

UNIVERSITY OF LJUBLJANA
FACULTY OF SOCIAL SCIENCES

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Democratization process in the Russian Federation - A failed project

Proces demokratizacije v Ruski federaciji - neuspeh projekt

Master's Thesis

Ljubljana, 2015

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Abstract

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This thesis deals with the democratic transition and democratic consolidation in Russia, primarily from 1991 to 2008. It relies on Juan Linz's and Alfred Stepan's five arenas of democratization to evaluate the democratic transition under Boris Yeltsin's rule during the 1990s. It addresses the aspects of the democratic transition in the 1990s that made the democratic consolidation in 21st century Russia hard to achieve. Then, by using Wolfgang Merkel's partial regimes of democracy, the thesis examines the factors that have led to the establishment of an illiberal order in Russia, during Vladimir Putin's first two presidential terms. In particular, the damage made to the electoral regime, horizontal accountability, civil rights, and civil society during the 2000s directly contributed to Russia becoming an illiberal democracy. Lastly, it will be shown that the impact of the 1993 Constitution and the role of super-presidentialism have diminished the state of democracy in Russia and elevated the executive as the dominant branch of the government. The 1993 Constitution prevents the horizontal accountability since the legislative and the judiciary can not provide a proper check to the executive. It will be shown that, in the early 21st century, Russia attained systemic equilibrium, and that illiberal democracy in Russia is not necessarily a transitional regime, but a more permanent one.

Keywords: democratization, Putin, Yeltsin, illiberal democracy

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Magistrska naloga se ukvarja s demokratično tranzicijo in demokratično konsolidacijo v Rusiji, predvsem med letoma 1991 in 2008. Temelji na delih Juana Linza in Alfreda Stepana o petih arenah demokratizacije in s tem analizo procesa demokratične tranzicije v času predsedovanja Borisa Jelcina v 90. letih 20. stoletja. Naloga obravnava vidike demokratične tranzicije v 90. letih, zaradi katere je bila demokratična konsolidacija v 21. stoletju tako težko dosegljiva. Nato naloga preučuje dejavnike, s pomočjo delne demokratične ureditve po Wolfgangu Merkleu, ki so privedli do neliberalnega reda v Rusiji, to pa je bilo v času prvih dveh predsedniških mandatov Vladimirja Putina. Velika škoda, v smislu demokratičnosti, je bila storjena na volilnem sistemu, horizontalni odgovornosti, državljanskih pravicah in v sami civilni družbi v začetku 21. stoletja. Na koncu bomo pokazali, da sta ustava iz leta 1993 in vloga super predsedniškega sistema botrovala k zmanjšanju stopnje demokratičnosti v Rusiji in povišala vlogo izvršne, prevladujoče veje oblasti. Ustava iz leta 1993 preprečuje horizontalno odgovornost, saj zakonodajna in sodna oblast ne moreta zagotoviti ustrezne kontrole nad izvršno oblastjo. Kot bomo videli, je Rusija v 21. stoletju dosegla sistemsko ravnovesje, prav tako pa se bo izkazalo, da ni nujno neliberalna demokracija v Rusiji zgolj prehodni režim, ampak trajen.

Ključne besede: demokratizacija, Putin, Jelcin, neliberalna demokracija

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Introduction

Many Central and Eastern-European countries have started their journey to democracy in 1989, after the collapse of the Berlin Wall. That was the breaking point in a several decades long ideological and political clash between the eastern communist block and the western democratic world. However, one country and one political leader had the biggest role in the events that enabled that journey. That country was the Soviet Union and that crucial political leader was Mikhail Gorbachev. Modern Russia, which is a successor to the Soviet Union, a former global superpower, had also embarked on its road to democracy along with other countries of the eastern block. Russia is a country that had not experienced democracy prior to the 1990s. Several centuries under the Tsars were followed by seven decades of totalitarianism. Its journey to democracy was destined to be difficult, because there were no prior democratic experiences. And as many have said before, while a government can be overthrown in a few days, a political system changed in a span of few months, economic system in a few years, a change in political mentality takes generations. The goal of this thesis is to examine the success (or lack thereof) of the democratization process in Russian since its independence.

According to the Freedom House (an independent watchdog organization dedicated to the expansion of freedom around the world) data, Russia in 2014 is considered an illiberal country with freedom ratings of 5.5, civil liberties of 5 and political rights of 6 (Freedom House).¹ The goal of this thesis is to examine the factors that led to Russia becoming an illiberal country. Moreover, this thesis will present the case that Russia's status as an illiberal democracy is not necessarily a transitional regime that will develop into democratic or autocratic regime, but that it has regained, in the words of Wolfgang Merkel, "a systemic equilibrium", and that it has established itself to last for a longer period (Merkel 2004, 48).

The main research question of this work is: **What were the main factors that influenced the formation of an illiberal democratic system in Russia?**

This thesis will provide an answer to the main research question by examining the development of democracy in Russia since its independence, starting with the democratic transition during the 1990s and finishing with the unsuccessful democratic consolidation post-

¹ 1 being the best and 7 being the worst rating

2000. This thesis will also examine the negative impact of super-presidentialism on the democratization process in Russia. In Russia, the executive branch (led by the president) is overpowering other branches of government and is weakly limited by the judiciary. The goal of this endeavor is to show how that trait of Russian political system affected the mutation of Russia into an illiberal democracy. This thesis will emphasize the role played by its two notable presidents, Boris Yeltsin and Vladimir Putin, on the democratization process, and their impact on the development of the Russian political system and on the development of democracy in Russia. This endeavor will focus mostly on the period from Russia's independence in 1991 to the end of Vladimir Putin's second presidential term in 2008.

In order to provide a proper answer to the main research question, this work will provide a closer look at the democratization process in Russia by answering the following sub-questions which will also take the form of chapters:

1. How successful was the democratic transition during the 1990s?

In order to provide the answer to the research question, this chapter will address the process of democratic transition in Russia, while Boris Yeltsin was president. The chapter will examine several aspects of the democratization process in Russia, prior to Vladimir Putin's rise to power. Juan Linz's and Alfred Stepan's five arenas of democratization will serve as an analytical tool in order to evaluate the state of Russian democracy in the 1990s. Firstly, Mikhail Gorbachev's contribution to democratic transition through his attempts to liberalize and democratize the Soviet Union will be addressed. Secondly, Boris Yeltsin's rise to power and the adoption of the 1993 Constitution will be addressed. Thirdly, the success (or lack thereof) of the transition from command to capitalist economy will be assessed. Fourthly, the development of the civil society in Russia during the 1990s will be examined. Fifthly, the state bureaucracy and rule of law will be assessed. Lastly, the development of political society will be addressed in this chapter.

2. What were the main reasons for the unsuccessful democratic consolidation in 21st century Russia?

In order to provide an answer to the research question, this chapter will address the role played by Vladimir Putin's regime on Russia's transition to illiberal democracy. The emphasis will be placed primarily on Putin's first two presidential terms, and their impact on the formation of a defective democracy that is Russia today. It will address the electoral machinations during the election cycles of the early to late 2000s and the negative effect they had on democracy in Russia. Furthermore, the weakening of the civil society and civil rights will be addressed, by examining a decrease in participation within the political sphere caused by Putin's implementation of managed democracy. Control of the media, especially national/state media outlets, manipulation of the public sphere (censorship of various NGOs, especially those sponsored from abroad and youth movements) will be examined in this chapter as well. Impact of the party of the government, United Russia, on the legislative branch of the government will be assessed. The chapter will point to the first eight years of Putin's rule as being instrumental to the establishment of illiberal democracy in Russia.

3. To what extent has the power given to the executive (the president) harmed the democratization process in Russia?

The goal of this chapter is to examine the position of President in the Russian political system. It will show that the executive has much more power over the other two branches of government than in other democratic regimes, because the checks and balances are very weak, and in some cases non-existent. The formation of super-presidentialism in Russia has directly impacted the process of democratization in Russia, and in a negative manner. Boris Yeltsin and especially Vladimir Putin have used the power given to them by the political system in a manner that has endangered democratic institutions and in that way democracy in Russia itself, because super-presidentialism identifies democracy itself with a single person.

Chapter 1: Theoretical and methodological overview

Theoretical approach for this master thesis will be multi-faceted. It will apply Juan J. Linz's and Alfred Stepan's five arenas of democratization for the transition period during Boris Yeltsin's presidency. Five arenas of democratization, according to Linz and Stepan, are: free and active civil society, autonomous political society, rule of law, developed state apparatus and lastly, institutionalized economic society (Linz and Stepan 1996, 7).

Civil society is the arena where „self-organizing groups, movements and individuals, relatively autonomous from the state attempt to articulate values, create associations and solidarities, and advance their interests“ (Ibidem, 7). Civil society can include various social movements (women's groups, intellectual organizations etc.) and civic organizations from all aspects of society (trade unions, journalists, lawyers etc.). However, civil society is not the only prerequisite for a successful democratic transition.

A successful democratic transition and consolidation must include a functional political society. *Political society* is the arena in which the polity „arranges itself to contest the legitimate right to exercise control over public and the state apparatus“, and which consists of „political parties, elections, electoral rules, political leadership, interparty alliances, and legislatures“ (Ibidem, 8-9).

Rule of law is the third arena, which guarantees a „certain level of autonomy and independence of civil and political society“ (Ibidem, 10). A notion of constitutionalism is necessary for the rule of law to be present in a political community. It presupposes a commitment to self-binding procedures of governance that require absolute majorities to change, and it also requires a clear hierarchy of laws, supported by an independent judicial system (Ibidem, 10).

A *developed state apparatus* is necessary in order to support the first three arenas and to provide the state with effective capacity to command, regulate and extract (Ibidem, 11).

Lastly, the final condition for a consolidated democracy is *economic society*. A successful democratic consolidation requires the institutionalization of a socially and politically regulated market (Ibidem, 12-13). If the state is unable to carry out any regulatory functions, a collapse of

the economy would be a likely consequence, which would only exacerbate the problems of economic reform and democratization. Through these five arenas of democratization this thesis will explore the democratic transition process in Russia during the 1990s.

According to Linz and Stepan, *democratic transition* in a given country:

is complete when sufficient agreement has been reached about political procedures to produce an elected government, when a government comes to power that is the direct result of a free and popular vote, when this government de facto has the authority to generate new policies, and when the executive, legislative and judicial power generated by the new democracy does not have to share power with other bodies de jure. (Ibidem, 3).

The definition of *consolidation* is the following one:

Regime consolidation consists in transforming the accidental arrangements, prudential norms and contingent solutions that have emerged during the uncertain struggles of the transition into institutions, that is, into relationships that are reliably known, regularly practiced and normatively accepted by those persons or collectivities defined as the participants/ citizens/subjects of such institutions; and in such a way that the ensuing channels of access, patterns of inclusion, resources for action, and norms about decision making conform to one overriding standard: that of citizenship. (Schneider and Schmitter 2004, 4).

This thesis will examine how successful the democratic transition and consolidation in Russia was during Boris Yeltsin's presidency.

For the second part of the thesis Wolfgang Merkel's article on embedded and defective democracies will be used in order to examine the reasons why Russia has become an illiberal democracy during Vladimir Putin's first two presidential terms and why democratic consolidation has not been achieved. According to Merkel, there are five partial regimes which comprise an embedded, liberal democracy. They are: a democratic electoral regime, political

liberties, civil rights, horizontal accountability and the guarantee that the effective power to govern lies in the hands of democratically elected representatives (Merkel 2004, 36).

Primary function of the *electoral regime* is to make the allocation of public positions of the state dependent on the results of open, competitive elections, and it is the most obvious expression of the sovereignty of the people, the participation of the citizens, with the equal importance of each individual preference (Ibidem, 38). However, the voters can only impact the election process by choosing the governing elites. They don't have any influence on how power is exercised between elections. Therefore, a democratic electoral regime is not a sufficient condition for a consolidated democracy.

Political rights are an important partial regime. At the core of political rights is the right to political communication and organization (Ibidem, 38-39). The right to freedom of speech and opinion, and the right to association, demonstration and petition are central to this partial regime (Ibidem, 39). For example, both public and private media should have significant influence, any form of politically motivated censorship should not be exercised, citizens should be free to form interest groups and act within them independently from the state.

Civil rights are the third partial regime, and they supplement the first two partial regimes. They are central to the rule of law in a democratic society. The rule of law at its core serves to contain and limit the exercise of state power within its clearly defined constitution and laws. Civil rights are guaranteed by the constitution, which is in turn protected by an independent judiciary. The courts, in that sense, serve as constitutional custodians of the legislature and supervisors executive obedience to law (Ibidem, 40).

The fourth partial regime is the *division of power and horizontal accountability*. This, in essence, refers to a clear division of power between the legislative, executive and judiciary bodies, which mutually check and balance each other. The primary goal is to limit the executive power from overreaching its clearly defined authority (Ibidem, 40—41).

The last partial regime is the *effective power to govern*, and it emphasises the necessity that the elected representatives are the ones that actually govern. Its purpose is to prevent extra-constitutional actors not subject to democratic accountability (for example, the military or the police) from holding final decision-making power in certain policy domains (Ibidem, 41).

Apart from the partial regimes, there are also external embedding rings which might lower or raise the quality of a liberal democracy and those are: the socio-economic context, civil society and international integration (Ibidem, 44—48). This thesis will specifically focus on the role played by the civil society in Russia during the first decade of the new millennium.

The third chapter of the thesis will address the damage that some of the above mentioned partial regimes of an embedded democracy suffered since 1999 and how that damage resulted in Russia becoming an illiberal democracy. According to Merkel, in an illiberal democracy the executive and legislative branches of government are only somewhat limited by the judiciary, individual civil rights are either partially suspended or not yet established and the rule of law is damaged which affect the core principle of liberal democracy and that is the equal freedom of all individuals (Ibidem, 49).

Because of the complexity of the research topic, methodological approach will be multifaceted, due to many aspects of the democratization process. One of the methods that will be used for this thesis is the comparative method, elaborated in the book "Theories and Methods in Political science, edited by David Marsh and Gerry Stoker (Marsh and Stoker 2010, 285-308). Comparative politics and comparative method is one of the main approaches used for this master thesis proposal. Five arenas of democratization and partial regimes of an embedded democracies are useful tools to apply for the evaluation of the democratization process in Russia by using the comparative method. The thesis will also be formed as a case study, where the Russian democratization process will be applied to the 5 arenas of democratization and to partial regimes of democracy. Moreover, since the theoretical approach is already defined by Linz, Stepan and Merkel, this thesis will apply certain elements of quantitative methods, by using the statistics and data gathered by Freedom House, Bertelsmann Transformation Index etc. (Ibidem, 267—285). Lastly, due to an abundance of material, monographies, articles, scientific journals and other source of information, this thesis relies on the use of the internet (world wide web) to track down reliable data reference materials and other relevant sources for use in research (Payne 2004, 120—125).

Chapter 2: Transition to democracy in Russia during the 1990s

The goal of this chapter is to provide insight into the transition to democracy and capitalism during Boris Yeltsin's presidency. It will be shown that, despite the positive steps taken during the 1980s under Mikhail Gorbachev and the Soviet Union, Russia was not able to complete the democratic consolidation in the 1990s. Moreover, it will be shown that the 1993 Constitution, economic transition and the 1996 presidential elections were crucial factors that led to the formation of the illiberal order in Russia.

This chapter will address several aspects of the democratization process in Russia, prior to Vladimir Putin's rise to power. Linz's and Stepan's five arenas of democratization will serve as an analytical tool in order to evaluate the state of Russian democracy in the 1990s. First, Mikhail Gorbachev's contribution to democratic transition through his attempts to liberalize and democratize the Soviet Union will be addressed. Secondly, Boris Yeltsin's rise to power and the adoption of the 1993 Constitution will be addressed. Thirdly, the success (or lack thereof) of the transition from command to capitalist economy will be assessed. Fourthly, the development of the civil society in Russia during the 1990s will be evaluated. Fifthly, the state bureaucracy and rule of law will be assessed. Lastly, the development of political society will be addressed in this chapter.

