

DILEMMAS OF TRANSFORMATION IN THE RUSSIAN FEDERATION

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Processes in the regions of the Central-Eastern and Eastern Europe are dynamic. Thus, there is a necessity of a permanent scientific penetration within the area of international political relations, verification of previous views and evaluation of trends in the transformation in particular countries and the whole region.

The empirical study presents the scope, character and the possible directions in political transition of the Russian system. An important part of the paper is the analysis of the constitutional rules and their legal guarantees both in the political sphere and in the economic area. The author indicates that the civil rights and freedoms are not respected in Russia. Political regime in Russia can be characterized by the “instrumentalization” of democratic institutions.

Identification of security with enlargement of a political influence and control over a territory undermines democracy and shows the authoritarian tendencies. The elections in Russia lost a character of a free political competition. Although the elections are held regularly, they do not provide an opportunity to transfer power. Their only purpose is to legitimize it.

1. Introduction

Contemporary political systems have faced challenges of the globalization processes, including megatrends of the contemporary world development. Among the above-mentioned developmental megatrends, democratization processes of societies should be emphasized.

The process of democratization started before Russian independence. In the years leading up to the collapse of the Soviet Union, Mikhail Gorbachev began to introduce important reforms, including competitive elections for many national and local offices, pluralism in the media (even when still state-owned), and freedom of association for political and civic groups (McFaul and Stoner-Weiss 2008).

After 1991, the former republics of the USSR, as new states, have faced new internal and external conditions. The most important task was to define a

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status of the new countries on the international stage and develop their own rules and legal bases. First of all, one could notice a traditional model, mechanisms, the way of thinking of the society and the political elites rooted in history and, on the other hand, new challenges which appeared both in the region and in the world. Still, the Russian Federation aimed to hold a leadership position in the region and next, to reactivate a common organism within the post-Soviet area (establishment of the CIS). However, not all republics shared the above-mentioned tendencies, which was expressed by the different directions of their transformation and the attempts of the creation of the alternative regional organizations.

The Constitution of Russia of 25 December 1993 underlines the notion that the Russian Federation is a democratic federal law-bound State, where the bearer of sovereignty and the only source of power shall be its multinational people. The reforms of political system in USSR and then in Russia concerned with development of Perestroika and Glasnost policy what was the base of political democratization ("The Constitution of the Russian Federation of 25.12.1993" 2008).

The question is what "democracy" means according to the Russian citizens and if the Russian society or the political elites are fully prepared for implementation of the modern democratic institutions and a political freedom?

2. The Russian way towards democracy

The formation of a new political system in Russia began in 1990. In March 1990, Article 6 of the Soviet Constitution on the leading and guiding force of the Communist Party was abolished. With the collapse of the Soviet Union in December 1991, the Russian Federation emerged as an independent state under the leadership of President Boris Yeltsin (Gdulewicz 2005: 137).

On December 12, 1993 a new Constitution of the Russian Federation was approved of during the public referendum. The 1993 constitution established a strong presidency with the power to appoint, pend parliamentary confirmation, and dismiss the prime minister. Although the president is not a head of the government, he determines the guidelines of the internal and foreign policies of the State. The bicameral legislature consists of the lower chamber (the 450-seat State Duma) and the upper chamber (the 172-seat Council of the Federation). The upper chamber is made up of members appointed by governors and regional legislatures. The president and members of Parliament serve four-year terms, and the president is limited to two terms ("Russian Federation, Guide for Entrepreneurs" 2006: 17).

In the 1996 presidential poll, Yeltsin easily defeated the Communist leader Gennady Zyuganov with the support of powerful economic oligarchs. In

1999, Yeltsin appointed Vladimir Putin, then the head of the Federal Security Service (FSS), as prime minister. The second Chechen war increased Putin's popularity, and after 1999 elections to the State Duma, pro-government forces were able to shape a majority coalition. An ailing Yeltsin resigned in December 1999, transferring power to his hand-picked successor, Putin. After taking office, Putin moved to consolidate his power, reducing the influence of the legislature, regional leaders, the business community, and the news media, while strengthening the FSS. Overall, Putin gained enormous personal popularity by stabilizing the Russian political system after years of chaos under Yeltsin and overseeing a gradual increase in the standard of living for most of the population (Freedom House 2008).

