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Party-System Reform in Democracy's Grey Zone: A Response to Moraski

IN AN ARTICLE RECENTLY PUBLISHED IN THIS JOURNAL, BRYON MORASKI set out to analyse some of the party-system reforms that came into effect in Vladimir Putin's second term as President of Russia.[2] His principal concern is to understand why these reforms were chosen by identifying how they serve Putin's interests. Moraski's main contention is that these reforms were introduced as a response to the 2003 Duma election to preserve the unity and discipline of United Russia, the 'party of power' closely associated with Putin, from centrifugal forces that could threaten its survival. Moraski's wider argument is that, while this legislation was implemented to advance the regime's own interests, it could have democratizing effects in the long run. As such, for Moraski, this is an example of how authoritarian incumbents in the 'grey zone' between democracy and outright authoritarianism 'may actually take steps that shore up democracy over the long haul'.[3]

This article will argue that Moraski's explanation of these second-term reforms is flawed. It will contend, further, on the basis of an analysis of the party-system legislation passed in Putin's first *and* second terms, that these second-term reforms were part of a wider reform programme aimed at centralizing Russia's political system and consolidating its party system.[4] The article will also challenge

[1] The author is grateful to Archie Brown and two anonymous reviewers for their comments on this article.

[2] Bryon Moraski, 'Electoral System Reform in Democracy's Grey Zone: Lessons from Putin's Russia', *Government and Opposition*, 42: 4 (2007), pp. 536–63. The term 'party-system reform' is preferred here to Moraski's 'electoral system reform' because many of the reforms do not directly affect the electoral system.

[3] Ibid., p. 536.

[4] Moraski considers centralization and party-system consolidation as explanations, but only briefly, and rejects them (apparently because he does not see how these goals 'actually benefit Putin') in favour of the arguments that will be discussed below. Ibid. p. 550.

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Moraski's wider argument and show that while these reforms certainly *could* contribute to democracy in the long run they will not do it in the ways Moraski proposes.

The article begins by providing a critique of Moraski's central arguments. It then shows that centralization and party-system consolidation were key aims of the reforms introduced during Putin's first term. Next the article contends that the second-term reforms constitute a continuation of this agenda as they also advance the goals of centralization and party-system consolidation. It will then be argued that these aims, while ends in themselves, are also part of Vladimir Putin's attempt to create a façade democracy. Finally the article turns to Moraski's argument that these reforms, while introduced to advance the regime's interests, could further democratization in the longer term. Here it will be shown that, while this is indeed the case, *neither* the interests *nor* the potential democratic benefits are as Moraski claims.

PROTECTING UNITED RUSSIA?

Moraski's article focuses on three of the party-system reforms that came into force in Putin's second term: the change from a mixed-member electoral system to one of proportional representation (PR), which eliminated the 225 single-member constituencies (SMC);[5] the raising of the PR electoral threshold from 5 to 7 per cent; and the introduction of an 'imperative mandate', according to which deputies lose their seats in the Duma if they voluntarily leave their parliamentary faction.

Moraski believes that these reforms 'can be viewed as protecting United Russia from the centrifugal forces that could impede the preservation of such a party in subsequent elections'.[6] This argument is largely based on an analysis of the SMC half of the 2003 election, which suggests that many of the United Russia deputies

[5] Previously 225 of the Duma's 450 deputies were elected by PR from national party lists with a 5-per cent threshold; the other 225 were elected from first-past-the-post single-mandate constituencies.

[6] Moraski, 'Electoral System Reform in Democracy's Grey Zone', p. 550. Moraski's argument is not always consistent: confusingly on p. 541 he states that, 'The seat maximization motive probably best explains the decision to raise the legal threshold from 5 per cent to 7 per cent.'

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elected from the constituencies were what Moraski calls 'regional politicians'.[7] This, he continues, 'poses problems for United Russia's party unity' because 'these deputies are more likely to possess stronger regional ties, which could lead them to prize regional interests over federal ones, particularly during times of crisis or uncertainty.'[8]

There is little evidence, we should note, to support this line of reasoning. United Russia has never faced any significant discipline problems; on the contrary it has been highly loyal in its support of the executive. Moreover, there has never been any evidence of a troublesome 'mandate divide', whereby United Russia deputies elected from single-mandate constituencies have been notably less loyal than those elected from the PR list.[9] Moraski acknowledges this but argues that the reforms reflect, '*prospective* judgements on the part of the Kremlin about its ability to sustain a pro-presidential parliamentary majority over the long term'.[10] Moraski's specific concern is 2008, when Putin was constitutionally obliged to stand down as president. Given the party's reliance on Putin as a unifying force, his departure from office could result in splits within United Russia.[11] Moraski believes that this could even result in United Russia's collapse: as he puts it, 'without some additional incentives to maintain the party, United Russia's fate could resemble the fates of previous parties of power.'[12]

Moraski believes that the shift to a solely PR system provides this incentive on the grounds that deputies elected from closed party lists are 'more beholden' to party leaders, who determine their place on the list, and are therefore less likely than SMC deputies to violate party discipline.[13] Or, in other words, 'Under this electoral system, party members, regardless of how they were elected in 2003, have an incentive to toe the party line if they wish to increase their electoral

[7] Regional politicians are defined here as 'regional officials' (those who previously held a regional governmental position) and 'regional residents' (those who reside in the same region as the SMC). Ibid., pp. 556–7.

