

Analysis

The Consequences of the State Duma Elections for Russia's Electoral System

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Abstract

Russia's new electoral system gives the Kremlin much greater control over the electoral process than it had in the past. In reforming the system after the 2003 elections, the authorities often did the opposite of what was recommended by OSCE representatives. The provisions of the new legislation significantly reduced the number of parties and their ties with specific Russian regions. The official results from the December 2 elections are likely greatly inflated, with turnout figures probably 10 percent less than claimed. Overall, United Russia's victory extended through out the country, with few inter- or intra-regional differences.

The New Electoral System

Analyzing the results of the December 2 State Duma elections shows that the entire electoral system has evolved along with the political system in general. Russian lawmakers have introduced numerous changes into the Russia electoral law since the December 2003 State Duma elections. The transition from a mixed system, in which half of the 450 seats are elected on the basis of single-member districts and half on party lists, to one in which all the seats are elected on the basis of party lists resulted in serious technical and political consequences. Overall, the elections have been drained of content – they are no longer contests between people and ideas, but party images and brands. Without the campaigns in the single-member districts, the elections lost their connection to concrete local issues and many teams of campaign advisers lost the opportunity to sell their services in a once thriving market. The candidates increased their loyalty to the federal party leadership in favor of their former dual ties to the regional governors and party functionaries.

Each party list was divided into federal and regional components. The regional lists included many outsiders, combining members of the regional political elite with titans of the Moscow party leadership. The fact that the lists were divided into regional blocs distinguished them in a favorable way from their Ukrainian and Kazakh counterparts. However, many of the regional lists were led by so-called “locomotives,” famous politicians who never planned to enter the Duma, but whose sole task was to win as many votes as possible for other members of the United Russia party, who frequently were unknown to the rank-and-file voters. The use of such locomotives was most characteristic for United Russia – one third of its candidates, including 64 governors, declined to accept a mandate to serve in the Duma. However, according to an amendment adopted this spring, politicians who refuse to accept a seat

in the Duma after the election can claim a spot later if the party is willing to make space for them.

With the new provisions of the electoral law, Moscow greatly increased its political, financial and organizational control of the elections. Under the new electoral system, the price of entry into the political process is much higher and the number of players has dropped considerably. Parties can no longer form blocs with other parties and cannot include non-party members on their lists. Most citizens' passive electoral rights were significantly limited. Party forces were atomized, while the Kremlin's administrative resources were unusually consolidated. These resources included not only various levels of the executive branch, from the president to the municipalities, but also the electoral commissions, courts, and investigative agencies. Collecting such power in one fist made it possible to help some parties and hinder others. Thanks to the electoral legislation and recent amendments to the laws on political parties and extremism, the authorities had the legal basis to remove any political group they desired from the elections.

The Kremlin did not use the repressive potential of the new legislation to its fullest extent. In this sense, the electoral system that currently exists in Russia is actually much worse than what one observes in actual elections. While it is still too soon to draw firm conclusions, the new electoral system and the transition to a purely proportional system has ripped the elections from their connection to local issues and the representation of regional interests in the federal parliament has significantly declined. The ordinary voter will have little understanding of the current electoral system.

The Failure to Implement OSCE Recommendations

Following the 2003 State Duma elections, the Organization for Security and Cooperation in Europe recommended strengthening the party system and giving

regional and minority interests the right to set up their own parties. The Kremlin has done the exact opposite. With the new amendments to the law on political parties and the increased demands (including the requirement that they have 50,000 members), it has become extremely difficult to set up new parties and even maintain old ones without the support of state institutions. The result was the significant drop in the number of parties to a half of their previous number. But, in fact, the situation is even worse than it seems. Of the 11 parties that competed in the elections, barely half really have 50,000 members. And of the remaining parties, only the Communists would be able to prove their membership under intense administrative pressure.

The new electoral law has produced a Duma in which United Russia preserved its constitutional (two-thirds) majority and benefits from the presence of two partner parties in Just Russia and the Liberal Democratic Party of Russia, and an extremely loyal left opposition in the form of the Communists. The liberal parties which lost the election now will also have to forfeit the 60 million ruble deposit they paid to get on the ballot and must pay for the air time provided them by the state. As a result, Yabloko and the Union of Right Forces (SPS) are effectively bankrupt. The authorities intended this outcome. Yabloko had to get on the ballot by paying a deposit since its experience in Petersburg showed that any party's attempt to collect signatures to get on the ballot could be overruled if the court found that more than 5 percent of the signatures were not authentic. In this election, SPS, Yabloko, Just Russia, and Patriots of Russia earned their spots on the ballot by paying a deposit.

Before the election, the OSCE had recommended reducing the financial burden for parties. In particular, the international human rights organization recommended removing the provision that parties that did not win 2 percent of the vote would then have to pay the state for the free advertising that they had received during the campaign. Instead the minimum level required to avoid such payment was raised to 3 percent.