In the State Duma elections of December 2003, the Kremlin-controlled political party United Russia won more than two-thirds of the seats (306 of 450), while many of the remaining seats were occupied by Kremlin-friendly parties. In the presidential election of March 2004, state dominance of the media was in full display, debate was absent, and Vladimir Putin won a first-round victory with 71.4 percent of the vote, more than five times that of his closest rival Communist Nikolai Kharitonov, in a first-round victory. Putin's second term was characterized by an increase in state power over civil society with little progress on overall administrative and military reform. In 2004 Putin introduced legislative changes that eliminated direct gubernatorial elections in favor of presidential appointments. After the Chechen rebels in Beslan, he claimed that the tighter centralized control was necessary to help to prevent Russia's dissolution at the hands of ethnic separatists (Simonov 2006).

During 2005, Russia adopted a package of electoral reforms that made it easier for incumbents to keep their power. Elections were becoming more controlled and less decisive in determining the national and regional leadership. Amendments to the electoral law introduced in 2005 mean that, starting with the December 2007 elections, all seats are awarded on the basis of party-list proportional representation. The threshold for eligibility to gain seats has been raised from 5.0 to 7.0 percent. Only officially registered parties may compete, and registered parties cannot form a bloc in order to improve their chances of attain the 7.0 percent threshold. In practice, these changes made it extremely difficult for the opposition parties to win representation in the State Duma. The major theme for 2005 was the state's continuing crack down on all aspects of political life in Russia, demonstrating that Russia is moving further from the ideals of democracy ("Russia Votes" 2008).

The Kremlin continued to separate Russia from Western democracies by tightening control over the media, harassing the already weak opposition, and seeking to put greater controls on nongovernmental organizations (NGOs). Although there were some signs of a vibrant civil society on the Internet and in opposing the most restrictive Kremlin initiatives, non-state groups have not

gained a broad ability to check the growing power of the bureaucracy. Putin in 2006 signed a new law that handed administration wide discretion in registering NGOs and placed extensive reporting requirements on the groups (Orttung 2006).

The Law on Combating Extremist Activity further opened the door for abuses of civil liberties. A new counterterrorism law includes vague formulations that allow for the banning of any organization that justifies or supports terrorism. Amendments to the law on extremism expand the definition of extremist activities to include slandering a government official in the performance of his duties. Likewise, a new law excludes parties from participation in elections if one member is convicted of extremism. Critics of these changes argue that existing laws can be used to silence opposition politicians and the press ("Russian Federation: Freedom limited – the right to freedom of expression in Russia" 2008).

The Kremlin also continued efforts to fine-tune Russia's electoral legislation in advance of the 2007 parliamentary and 2008 presidential elections to ensure a favorable outcome. One new law stripped legislators of their seats if they changed parties and prohibited parties from supporting other parties during elections. Those provisions weakened opposition parties by preventing them from setting up informal coalitions; previous changes had banned formal electoral blocs. In addition, the authorities removed the option of voting "against all" from the ballot. While this option is not usually available in democratic systems, voters used it to express frustration with elections that provide no real choices, particularly when there has been extensive official interference. Officials removed minimum turnout requirements from the ballot. It is a practice not widely used elsewhere, but seen by the opposition as a way of preventing the election of unpopular candidates through a boycott (Orttung 2006).

3. A "new openness" under Medvedev?

Under Putin, we could observe a gradual strengthening of the president's position or moreover, authoritarian tendencies, so far.

Recent efficient succession of the power and the perspective of providing the permanence of policy in the core areas proved a significant potential of a stability of the Putin's political power. The new-elected President of the Russian Federation Dmitry Medvedev excluded possibility of a change in the Russia regime from presidential to parliamentary system. He admitted that the strong presidential power is necessary for Russia. Besides, there cannot exist two centers of executive power in the Russian Federation.

The new president Medvedev in his political program emphasized that one of the substantial elements is: protection of freedom in all aspects ("freedom

is the soul of everything”), empowering private initiatives and innovations, inviolability of private ownership, independence of judicial system, reduction of taxes and a fight against corruption. Certain changes in economic policy of Kremlin may result from the evolution of interests of political elites. Within last years political elites took control over the state valuable assets and currently they aim to their partly privatization and openness a new optimum conditions of their functioning. In a foreign policy sphere one can expect the continuation of the „hard” policy of Vladimir Putin which results from Medvedev political declaration and favourable economic situation in an energetic branch (Gurieva and Tsyvinski 2008).