2.1. Mikhail Gorbachev and the liberalization of the Soviet Union

The Soviet Union during the 1980s had been stuck in the period of economic, political and bureaucratic stagnation. After the death of Leonid Brezhnev, there existed a need for a new leader, with new ideas in order to counter the conservative forces in the leadership stuck in their old ways. Mikhail Gorbachev turned out to be the defining political figure in the former Soviet Union during the 1980s, a figure who will be forever linked to the reform and, eventually, demise of the Soviet Union. Gorbachev was elected General Secretary of the Communist Party on 11 March 1985, and although he was not yet established as a reformist, hints of his future actions already existed at that time, and the fact that he was relatively young (54 years) when he

took up the position made him a fairly unique leader in a gerontocracy that was the Politburo (members were 68 years old on average) at that time (Gill and Markwick 2000, 25—27). Shortly after coming to power, Gorbachev initiated his reform with *uskorenie* (acceleration), *perestroika* (restructuring) and *glasnost* (openness) (Ibidem, 32). While *uskorenie* assumed a better use of resources within the economy, apart from the short-term improvements of living standard and the availability of consumer goods and services, it did not prove to be the economic solution Gorbachev expected. Two Gorbachev's campaigns, anti-alcohol and the campaign against the unearned income turned out to be particularly devastating for the Soviet economy (Ibidem, 32). While the anti-alcohol campaign was met with hope from the female population at first, it had a debilitating effect on the Soviet economy. Almost 90% of alcohol sales went to turnover taxes, and anti-alcohol campaign led to a steep drop in tax revenue, which resulted in the increase of budget deficit (it doubled in 1986) and Gorbachev's popularity suffered a great hit because of it (Aslund 2007, 25—26). Soviet economy never recovered from the negative effects of that economic measure. However, Gorbachev's reforms led to the liberalization of the Soviet economy and society, although some of them manifested itself differently to what Gorbachev himself intended. The enactment of the Law on Individual Labor Activity in 1986 marked the first attempt intended to create space for individual private initiative (mostly in the service sector) and it started the process of public official questioning of the value of the command economy (Gill and Markwick 2000, 37). The first legal act with consistent market principles was enacted in 1988, and the name of that act was the Law on Cooperatives (Aslund 2007, 56). Cooperatives could be set up by any 3 individuals, they were self-managing, self-financing and self-oriented, they operated on the market and were not limited by plans or price regulations and they could even participate in foreign trade and set up banks (Ibidem, 56).

Glasnost (openness) led to the liberalization of public life. People were often kept in the dark by the Soviet regime on most issues. News and other streams of information threatening to the regime were heavily censored prior to Gorbachev's reforms. When one of the nuclear reactors melted down in Chernobyl in 1986, the Soviet authorities tried to cover up the situation, Gorbachev took advantage and proceeded to enforce *glasnost* after that catastrophe (Ibidem, 31). What he had in mind was socialist pluralism. Greater freedom of the press was granted, and the political dissidents, religious groups, artists and writers saw a gradual improvement of their positions. Works critical of Lenin and Stalin were finally allowed to see the light of day, other

anti-totalitarian literature (Orwell's *1984*, Kafka's *The Castle*, to name a few) was reissued, a revival of history followed shortly after etc. (Treadgold and Ellison 2000, 424—426). *Glasnost* provided a platform for the once voiceless to express their disagreement with the regime and to share their views and ideas with the rest of the population. In the political sphere, the liberalizing effects of Gorbachev's policy began to materialize in 1989 and 1990. The elections to the Congress of People's Deputies in the Soviet Union in 1989 began to weaken the centralized party-state, and the abrogation of the article 6 of the constitution, which ended the monopoly of the Communist party and allowed other political parties to be registered, ushered a new era of political and party competition (Linz and Stepan 1996, 379—382). *Glasnost* and the elections of 1989 stimulated popular mobilization. Social movements such as Democratic Union and Democratic Russia emerged in this period and created political space for liberalization with their activities (they openly confronted the Communist Party, organized strikes with political demands, etc) (Uhlin 2006, 39—45).

Although Gorbachev intended for perestroika and glasnost to breathe in a new life into the Soviet Union, their effects led to the liberalization of economic and public life and, eventually, to the eventual dissolution of the Soviet Union. When the conservative forces within the Communist Party (the Emergency Committee), dissatisfied with the direction in which the Soviet Union was heading, attempted the Putsch in August 1991, and despite the fact that the coup was unsuccessful, the fate of Mikhail Gorbachev and the Soviet Union was sealed. He resigned from power on December 25 1991, shortly after the accord signed by Russia's, Ukraine's and Belarus' head of states on the 8th of December 1991 made the dissolution of the Soviet Union official (Geisler 2009, 34—35).

The man who led the opposition to the conservative forces in the August putsch, and who ended the Soviet Union was primed to take the center stage as the first president of the Russian Federation. That man was Boris Yeltsin.

2.2. Boris Yeltsin and the 1993 Constitution

Glasnost had opened many opportunities for the opponents of the Communist Party to criticize the regime and try to undermine the status quo. Nobody was more successful in that regard than Boris Yeltsin. He was one of the biggest political opponents to Gorbachev, even though he emerged on the political scene as his supporter. His removal from the position of First Secretary of the Moscow Communist Party in 1987 was a direct result of his clash with Gorbachev which, combined with his notorious populism, had only increased his popularity with the citizens of Moscow (Gill and Markwick 2000, 46—48). His popularity was expressed in the following three elections: first, in 1989 when he was elected to the Congress of People's Deputies of the Soviet Union (he gained an astonishing 92% of the vote), second, in 1990 when he was elected to the Congress of People's Deputies with 72% of the vote, and last but not least in 1991 when Yeltsin defeated Gorbachev's candidate Nikolai Ruszhkov by winning 57% of the vote in the democratic presidential elections for the Russian Republic (Almond *et al.* 2009, 389).

As the first elected president of the Russian Federation, Yeltsin faced two great challenges and those were the economic transition (which will be addressed in the following chapter), and the adoption of the new Constitution. Yeltsin had faced staunch opposition from the conservative parliament (the Supreme Soviet led the opposition to Yeltsin) which opposed Yeltsin's economic policy and presidential prerogatives, a referendum had been held in April 1993 (Geisler 2009, 37). The referendum was a victory for Yeltsin, since the population expressed confidence in economic reforms and in Yeltsin himself. But when the Constitutional Conference was formed, the Congress threatened to approve a rival draft to Yeltsin's. Yeltsin, in response, issued a presidential decree 1400 on 21 September 1993, which dissolved the Congress and the Constitutional Court (Ibidem, 38). The consequences of Yeltsin's actions were severe. The conservative forces had attempted a coup, but Yeltsin managed to win the conflict and shortly after published a draft of the new constitution, adopted after the referendum on 12 December 1993 (Ibidem, 38—39). This proved to be the turning point in Russia's democratic transition. Yeltsin took advantage of his position and drafted a constitution that granted the executive significantly more power compared to the other two branches of the government. The

flaws of the 1993 Constitution are addressed in the fourth chapter of the thesis. What is symptomatic of this move by Yeltsin is that, only after he rewrote the Constitution and granted himself more power, did Boris Yeltsin allow the opposition to take control of the parliament (Rutland, 696). Yeltsin acted in that manner because he was aware that the State Duma had no power to challenge him. That will hold true for his successor as well. The 1993 Constitution stunted the democratization process in Russia, and it has been used by the executive in order to subdue its opposition since its ratification.

2.3. Economic transition

The biggest challenge president Yeltsin was faced with at the beginning of the 90s was the economic transition from the Soviet Union's planned economy to the market economy employed by western liberal democracies. At the turn of the decade, Russian economy was suffering from massive shortages and high inflation. Russian economy needed a transition dearly. This chapter will evaluate just how successful the economic transition in Russia had been during the Yeltsin presidency.

2.3.1. Liberalization, stabilization and privatization

Yeltsin was aware of the challenge and he made his intentions very clear soon after the presidential elections in 1991. In his speech, delivered to the Russian Congress of People's deputies, Yeltsin put forward the two tasks he was set to accomplish - economic freedom and financial stabilization (including liberalization of prices, macroeconomic stabilization and privatization) (Aslund 2007, 90). Soon after he made his intentions clear, Yeltsin and his main reformers, Yegor Gaidar and Anatoly Chubais, decided to move swiftly. Yegor Gaidar's plan was to liberalize the prices radically on the one hand, and to balance the consolidated state budget on the other, and the price liberalization took place, as planned, on January 2, 1992 (Ibidem, 96). Soon after, macroeconomic stabilization followed. Stabilization (also known as Shock therapy) was intended as means to prevent financial breakdown of the country. It required a combination of fiscal and monetary discipline which included a significant reduction of state spending and control of money supply (Almond *et al.* 2009, 415). In other words, the goal was to

achieve macroeconomic balance between what the society spent and what it produced. However, macroeconomic stabilization and price liberalization had backfired. Many had asserted that the programme was more shock and less therapy. The ones who opposed the programme the most were not the workers whose living standard had been decreased, but the ones who profited at first. Those were the officials who had taken over the biggest monopolies and, thus, looked to prevent the potential competitors from entering the market (Ibidem, 416). It was obvious that, in such conditions, the owners of those monopolies would want to prevent the formation of real market competition in order to secure their privileged positions and save their monopolies intact. This had a devastating effect on the Russian economy. Reduced state spending, increased taxes and prices were supposed to create an impetus for an increase in production. which would later lead to the reduction in prices. However, that plan did not come to fruition. The producers did not increase their productivity, the citizens' purchasing power had drastically decreased and the government was forced to borrow money from the International Monetary Fund, which in turn led to even less state spending and the economic crisis worsened as a consequence (Ibidem, 417). From 1992 to 1995 Russia suffered an average annual inflation rate in excess of 1000%, which destroyed the savings of most of the population (in 1995, 24.7% of the population lived below the poverty line) (Treadgold and Ellison 2000, 444). It is no wonder that this fiasco had lessened the positive sentiment towards the government and the "freedom" that democracy and capitalism were supposed to bring to the Russian people.

The biggest problem during this period was ensuring economic growth. The collapse of the Soviet Union, whose economy depended on governmental purchases, negatively impacted Russian economy. In other sectors, the situation was dire. Food and consumer industries were exposed as inefficient and lacking compared to the foreign competition. One problem that was particularly troublesome for the young Russian economy was the collection system and the revenue base for taxation, both of whom were extremely weak during this period (Ibidem, 445). In the command economy of the Soviet Union, the government not only had control over the economic enterprises and their revenues, but it also added its "turnover tax" to the price of goods supplied to the consumer (Ibidem, 445). After the comand economy was dismantled, a new system of taxation and tax collection was necessary. However, since the most of economic transitions (around 80%) between companies were conducted in the form of barter (a system of exchange by which goods or services were directly exchanged for other goods or services,

without using a medium of exchange, such as money), that created a massive revenue shortage in the post-Communist Russia. Government revenue which comprised a great part of national GDP during the Communist era (around 21% of the GDP), dropped to 6-7 per cent in 1998 (Ibidem, 445—446). Under these conditions, Russian government's efforts to lead the country safely through the economic transition, were set up to fail spectacularly, which indeed happened during the early to mid nineties.

Privatization of state companies was the second part of the transition to capitalism. Through privatisation, ownership rights over state companies are transferred from the state to private owners. According to the capitalist logic, private ownership over the means of production is more efficient on a global basis than public ownership, because the private owners are motivated to optimise the capabilities of their companies in order to maximise their profits in a competitive market setting. According to the privatization programme, all citizens had received vouchers in amount of 10.000 Rubles in nominal value (which was about 30 US dollars at the time) (Almond *et al.* 2009, 416). The programme's primary goal was to make as many citizens as possible, owners of big state companies. It was originally intended as a way of promoting the transition both politically and economically. Politically, because voucher privatization was supposed to garner greater political support for economic reforms, because the citizens were the main participators in the process, and economically, because voucher privatization was supposed to increase economic productivity. Starting in 1992, the government allocated around 148 million voucher to the citizens, and by June 1994, 140 of 148 million was already swapped for shares, which meant that approximately 40 million Russian citizens were shareholders at the end of the privatization programme (Ibidem, 416—417). Around 16.500 large enterprises were privatized during this period, which was unprecedented at the time (Aslund 2007, 110). The first wave of privatization had been a great success. The man behind the programme was Anatoly Chubais who was the minister of privatization. His efforts were acknowledged by international monetary institutions as well. In late 1994, institutions such as European Bank for Reconstruction and Development assessed that around half of Russian Federation's GDP came from the private, not public sector, and that most of large, medium and small enterprises had been privatized (excluding some sectors, such as agriculture, military-industrial sector and infrastructure, which remained public) (Ibidem, 111). However, even in this stage of the privatization programme, which was widely acclaimed as successful, there were certain negative

elements. The distribution of shares did not meet the expectations. Large share of the companies belonged to the state enterprise managers, and the part of the shares that was owned by the citizens, was largely controlled by the aforementioned state managers (Ibidem, 110). Also, shares owned by the citizens had no value since there were no dividends, and their owners could not participate in the decision making, which was entirely in the hands of state enterprise managers (Almond *et al.* 2009, 416—417). This had a devastating effect on the economic transition during the 1990s (the role of state managers will be further elaborated in the chapter dedicated to state bureaucracy/apparatus). While this part of the privatization programme was deemed a success (despite its drawbacks), next stage of privatization was not nearly as acclaimed. During this stage, a small group of magnates/moguls had been associated with the privatization. They were more widely known as oligarchs.

2.3.2. Oligarchs and the 1998 crisis

While the voucher privatization had been completed in 1994, a large share of the state economy remained in public hands. The state enterprise managers were either incompetent or downright stealing from their companies. Privatization had to be continued. The government opted for cash auctions, but the Russians had no cash. The country was facing a significant fiscal deficit and privatization was the easiest way to deal with it. One Russian magnate offered a solution. Vladimir Potanin (owner of the Oneximbank) proposed a debt-for-equity swap and formed the Consortium of Russian Commercial Banks, which included 6 oligarchic banks (Aslund 2007, 160—161). The word "oligarch" is an ancient Greek word and oligarchy is defined as "government in the hands of a few" (Ibidem, 158). In Russia, the word signified a group of magnates, very wealthy owners of big business enterprises with close ties with the President. They all graduated from the university around 1988 when the Soviet Law on Cooperatives was adopted, which provided them with the basis for their business (Ibidem, 185). Most of them were bankers with the exception of Boris Berezovsky. Potanin's proposal, with the support of other oligarchs, persuaded the government to give them the control rights over the big public companies, and in return, the oligarchs (the Consortium of Russian Commercial Banks) would lend US\$2 billion for one year against a collateral of big stakes (Ibidem, 161). If the state did not repay the debt in one year, the oligarchs would be entitled to sell the collateral, in this case to themselves, which is precisely what happened a year after (Almond *et al.* 2007, 416—

417). In this manner, the state had allowed for a small number of individuals to gain ownership over some of the biggest and most valuable companies in Russia. It is worth pointing out that, compared to the state enterprise managers, the oligarchs were capable entrepreneurs. The profits of some of the companies owned by the oligarchs in the late nineties soared. Between 1996 and 2001 - Yukos', Sibneft's, and Norilsk Nickel's pretax profits rose by 36, 10 and 5 times respectively and the stock market value of the first two rose more than 30 times in real terms (Aslund 2007, 163). Also, the oligarchs cleaned the companies of organized crime, which was pervasive during the time of state enterprise managers. The oligarchs employed their own security forces and secured the companies and plants, and in turn sacked the criminalized parts of their respective companies (Ibidem, 184).

