well in one election have all but disappeared by the next, depending on prevailing mood at the top.

Consider the fate of Russia's Democratic Choice, an early party loosely affiliated with Yeltsin and led by former prime minister Yegor Gaidar. A reform party, Russia's Democratic Choice began to wither when the establishment focused more attention on the proto-party of power, Our Home is Russia. Russia's Choice won more than 15% of the vote in 1993, but only 3.9% in 1995, and did not contest and further elections. Our Home is Russia fell from grace even more precipitously, when its leader, Prime Minister Chernomyrdin, was sacked in 1998. Chernomyrdin's party won 10% of the vote in 1995, but only 1% in 1999. A centrist women's party, Women of Russia, won 8% of the vote in 1993, but had disappeared by 2003. In 1999, Fatherland-All Russia won 13% of the vote in the first election it had ever contested. Even more spectacular, Unity won 23% of the vote when that party had been created out of thin air just a few months before the election. Rodina, a left-of-center nationalist party created at the Kremlin's behest, won 9% of votes in 2003, when it too had not existed in any serious form prior to the election.<sup>212</sup> The ad hoc nature of party formation in Russia makes it difficult for voters to form party attachments.

Since many Russian parties do not correspond to social cleavages, elites' party attachment is fluid and is based on which parties offer the best chance of advancement. Between

the election to the Third Duma in 1999 and its first sitting in January 2000, 147 deputies (almost one-third of the Duma) changed their party affiliation. The entire delegation of Our Home is Russia, seven deputies, disbanded; its leader, Viktor Chernomyrdin, joined Unity.<sup>213</sup> In the Fourth Duma, 80% of independent deputies knew which way the wind was blowing and joined United Russia (See footnote 107). Party-switching erodes accountability and highlights the instrumental and clientelistic nature of many Russian political parties.

Parties are notoriously mistrusted in Russia. They have consistently ranked last in a survey which asked respondents whether or not they trust a variety of institutions (Boris Yeltsin outdid them in 1998 and 1999, when only 2 percent of respondents placed their trust in the presidency). On average, only 5% of respondents have expressed any trust in political parties from 1997 to 2004. By contrast, support for the armed forces averaged 30%, the media at 24%, and the post-Yeltsin presidency at 56 percent. Similarly, when asked “Which of the currently existing parties and associations to the greatest extent reflects the interests of people like you?” the broad majority of respondents answered “None” or “Don’t know.” Even in 2004, just after United Russia’s victory at the polls, only 24% of respondents answered “United Russia,” while 49% chose None/DK.<sup>214</sup> That all but a few parties in Russia have lacked real staying power has weakened the party system generally. Ephemeral parties cannot influence those in power, while national leaders can create parties solely to advance their interests.

Surveys have, however, found even more dispiriting results among French voters. When asked “Do you feel that you are well represented by a political party?” from 1989 to 2000, the French answered resoundingly in the negative.



**Table 4.1** French opinion of political parties

<i>Year</i>	<b>1989</b>	<b>1990</b>	<b>1995</b>	<b>1997</b>	<b>2000</b>
Not well represented by a party (%)	54	74	65	64	74

From Andrew Knapp, *Parties and the Party System in France*, page 348.

This of course does not mean that French voters do not identify with a particular family of parties: the left, the right, or the center. The French do broadly tend to vote within the ideological family in which they feel most at home. The stickiness of ideological affiliation can be witnessed in voters' behavior in the two-ballot system. Very few voters switch sides between ballots (although some do).<sup>215</sup>

Elite-party behavior that resembles the formation of a party of power superficially can be seen in France as well. Parties' names and alliance partners shift as elections come and go. Most recently, several strands of French conservatism merged in 2002 to form the *Union pour un Mouvement Populaire* (UMP), which has successfully become the dominant party of the moderate right. After the legislative and presidential elections of 2007, it controls the National Assembly by an absolute majority (313 seats)<sup>216</sup> and its candidate, Nicolas Sarkozy, is the sitting president. However, UMP differs from a Russian party of power in important ways. First, it was created by merging several conservative parties that had long histories in the Fifth Republic. Second, while its creation was eventually endorsed by President Chirac, the impetus for the formation of the UMP came from within the pre-existing parties themselves, not from the incumbent elite.<sup>217</sup> Lastly, the UMP is identifiably a party of the moderate right. It is not ideologically amorphous as parties of power tend to be.