[8] Ibid., pp. 556–7.

[9] On both points see Thomas F. Remington, 'Presidential Support in the Russian State Duma', *Legislative Studies Quarterly*, 31: 1 (2006), pp. 5–32.

[10] Moraski, 'Electoral System Reform in Democracy's Grey Zone', p. 554.

[11] Ibid.

[12] Ibid.

[13] Ibid., p. 553.

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prospects – that is, improve their position on the party list – in 2007.'[14]

This argument, however, is factually inaccurate: United Russia's deputies simply are not any more beholden to party leaders under a closed-list PR system than they were under the mixed system.[15] Since the introduction of the 2001 law 'On Political Parties', decisions concerning nominations of candidates and lists of candidates for Duma elections have been the responsibility of party congress.[16] This means, given the highly centralized nature of United Russia, that the party leaders (or more accurately, the presidential administration) already had the power under the mixed electoral system to remove disloyal deputies from the party ticket altogether. The power to move disloyal deputies down a list is a vastly inferior sanction that obviously does not give the party hierarchy *greater* power over its deputies. By the same token, the possibility of being moved down a list does not provide a stronger incentive to deputies to 'toe the party line' than the far more significant threat of being denied nomination altogether. Nor would control over list placement help in the event that United Russia suffered serious splits and was in danger of breaking up (as previous parties of power have done), for deputies who are leaving the party have no reason to care about their position on its list. It is, then, unconvincing – to say the least – to argue that the PR system was introduced to render United Russia's constituency deputies 'more beholden' to the party's leaders, when the PR system does not, in fact, facilitate this.

Control over list placement is, though, an *additional* means (albeit lesser) for the party leadership to control its deputies. One would,

[14] Ibid., p. 555.

[15] This is not the only time when Moraski's article rests on a questionable factual basis. Moraski tells us, for instance, that the law 'On Political Parties' requires parties to have a minimum membership of 10,000 with at least 100 members in branches in more than half of Russia's regions. An amendment to this law, which passed in 2004, has, as we shall see later, required parties to have 50,000 members with not fewer than 500 members in more than half of the regions since 1 January 2006. Moraski also states that United Russia won three seats in by-elections held on 14 March 2004 (p. 555): in fact United Russia won only one of the three by-elections held on that date. (Data taken from *Vestnik Tsentral'noi Isbiratel'noi Kommissii Rossiiskoi Federatsii*, 7: 169 (2004), pp. 395–9 and the Duma website http://www.duma.gov.ru/, accessed 6 February 2008.)

[16] Article 25, 'O politicheskikh partiiakh', Federal Law No. 95 from 11 July 2001, at http://document.kremlin.ru/doc.asp?ID=008011.

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however, need to adhere to a highly charitable (indeed naive) view of United Russia to believe that its leadership would prefer to move disloyal deputies down a list instead of removing them from the party ticket completely. Some evidence of how United Russia reacts to dissent emerged in 2004 when Anatolii Ermolin, a United Russia list deputy, sent an open letter to the Constitutional Court requesting that United Russia deputies be protected from pressure from the presidential administration. Ermolin described a meeting he and 15 other members of United Russia had attended with a 'highly placed' member of the presidential administration, who was unnamed but believed to be Viacheslav Surkov (deputy head of the administration).[17] This official, according to Ermolin, demanded unquestioning subordination to instructions from the presidential administration, reminding them that members of the administration had personally vouched for each of them.[18] The official told them that they were neither deputies nor the people's elected representatives but were 'tied' and did not have the right to vote according to their own judgement.[19] The official also pointed out to some of the deputies what the consequences (of disloyalty) could be for their industrialist friends, citing the Yukos affair as an example.[20] Comments made by one of the deputies that several administration-backed bills contained clear mistakes, violated the Constitution and could damage the faction's reputation were met with 'unprintable swearing, advice to "keep your opinion to yourself" and the order "vote as you are told" '.[21] Ermolin, as a result of his complaint, was expelled from the United Russia faction and did not appear on the party's list in 2007.[22]

This episode is instructive in several ways. First of all, it shows that the Kremlin was perfectly able to enforce discipline in United Russia under the mixed electoral system, as this took place *before* the PR system was introduced. More generally, it vividly demonstrates the

[17] Viktor Khamraev, 'Polovina edinorossov protiv administrativnogo nezakonnogo davleniia', *Kommersant*', 4 November 2004.

[18] 'Chlen fraktsii ER trebuet izbavit' deputatov ot davleniia chinovnikov', *Partinform*, 45: 615, 10 November 2004, p. 13.

[19] Ibid.

[20] Ibid.

[21] Khamraev, 'Polovina edinorossov protiv administrativnogo nezakonnogo davleniia'.

[22] 'A. Ermolin iskliuchen iz fraktsii "Edinaia Rossiia" ', *Partinform*, 46: 616, 17 November 2004, p. 8.