During last months one could observe a gradual strengthening of the President’s Office status. On April 2008 Putin was appointed the leader of the party "United Russia" and then prime minister. Currently, Vladimir Putin has gained a formal control over the biggest Russian party of almost 2 million members occupying more than 3/4 of the seats in the Duma. The Putin’s decision about his formal leadership in United Russia is to strengthen his political position in perspective of a future “dual leadership” (duumvirate) (on the one hand, the Prime minister Vladimir Putin and on the other, the President Dmitry Medvedev). It seems that the aim of Putin is to deprive the new president of control over the biggest party, parliament, media and partly the power structures. Parliament de facto will be under control of Putin and may be used to block legislative initiatives of President Medvedev. Moreover, the president needs to obtain an approval of the parliament in many personal decisions, such as the designation of prime minister. The further changes aim to strengthen a public position of prime minister through a development of his press service. Besides, a number of deputy chairmen of the government will be increased. In practice, prime minister Putin will surely be in charge of determining the Russian developmental strategy and promotion of his policy through the media. Moreover, the media have recently speculated that Putin will appoint the super organ – Federal Examining Service – directly subordinate to the prime minister (Rogoza, “Prezydent Miedwiediew a premier Putin” 2008).

It seems that in the nearest months the Prime Minister Vladimir Putin will hold a strong power. He has a substantial influence on political elites including informal relations with the power structures and a big control over the parliament and media. On the other hand, it seems that the “dual leadership” will not last for a long time. The constitutional changes of the president’s and the prime minister’s competencies have not initiated, so far. Thus, it means that if the new radical proposals are not introduced in a future, the current political elite under Putin’s leadership will not be interested in a permanent weakening of the president’s office. Then, the Putin’s strategy is come back to Kremlin after the entire or abridged presidential term of office of Medvedev (Rogoza, “Wladimir Putin na czele Jednej Rosji” 2008).

In spite of the "program compatibility" some tensions may occur in the power bloc. In a longer perspective, it is highly probable the attempts of a new president to become independent and possible conflict with Vladimir Putin (as a prime minister) about the influence division. The president's status enables to conduct a more independent policy and creation of independent economic influences. The electoral success strengthened the Medvedev position. In the nearest future a lobby of political elites ("political technologists"), supporting Medvedev, may become the key factor favourable to independence of a new president. Then, one can expect a due reaction on the part of Putin. Such conflict may turn out as a destabilization factor of the ruling system in Russia (Rogoża, "Wybory prezydenckie w Rosji" 2008).

4. Evaluation of the "Russian democracy"

The Freedom in the World 2007 survey contains reports on 193 countries. The political rights and civil liberties categories contain numerical ratings between 1 and 7 for each country or territory, with 1 representing the most free and 7 the least free. The status designation of Free, Partly Free, or Not Free, which is determined by the combination of the political rights and civil liberties ratings, indicates the general state of freedom in a country. According to the Freedom House organization, in 2007 the Russian Federation was not a free country (Freedom House 2008).

Table 1. Freedom in the World – Russia (2007)

	2002	2003	2004	2005	2006	2007
Political Rights score	5	5	5	6	6	6
Civil Liberties score	5	5	5	5	5	5
Status	Partly free	Partly free	Partly free	Not free	Not free	Not free

Source: Freedom House, Freedom in the World 2007,
<http://www.freedomhouse.org/template.cfm?page=22&country>.

There are few basic conditions of democratic regimes:

- free, fair and regular elections,
- legal legitimization of the power formed after fair and competitive elections,
- legal protection of political rights and civil freedoms.

Political system of Russia is criticized for not obeying the rules of a modern democratic state. As a result of the strengthening of the Kremlin's

control over political life under Putin, the control system of taking over and holding the power was developed. Moreover, Russia is not an electoral democracy. The government holds control over the electoral process in every aspect including organization, administration and financial issues. Russian citizens do not have the ability to elect their leaders in fair elections. Breaking up principles of free, fair elections and political plurality can be noticed in the following aspects:

- lack of rivalry elections principle – theoretically oppositional candidates are allowed to participate in elections but there are no real chance to take over the power (so-called “dummies”); elections become a plebiscite where the voters merely confirm decision made earlier on Kremlin (the winner of election is a foregone conclusion),
- paying for the electors’ votes,
- falsification of voter turnout (stuffing of ballot boxes or forcing people to vote) – according to the Communist Party at least 20% of votes was falsified,
- manipulation with issues of certificates entitled to vote outside the permanent residence,
- multiple voting by the same citizens,
- exclusion from the election of the oppositional candidates - rejection of registration (Illarionov 2008).

