



CENTRAL EUROPEAN UNIVERSITY  
CENTER FOR POLICY STUDIES



OPEN SOCIETY INSTITUTE

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2004/2005

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## **Introduction**

The working definition of accountability of the regional government draws on the broader definition, provided by Schmitter, accountability being ‘a relationship between two sets of actors, in which the former accepts to inform the other, explain or justify his or her action and submit to any pre-determined that the latter may impose (2004, 5) implies an interaction between it and population. It describes not only the obligation of that government for explanation and justification of their use of delegated power, but also implies that the population is capable, using certain instruments and under certain conditions, of holding it accountable. Governments are accountable if their electorate has sufficient powers and means of discerning the responsive/unaccountable performance and sanctioning or rewarding them accordingly, in other words, if the performance of politicians influences their chances of being re-elected. Electoral accountability is better achieved over relatively long time spans, containing at least one but ideally several electoral terms. Over this period we may observe whether ‘bad’ politicians are detected by the citizens and voted out of the office, while ‘good’ ones are re-elected. Such a pattern will suggest that this particular government is accountable via elections to its constituents.

Elections are the tools designed for the population to hold government officials accountable, and the current project seeks to establish which elements of the electoral systems are essential in this task. There is, however, debate as to how effective different electoral systems are in promoting accountability, particularly in transition countries. To assess whether and how accountability mechanisms have worked in one specific context, the strategies involved and their consequences, I examine evidence from recent Russian regional politics, utilising empirical data obtained via survey of experts in regional politics (2004), and from other available sources. Results show that levels of accountability are not affected by differences in electoral systems (PR or majoritarian) per se, but by different categories of proportional representation and plurality elections, as well as the different types of parliamentary structures . Therefore, by extending the debate over the electoral systems to a fresh perspective, the research contributes to the better understanding of the regional governance, and provides useful guidelines for electoral designers.

The Federal Law "On Basic Guarantees of Citizens' Electoral Rights", enacted in 1994, established a loose legal framework for the regional electoral systems. Regional governments obtained the rights to choose the electoral systems (PR or majoritarian), select the size of the legislative assembly, the threshold level, the rules for the formation of the party list, the method of the distribution of the public mandates, and the choice between open and closed lists. As a result, the political map of Russian regions encompasses a wide variety of the electoral systems and parliamentary structures. The electoral reform law, enacted in 2003, stipulated that at least half of deputies must affiliate and run as candidates on federal party lists and nominally vote for the programs and policies of their parties. At the time of the completion of the research, out of eighty-nine regions, forty-eight are still facing a challenging task of transforming their electoral system from single member plurality to a mix of single member plurality and list PR. This policy paper targets decision-makers in those Russian regions who actively launched the process of re-engineering their set of the rules for regional elections in order to assist them in developing a new regulatory framework that will enhance the democratic accountability of elected officials. The target group of the project consists of decision-makers in those regional governments that

are already fully engaged in preparing regional legislation for the elections which are to be held in the twelve months following the publication of the project, namely Adygeya, Altai, Dagestan and Buryatia republics, Khabarovskii and Stavropolskii kraia, Belgorodskaya, Ivanovskaya, Kostromskaya, Kurskaya, Lipetskaya, Nizhegorodskaya, Novosibirskaya, Samarskaya, Chelyabinskaya oblasts and the city of Moscow.

### **Electoral accountability of the regional governments – theoretical expectations and empirical overview**

As noted above, accountability is a property of interaction between citizenry and government, and the outcome of this interaction is responsiveness and openness, or lack of it. The presence or absence of responsiveness and openness is thus a measure of how accountable the government is (Ferejohn 1999: 131). Bearing this in mind, I measured the openness of governments by conducting a survey of experts in regions. The purpose of the survey was to find the answer to the core question of the project: Is there a causal relationship between electoral system and political accountability, and if yes, which electoral system induces greater accountability of the regional governments?