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degree of control that the presidential administration has asserted over United Russia's deputies, the loyalty that is demanded and the ruthlessness with which disobedience is treated. United Russia, in short, is not the sort of party that responds to disloyalty with the slap on the wrist of a lower position on a list.[23]

A secondary argument advanced by Moraski is that eliminating the single-mandate constituencies inhibits 'other parties from capitalizing on regional politicians in the same fashion as it [United Russia] had in 2003'.[24] He points here to the experience of the People's Party, which won 17 single-mandate constituencies in 2003. According to Moraski, the People's Party's ability 'to organize in Russia's regions and use the SMD [single-member districts] contests to win a higher percentage of parliamentary seats than its share of the national vote demonstrates the electoral opportunity that the SMD contests could have provided the Kremlin's rivals in 2007'.[25] This argument is also unsound. The People's Party was, as Moraski recognizes, a pro-Kremlin party. Its performance, therefore, in winning 17 seats, given the realities of Russian politics, tells us absolutely nothing about opportunities for the Kremlin's *rivals* to win SMC seats. The Kremlin's grip on electoral politics is such that it is inconceivable that the People's Party would have won 17 seats if it had been an opposition party: even the Communist Party – by far the largest and most successful opposition party in Russia – won only 12 single-mandate constituencies in 2003. The idea, then, that the introduction of the PR system was prompted, in part, by the People's Party winning 17 single-mandate constituencies is implausible because this simply was not indicative of a potential threat to United Russia.

We can see then that neither case put forward by Moraski – that these party-system reforms were introduced to constrain United Russia's *potentially* disloyal SMC deputies and to obviate *possible* regionally based opposition from the SMCs – bears serious scrutiny.

[23] The way the Kremlin has used the media and the criminal justice system to punish others who have been deemed disloyal, such as Mikhail Khodorkovskii, Mikhail Kasianov (a former prime minister), and Sergei Glaz'ev provides additional evidence of the regime's ruthlessness.

[24] Moraski, 'Electoral System Reform in Democracy's Grey Zone', p. 561. In this case 'regional politicians', confusingly, appear to be all those elected from SMCs, i.e. not, as earlier, those who were 'regional officials' and 'regional residents'.

[25] Ibid.

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Moraski also does not explain how these explanations account for the higher PR threshold or the imperative mandate.

Moraski's analysis, moreover, rests on the supposition that these reforms were introduced in response to the 2003 Duma election. This is sheer speculation, for Moraski provides no evidence whatsoever that the Kremlin instigated this legislation in response to a perceived threat from potentially disloyal 'regional politicians' elected via SMCs in 2003 (nor have I seen any anywhere else). This argument implicitly assumes, moreover, that the party-system reforms passed *after* 2003 were introduced for completely different reasons to those reforms passed *before* 2003.[26] This is intuitively unlikely and, as we shall see, an assumption that fatally impairs Moraski's analysis, for these legislative changes were effectively part of the same reform programme; as such, an understanding of the first-term legislation is crucial in explaining the second-term reforms. It is to the first-term reforms that we now turn. We proceed, however, by setting out the shortcomings of Russia's party system in the 1990s that, to a large extent, prompted these reforms.

THE FIRST-TERM PARTY-SYSTEM REFORMS

In the 1990s Russia's party system was far from consolidated. The reach of the parties, for one thing, was limited: no party representative occupied the post of president (by far the most powerful position in the political system); parties scarcely penetrated the upper house of Russia's bicameral legislature, the Federation Council; national political parties also played a very limited role in regional politics at both the executive and legislative levels.[27] Parties did play a central role in the Duma in the 1990s, although even here the party system was nowhere near consolidated. Independent candidates were unusually successful, winning more single-mandate constituencies than any individual party at each of Russia's first three Duma elections. Even on the PR section of the Duma vote – the one area where parties were predominant – Russia's party system was fragmented and

[26] A particular problem for Moraski here is that one of the reforms he considers – the higher PR threshold – was passed in 2002 and obviously had nothing whatsoever to do with the 2003 election results.

[27] Michael McFaul, 'Explaining Party Formation and Nonformation in Russia', *Comparative Political Studies*, 34: 10 (2001), pp. 1162–70.

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volatile. The number of parties contesting the PR vote was consistently high and there was also a high turnover of parties (both major and minor parties routinely appeared and disappeared between elections).[28] Many of Russia's parties, moreover, could scarcely be classed as political parties as they often had little presence outside major cities; some, indeed, existed only on paper.

President Putin expressed his dissatisfaction with the shortcomings of this party system and called for legislation to improve it in his first 'state of the nation' address to the Federal Assembly in July 2000:

> In a democratic society, a constant link between the people and government is provided by political parties. [. . .] Against the background of centuries-old traditions of parliamentarianism and multi-party systems in other countries, the shortcomings of our party system are particularly noticeable. A weak government benefits from having weak parties. [. . .] But a strong government is interested in strong rivals. Only in conditions of political competition is serious dialogue possible on the development of our state. Russia needs parties which have mass support and stable authority. And we do not need parties of officials that are attached to the government, let alone which replace it. [. . .] Today, the time has come to prepare a law on parties and party activity, and in fact I believe this topic is already under discussion in the Duma. It seems to me that we need to work on this more actively.[29]

Putin returned to this theme at a press conference in July 2001 (shortly after he had signed the law 'On Political Parties') when he again voiced his distaste for the state of Russia's party system and made clear his desire to streamline it. He said:

> If there are – de facto – two-, three-, and four-party systems in developed, civilized countries, why does there have to be 350 or 5,000 [parties] in Russia? This is a kind of Bacchanalia, not democracy. This leads to a situation in which the population cannot orient itself politically. It leads to a situation in which people choose not between ideologies and programmes but between individuals and personalities. And it will always be like this in Russia, if we don't construct a normal political base.[30]

These statements evince a clear desire to foster a more consolidated party system, similar to those found in established democracies,

[28] Richard Rose, 'How Floating Parties Frustrate Democratic Accountability: A Supply-Side View of Russia's Elections', *East European Constitutional Review*, 9: 1–2 (2000), pp. 53–9; Richard Rose, Neil Munro and Stephen White, 'Voting in a Floating Party System: The 1999 Duma Election', *Europe-Asia Studies*, 53: 3 (2001), pp. 419–43.

[29] Vladimir Putin, 'Poslanie Federal'nomu Sobraniiu Rossiiskoi Federatsii', 8 July 2000, at http://www.kremlin.ru/text/appears/2000/07/28782.shtml.

[30] Vladimir Putin, 'Stenograficheskii otchet o press-konferentsii dlia rossiiskikh i inostrannykh zhurnalistov', 18 July 2001, at http://www.kremlin.ru/text/appears/2001/07/28591.shtml.

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consisting of fewer, stronger parties that should have mass support and not just be 'parties of power'. It is, however, dangerous to take politicians' rhetoric at face value, and this is certainly true of Vladimir Putin. Putin's administration, for instance, subsequently demonstrated no commitment to the development of parties that are not 'parties of power'; indeed his administration put great effort into securing pre-eminence for United Russia, thereby bringing about precisely the opposite of what he called for.[31] The legislation that passed, though, was consistent in a number of key respects with the stated preference for a more streamlined, consolidated party system.

The first-term reforms, for instance, restricted the types of organization that could compete in elections. The 2001 law 'On Political Parties' established political parties as the only form of organization with the right to compete independently in elections at the federal and regional levels.[32] Other bodies, known as civic associations, could participate in elections (through 2003) but only – according to an amendment to the law 'On the Election of Duma Deputies' – in electoral blocs that consisted of a maximum of three entities, one of which had to be a political party.[33] An amendment passed in 2003 ruled that after the 2003 Duma election civic associations would not be allowed to participate in blocs (and, therefore, elections) at all.[34]

The law on parties, moreover, set out a number of criteria that must be met in order for an organization to register with the authorities and attain the legal status of a political party. Most notably in Putin's first term (it changed later, as we shall see) parties were required to have a minimum of 10,000 members, with no fewer than 100 members in regional branches in more than half of the subjects of the Russian Federation.[35]

[31] For a fuller discussion of this see Kenneth Wilson, 'Party-System Development Under Putin', *Post-Soviet Affairs*, 22: 4 (2006), pp. 314–48.

[32] Article 36.1, 'O politicheskikh partiiakh'.

[33] Article 34, 'O vyborakh deputatov Gosudarstvennoi Dumy Federal'nogo Sobraniia Rossiiskoi Federatsii', Federal Law No. 175 from 20 December 2002, at http://document.kremlin.ru/doc.asp?ID=015363.

[34] Article 2, 'O vnesenii izmeneniia v stat'iu 36 Federal'nogo zakona "O politicheskikh partiiakh" i vnesenii izmenenii i dopolnenii v Federal'nyi zakon "O vyborakh deputatov Gosudartvennoi Dumy Federalnogo Sobraniia Rossiiskoi Federatsii" ', Federal Law No. 85 from 23 June 2003, at http://document.kremlin.ru/doc.asp?ID=018068.

[35] Article 3.2, 'O politicheskikh partiiakh'.

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These reforms were reinforced by the introduction of the mixed PR/majoritarian electoral system at the regional level. This institutional change assigned at least half of the seats in regional legislatures, which had previously been dominated by independents, to national political parties (or blocs containing parties), thereby establishing a party system in the regions where essentially there had not been one.[36] Further, an amendment to the law 'On the Election of Duma Deputies', passed in 2002, established the higher 7 per cent PR threshold for Duma elections after 2003.[37] There was also a financial element to this legislation. The law on parties introduced state funding (in proportion to the number of votes received) for any party winning at least 3 per cent of the vote or 12 single-mandate constituencies.[38] An addition in 2002 to the law 'On Basic Guarantees of Electoral Rights', which came into force following the 2003 election, exempts parties that have won list seats in the Duma from the need to collect signatures or pay deposits when registering their candidates for election.[39]

Cumulatively these reforms restricted the type of organization that could compete in elections and made life more difficult for minor parties while offering perquisites to those major parties that succeeded on the PR list. These innovations are clearly in keeping with the Putin administration's stated aim of encouraging the development of a more consolidated party system.

[36] In the period 1993–8 over 80 per cent of winning candidates in regional legislative elections were independents with no affiliation to either national or regional parties. Kathryn Stoner-Weiss, 'The Limited Reach of Russia's Party System: Underinstitutionalization in Dual Transitions', *Politics and Society*, 29: 3 (2001), p. 396.

[37] Article 99, 'O vyborakh deputatov Gosudarstvennoi Dumy Federal'nogo Sobraniia Rossiiskoi Federatsii'.