The public, however, remained skeptical of the oligarchs. They were the symbols of corruption and crony capitalism. In two instances the public's suspicion was justified. The first instance occurred in 1996, when the oligarchs helped the re-election of Boris Yeltsin (whose popularity hit a historical low after the failings in Chechnya and in the economic sphere) in the presidential election by promoting him with their media empires, and the second instance was in 1997, when the leading economic reformer, Anatoly Chubais, along with several others was discovered to have received an advance of US\$90,000 for a book on Russian privatization, from a publisher controlled by Vladimir Potanin's Oneximbank (Ibidem, 163—171). The public trust in the reformers and the good intentions of the oligarchs hit an all-time low.

The last straw that broke the camel's back, so to speak, was the 1998 financial crisis. After the Communist party won the elections for the State Duma, Yeltsin was in dire straits. In order to defeat the Communists, the government let the budget deficit rise from 6.6% of GDP in 1995 to 9.4% of GDP in 1996 (Ibidem, 173). In order to reduce the finance deficit, the government turned to the sale of short-term treasury bills. This turned out to be a grave mistake. Short-term bills led to a large short-term debt for the government, which backfired in 1997 and 1998 when the East Asian economic crisis caused interest rates to rise above 100% and create a catastrophic economic crisis (Treadgold and Ellison 2000, 446). The fact that the Russians mistrusted the banks after the fluctuations of the early 1990s and preferred to keep their savings (estimated at US\$10-20 billion) at home in hard currency, had only made the matters worse (Ibidem, 446—447). On August 17, 1998, the government defaulted on its debts, which caused

the ruble to lose its value by three quarters, ordinary bank savers to lose most of their savings and, as result, about a half of Russian commercial banks went bankrupt, including almost all the big oligarchic banks (Aslund 2007, 179). Again, the oligarchs played a role in the crisis origin. They encouraged the large government deficit because they profited on the treasury bills, only to be negatively impacted by the crisis themselves (Ibidem, 180).

2.3.3. Evaluating the economic transition

Economic transition in Russia, as we have seen, had been very turbulent. From the moment it started in 1992 until the economic crisis of 1998, Russian economy suffered blow after blow. However, it is worth pointing out that not all agree on the severity of the economic transition. Andrei Shleifer and Daniel Treisman have described the mainstream characterisations of the economic transition in Russia as exaggeration. According to them, Russian GDP per capita fell about 39 per cent from 1991, when Gorbachev left office, to 1998 when the economic recovery started (Shleifer and Treisman 2005, 154). They have also listed three main reasons why Russia's economic performance was better than usually thought: first, official statistics greatly overvalue Russia's output at the beginning of the 1990s, because much of the reported Soviet output was fictitious; second, Russia's unofficial economy grew rapidly in the 1990s, which could be measured in energy consumption (which fell 18% in this period, compared to the 26% fall of GDP); and lastly, average living standards fell little during the 1990s, and in some aspects even improved (such as average living space, tourism, private ownership of cars etc.) (Ibidem, 154—155). Even though Shleifer and Treisman provide a different account of the economic transition in Russia, a 39 per cent GDP per capita fall is significant for any economy, let alone one in transition. The aspect they don't mention is the political one. The economic transition was supposed to go in hand with the democratization of Russia. The negative aspects of economic transition had exacerbated the prospects of a successful democratic transition.

The consequences of the corrupt privatization of state assets during the 1990s were damaging for the institutionalization of democracy in Russia. Joseph Stiglitz observed that privatization, as it was imposed in Russia, "undermined confidence in government, democracy and in reform" (Evans 2011, 45). The power of the oligarchs, combined with the growth of organized crime and corruption during the 1990s, undermined the legitimacy of Boris Yeltsin's government and made Russians more skeptical about the merits of democracy in the style in

which it was presented in Russia during the 1990s (Ibidem, 45). In the survey conducted after the economic crisis in 1998, on the question of reasons behind the crisis of 1998, 77,1 per cent of people questioned, connected the crisis with the president Yeltsin's handling of the crisis in an "incompetent manner" (Federov 2000, 9).

Table 3.1 shows the effects of establishing a capitalist market in Russia during the 1990s. GDP was in negative numbers for the majority of the decade, while the inflation rates were astronomical from 1992-1995. The economy remained subject to international economy throughout the decade, because it depended on the export of natural resources (a trait of Russian economy still present to this day). Privatization had been carried out before the institutional framework had been set up.

Table 2.1: Yearly growth of GDP in Russia and yearly inflation rates

	1991.	1992.	1993.	1994.	1995.	1996.	1997.	1998.	1999.
GDP	-5,0	-14,5	-8,7	-12,6	-4,3	-6,0	0,4	-11,6	3,2
Inflation	138,0	2323,0	844,0	202,0	131,0	21,8	11,0	84,4	36,5

Source: Russian Federation-Federal State Statistics Service.

All these factors have contributed to the disillusionment of the Russian people with the capitalist economy and with democracy itself. The negative aspects of the economic transition impacted negatively the status of Boris Yeltsin and his legacy, and in turn, opened up the opportunity for a more authoritarian regime to be established under Yeltsin's successor.

2.4. Civil society during the 1990s

Vibrant civil society plays a significant role in advanced democratic countries. It offers a form of control of the executive for the public and serves as a mediator between the government and the citizens. In Russia, civil society had its origins in the Soviet Union's last years (the Gorbachev era). As it has been shown earlier in the thesis, prior to Gorbachev's *glasnost*, all organizations were under the strict surveillance of the Communist party. *Glasnost* had initiated an explosion of free political expression and the impact of *glasnost* on the Soviet society can be hardly measured today. By allowing more openness, Gorbachev and the Communist party had

opened the "Pandora's box". They had given up on the means to control the political expression, which went too far for his and the Communist Party's taste. Many citizens formed "informal groups" and independent associations which dealt with many taboo topics prior to *glasnost*, such as Stalinist terror, nationalism, and even ecology (in the light of the Chernobyl catastrophe) (Almond *et al* 2009, 404). Many expected further development of the Russian civil society after the dissolution of the Soviet Union. This chapter will address the state of civil society in Russia during the 1990s.

2.4.1. State of Russia's civil society during the 1990s

Entering the decade on the wings of nationalist pride, many Russians envisioned a modern, democratic Russia in place of the dark totalitarian regime that was the Soviet Union. There were high hopes for the development of an active and impactful civil society. However, their visions and hopes did not materialize.

Table 2.2: Freedom House-Freedom in the world ratings - Civil liberties

	1991	1992	1993	1994	1995	1996	1997	1998	1999
Civil liberties	3	4	4	4	4	4	4	4	5
Status	Partly free	Partly free	Partly free	Partly free	Partly free	Partly free	Partly free	Partly free	Partly free

Source: Freedom House — Until 2003, countries whose ratings for civil liberties fell between 1 and 2.5 were designated "Free", between 3 and 5.5 "Partly Free" and between 5.5 and 7 "Not Free".

Table 3.2 shows the development of the Russian civil society in the 1990s. Throughout the decade, civil society had been assessed by Freedom House as "Partly Free", and slowly moving towards the "Not Free" status. There were many reasons for this sudden decline, which happened under the presidency of Boris Yeltsin, a man who himself was supported by social movements during the late 1980s.

In the early 1990s, Russian economy was in a need of transformation and already in deep recession. Yeltsin and his government wanted to de-mobilize civil society. The reason for this change in the government's action was that Yeltsin knew that the standard of living would decrease during the transition to market economy, and a mobilized society could endanger the implementation of the economic transition programme, which Yeltsin did not want to happen (Geisler 2009, 63). Despite his initial actions, Yeltsin did not want to suppress the civil sector

entirely. The 1993 Constitution provides protection for civil liberties, such as freedom of speech, peaceful assembly, press and religion (Ibidem, 63). However, as it will be shown later in the thesis, the 1993 Constitution strengthened the power of the executive branch vis a vis the legislative and judiciary branches, and limited the influence of civil society. Also, since the executive became relatively autonomous from the legislative branch in 1993, civil groups had to appeal directly to the executive, which was not easy. After the dissolution of the Soviet Union, many of the organisations formed under Gorbachev's rule disappeared, and since the participation in the Soviet Union was mandatory, many citizens welcomed the change and basically enjoyed their right not to participate (Ibidem, 63—64). The fact that the citizens had little to no trust in the government or in the judiciary, led many to believe that, in order to solve their problems, they have to do it by themselves, and not look for help from the state (Ibidem, 64).

Three different factors influenced the development of the civil sector negatively: first, the nature of social organization in the Soviet Union left a bad sentiment among the people regarding the social organizations and the public sphere in general; secondly, the inflation and economic decline left individuals with little to no money to spare in order to financially support civil organizations, even if they had been willing to; and lastly, the transformation of the political system in 1993, made it more lucrative to make personal connections with individuals in power, rather than to look for support in the civil sector (Evans 2011, 46). The last issue was in particular troublesome. Namely, the Yeltsin administration had actively discouraged mobilization of Russian citizens for organized political action, apart from voting in elections, and it had relied on the dominance of the executive to make deals with the oligarchs and other influential individuals in order to introduce change from top down, in that way bypassing other political factors, including civil society (Ibidem, 46). It is this weakness of civil society that has enabled the political elite to garner power and to block any significant reform of Russian democracy. In that manner, an easier path towards a more authoritarian regime had been established. Political power was already concentrated in the hands of the few during the 1990s. During 2000s, Russian political system had only continued its evolution from the previous decade.

Resource mobilization presented a problem during the decade as well. Civil society was also very fragmented, with many non-governmental organizations working in isolation (Uhlen 2006, 64). Since the 1993 Constitution institutionalized the autonomy and self-organization of political and civil society, the links between civil society, political society and the state became weak which even further slowed the democratic transition in Russia during the decade (Ibidem, 80). Some influential leaders from the civil sector even moved to the political sphere (like Boris Nemtsov, who was one of the leaders of the environmental movement in Russia). However, civil groups did not find it useful to cooperate with political parties, who were deeply distrusted by the public, had no institutionalized structures and were only for the elections (Ibidem, 108). This disinterest had only further loosened the ties between the civil and political societies.

There was also the question of funding, especially foreign funding. While foreign funding of civil organizations in Russia began in the 1980s, it dramatically increased during the 1990s, with some of the biggest funders being USAID, Soros' Open Society Institute, the National Endowment for Democracy, the Ford Foundation etc. (Ibidem, 116). The foreign investments led to an increase in the number of civil society groups, but that did not lead to an improved civil sector. What can be associated with the foreign funding of civil society is the transformation of the societal movement through formalization and professionalization to non-governmental organizations (NGOs) In other words, it led to the “NGOization of the civil society” (Ibidem, 117). One particular problem for the democratic transition in Russia during this period had been dependance of human rights and democracy oriented NGOs on foreign funding. 43 per cent of these NGOs were dependant on foreign funding (Ibidem, 118). The public was suspicious towards these NGOs and their intentions considering the fact that most were financed by western countries, particularly the United States. The decades long hostility between the Soviet Union and the United States left the public dubious of the good intentions of western funded, democracy promoting NGOs. In fact, they were seen as means to undermine Russia's sovereignty and to assert American influence on the Russian soil.

However, there had been positive contributions of the civil sector during the 1990s as well. Russian Union of Industrialists and Entrepreneurs, which had worked to insure the state support to industrial companies and to bring together the employers and unions, had been a force during the decade (Almond *et al.* 2009, 405). The other influential association was the

Committee of Soldiers' Mothers of Russia which had helped the families of soldiers killed in the Chechnya war, and through its activities had become the most respected civil group during the 1990s (Ibidem, 407). But these shining examples were few and far between.

2.4.2. A stunted civil society

Civil society in Russia did not develop as many predicted at the start of the 1990s. Its development had been stunted by the combination of economic and political factors. It provided a source of resistance against the authoritarian Soviet regime during the 1980s, and even impacted the dissolution of the Soviet Union. However, in post-Soviet Russia, civil society failed to provide a check against the abuse of state power in the 1990s, since civil society actors were oriented towards certain social welfare goals, which they looked to achieve by cooperating with the government and those civil society actor who looked to make the government accountable were too weak to have any meaningful political influence (Uhlen 2006, 140). When it comes to political participation, there was a noticeable improvement, but that is not necessarily a good thing. Not all of the civil organizations were advocates of democracy. Many were apolitical, and some were explicitly anti-democratic (Ibidem, 141).

Russian political parties during the 1990s were too weak and for that reason there were few links between political society and civil society with the goal of supporting democracy. One of the reasons for this development had been the disappearance of the middle class in Russia during the 1990s. In developed liberal democracies, it is the middle class which sustains their existence. The economic transition impoverished the middle class during the 1990s, with the economic crisis of 1998 being the final setback which had debilitated the state of the middle class at the turn of the century (Gill and Markwick 2000, 241). This weakness had a significant impact on the development of civil society and political society, and in turn, it had allowed the move towards a more authoritarian regime in the 2000s.

2.5. State apparatus and the rule of law in Russia during the 1990s

In order for a particular country to successfully finish its democratic transition a developed state apparatus is necessary to support the democratic institutions and other 4 arenas of

democratization. Rule of law is also of capital importance for a functioning democratic society. Rule of law guarantees a certain level of autonomy and independence of civil and political society and establishes a clear hierarchy of laws, supported by an independent judiciary. This chapter will evaluate the development of the state apparatus and the establishment of rule of law in Russia during the 1990s.

2.5.1. Rule of law under Yeltsin

Rule of law was one of the main motivations for Gorbachev's reform of the Soviet Union in the late 1980s. He intended to transform the Soviet Union into *Rechtstaat*, and not a state where the Communist party can usurp power with nothing to provide counterbalance to it. In the 1990s many Russian politicians asserted the primacy of laws over politics rhetorically. But the abuse of law continued throughout the decade. The State prosecutor's office has, traditionally, been given vast authority in Russia, and its main purpose was to fight against crime, corruption and abuse of power by the state bureaucracy (Almond *et al.* 2009, 420). However, it had been almost impossible for the prosecutor's office to control the vast state bureaucracy and to fight the well entrenched state officials and political party members. The judiciary had been weak and unable to maintain its independence. There were some cases where judges were assassinated by the members of organized crime, and also pressured by state officials to reach certain verdicts in politically sensitive issues (Ibidem, 420). Russian security agency had functioned independently and often controlled the flow of information, with little to no supervision, which further weakened the rule of law in Russia (Ibidem, 421).

The biggest problem, during this time, had been corruption. Many Russians were involved in corruption in everyday life, and believed that corruption is a part of their lives and impossible to eliminate. Institutional reform was needed, but the state leadership, led by president Yeltsin, did little to limit corruption, which had instead increased to such an extent that it presented a challenge for both the economy and the political society (Ibidem, 423). The level of corruption during the 1990s is best explained by "restoration project" conducted in Chechnya from 1994-1996. The huge amount of money that was sent to Chechnya was instead looted by the corrupt politicians, led by Oleg Soskovets, who was the head of State Commition for the Restoration of the Chechen economy, and by banks who were supposed to disburse the funds in Chechnya (Dunlop 2000, 10). This was covered with outrage by the Russian media. The state of

rule of law has even worsened during Yeltsin's second term. In 1997, a new restrictive legislation on religion was introduced which set the country back to the 1975 draconian Brezhnev era law on religion (Ibidem, 12). The new bill violated 8 articles of the 1993 Constitution, as well as many international treaties signed by the Russian Federation, but it still was able to garner overwhelming support in both houses of the Parliament and in the presidency (Ibidem, 12—13). Russia was basically seen by its citizens as a weak state. In a poll conducted in 1999, over 90 per cent of Russians who participated in the poll accused the state of being unable to provide basic protections (Ibidem, 13). The citizens saw themselves as having been cast in a Hobbesian state of nature, in which the state is either non-existent or unable to protect their lives and basic freedoms.

