

**ROLE OF THE STATE DUMA IN RUSSIAN POLITICS,
1993-2003**

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MASTER OF PHILOSOPHY

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DECLARATION

I declare that the dissertation entitled "Role of the State Duma in Russian Politics, 1993-2003" submitted by me in partial fulfillment of the requirements for the award of the degree of **Master of Philosophy** of Jawaharlal Nehru University is my own work. The dissertation has not been submitted for any other degree of this university or any other university.

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I take the responsibility of the flaws and the limitations in this work.


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LIST OF ABBREVIATIONS

CPD	Congress of People's Deputies
CPRF	Communist Party of Russian Federation
CPSU	Communist Party of the Soviet Union
LDPR	Liberal Democratic of Party of Russia
OVR	Fatherland- All Russia
PRES	Party of Russian Unity and Accord
RSFSR	Russia Soviet Federative Socialist Republic
USSR	Union of Soviet Socialist Republics
YABLOKO	"Yavlinski- Boldirev- Lukin" Bloc

Chapter 1

**INTRODUCTION: HISTORY OF PARLIAMENTARISM IN
RUSSIA**

Introduction: History of Parliamentarism in Russia

Disintegration of the Soviet Union and fall of the communist regimes in Eastern Europe had deep impact on the world. It put an end to the tight bipolar system which divided the world in two blocs; the western capitalist bloc and the eastern communist bloc. Dissolution of the Soviet Union was both the cause and the effect of collapse of communist ideology. Fifteen independent countries emerged out of the remains of erstwhile Soviet state and all of them discarded the communist ideology as the basis of political system. This accelerated the process of 'Democratization' in the former Soviet republics.

The process of democratization in the post- Communist world is generally labeled as the 'third wave' of democracy. Development of democracy did not take place in the entire world at the same time. In fact, it appeared in different states at different time. This process is by and large explained in the form of three waves. The first wave of democracy appeared in the western world, as countries in west Europe and the US adopted democratic constitutions along with representative forms of governments. The second wave emerged as various countries in Asia and Africa got independence from the colonial powers, while they adopted democratic form of government. And the most recent were the former communist states which began with the course of Democratization after 1990; this being the 'third wave' of democratization (Huntington, 1991).

Nevertheless, transformation of the non-democratic states into the democratic ones has not been an easy affair. It has rather raised several serious issues. None of the former Soviet states had the experience of full-fledged democracy in the past, as democratic institutions never took firm roots in their past. They were part of a tightly controlled authoritarian system, ruled by a single-party. Also, these states had different social set-up from that of the West, since they possessed multi-ethnic, multi-religious populations. There were issues like poverty, hunger, unemployment which had to be addressed.

Transformation to democracy was preceded by the transformation from the State-owned economy to the 'Market' economy. However, this transition was also not very comfortable. Moreover, the manner, in which economic transformation was undertaken, created problems. Radical reform programs could not generate a smooth shift and in fact worsened the situation. There was increase in poverty and hunger, thousands of youths became unemployed and prices sky-rocketed with heavy inflation. The economic factors also had repercussions on political events in these countries.

Even after independence, all the post- Soviet states were ruled by their previous communist leaders. Because the communist ideology became obsolete as the underlying basis for their rule, they had to redefine the basis for legitimization of their regimes. The leaders sought to use issues like nationalism, identity, democratization as well as economic transformation as the means to gain legitimacy in the post- Soviet republics.

Nevertheless, since the states were going through uncertain transformation, rulers of these independent republics preferred to retain firm control on the system. In such scenario, the process of democratization suffered. Democratic constitutions were adopted, technically embracing provisions like; universal adult suffrage, free and fair elections, separation of powers. But, in practice this 'democracy' proved to be hollow. With leaders having firm grip over the system, there emerged what was called as 'democratic authoritarianism'.

One of the most striking features of the democratic transformation in the post- communist world was the tussle between the Executive and the Legislature. While the leaders had solid control over the system, legislatures proved to be helpless. The division of powers was not very just as the legislatures were given very less powers. They had practically no control over the executive actions; indeed the executives dominated legislative functioning. Weak and vulnerable legislatures in the post- Soviet states have affected the process of democratization there.

In this backdrop, it becomes very interesting to study the Russian case. In fact, Russia, being the largest and the most powerful state within the Soviet Union, is a classic example of post- communist transition to democracy and market economy. Though Russia initiated the process of democratization in the post- disintegration period, it has still not achieved any significant success in this regard. Russia has a weak legislature. Legislature has always been overshadowed by the power and legitimacy of the executive branch.

History of Parliamentarism in Russia:

Parliament is a unique development in the history of the State. It has emerged as an important pillar of democracy as it ensures the representation of the population and its active participation in the functioning of any state. Parliament is created mainly as a legislative organ of the government and thus, is involved in the process of law-making in a political system. However, apart from law-making, it is also assigned with many other functions in various political systems; these functions include amending of the constitutions, controlling the budgets, keeping in check the executive actions, appointing/removing officials and many more. The Parliament occupies a very important space in country's political life. However, the degree of role it plays varies from state to state, depending on the form of government in place.

The importance of the Parliament is known since the ancient times when city-states like Athens practiced direct democracy through parliamentary proceedings. For the first time, modern Parliamentarism developed in Britain. Here, the birth of modern democracy was sought through the protest against the monarchial absolutism and thus, principle of 'Parliamentary Sovereignty' was adopted as the adequate solution. British political edifice rests on the fact that people have unlimited faith in their elected representatives. The Parliament is given unlimited powers and can practically do anything. Moreover Britain has the unwritten constitution which again makes the Parliament super-powerful. Parliament is the most significant actor in British politics till date making Britain the classic case of the Parliamentary system of government. The executive is drawn from the

Parliament and is responsible to the same as it can remove the executive by passing a vote of no confidence. As against Britain, the constitution of the United States of America has adopted Presidential form of government. The executive is neither drawn from the legislature nor is it responsible to it. However, in spite of this, the constitution has provided for a powerful Congress. The principle of 'separation of the power' is developed along with the effective system of 'checks and balances'. Here, the Congress and the President keep each other in check ensuring transparency and accountability.

Russia is generally criticized for never having a democratic form of government in its traditions and the Russian rulers have been deprecated to be authoritarian. However this argument does not reflect the complete reality. With a close look at the Russian history, one finds traces of democratic institutions like: Veche, Boyar Duma, Zemski Assembly and the State duma convened by the Tsar after the 1905 Revolution. The *Veche* People's Assemblies were the representative bodies that practiced direct democracy in 11th century Russia. The Veche enjoyed the right to elect/ remove high officials, to change laws and also to decide issues of war and peace. The *Boyar Duma* was a kind of royal council with representatives from various princely states. It had political weight and considerable independence, so much so that it could even oppose the Tsar. Though Boyar Duma was a consultative body, it played a very significant role in Russian politics in 15th and the 16th century. Visionary emperor Peter- the great replaced the consultative Boyar Duma by the more powerful *Senate* with extensive administrative, judicial and legislative powers. Then there was *Zemski Assembly* which was a representative body with members from feudal aristocracy. Though the feudal class of Russia always wanted Russia to be united under the power of a strong ruler, they wished an important share in this power too. The Zemski Assembly was convened from time to time to discuss issues of vital significance. It was for the first time called in 1549 during the reign of Ivan IV; it was very active from mid-16th century to the end of 17th century (Mohanty, 2010: 2-7).

One of the most important steps in the development of the Parliamentarism in Russia was taken by the convening of the Parliament in 1906. It was under the pressure of the

Russian Revolution of 1905¹; Tsar Nicholas II gave a call for creation of a legislative assembly that was called the '*State Duma*'. This was a desperate attempt to appease the revolting nation and save his regime. He issued 'August Manifesto' to propose the provisions of the future political system for Russia. But it gave too little as it envisaged consultative nature for the Duma with very less powers. This was followed by the strike in the month of October and thus, the plan was aborted. As a result, the Tsar came out with '**October Manifesto**', which promised civil liberties for people and more powers for the State Duma. It promised to Duma the legislative and oversight powers. However the Tsar was obviously determined to retain his autocratic powers. He did everything to undermine the provisions of the Manifesto, so that they were not translated into reality. He issued a decree that turned the State Council into a higher legislative body with power to veto the Duma legislations. Moreover, just three days before the convening of the first State Duma, Nicholas II brought 'code for main state laws' which confirmed the role of the Tsar as the highest legislator. He denied responsible government and retained the right to dissolve the Duma and announce new elections whenever he wished (Mohanty, 2010: 17-19).

The first two Dumas convened by Tsar Nicholas II (1906-07) survived for very short span and got dissolved only in a few months because of the conflict between the Tsar and the deputies. The Tsar and his loyal ministers were reluctant to share power with the Duma. The Duma on the other hand kept demanding reforms in the system. The ongoing factions in the Duma also contributed to its weak functioning. The Third Duma (1907-12) survived a full five year term as it was supportive to the prime-minister Stolypin. It was because that this Duma had a huge propertied class and industrialist faction; it was less radical and more rightist and conservative. In spite of this it was successful in initiating reforms. In fact the traditions of drafting laws, conducting discussions and practice of legislative procedures were established during the tenure of this Duma. The Fourth Duma (1912-17) also had limited political influence and was dissolved during the revolutionary events in 1917.

¹ The **1905 Russian Revolution** was a wave of mass political and social unrest that spread through entire Russia. It was mainly directed against the autocratic rule of Tsar Nicholas II. It led to the establishment of constitutional monarchy in Russia, with creation of the legislative organ, called the State Duma.