[38] The latter only applied in 2003, as the SMCs were abolished in 2005. Article 33, 'O politicheskikh partiiakh'. Parties are also required to submit annual financial accounts to the authorities; the accounts are also made public. For more on the financial elements of the law see, Kenneth Wilson, 'Party Finance in Russia: Has the 2001 Law "On Political Parties" Made a Difference?', *Europe-Asia Studies*, 59: 7 (2007), pp. 1089–13.

[39] Article 38.16, 'Ob osnovnykh garantiiakh izbiratel'nykh prav i prava na uchastie v referendume grazhdan Rossiiskoi Federatsii', Federal Law No. 67 from 12 June 2002, at http://document.kremlin.ru/doc.asp?ID=012553.

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These first-term reforms also furthered Putin's centralizing project, which was a major theme of his presidency from the outset.[40] Indeed two of the main aims of the law 'On Political Parties', expressed explicitly by Aleksandr Veshniakov, then head of the Central Electoral Commission (CEC), were to exclude parties of an authoritarian-nationalistic type and prevent the development of separatist tendencies through parties.[41] Article 9 of the law on parties clearly goes some way towards meeting these objectives as it prohibits the formation of parties on a racial, national or religious basis. The law's membership requirements, which compel parties to have a minimum membership in more than half of Russia's regions, also constitute a de facto ban on regional and inter-regional political parties. The introduction of the mixed electoral system in the regions is an additional check on centrifugal forces. Political parties, as we have already seen, were very weak in the regional legislatures, which were dominated by regional elites. The allocation of at least half of the seats in regional legislatures to national political parties clearly impairs the capacity of local elites to dominate regional assemblies.

THE SECOND-TERM REFORMS

Against this background of legislation aimed at systematizing the party system and centralizing the political system, the party-system reforms introduced in Putin's second term are nothing like as 'puzzling' as Moraksi repeatedly suggests. In fact, as we shall now see, the second-term reforms in many ways are a direct extension of those passed in the first term.

Vladimir Putin initiated a second wave of major reforms in his speech to the government (which was also attended by the regional governors) in September 2004, following the tragic events in Beslan.[42] Putin announced a package of reforms aimed, he claimed, at

[40] As noted early in the Putin presidency by Archie Brown, 'Vladimir Putin and the Reaffirmation of Central State Power', *Post-Soviet Affairs*, 17: 1 (2001), pp. 45–55.

[41] Gosudarstvennaia Duma Stenogramma zasedanii, Biulleten', 74: 522, 7 February 2001, p. 24; 'Zakon o partiiakh priniat v pervom chtenii', *Partinform*, 7: 421, 14 February 2001, p. 2.

[42] Vladimir Putin, 'Vystuplenie na rasshirennom zasedanii Pravitel'stva s uchastiem glav sub"ektov Rossiiskoi Federatsii', 13 September 2004, at http://www.kremlin.ru/text/appears/2004/09/76651.shtml.

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strengthening the state and national security. Two of these reforms affect the party system in Russia and both effect greater centralization of the party system.

The first of these was Putin's insistence that regional governors should no longer be directly elected but be appointed by the president (subject to approval by the regional legislature). The bill that was subsequently passed by the Duma effectively awarded Putin the right to appoint Russia's governors.[43] It is hard to see how this makes the slightest difference to security, which was Putin's ostensible main concern throughout his speech. This does, however, considerably advance Putin's centralizing agenda because it renders Russia's governors dependent upon the president's patronage for their positions.

This has important implications for political parties, especially United Russia. Governors wield considerable power in their regions and as such are a significant electoral asset for any party. The executive's power of appointment is a very strong incentive for governors to align themselves with United Russia and, conversely, makes it extremely difficult for governors to oppose United Russia without being removed from office. The importance of the governors to United Russia is reflected in the party's tactic of placing governors (and other regional notables such as mayors) in prominent positions on the party's regional lists.[44] Such candidates, the vast majority of whom do not take up the seats in the Duma to which they are entitled, are known as 'locomotives' (*parovozy*) because it is their job to drive United Russia to election victory. The power to appoint governors thus gives the executive real leverage over the most powerful regional actors in Russia and in so doing helps preserve the unity and electoral dominance of United Russia.[45]

[43] If the president's candidate is rejected the president has the right to appoint an acting governor and disband the legislature pending fresh parliamentary elections.

[44] In 2007, for example, 65 governors – around three-quarters of the total – featured on United Russia's list. (Radio Free Europe/Radio Liberty, 'As Analyst Continues Evaluating Party's List of Candidates', *RFE/RL Newsline*, 1 November 2007, at http://www.rferl.org/newsline/2007/11/011107.asp.)

[45] Moraski's argument that the electoral system reforms were introduced to protect United Russia from potential centrifugal forces *is* relevant here; he does not, though, mention it with regard to this reform.