Among the other recommendations of the OSCE that were not implemented was the suggestion to allow the representation of all parties in the electoral commissions of various levels and reducing the number of bureaucrats in these commissions. Instead, according to the new law, representation of such bureaucrats rose from one-third to one-half. The elections were organized, as in the past, by the executive branch, and the members of the electoral commissions tended to be public sector employees, such as teachers and doctors, who worked under the potential threat of losing the government subsidies required to pay their salaries and support their workplaces.

The authorities also did not implement the OSCE recommendation to allow observers from social organizations to monitor the elections. Only political parties could play this role. All the parties that were prevented from running in the elections, from the moderate Republican Party to the more radical National-Bolshevik Party (both were not even registered as political parties), could not take part in the observation process. Only the Communists had the resources to monitor the elections and they were lucky to have people at half of the 96,000 polling places.

Ultimately, the only OSCE recommendation that Russia fully implemented was removing the line "against all" from the ballot. In the past, voters who were not happy with the authorities' candidates would choose this one. Accordingly, the Russian electoral system is now much less in line with OSCE standards than in the past. This is true of the system's design, to say nothing of the way it operates in practice.

Political Parties

Of the 11 parties that participated in the 2007 elections, several have been around since the first Duma election in 1993: the Communist Party of the Russian Federation, Agrarian Party of Russia, Yabloko, LDPR, and the Russia's Choice successor, SPS. The Kremlin took the famous brand of the Democratic Party of Russia from former Prime Minister Mikhail Kasyanov, who was trying to use it. This was the second round of elections for United Russia, which was established after the 1999–2000 election cycle. Just Russia appeared as the result of a merger of three parties: the electorally successful Rodina and Party of Pensioners and the little-known Party of Life founded by Federation Council Speaker Sergei Mironov. The Patriots of Russia was a reincarnation of former Communist sponsor Gennady Semigin and former Duma Speaker Gennady Seleznev, who were trying to steal votes from the Communists. The Civic Force, formed six months ago by the presidential envoy to highest courts Mikhail Barshchevsky with Kremlin support, sought to win votes away from the democrats. An additional party seeking to take votes on the left was Aleksei Podberezkin's Party of Social Justice.

One of the main results of the elections was a significant reconfiguration of the political party spectrum in Russia, representing a new approach of the Kremlin. Earlier the Kremlin worked with the completely loyal leaders of the democratic parties SPS and Yabloko, who still managed to preserve some independence. After these parties did not win representation in the 2003 Duma, the Kremlin decided that it would be easier to get by without them. To gain support on this side of the spectrum, the Kremlin was satisfied with the new-

ly created Civic Force and the resurrected Democratic Party of Russia. Putin's decision to lead the United Russia party list meant that many of the old parties lost their key constituents.

Does the Russian political system even need parties? If they are needed, the results for SPS and Yabloko are not just an alarming warning, but evidence of the crash of the party system in the form that it existed since the beginning of the 1990s. This crash is the result of several causes. Among the objective causes are economic growth, and as a result, the increased well being of the citizens and their satisfaction with the authorities. During bad times, it was necessary to think of a new "party of power" before each election and the opposition parties always made advances. Now the situation has changed fundamentally.

Another important cause is the Kremlin's decision to exert greater control over the parties. The authorities have decided that it is easier to work with parties of their own creation, merging and dividing them according to whim, than it is to work with loyal politicians, who seek to maintain some autonomy. Another problem is the absence of a realistic role for political parties in the political system. The voters have a dim view of the parties and their leaders and therefore support for them is declining. If the parties don't break out of this closed circle, it will be necessary to constantly think of new party projects, attractive because of their newness and not tied down by past promises, or to find effective showmen like Vladimir Zhirinovskiy.

Many professional politicians who were completely loyal to the Kremlin, and even capable of working with it, have now been excluded from the Duma and public life in general. If the regime does not want to work with some politicians, that is its business. However, if there is a constant dearth of qualified politicians in the system and it can't find a place for dozens of qualified politicians, then this is a serious failure of the system itself. If the regime is about to adopt new reforms which will likely summon mass social protests onto the streets as a result, then forcing unwanted politicians out of the system is a serious mistake.

There is no point in idealizing the opposition or demonizing the politicians who support the authorities. Both are people with weaknesses and ambitions. A renewal of the party leadership in several parties is long overdue and could be useful. These elections should provide an impetus for such changes.

There is always a silver lining behind these clouds. Putin's decision to participate in the elections at the top of the United Russia party list changed the entire political landscape. At first it seemed like his decision spelled the end of the Just Russia party, which could strengthen the public political competition inside the

ruling elite. This, however, did not happen and the party, despite the departure of numerous regional elites who considered themselves "true supporters of the president," somehow managed to cross the seven percent barrier. After these elections and the upcoming presidential elections, Just Russia has good prospects. If United Russia has been able to successfully compete with Just Russia on the basis of populism, then after the presidential elections, the role for populism in the government will greatly decrease. Such conditions will give the party the upper hand in attracting votes.