In April 2008 the State Duma adopted an amendment to the Constitutional Referendum Act which limited the right to hold a referendum in Russia. The amendment excluded a possibility to take a vote on issues exclusively reserved for the state organs, such as: state budget, taxes, human rights, international treaties or border protection. Moreover, it impeded the procedure of appeal on rejection to initiate a referendum. Oppositional deputies underline that the amendment de facto eliminates the right to hold a referendum because each issue could be included in the exclusive competencies of the state organs (ITAR-TASS 2008).

Corruption throughout the government and business world is pervasive, and Putin has identified his lack of progress on this issue as one of his greatest failures. In fact, Putin’s anticorruption efforts are selectively applied and have often targeted critics and potential political adversaries. The size of the bureaucracy has grown rapidly during the last few years, adding to the complexity of doing business and creating opportunities for graft and bribery. The central bank has made efforts to crack down on the endemic money laundering in the Russian banking system (Freedom House 2008).

According to the “2007 Transparency International Corruption Perceptions Index” on corruption in the public sector, Russia was ranked 143 out of 179 countries or territories. In 2006 - 121 out of 163 countries surveyed in

Transparency International's 2006 Corruption Perceptions Index (Transparency International 2007).

Although the constitution provides for freedom of speech, the government continues to put pressure on the media that are still critical to the Kremlin. Since 2003, the government has controlled directly, or through state-owned companies, all of the national television networks. Some independent outlets remain in the regional media and on the internet, but even these areas are under threat as the Kremlin extends further control. The military continues to impose severe restrictions on Russian and foreign journalists' access to the republic of Chechnya, issuing accreditation primarily to those of proven loyalty to the government. The explicit example was the October 2006 murder of well-known investigative reporter Anna Politkovskaya. She had frequently criticized the Kremlin's brutal crack down in Chechnya and the excesses of Russian troops in the region. Besides, thirteen journalists have been killed since Putin came to power, and there have been no convictions in any of the cases (Orttung 2006).

In February 2008 Amnesty International proclaimed the report on restrictions in freedom of speech in Russia. The document finds that Russian authorities still enshrine possibilities of critical ideas, independent media and organizations. The report evaluates the exercise of the rights to freedom of expression, association and assembly in the Russian Federation. The findings of the report are unambiguous: the above mentioned freedoms are not guaranteed in Russia at all, which has serious implications for the whole civil society in the Russian Federation. The authorities violently dispersed demonstrations on purported grounds of security considerations or protection of the public interest. Moreover, Amnesty International is deeply concerned about: frequent arrests of political opponents, intensified the state control over the media, law limitation of activity of independent civil society organizations, harassment and intimidation of human rights defenders (as "unpatriotic" citizens) and no progress in investigations on determining the murderers of journalists ("Russian Federation: Freedom limited – the right to freedom of expression in Russia" 2008).

The government provides some space for freedom of assembly and association. However, at the beginning of 2006, Putin signed a new law on NGOs that gave government bureaucrats extensive discretion in deciding which organizations could register. The law imposes burdensome reporting requirements on the organizations that will hamper their ability to operate effectively. Putin said that a key purpose of the law was to block foreign funding of political activities, but the law does not define what these activities are. Critics feared that the legislation would make it easier for the authorities to shut down NGOs critical of official policy ("Choking on Bureaucracy" 2008).

5. Conclusions

One should remember that democracy is not only a precious kind of political contract, but also an open signal of lacks and shortcomings. It is a mechanism that enables: permanent problem solving, repairing of the social diseases and achieving further progress in many aspects of community life (especially prosperity and dignity).

Unconsolidated democracies of the Central-Eastern Europe exist within unfavourable economic and social environment. The remains of the former regime are reflected both in traditional mentality as well as informal or formal oligarchic political connections. No one can dismiss a chance of the development of democracy in a non-democratic country. The question is the time framework of such transformation. Another important problem is the quality of the newborn democratic governments.