Dominant political theories point out that the plurality rule is more inductive for vertical accountability (Powell, 1982, Blais and Dion, 1990, Persson, Tabellini and Trebbi, 2001), since a plurality system tends to produce a one-party majority government. One of the merits of one-party government is its greater decisiveness, and the unambiguous effects of the decisions it makes on the fate of the party in power. This type of government holds its responsibility for policy decisions primarily to the electorate: if the party loses the support of the voter, it loses office as an outcome of the next elections. In coalition governments, in contrast, which are likely to be a result of the PR formula, 'the fate of the party in a coalition has more to do with internal dynamic of that coalition than with the party's electoral fortune' (Blais, 1991, 242).

Given the conditions of underdevelopment of parties in Russia, however, one cannot speak of legislative majorities being established on party bases. As Irvine puts it, 'plurality systems make it easier for the voter to bring about a qualitative change in the way he is governed' (1979, 25). However, the expectation that greater responsibility will be a consequence of plurality rule, and blurred responsibility a consequence of proportional representation, has been shown to be false. Moser (1999) provided evidence to show that under conditions of extreme party underdevelopment, proportional representation may in fact be more successful than the plurality system in constraining the number of parties and providing greater political stability and 'clarity of responsibility'. The fragmented character and low institutionalisation of the Russian party system provide grounds for a hypothesis which runs counter to the aforementioned conventional wisdom: List PR can be more inductive for accountability of regional governments.

The survey revealed that the regions varied significantly in their levels of accountability; however, the choice between the electoral systems had no discernable influence on accountable performance. The question can therefore be reformulated as follows: How much of accountability of regional governments in Russia is induced by elections, and how much by other institutions?

## **Possible reasons for limited ability of elections to induce accountability in contemporary Russian regions**

In the contemporary literature on accountability, the concept of mechanisms of electoral accountability has indeed been described as constrained by several limitations:

1. There is informational asymmetry, in that voters generally have a serious informational disadvantage in comparison to politicians.
2. Elections are too crude an instrument to hold governments accountable: voters have only one blunt act (re-elect or do not re-elect) to express their attitude to the whole range of policies; this gives the government an opportunity to avoid responsibility by grouping unpopular with popular policy choices.
3. Incentives to be re-elected are not always present due to limitations on re-eligibility.
4. Voter's ability to assign the responsibility for distinct acts of the government is limited, as it is difficult to figure out which branch/party/individual politician is chargeable for an erroneous or unpopular decision. Accountability becomes obscured especially in the case of coalition government and presidential systems. According to Powell (2000), electoral institutions that induce majority governments are better accountability devices, due to increased 'clarity of responsibility'.
5. The costs of the monitoring and assessing governmental performance may be too high, and expertise to make informed judgements lacking.
6. Prospective appraisal significantly offsets retrospective evaluation: except in cases of massive abuse of public office, voters are less interested in retrospectively punishing/rewarding past performance than in prospective selection of promising behaviour/candidates (Fearon, 1999).
7. Voters, as shown by surveys, are only sporadically involved in politics, and are subject to political manipulation (Page and Shapiro 1992)
8. In general, then, the ability of voters to observe and evaluate the actions of politicians and correctly interpret whether these are in the interest of public is severely limited. Thus it can be claimed, with Fearon, that 'electoral accountability is not in principle necessary for elections to produce responsive public policy' (1999: 59).

## **Parliamentary structures and regulatory frameworks**

The results of statistical analysis show that the level of accountability is entirely unrelated to the electoral system used, and elections by themselves are unsatisfactory instruments to provide citizens with responsible and accountable governments. What then are the other devices to keep state power under control? The current literature on accountability incorporates the notion of horizontal accountability, or the 'capacity of state institutions to check abuses by other public agencies and branches of government' (Schedler 1999:3), which constrain and monitor each other. A particular feature of Russian regional politics is the widespread dominance of the executive branch in the decision-making process. Recent research reveals that the arbitrary and undemocratic action in the Russian hinterlands stems primarily from the regional executive

branch (McFaul and Petrov 1998, Turovskii 2002, Gelman 2002). The concept of horizontal accountability is not restricted to intrastate relations (Schmitter, 1999: 59-62), but includes a system of institutions standing outside government, responsible for watching and checking the policy process in government.