The transformation of the "above the fray" president into the leader of a party list, even if it is the biggest party, not only marked his own personal evolution into a party politician, but a transformation of all party forces and the polarization of the political landscape in general. Until now many supporters of any party in Russia were Putin backers. Putin has now brought many of these people to United Russia, radicalizing, and freeing the other parties from their former "political schizophrenia." This was particularly helpful for SPS, which no longer suffers from its previous tendency to provide "conditional support for the president" while coming under great pressure in the elections.

Falsifications of the Elections

In the absence of real social monitoring and court cases, it is nearly impossible to discuss the question of falsifications. It is possible, however, to speak of serious deviations from "normal" electoral behavior and the significant likelihood of the manipulation of the elections.

The political logic for such manipulations in these elections is understandable: the Kremlin had turned the elections into a vote of confidence for the president and the executive branch in general and the governors were placed at the top of the United Russia regional lists. Where there is a motive, there is also a mechanism: traditionally an administrative machine organizes the elections in Russia. In this case the machine was highly consolidated and controlled from above. A key component of these elections was the hierarchy of electoral commissions, which one and a half years ago came under the control of V. Churov, a physicist from St. Petersburg long known to Putin. Specifically for him, the law was changed so that holding the position no longer required a legal education.

There are many signs of falsifications in these elections: participation rates in several regions of more than 95 percent of the population, exceeding physical possibilities; the doubling of permits to vote in a place where one does not live; stories of voters going to vote in numerous polling places; extensive absentee voting; the small number, or absence altogether, of invalid ballots, and the incomplete lines in the result protocols. One

example is Chechnya, where 99.5 percent of the people voted and 99.4 percent backed United Russia. Another indicator is that there is a 0.9 correlation between high turnout and votes for United Russia. One more indicator is the decline in the share of invalid ballots with turnout growth, which suggests that somebody added ballots in favor of a certain party without also adding a reasonable number of protest votes and ballots filled out incorrectly. For example, the Khabez territorial election commission reported that all of its 18,000 registered voters came to the polls (100% turnout) and all of them voted for United Russia.

Nevertheless, the results almost completely agreed with the prognoses of pollsters. Even the predictions of the Levada Center, a respected independent polling agency, correspond with the results of the Central Electoral Commission, except that the number of people participating in the voting was 10 percent higher than expected. When there are massive deviations from normal behavior, connected to the use of administrative resources, surveys and the prognoses made on their basis might not be precise since they only capture the preferences of the voters before the massive use of administrative resources in the final stage of the elections. If the predictions are correct, then either the pollsters learned how to take the use of administrative resources into account or the administrative system works according to the predictions, which thereby play a normative role.

According to the opinion of experts, the real levels of participation in the elections in the country overall were 10 percent less than the official figures and in several cases were significantly less. One example is Ingushetia, where according to eyewitness accounts the population practically did not vote, but according to the official figures 98.35 percent participated. The results for United Russia were likewise inflated by 12–15 percent across the country and in various regions. The totals for the Communists were reduced 2–5 percent. The results of Just Russia, which did not conduct a campaign in many regions and was semi-paralyzed by Putin's decision to lead the United Russia party list, were appar-

ently significantly increased. By the same token, the results of SPS and Yabloko were apparently reduced by a factor of 2 or 3. While there is no reason to believe that these parties crossed the 7 percent barrier, they probably did win enough votes to cross the 3–4 percent barrier entitling them to the return of their deposits and freeing them from having to pay for their state-provided media time. The Civic Force party seemed to benefit particularly from falsifications since it often received more votes than SPS in places where SPS had strong organizations.

The scale of the fraud was bigger this time than ever before, it was more widespread, including the countryside and large urban centers, and the authorities worked almost openly, not even trying to hide it.

Regional Differentiation: The End of Geography?

According to the published results, there was very little difference in electoral preferences between regions and within them. There was great uniformity in terms of the party winners: parties that did not win representation in the Duma did not win in a single region. The only exception was the Agrarian Party, which won in the Ust-Orda Buryatia Autonomous Okrug (voting for the last time separately before it is merged with Irkutsk Oblast). Such an outcome is unprecedented.

Several regions essentially have one party systems, where United Russia rules uncontested, including Chechnya, Ingushetia, Kabardino-Balkaria, Karachaevo-Cherkesia, Mordovia, Tatarstan, Tyva, and the Agin-Buryatia Autonomous Okrug.

Several more regions boast a two-party system, including the remaining republics in the North Caucasus and Rostov Oblast, Belgorod and Penza oblasts, and Bashkortostan, where the Communists did well. All these regions favor United Russia, but also supported the Communists. Additionally, the northern and eastern protest regions of Tyumen, Yamal-Nenets, Chukotka, and Kamchatka favored both United Russia and the LDPR. The Communists did not break the 7 percent barrier in 12 regions.

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