The Constitution of the Russian Federation meets many critical opinions and even definite opponents. Some of them deny that it is democratic constitution for the project did not obtain an acceptance of Constitutional Committee. Moreover, it was adopted after forcibly crush of manifestation of its in 1993. The others maintain that it grants too broad power for president and does not provide the parliamentary check over the president and the government. The reason for many problems related to the constitution principles is ineffectiveness in governmental activity. The power authorities are legitimized however a number of the loyal supporters is not impressive. Without the large social support and the active society participation in dissolvent of political problems, effectiveness of constitutional objectives and rules cannot be protected.

The most difficult is overcoming the "Russian awareness". It could seem that the most favourable liberal and democratic values would appear in a social awareness when the people obtain a freedom of speech. However, it turned out that it needs time and many efforts to overcome the previous opinions. According to the Russian human rights defender Sergei Kovalev, the main reasons of Dmitry Medvedev triumph are: historical conditions, traditional and mentality. The Russians either respect the government humbly and peacefully or jump into revolutionary and brutal protest. Still, they follow their "tsar" guidelines. They followed Boris Yeltsin when he started the Chechen war and then authoritarian regime of Putin. In a fair ballot and after a free election campaign a worse candidate than Dmitry Medvedev would probably win. However, according to Kovalev, fair elections are ten times better than a good president. The president exercise his power for a couple of years (limited term of office) and fair elections would be a fundamental base of democracy development, what is necessary for Russia for ever (OSW Wiadomości 2008).

The symbolic emphasis on the "dual leadership with the clear superiority of Putin" is reflected in the current political situation, well. There are speculations about who will really be in charge? On the one hand, Medvedev takes over the highest state office traditionally associated with a strong and consolidated presidential power. He will be in charge for the broad constitutional rights, such as: appoint and dismissal of the prime minister, direct control over the presidential resorts in government (ministry of internal affairs, foreign policy, defense and justice) and the secret service. On the other hand, the broad formal competencies are balanced by a weak his position in political elites. Although, he is a reliable coworker and supporter of Putin for eighteen years, he does not have his own political-economic assistance, so far. Taking power over his office and the whole administration, he will be forced to accept the officers previously appointed by Putin (Rogoża, "Prezydent Miedwiediew a premier Putin" 2008).

To analyze the previous political situation in Russia, one should admit there are no space for two "tsars" in Russia. Although Putin assumes an office less powerful than the presidential power, thanks to his actual influence, he remains the most important person in Russia policy and in a society perception, political leader (Putin's regime). As a head of the United Russia party, Putin consolidated his control over the parliament. Still, he also exercises an informal control over the force powers, media and developed network of a high society and business relations in most of political and economic core areas (Rogoża, "Prezydent Miedwiediew a premier Putin" 2008).

Russia started on the path to democracy with great hope in 1991 when the Soviet Union collapsed. While the Russian Constitution enshrines the basic principles of democracy, the current policies of the Kremlin are undermining them in practice. The myth of Putinism is that Russians are safer, more secure, and generally living better than in the 90s and that Putin himself deserves the credit. In the 2007 parliamentary elections, the first goal of "Putin's Plan" was to "provide order." However, President Vladimir Putin's administration is effectively excluding citizen input from important governmental decisions, setting up such institutions like the Public Chamber that imitate real mechanisms for social oversight. It is concentrating all power in the executive branch and minimizing the legislative and judicial branches' ability to operate independently, largely taking control of the legislature's agenda and defining policies for the country's judges ("Choking on Bureaucracy" 2008).

Russia is a negative example of the country that implements democratic mechanisms. Criticism of the Russian political system mostly concerns not obeying the rules of a modern democratic state of law. As the result of tightening of the Kremlin control over political life under Putin, the control system of holding and taking over the power was created (identification of a security with enlargement of a political influence and control over a territory undermines

democracy and shows the authoritarian tendencies). The Russian political system can be called “democradura” – illiberal democracy or “facade democracy” (regime that claims to be democratic and may look like democracy, but its rules prefer autocracy). Autocracy's effects in Russia have in fact been negative. The civil rights and freedoms are not respected in Russia for the following reasons: limitations on the rules of a freedom of speech, including freedom of media, free elections; control by the central authorities over the economy, media, juridical power; and also, violation of the human rights in Chechnya. The elections in Russia lost a character of a free political competition and look rather like plebiscite where the society only accepts the earlier decisions made in Kremlin. The opposition candidates seem to play a role of a secondary importance just to make an impression of a certain pluralism. Although, the elections are held regularly, they do not provide an opportunity to transfer power, only to legitimize it (illegitimate elections) (McFaul and Stoner-Weiss 2008).

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