There are various viewpoints among scholars regarding the significance of the early 20th century Parliamentarism in Russia. Some argue that the State Duma was a powerless body back then and Russia was an absolute autocracy. While some others conclude that it brought a system of constitutional monarchy in Russia. According to Mohanty (2010: 22),

".. The first Russian Revolution acted as the catalyst for reforming the state power in Russia with limitation of autocracy and transition to a constitutional system. This period witnessed the practical implementation of legal and political state-modernization project in Russia."

Though this system was nowhere close to the 'separation of power' model, one cannot deny its significance in the growth of Parliamentary traditions in Russia.

The Soviet representative system, however, marked a break from the Tsarist system of parliamentarism. The **Bolshevik Revolution**² was carried out under the slogan of breaking bourgeois system; and it was but obvious that it will destroy the erstwhile bourgeois parliament. Also, Lenin and his supporters had negative views about the system of separation of powers, so they gave the slogan of 'all powers to the Soviet'. The first Soviet constitution adopted in 1918 declared that all power rests with the All-Russian Congress of Soviets. There was a break to this system by the adoption of the 1936 constitution, which created the Supreme Soviet by keeping the legislative powers with it and gave the highest executive and administrative powers to the Council of Ministers of the USSR. Again, the constitution of 1977 took a step backward by giving all powers to the Supreme Soviet.

The Supreme Soviet consisted of two chambers, 'Soviet of the Union' and 'Soviet of the Nationalities', with equal legislative powers. While the Soviet of Nationalities represented the republics, Soviet of the Union was elected on the basis of one-candidate elections within the Communist Party of the Soviet Union (CPSU). The whole structure was tightly controlled by the party and there was a strong link between the legislative

² The **Bolshevik Revolution** took place in October 1917. It established a Communist State for the first time in the human history. Over the period of time, it was transformed into the Soviet Union.

system and party machinery. Technically, President was supposed to be selected by the Supreme Soviet, but he was unconditionally leader of the CPSU. In such situation, the Soviet Union hardly left any room for parliamentary culture to develop. Many critiques of the Soviet system focus that CPSU had placed itself above the constitution. Richard Sakwa (2002: 53) labels the Soviet politics as 'pre- constitutional' because 'its constitutions did not do what the constitutions are supposed to do'. It ignored real balance of power in the society and gave overwhelming role to the CPSU.

The situation started altering with Gorbachev becoming General Secretary of CPSU in 1985. Gorbachev was a young enthusiastic leader. He sought to reform the Soviet system in and out, in order to make it more inclusive. He wanted to repair the long-term accumulated weaknesses in the system. After only the partial success to his economic reforms called 'Uskareniye', he introduced the social- political reform programs, *Glasnost* and *Perestroika*. Gorbachev emphasized democratization of the political system. Electoral reforms were introduced by giving cries of 'political pluralism' which allowed the independent candidates to fight elections (Chenoy, 1992: 20).

These reforms also introduced some systemic changes, with the renewal of the Soviet representative system, electoral reforms and reorganization of higher bodies of state power (Sakwa, 2002: 54). A mega- Parliament, named *Congress of People's Deputies* (CPD) was created which consisted of 2250 deputies. One- third of the deputies were nominated by the public organizations and the two- third of them were elected from the single constituencies. In turn, this Congress of People's Deputies elected the Supreme Soviet. This two-tier structure was created to ventilate opposition. While the CPD was meant to meet less frequently, the Supreme Soviet was supposed to look after day-to-day functioning. The elections to the CPD were carried out in free and competitive environment. These were the first democratic elections held in the history of Soviet Union. This change in the legislature provided an opportunity for the development of genuine Parliamentarism in Russia and was a next step in the process of democratization in the country. However, the change was not really carried out in a systematic manner.

Moreover, it was coupled with other problematic reforms and thus, finally led to the disaster (Mohanty, 2010: 29-33).

Gorbachev's attempt to reform the Soviet system led to its collapse. The short-term methods of the resolution of long trail of problems could not succeed (Chenoy, 1992: 18). They failed miserably and Gorbachev lost credibility and legitimacy to rule. In the later years of Perestroika, deputies in the Supreme Soviet became major opponents of Gorbachev's policies and they elected Yeltsin as the chairman in March, 1990. Yeltsin became the directly-elected President of the Russian Republic in June, 1991. This put Yeltsin in the dominant position in the Russian politics. He fiercely opposed the Soviet system.

After Yeltsin became the directly-elected President of the Russian Republic in June, 1991, the Congress agreed to grant Yeltsin emergency powers to rule by decree. But Yeltsin had his own political equations. He took the advantage of the power of the decrees and launched radical economic reform program called 'shock therapy' in January 1992. The Congress started opposing it, giving rise to an unprecedented tussle between the president and the parliament. Both these institutions claimed to be the legitimate representative of the Russian people. This political stand-off between the two continued from 1992-1993, culminating in Yeltsin's Presidential decree no. 1400 on September 21, 1993 which dissolved the Congress of People's Deputies and the Supreme Soviet. Constitutional court declared Yeltsin's activities unconstitutional and thus he suspended the court too. When a group of deputies refused to leave, he bombarded the Parliament building on October 4, 1993.

The dispute between the President and the Parliament sharpened on the issue of the adoption of the new Constitution. After getting rid of the Congress, Yeltsin handpicked the assembly that framed a new Constitution. It was the President's draft only with a few modifications as the writers of the Constitution were given the aim of increasing president's powers while reducing that of the Assembly. The Constitution of post-Soviet

Russia that was adopted and ratified in December, 1993 reflects the conflict scenario of that time.

The Russian Constitution calls Russia a constitutional and federal republic, but it is silent about the form of the republic, which can be either Presidential or Parliamentary. However in reality it turned out into a 'super-Presidential' system, with President being the only guarantor of the constitution with maximum powers concentrated in his hands. No mechanism of checks and balances is developed to control unlimited executive power. The Constitution creates *Federal Assembly* as the legislative organ of the State, comprising of 'Federation Council of Russia' (upper house) and the State Duma (lower house). It technically divides the power between the executive and the legislative branches, but in very confusing manner. Secondly, there is no independent judiciary which can keep watch on the functioning of the system.

The division of powers is strongly tilted towards the president. According to the constitution, the President is the head of the state and also enjoys authority over other branches of power. He has legislative powers as he can rule through the decrees and orders that have strength of a law. In addition, he enjoys the right to veto, which can be overridden by the Duma only with the two-third majority vote. Though the Parliament has the right to pass vote of no-confidence against the Prime Minister and the government, President need not sack his government even after the passing of no-confidence motion against it for two times and if this happens for the third time, President can dissolve the Duma. Thus, government has no responsibility towards the legislature. Duma's right to appoint the prime minister is also more like an obligation on the Duma as if it rejects three candidates in row, the President is empowered to appoint a Prime-Minister, dissolve the parliament and schedule new legislative elections. The council enjoys the power of impeachment. But this process is so complicated that it is next to impossible to impeach Russian President.

In practice, the executives function independently; and practically Duma has no control over it. Duma is merely a law-making body and has neither power nor the influence to control the implementation of the laws passed by it. Neither does it have control over the functioning of the government. The President exercises extra constitutional powers and is

minimally accountable to the Duma. Thus, though the constitution does not specifically say anything about the form of the republic, it has definitely ended in the 'super-presidential' system.

The elections for Duma were held in December 1993 for the first time in the post-Soviet Russia. This Duma termed 'transitional' and was to serve only a two-year term. Although constitution weakened their standing vis-à-vis the presidency, the Duma's elected in 1993 and 1995, nonetheless, used their powers to shape legislation according to their own precepts and to defy Yeltsin on some issues. An early example was the February 1994 State Duma vote to grant amnesty to the leaders of the 1991 Moscow coup. In the most significant executive-legislative clash since 1993, the State Duma overwhelmingly voted no confidence in the Government in June 1995. The Second Duma was elected in December 1995. In this Duma, the leftist opposition won clear majority; and as a result, there continued the tussle between the President and the Duma. The height of this strife was reached when Duma initiated impeachment proceedings against President Yeltsin in 1998.

While Yeltsin had hostile link with the Duma, things changed during Putin's Presidency as he completely subordinated both the chambers. Here the Parliament approved most of the initiatives by Putin, especially his moderate economic and administrative reforms. In fact, most of the controversial issues were solved right before they were tabled in the house, thus leaving less room for debates and disagreements. This also led to Putin signing most of the bills passed by the Assembly into laws.

Though Russian Duma is not very powerful, it has made its presence visible several times. Creation of the federal assembly especially Duma has definitely been a step forward in the path of development of the Russian parliamentarism. Though there is still a long way to go, one cannot deny it is at least a start.

Review of the Literature:

After the break-up of the USSR and independence of Russia, interest arose to see how the transformation of the political system was taking place and what kind of system was evolving, as the then leadership declared the transition to democratic form of the government as their goal. There is plenty of literature available that deals with the Russian politics. Majority of these, term Russia as the 'super-Presidential' system where the President enjoys enormous powers, thereby limiting the powers of the other branches of the government. This is the reason why the role of the legislature in the Russian political system has been labeled secondary to that of the President.

The political upsurge that took place in Russia after the Soviet break-up gets a lot of attention as this whole period shaped the upcoming Russian political system. At the time of Russian independence, Boris Yeltsin was the only influential leader and thus held the central position in Russian political system. He was the first directly elected President of Russia, unlike all previous Soviet leaders who were appointed by the party. Yeltsin was identified with break-up of the Soviet Union and creation of new Russia. Chenoy termed him as 'a strong destroyer but a weak builder'. According to Chenoy's argument (2001), Yeltsin wanted to marginalize the Parliament and thus concentrate all power in his own hands. As the result of all this, the institution of parliamentary democracy, as a basic structure of democratic rule, did not take root in Russia (Mohanty, 2010).

