

Policization versus Democratization: 20 Months of Putin's "Federal" Reform

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Nikolai Petrov
Carnegie Moscow Center
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"A society cannot be called civil if more than half of State servants wear a military uniform," said Russian ombudsman Oleg Mironov at the recent Civic Forum. He explained that not just the army wears military gear, but so too does the tax police, the prosecutor's office, and many other organizations that society calls force structures, not law enforcement structures.

The very content and style of Putin's "federal" reform, which began immediately after the president's inauguration, as well as the specific order of steps that have been made, show that Putin's reform is directed primarily at strengthening control by the police over the society. Although regional governors appeared to be Putin's immediate target in his reform efforts, thinking that the whole reform process was aimed at weakening them would be a mistake. Missing the bigger picture would be an even greater mistake: that there is an institutional weakening of society is underway, taking place under slogans of the fight against deviations from federal law in the regions and of the restoration of vertical structures of federal power.

Putin's Reforms—A Summary

There is simply not enough space here to detail Putin's reforms to date. Some of Putin's most noteworthy steps include:

- Creating seven federal districts and the appointment of presidential envoys (five of whom were generals) to head these districts;
- Modifying Russia's military districts;
- Reforming the Federation Council, whereby regional executives and heads of regional legislatures no longer comprise the council but regional chief executives and regional legislatures now appoint deputies (in the process regional executives and the heads of regional legislatures lost parliamentary immunity);
- The president has the power to fire elected governors and to dissolve the regional legislature under certain conditions;
- Redistribution of taxes, through a new tax code, in favor of the center;

- Establishment of the “Presidential State Council” consisting of governors to meet with the president and to discuss the most important problems four times a year;
- Changes in the electoral system, including the introduction of vertical election commissions and a mixed semimajoritarian, semiproportional system for forming regional legislatures, almost akin to a restoration of the system of Soviet highly centralized vertical lines of authority linked only at the top levels of leadership.

Strengthening the President and Weakening Other Political Players

The past two years of federal reform in Russia that have brought about a redistribution of power between the center and the regions, has served to strengthen the Russian state. Such a shift was possible due to political stabilization and the consolidation of elites in the center, as well as due to Russia’s improved financial situation, which was very favorable for the federal authorities.

Due to the weakness of Russian society, the increasing centralization of power undermines and could destroy certain elements of Russian democracy, which was always the democracy of a weak state, not of a strong society. The weakness of society in the regions, now accompanied by the powerlessness of regional elites, may eventually lead to the disappearance of Russian federalism. Democracy and federalism are not Putin’s major targets, but their weakening is a side effect of his efforts to strengthen the centralized state.

In less than two years after Putin came to power, every player on the political stage except for the president himself and the army and security services has become much weaker than it used to be. The Communists no longer control the State Duma, which now has a strong pro-presidential majority. For the first time, a strong pro-Kremlin faction is in the Federation Council, which is no longer the locus of the governors’ opposition. Governors themselves are generally able to win reelection. No longer, however, do they have full mastery of their regions because the center has increased its control over their courts and law enforcement agencies. Monthly ratings of the 100 most influential politicians in Russia show a consistent decrease in influence accorded to regional leaders. By May 2001, only 10 governors were mentioned among the 100 leading politicians. Political parties have also been marginalized. There are few effective parties in Russia, with the exception of Putin’s party and the remainder of the “loyal opposition,” Gennady Zyuganov’s Communists. Oligarchs are no longer independent political players; the new political machinery controls them. Either directly or indirectly, the state almost totally controls mass media.

Not only the weakening of all other political players has been crucial to this transformation, but the weakening of legal institutions as well. The president’s already substantial power is growing, while new, opaque institutions with poorly defined powers are replacing legal ones. The Security Council duplicates, to a certain extent, the government and the presidential administration (although the current Security Council, headed by Vladimir Rushailo, is less active and influential than it was under Sergei Ivanov, when it played the role of “strategic government”). The State Council duplicates the Federation Council; the presidential envoys to the federal districts and federal inspectors replace the former presidential representatives in regions; and the Audit Chamber functions as a kind of new powerful law enforcement agency. The emergence of less legally legitimate structures that parallel existing state bodies represents the construction of an entirely new political machine that will work for a while in parallel with Yeltsin’s old one but soon replace it entirely, suggesting a growing authoritarianism.

In 1998–1999 on the eve of new electoral cycle the need for constitutional reform that would weaken president's power by introducing a more balanced system of checks and balances was widely discussed in Russia. According to the constitutional delegation of powers, on paper Yeltsin was very powerful, but due to the weakness of the state as well as to his personal weakness he was not able to exercise the considerable powers allotted to him. Putin, on the other hand, has managed in his first two years to weaken all other significant political players, foremost the Federal Assembly and the regional governors, and thus has strengthened his position and concentrated power more effectively than Yeltsin ever did.

Mass Support for Democratic Institutions and Processes

A recent study based on survey data from May–June 1996 through April–June 2000 concludes that support for democratic institutions and processes in Russia has little eroded. One peculiar finding in his study arises from attitudes toward elections—arguably the most important democratic institution of all introduced in post-Soviet Russia. The majority of respondents supported the idea of doing away with multicandidate elections “if leaders can't solve problems” (50.8 percent in 2000, 45.7 percent in 1996, and 44.1 percent in 1998). Even more agreed that it is “better to outlaw all political parties”—54.7 percent in 2000, 49.1 percent in 1996, and 51.6 percent in 1998).