In the economy, the problems remained the same. At the start of the 1990s, Russia was unprepared for the transition to capitalism, since it lacked the necessary laws for a capitalist economy. Poor judicial systems produce inadequate corporate governance, which in turn slows down the development of financial markets. Without strong legal framework and a capable judiciary, potential business partners find it hard to agree or resolve potential conflicts, which was the exact problem with the Russian economy in the 1990s (Aslund 2007, 186). As a result of a poor judicial system, what was created in in Russia is a specific type of market economy, which Joseph Stiglitz calls "ersatz capitalism", characterised by cronyism, mafia-like connections and asset stripping rather than creation of wealth and economic growth (Gustafsson 2013, 87). Corruption was accepted as a fact of life by many citizens. According to Gustafsson's research, it was three times more likely that those economic actors who have accepted corruption as a fact of life, would trust the judicial system in 1997, than those who rejected corruption categorically, and they had that trust because they believed that they would be able to influence the judge's decision (Ibidem, 95). In such a climate, it is not surprising that the economic transition was so turbulent and unpredictable.

Even on the federal level, there have been difficulties for Russia with regards to maintaining the rule of law and the *Rechtstaat*. The Constitutional Court is the highest judicial body in Russia, and it is created to „resolve cases relating to the conformity with the constitution of the Russian Federation“, of federal laws and normative acts, republican constitutions, laws and normative acts, and treaties between organs of state power (Kahn 2002, 177). But the

existence of the Constitutional Court did not prevent the regional executive bodies from taking the law into their hands. There have been instances where those bodies had attempted to resolve the conflicts they themselves noticed between the laws, thus blurring the authority between the federal executive and the Constitutional Court (Ibidem, 178). Moreover, there have been instances of non-compliance with the Constitutional Court's explicit rulings, and even those republics who did recognize the Court's authority, had sometimes refused to comply with unfavorable rulings (Ibidem, 179—180). Lastly, even when the Constitutional opinions were directly sought, it was often too reluctant to take a stand, which further exacerbated the establishment of a coherent legal environment and respect for the Constitutional Court (Ibidem, 178—179).

To sum up, during the most delicate time for democratic and economic transition in the 1990s, rule of law was either not established, or it was too flawed in order for the other arenas of democratization to function properly. The biggest problem that plagued the Russian legal system during the decade had been rampant corruption. Rule of law in Russia during the 1990s, failed to provide a safe legal environment for democratic and economic transitions.

2.5.2. Russia's state apparatus during the 1990s

State bureaucracy had been a sore spot for Russia's democratic transition under Yeltsin's presidency. Public service had failed to develop according to plan and a significant obstacle presented the remnants of the Soviet Union. Some of the biggest factors which had perpetuated the problems of public service reform during the 1990s, and which drew their roots from the Soviet era, were: negative public opinion of the bureaucracy, very low salaries of public clerks and a lack of transparency of the administrative services (Barabashev and Straussman 2007, 376). Considering the conditions in the Soviet Union, it was no wonder that the citizens held the state bureaucracy in low esteem. People were particularly antagonistic towards the nomenklatura, an elite part of the Communist Party, because of their privileges, which continued even after the dissolution of the Soviet Union (Ibidem, 376). Lack of transparency can be especially problematic since it can lead to appointments and promotions based on political connections rather than on merits. Another problem that had plagued the state apparatus in Russia was something that Barabashev and Straussman call „privatization of the government“ (Ibidem, 377). Namely, after years of service, many public clerks had managed to occupy reserve

positions in private sector and companies with government shares, which had further exacerbated the condition of state bureaucracy in Russia during the 1990s. There were some attempts to reform the public service, most notably with the establishment of the Roskadri of Russia (a specialized public institution responsible for all administrative reform service issues) at the beginning of the 1990s, but the effects were very limited (only the increased level of education of government employees was accomplished) (Ibidem, 378).

Something that was specific to the state apparatus in the 1990s was its bureaucratization, with the presence of parallel structures, which duplicated each other's functions, such as the system of financial administration, which had operated on three levels: federal, regional and local (Shvetsov 2008, 50). This lack of coordination and the focus on their own territorial interests, negatively impacted the efficiency of those institutions. Even at the federal level, Yegor Gaidar's team of economic experts, who were members of the nomenklatura, were elitist and distant from the public, but what was even more damaging, none of them had earned their degrees abroad, but in the self-isolated Soviet Union, which left them unprepared for the consequences of the economic transition (Aslund 2007, 93).

However, the biggest problem the state bureaucracy presented at the time was in the economic sector. Certain parts of the bureaucracy had placed the economy under its interests, and totally disregarded the public's problems and national interests. Nowhere was that more obvious than in the activities of state enterprise managers. They were the biggest profiteers of the transition, enriching themselves during the early 1990s at the expense of the society and state. They were the biggest obstacle for financial stabilization measures, because they had used subsidized credits and state subsidies from the state budget, which destabilized the country's finances (Ibidem, 137). What gave the state enterprise managers such power over state enterprises during the 1990s was actually the Law on State Enterprises, adopted under Gorbachev in 1988 (Ibidem, 138). Even the mass privatization, at the beginning of the decade had looked to contain the power of state enterprise managers, who still managed to exert their control over the enterprises by serving as proxies for the 40 per cent of shares, ordinarily held by the employees of those enterprises (Ibidem, 138). The period of late 1980s and early 1990s, which was dominated by state enterprise managers, was known as "prikhvatizaciia" (a play on the Russian verb, *khvatat'*, to grab or snatch) (Gill and Markwick 2000, 208).

One of the biggest mistakes made during this period was the privatization of Russia's biggest energy company, Gazprom. Gazprom, established in 1989 and led by Viktor Chernomyrdin, who was also serving as prime minister of Russia at the time, was also subjected to privatization, in 1993-94 when almost 40% of its shares were sold for US\$ 100 million (Aslund 2007, 141). That remained a dark chapter in the history of economic transition of Russia for two reasons: first, the privatization of Gazprom was the biggest giveaway, because the value of shares sold in the 1990s was established at US\$ 100 billion in 2006, one thousand times more; and second, at the time, it was rumoured that Chernomyrdin himself received 5 per cent of the shares, which he publicly denied (and if still possessed those shares in 2007 he would own around US\$ 13 billion) (Ibidem, 141). What is saying a lot about the state enterprise managers is the fact that the oligarchs presented an improvement for the Russian economy over them.

As we have seen, Russia's state apparatus was deeply flawed in the 1990s. Problems of transparency and corruption were pervasive. And in the economy, state enterprise managers proved to be the biggest obstacle for financial stabilization, privatization and economic transition itself. This condition of the state bureaucracy made the people suspicious of its expertise and intentions and it had paved the road for a more authoritarian regime to be established later on. Such a regime, in the eyes of the people who were familiar with having strong, autocratic leaders, would be able to bring the "unbridled" state apparatus in line.

2.6. Political society during Yeltsin's presidency.

For every modern society to be truly democratic, an established political society is its necessary condition. This chapter will: first, address the state of the political society during the 1990s, and second, it will focus on the 1996 presidential elections as the turning point in the evolution of democracy in Russia.

2.6.1. Political parties and the aggregation of interest

Political parties are usually the principal actors competing for the aggregation of interests in modern political communities. The same could be said for Russian political society. Although the multi-party elections have their origins in the 1989 elections before the collapse of the Soviet

Union, the party system remained weak and underdeveloped in the 1990s. There were a couple of reasons for this development. First, there was a big fluctuation of parties, since the politicians were constantly forming new political parties only to leave them soon after their inception, which did not give the voters any reason to commit themselves to those parties' ideologies, but only to the political individuals governing them (Almond *et al.* 2009, 408). Second, the political parties based their actions on patronage, rather than on mobilization of support for the sake of achieving programme goals (Ibidem, 409).

Russian party system went through a significant transformation during the 1990s. In the first part of the decade the dominant dichotomy was democratic-communist parties, with some parties who identified with Russian nationalism, but in the latter part of the decade there had been attempts from the government to create parties based on patronage, otherwise known as "parties of the government" (Ibidem, 409). For example, in 1995 parliamentary elections, the then prime minister Viktor Chernomyrdin's party "Our Home is Russia" enjoyed president Yeltsin's support, but despite it, the party gained barely over 10 per cent of the votes (Fish 2005, 52). It will be only under president Putin that a party of the government, United Russia, would be able to dominate the elections. The proportional representation which dominated the electoral system in the 1990s allowed the emergence of a fragmented party system in Russia during the decade, because it provided incentives for smaller political parties to compete with the larger ones rather than join them (Sokolowski, 421—422). This was one of the main reasons why Yeltsin relied more on his presidential decrees than on the parliament to advance legislation. The deep disagreements which characterized the political parties in the State Duma, made it very difficult to reach a consensus on particular issues.

Considering the state of the political party system at this time, it is no surprise that many members of the Parliament ran as independent candidates, or even changed their party affiliation between elections (Smyth 2006, 64). When it comes to the demographics of candidates for the Parliament, they were mostly highly educated individuals, with significant experience and mostly male (around 90 per cent) (Ibidem, 76). As mentioned before, Russia's electoral system creates the opportunity for the candidates to either join the party or to run independently, and given the weak party structure, this was a real affiliation decision, because the candidates had

almost equal opportunities of winning the elections as members of political parties or winning as independent candidates.

During the 1990s, the party system was characterized by 5 different party groups: democratic parties (who promoted liberal democratic principles), parties of the Left (who represented socialist values, and were successors to the Communist Party), center parties (who combined elements from both the democrats and the socialists), nationalist parties (founded on the principles of nationalism and patriotism) and "parties of the government" (Almond *et al.* 2009, 410).

The elections of 1993 and 1995 were mostly democratic. The democratic nature of these elections can be seen in the allocation of votes. In 1993, Liberal-Democratic Party of Russia, led by Vladimir Zhirinovskiy managed to win almost 23 per cent of the votes (Ibidem, 409—411). Its name is misleading, since Zhirinovskiy was infamous for his xenophobia and authoritarianism, but the party's results nonetheless signified the people's dissatisfaction with Yeltsin's economic reform. In the 1995 elections, many political groups entered the elections, which resulted in many of them not having reached the census (5 per cent) (Ibidem, 411). This time the victory was achieved by the Communist Party of the Russian Federation, led by Gennady Zyuganov. The Communists won 22.30 per cent of the votes, and their victory was to have a deep impact on the presidential elections of 1996 (Ibidem, 411).

Even on the regional level, there had been political machinations by the government during the 1990s. President Yeltsin's regime had manipulated the election process in the regions and in that was helped the establishment of the authoritarian power at the state level and executive dominance at the regional level (Ross 2003, 92—93). Yeltsin used the power given to him by the 1993 Constitution, to disassemble the regional and local soviets, by using presidential decrees. From 1993, when Yeltsin disbanded the soviets, to 1996, there was an absence of legislative power in the regions, and to make matters worse, Yeltsin himself appointed the heads of regional executives (Ibidem, 93). This practice was particularly harmful for the parties in the regions. Instead of the governors joining parties in order to compete in the elections, the parties had to seek help from the governors in order to achieve good results in the elections at the regional level (Ibidem, 105). The above mentioned decree powers given to the president by the 1993 Constitution gave Yeltsin and later Putin the authority to exercise power without checks

and balances, which not only slowed the democratic transition in Russia, but it also helped the subversion of democracy and establishment of an illiberal democratic order in Russia (Foley 2006, 21).

To sum up, the establishment of a democratic political society did not go as originally planned, but it still possessed democratic elements in the 1993 and 1995 parliamentary elections. That was about to change in 1996 presidential election, which represents the watershed moment in the development of political society in Russia.

2.6.2. 1996 Presidential elections

Russia entered the 1996 presidential elections in a very delicate state. Economic transition was a disaster and the loans-for-shares privatization was exposed as corrupt, the war in Chechnya was also a failure and the voters were still dissatisfied with the government. Yeltsin's popularity had suffered the heaviest blow as a consequence. In January 1996, his approval rating in the polls hit a historic low of 3 per cent (Aslund 2007, 164—165). After the 1995 parliamentary elections, the Yeltsin regime was in a state of emergency. There was a real threat of the Communist Party leader, Gennady Zyuganov taking over as president of Russia. The paranoia that swept through the Kremlin led to Yeltsin's abuse of power and, combined with the impact of the oligarchs, to a regressal of the Russian transition to democracy. The action taken by Yeltsin regime in the election would prove instrumental to Putin's domination of Russian politics and the crackdown on the media.

What made Yeltsin especially vulnerable in 1996 was the fact that he wanted to be above party politics, a decision which fragmented the movement that helped him rise to power in the first place, Democratic Russia (Ostrow *et al.* 2007, 58). This trait will be shared by his successor, Vladimir Putin. In other words, before the 1996 elections, there was no political organization behind Yeltsin.

He would not have been able to win the election if there were not the oligarchs to help his and their cause. The oligarchs had feared the possibility of the Communists taking over the government and negating all the results of privatization. Berezovski and Gusinsky were the first

to agree at the World Economic Forum in Davos, Switzerland, that Yeltsin's victory is imperative (Ibidem, 60). It did not take long before the other oligarchs decided to join the effort. Their first act was to provide finances for Yeltsin's presidential campaign. This is where the first breach of law concerning the elections was committed. Even though the official ceiling for campaign financing was \$3 million, according to some members of the oligarchy, they financed Yeltsin's campaign in the amount of an astonishing \$600 million (Aslund 2007, 166—167). Another form of the oligarchy helping Yeltsin's re-election was through media campaign. Gusinsky's Independent Television Network (NTV), and to a lesser degree, Berezovsky's Channel 1 (ORT 1) directly impacted the results of the elections by favoring pro Yeltsin propaganda (Ostrow *et al.* 2007, 67—68). Yeltsin was given prime time air coverage on television, despite the law's demand for equal time for all major candidates in the election. In other words, the media was openly campaigning for Yeltsin. Zyuganov, who was Yeltsin's biggest threat was given the treatment of negative campaign and the only time when any positive news were emitted about Zyuganov and the Communist Party took place after midnight to ensure the smallest possible viewing audience (Ibidem, 68). Zyuganov did not have the opportunity to enter the elections on the same ground as Yeltsin. He could not defend himself from the media or Yeltsin's attacks, and he could not make a retort to the accusations thrown at him. The oligarchy's media demonized Zyuganov on a nightly basis and the choice between Yeltsin and him was presented as choosing the lesser of two evils, with the logic of "better the devil you know, than the one you do not" (Ibidem, 68—69). Zyuganov's victory was presented as a way to famine, terror and possibly civil war, so the option to vote for Yeltsin was presented as much more desirable (Ibidem, 68—69).

Of course, the support provided by the oligarchy came at a steep price. The government repayed "the debt" by selling to the oligarchs cheap state treasury bills in order to return the favor for financial and media support provided by the oligarchs (Aslund 2007, 167—173).

Yeltsin managed to win the elections, by defeating Zyuganov in the second round and winning 53.82 per cent of the votes (Almond *et al.* 2009, 411). But this was a costly victory. It established a "win by all cost" precedence, which was to be followed in the 2000s by Yeltsin's successor. It was not only the treasury bills that were offered as payback to the oligarchs. The oligarchs basically purchased cabinet spots after the 1996 elections, with Potanin and

Berezovsky being named to major posts in the new government (Ostrow *et al.* 2007, 71—74). Corruption was the order of the day in the Russian government after the 1996 elections. The second major consequence of the 1996 elections was the fact that the media was exposed as a vehicle of support for the president, and it came to work for the president. This precedent will be later used by Putin, who would later seize the media from the oligarchs, and turn it into a weapon of the government against the opposition (Ibidem, 75—76). The 1996 presidential election was the turning point in the process of Russia's democratic transition. From that point on Russia would only sink further into the illiberal regime that it is today.

2.6.3. Evaluating the state of Russia's political society in the 1990s

The development of political society in Russia under Yeltsin's government left much to be desired.