The tussle between the President and the Parliament in early 1990s had impact on the new constitution that was ratified on December, 1993. The constitution ratified at the virtual gunpoint imposed a super-presidency in Russia. This in turn gave birth to a handicapped parliament that was too limited in powers. Thus, in constitutional terms, the State Duma is a weak body (Badan 2000, Mohanty 2010).

The 1993 Constitution calls Russia a constitutional and federal republic, but it is silent about the form of the republic, which can be either Presidential or Parliamentary. However in reality it turned out into a super-Presidential system, with President being the only guarantor of the constitution with maximum powers concentrated in his hands. In the Russian constitution, no mechanism of checks and balances is developed to control

unlimited executive power. The legislature looks at the executive policy from distance, as the executive is neither the part of the legislature nor does it owe any responsibility towards the legislature (Shevchenko and Golosov 2001). As this checks and balances system is missing in the Russian case, there occurs problematic engagement between the executives and the legislature (Remington, Smith and Haspel 1998, Shevchenko and Golosov 2001, Mohanty 2010).

The powerful status of the president is the important reason which undermines the role of Duma in Russian politics. Remington, Smith and Haspel (1998) have argued that a combination of extensive explicit powers and wide residual powers give the Russian President great influence on Russian national policy. Russian President is exceptional in the broad legislative powers granted to him, which include right to propose legislations or constitutional amendments, right to veto the bills passed by the Assembly and right to decree.

In Russia's case, which formally resembles the 'president-parliamentary' system as outlined by Shugart and Carey (1992), legislators do not form the government, although, according to the constitution, they have the power to bring it down. This fact deprives the president of the leverage that leaders of the government coalition have in a parliamentary system, where failure to maintain solidarity in parliamentary voting risks the dissolution of the government.

Moreover, the rights assigned to the legislature by the constitution are also absurd and can be easily overridden by the president. For example, technically, the Duma enjoys the right to approve President's candidate as the prime-minister, but the president can dismiss the Duma if it refuses to nominate his candidate as the Prime-Minister thrice. Secondly, the Duma has the authority to pass the vote of no confidence against the government. But at the same time, the President is empowered not to sack his government even if the Duma passes no confidence motion. Moreover, if this happens consecutively for three times, President can dissolve the Duma. In other words, Duma can pass the vote of no confidence only at the risk of getting dissolved (Remington, Smith and Haspel 1998, Mohanty 2010). In other words, government has no responsibility towards the legislature.

Most of the scholars of Russian political system draw attention to the overarching powers of the executives and less powerful legislature. In other words, Russian politics is viewed by many to be dominated by the executives and not by parliament. In these studies, there are found two arguments.

One set of scholars look at the *de jure* part of the system. Their argument is that the Russian constitution itself has placed the State Duma in a position of weakness. The President's combined legislative powers to veto parliamentary bills and to issue decrees permit the head of state to rule by decree if he commands the support of just one-third of either house of the Federal Assembly (Parrish 1998, Phool Badan 2000). For this reason Holmes (1994) describes the Russian constitutional regime as 'Super-Presidential'. There is also a term 'fig-leaf parliamentarianism' used which denotes a situation in which the State Duma does not in any real sense share sovereignty with the chief executive (Holmes 1994).

On the other hand, analysts point to the *de facto* limitations on parliament's capacity to act. The polarised and fragmented character of the lower chamber is said to contribute to parliament's weakness (Holmes, 1994) and is linked by other studies to the Duma's dysfunctional organisation (Ostrow 1998). As Ostrow argues, the Duma's unlinked dual-channel design and poor co-ordination of legislative committees and parliamentary parties renders the Russian legislature unable to manage internal conflict on legislative issues and makes legislative gridlock the norm in the Duma (Ostrow 1998, Ostrow 2000). Inadequate rules and a chaotic party system combined to make it nearly impossible to pass a coherent legislative program (Andrews 2002). According to general consensus among the scholars, a *de jure* and *de facto* weak Duma exposes Russia to the risk of becoming a delegative democracy, in which parliamentary checks and balances are largely inoperative, and accountability and representation are flouted by an unrestrained president between elections (O'Donnell 1998, Parrish 1998).

Yet several analysts have challenged the view that the Duma is a powerless and irrelevant institution. Moreover, their evidence on parliament's involvement in the policy-making process indicates 'a somewhat greater role for parliament than the 1993 constitution would suggest' (Remington 2001). As argued by Remington, Smith and Haspel (1998),

Duma is active and has made its presence over the period of time. They cite the example that more than 1000 laws were enacted through regular parliamentary proceedings during 1994-99 and. And thus parliament has managed to establish a role in policy-making and by gaining presidential approval for numerous laws. Any legislative process in Russia requires the cooperation of four institutions to pass the law- the president, the State Duma, the Federation Council and the government (in some cases). But still, the importance of the Duma cannot be denied. Duma is the principle legislative organ in Russia. Most of the legislations originate in Duma and without Duma's approval, no bill can become a law (Chaisty and Schleiter, 2002).

Moreover, situation started changing from the convening of the third Duma (2000) which coincided with Vladimir Putin's coming to power. Throughout 1990s the relationship between the executive and Duma was antagonistic, as the pro-Yeltsin group in the Parliament was fragmented and the anti-Yeltsin group mainly lead by the communist faction was very strong and cohesive. But when Putin came to power, different pattern of executive-legislature relationship developed, as the sharp ideological polarisation between the parties faded. Putin gained support from majorities constructed on ad hoc basis around particularistic interests. He engaged the Duma into a constant bargaining and thereby got many of the legislations favouring him passed (Remington 2001).

Thus, one cannot deny the important position that State Duma enjoys in the Russian Political system. The critique of the Russian Parliament should not forget the fact that Russia has witnessed five successful tenures of the State Duma and the things have worked smoothly. Duma has played its role when it comes to passing of important legislations. There are still some linkages, which can be dealt at the institutional as well as structural fronts (Mohanty 2010), thereby making Duma a respected body which can play even more significant part in Russian Politics.

As the post- Soviet states have been going through a transition from the tightly controlled Communist states to those ruled democratically, there were apprehensions about what kind of the political system would emerge there. While paying a lip-service to the

democratic institutions, the leaders in the post- Soviet states have been still very far from establishing democratic order. Scholars have criticized them for not leaving behind the authoritarian traits. With super-Powerful Presidents, both de jure and de facto, other branches of power have been finding it difficult to 'check' or 'balance' the Presidential hegemony. However, in spite of this, other branches of power have made visible their presence considerably.

This research is an attempt to analyze the powers assigned to the Russian State Duma constitutionally and the role it has practically played in the Russian political system. Moreover, the study also looks into the relationship between the executive and the legislature; thereby, outlining contributions of the Duma in the policy-making and its limitations. The focus of this review is limited to the 10 years time-frame that is 1993 to 2003. It cover first 10 years of the working of the latest Russian Constitution (adopted in 1993) and deals with the working of the First/ Transitional Duma (1993-1995), the Second Duma (1995-1999) and the Third Duma (1999-2003). The study is based on historical and analytical methods.

Chapter 2 opens with the historical review of the making of the 1993 constitution. Then it extensively analyzes the creation of the Federal Assembly under the 1993 constitution, the division of power and the powers it assigns to the Duma. Lastly, power and position of the Duma is examined vis-à-vis that of the President. Chapter 3 comprehensively deals with the First/ Transitional Duma (1993-1995) and the Second Duma (1995-1999). In this, the elections to these Dumas, important groups and factions in them and important legislations passed during their tenure are described in details; moreover, their antagonistic relationship with President Yeltsin is given special attention to. Chapter 4 studies the Third State Duma (1999- 2003). President Putin's manipulation of the Parliamentary institutions and subordination of the Parliament is also taken into consideration. Chapter 5 concludes the research-work and summarizes the findings of the study.

Chapter 2

THE STATE DUMA UNDER THE 1993 CONSTITUTION

Contents:

1. Making of the Russian Constitution (1993)
 - a. Creation of the Federal Assembly by the Constitution
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3. Significance of the State Duma under the Russian Constitution

The State Duma under the 1993 Constitution

Making of the Russian Constitution (1993):

After the disintegration of the Soviet Union, the 'Russian Federation' was established. Independence of Russia was officially declared at Minsk, in December 1991. The Russian Federation emerged as the legitimate successor state of the erstwhile Soviet state, giving it the Soviet place in all international organizations, acceptance of all Soviet treaties and obligations and responsibility for the nuclear arsenal on Russian territory (Chenoy, 2001: 51).

The then leader of Russia, President Boris Yeltsin, stressed on making a complete break from the Soviet system which he thought as the best possible way to integrate into the western capitalist system. Thus, independent Russia emerged with the promise to develop a state committed to democracy and market economy. For achieving these goals, there was a necessity to put a quick end to all the Soviet type institutions of state and society. This led to the need of adoption of a new constitution that would legitimize this process. Making of the new constitution covers a very important chapter in the history of post-Soviet Russia.

At the time of Soviet break-up, Russia inherited the constitution which was adopted during the Brezhnev era in 1978. The Congress of People's Deputies (CPD) that was created in 1989 through the Gorbachev Reforms, itself announced the sovereignty of the Russian Federation. Except for the quick transition from the Soviet- type system to the liberal market capitalism, no clear vision on the type of institutions necessary for the transition from one kind of state to another were clearly thought out. The country was thrown in the hands of new directly elected president and the CPD that was elected during the soviet period. And the guideline was supposed to be provided by the 1978 constitution which had been already amended 340 times (Chenoy, 2001: 54).

Yeltsin became the directly-elected President of the Russian Republic in June, 1991. In November 1991, the Congress voted overwhelmingly to give him extraordinary powers to deal with his shock-therapy program. A month later the Supreme Soviet of the Russian Congress ratified his agreement to dissolve the Soviet Union. The extraordinary powers vested in the hands of Yeltsin granted him power to rule by decree. Yeltsin took the advantage of this power; he declared a series of decrees leading to a radical economic reform program from the beginning of 1992. The Russian Congress of People's Deputies was an odd foe for Boris Yeltsin. He had risen to power from within it, and thwarted the coup from within its building (McFaul, 2000: 54-55).