According to recent literature on delegation and accountability (Powell 2000, Strom 2003, Schedler and Diamond 1999) executive bureaucrats are in agency relations with the legislature. Legislative assemblies also experience an informational disadvantage in observing executive actions, but unlike citizens, the legislature has some extra means of holding the executive accountable. Depending on the constitutional provisions, legislative assemblies have more sophisticated instruments of accountability to employ against the other branch. Sanctioning is not limited to election periods, as in the case when the principal is an electorate, but can be applied at any time after the contract is adopted. Not only is the legislature not constrained in time, it is also not left with a single stark choice between re-electing and throwing out of office. It can utilize an additional type of sanction along with dismissal, which is punishing while retaining the executive as an agent (Elster, 1999, 254). Punishment without dismissal gives the executive room to improve its performance. Moreover, in this case, even within one term, the accountability mechanism includes 'incapacitation', along with the 'deterrence' dimension, which deprive the executive of the possibility of avoiding accountability for unpopular or incompetent decisions by mixing them with worthy or popular ones.

Bearing in mind that the primary concern of horizontal accountability in Russian governments ought to be focused, in words of Schmitter, on 'keeping the executive in check'(1999:60), I analysed regional constitutions and charters of the forty-three regions included in the survey, looking for clauses that enable the legislative branch to oversee the activities of the executive.

Among various articles of the regional charters and constitutions, those pertaining to legislative checks over the executive were detected mostly in the chapters devoted to the Legislative Assemblies, and sometimes to the executive branch as well. As a rule, all the charters include sections and articles on the principles of formation and organisational structure of the assembly, eligibility of the candidates as MPs, rights and obligations of deputies, rules of election and resignation of individual members and the assembly as a whole. The most informative section from the point of view of the interactions between the branches of the government proved to be the one pinpointing the authoritative powers of the legislature. The analysed documents show almost complete uniformity in outlining the range of legislative documents required for legislative approval. They include the main law of the region, namely the constitution or the charter itself, the laws regulating the affairs pertaining to the jurisdiction of the region, and laws regulating the affairs of joint jurisdiction between the federal and regional government.

The most variation was observed in the sections that specify the areas of the legislative lawmaking: firstly, the structure of the section varied. Though in most cases, the charter designers designated separately the areas regulated by law (*zakon*) and statute (*postanovlenie*), some did not. Some regions have areas where legislatures exercise legislative control, written in a separate Article, while most do not. Secondly, there was considerable diversity in the content and wording of the specific rights in the area of appointment powers of the legislature. While in all the constitutions and charters the powers of the assembly to appoint justices of the peace and

judges of the Constitutional (Charter) courts, where they exist, and half of the central electoral commissions were stated uniformly, the rights to ratify the appointment of the Vice-governor, and a range of the key ministers in the government (second vices) were not affirmed unvaryingly.

In some charters the right was worded in an assertive and straightforward way: the right to give permission for the appointment and resignation (дача согласия на назначение и освобождение); in others the wording was less affirmative: participate in consultations on formation of the cabinet (участвует в формировании путем консультаций), in yet others the right was not mentioned at all. The right to remove a governor and government through impeachment procedure was also far from being a uniform right of the legislature: while some mentioned the right to vote no-confidence only in the governor, others extend this right to the government as well. A further discrepancy between the charters was observed in the area of procedural regulations. While most of the documents in question were conscientious in outlining the rights of the legislature to override the governor's veto, and specifying the conditions (usually a veto can be overridden by a two-thirds majority of the legislature), some fell short in this respect.

The accountability of the executive branch is higher in regional parliaments that hold more institutionalised powers to keep the executive in check. Institutionalisation prevents the fusion of parliamentary majorities and the chief executive, which destroys conditions for accountability by imposing a severe informational problem upon citizens (Strom et al. 2003, King 1976) and leads to adoption of bad policies, since legislatures are ready to pass all proposals initiated by the executive.