Table 2.3: Freedom House-Freedom in the world ratings - Political rights

	1991	1992	1993	1994	1995	1996	1997	1998	1999
Political Rights	3	3	3	3	3	3	3	4	4
Status	Partly Free	Partly Free	Partly Free	Partly Free	Partly Free	Partly Free	Partly Free	Partly Free	Partly Free

Source: Freedom House — Until 2003, countries whose ratings for civil liberties fell between 1 and 2.5 were designated "Free", between 3 and 5.5 "Partly Free" and between 5.5 and 7 "Not Free".

As the table 2.3 shows, Russia entered the 1990s as a partly free country and it stayed that way until 2000, but by the end of the decade it started its slide towards the "Not Free" status. The combination of superpresidentialism established by the 1993 Constitution, which allowed president Yeltsin to abuse his power, and the political machinations and fraud present in the 1996 presidential elections, slowed down the development of Russian democracy to a halt. Moreover, the Yeltsin administration had paved the way for Putin to continue this practice and to transform Russia into an illiberal country.

2.7. Russian democracy at the turn of the century

Russian society entered the 1990s with high expectations. Transition from the totalitarian communist regime to a democratic one was highly desired. However, the transition turned out to be flawed one. This chapter has addressed the flaws that emerged during the 1990s democratic transition and the road that was paved for a more authoritarian regime to be established in the early 2000s. This chapter addressed the positive contribution of Mikhail Gorbachev's glasnost and perestroika to the democratization and liberalization of the Soviet Union, which provided fertile ground for democratic transition in 1990s. However, through examination of Linz's and Stepan's five arenas of democratization, this chapter has pointed to critical mistakes that were being committed during the transition process. Russia entered the decade as a more democratic society than when it had exited the 1990s. The critical junctures that contributed to the establishment of an illiberal order during the 2000s, had actually occurred under Boris Yeltsin's government. Those were the 1993 Constitution, economic transition and the 1996 presidential election. It was during this delicate period for the young Russian democracy that the greatest damage has been done to it. Vladimir Putin's regime had only followed the steps of its predecessor. The origin of the current illiberal order in Russia can be traced to the 1990s. The next chapter will address the next step in the evolution, or maybe more precisely, devolution of Russian democracy.

Chapter 3: From a democracy in transition to an illiberal democracy

Russia was still a democracy in transition when Boris Yeltsin stepped down as president at the turn of the century. However, with the 1993 Constitution, 1996 presidential election and the economic and social consequences of the transition to capitalism, Yeltsin had provided fertile ground for an illiberal political order to be established in Russia during the 2000s. The goal of

this chapter is to examine the factors which had caused the unsuccessful democratic consolidation in 21st century Russia. First, Vladimir Putin's impact on the executive will be addressed. Second, horizontal accountability will be assessed by examining the status of the legislative and judiciary branches of the government. Thirdly, the status of civil rights and civil society in Putin's Russia will be evaluated. Lastly, Russia's transformation from a democracy in transition to an illiberal democracy will be addressed.

3.1. Vladimir Putin's impact on the executive branch of the government

The first two presidents of modern Russia took different routes whilst in power. Boris Yeltsin had used his presidential decrees in order to promote new legislation, which was the start of what we now call super-presidentialism. He had faced opposition in the State Duma and he had to rely on the support from the oligarchs which had further diminished his popularity. But he at least tolerated media criticism. Vladimir Putin is a man made from a different cloth. Although he usually payed lip service to the merits of democracy and rule of law, his actions had directly impacted the establishment of an illiberal democracy in Russia.

Shortly after coming to power, Putin appointed to majority of government posts men loyal to him, known as *siloviki* (Ostrow *et al.* 2007, 103). These men came from the Russian security agency, military, police and other similar institutions. According to Olga Kryshanovskaya, by 2003 around 70 per cent of senior regional posts were occupied by *siloviki* (in comparison, at the end of the Soviet Union, less than 5 per cent of the positions were held by the people with security background) (Ibidem, 103). What made this move problematic was the fact that *siloviki* were blindly loyal men. They were not politicians, but security officers and bureaucrats who blindly followed the orders from the Kremlin. What became the main trait of the Russian political system was a relation of military-like hierarchy, in which no orders from the top were scrutinized by the public officials.

Putin also used the opportunity given to him by the 2004 Beslan incident² to increase his presidential powers. After the incident, Putin abolished the gubernatorial elections (which he would finally restore in 2012), under the guise of national security, which further tied the regions to the Kremlin, because from that point, Putin would appoint all executives of Russia's 83 regions, many of whom were *siloviki*, loyal to Putin but with little to no political experience in the region (Moriarty 2013, 31—32). This move created the relationship of patronage between the Kremlin and the regional executives, and it negatively impacted the electoral regime in Russia.

Putin's popularity had risen due to the improved economic situation (Russian economy benefited from the rise of oil prices in the global economy) and his crackdown on the oligarchy provided him with legitimacy among the Russian people, which he used to further increase his prerogatives. Even though Putin is credited as the one to correct the injustices created by the oligarchs, his actions were politically motivated. Putin only destroyed those oligarchs who were politically active, and held an independent position to the Kremlin. He first dealt with the media moguls who helped his predecessor's re-election in 1996, Gusinsky and Berezovsky, by taking away their media empires, but his biggest blow against independent politics was the 2003 arrest of Mikhail Khodorkovsky, the head of the oil giant Yukos on the charge of tax evasion (Ostrow *et al.* 2007, 109). This was in particular ironic, because even among the oligarchs, Khodorkovsky was the one who reinvested in the country and paid his taxes. The persecution was political in nature, because Khodorkovsky was one oligarch who sought to support the creation of civil society and to hold the government accountable for its actions. He created the Open Russia Foundation, whose goal was to support pro-democracy organizations, and by incarcerating Khodorkovsky, the Kremlin also cut off the financial support to those organizations, which would have a devastating effect on the development of civil society in Russia (more on civil society will be said later in the thesis) (Ibidem, 110).

Putin used his popularity very well. In the 2000 presidential elections, Putin won 53 per cent of the votes (the voter turnout was 68 per cent), and in 2004 elections Putin won 71 per cent of the votes with a 64 per cent voter turnout, which made his victory even more one-sided (Moriarty 2013, 23). Even though his popularity was sky high at the time, Putin's regime still

² In 2004, a group of Chechen separatists took hostage of a school in a town of Beslan, North Osetia and held over 1.100 people, most of them children, as hostages. After 3 days of siege, the terrorist were defeated, but the number of casualties was 385.

committed electoral machinations in order to make his victory even more decisive. After 2004 presidential elections, both Organization for Security and Cooperation in Europe (OSCE) and Council of Europe's Parliamentary Assembly (PACE), European leading election observers, argued that the elections did not meet the European standards of competitiveness and pluralism, due to Putin's use of institutional power and state controlled media to ensure a decisive victory (Ambrosio 2009, 54—55). Putin would have won the elections even without the support of the state and the media, but this was only one more example of the regression of Russia's democracy during the 2000s. His approval ratings would never fall under 62% (which was a record low point in 2013) (Moriarty 2013, 42). In the eyes of the public, Putin could make no mistake.

What made Putin's grip on the political system in Russia even tighter was the establishment of the ultimate party of the government, United Russia, which became the biggest factor why there would be little to no horizontal accountability in Russia starting from 2003.

3.2. Horizontal accountability in Russia from 2000 to 2008

This chapter will address the state of horizontal accountability in Russia during Vladimir Putin's first two terms as president. First, it will address the state of the legislative by examining the impact of United Russia. Lastly, it will evaluate the state of the judiciary.

3.2.1. United Russia - Party of the government

After witnessing the impact of presidential decrees on Yeltsin's popularity in the 1990s, Vladimir Putin took a different approach to his rule. His presidency was characterised by the domination of a pro-Kremlin political party, United Russia, through which Putin advanced his interests without the negative backlash from the public. Through such approach Putin's approval ratings remained sky high while the criticism was directed at the parliament, the judiciary and the opposition. There are three advantages for Putin to have a dominant puppet party in the State Duma: first, it ensures solid majorities in the legislative voting; second, the party is useful at the election time, since it represents the Kremlin and its intentions for the well being of the Russian

citizens; and lastly, the party manages the careers and ambitions of politicians (Wegren and Herspring eds. 2010, 47).

United Russia was formed by the merger of two pro-Kremlin parties, Unity and Fatherland-All Russia, who, after the 1999 elections, were the second and third largest parties in the State Duma with 16 and 15 per cent respectively (Moriarty 2013, 26). The original reason for the creation of United Russia was to dismantle the opposition in the parliament headed by the Communist Party.

In order to ensure the domination of United Russia, the Kremlin passed a number of bills regarding party registration and voting system. In 2001, the State Duma passed a bill that required a party to have at least 10.000 members and a big presence in at least half of Russia's 89 provinces in order to gain the legal right to exist (in 2004 the membership was raised to 50.000) (Fish 2005, 77). This law took effect in 2007 and it effected the parliamentary elections greatly that year. In 2005 two new changes were introduced: First, the legislation eliminated the single member district seats from the Duma, and the proportional system was introduced; second, the State Duma electoral threshold was increased from 5 per cent to 7 per cent (Wegren and Herspring eds. 2010, 48). This moves were made with the purpose of achieving absolute majority for the pro-Kremlin United Russia in the State Duma. The fact that further illustrates the mockery that was made of the parliamentary elections, is that party membership requirements were decreased to 500 in 2012 and the single member district is set to be reinstated in 2016 (Moriarty 2013, 61). All these machinations with the electoral rules are making the democratic consolidation virtually impossible, and maintain the illiberal order in Russia today.

In 2003 parliamentary elections, United Russia won 37.1 per cent in the party list portion of voting, followed by the Communist Party (12.7 per cent), Vladimir Zhirinovsky's Liberal Democratic Party of Russia (11.6 per cent) and Motherland (9.1 per cent) (Fish 2005, 78). Neither liberal party passed the 5 per cent census, and since Zhirinivsky's party and nationalist Motherland were pro-Putin, the Kremlin gained friendly majority in the State Duma, which allowed him to pass the above mentioned legislation. Organisation for Security and Cooperation in Europe (OSCE) deemed the 2003 parliamentary elections distorted by pro-government bias (Ibidem, 81).

However, it will be the 2007 parliamentary election that would signify Russia's status as an illiberal democracy. The previously mentioned electoral rule changes combined with the institutional and media control by the Kremlin made the 2007 elections a one sided affair. The United Russia representatives even refused to take part in debates, because the media coverage was positive towards the party and negative towards the opposition to such an extent that United Russia's participation in debates was unnecessary (Ostrow *et al.* 2007, 187). OSCE monitors were prevented from observing elections in both 2007 and 2008 elections, and in 2007 the Council of Europe and OSCE issued a joint statement in which they criticised the elections, pointed to limited political competition, biased media coverage and to an election code which hindered political pluralism (Ibidem, 188). In other words, for the 2007 parliamentary elections in Russia, there was not a level political playing field. United Russia managed to win 64 per cent of the votes, and 70 per cent of seats in the State Duma, which gave it a supermajority status (Moriarty 2013, 30).

The domination of the State Duma by United Russia had enabled the Kremlin with even more power. The parliament had become a rubber-stamping institution. From 2003 to 2007, all the legislation proposed by the Kremlin was passed by the Duma, and in return Putin signed over 90 per cent of bills passed by the Duma (most of the bills were distributive laws that increased social spending, which United Russia used to increase its popularity among the voters, by taking credit for the improved welfare) (Wegren and Herspring eds. 2010, 49—52). Thus, a symbiotic relationship between the Kremlin and the State Duma was established. On one hand, Putin was able to advance all his legislation proposals, and on the other hand, United Russia took advantage of patronage opportunities to spend state resources. It was between 2003 and 2007 that Russia became an illiberal democracy.

3.2.2. State of the judiciary during the 2000s

Judiciary, as the third branch of the government was in need of reform even in the Soviet Union. Before Gorbachev's reforms, the courts were seen as agents of the Communist Party and their only role was to rubber stamp the decisions taken elsewhere. Vladimir Putin's actions resembled the old ways. He looked to establish political presence in the judiciary. His presence was established by the president's right to appoint a "chairperson" granted the power to monitor judicial decisions (Kozina, 82—83). This resulted in the removal of those judges who were

independent, and with the judges facing such threats to job security, Putin became able to influence case decisions on a regular basis (Ibidem, 83). Russian citizens believe that domestic courts do not provide them a fair hearing which resulted in many of them appealing to the European Court of Human Rights (Freedom House). Bribery in courts is pervasive, which leads the judges to make decisions on cases based on the financial offer by the highest bidder in the case (Kozina, 83). In its 2007 report, Transparency International described the judiciary in Russia by stating that the Russian judicial system was "characterized by gross violation of individual rights and freedoms, failure to comply with Russian legislation and with the rule of international law" (Transparency International).

In such conditions, the executive was able to overpower both the legislative and the judiciary. It became almost unchecked by the other two branches of government which resulted in the transformation of Russian political system from a democracy in transition to an illiberal democracy.

3.3. Civil rights and civil society

For any democratic society civil rights and the rule of law are the necessary conditions. Constitutional rights are needed in order to guarantee the individuals' freedom from the state and an independent judiciary is a fundamental characteristic of any consolidated democracy. Civil society also plays a significant role in strengthening democracies and securing civil rights. According to Wolfgang Merkel, civil society plays four important functions in a society: first, the *Lockean* function, which entails the protection of individuals from the arbitrary state power (securing the negative rights of freedom); second, the *Montesquieuian* function, through which civil society links the societal with the state sphere; third, the *Tocquevillian* function, through which civil society serves as a "school of democracy", where citizens practice democratic thinking and civil behaviour on a daily basis; and lastly, the *Habermasian* function, through which civil society institutionalizes the public sphere as a medium of self-reflection and in that manner expands the sphere of interest-articulation and interest aggregation (Merkel 2004, 45-47). However, civil society in Russia failed to perform those functions to the full extent under the Putin regime. The goal of this chapter is to address the poor state of civil society and civil rights

in Russia during the 2000s. By analyzing this partial regime and external embedding ring of democracy, this chapter will illuminate the reasons why Russia has become an illiberal democracy under Putin.

First, the state of the non-governmental sector (NGO) will be analyzed. Following that, the position of the media will be addressed. Lastly, an overall evaluation of civil rights will be presented.

3 3.1. The state of the non-governmental organizations in Russia during the 2000s

During the early 2000s, foreign non-governmental organizations played a significant role of providing criticism of the regime, because local elites were not willing to provide financial and/or organizational support to domestic groups after those who criticized the Putin regime were punished for their opposition (Ambrosio 2009, 45—46).³ Strangely enough, Putin was a bigger advocate of civil society than Yeltsin, but he had a different conception of civil society in mind. As it will be shown in this chapter, Putin looked to tie social organizations to the state in the mid-2000s. Although very suspicious of the West-based organizations from the beginning, Putin's antagonistic sentiments towards the foreign NGOs reached a new level after the demonstrations in Georgia (2003) and Ukraine (2004) overturned political leaders friendly towards Russia and its interests, which only strengthened the opinion of the Russian political elite led by Putin, that those demonstrations were organized with Western help (Richter and Ghodsee 2009, 4). As an answer to these "color revolutions" the government looked to insulate Russian civil society from foreign influences and to "guide" social organizations in direction that would strengthen Russian "sovereignty" (Ibidem, 4).