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Putin also proposed the change to a solely PR electoral system in this speech, saying:

> National parties should become one of the mechanisms providing for a real dialogue and cooperation between society and the state in the struggle with terror. I consider it necessary, in the interests of strengthening the political system, to introduce a proportional system of elections to the State Duma. I will shortly introduce such a bill for parliament's consideration.[46]

The introduction of a PR system, of course, does nothing to improve national security. Nor did this reform appear to be a crude attempt to consolidate United Russia's position in the Duma. Aleksandr Veshniakov calculated that if the 2003 elections had been held on the basis of party lists United Russia would have received 239 seats.[47] Under the mixed system United Russia won 223 seats. The United Russia faction, however, was very successful at co-opting those elected via SMCs (independents and representatives of small parties), and its membership in the Duma from 2004 to 2007 generally numbered over 300. The introduction of a solely PR system does not, therefore, directly advance United Russia's electoral interests because it requires the party of power to win a much higher proportion of the vote to maintain this number of seats in the Duma.[48]

The introduction of PR does, however, fully accord with President Putin's centralizing project, as it further reduces the ability of regional interests to influence federal politics by denying them direct entry into the legislature. Putin, in effect, admitted this at a Kremlin press conference in December 2004 when he said that:

> . . . the changed procedure of forming the Duma according to party lists is connected with the desire, the aspiration of balancing the political system in the country and ensuring that genuine independence develops between the executive and legislative branches of power. Why? Because it is no secret that in Russia today people standing for election in single seat districts generally have no hope of getting into parliament without the help of either some

[46] Putin, 'Vystuplenie na rasshirennom zasedanii Pravitel'stva s uchastiem glav sub"ektov Rossiiskoi Federatsii'.

[47] See 'Veshniakov On New Parliamentary Election Procedure', *RIA Novosti*, in *Johnson's Russia List*, 9026, 21 January 2005.

[48] In 2007 United Russia did increase its number of seats to 315 but had to win a huge 64.3 per cent of the vote to do so. Viktor Khamraev, 'Vybory zanesli v protokol', *Kommersant*, 10 December 2007.

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economic clan or other or the regional governor, and everyone knows this to be true.[49]

The second-term reforms also serve to consolidate the party system in a number of ways. This legislation, as in the first term, restricts the entities that can compete in Duma elections. The introduction of the PR system, for instance, eliminates independent (i.e. non-party) candidates. A change made to the law 'On the Election of Duma Deputies' removed the opportunity for parties to compete in elections in blocs, even with other parties. Together these innovations meant that (commencing in 2007) only individual political parties could contest elections. These new rules, moreover, effectively exclude minor parties, those that have no chance of crossing the 7 per cent threshold individually, from the Duma.

An amendment to the law 'On Political Parties' passed in 2004 raised the membership demands made of parties fivefold. Consequently, since January 2006 parties have required a total of 50,000 members with at least 500 members in more than half of Russia's regions and no fewer than 250 in other branches.[50] This clearly makes it much harder for smaller organizations to attain (or maintain) the status of 'political party'; indeed only 19 of the 35 parties registered with the Federal Registration Service met this stipulation when it came into effect, the other 16 were deregistered.[51]

Further revisions to the law 'On the Election of Duma Deputies' also make it more difficult to register for parliamentary elections. Parties without list seats in the Duma must either collect 200,000 signatures across the country or pay a registration deposit: these changes significantly increase the registration deposit and dramatically reduce the permissible percentage of invalid signatures.[52] As parties with factions in the Duma are exempt from these requirements, these higher registration requirements increase the

[49] Vladimir Putin, 'Press-konferentsiia dlia rossiiskikh i inostrannykh zhurnalistov', Moscow, 23 December 2004, at http://www.kremlin.ru/appears/2004/12/23/1414_type63380type82634_81691.shtml.

[50] Articles 1–2, 'O vnesenii izmenenii v Federal'nyi zakon "O politicheskikh partiiakh" ', Federal Law No. 168 from 20 December 2004, at http://document.kremlin.ru/doc.asp?ID=025663.

[51] A list of the parties registered with the Federal Registration Service of the Ministry of Justice can be found online at: http://rosregistr.ru/index.php?menu=3010050000.

[52] For details see K. Wilson, 'Party-System Development Under Putin', pp. 340–1.

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established parties' comparative advantage over their competitors. Another second-term amendment that instigated a tenfold increase in state funding similarly benefits larger parties.[53]

The 'imperative mandate' rule (which was passed by the Duma in 2005 and came into force after the 2007 election) establishes that any deputies who voluntarily leave their factions now lose their seats in the Duma.[54] This, by definition, stamps out floor-crossing, thereby further consolidating the party system within the Duma.

EXPLAINING THE REFORMS

The preceding analysis shows that an unambiguous concern with centralization and party-system consolidation runs right through the Putin-era party-system reforms. The second-term legislation, therefore, was not a response to the 2003 election results (as Moraski claims) but rather a continuation of pre-existing policies. Nor is it surprising that Putin's administration should wish to pursue these aims. Centralization, for instance, has been a central theme of Putin's presidency and this legislation, as we have seen, contributes to it in several ways. Putin also demonstrated, in word and deed, a clear desire to foster a consolidated party system similar to those found in established democracies. A more systematized party system was probably an end in itself, given Putin's proclivity for order. The construction of a party system more like those in, as Putin put it, 'developed, civilized countries' is also an important part of Putin's endeavour to sell Russia, at home and abroad, as a democracy. Putin has repeatedly declared a personal commitment to the maintenance of democracy in Russia (in the face of a wealth of empirical evidence to the contrary).[55]

[53] This increased the state subsidies paid to parties winning at least 3 per cent of the vote from 50 kopecks to 5 roubles per vote. For further details see Wilson, 'Party Finance in Russia', p. 1103.