Yeltsin claimed to be the master of the radical economic reforms. But the disastrous consequences of the reforms were evident soon after the implementation of the reforms. The prices of the food and commodities sky-rocketed, millions found themselves jobless, production failed drastically; leading to inflation and extreme poverty (Mohanty, 2010: 69). This led to swing of the mood of the deputies. The same parliament that had granted extraordinary powers to Yeltsin to implement his economic reforms started questioning his methods. Yeltsin went on the reform program on his own without consulting the CPD; whereas the CPD wanted to initiate detailed debates about the reforms. This gave rise to an unprecedented tussle between the president and the parliament.

Both, the President and the CPD, claimed to be the legitimate representatives of the Russian people. The Congress was not consulted, neither the issues were even debated in the Parliament, in the reforms program. As a result, the sixth CPD strongly opposed Yeltsin's reforms. Yeltsin dubbed the Parliament as 'conservative' and criticized it for wanting to go back to the Soviet system. However, the Parliament actually was not opposed to the reforms; it in fact advocated more moderate and rational model of the reforms. As against President's approach for a quick, transition to market economy, Parliament pleaded for gradual, cautious transition to the same.

The dispute between the President and the Parliament had worst impact on the process of drafting of the new Russian Constitution. It practically jeopardized an attempt to prepare

first ever democratic constitution of Russia that would facilitate smooth transformation. The Constitution Commission was set-up by the CPD on 12th June, 1990, 4 days after the declaration of sovereignty of the Russian Federation (RSFSR). Though the Commission consisted of 102 deputies, main work was carried out by a small working group of 15 deputies led by the Chairman of the Commission, Oleg Rummyantsev (Sakwa, 2002: 54).

Disagreements about economic reform spawned a constitutional crisis between the parliament and the president. With no formal institutions to structure relations between the president and the Congress, polarization crystallized yet again, with both sides claiming to represent Russia's highest sovereign authority (McFaul, 2000: 54-55). The Constitutional Commission continued with the task of drafting a constitution in the independent Russia. But sharp dispute came up regarding the division of powers between the executive and the legislature and the status of Russian regions and republics. The Constitution commission presented the draft constitution in 1992. But this draft gave a way to fierce disputes. The CPD thought that the draft gave too many powers to the president, keeping very less to the parliament. Thus, CPD proposed its own version of the constitution.

Making of the Russian constitution reflected the real division in the society. It was heavily influenced by the tussle between the President and the Parliament; and the division of powers became the bone of contention between them. There were several drafts presented, the most important being that by the President and the Parliament. The Parliament's draft balanced the powers of the President with the powerful legislature. The President's draft provided for very powerful office of the President with giving the legislature subordinate position; it did not have the post of the vice-President and the Prime Minister was supposed to be selected by the President and approved by the Parliament. It also provided for creation of new bicameral legislature by dissolving the CPD and the Supreme Soviet. Yeltsin gave the call for 'strong President, strong Russia!' as he believed that any dilution in the President's powers would impede the Russian transition to market economy (Chenoy, 2001: 57). His intention was to marginalize the opposition, bypass debate, curb dissent, and unilaterally head towards market reforms.

As Yeltsin went on with his arrogant reform program through the decrees, the Parliament made several attempts to check Yeltsin's moves. But it was never really successful. It tried to involve the Constitutional Court, which tried to announce President's decrees as void. But the President could easily replace them according to his will. CPD's attempt the impeach Yeltsin was also not successful as the CPD itself had factions, in which the democratic faction backed Yeltsin. Yeltsin called a referendum on 25 April, 1993 which again assured Yeltsin immense support from the people.

The struggle over the constitution got bitter, culminating in Yeltsin's Presidential decree 1400 on September 21, 1993 which dissolved the Congress of People's Deputies and the Supreme Soviet. Mohanty (2010: 100) argues that 21 September, 1993 should be considered a black-day in the history of Russian Parliamentarism. He also declared the Soviet constitution void. Constitutional court declared Yeltsin's activities unconstitutional and thus he suspended the court too. When a group of deputies refused to leave, he bombarded the Parliament building on October 4, 1993.

After getting rid of the existing CPD, Yeltsin handpicked the assembly that framed a new constitution. This constitution was the President's draft only with a few modifications as the writers of the constitution were given the aim of increasing president's powers while reducing that of the Assembly. As a consequence, the institutions of Parliamentary system could not take firm roots in Russia. According to Mohanty (2010: 2), "Yeltsin's constitution adopted at virtual gunpoint imposed a super- Presidency in Russia that gave birth to a handicapped Parliament that was too limited in its powers."

The final draft constitution was published on 10 November and placed before the people for approval on 12 December 1993. 53% of the Russians took part in the referendum, out of which 60% approved the draft constitution, thus ratifying the constitution.

Creation of the Federal Assembly by the Constitution:

As discussed above, making of the Russian Constitution was difficult and painful process. The document itself reflects the forces that influenced its making. Technically it



does uphold certain basic principle of the democratic order, namely, guaranteeing of the civil and human rights and defining the rights and responsibilities of various levels of government through separation of power. Nevertheless, the lack of balance in separation of powers undermines the principle that is claimed to be enshrined (Sakwa, 2002: 59).

According to the Article 1 of the Russian Constitution, “The Russian Federation – Russia, is a **democratic, federal, law-bound State** with a **republican** form of government”. However, the constitution is silent about the form of the republic, which can be either Presidential or Parliamentary. When one takes a close look at the provisions of the constitution, it turns out into a ‘super-Presidential’ system, with President being the only guarantor of the constitution with maximum powers concentrated in his hands. The Constitution neither creates any institution nor provides with any mechanism to check and balance unlimited executive power.

Chapter 5 of the Russian Constitution; (including Article 94-109) deals with the provisions regarding the Legislative body. According to Article 94, “**The Federal Assembly** - the parliament of the Russian Federation - shall be the representative and legislative body of the Russian Federation”. Article 95 further clarifies that the Federal Assembly would consist of two chambers, namely, the **Council of the Federation** and the **State Duma**. The Council of the Federation is the upper house of the Federal Assembly and comprises of two representatives from each subject of the Russian Federation, one from the legislative and one from the executive body of state authority. Thus, it has **178** Deputies from Russia’s 89 federating regions. The State Duma, which is the lower house, consists of **450** Deputies. The bilateral nature of the Assembly is considered as supportive to the federal form of the republic, as upper house represents the regions and Duma is aimed at reflecting the will of the multi-national peoples (Mohanty, 2010: 119).

As per the provisions in the Article 96, tenure of the State Duma is four years. However, the rules of forming the Council of the Federation and the rules of electing deputies to the

State Duma can be introduced by the federal laws. The Deputies of the 'Federation Council of Russia' were directly elected in 1993. The composition of the Federation Council was a matter of debate until shortly before the 1995 elections.

The State Duma passed legislation on the elections of the deputies on 9th June, 1995. It was then approved by the Federal Council on 15th June, 1995. This legislation clarified constitution's language on the selection of the Council deputies, by providing ex officio council seats to the heads of local legislatures and administrations in each of the 89 sub-national jurisdictions, hence a total of 178 seats. Generally, they go to the Governor and the regional parliamentary speaker, with the terms set by regional rules.

According to the aforesaid legislation, half of the Deputies of the State Duma are elected by the proportional representation on national party lists and rest half through the single-mandate election districts (one district- one deputy). This law also stipulated that only those parties or alliances could take part in the elections, which have 200000 signatures demonstrating support in their favor. The parties getting five per cent of total votes are entitled to get representation in the Duma. The number of seats parties receive in the Duma is determined by the number of votes casted in their favor (Badan, 2000: 31).

Article 97 lays down the basic qualifications and disqualifications for the Deputies. It reads, "Any citizen of the Russian Federation aged 21 and older who has the right to take part in elections may be elected deputy to the State Duma." But, "One and the same person may not concurrently be a deputy to the Federation Council and to the State Duma. A deputy to the State Duma may not be a deputy to any other representative body of state power or bodies of local self-government." Moreover, the deputies to the State Duma are not allowed to work on a permanent professional basis. They cannot be employed in the civil service or engage in any activities for remuneration other than teaching, research or other creative activities.

The Functioning of both the houses of the Federal Assembly is prescribed by the constitution. As per the provisions in Article 99, The Federal Assembly is a permanent body. But the Duma is formed and dissolved with the convening of the Duma elections.

The State Duma shall hold its first session on the 30th day after its election. However, the President of the Russian Federation has the right to convene a session before this term. The first session shall be opened by the oldest deputy. From the start of the work of the new Duma the powers of the previous Duma shall cease.

According to the Article 100, the Federation Council and the State Duma shall sit separately in sessions. The sessions of the Federation Council and the State Duma have to be open. But, each chamber also has the right to hold closed sessions as envisaged by its rules. The chambers may even have joint sessions to hear the addresses of the President of the Russian Federation, addresses of the Constitutional Court of the Russian Federation and speeches by leaders of foreign states.

Article 101 describes the order of the houses. The Federation Council Deputies elect from among themselves the Chairman of the Federation Council. The State Duma also elects from among its members the Chairman of the State Duma and his deputies. The Chairman of the Federation Council and the Chairman of the State Duma preside over the sessions and supervise the internal rules of the chamber. The Federation Council and the State Duma also form committees and commissions, exercise parliamentary supervision over issues within their jurisdiction and hold parliamentary hearings. Each chamber is empowered to adopt its own rules and solve questions of internal organization and work. In order to exercise control over the federal budget, the Federation Council and the State Duma form an Accounting Chamber, the membership and rules of order of which shall be determined by federal law.