### **Accountability and legislative process in the regional assemblies**

In many regions legislative assemblies have committees with muddled boundaries and sometimes overlapping responsibilities, led by hostile partisan opponents, which provoked legislative conflict, thus leading to recurrent procedural breakdowns. It is sensible to assume that frequent and massive absence of MPs while voting, and a chronically gridlocked assembly are both detrimental to the accountability of a government, while the presence of opposition, beneficial. By being a competitor, the opposition has greater incentives to monitor closely government performance and helps citizens to overcome information asymmetry (Manin, et al. 1999). Additionally, the presence of viable opposition gives a government greater incentives to be more responsible in its behaviour.

If we turn to the analysis of the accountability of the legislature, two factors appear to be salient for accountable performance: occurrences of no quorum, when deputies block passage of bills by leaving the floor or failing to turn up to sessions with a controversial agenda, are negatively influence accountability, while the greater role of the deputies in initiating legislation, and subsequently, a greater share of the bills initiated by them, positively influences it.

The analysis reveals that there is a significant correlation between the occurrences of no-quorum and the frequency of anonymous voting. It shows that those legislatures that more often used

anonymous voting were also those which suffer from frequent failure of the deputy corpus to gather the number of deputies necessary to vote on a bill. While the correlation may be spurious, one can find common grounds for both patterns: anonymous voting, as well as lack of any institutional constraints on deputies to ignore their duties to attend the sessions are indicators of lack of transparency in legislative affairs, which is detrimental to accountability. The second factor connected to the willingness of deputies to exploit the no-quorum mechanism is that there is no established forum for conflict resolution.

The survey also shows that legislatures that have a greater share of the newcomers are less successful in keeping the executive branch in check than those assemblies which are stable in their composition. It is interesting to note that accountability of the legislature itself is negligibly influenced by turnover of deputies. Therefore it is plausible to suspect that the majority of newcomers have particular relations with the executive and governor, namely patron-client relations. The evidence supports this hypothesis. As noted by several analysts, the governor and his circle are increasingly becoming dominating actors in electoral process in the regions (Turovskii, Kynev). In contrast to the earlier practice where a governor supported only one party, or one 'list' of candidates, now governors can support several parties (as was the case in recent elections in Arkhangelsk oblast, Tula oblast, Khakassia), or governor's candidates may even dominate all party lists, with the exception of the marginal parties, doomed to lose (as in Chitinskaya oblast, Tatarstan, Mordovia). These practices ensure the governor's allies hold a parliamentary majority in the legislatures. This proposition is further supported by the outcome of the statistical analysis: the correlation coefficient between the turnover and the presence of the governor's list has a positive sign. The fusion of the executive and legislative elites is detrimental for the accountability of government, as such legislatures are inclined to indiscriminately pass the bills initiated by a governor, and makes unpopular policies easy to pass.

The results of the analysis demonstrated that the condition most likely to positively influence the level of accountability of both branches is a co-ordinated and balanced relationship between them. The second condition that proved favourable for accountability of both branches is when a governor did not officially or unofficially inform the electorate about his special support for a number of candidates to the legislative assembly. These two outcomes highlight the importance of the sustaining the balance of powers in the government, and diluting the presence of the pro-governmental coalition in the legislature.

The evidence from the survey and other sources shows that there is discernible variation in the accountability of regional governments, and that observers can distinguish between the openness of the different branches. The statistical analysis of the survey data revealed several potential institutional factors to which the executive and legislative branches demonstrate coherent and pronounced sensitivity. On the basis of these findings, the final section of this paper puts forward several policy proposals. However, it can be difficult to find straightforward policy proposals that ensure that both branches work in a co-operative way and the corpus of governor's supporters does not dominate the parliament. It may prove impossible to find effective mechanisms that will dilute the concentration of pro-governmental allies in regional assemblies and shift the allegiance from resting predominantly on pro-governor's regional elite to the other political organizations. It has been suggested that, for governors, PR elections are more difficult to manipulate (Moser, 2003, 39), and that the introduction of this system will create centres of



power independent from the regional executives and reinforce the legislative check on the governors and administration, constraining arbitrary use of the administrative resources. However, the present research found that electoral rules did not influence accountability in any discernable way.