The government then proceeded with its demonization of foreign NGOs, through the dichotomy of ours (state funded) versus alien (foreign funded) NGOs. In January 2006, the government was able to restrict the activities of both domestic and foreign NGOs by passing a bill which on one hand, forced Russian NGOs to re-register with the state and file annual reports with authorities, and on the other hand, outlawed affiliates of foreign NGOs from operating within Russia, disallowed the foreign citizens to become founders or members of Russian NGOs,

³ The most famous case was the case against Mikhail Khodorkovsky, who was incarcerated under dubious circumstances

and restricted the ability of foreign (and domestic) NGOs to receive funding from abroad (Bulpett 2008, 4). The first groups which were targeted by the new law were those who promoted the development of democracy in Russia and criticized the regime, which was very telling of the nature of the law and intentions of the Kremlin. Those organisations whose operation was suspended in the first year of the law were Human Rights Watch, Amnesty International etc, and it was only after severe diplomatic pressure by the European Union and the United States that these organizations were allowed to continue with their activities in Russia (Ambrosio 2009, 51). One statistic illustrates the challenge the 2006 law presented to the freedom of assembly and association in Russia at the time: In November 2007, the Moscow Federal Registration Service announced that it had denied registration to 1,380 non-governmental organizations because of the violation of legislation, which was 11 per cent of the total that had sought to register (Freedom House).

In order to further strengthen its grip over the civil society, the Putin regime established the Public Chamber in 2005, a public forum designed to serve as principle representative of civil society, which has weakened the NGOs who opposed the regime, since the Public Chamber monopolized the media coverage due to its status (Ambrosio 2009, 52). This move has started the process of formalisation of civil society, through which the state supports or even controls certain social organizations, and those NGOs which are independent are faced with pressure from the government or from the government-backed social organizations (Fröhlich 2012, 373). Founding of the Public Chamber was the government's answer to the closure of Mikhail Khodorkovsky's Open Russia foundation, which had provided support to pro-democratic NGOs. Public Chamber, by the end of 2006, handed out almost 473 million rubles to 1,054 organizations, but among them there were no significant pro-democracy groups (Freedom House). The organizations that did receive financial aid were playing the role of sycophants. Those organizations had become agents of the government.

In order to bring civil society even more under its influence, the state cut back the tax privileges for NGOs in 2008 which, combined with the restriction on foreign funding established by the 2006 law, increased the dependency of NGOs to the government financial aid (Fröhlich 2012, 376). The government lifted the tax-exempt status of many foreign NGOs in 2008, and

subjected them to a 24 per cent tax starting in 2009 (Freedom House). By the end of 2008, civil society was firmly in the clutches of the regime.

Out of fear of protests, the government looked to co-opt the young people of Russia in the mid-2000s. It had played a significant role in the formation of Nashi (Ours), which by late 2007 grew to around 100.000 members, and although it was formally non-partisan, its actions were explicitly pro-Putin, and designed to attract popular support for the regime among the youth (Ambrosio 2009, 62). Nashi was notorious for its attacks on the "enemies of Russia", and since it equated Russia with president Putin, any attacks on Putin were attacks on "Mother Russia". Nashi often portrayed its opponents as fascist, a term which resonates with the public considering the sacrifices made by the Russian people in the Second World War, and also because it signifies a foreign threat to the Russians (Ibidem, 65). By using such tactics, Nashi aimed at increasing animosity of the public towards the opponents of the regime. Needless to say, its actions have further decreased the impact of democracy promoting groups.

Lastly, it is worth mentioning the rise of the "virtual" civil society at the end of the decade. Namely, in the new age of social internet media, where the young and the middle class gather information, news and interact socially, a challenge to the regime can be organized via blogs and social-networking sites. Although this type of social activity originated in late 2000s, it peaked in 2011, when after the images and videos confirming electoral fraud in that year's parliamentary elections circulated the internet, demonstrations were held in Moscow in December (Beissinger 2012, 9). This new way of social organising provided the cohesion lacking in the civil society at the time. However, this is not a permanent solution to civil society. The biggest problem suffered by the "virtual" civil society is the fact that it creates a false sense of representativeness within the opposition, since those who participate think that they represent the positions of the rest of Russia's population (Ibidem, 12). The members of the "virtual" civil society tend to be more liberal and democratic than the rest of the population, due to their access to information and education. Hence, while its contribution has produced some positive results, "virtual" civil society can not be a substitute for the conventional one.

The position of civil society has progressively worsened as the decade passed. The government had managed to take control over the NGOs in Russia, and despite the attempts to revitalize civil society via "virtual" civil society, it had remained in the shadow of the regime.

Next chapter will address the position of the press during Vladimir Putins first two presidential terms.

3.3.2. Freedom of the press under Putin during the 2000s

During the 1990s, the press enjoyed certain amount of freedom. It will be only in 1996 presidential elections that the media would be used by the regime in order to achieve victory at the elections. As shown in the previous chapter, the 1996 presidential elections set up a precedent for Vladimir Putin to follow during his first two presidential terms. After the Independent Television Network (NTV), which was a part of Media-Most company (presided by Vladimir Gusinsky) supported Putin's adversary Yavlinskii in the presidential campaign for the 2000 presidential elections, and provided very professional coverage of the two Chechen wars, Putin decided that such opposition is dangerous. Through Gazprom, which called in a significant loan to NTV in 2000 and subsequently took over the network, Putin's regime gained control over this influential television network (Colton and McFaul 2003, 9). Many influential journalists moved to Berezovsky owned TV-6, but the government closed it very soon as well, which signaled the regime's unwillingness to suffer criticism. From that moment on, the government took control over the media. Media became the weapon of the government. There is limited diversity and plurality. President-centric news came to dominate the networks and any opposition voices were censored, and even self-censorship became prevalent during that time (Becker 2014, 198). This was the beginning of the major transformation in the ownership of big media outlets. Previously owned by the oligarchs and other private individuals, these media companies came under the ownership of the state and state related entities. At the end of Putin's second term as president, the primary source of news for 80% of Russians was state controlled television, where the state could control the message sent into the ether and prevent the opposition parties and candidates from taking equal participation in the election campaign on the national level (Moriarty 2013, 35—36). This would create a difficult position for the organisation of fair and unbiased elections. For example, during the campaign for the 2007 parliamentary elections, the party of the government, United Russia, received 10 times more coverage than its closest opponent, the Communist Party (Ibidem, 37).

Not all the major television networks were owned directly by the state, but also through variety of ownership groups in order to maintain an illusion of plurality. Only two networks

came directly under the state ownership (Channel 1 and Russia 1), while the others became property of state run companies (like Gazprom), or companies closely tied to the regime (for example, the National Media Group) (Ibidem, 36). The leadership of these networks regularly visited the Kremlin in order to receive instructions on what news to run and when to run them (Ibidem, 36). This development made it almost impossible for the opposition to present its views or for the voices of criticism to be heard during the decade. The tone of news coverage became white washed and only pro-Putin information was presented. Not only censorship, but also self-censorship became a norm for the media. Controversial and thought provoking programmes became superfluous and undesirable in the state's view. What replaced them was inappropriate variety shows and soap operas of questionable quality (Azhgikhina 2007, 1249). In other words, during the 2000s there was a process of "verticalisation" (analogue to Putin's approach to state politics) of major television networks, which was characterised by the unification of the ownership of the printed and television media, controlled by the government (Ibidem, 1256).

Table 3.2 shows the alarming state of the freedom of press in Russian Federation during Vladimir Putin's first two terms as president (the reason why there is no information on 2000 and 2001 is that Freedom House published the data on the freedom of the press from 2002 onwards). Russia entered the decade as a "Partly Free" country, but since 2003 it has been characterized as "Not Free" when it comes to the freedom of the press. Moreover, there has been a significant downward trend in all the indicators, which suggests that the political system in Russia is getting more entrenched as an illiberal order.

Table 3.1: Freedom of the press in Russia from 2002 to 2008

Year	2002	2003	2004	2005	2006	2007	2008
Press Freedom Score (0 = best 100 = worst)	60	66	67	68	72	75	78
Legal Environment (0 = best 30= worst)	13	14	14	14	16	18	21
Political Environment (0 = best	30	30	30	31	32	33	33

40 = worst)							
Economic Environment (0 = best 30 = worst)	17	22	23	23	24	24	24
Press Status	Partly Free	Not Free	Not Free	Not Free	Not Free	Not Free	Not Free

Source: Freedom House

One of the factors which has significantly impacted the freedom of the press in Russia was the Law Against Extremist Activities, which prohibited the dissemination of information supporting "extremist activities" and allowed the government to close the media companies after three warnings, which helped to contain coverage of war in Chechnya in order for the regime to persuade the public it maintained control (Freedom House). To make things worse, in July 2006, the State Duma passed amendments to the Law on Fighting Extremist Activity, which expanded the definition of extremism and included media criticism of public officials and authorized up to three years' imprisonment for journalists as well as the suspension or closure of their publications if they were convicted (Ibidem). The event that best signified the poor state of the freedom of the press was the murder of Anna Politkovskaya, a Novaya Gazeta journalist, renowned for reporting of crimes committed in Chechnya, who posthumously received a UNESCO award in 2007 (Azhgikhina 2007, 1246) Her murder shocked the international community and raised awareness of the position of journalists in Russia willing to do investigative journalistic work in sensitive areas of Russia's public life. The downward trajectory of the freedom of the press in Russia continued into the 2010s. In 2013, Committee to Protect Journalists published its Impunity Index of top ten countries where "journalists are slain and the killers go free", and Russia was one of the countries on the list (Becker 2014, 191). Reporters Without Borders share the same view and name Vladimir Putin, together with Belarus' Alexandr Lukashenko, as leading enemies of press freedom (Ibidem, 192).

The use of libel laws was also a way to intimidate independent media. In 2004 only, more than 6000 lawsuits were filled against newspapers and journalists, and in 2005 the State Duma adopted a set of amendments which aimed at penalizing media for reprinting or rebroadcasting

erroneous news during the electoral campaigns (Freedom House). In 2004, Alfa Bank, owned by Roman Fridman (a magnate with strong ties with the regime), filled a suit against the daily *Kommersant*, one of the few remaining independent newspapers in Russia at the time, which was owned by exiled oligarch Boris Berezovsky and very critical of Putin's policies and the government's actions (Ibidem). In this case, the legislative branch was overshadowed by the executive and followed the president's wishes. The same can be said of the judiciary.

Such a serious situation makes the more benign pro-Putin news dissemination even more egregious. Vladimir Putin has been presented as a star by the national media. Whether it be him riding a horse bare-chested or petting tiger cubs, the purpose of such images was to present Putin as hero who is above the dirty political games, a strong leader who is following the footsteps of Ivan the Terrible and Peter the Great (Pomerantsev 2013, 6). The state has even set up a channel, *Russia Today* (also known as RT), to rival the world famous channels such as BBC World, but its purpose is, in the words of its Managing Director, Alexander Nikolov, to "represent a Russian point of view in the world" (Ibidem, 11—12). With such statements, *Russia Today's* representatives even admit that objective reporting is not one of their priorities. Considering the institution standing behind the television network, such statements seem appropriate. The people of Russia have also recognized such actions by state controlled media. They have become disillusioned with the media and the freedom of speech because of the situation in Russia. "As long as the media do not interfere with the interests of those in power, freedom of speech exist" is an opinion of the average Russian on the question of media and the freedom of speech (Henry 2009, 56).

Press freedom and freedom of speech in Russia have significantly deteriorated since Vladimir Putin became president in 2000. The government had taken over the most significant media outlets in the country and has a monopoly on information when it comes to traditional sources of information, such as television and print media. It had strengthened its grip on the media through punitive legislation which enabled it to limit the negative press on its activities. Putin's regime has used the media as a weapon during his first two presidential term and has directly influenced the regression of the freedom of the press and the freedom of speech in Russia in the first decade of the 21st century.

3.3.3. Assessing the state of the civil rights - partial regime of democracy in Russia during the 2000s

Apart from the previously mentioned issues when it comes to civil rights in Russian Federation, freedom of religion remains a significant problem. As mentioned in chapter 2 of the thesis, the 1997 law on religion gives the state significant control, which it uses to refuse permits to churches that can not prove they had existed for minimum 15 years. (Kozina, 83) Since new religious groups can not register, their activities are very restricted. The de facto official religion of the Russian Federation is Russian Orthodoxy. Russian Orthodox Church has used its position in society to spread anti-Protestantism and messages of hatred through the use of state controlled media and through the education system now that Russian Orthodoxy is being taught in schools (Bulpett 2008, 5—6).

Another case of human rights injury came in 2006 when, after Geogia temporarily detained some Russian citizens and accused them of being spies, Russia retaliated by injuring the rights of ethnic Georgians, many of whom were Russian citizens. Russia deported over 1000 ethnic Georgians, closed many Georgian businesses, and ordered tax checks on most prominent Georgians (Freedom House).

Table 3.2: Freedom House, Freedom in the world ratings - Russia from 2001 to 2008

Year	2001	2002	2003	2004	2005	2006	2007	2008
Freedom Rating	5.0	5.0	5.0	5.0	5.5	5.5	5.5	5.5
Civil Liberties	5	5	5	5	5	5	5	5
Political Rights	5	5	5	5	6	6	6	6
Status	Partly Free	Partly Free	Partly Free	Partly Free	Not Free	Not Free	Not Free	Not Free

Source: Freedom House⁴

⁴ Until 2003, countries whose combined average ratings for Political Rights and for Civil Liberties fell between 1.0 and 2.5 were designated "Free"; between 3.0 and 5.5 "Partly Free," and between 5.5 and 7.0 "Not Free." Beginning with the ratings for 2003, countries whose combined average ratings fall between 3.0 and 5.0 are "Partly Free," and those between 5.5 and 7.0 are "Not Free."

Table 3.3 shows the evolution of Russian democracy through Putin's first two presidential terms. Although the country entered the decade as "Partly Free", right around the time of "color revolutions" in Georgia and Ukraine, Russia had started its decline to the "Not free" status. Vladimir Putin's regime had used the situations in Ukraine and Georgia in order to strengthen its control of the civil sector and to restrict civil rights of the citizens of Russia. It was the regime's actions during this time that transformed Russia into an illiberal democracy

3.4. The emergence of an illiberal order in Russia

By the end of Vladimir Putin's second presidential term, Russian Federation had become firmly entrenched as an illiberal democracy. Already in the early part of the decade, Putin had "turned to the principle of subordination, hierarchical submission, quelling opposition, control over the alternative way of thinking of the elite, centralization of the Federation and the strengthening of its unitarian character" (Merkel and Croissant 2004, 208). Many of the partial regimes have become diminished under Putin's regime. Electoral regime is damaged by electoral fraud and the instrumentalization of the media and state institutions by the executive. Horizontal accountability is reduced by the actions of the Kremlin and by the domination of the State Duma by United Russia, starting in 2003. The State Duma has been transformed into a rubber-stamping institution since 2003. The judiciary has also come under the influence of the executive during this period. Civil rights are often not respected, press freedoms have been diminished, culminating in attacks on many journalists, and even murders of some, most famous being Anna Politkovskaya. The state had taken over many of the biggest media networks and exerted its influence over the content of the networks' programming. Putin has also taken control of civil society, first by passing the 2006 Law through the State Duma and in that way, limiting the foreign funding of non-governmental organizations in Russia, and secondly, by co-opting the Russian youth through the activity of youth organizations, such as Nashi. The principle of rule of law had become damaged, which effected the core liberal principle, the equal freedom of all individuals. All these factors had contributed to the establishment of an illiberal democracy in 21st century Russia. Since 2005, Russia has been characterized as "Not Free" by the Freedom House, as shown by the table 3.2.

Table 3.3: BTI Transformation Index - Democracy status - Russia

Year	2006	2008	2010	2012	2014
Democracy Status	5.7	5.4	5.3	5.4	4.4
World Rank	67	73	75	71	86

Source: Bertelsmann Transformation Index

Table 3.3 shows the status and rank of Russian democracy since 2006 measured by Bertelsmann Transformation Index. By 2006, Russia was deeply entrenched in its status of an illiberal democracy. Its democracy status has been declining since, as well as its rank among other countries. Over the last decade, Russian political system has regained, as mentioned in the introduction of the thesis, a systemic equilibrium, and it has equipped itself to last for a longer period.