## E. CONCLUSION

French parties are, for the political elite, “long-term necessities.”<sup>218</sup> Presidential aspirants who have spent years building party organizations have been successful in realizing their ambition (Mitterrand, Chirac, Sarkozy), while those who have tried to eschew party-building have failed (Barre, Balladur and, to an extent, Giscard d’Estaing). As a result, French elites reward party organizations with political patronage, from the premiership to the bureaucracies to the public sector. French parties are therefore able to influence the state from the inside, as well as from the outside. As a long-term necessity, French parties have a staying power that their Russian counterparts largely lack. As they persist over time and compete for votes, French parties forge connections with voters and particular segments of society. These interests are then communicated to the elite in the pursuit of greater electoral success. Such political communication can be seen in the informal contacts characteristic of the de Gaulle presidency to the ‘elephants’ breakfasts’ of the Mitterrand years. Furthermore, since parties are the building-block of a political career, they are the primary repository of opposition in the system. Alternation in government has been frequent, with leaders using parties as a base of support from which to attack the current majority. Parties’ success in all these crucial fields stems from the strong vote of no-confidence, which obliges the French president to maintain good relations with his party, and allows parties to put their representatives in the highest offices.

## V. CONCLUSION

The comparison between the French and Russian constitutional systems is an enlightening one. Both are semi-presidential states with strong executives. Yet in one case democracy has derailed, in the words of some commentators<sup>219</sup>, while in the other case the democratic train is running smoothly.

Comparing the two states reveals that the French legislature is a poor check on the executive, since the executive is armed with constitutional provisions that allow it to dominate the legislative process without the need for much bargaining. By contrast, the State Duma has a constant influence on policy, since the executive must rely on a supportive majority, not constitutional machinery, to pass laws. The rules of the game oblige the president to negotiate with even a sycophantic party like United Russia.

Despite its disadvantages, the Duma emerges as an effective counterweight to a strong executive. As the Duma continues to build up a body of law, decrees will become less and less influential. Big-ticket items like treaties and the annual budget require the Duma's assent, while in France the budget can be passed by decree. Even the weak vote of no-confidence allows the legislature to censure the government as a political attack, rather than as a 'nuclear option.' The Russian constitution, in many areas, provides more room for compromise and negotiation than does the French constitution, which emphasizes government control.

Despite parties' importance in passing legislation in the Duma, they have not become the essential stepping-stone to the heights of political power. The inability of political parties to win

executive power through control of the legislature creates a leadership class whose political capital is not drawn from political parties. This leadership class is free, as a result, to create clientelistic parties of power that enjoy the benefits of a close connection with the elite without having to forge genuine links to society. This alienates the state from society and inhibits the development of real political parties. Additionally, the presence of pliant parties of power in the system has a knock-on effect on the parliament. Even a modest-sized party of power delegation in the legislature, such as Unity in the Third Duma, gives the executive more support for its policies and more freedom to maneuver. A dominant party of power, like United Russia in the Fourth and Fifth Dumas, further diminishes the parliament's independent influence. Democratic consolidation in Russia is, as a result, severely hobbled.

An analysis of political institutions in France and Russia is not sufficient to completely explain the failure of democracy to take root in Russia. There are many other factors at work, including sociological and historical trends. However, institutions help shape the organization, use, and pursuit of political power. Though the National Assembly has little influence on policy, the French constitution encourages strong political parties, which in turn reinforce the ties between state and society. The party system informs state action, both in an advisory role and directly through the capture of high office. The situation in Russia is a mirror image. There a potentially strong legislature is enervated by a weak political party system that arises out of the legislature's crucial weakness. So long as Russia's constitution stacks the deck against genuine, socially-oriented political parties, Russia's top leaders will remain unencumbered by democratic pressure from below, despite a more independent legislature, save in the form of large-scale popular protest.

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