Powers of the State Duma and the Federal Council:

As mentioned already, the State Duma and the Federal Council function autonomously, by holding different sessions. The Constitution of Russia itself has assigned different types of authorities to both the chambers.

According to Article 102 of the Russian constitution,

“The jurisdiction of the Federation Council shall include:

- (a) Approval of changes of borders between the subjects of the Russian Federation;***
- (b) Approval of the decree of the President of the Russian Federation on the introduction of martial law;***
- (c) Approval of the decree of the President of the Russian Federation on the introduction of a state of emergency;***
- (d) Making decisions on the possibility of the use of the Armed Forces of the Russian Federation outside the territory of the Russian Federation;***
- (e) Calling of elections of the President of the Russian Federation;***
- (f) Impeachment of the President of the Russian Federation;***
- (g) The appointment of judges of the Constitutional Court of the Russian Federation, the Supreme Court of the Russian Federation, and the Supreme Court of Arbitration of the Russian Federation;***
- (h) The appointment to office and the removal from office of the Prosecutor-General of the Russian Federation;***
- (i) The appointment to office and removal from office of the deputy Chairman of the Accounting Chamber and half of its staff of its auditors.***

The Federation Council shall pass resolutions on the issues within its jurisdiction under the Constitution of the Russian Federation. The decrees of the Federation Council shall be adopted by a majority of all deputies to the Federation Council unless otherwise provided for by the Constitution of the Russian Federation.”

As per the provisions in Article 103 of the Russian constitution,

“The jurisdiction of the State Duma shall include;

- (a) Granting consent to the President of the Russian Federation for the appointment of the Chairman of the Government of the Russian Federation;***
- (b) Decisions on confidence in the government of the Russian Federation;***
- (c) The appointment and dismissal of the Chairman of the Central Bank of the Russian Federation;***

(d) The appointment and dismissal of the Chairman of the Accounting Chamber and half of its staff of auditors;

(e) The appointment and dismissal of the Plenipotentiary for Human Rights acting in accordance with the Federal Constitutional Law;

(f) Granting amnesty;

(g) Bringing charges against the President of the Russian Federation for his impeachment.

The State Duma shall adopt resolutions on the issues of its jurisdiction envisaged by the Constitution of the Russian Federation. The resolutions of the State Duma shall be adopted by a majority of votes of all deputies of the State Duma unless otherwise provided for by the Constitution of the Russian Federation.”

The division of power between the two houses of the Parliament is aimed at ensuring ‘checks and balances’ within the functioning of the Federal Assembly. The Federation Council is provided with the role of a ‘filter’ or ‘counter weight’ to the State Duma (Mohanty: 2010: 120). For example, the bills passed by the Duma have to be approved by the Council before they are sent to the President’s approval.

The Process of Law-Making in Russia:

The State Duma is the primary legislative body of the Russian political system. But the right to legislative initiation is not its sole domain. The right of legislative initiation can be exercised by the various other agencies. According to article 104 of the Constitution, the President of the Russian Federation, the Federation Council, the members to the Federation Council, the deputies to the State Duma, the Government of the Russian Federation and the legislative (representative) bodies of the subjects of the Russian Federation, have the right of legislative initiative. The Constitutional Court of the Russian Federation, the Supreme Court of the Russian Federation and the Supreme Court of Arbitration of the Russian Federation also enjoy the right of legislative initiative within their jurisdiction.

The draft laws have to be introduced in the State Duma. However, the Budget laws, relating to the introduction or abolishing of taxes, exemptions from the payment thereof, on the issue of state loans, on changes in the financial obligations of the state and other draft laws providing for expenditures covered from the federal budget may be introduced to the State Duma only with a corresponding resolution by the Government of the Russian Federation. Though Duma has a lot of influence on the Budget proceedings, they certainly differ from that of the ordinary legislations. So, Budget has to be dealt separately.

In case of ordinary draft legislations, the State Duma has adopted three- reading process. The Council of the Duma coordinates the process: it assigns bills to the committees, schedules each step in the process and decides on the composition of the agreement commission and the special commission, created to resolve differences with the Federation Council and the President in case of the veto. The first reading is intended to establish the basic outline of the pieces of the legislation- its concept, purpose and means. If alternative versions of the bill are introduced, the committee considers them and offers recommendation as to which should be adopted and which rejected. A committee cannot, on its own authority, suppress an alternative draft that it dislikes: it must allow the floor to determine which to adopt.

After Duma has passed the bill on the third reading, it is sent to the Federation Council. Bill procedures in the upper house are considerably simpler than those in the Duma. The Council votes (using single-reading) whether to approve the bill. But if it rejects the bill, it sends it back to the Duma, where the council of Duma refers it back to original committee. The committee recommends that either the Duma overrides the Federation council and pass the bill in the original working, which require a 2/3rd vote or that it kill the bill or is common the two chambers decide to form an agreement commission to settle their differences. Any such decision a commission makes must be approved concurrently by each chamber's delegation. The text of the bill presented by an agreement commission is not subject to amendment and is debated and put for 'yes or no' vote. If the Duma approves it, it goes on to the Federal Council. If the draft fails, the Duma can vote to pass the bill in the original wording which requires a 2/3rd majority. A

bill that fails to pass either ways dies. The bill that is cleared by both chambers or on which the Duma overrides the Federal Council, is then sent to the President for his signature. An adopted federal law is sent to the President of the Russian Federation for signing and publishing within the five days. If the President vetoes it, the parliament can override his veto with a 2/3rd vote in each chamber. A practice has been developed by which the president may also choose to simply return the bill to the Duma or the Federal Council if he determines that it contains procedural, legal or constitutional flaws. Returning the bill has essentially the same effect of vetoing it, but it avoids the confrontation posture of rejecting the bill. It, therefore, allows the parliament to make minor change in the legislation by simple majority vote rather than choosing between, capitulation to the president or growing a 2/3rd majority for an override. Anyways, the Duma has several options for responding. It can change the bill by using a distinct language and slight acceptance of the President's advice through minor amendment. If the President has recommended withdrawing the bill altogether, the Duma can vote to agree. The Duma may also insist on its original version of the legislation and vote to override the veto by a two-third majority. It can send the bill back to the first reading again. If both chambers vote to override the Presidential veto, he must sign it. An April 1998 decision of the Constitution Court made the requirement quite clear. If both chambers have voted by a 2/3rd majority to pass the bill over the President's objection, he does not have the right to withhold his signature.

Thus, in the consideration and disposition of most legislative matters, the State Duma has considerable power. The Duma can overturn the Council or Presidential veto by two-third majority.

Budgetary Proceedings:

The budget as a bill has distinct way of legislative procedure. The budget bill has four readings. In the erstwhile Supreme Soviet, the entire budget was discussed at every reading, but the new rules of the Duma set up a top-down sequence. The first reading would ratify the overall conceptions of the budget and the government's economic

prognosis upon which all budget figures are based. The second reading would ratify the basic characteristics, including overall revenue, spending and deficit ceilings, and sub-ceilings for each sector of the budget. The third reading would approve specific spending articles, or line items. This multi-tiered approach sought to prevent inflation of the macro-level parameters at each reading. Once the basic characteristics were approved, figures within sections could change. But the spending, revenue and deficit ceiling could not. But to increase spending in one area, one had to propose equal cuts from another or demonstrate how additional revenue could be raised. Amendments without sources were not to be considered.

The Duma can insert amendments in Budget legislation before it is forwarded to the Council of Federation. This is a powerful tool because it enables the Duma to alter the Budget without the approval of the government or another body (Troxel, 2003: 138). Moreover, once the president signs the budget, the Duma can amend and revise it following the same procedure as for adopting parliamentary laws. The 1994 budget was amended once (23rd December 1994); the 1995 budget was amended three times (24th April, 22nd August and 27th December 1995). More substantial amendments and additions were made to the 1996 and 1997 budgets, with 8 and 4 separate changes, respectively. Nevertheless, the 1998 budget could not be amended in this way because a separate provision was not included in the draft although the government could alter it without the Duma's permission.

Powers of the Federal Assembly vis-à-vis the Russian President:

Russia's missing checks and balances are summed up by Rogov (as quoted in Desai, 2005: 101-102), who argues,

".. We adopted a constitution toward the end of 1993 which gave enormous authority to the executive without appropriate checks and balances. The legislative branch is weak and is dominated by the executive authority.. Yeltsin abandoned the notion of checks and balances, and created a democracy for the bureaucracy and operated by the bureaucracy."

As discussed under the heading, 'making of the constitution', Yeltsin favored enormous power in his hands giving very less to the Parliament. He publicly spoke against the parliamentary form of the government and claimed that it was not suited to the Russian traditions. In addition, Yeltsin wanted to push with his economic reform program and thus thought a strong parliament would be a hindrance in that. The Russian constitution adopted in 1993 was made under the strong influence of Yeltsin and gives unlimited powers to the President.

A combination of extensive explicit powers and wide residual powers puts the Russian President in a strong position. He influences the national policy than is the case for any other President in the democratic states. He is the strongest President in all the post-communist states, barring only Turkmenistan (Remington, Smith and Haspel, 1998: 287).

The Constitution gives the President control over the armed forces, foreign policy and the military doctrine of Russian Federation; and the power to dissolve the State Duma (under restricted condition), call referenda, sign federal law, and issue decree and directives. According to the constitution, President is the head of the state and enjoys authority over the other branches of government. He has legislative powers and right to rule through the decrees and also is the backbone of country's judicial system (Mohanty, 2010: 118). The new constitution technically divides the authority between the executive and the legislative branches, but in very confusing manner. Separation of powers is worthless in absence of a strong system of checks and balances. Secondly, there is no independent judiciary which can keep watch on the functioning of the system. Thus, the division of powers is strongly tilted towards the president.