Perhaps, one of the potential factors that distort the causal chain connecting elections to accountability lies in the degree of development of parties. In Western democracies, where institutionalization of parties occurs to a far greater degree than in the Russian case, different rules of elections produce different outcomes pertaining to the accountable performance of government. In the Russian regions, the correlation is confounded by the extreme underdevelopment of the party systems. It is plausible to infer that one of the possible causes for the low accountability of the governments dominated by executives may be the inability of the parties to withstand the competition with pro-governor parties in elections, or prevent the invasion of candidates backed by the governor. This hypothesis calls for more comprehensive analysis of the party systems in the regions, and investigation of how party systems help or hinder the electoral competition.

### **Development of party systems and accountability**

The development of parties in many Russian regions happened in a distorted way, so that the usual criteria fail to indicate the strength or weakness of the individual parties in the regions. The floating, unstable character of regional party systems, the volatility of voter preferences, the development of parties from top down, and erratic party membership may have obstructed the causal chain between accountability and party development. This section will consider the development of party systems in federation and regions, and identify the potential drawbacks of the system that prevented the parties from playing a greater role in ensuring the accountability of regional governments.

Many scholars have pointed out that the Russian partisan map is highly fragmented, parties poorly institutionalised, and party identification of the voters unstable. Many factors militated against the emergence of a stable party system: the intrinsic weakness of civil society, social fragmentation, the rise of alternative forms of interest representation, anti-party attitudes among the electorate, and electoral rules. Social atomisation as a consequence of communist rule prevented the rise of interest politics; the legacies of patrimonial communism undermined political parties by supporting personalistic and clientelistic networks; and the organisational characteristics of the democratic movement allowed its legacies to be viewed as 'anti-party' (Golosov, 2000). At the same time, the legacies of the perestroika-era political mobilisation have led to the emergence of the non-political entrepreneurship of the elite, and to a territorially diffuse mode of party formation (Gelman and Golosov, 1999).

Federal parties had affiliations in a majority of regions, however only few of them can be described as strong independent organisations based on well-established societal cleavage structures. Significantly, continuing parties are very few, with only four uninterruptedly participating in all four electoral cycles, namely KPRF, APR, LDPR, and DPR. Legislators' and governors' party affiliations are unstable, and deputies frequently switch allegiance. This is the

case with many legislators, both at federal and regional level. Not only do they change affiliation between factions and deputy groups, they sometimes switch from one party to another. Major and frequent individual re-alignments contribute to a situation where some legislatures end up with a faction structure entirely different from the one they started the term with. Needless to say, this personalised practice impedes the effective performance of the legislature, and damages the credibility of the regional assembly and the legitimacy of the party competition.

Many regional parties can be portrayed as small, unstable personality cliques (Ostrow, 1999: 231), with quite narrow goals, mostly focused on elections. The elaboration of developmental plans, the nomination of gubernatorial candidates, and participation in presidential elections are not on the political agenda of these parties. Even though such parties contested in more than 80% of regions, the share of the seats they won was small (13%, 22% and 14% in three successive electoral cycles). At regional and local level, high voter volatility and lack of party identification led to the strong personalisation of party politics and a pervasive practice of patron-client relations. Even for the KPRF, whose electorate is still sensitive to the party label in their voter choice, supporting a charismatic leader has become a decisive factor (Turovskii, 2003). To illustrate, in Sverdlovsk oblast', no matter how the parties were named, the major political struggle was waged between governor Rossell and the mayor of the capital city of the oblast', Chernetsky. A similar situation occurred in Krasnoyarsk, where the opposition between Uss and Lebed was framed into a struggle between the blocks established by the federal parties. The subordination of the regional branches to the federal centre was weak in these regions, and the electorate was aware which of these parties and blocks represented which regional elite groups, not the other way around. In other regions, parties straightforwardly use the names of their leaders in the title of electoral blocks: 'Blok Bykova', 'Za Lebedya', 'Blok Zubova'. Such parties, based on the strength and charismatic personality of one man, often lack serious programs, sound policy proposals, and clear political standpoints. Hence, personified parties lose the ability to represent important societal strata and fail to provide orientation or serve as an object of a political identification.