Chapter 4: The position of president in the political system of Russia and the impact of super-presidentialism on democratic transition and consolidation

Previous two chapters dealt with Russia's democratic transition phase under Boris Yeltsin and the failure to achieve democratic consolidation in the 21st century. This chapter will deal with the constitutional flaws that have made the democratization process in the Russian Federation so hard to complete. Firstly, the role of the president in the political system of the Russian Federation, and the powers granted to the executive by the Constitution will be addressed. Secondly, the negative impact super-presidentialism exerts on the consolidation of democracy in Russia will be explored in this chapter.

4.1. President and the Constitution of the Russian Federation

Drafting of the 1993 constitution had been a tumultuos affair, as we have seen in the second chapter of this thesis. Even though it has been slightly amended since, it still has remained largely intact to this day. Nominally, Russian political system is semi-presidential, or presidential-parliamentary system, where the government is responsible to both the Parliament and the President (Almond *et al.* 2009, 390). However, in reality it is a presidential system, or in this particular case, super-presidential system.

The constitution provides the president with broad authority. Article 80 in the Constitution summarizes the role of the president: he is the „guarantor of the Constitution“ and the rights of Russia's citizens (80—2), he determines the direction of the domestic and foreign policy of the state (80—3) and he represents the country domestically and internationally (80—4) (The Constitution of the Russian Federation). Originally, the mandate of the president was limited to four years, it had been extended to six years in 2008, when Dmitri Medvedev (acting president at the time) signed a law extending the presidential term (CNN, 2008, 22 December). Many observers, rightly, believed at the time that the move was designed to bring Vladimir Putin back to office. This move only further strengthened the authority of the president. According to the Article 83 the president presents to the Duma a candidate to the post of Chairman of the Central Bank, and raises the issue of his dismissal; he „approves the military doctrine of the Russian federation“; presents to the Council of the Federation candidates for appointment as judges of the Constitution Court, Supreme Court and the Higher Court of Arbitration, appoints and recalls diplomatic representatives in foreign states and international organizations (The Constitution of the Russian Federation). Furthermore, the president also announces elections for the State Duma, dissolves the State Duma, calls referenda, initiates legislation and reports to the Federal Assembly on an annual basis on the „situation in the country“ and the main directions of the domestic and foreign policy of the State (Ibidem). Moreover, he is the Commander-in-Chief, and can declare a state of war, as well as state of emergency (articles 87 and 88), and issues decrees and orders that have the force of law throughout the territory of the Federation (article 90) (Ibidem). Not only that, but the president has the authority to cancel governmental decrees and regulations that are inconsistent with his own decrees, and has the ability to suspend legislation issued by the regional government (articles 85 and 115) (Ibidem).

Article 111 of the Constitution provides the president with an especially dangerous power. In this case, if the Duma rejects a president's candidate the Chairman of the Government (i.e. the prime minister) three times, the president can "dissolve the State Duma and appoint new elections" (Ibidem). What makes this provision so tempting for manipulation is the fact that the Constitution doesn't state whether or not the president can nominate the same candidate three times. This provides the president with the leverage over the State Duma, because he has the control over the appointment of the prime minister and on one hand, and on the other, this

provision can serve as tool to dissolve the State Duma by nominating a candidate that would have no chance of being appointed (Henderson 2011, 114).

The Constitution states that the president, when taking the office, needs to take the oath of loyalty to the people (article 82), which makes the Russian constitution very unique, since it is the only Constitution which states that the oath of loyalty should be taken to the people (the citizens), that is to the ones who have elected him, and not to the Parliament, which did not participate in the election process (Kutlešić 2002, 125). This only strengthens the president's authority since he feels obligated to the citizens and not to the legislature. In the end, the source of the president's legitimacy is the electorate directly.

The impeachment process consists of 2 phases. In phase one both Houses decide to initiate the impeachment procedure (2/3 of the members need to approve of it), and a special commission is involved, and in the second phase, the Council of the Federation decides (2/3 majority needed), but only after the Supreme Court and the Constitution Court confirm the elements of crime, in the form of high treason or another grave crime, in the actions of the President (the former) and that the rules of advancing the charges were observed (the latter), and the decision of the Council of the Federation must be adopted not later than three months after the State Duma advanced the charges against the President (The Constitution of the Russian Federation). As we can see, the impeachment process is so complicated that it is very hard to imagine its practical realization. The president is basically unimpeachable. Not only that, there is also a flaw in the logic of the procedure. Namely, the Council of the Federation can not initiate the impeachment process in phase one, but it decides on its outcome. Lastly, it is worth mentioning that there are no regulations of incompatibility between the function of the president and other functions and activities (Kutlešić 2002, 127).

This chapter has addressed the position of president in the Russian political system, and explained as to why, even though it is nominally a semi-presidential political system, Russia democracy is de facto super-presidentialism. In the next chapter the drawbacks of super-presidentialism, and its danger to consolidation of democracy will be more closely observed.

4.2. The impact of super-presidentialism on Russia's democratic transition and consolidation

Since the fall of the Iron Curtain in 1989 post-communist regimes had taken different paths to democratization. Some have taken the path of parliamentarism (Czech Republic, Hungary etc.), some of presidentialism (Georgia, Armenia etc.) and some have decided to form a semi-presidential (Poland, Croatia, Russia etc.) political system. All these political systems have their pros and cons. Proponents of parliamentarism see it as the best way to check the executive power in check, since the prime minister is the one who holds the executive power, but needs to answer to the Parliament, and there is either no position of president, he is elected by the Parliament, or by direct elections, but has very little power granted to him by the Constitution (Fish 2005, 194). Presidentialism has its proponents as well. It promotes a clear separation of power, since the president is elected directly, holds significant power, and appoints the government, but the legislature holds him in check and vice versa (Ibidem, 195). Semi-presidentialism is a mixture of the previous two systems. The factor that keeps semi-presidentialism unique is that the prime minister and the government is being controlled by both the president and the Parliament (Ibidem, 195).

As it was mentioned in the previous chapter, the political system in the Russian Federation is semi-presidential. It is described as such because of the article 111 of the Constitution, which empowers the State Duma to reject the president's selection for prime minister. However, this provision only further strengthens the position of the president, because he has the power to propose the same candidate three times, and if the Duma declines to appoint the candidate for the position, the president can dissolve the lower house of the Parliament and call new elections. Moreover, the State Duma can not reject individual ministers, who do not answer to the parliament, it doesn't have the ability to monitor the organs of state security, the military or the police and has to share legislative powers with the president (who possesses decree authority (Ibidem, 205). These are the reasons why the political system in the Russian Federation is, in practice if not on paper, super-presidential. By analyzing the democratization process' success rate in the former Communist countries, the results show that the countries with stronger legislature have done better in the democratization process than the ones with weaker legislatures (Ibidem, 205).

Many observers and authors have pointed to the dangers of super-presidentialism. Vladimir Gel'man, a professor at the European University in St. Petersburg and the University of

Helsinki ties super-presidentialism to the development of electoral authoritarianism, which is characterized by the elections being played on an uneven playing field, high barriers to participation, uneven access to media and financial resources, many cases of electoral fraud and instances where there are abuses of power state bureaucracy for the purpose of maximizing votes for the incumbent candidates (Gel'man 2011, 503—504). The presidents in Russia have the goal of increasing their political monopoly by holding the state bureaucracy and the leading political party in subordination to their authority and by limiting the Western influence on domestic policies at a minimum (Ibidem, 507). This is especially the case with Vladimir Putin and his control over the dominant political party, the United Russia. That is why super-presidentialism has become a tool for the presidents to ensure the sustainability of electoral authoritarianism (Ibidem, 507). Since the power is concentrated in the position of the president, incumbent candidates have all the incentive to hold power by all means necessary, which makes super-presidentialism so threatening to democratic consolidation.

Many Russians themselves call their system of government "managed democracy", a model further strengthened by Vladimir Putin's electoral reforms, initiated with the goal of securing a winning outcome on both national and regional levels, as well as limiting the independence of national media (Moriarty 2013, 14—15). It would be easy to point to the political system in the United States of America as a positive democratic example for Russia to follow. However, the presidents' authority in the United States is checked by the Congress and by the judicial system. Those constraints do not exist in Russian system of government, at least not to the same extent.

One of the biggest problems super-presidentialism presents to Russia is that it compromises the legitimacy of the regime by, in the words of Steven M. Fish (professor at the University of California, Berkeley), "identifying democracy itself with a single person" (Fish 2005, 204). Since so much power is held by the president, a decline in popularity of the president is often accompanied by the decline of support for democracy, which is especially the case with a post-Communist country such as Russia (Ibidem, 205). As Boris Yeltsin's popularity declined in the 1990s, so did the faith of the public in democracy. The public identified Yeltsin with democracy itself during the 1990s and as he fell out of favor with the public during his mandate, democracy became a bad word and the State Duma could not do anything about it.

Super-presidentialism also has a negative effect on the development of political parties. Since the strength of the Parliament determines the motivation to build political parties, it is no wonder that the process of party development has been impeded in Russia. It is more productive to target the position in the executive branch, if one wants to have a real impact on the country's policies (Ibidem, 226). Juan Linz's and Alfred Stepan's research confirms that in presidential and strong semi-presidential political systems, formation and development of parties is discouraged, especially in those countries where a "long historically structured party system" had been absent (Linz and Stepan 1996, 399). In such systems, presidents usually don't like to identify with a party and want to be above party politics (Ibidem, 399).

To make things worse, super-presidentialism also diminishes the quality of the political class, because the president's status and role prevents the entrance of talented politicians into the national political arena (Fish 2005, 230). Because the legislative is so weak, compared to the executive, it does not attract politicians who are talented and suited for leadership roles. The drawbacks of super-presidentialism do not stop there. It prevents the establishment of state agencies. Since the power is concentrated in one man's hands, the president feels no need to allow the development of entities that can challenge him or her. Institution building process is halted, and if the institutions are established, they are subdued or left to slowly perish from lack of reform and/or activity (Ibidem, 237—240).

Last, but not least, super-presidentialism provides an impetus for corruption. The reasons are numerous - the executive has control over public expenditure and the checks on the executive branch officials are very limited; the president has the power to block the expenditure legislated by the State Duma, the presidential decrees only strengthen the president's control (Ibidem, 241—242). Basically, in case the president needs the legislative to cooperate, he can buy its compliance. Since the State Duma lacks even the power of oversight, those who control national resources are accountable only to the president, thus making bureaucratic corruption virtually unchecked by the legislative or the judiciary branches of the government.

This chapter addressed the systemic flaws of Russia's political system. Firstly, the lack of balance between the branches of the government, and the dominant role of the executive in Russia was addressed. Secondly, the drawbacks of super-presidentialism (domination of the

executive over the other two branches of the government) and its negative effect on the development of democracy in Russia was also elaborated.

Russia is still a fairly young democracy. After so many decades of totalitarianism, nobody expected the road to democracy to be easy. However, the 1993 Constitution has impeded the democratization process in Russia, by allocating too much power with the executive branch of the government vis-à-vis the other two branches. The constitutional position of the president has harmed the democratization process in Russia and a modification of the political system in Russia is necessary in order for democratic consolidation to be achieved. Otherwise, the fate of the Russian democracy will exclusively depend on the democratic maturity and will of one man, the president of the Russian Federation.

Conclusion

After the fall of the Soviet Union, the hopes for Russian democratic transition were sky high. Many had expected Boris Yeltsin to lead the country to democracy. However, despite the advantages given to him by Mikhail Gorbachev's reforms in the late 1980s, president Yeltsin failed to successfully lead Russia through the democratic transition. Every single one out of five arenas of democratization were damaged in the transition. Transition from command to market economy proved to be devastating not only for the economic sector, but also for the social sector. The citizens were disillusioned with the economic reform and the democracy that accompanied it. Civil society remained underdeveloped since Yeltsin actively tried to discourage public activity during the first years of the economic transition. But there were at least opportunities for domestic and foreign funding of Russia's civil sector. Rule of law failed to provide a safe environment during the 1990s for the successful economic and democratic transition due to rampant corruption. State apparatus was also deeply damaged by the problems of corruption and transparency. State enterprise managers' activity was so devastating for the economy that the oligarchs presented a monumental improvement for the Russian economy. Political society was damaged by the 1993 Constitution which made the executive so strong that there were no incentives to build political careers through the parties and the parliament. The 1996 presidential election represented a watershed moment for the democratization process in Russia. The election was marred by electoral fraud and corruption and served as a negative precedent for the future elections, both parliamentary and presidential. The democratic transition during the 1990s

was, thus, underwhelming. Three 1990s events that deeply impacted the formation of an illiberal democracy later on were the 1993 Constitution, economic transition and the 1996 presidential election.

When Vladimir Putin became president, he surrounded himself with *siloviki*, former Secret Service members who were blindly loyal to him. During Putin's first two presidential terms, electoral regime was damaged by the electoral machinations from the Kremlin and the unfair treatment of political candidates by the state controlled media. The State Duma has been reduced to a rubber-stamping institution by the Kremlin's "party of the government", United Russia. It was between the two parliamentary elections, in 2003 and 2007, that an illiberal democratic order has been established in Russia. The Kremlin also established political presence in the judiciary during the 2000s. Civil rights were not protected. The Kremlin used its resources during the 2000s to take over the biggest national media outlets. Censorship became the norm and the journalists who dared to criticize the regime were exposed to political and legal pressure from the Kremlin, and in some instances, journalists, such as Anna Politkovskaya, were murdered. The regime has managed to insulate the civil society from the outside actors and funding. Putin had taken control over the civil sector and many pro-democracy groups were either banned or forced to abandon their activities due to insufficient funding.

These developments in Russian democratization process were largely made possible by the 1993 Constitution which allocated too much power with the executive branch of the government vis-à-vis the other two branches. It had allowed for a unique system to be formed in Russia - superpresidentialism. The executive has become autonomous in its exercise of power. There are no proper checks and balances in the Russian political system today. As long as the executive has such a distinctive advantage over the legislative and the judiciary, provided by the 1993 Constitution, the fate of Russian democracy will depend upon the actions and political morality of one individual, the president.

Russia's decline into an illiberal democracy started in 1993 with the Constitution. Everything that followed was only a natural progression of the political system. Despite all the mistakes made in the 1990s by the Yeltsin regime, Russia was still considered a democracy in transition. However, upon Vladimir Putin's arrival to power in 2000, Russia has transitioned from a democracy in transition to an illiberal democracy. And during Putin's first presidential

term, Russia has reached systemic equilibrium. Its status as an illiberal democracy has proved to be more permanent, rather than transitional. Barring some drastic systemic changes, Russia's status as an illiberal democracy is here to stay.

Povzetek magistrskega dela v slovenskem jeziku

Veliko srednjeevropskih in vzhodnoevropskih držav je svojo pot proti demokraciji začelo v letu 1989, po padcu berlinskega zidu. To je bila prelomna točka v dolgem več desetletnem ideološkem in političnem obdobju med vzhodnim komunističnim blokom in zahodnim demokratičnem svetom. Ne glede na vse pa je ena država igrala največjo vlogo pri tem prehodu. Ta nekdanja država je bila Sovjetska zveza in z njo takratni ključni politični vodja Mihail Gorbačov. Moderna Rusija, ki je naslednica Sovjetske zveze, nekdanje super močne države v globalnem svetu, se je prav tako lotila prehoda in poti v demokracija, tako kot nekatere druge države razpadlega vzhodnega bloka. Rusija je država, ki pred obdobjem v 1990-ih, ni imela izkušenj z demokracijo. Nekaj stoletij vladavine carjev na področjih Rusije so sledila obdobja in desetletja totalitarizmov. Pot Rusije v demokracijo je bila že v samem začetku težka, saj ni bilo nikakršnih izkušenj s tem sistemom iz preteklosti. In tako kot so rekli nekateri, je lahko vlado zamenjati v nekaj dneh, spremeniti politični sistem v nekaj mesecih, ekonomski sistem v nekaj letih, ampak za spremembo v politični miselnosti je potrebnih več generacij. Cilj te naloge je preučiti uspeh (ali njegovo odsotnost) demokratičnega procesa v Rusiji od samostojnosti.

