

Russia's September 14 Regional Elections: Strengthening the Rules and Reducing Competition Against the Background of the Ukrainian Crisis

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Abstract

In the year since Russia held its last round of regional elections on September 8, 2013, the state implemented significant changes in its electoral policy. These changes led to a sharpening of the rules for registering candidates and party lists and a general reduction in the ability of political parties to participate in the political process through institutional means. Following the success of several new candidates and parties in the 2013 elections and the beginnings of an outflow of regional and local elites from the old “systemic parties”—i.e., the parties currently represented in the State Duma—the state adopted at the end of 2013 and beginning of 2014 a series of measures weakening the institutional influence of the new parties. This process was driven by the deepening political crisis developing since March 2014 in connection with the annexation of Crimea and the further developments in eastern Ukraine. The rapid increase in the influence of the siloviki, the expected worsening of the economic situation, and the new political risks have forced businesses to sharply curtail financing for many political projects and conserve resources to the maximum extent possible.

Changing Legislation

The main consequence of the recent legislative changes in Russia is the de facto removal of parties from the political process and the personalization of elections, particularly in the most protest-oriented regions. The best example is in the case of the Moscow City Duma elections. In contrast to the system which existed until 2011, the new version of the party and electoral system no longer has a significant part of the institutional infrastructure which allowed the parties to achieve success. The main difference is that after a short period of liberalization from 2012 to 2013, there are now a large number of registered parties, which makes it difficult for protest voters to concentrate their votes in one or a small number of parties. Dispersing the vote makes it hard for opposition parties to come to power.

The stricter rules for registering candidates combined with a new regime of reducing the number of parties that can register candidates without having to submit lists of signatures effectively makes it impossible for opposition parties to compete: in order to participate in the elections, it is necessary to have an exemption from the registration rules, but to gain such exceptions, it is necessary to have successfully participated in earlier elections.

Thus, the new system of registering candidates combined with the growing share of deputies elected in single-member districts works against the new political parties and self-nominated candidates. The pro-Kremlin candidates are in the best position since they typically have the most organizational and financial resources. For victory, even in conditions when overall support for the party is falling, all they need is a majority, however, it should be spread evenly over the territory. In all regional elections of recent years, the United Rus-

sia candidates won an absolute majority in the single-member districts, and in several regions, they won all the seats. In the most competitive regions, the authorities can run their candidates as “independents,” registering these candidates even though they are not associated with the ruling party. In the most hostile districts, the authorities only allow candidates from the systemic parties to compete.

The Legal Basis of the September 14 Elections

Including the elections that took place in the recently annexed regions of Crimea and Sevastopol, 6,024 elections and referendums took place on September 14, 2014. The most significant of these were the 30 gubernatorial elections. In three additional regions—Kabardino-Balkaria, Crimea, and Sevastopol—the newly elected regional legislature was set to elect new regional leaders. There were also 14 elections to elect regional parliaments, three elections for mayors of regional capitals, and 21 regional capital city council elections. Thirteen of these 21 city councils were then to elect one of their ranks as mayor and sign a contract with a city manager.

One distinguishing characteristic of the 2014 elections was the large number of gubernatorial elections. In 20 of the 30 regions, the incumbent governor had resigned before the end of his term. Of these 20, 13 of the previous governors were appointed by Putin as acting governors, while seven were new appointees.

According to the 2012 Russian law that restored the gubernatorial election, the head of a region who resigns or loses the confidence of the president and is forced from office cannot compete in the elections to replace him. The exceptions are if he has been in office for less

than one year or received the support of the president to participate in the elections. Thus, the key factor is the position of the president, though the law does not explain the legal manner in which the president is supposed to express his agreement for the acting governor to run in the elections.

The officially announced goal for holding so many pre-term governors' elections was the desire to strengthen the legitimacy of the regional authorities before the December 2016 State Duma elections. The idea is to hold the governors' elections before the Duma elections in single-member districts assuming that some of the candidates would use the governors' elections as an advertisement for the upcoming Duma elections and thereby reduce the risks of destabilization in regions before the 2016 federal elections.

Another reason is in the concrete social-economic situation: the negative data about the Russian economy and the predictions for further decline, particularly with the on-going international sanctions. Most likely, the governors are trying to prolong their terms before the expected downturn, but are trying to take advantage of the formally high ratings for President Putin and the massive information campaign in regard to the decision to annex Crimea. Also, they are trying to take advantage of the current strict regulations on registering candidates, which effectively allows them to name their own opponents and remove all undesirable candidates from the race.

In the regional parliamentary elections, after the adoption of "Klishas Law," there is a clear trend toward reducing the number of elections held according to party lists. The Moscow City Duma elections were conducted exclusively according to single-member districts. This decision reflected the low ratings of the pro-Kremlin United Russia party in the city and the authorities' fear of conducting elections according to party lists.