The President is the guarantor of the constitution; he adopts measures to safeguard the sovereignty of the Russian Federation and determines the basic guidelines of domestic and foreign policy. He appoints the chairman of the government, i.e. the Prime Minister, with the consent of the State Duma. If the Duma rejects the President's nominee for the Prime Ministerial post thrice, the President has the right to dissolve the Duma. The President also appoints all major ministers and officers of the government, the chairman of the Central Bank and the justices of all the courts. He forms and heads the federal Security Council and approves security and military doctrines (Article 84). The President

resolves the disputes between various bodies of state power and also between the constituent units of the Russian Federation through a 'conciliation procedure'. This gives him the authority to settle differences between the federal bodies and the authorities of regional governments. The President has the right to introduce martial law or state of emergency (Hesli, 2003: 7).

The President ceases to exercise his power only in case of resignation or impeachment. In case of resignation, new President has to be elected within the three months of resignation; till then, the Prime Minister performs as the ad hoc President. The procedure for the Presidential impeachment is extremely complicated and it is next to impossible to impeach the Russian President. The impeachment procedure can be initiated by the one-third of the Deputies in State Duma. Impeachment requires a vote of the two-third deputies in both the houses. If the Federal Council fails to approve the impeachment in three months, the proposal is dropped (Article 93).

The Russian constitution defines powers of the President vis-à-vis the legislature. The President himself has brought legislative powers. The President has the power to **rule by decree** which is of the greatest importance. It not only fills the gap in existing legislations, it can also practically supersede the laws passed by the Parliament (Remington, Smith and Haspel, 1998: 287-288). He can enjoy this power without the approval of other bodies of the government. President's decrees are not just regulations but are treated as full legislations (Troxel, 2003: 24-25). Scholars have been arguing that Russia is almost ruled by the Presidential decrees. However, the decrees cease when new president is elected. They cannot be contradictory to the federal laws or the constitution. Parliament can override decrees by passing contradicting laws. Apart from right to rule by decree, President also enjoys several other legislative powers. He can schedule referenda on issues that are nationally important. He can propose legislations, amendments and also can veto them.

The President schedules the elections of the state Duma as per the provision in Article 84 and also can dissolve Duma. No bill can become a law without the Presidential consent. He uses his veto power to block the legislations that he does not favor. Apart from

signing and promulgating federal laws, President can also submit draft laws to the Duma. This power helps him set the agendas of policy issues discussed.

On the other hand, powers given to the Duma vis-à-vis the President are very less and worthless. Though the State Duma has the right to approve President's nominee as the Prime Minister, it is meaningless. This right is more like an obligation on the Duma as it must decide within one week to confirm or reject a candidate once the President has placed that person's name in nomination. If it rejects the President's candidate three times, the President is empowered to appoint a Prime-Minister, dissolve the parliament and schedule new legislative elections.

Similarly, Duma is given the right to pass the no confidence motion against the government. However, the President, in turn, has right not to sack his government even if the Duma passes no confidence motion against it for two times. If this happens for the third time, President can dissolve the Duma. In other words, Duma can pass the vote of no confidence only at the risk of getting dissolved. Duma, along with the Federal council, enjoys the power of impeachment. But this process is so complicated that it is next to impossible to impeach Russian President.

The government has no responsibility towards the legislature. The executive function independently and practically Duma has no control over it. The constitution provides for an authoritarian President, who can overrule the parliament any time. The President holds the threat of dismissal of the Duma anytime it disagrees with him (Chenoy, 2001: 64).

Significance of the State Duma under Russian Constitution:

After carefully going through the Constitutional provisions, it becomes quite clear that the State Duma is a relatively weak body. The Federal assembly is created as a legislative organ of the Russian state; and is assigned with the important legislative powers. However, though it is major legislative body, it is not the only legislative body. There are several other institutions which are given the right of legislative initiation. Especially the President is bestowed with variety of legislative powers including, right to issue decrees,

call referenda, and right to veto the bills passed by the legislature. President can practically pass the normal legislative channels through his decree power. Even if the Parliament can override the Presidential vetoes, the requirement for the procedure being a vote of 2/3rd majority, is too high. President's overarching legislative powers have rendered the State Duma helpless in Russian politics.

The State Duma has been assigned with several non-legislative powers as well. Nevertheless, these non-legislative functions are also not free from limitations. As discussed earlier, Duma has the right to reject President's nominee for the post of the Prime Minister. However, it can reject Prime Ministerial candidate only twice. If the Duma denies the candidate for the third time, President can appoint that person as the Prime Minister and dissolve the obstructionist Duma. Also, The State Duma is empowered with the power to pass a vote of no- confidence against the government; but this also at the risk of getting dissolved (Badan, 2000: 30). Duma's right to move impeachment against the President is again worthless. The process prescribed for Presidential impeachment is so cumbersome that it is impossible to impeach Russian President. In other words, Duma is not granted any control over the executives and the executives in turn are not responsible to it.

Thus, Duma is merely a law-making body and has neither power nor the influence to control the implementation of the laws passed by it. Neither does it have control over the functioning of the government. The President exercises extra constitutional powers and is minimally accountable to the Duma. Thus, though the constitution does not specifically say anything about the form of the republic, it has definitely ended in the 'super-presidential' system. In other words, Russia Parliament is not endowed with the instruments to influence the working of other branches of the government.

Despite these limitations, the Duma remains an important institution with significant legislative power. Moreover, over the period, it has utilized most of these powers in order to emerge as significant player in the Russian politics.

Chapter 3

ROLE OF THE STATE DUMA FROM 1993- 1999

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Role of the State Duma from 1993- 1999

After discussing making of the Russian Constitution and various Constitutional provisions in the previous chapter, it is now time to go deep into the study of actual functioning of the Parliamentarism in Russia, and its relationship with the executive branch. The 1990s, that is the first decade of Russian independence, was normally characterized by the sour relations between the executive and the legislature.

As already discussed in the Chapter 2, the conflict scenario began to emerge even before Russia became independent state in December 1991. Initially, the conflict was centered on the respective power of the President and Parliament, with Parliamentary leaders attempting to limit Yeltsin's ability to rule by decree in the fall of 1991. During 1992, this conflict gradually became more personal, with the Congress along with led by the speaker Khasbulatov coming to personify the opposition to Yeltsin and his policies on economic and political reform. As early as February 1992, Russian Vice-President Rutskoi labeled the Russian reform program as 'economic genocide' (Gorenburg and Gaffney, 2004: 5). This was followed by the crisis of making the new Constitution, which finally culminated in impeachment proceedings, followed by dissolution of the Congress of People's Deputies (CPD) in October 1993.

The new Russian Constitution was adopted in December 1993 along with the holding of fresh elections for Country's new State Duma. The First State Duma was elected on 12th December 1993. It was a first democratically elected Duma in the history of Russia, which would function according to the provisions in the 1993 Constitution. The 1993 constitution abolished the two- tier system of Congress of People's Deputies (CPD) and the Supreme Soviet and created a bicameral Federal Assembly: the Federation Council, made up of 178 deputies from Russia's 89 federating units; and the lower house, the State Duma, with 450 deputies. The establishment of the Federal Assembly marked a decisive break with the Soviet tradition. The constitution clearly outlined the function of the two chambers of Parliament with the powers granted to the Assembly, balanced by

countervailing powers of the executive (Sakwa, 2002: 130-131). Unlike the transitional legislature of the USSR and the RSFSR, the Federal Assembly has not been blackmailed into relinquishing its constitutional powers. The Duma is constitutionally weaker than its predecessor parliaments which were considered constitutionally to hold supreme power in the state; still the Federal assembly has used limited powers it has to pass a good deal of significant legislation (Remington, 2001: 233).

Assuming that the Constitution has created a President- centric system of government, the State Duma was obviously to have a secondary position in country's political system. It inherited very limited range of written powers. It is however, worth recognizing that the Duma even then had good opportunity to exercise a significant range of power in reality that made it important political institution. More than that as a forum of debate and legislation, this body played a significant role in shaping the character of democratic transition in Russia in short period of time.

The Parliament is heart of the democratic state and democratization in any country is heavily determined by the role its Parliament plays in its political life. Russia, which was a tightly-controlled authoritarian state ruled by a single party, was bound to take some time and effort while transforming to democratic system. Though weak, and fragmented, the role played by State Duma, in the transitional phase of Russian political system, cannot be ignored.

Being the semi- Presidential (President- Parliamentary) system, both the institutions have a great role to play in the Russian political system and affected the decision-making process. Moreover, because the State Duma, elected on 12th December 1993 was the only parliament in the history of Russia to survive past its first term, hold regular sessions and come to power in open elections with competing political parties (Troxel, 2003: 2), it could increase its capacity to influence policy- making on a day-by-day basis. The Federal Assembly was no more a talk- shop or Bourgeois parliament. It became more effective and compact, and it tried to pass more laws to constrain the executive (by attempting to regulate the government, presidential administration and the Security Council) and bargaining for the power to approve the nomination and dismissal of deputy Prime Minister and government officials. It has also played a role particularly in 1990s,

when the opposition constituted a majority, as a forum of opposition to the president manipulation. In the process, the reputation of the Duma as a legitimate parliamentary body was duly established.

This chapter is an attempt to discuss the terms of the First and the Second Dumas, outline their functioning and the role they played in evolution of Russian political system, and analyze their relationship with the executives.

Elections to the First Duma (1993-1995):

The Parliamentary Elections held in December 1993 were first democratically fought elections that created a fledgling ground for multi- party system. Since the first Duma was to function during the transition period of Russian politics, its tenure was restricted only to 2 years. It was also called the 'Transitional Duma'. This Duma is also termed as 'Fifth Duma' in Russian Political Science literature, because this was a fifth Duma in the entire Russian history; first four Dumas being set up under the Tsarist Russian empire in the early 20th century.