According to Rose and Munro, the development of parties is a key predicament for the accountability of governments. They outline five requirements for the elections to be an instrument of accountability (2002, 101):

1. Rather than acting individually, political actors form parties to appeal for votes in elections
2. Parties nominate candidates nation-wide, rather than locally
3. National party candidates, rather than the candidates from the local, regional parties or independents win the majority of seats
4. Parties nominate candidates for all elected offices
5. Parties persist from one election to another.

These requirements were designed for the analysis of central governments, but they can be applied, with some alternations, to the regional level as well. One of the main differences will concern the second and third requirements. Stepping down one level, parties can be both national and regional as long as they are not local groups differing from one district to another. In the Russian case, neither regional parties nor federal branches of the nation-wide parties (except the KPRF) played a central role in regional elections. It was regional blocks

of the federal and regional parties and political movements that actively participate in elections. These electoral blocks were active across the whole territory of a region; therefore they meet the second requirement and the first part of the third. However, the first requirement is seriously violated. Throughout the decade, individuals nominated themselves or were nominated directly by electorate (*neposredstvenno izbiratelyami*) far more often than parties.

The scope of party activities in executive elections was low throughout the entire decade: out of 459 and 562 candidates who contested the second and third cycles of gubernatorial elections, only 74 and 46 of them respectively were partisan nominees (Golosov, 2003, 71). Moreover, party nominees tend to be less successful than independents: only 7% of them were successful, as compared to independents, who won in 13% of cases. Political parties play a considerably greater role in legislative than in executive elections: while party-nominated candidates in gubernatorial elections ran only in 36.8% of regions and won only in 7%, partisan nominees for the legislative posts contested elections in 89% of regions and won seats in 67% of regional legislatures. (Golosov, 2003, 71-79). However, the percentage of party nominees in the total number of candidates is very low: from 0.5% in Buryatia to 40% in Sverdlovskaya obl., with an average of 17% for all the regions .

The fourth requirement necessitates that parties nominate candidates for all elected offices. As there are only two elected offices in the Russian regional politics, and in a majority of cases parties do nominate their candidates for legislative seats, we should look into the data for nominations for governors more closely. During the 1997-2000 regional executive elections, out of 766 candidates nominated for the office, 522 (68%) were nominated directly by electorate, 189 (25%) by themselves, and only 55 (7%) were party nominees.

Parties did not nominate candidates for executive office at all in such regions as Kemerovskaya oblast and Komi in 1997, Buryatia, Ingushetia, in 1998, Belgorodskaya and Vologodskaya oblast, Primorskii krai in 1999, Altaiskii and Stavropolskii krai, Arkhangelskaya, Voronezhskaya, Ivanovskaya , Kaluzhskaya, Kirovskaya, Kostromskaya, Kurganskaya, Lipetskaya, Magadanskaya and Volgoradskaya oblast, Udmurtiya, Khakkasia, Marii El in 2000. All in all, out of 74 executive elections taking place in this period, in 42, parties and electoral blocks failed to nominate their candidates, while for the legislative elections for the same period only 10% of the regions failed to do so. Therefore, the fourth requirement can be seen not to hold for the majority of the Russian regions.

The second part of the third criterion is also violated, since in the majority of the regions parties win a minority of seats. Even though parties contested in more than 80% of regions, the share of the seats they won was quite insignificant. Therefore, in a majority of Russian regions the elections fail to function as mechanisms of accountability because of the underdevelopment of parties.

## **Parties in legislatures**

In the majority of regional legislatures, party participation in elections was lower than party representation after elections in the already working assemblies. This fact can be explained by several factors. Some regions demonstrated an astonishing increase in the partisanship of the regional legislatures: from zero to 100% in Magadan oblast, from zero to 67% in Kalmykia, or from 3% to 72% in Kabardino-Balkaria. Almost all regions where this pattern was observed belong to the category of autocratic or semi-autocratic regimes, and party participation can be explained by clan and corporatist interests, rather than indicating the strength of the party in the region or reflecting mass attitudes. This practice can be explained as a consequence of the fact that in Russia the definition of party in the legislature differs in the most cases from the ballot definition.