Registering Candidates: A Sharp Reduction in Competition

The process of nominating candidates in 2014 confirmed the earlier prediction that tightening the rules for registration would reduce the number of new party representatives running in the races. In most cases, new parties simply did not nominate candidates or minimized their number, accepting that they would not be registered anyway.

However, the new parties were in great demand in the gubernatorial elections because the systemic parties generally sought to work out a deal with the authorities in advance and did not nominate any serious candidates to oppose the designated official candidate. Moreover, only candidates affiliated with a party are allowed to

run. Thus, these new parties were the only way for candidates who did not have the support of the incumbent authorities to gain a spot on the ballot.

In the September 8, 2013, elections, of the 54 parties having the right to participate in elections, 53 put forward lists for the regional parliaments and city councils and 51 nominated candidates in the single-member districts. In other words, last year only one party (the Party of Business) ignored the elections (though it did participate in one neighborhood election). This year, of 69 parties, only 34 put forward a list for regional parliamentary or city council elections and, of these, three only competed in Crimea. Only 52 parties nominated candidates in single-member districts and in regional centers, including governors and mayors elections. Thirteen parties did not put forward one candidate or list even though 10 of these 13 had participated in last year's elections. The liberal parties—RPR-Parnas, Civic Platform, Yabloko, and the Alliance of Greens and Social Democrats—sharply reduced their participation in the elections.

Much more important than putting forward party lists was nominating candidates in the single-mandate districts. On the day of the elections, of the 1,799 candidates nominated for the regional legislatures, 1,207 remained. Thus 32.9 percent of nominated candidates were not registered in 2014. In 2013, the figure was 17.88 percent and in 2012, it was 11 percent. Among the self-nominated candidates, 62.5 percent were filtered out, whereas in 2013 the figure was 58.5 percent and in 2012 it was 40 percent. Of the 592 self-nominated candidates, only 310 remained. Among candidates for the city councils in regional capitals, of the 2,783 nominated candidates, 2,030 remained on the ballots, with 27.06 percent being filtered out. Of the self-nominated candidates 50.27 percent were removed.

There was almost a complete sweep for the governors' elections. Initially, 207 candidates were nominated for the 30 gubernatorial elections, or 6.9 per region. However, only 138 of these were registered, leaving only 4.6 candidates per region. In 2013, there were five candidates per region after the registration process. On election day, there were only 137 candidates, with P. Dorokhin leaving the ballot. Overall, 33.8 percent of the candidates were filtered out.

The candidates removed from the races were among the most important opponents to the sitting governors and most of the elections were drained of any drama. In most cases they were simply a referendum confirming the power of the incumbent governor. Among those who were not registered were two former governors—Aleksandr Rutskoi in Kursk Oblast and Alexandr Chernogorov in Stravropol Krai. Many of the candidates (46)

were eliminated at their own request or because they did not present their documents for registration. The main reason for the withdrawal was that they were not able to pass through the “municipal filter” without the help of the administration, which was a problem in 2013 as well. In 18 cases, candidates who presented their documents were denied registration. The most notable cases were in Nizhny Novgorod Oblast, where the municipal filter was not able to remove the Communist Party of the Russian Federation candidate, Oblast Legislative Assembly Member V. Bulanov, because the Communists had won 28.8 percent of the vote in the 2011 elections, and in St. Petersburg, the Just Russia candidate Olga Dmitrieva was also blocked. Her party had won 23.7 percent of the vote in 2011 and she had twice been elected to the Duma from a single-member district. At the same time, the municipal filter blocked little-known candidates from small parties.

Initially, the body of candidates running in the governors' elections made it possible to conduct competitive elections in a significant number of regions. However the desire to maintain control at any price proved stronger than any interest in increasing the real social legitimacy of the governors. In almost every gubernatorial election where alternative candidates could win a significant number of votes, they were removed from the race (St. Petersburg, Bashkortostan, Altai Republic, Orenburg, and Orel). Campaign 2014 was distinct not just for the lack of alternatives to the incumbent governors, but also scandals in which the authorities blocked potential candidates from gathering the 5 to 10 percent of the signatures they needed from municipal deputies to participate in the elections.

Another distinguishing feature of the campaign was that competitive candidates were removed from the elections by the parties that nominated them: R. Sarbaev in Bashkortostan, S. Katasonov in Orenburg, I. Mosyakin, V. Rybakov and S. Isakov in Orel, and former Russian Energy Minister V. Kalyuzhnyi in Altai Republic. The quickness of these decisions and the lack of clear explanations for them suggests that these actions reflected political decisions taken when informal pressure was applied on the leadership of the party.

The United Russia party nominated almost all of the incumbent governors. The only exceptions were in Kirov and Orel oblasts where the incumbent governors N. Belykh and V. Potomsky campaigned as an independent and Communist (KPRF), respectively. In other words, United Russia failed to nominate candidates only in regions where the incumbent governor chose a different affiliation. Thus, as a rule, United Russia officially supports any incumbent governor regardless of his party affiliation. This situation clearly highlights the adminis-

trative dependency of United Russia's institutional situation in that it does not determine who will run as candidates for governor and instead of making decisions, effectively implements policies defined in the presidential administration.