As already discussed, President Boris Yeltsin dissolved the Congress of People's Deputies in the fall of 1993 and called for elections to a new assembly in the hope of getting a more pro-reform parliament. That parliament was seen as a body that would consolidate his position. Instead, the December 1993 elections to the State Duma, the lower house of the Russian legislature, were a clear defeat for both him and the pro-reform forces (Clark, 1994: 520).

According to the election law, the parties/ blocs were required to submit 100000 signatures from the voters' list in order to get registered by the Election Commission and to get access to resources provided by the state for campaign. By the deadline, 21 parties/ blocs submitted their applications along with the signatures; out of them 13 parties were finalized for running elections after scrutiny by the Election Commission. In this election, 'Choice of Russia' bloc, Yabloko, Party of Russian Unity and Accord (PRES) and

Russian Movement for Democratic Reform were the pro- Establishment parties; whereas the Communist Party of Russian Federation (CPRF) and the Agrarian Party of Russia were the opposition parties. There were also parties and blocs that were centrist, namely, Democratic Party of Russia, Women of Russia, Future of Russia, Stability group and Russia group. All the major players in the elections were representing interests of the bureaucracy. While Yabloko represented the liberal intelligentsia, the CPRF represented the Komsomol leaders of the past, and the Agrarian Party represented farm directors' lobby (Mohanty, 2010: 126-130).

The first State Duma in the history independent Russia was elected on 13th December 1993. This Duma was also called as the 'Fifth Duma', since it was so in the history of Russia as a whole. As discussed earlier, this Duma was definitely a step forward in the evolution of multi- party system and Parliamentarism in Russia. In the Duma elections, 8 political parties/ associations won the right to form the Parliamentary factions by crossing the threshold of 5% of total votes. Apart from these parties there emerged 4 factions³, namely, New Regional Politics, Liberal- Democratic Union of 12th December, Stability and Russia (see Table 3.1).

³ **Faction:** a group formed by not less than 35 deputies enjoys the status of a faction in the Duma.

Table 3.1: The representation in the First Duma elected on December 13th 1993:

Leftist Factions	Centrist Factions	Rightist Factions
<ol style="list-style-type: none"> 1. Communist Party of Russian Federation (46) 2. Agrarian Party of Russia (55) 	<ol style="list-style-type: none"> 3. Women of Russia (23) 4. New Regional Politics (67) 5. Democratic Party of Russia (15) 6. Stability (35) 7. Russia (37) 	<ol style="list-style-type: none"> 1. Choice of Russia (76) 2. Yabloko (27) 3. Liberal- Democratic Union of 12th December (39) 4. Party of Russian Unity and Accord (PRES) (30) 5. Liberal Democratic Party of Russia (64)

*brackets indicate approximate number of seats in the State Duma immediately after the elections

Source: Mohanty, Arun (2010), Evolution of Parliamentarism in post-Soviet Russia, New Delhi: Axis Publications, pp. 137-147

Elections to the Second Duma (1995-1999):

As mentioned earlier, the first State Duma was ‘transitional’ in nature, its tenure lasted only for 2 years, and expired in December 1995. The elections for the new Duma were to be held on 17th December 1995. In these elections, that took place according to the revised election laws (1995), 43 political parties/ blocs participated. The rightist factions included blocs like, Democratic Choice of Russia, Yabloko, ‘Forward Russia’ movement, etc. The centrist forces were represented mainly by, ‘Our Home Russia’ movement, Women of Russia, My Fatherland and Party of Russian Unity and Accord (PRES). The left opposition comprised of the Communist Party of the Russian Federation and Agrarian Party. Communists were mainly for the return to communism; and blaming Yeltsin for the country's economic problems (Rose, Tikhomirov and Mishler, 1997: 812).

The results of this Duma election were very surprising, as only 4 parties could cross the threshold of 5% to get representation in the Duma. These parties included, Communist Party of the Russian Federation, Our Home- Russia, Yabloko and Liberal- Democratic Party of Russia. The CPRF won 58 seats in the Duma, but with its allies (including Agrarian Party and Power to the People group) it could receive almost 150 members. Thus, the left opposition got a very strong position in the second Duma (1995-1999). It could influence the decision-making process in the house in very significant way. The post of the speaker went to the leftist candidate, Gennady Seleznyov; and they headed many of the Parliamentary committees (Mohanty, 2010: 165-167).

Table 3.2: The representation in the Second Duma elected on December 17th 1995:

Leftist Factions	Centrist Factions	Rightist Factions
1. Communist Party of Russian Federation 2. Agrarian Group 3. Power to the People	1. Our Home- Russia 2. Russian Regions Group 3. Russian Industrial Union	1. Yabloko 2. Democratic Choice of Russia

*Source: Mohanty, Arun (2010), Evolution of Parliamentarism in post-Soviet Russia, New Delhi: Axis Publications, pp. 166-175

The Presidential Election 1996:

The elections to the Second Duma were followed by the Presidential elections in July 1996. The results of the 1995 Duma elections were so alarming that a very few Russians believed that Yeltsin was a viable candidate for reelection. His policies were highly unpopular, and his approval rating reached the single digit. In addition, his health kept deteriorating. The Communist Party of Russian Federation (CPRF) had re-emerged with a comfortable majority in the State Duma. This was because of the nature of Yeltsin's economic reforms and their horrific consequences.

Members of the Yeltsin camp were engaged in discussions with the politicians like Grigory Yavlinsky, about the possibility of uniting behind a single pro-democracy candidate that might have a chance of beating the communist leader Zhuganov in the elections. In the end, no agreement could be reached and Yeltsin's handlers decided that they had no choice, but to have him run for the second election.

This was followed by one of the most successful election campaigns in history in terms of bringing a candidate with 5% popularity at the beginning to an over 50% vote result. Firstly, the campaign team succeeded in portraying Zhuganov as a throw-back to the scary old-days of communism by arguing that CPRF victory would lead to end of private property, free speech and renewed ban on foreign travel. And secondly, the government money was (illegally) used to purchase advertising that blanketed the airwaves with criticism of Zhuganov and the CPRF. And TV channels stopped criticizing the government while broadcasting only limited and uniformly negative coverage of the communists.

Yeltsin had played a significant role in Russia's post-Soviet evolution. After completing his first presidential term (from 10th July 1991), he won his second term on 3rd July 1996. He defeated his closest challenger, the Communist leader Gennady Zhogonov, the Presidential candidate of the People's Patriotic bloc. The 1996 elections were vital for various reasons. First of all, it was the first Presidential election held in fully-sovereign Russia. Second of all, it signed a remarkable political come-back of Yeltsin (Depoy, 1996: 1140). Yeltsin got 35% of votes in the first round, compared to 32% for Zhuganov

and 15% of Lebed. Between the 2 rounds, Yeltsin got the endorsement of Lebed in exchange for appointing him national security advisor. This move, combined with the falsification of the 2nd round election resulted in the few regions was enough to secure Yeltsin's reelection with 54% of vote compared to Zhuganov's 40%. Observers argue that it was television advertisements, Lebed's appointment, policy on Chechnya, anticommunist scare tactics, or efforts to reintegrate the former Soviet republics led to re-emergence of Yeltsin. And very little part was played by Yeltsin's policies (Treisman, 1996: 66-67).

The popularly elected president, who serves a fix term of four years, is not, theoretically speaking, dependent on Parliamentary majority. Presidential power, which exceeds the power of the legislature and is unconstrained by the judicial branch, may not be exercised as the president please. The legislature and the President are subject to periodic election. Although Yeltsin secured reelection in June 1996, the Communists stood in the first place in the December 1995 Duma elections, largely due to government failure on economic front. An obstructionist Duma dominated by Communists tried to block any attempt at reform. Presidential government, therefore, had to search for compromising among confliction interests among parliamentary arena.

Working of the First (1993-1995) and the Second (1995-1999) Duma:

Since the first Duma was to function during the transition period of Russian politics, its tenure was restricted only to 2 years. It was also called the 'Transitional Duma'. This Duma was followed by the elections to the Second Duma in 1995, which lasted till the end of the decade. The six years tenure of these two Dumas can be dealt at the same time, as there was little difference in their functioning and the relationship with the President. Though the Second Duma was much more antagonistic than the First Duma towards the policies of Yeltsin, the behavior of both these Dumas can be generally described as obstructionist.

Despite the limited powers formally granted by the constitution, the Parliament's oversight function started expanding the powers from the convocation of the First Duma. In its two year convocation, the First Duma passed 461 draft laws, out of which President Yeltsin signed 282 into the laws. 3 out of the 12 constitutional laws were adopted (On referendums, on constitutional court and on the Supreme Arbitration Court), while a sixth of the laws concerned economic matters. More than 500 partly drafted laws were referred to the Second Duma, which held its first meeting on 16th January, 1996.

This shows the activism Duma developed in the transitional phase. However, there were institutional hindrances which restricted the functioning of the Duma. Antagonism towards the President culminated in more and more decrees and vetoes from the side of the President. This hindered in the smooth functioning of the Duma. But the most important fact is that, in spite of this, Duma came out with productive legislations and showed opposition to Yeltsin whenever required.