There is thus a clear difference between abstract support of democratic values, the readiness to protect them, and the willingness to protect them. Several cases in 2001 highlighted this contradiction in Russia. In the spring, the state, through Gazprom, the court system, and law enforcement agencies, succeeded in gaining control over one of the last more or less independent media conglomerates—NTV. Gibson's study shows that a great majority of Russians support the right of the media to publish (82.1 percent in 2000). A majority (53.3 percent) also support the idea of presenting all viewpoints in mass media, while the idea of media protection from government control is less well supported (35.4 percent). However, when it came to action in the face of the state disregarding these rights, the number of protestors could be measured in the hundreds. Protests took place only in Moscow despite of NTV's calls for shows of support. The protests that did take place were not translated into any political moves and their impact was close to zero.

The unwillingness of Russians to engage in political protests in the face of government actions aimed at further eroding democratic institutions and the strength of political players is alarming. For example, imagining Putin “temporarily” suspending gubernatorial elections, claiming that they are fraudulent, consume many resources, and that participation is too low is not unreasonable. Some governors will support this idea. It could even be the governors themselves, and not the president, who would announce this. The joint Unity-Fatherland-All Russia party would support this idea. The Communist leadership would likely support this after negotiating a quid pro quo with the center. Other small parties and interest groups would be silent, having no chance to win in gubernatorial elections anyway. And prior experience indicates that few ordinary citizens will protest and that any protests that do occur will likely be ineffective. The abstract support of democracy, then, could result in the erosion of democracy in Russia in light of the increasing centralization of power and a Russian public unwilling to act in support of ideas and institutions that the state has already begun to threaten.

Implementation of Police State Mechanisms

Putin's federal reform has resulted in the weakening of all major players except one—the massive police machine he represents. The militarization and policization of the state is going on both at personal and institutional levels. Putin's regional envoys and federal inspectors are high-ranking military officers. The role of the police and military is growing rapidly and their sphere of responsibility is increasing.

In Russia under Putin police state mechanisms are being inserted into a delegative and declarative democratic state. The ongoing shift of authority from the level of regions to the level of districts means a lack of public control over authorities, a return to the old system of appointment instead of direct elections, an almost total break in connections between emerging civil society and the state, and the clear erosion of the elements of Russian federalism. A duplicate governing system is currently under construction, with men with shoulder-straps standing nearby, ready to take over the reigns of power when construction is complete. A model of a peaceful transfer of power to the military is being realized.

Last year when describing changes in Russian society under Putin's regime I used the term "FSB-ization," meaning the enormous role that representatives of the secret services had started to play in almost all spheres of Russian life and the mentality they brought with them. Several manifestations of this trend have been mentioned:

- The growing presence of FSB representatives in executive and legislative structures, and growing FSB control over all spheres of societal life including the economy, politics, mass media, etc.;
- The growing role of the FSB, police, and military in society in general along with the restoration of public trust in them and acceptance of the need for order and security (especially after the 1999 Moscow bombings);
- Actions according to the principle "the ends justify the means" with double standards and the placement of "the highest interests of the state" (as understood by officials) above everything;
- Closeness and a lack of transparency in the functioning of the executive;
- Public opinion manipulation through an "information war" with propaganda and counterpropaganda operations;
- The large-scale use of compromising materials (gathered often under the slogan of fighting corruption), blackmail, which is becoming a "normal" political instrument (the back side of the coin is that authorities become interested in having dirty, corrupt governors, and more manageable ministers);
- The use of law instead of the rule of law, with the General Procurator's office and the court system apparently being used to support the authorities rather than acting independently in support of the law.

The past year has brought new evidence of FSB-ization or policization, including: the centralization and strengthening of the police and secret police and their control over elites, the army, and society in general; the use of law enforcement agencies in order to promote Kremlin-backed candidates during gubernatorial elections (when a number of incumbents refused to run again, they apparently were forced to choose between being prosecuted or getting a warm seat in,

for example, the Federation Council); the unprecedented electoral success of candidates affiliated with the FSB or the military; the NTV andTV-6 cases; and the enormous growth in the influence of the Audit Chamber as the new Kremlin secret service. Additionally, none of the numerous anticorruption campaigns has resulted in public trials, although some of the scandalous governors were removed (but in a Soviet nomenklaturian way). Judicial reform that is now being prepared fits this scheme as well, whereby administrative control over courts will strengthen, as will the widespread practice of using procuracy and courts for political purposes.

The emerging “Stalinist-like system” looks like “managed” or “administered” democracy, but as Stephen Blank has argued, “It more closely resembles Ibero-Hispanic fascism or a refurbished form of late tsarism, that is, police capitalism.” Putin began his tenure in 2000 with an extremely high approval rating, just as Yeltsin did in 1991. Their strategies, however, look very different. De-democratization continues, despite it maybe not being plainly evident yet in practice. The infrastructure for police control over the society, however, has been created. Given the weakening of all other political players save the police and security machinery, clear evidence could soon be forthcoming.

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