Characteristics of the Campaign

The 2014 elections continued the tendency visible in 2013 in which most of the campaigning took place during the summer months. This outreach include TV broadcasts, which begin 28 days before the vote. The difficult timing of the elections forces candidates to start work early, often even before the elections are formally announced. An early start is particularly valuable for candidates in competitive districts, where it is important for them to begin advertising early, and candidates who have little name recognition.

An important campaign stop for the incumbent governors is a meeting with President Putin. In some cases, the president or prime minister even traveled to the region to support the candidate. During the campaign, Putin met with 27 of the 30 incumbent governors running in the September 14 elections. The regional media interpreted these meetings as the undoubted support of the president for the governors and these governors, particularly those who were not especially popular, and who hoped that some of Putin's high standing in the polls would rub off on them. In many regions, besides this indirect campaigning, there was practically no other agitation. However, in some regions, there was a clear effort to copy some of the techniques employed by Navalny in his 2013 Moscow mayoral campaign, such as putting up advertising “cubes” in visible parts of the city.

Results: Continuing Decline in Turnout and a Crisis among the Systemic Parties

Undoubtedly, the absence of real competition and the mid-September election date helped reduce turnout and lowered the level of real social legitimacy that the elections imparted to the authorities. The expectation of low turnout encouraged the authorities to increase participation through artificial means, such as absentee voting and voting at home for invalids. Scandals associated with these practices occurred in several regions. Also important were the efforts to hinder the work of election watchdog groups like Golos, whose representatives were blocked from all precincts in Chelyabinsk, Samara and Bashkortostan and most precincts in Nizhny Novgorod and Moscow oblasts. At 21 percent, the turnout for the elections to the Moscow City Duma was particularly illustrative. This was the lowest turnout since the body was established in 1993. Turnout the previous year had been 32.1 percent, 35.63 percent in 2009, and 34.8 percent in 2005.

United Russia won every single governor's race. In 15 of 30 contests, the victor won more than 80 percent of the votes, which cannot be considered a normal result for competitive elections (the most successful was Nikolai Merkushev in Samara with 91.4 percent). In an additional 8 districts, the victors won between 70 and 80 percent. Only in 7 regions did the victor win less than 70 percent and of these only two won less than 60 percent (Altai and Sakha republics). In these two regions, if the votes had been counted fairly, most likely the winners would have received less than 50 percent and there would have been runoffs between the two top vote-getters. There was considerable evidence of violations in Altai. Only 18 of the alternative candidates in the 30 races won more than 10 percent of the vote in their region.

Conclusion

For many experts, these elections in the Russian regions were the most managed and uninteresting for many years. The deep crisis of the old systemic parties currently represented in the State Duma is accompanied by the active desire of the authorities to prevent the appearance and development of new parties and politicians. Moreover, in conditions defined by an obvious militarization of the political regime, a significant part of the elite is frightened and seeking to avoid participating in political activity, fearing accusations of being unpatriotic and repressions. In effect, a significant part of the elite does not understand the situation and is not prepared to take any kind of decisive actions.

The result of limiting the use of proportional representation in the elections and the preservation of the system introduced in 2014 of blocking the registration of undesirable candidates will lead to the effective crash of the party system and a new desire to use the parties currently represented in the Duma exclusively for the goal of being able to register candidates since these parties have the ability to place their candidates on the ballot without collecting signatures. The elections will be cleansed of any ideological candidates. Instead, informal business groups will seek to win spots in the parliament to pursue their commercial interests, essentially by buying the endorsement of the existing parties.

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In regions that continue to use proportional representation or mixed electoral systems, as in 2013, there will be an active migration from the old parties to new ones. At the same time the authorities will attempt to limit the number of parties which can register candidates without collecting signatures. Accordingly, the existing parties will become more attractive to a wide variety of candidates who want to win office, but the result will be that the parties will lose any ideological coherence as these various candidates use them as a way to get onto the ballot.

- The current system of simply not registering most alternative candidates for the ballot will lead to the following consequences: Increased efforts by the authorities to establish (or, in many cases, to strengthen) de facto control over the new parties which have won representation in the local legislatures and therefore are able to get their candidates through the "municipal filters." Therefore, Russia will return to the system used in the second part of the 2000s: the state will control the parties which, in turn, control the nomination of candidates. The only difference from the 2000s lies in the greater number of parties and the variation in the number of parties across regions. The authorities will use a system of "manual control" to register candidates from alternative parties under conditions which do not meet existing legal standards and when the law is applied selectively.
- The parties that refuse to cooperate informally with the authorities risk losing their legal status or coming under other pressure.
- Most likely, the number of parties that are able to register candidates will shrink.
- Probably, the state will try to further strengthen the registration rules for governors' elections and eliminate the "loophole" in the law which currently allows any registered party to nominate candidates for governor and limit the number of parties that have such a right. Thus, the authorities will seek to eliminate all undesirable candidates.