In the observed regions, a different number of deputies are allowed to form a faction, or deputy group, the rights and obligations of the deputy groups also differ from one legislature to another. For accountability to work, it is necessary for MPs to be stable in their party affiliations, but in Russian regional parliaments this is rarely the case. In all forty-three regions, sanctions against deputies changing their affiliation were observed in no regional assembly regulations. Elected candidates have no constraints in changing their party affiliation throughout the period of their service in parliament. The volatility of their policy preferences is detrimental for accountability as voters will not be able to map deputies' responsibility in decisions made by the parliament. Moreover, not only do they change factions and deputy groups in accordance with their own changed political stance, but some use this as a bargaining chip in a pursuit of personal gains.

What are the institutional conditions for this? In a majority of regional legislatures deputies can initiate and prepare their policy proposals and lobby them individually within the committees or directly on the plenary session. This feature intensifies the fragmentation and diffuse character of the assemblies, which in turn furthers particularistic interests (Chaisty, 2001). The weak commitment of the individual deputies to the faction they belong to, and to programmatic principles, create a fertile soil for informal activities such as corruption and clientelism. The closeness of the deputies to the decision-making centres when no legal transparent mechanism for lobbying interests exists makes them susceptible to corruption by powerful regional economic elites. As noted by Kiselev, several MPs in the Sverdlovsk regional Duma are notorious of their unscrupulousness, and party factions bid for their support in controversial bills by offering them higher rewards (interview, 2004).

## **Electoral rules and party formation**

The effects of electoral rules on party formation in Russia have been analysed by several scholars (Moser, Golosov, Hutcheson, etc.). There seems to be general agreement that a mixed, unconnected system with the two halves of the Duma elected by different rules, and seats not compensated, splits elections into two separate campaigns. While the first favours strong federal parties with a widely spread electorate, the second promotes the emergence of small personified

parties. These contradictory incentives produced a situation distinctive for Russia where two different sets of parties exist, those who are winners in single-member districts, and those who win predominantly on the party lists. As Moser (2001: 43) observes, with the exception of the KPRF, these two sets do not overlap, though more recently United Russia has been present in both sets too.

The development of parties has been influenced by the first-past-the-post rule, used for the elections to the most of the regional legislatures, and by the two-round majority rule, used for the election of the president of the federation and the vast majority of regional chief executives, since candidates are discouraged from running under the banner of a party. To be able to cover as wide an electoral base as possible, candidates preferred not to affiliate themselves with any party, or even to hide any affiliation they may happen to have. This applies to all parties with the exception of KPRF.

The particular configuration of electoral systems in individual regions emerged largely as a product of the bargaining of the elites at regional level, rather than the result of directives or pressures from the federal authorities (Golosov 2003: 211). Frequently in the period from 1993 to 1996, incumbent governors used their influence over regional assemblies in drafting the regulations for elections to bias the outcome in their favour: they used their offices and public officials for unofficial electoral campaigning; and also often manipulated the time of elections, length of campaigns and electoral threshold to suit their interests and to the disadvantage of opposing candidates (Moses, 2003, 151).

The electoral reform law, enacted in 2003, changed the electoral system from predominantly single member plurality, to a mix of single member plurality and list PR, stipulating that at least half of deputies must affiliate and run as candidates on federal party lists and nominally vote for the programs and policies of their parties. This reform is aimed at enhancing the independence of regional legislatures as a counter-balance against governors. By changing the incentives of politicians to run for seats in regional assemblies, it will potentially shift the entire dynamic of the executive-legislative relations (Moses, 2003). Federal government sought firstly to buttress the party system by forcing parties to diversify, and to centralise control over the regions. The latter was supposed to be done via the factions of United Russia (UR) in regional legislature. By the end of 2003, with only four regions using the mixed electoral system, seventy-eight regions have at least one deputy in their legislative corpus, and forty-seven have factions of the party of power. However the efforts of the Kremlin to subordinate the party system to the executive vertical via the promotion of UR as a party of power were undermined and in several regions United Russia failed to produce a sizable portion of legislative seats. This is due to both federal and regional factors. Not only are federal policies backed by UR leaders becoming unpopular, but also regional elites are refusing to support the party label, openly or secretly (Khakassia) undermining its credibility. Secondly, it was believed that a list PR system would give parties incentives to participate in regional elections and give party factions a more institutionalised role in the regional political system. Whether introduction of the proportional representation rule promote parties' penetration not only in space, to larger number of territories, but also in depth, enabling them to play a more active role in power politics, is discussed below.