[54] Article 2.1, 'O vnesenii izmenenii v zakonodatel'nye akty Rossiiskoi Federatsii o vyborakh i referendumakh i inye zakonodatel'nye akty Rossiiskoi Federatsii', Federal Law No. 93 from 21 July 2005, online at http://document.kremlin.ru/doc.asp?ID=028925.

[55] For examples of such declarations see Wilson, 'Party-System Development Under Putin', pp. 342–3.

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It is common in international practice for semi-authoritarian regimes to maintain a formal commitment to democracy for reasons of legitimacy. As Larry Diamond points out:

> . . . [in] the contemporary era [. . .] democracy is the only broadly legitimate regime form, and regimes have felt unprecedented pressure (international and domestic) to adopt – or at least to mimic – the democratic form. Virtually all hybrid regimes in the world are quite deliberately *pseudodemocratic*, in that the existence of formally democratic political institutions, such as multiparty electoral competition, masks (often, in part, to legitimate) the reality of authoritarian domination.[56]

Putin's party-system reforms clearly contribute to such an agenda. This legislation has significantly reduced the total number of parties and those that remain have sizeable nationwide memberships. Following the 2007 Duma election all of the seats in the Duma are held by political parties for the first time in post-Soviet history, as there are no independent deputies or blocs. Parties also play some role in regional politics, as they do in the West. This can even be said of party finance: Russia now has state funding of parties, as do many western democracies, and their financial affairs are regulated (formally, at least).

Russia's party system certainly looks more like those in established democracies than it did when Putin came to power. The resemblance, though, is entirely superficial for in essence the party system is farther from democratic norms than ever before. This party system is, to a significant degree, the product of Kremlin manipulation of party politics, particularly elections. Duma elections under Putin have been characterised by extensive use of what Andreas Schedler calls 'the menu of manipulation', that is by highly biased media coverage, misuse of administrative resources on a massive scale, irregularities concerning vote counting (including blatant falsification in some areas) and harassment of the opposition.[57] All of this has been used to bolster parties backed (and even formed) by the Kremlin and to undermine opposition parties. The outcome is a rubber-stamp parliament that constitutes a lesser check on the executive than its equivalent in the late-perestroika era. United Russia, by far the largest party at present with 315 of the parliament's 450 seats,

[56] Larry Diamond, 'Thinking About Hybrid Regimes', *Journal of Democracy*, 13: 2 (2002), p. 24.

[57] Andreas Schedler, 'The Menu of Manipulation', *Journal of Democracy*, 13: 2 (2002), pp. 36–50.

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was unswervingly loyal to Putin throughout his two terms as president. United Russia now appears to be subservient both to Putin, who is now prime minister, and the new president, Dmitrii Medvedv.[58] A Just Russia, which won 38 seats, is also a pro-Kremlin party: it is openly supportive of Putin and even co-nominated the presidential candidacy of his chosen successor, Medvedev. The LDPR has 40 seats but, in spite of the fiery rhetoric of its leader Vladimir Zhirinovskii, is also consistently loyal to the executive. Only the CPRF, which holds a numerically insignificant 57 seats, will provide constant opposition to the executive. We should not be fooled, then, by this attempt to mimic a western-style party system, for in reality it is a façade intended to provide democratic cover for significantly *un*democratic governance.

DEMOCRACY IN THE LONG RUN?

During Putin's presidency the party system in Russia clearly did not develop in a way that is favourable to democracy. Moraski's wider argument, however, is that the legislative changes he discusses could have democratizing effects in the long run. As such, Russia is an example of how regimes in the 'grey zone' – while seeking to advance their authoritarian interests in the short term – may inadvertently advance democracy in the long term. Here Moraski raises an important general point, which is relevant to Russia and of interest comparatively. The Putin-era party-system reforms *were* passed to further the regime's non-democratic interests yet they *could* have long-term democratic effects. However, Moraski's specific arguments concerning *both* these interests *and* the potential effects are erroneous.

Concerning the regime's interests, Moraski's central argument is that, 'electoral reforms that favour democracy in the long run may be needed to establish a dominant party in the short term.'[59] As we have already seen, Moraski's arguments that these reforms were intended to establish a dominant party are unconvincing. Nor were these reforms needed in this regard: United Russia was already dominant with a loyal two-thirds majority at its command in the Duma following

[58] The number of seats won by the parties in 2007 is taken from *Vestnik Tsentral'noi Isbiratel'noi Kommissii Rossiiskoi Federatsii*, 19: 222 (2007), pp. 7–12.

[59] Moraski, 'Electoral System Reform in Democracy's Grey Zone', p. 543.

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the 2003 Duma election. An alternative motivation proposed by Moraski is that, 'authoritarian incumbents could institute reforms that might promote democracy in the long term because these same reforms advance their own interests of undermining electoral competition in the short run.'[60] It is, however, doubtful that the reforms Moraski discusses undermine electoral competition in United Russia's interests. The reforms certainly restrict competition in some ways but they do not advantage United Russia more than any other party that is capable of crossing the 7 per cent threshold, including the main opposition party, the CPRF.[61] Indeed, the move to the PR system made it harder for United Russia to maintain its two-thirds majority in the Duma.