Glede na podatke Freedom House (neodvisna organizacija, ki se posveča širjenju svobode po vsem svetu) je Rusija neliberalna država z oceno o svobodi 5.5, o državljanskih pravicah 5 in političnih pravicah 6 (Freedom House).⁵ Cilj tega magistrskega dela je preučiti dejavnike, ki so pripeljali Rusijo do neliberalne države. Poleg tega bo ta naloga predstavila tudi, da status Rusije

⁵ 1 je najobljši in 7 najslabši rezultat

kot neliberalna demokracija ni nujno zgolj prehodni režim, ki se bo razvil v demokratični ali avtoritaren režim, ampak da obstaja ponovno, po besedah Wolfganga Merkela, "sistemsko ravnovesje", in da se je uveljavil kot sistem, ki bi lahko trajal daljše obdobje (Merkel 2004, 48).

Glavno raziskovalno vprašanja te magistrske naloge je: **Kaj so bili glavni dejavniki, ki so vplivali na nastanek neliberalnega demokratičnega sistema v Rusiji?**

Odgovor na glavno raziskovalno vprašanje te naloge bomo poizkušali odgovoriti s preučevanjem razvoja demokracije v Rusiji od osamosvojitve, začenši z demokratično tranzicijo v 1990-ih in končanje z neuspelo demokratično konsolidacijo po letu 2000. Ta naloga bo preučevala tudi negativne vplive super predsedniškega sistema na demokratični proces v Rusiji. V Rusiji ima izvršilna veja oblasti (vodena s strani predsednika) večjo moč od ostalih vej vladanja in je zgolj šibko omejena s strani sodstva. Cilj tega je pokazati, kako je ta značilnost ruskega političnega sistema vplivala na mutacijo Rusije v neliberalno demokracijo. Ta naloga se bo osredotočila tudi na vlogo dveh osrednjih akterjev, Borisa Jelcina in Vladimirja Putina, in njun vpliv na razvoj demokratičnega procesa ter na razvoj ruskega politična sistema in vpliv na razvoj same demokracije v Rusiji. Ta del se bo osredotočil predvsem na obdobje v času po osamosvojitvi leta 1991 in pa do konca predsedniškega mandata Vladimirja Putina leta 2008.

Da bi zagotovili pravi odgovor na glavno raziskovalno vprašanje, bomo pogloblje pogledali demokratični proces v Rusiji in si pomagali z odgovori na naslednja podvprašanja, ki bodo predstavljala tudi poglavja:

1. Kako uspešna je bila demokratična tranzicija v 1990. letih?

Odgovor na to raziskovalne vprašanje bomo dobili skozi poglavje, ki bo obravnavalo proces demokratične tranzicije v Rusiji v času predsedovanja Borisa Jelcina. To poglavje bo obravnavalo in preučilo več vidikov procesa demokratizacije v Rusiji, v obdobju pred nastopom Vladimirja Putina na predsedniški funkciji. Teorija Juana Linza in Alfreda Stepana o petih arenah demokratizacije nam bo pomagalo kot analitično orodje analizirati in oceniti stanje demokracije v Rusiji v 90-ih letih 20. stoletja. Najprej bo analiziran prispevek Mihaila Gorbačova k liberalizaciji in demokratizaciji Sovjetske zveze med demokratično tranzicijo. Drugič, bomo obravnavali vzpon na oblast Borisa Jelcina in sprejetje ustave leta 1993. Kot tretji korak bomo ocenili uspeh (ali njegovo odsotnost) prehoda iz načrtovanega do kapitalističnega

gospodarstva. Kot četrtič bomo preučili razvoj civilne družbe v Rusiji 1990–ih letih. Kot peto bomo analizirali državno birokracijo in vladavino prava. In kot zadnje v tem poglavju, bomo obravnavali razvoj politične družbe.

Po padcu Sovjetske zveze, so bili upi in pričakovanju o razvoju prave demokratične tranzicije zelo visok. Mnogo ljudi je pričakovalo, da bo Boris Jelcin vodil državo v demokracijo. Kljub dobrim nastavkom, ki jih je v svoji zapuščini pustil Mihail Gorbačov ob koncu 1980-ih, pa Jelcinu ni uspel uspešno voditi Rusije skozi tranzicijo v demokracijo. Prav vsi elementi izmed vseh petih aren demokratizacije so bili pod udarom in niso bili izpeljani, kot bi bili to potrebno. Prehod iz načrtovanega gospodarstva v tržno gospodarstvo, se je izkazalo pogubno – ne le zgolj za gospodarski sektor, ampak tudi za socialno področje. Prav zaradi tega, so bili državljani razočarani z gospodarsko reformo in demokracijo, ki takšno obliko ekonomije spremlja. Civilna družba je ostala nerazvita, saj si je Jelcin prizadeval, da se civilna družba v prvih letih gospodarske tranzicije ni razvijala. Kljub vsemu pa so obstajale priložnosti tako za domače kot tuje investicije v civilno družbo. V 1990-ih letih vladavina prava ni zagotovila varnega okolja za gospodarsko in demokratično tranzicijo, saj je bila stopnja korupcije izjemno visoka. Prav zaradi korupcije je bil državni aparat ohromljen, pomanjkljiva pa je bila tudi transparentnost. Sama dejavnost menedžerjev v državni upravi je bila tako uničujoča za gospodarstvo, da so oligarhi predstavljali velikansko izboljšanje za samo rusko gospodarstvo. Tudi politična družba je imela težave, saj je ustava iz leta 1993 pripisovala tako močno vlogo izvršilni oblasti, da ni bilo želje po političnih karierah v parlamentu in v političnih strankah. Predsedniške volitve leta 1996 pa predstavljajo prelomni trenutek pri procesu demokratizacije v Rusiji. Te volitve so zaznamovale volilne prevare in korektivnost in so služile kot negativen precedens za prihajajoče parlamentarne in predsedniške volitve. Trije dogodki v 90-ih letih, ustava iz leta 1993, gospodarska tranzicija in predsedniške volitve leta 1996, so močno vplivali na nastanek neliberalne demokracije v Rusiji.

2. Kateri so bili glavni razlogi za neuspešno utrjevanje demokracije v 21. stoletju v Rusiji?

Da bi lahko odgovorili na to raziskovalno vprašanje, bo to poglavje obravnavalo kakšno vlogo je režim Vladimirja Putina igral pri prehodu Rusije v neliberalno demokracijo. Poudarek bo predvsem na njegovih prvih dveh predsedniških mandatih in vplivu nepravilne demokracije,

kar je nastala danes Rusija. Ta naloga bo obravnavala volilne mahinacije v volilnih ciklih od zgodnjih do poznih let v prvem desetletju 20. stoletja in pa negativne učinke le-tega na demokracijo v Rusiji. Prav tako se bo preučeval proces slabitve vpliva civilne družbe in zmanjševanje državljskih pravic. To bomo analizirali s preučevanjem zmanjšanja udeležbe na politični sferi, ki jo povzroča izvajanje t.i. Putinovega "upravljanja demokracije". V tem poglavju bomo preučili tudi nadzor medijev (predvsem državnih/nacionalnih medijev) in manipulacijo javne sfere (cenzura različnih nevladnih organizacij, predvsem tistih, ki so sponzorirani iz tujine in pa mladinska gibanja). Potrebno bo oceniti tudi vpliv stranke Združena Rusija na zakonodajno vejo oblasti, saj predstavlja "stranko v vladi". S tem poglavjem bomo pokazali, da so bila ključna prva osma leta vladavine Vladimirja Putina za nastanek neliberalne demokracije v Rusiji.

Ko je nastopil mandat Vladimirja Putina, se je obdal s t.i. *siloviki*, ki so bili bivši pripadniki tajne službe, ti pa so mu slepo sledili. V njegovih prvih dveh predsedniških mandatih je bila storjena škoda na volilnem sistemu predvsem zaradi volilnih mahinacij iz Kremlja in zaradi nepravilnega obračunavanja političnih nasprotnikov s strani pristranskih državnih medijev. Duma je postala zgolj institucija za avtomatično potrjevanje zakonov, za tem pa je stala "vladna stranka" Združena Rusija. To se je dogajalo v času med parlamentarnimi volitvami med letoma 2003 in 2007, ko se je neliberalna demokracija dokončno uveljavila v Rusiji. V začetku 21. stoletja je Kremelj prišel tudi do svoje prisotnosti v sodstvu. Državljske pravice nikakor niso bile zaščitene. Kremelj je s svojim vplivom v začetkih leta 2000 uporabljal tudi svoje vire, da prevzame vse največje nacionalne medije. Cenzura je postala nekaj vsakdanjega in vsak novinar, ki si je drznil kritizirati obstoječi režim, je bil izpostavljen političnim in pravnim pritiskom Kremlja. V nekaterih primerih so bili novinarji umorjeni, kot se je to zgodilo v primeru Ane Politkovske. Režimu je uspelo izolirati civilno družbo od zunanjih akterjev in zunanjega financiranja. Putin je uspel prevzeti nadzor nad civilnim sektorjem in številne pro-demokratske skupine so prepovedane ali pa slej ko prej prisiljene opustiti svojo dejavnost zaradi pomanjkanja finančnih sredstev.

3. V kolikšni meri je bil oškodovan demokratični proces v Rusiji, zaradi dane moči izvršilni vede oblasti (predsedniku)?

Cilj tega poglavja je, da preuči položaj predsednika v ruskem političnem sistemu. Ta bo pokazal, da ima izvršilna veja oblasti veliko več moči kot drugi dve v primerjavi z ostalimi demokratični sistemi saj so mehanizmi nadzora in ravnovesja zelo šibka, v nekaterih primerih pa celo neobstoječa. Nastanek super predsedniškega sistema je negativno vplival na proces demokratizacije v Rusiji. Boris Jelcin, še posebej pa Vladimir Putin, sta uporabila politično moč, ki jima jo je dal politični sistem, na način, da sta ogrozila demokratično institucij in tako tudi samo demokracijo v Rusiji, saj super predsedniški sistem označuje demokracijo samo preko ene osebe.

Predvsem ustava iz leta 1993 je omogočila negativni razvoj demokratičnega procesa v Rusiji, ki je dodelil preveliko moč izvršilni veji oblasti v povezavi z drugima dvema vejama. To je omogočilo razvoj edinstvenega političnega sistema v Rusiji – super predsedniški sistem. Izvršilna veja oblasti je postala avtonomna pri svojem izvrševanju oblasti. V današnjem ruskem političnem sistemu ni zadostnih mehanizmov nadzora in ravnovesij. Dokler ima izvršilna veja tolikšno prednost pred zakonodajno in sodno vejo oblasti, ki jo je omogočila prav ustava iz leta 1993, bo usoda ruske demokracije odvisna od ukrepov in politične moralnosti zgolj in le od enega posameznika, predsednika.

Teoretični pristop v tej magistrski nalogi bo večplasten. Uporabili bomo teorijo Juana J. Linza in Alfreda Stepana o petih arenah demokratizacije. Ta nam bo služila za analizo predvsem prehodnega obdobja v času predsedovanja Borisa Jelcina. Po teoriji Linza in Stepana je pet aren demokracije naslednjih: svobodna in aktivna civilna družba, samostojna politična družba, vladavina prava, razvit državni aparat in nazadnje, institucionalizirana gospodarska družba (Linz in Stepan 1997, 7). Preko the petih aren demokratizacije bo ta naloga raziskovala proces demokratične tranzicije v Rusiji v 1990-ih letih. V tej magistrski nalogi bomo preučili, kako uspešna je bila demokratična tranzicija in konsolidacija v Rusiji, v času predsedovanja Borisa Jelcina.

Za drugi del naloge bomo uporabili teorijo Wolfganga Merkla o vgrajenih in pomanjkljivih demokracijah in s tem preučili razloge, zakaj je Rusija postala neliberalna demokracija v prvih dveh mandatih Vladimirja Putina ter zakaj ni bila dosežena demokratična konsolidacija. Po mnenju Merkla obstaja pet medsebojno odvisnih delov režima, ki sestavljajo liberalno demokracijo. To so: demokratični volilni sistem, politične svoboščine, državljanke

pravice, horizontalna odgovornost in da je dejanska moč odločanja v rokah demokratično izvoljenih posameznikov (Merkel 2004, 36).

Poleg tvorcev delnih režimov, obstajajo tudi zunanji dejavniki, ki lahko znižajo ali zvišajo stopnjo liberalne demokracije v neki državi, ti pa so: družbeno-ekonomski kontekst, civilna družba in mednarodno povezovanje (Ibidem, 44—48). Ta del se bo posebej osredotočil na vlogo, ki ga je odigrala civilna družba v prvem desetletju novega tisočletja.

V tretjem poglavju te magistrske naloge bomo obravnavali kateri deli demokracije, po zgoraj omenjenih elementih parcialnih režimov vgrajene demokracije, so škodovali Rusiji od leta 1999 v tolikšni meri, da je država postala neliberalna demokracija. Po Merkleu sta v neliberalni demokraciji izvršilna in zakonodajna veja oblasti le nekoliko omejena s strani sodstva, medtem ko so nekatere državljanske pravice, bodisi delno prekinjene ali pa še ni vzpostavljen sistem vladavine prava. Zaradi pomanjkljivega sistema pa to vpliva na glavno načelo liberalno demokracije, to pa je, enaka svoboda vseh posameznikov (Ibidem, 49).

Zaradi kompleksnosti raziskovanja tega dela, bo tudi metodološki pristop večplasten, predvsem zaradi številnih različnih vidikov procesa demokratizacije. Ena izmed metod, ki jo bomo uporabili v tej nalogi, bo primerjalna analiza, razložena v knjigi "Theories and Methods in Political Science", urednika David Marsh in Gerry Stoker (Marsh in Stoker 2010, 285—308). Primerjalne politike in primerjalna metoda je ena izmed glavnih pristopov, ki se uporablja za to magistrsko nalogo. Pet aren demokratizacije in parcialni režimi vgrajene demokracije sta uporabna orodja za evaluacijo procesa demokratizacije v Rusiji, ki ju bomo uporabili v okviru primerjalne analize. Magistrska naloga bo tudi oblikovana kot študija primera, kjer bomo raziskovali demokratični proces Rusije v okviru petih aren demokratizacije in parcialnih režimov vgrajene demokracije. Glede na to, da je teoretična podlaga definirana že s strani Linza, Stepana in Merklea, bomo v tej nalogi uporabili tudi določene elemente kvantitativne analize, in sicer bomo pregledovali in analizirali statistične podatke, ki so dostopne s strani Freedom House, Bertelsmann Transformation Index itn. (Ibidem 267—285). In nazadnje, bo zaradi večjih količin materiala, podatkov, monografij, člankov, znanstvenih revij in drugih virov informacij, ta naloga temeljila na uporabi svetovnega sveta (World Wide Web), da bomo uporabili zanesljive vire podatkov, materiale in druge ustrezne vire za uporabo pri raziskavah (Payne 2004, 120—125).

Padec Rusije v neliberalno demokracijo se je začel z ustavo iz leta 1993. Vse kar je sledilo je bil naravni razvoj političnega sistema. Kljub vsem napakam, ki so bile storjene v času predsedovanja Jelcina, se je Rusija še vedno veljala za demokratično državo v tranziciji. Vendar pa je Rusija ob prihodu na oblast Vladimirja Putina leta 2000 prešla iz demokracije v tranziciji v neliberalno demokracijo. Kljub vsemu pa je v času prvega Putinovega mandata Rusija prišla do systemskega ravnotežja. Njen status kot neliberalne demokracije se je izkazal za bolj trajno in ne zgolj prehodno obdobje. Trenutno stanje neliberalne demokracije v Rusiji se lahko spremeni zgolj v primeru, da bo prišlo do večjih systemskih reform, drugače bo takšen politični sistem tam prisoten še nekaj časa.

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