The introduction of the PR system is intended to promote competitiveness in the regional political arena. There is serious evidence to show that the introduction of the PR list system bolstered formal party activities, creating sham party branches existing only on paper, rather than society-based strengthening of the party system from the grass-roots level. The reform instigates the diffusion of the national parties, making one party brand include diverse political formations in different regions. In the words of Kynev, parties are converting themselves into merely technological mechanisms (2004).

## **Policy Proposals**

a) The first device for parliaments that are prone to conflict and deadlock is to establish recurrent 'roundtable' negotiations among leaders of political factions, involving also members of the government and representatives from public organisations, if necessary. In the absence of established fora for inter-committee co-ordination, this informal consultative mechanism can prevent highly contentious issues from paralysing the legislative process. It also can help the factions to hammer out face-saving compromises that have better chances afterwards of being passed in the full chamber.

b) Since in many legislatures a high share of the bills is initiated by a governor, in order to avoid gridlocks, it is necessary to launch 'big-three' negotiations involving a governor, a vice-governor, and the chair of the parliament. This informal channel of negotiation will make it possible to find a compromise in highly divisive issues; I can give a governor a reliable estimate of the balance of power within an assembly, and revise bills accordingly. In addition to these ad hoc consultative fora, both governor and government are advised to establish permanent liaison offices in parliament. The aim of these institutions is to observe and manage day-to-day legislative relations.

c) The legislatures should revise the regulatory framework connected to the procedural regulations: in relevant Articles of the charters, and in the internal documents of the assembly, there should be included a clause declaring the open character of the voting on the floor, and areas of anonymous voting should be clearly designated.

d) Since legislative gridlock is often caused by frequent occurrence of the parties blocking the passage of bills, which hinders the accountable performance of both branches (the executive to a greater degree), legislatures are advised to form a leadership body composed of partisan factions and group leaders, i.e. an all-faction steering committee. The leadership body should have formal powers to set the legislative agenda, create committees, divide up leadership posts, and distribute deputies among the committees.

e) Since frequent situations of no-quorum not only slow down the legislative process but makes the legislatures less accountable, deputies who fail to turn up on the sessions and vote for the bills certain amount of times should be subject to strict sanctions, up to denial of the mandate.

f) Legislative powers to control oversee and check the executive branch, such as the right to ratify the appointment of vice-governor and key ministers, the right to remove the governor and

the government through an impeachment procedure, and the right to override the governor's veto power should be clearly stated in the regional charter or constitution.

g) MPs should belong to the same party faction and vote according to the party programme, as the party in whose name they run the elections. The new edition of the "Law on Elections of the Deputies of the Duma of the Russian Federation" adopted in April 2005, denies deputy mandate for those who leave their party faction. This provision has to be adopted in the regional legislatures as well in order to curb frequent switches from one deputy faction to another

h) The problem of independent deputies who still form the half of the legislatures in a bulk of the regions and do not owe their mandate to any party remains. Being directly connected to the electoral district, these deputies are bound by electoral promises, which are usually specific to that district. The scope of the policy decisions which lie outside these promises is far greater, and as a result legislative powers of independent parliamentary members are repeatedly used for particularistic purposes, indeed quite habitually they are used for corruption to influence legislation. Independent deputies should be required to join the party faction in the early stages of the service and be bound to the faction discipline in the same way as party list nominees, or form a separate chamber in the legislature with limited powers of lawmaking.

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