Moraski's discussion of the long-term democratic benefits of these reforms is also deficient. The move to a PR system, for instance, 'should be good for Russian democracy' because proportional systems 'grant smaller parties representing specific societal interests a better chance of attaining seats in parliament' and 'enhance the feeling among ethnic or societal minorities that they have legitimate and substantial access to the political process'.[62] It will be recalled, though, that this legislation introduces a 7 per cent barrier, which makes it impossible for smaller parties to attain seats in parliament. The law 'On Political Parties', moreover, only permits the formation of national parties and explicitly prohibits the registration of parties on racial, national or religious bases. It is, then, nonsensical to claim that the introduction of PR in Russia can improve the representation of smaller parties and ethnic and social minorities when the legislation under discussion explicitly rules this out.

Moraski's second point here is that these reforms could result in stronger opposition parties in the years to come. This is a very important observation but the statement that 'a shift to solely party-list PR from a mixed-member system [. . .] can yield a more organized opposition as easily as it can fortify the position of the ruling party' is an extraordinary misjudgement because it completely disregards Kremlin manipulation of the party system.[63]

[60] Ibid.

[61] The president's power of gubernatorial appointment is, as shown above, an exception. This, though, is not one of the reforms to which Moraski is referring.

[62] Ibid., p. 542.

[63] Ibid., p. 551.

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Under Putin, party-system development was a two-pronged process. On the one hand, institutional reforms served to centralize the political system and systematize the party system. Parallel to this, on the other hand, there was extensive electoral manipulation, which actually drove party-system development in practice by securing favourable results for the Kremlin. It is important to note that electoral outcomes under Putin were the outcome of a complex of many factors (such as the benefits that United Russia gained from its close association with a highly popular president), not just electoral manipulation. It would, however, be implausible to suggest that the regime's machinations did not have a telling impact. For instance, it is simply inconceivable that United Russia would have won 64.3 per cent of the vote in 2007 had the election been free and fair. Nor it is a coincidence that no opposition party has recorded what can be considered a successful result in a parliamentary election since 1999. When the Kremlin exercises this degree of control over electoral outcomes it is utterly fallacious to claim, as Moraski does, that the move to a PR system can yield a more organized opposition as easily as it can fortify the position of the ruling party.[64]

There is no denying, however, that these reforms have laid the institutional basis for stronger parties and a more consolidated party system. Parties now have nationwide memberships, they are also the sole participants in Duma elections and must win 7 per cent of the vote to enter parliament. There will be no return to the proliferation of minor parties and independent candidates that characterized the volatile and fragmented party system of the 1990s. There is also no doubt that stronger opposition parties could act as a democratizing influence; not least, they could mobilize popular and elite opposition to undemocratic elections. At the same time, such parties cannot emerge when the Kremlin is able, to a large extent, to determine the winners and losers of Duma elections. In fact, a major fear has to be that United Russia's dominance – achieved via unfair political competition – could persist for decades, as in the case of Mexico's

[64] This, no doubt, is also one of the reasons why the Kremlin was happy to move to a PR system, even though it made it more difficult to maintain United Russia's parliamentary supremacy: when the regime is able, to a very considerable degree, to determine election results the type of electoral system employed is of secondary importance.

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Institutional Revolutionary Party (PRI), in a system where other parties serve only to legitimate (not challenge) its grip on power.[65]

However, if the practices of electoral manipulation lessen or fail, the party-system reforms enacted under Putin could become highly significant. While there is little hope of this at present (on either count), events elsewhere in the former Soviet Union suggest that it is difficult to manage electoral outcomes indefinitely, even in states that are significantly more authoritarian than Russia. If, for whatever reason, there is a backlash – either in the polling booth or on the street – against the authorities in Russia, as there has been in Georgia, Ukraine and Kyrgyzstan, Putin's party-system reforms could serve as the basis for stronger opposition parties in the Duma capable of providing a greater check on the executive.

CONCLUSION

The Putin-era party-system legislation is an instance of an authoritarian regime introducing reforms intended to advance its own immediate interests, which could inadvertently further democracy in the longer term (although not in the ways Moraski proposes). Specifically, reforms that were introduced to further and mask authoritarian rule in Russia (by centralizing and consolidating the party system) *could* have democratizing effects *if* electoral manipulation becomes less effective. When regimes in the 'grey zone' strengthen institutions such as political parties, even for authoritarian reasons, it is possible that they are laying part of the institutional ground for future democracy; elements of façade democracy, in other words, could become genuinely democratic. It must be emphasized that the reforms in Russia have yielded no such democratic benefits thus far. It would though be highly ironic if Vladimir Putin, who has striven (at the expense of democracy) to increase the power of the presidency relative to political parties and the Duma (and indeed every other institution in the political system), turns out to have established the institutional framework that helps to strengthen parties, weaken the presidency and foment democracy in Russia in the long run.

[65] On the possible development of United Russia along the lines of the PRI see: V. Gel'man, 'Perspektivy dominiruiushchei partii v Rossii', *Pro et Contra*, 4: 33, (2006), pp. 62–71.

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