The period from 1996-1999 was not particularly positive one for the Russian politics. After the Presidential elections (1996), President's deteriorating health, and continuous battle with the Communists in Parliament prevented significant reform measures. The Chechen problem was solved with the assistance of General Lebed. The economy continued to decline until the 1998 financial collapse. Relation with the west foundered over NATO expansion and Kosovo conflict. The most striking feature of this period was the increasing hostility between the President and the Parliament. 1995 Duma was overwhelmingly dominated by the leftists, led by the CPRF. They enjoyed comfortable majority in the house, and thus blocked all legislative initiatives by the government. Because of the irresistible pressure from the leftist many landmark resolutions were moved, as (Mohanty, 2010: 168),

1. The Belovezhski Agreement to dissolve the Soviet Union (December 1991) was denounced by another resolution in Duma in March 1996.
2. Impeachment procedure was moved against President Yeltsin in May, 1999.
3. Chernomyrdin was not appointed as the Prime Minister for the second time.
4. The tune of the Soviet National Anthem was accepted as the music for Russian National Anthem.

5. Bill on the privatization of farm land could not be passed.

President's use of the Decree Power, (1993-1999):

Russian politics is mostly viewed as structured, to very large extent, by the executive and not by parliament. Moreover, the Russian Constitution also placed the Duma in a position of weakness. The President is bestowed with variety of legislative powers including, right to veto Parliamentary bills, and to issue decrees. These two powers are very important, as through them President can bypass, contradict, or obstruct the legislature.

The Constitution has conferred the head of the state the power to rule by the decree. At the beginning of 1994, Yeltsin was compelled to rule by decree until the Duma and the Council of Federation established the internal rules and procedures for approving legislation and they were able to secure simple majority needed to pass the bill. During the period 1995- 1998, number of normative decrees started declining. From 1994- 1998, there were 1404 non-normative decrees issued each year on average, but for all five years there were only, 1420 normative decrees in total⁴ In June 1996, there were more normative decrees issued than in any other month, between 1994- 1998. This happened because the president was alluring public with populist policy to win forthcoming election. Above all, the number of decrees in July 1996 was 29; it peaked again in August to 67. The reason for this was that Yeltsin issued normative decrees which retraced previous one that he made to facilitate his reelection to Presidency. The overall number of normative decrees has been steadily declining as against the rise in its number in 1996 because of the Presidential election, where 475 normative decrees were issued, only 226 were issued in 1997 and 211 in 1998.

Eventually the rate of decree- making started declining after 1996. It was also influenced by increasing activation of the Parliament in law- making during the same period. As the Communists and their allies formed a strong voting bloc in both the Dumas, and they

⁴ There is a difference between normative and non- normative decrees. Normative decrees are issued on similar policy- areas as Parliamentary laws, but non- normative decrees are on such administrative matters, as appointments and dismissal of the government officials, similar to the government and Parliament resolution.

used their influence to fight Yeltsin over both substantive policy and constitutional framework that gave Yeltsin sweeping presidential power. Although they never held an outright majority, the Communist strength and coerciveness allowed them to pursue legislative agenda designed to embarrass and weaken Yeltsin and frustrate many of his policy initiative. For example, in 1998, they succeeded in winning the Duma's approval for a motion to form a commission to study mistakes that Yeltsin had committed. A series of impeachable offences were identified, and in 1999, Communist deputies successfully brought the charges to the floor.

Again in the time of August and September crisis in 1998, the President reduced issuing the normative decrees. In the period between September and December 1996, the number of non- normative decrees declined as Yeltsin was suffering from heart- attack and double- Pneumonia. Later, however, he increased the non- normative decrees from April to December 1998 due largely to the dismissal of the Prime Minister, Viktor Chernomyrdin in March 1998, Sergei Kiriyenkov in August 1998 and the need to issued decree on composition of the new government.

Legislative Powers of the State Duma (Parliamentary laws) between 1993- 1999:

The legislative process in Russia requires the cooperation of up to four institutions to pass a law; the State Duma, the Federation Council, the President However, and in the case of specified area of economic legislation, the government. The State Duma is Russia's principal legislative institution. Most draft legislations originate in the lower house and without Duma's approval, no bill becomes law.

The workload of the First Duma (1994-1995) was quite heavy. Important enactments clustered in the legal- political area, laws establishing, amongst other thing, the legal framework for election, local government, and the federal political and judicial institutions. In addition, Duma deputies were very keen to ensure that Parliamentarism does not get discarded in Russia under the heavy Presidentialism. So, they devoted a lot of time in legislation- making task. This was the reason that maximum numbers of legislations were introduced by individual Duma deputies. Out of total draft laws, 51%

were introduced by individual Duma deputies. On the other hand, President was happy with his decree power, so much so that he never took interest in legislative process. He had introduced only 11% of the draft laws during the term of First Duma. He did not even put forth any concrete plan for influencing the law-making process in the Duma (Mohanty, 2010: 256-257).

With ongoing process Duma reached its peak in legislative law-making in December 1995 because the new election to the State Duma scheduled was in December 1995. Unlike decree which cannot be transferred when a new President enters office, Parliamentary laws are set and cannot be altered without the approval of a new law. Except the unlike dual channels of faction and committees, there is also a problem of vacation. Parliament being alert must send the bill to the President before the vacation, mostly in June and July.

During the Second Duma (1996- 1999), the main focus of attention moved towards economic policy matters, with the passage of key- legislation in such areas as taxation, mortgage debt and production sharing. At the time of the election of the Third Duma in December 1999, Yeltsin decided to step down from office following the election, and the victory of Vladimir Putin in the resulting Presidential elections initially brought legal-political question back to the center stage of legislative politics.

Despite various structural flaws, the State Duma has a bargaining power in hand. For example, Duma's committees' members can decide whether a bill could be debated during the Parliament's this session or not. And this gives the deputies the power to postpone debate on legislation. If they disagree with the Presidential policy which affected their position, power, national interest or want to gain some concession by delaying the debates. For example, the START II Treaty debate was delayed for over 5 years despite Yeltsin's repeated requests for the Duma to ratify the treaty (case-study of START II in chapter 4).

In this way, the State Duma acted and evolved itself as a 'check and balance' against the monopoly of the Presidential power, by ventilating the factional differences with expertise knowledge of 'responsible committees' keeping coordination pace with

Federation Council. The State Duma can challenge a Presidential decree by a 2/3rd super-majority. It can delimit the area by making Parliamentary laws and restricting Presidential area of decree-making. It can postpone bill 'on which the President cannot make monopoly decision'.

Overriding Presidential Veto along with the Federal Council 1993- 1999:

The State Duma and the Federal Council can override the Presidential vetoes with 2/3rd vote of total number of deputies in each house (article 107 of the Russian Constitution) and again as there is no set time gap between when a legislation is vetoed and when it is reconsidered by the Parliament. It is one of the structural loopholes which the State Duma can utilize in its own favor. Once the bill is passed by the Duma, they are then forwarded to the federal Council which can choose to veto or not to consider or approve them. If the Council members veto the bill, it is resubmitted to the Duma for decision. To override the Council veto requires a 2/3rd majority of total number of Duma deputies. When Duma deputies overturn a veto and Council members approve or decide not to deliberate on a given legislation within 14 days of receiving it from the Duma, it then proceeds to the President who must sign or veto it. Here, both the Council and the President are constrained by 14 days time limit to approve the bill. But if the President returns the bill, the Duma deputies can make minor change, use linguistic jargons to satisfy the President by passing it with absolute majority or override the President's veto with a 2/3rd super-majority vote. As Federal Council is not a full-time body, the State Duma can effectively legislate the bills in the time of vacation.

To overturn the President and Council's vetoes, deputies of the State Duma may call for a special session; it can use its vacation in the welfare of people whom they are representing. For example, in 1995, the State Duma called a special session of deputies as they were spending summer holiday. Between 1995- 1999, the State Duma challenged the President and the Council on important legislations, including the laws on the rules for Duma and Council elections.

The Duma had become increasingly successful at overturning Council vetoes with an average of 62%. It was demonstrated that during confrontation between the legislature and the executives, the Council and the Duma were able to gather 2/3rd super- majority and override the President's vetoes. Here, the President is practically limited in the extent to which he can rule by a combination of decree and vetoes because the Duma and the Council restrict his power by overriding his vetoes.

Passing of Budget in the First and Second Duma:

The voting on the 1994- 1996 budget in the Duma was different from that of 1997- 1999, because the December 1995 election resulted in leftist parties holding power when the 1997 and later budget were debated. The 1994-1996 budget laws encountered little opposition in the Duma as very less number of deputies voted against them in these three years. Many deputies chose 'not to vote' option over abstaining or voting 'against'. Choice of Russia and Yabloko (1994); Yabloko, Stability and Independent Deputies (1995); and Yabloko, Russian Unity and Accord, Stability, Russia, Democratic Party of Russia, and Independent Deputies (1996) supported the Budget.

The 1997 budget was the most problematic budget, in that after a lengthy process of adopting it, it could not be implemented and needed to be significantly revised later in 1997. Since it was the only budget which had to be resubmitted to the duma for drastic revisions even after the President's approval, it throws light on the interaction between the executive and legislature. The debate over the 1997 budget was a source of a great conflict between the President, government, Duma and the Council (Troxel, 2003: 157).

However, Prime Minister Chernomyrdin addressing the executive branch in 1996 stressed the need for improving executive- legislature relation by adopting and coordinating a budget for 1997. He also called for 'a new culture of inter-relation with Parliament', because the budget was so important as to require full cooperation from all the branches of the government. Vyacheslav Kuznetsov, the Vice- Chairman of the Duma's Budget Committee acknowledged that the Duma, the government, the council and the President tend to agree that 'even if a budget is un-implementable but adopted as

a document it is better for the country's wellbeing than the absence of any budget' (Troxel, 2003: 162-163).

Non- Legislative Power of the State Duma (1993-1999):

Non- legislative powers of the State Duma are also very influential. The Constitution confers the Duma with number of non-legislative powers. However, the most important and dominant among them include; the appointment of various government officials, especially the Prime Minister, passing no-confidence motion against the government, and impeachment of the President. These powers, not only affect the structure of the government, but also act against authoritarian conduct of the executives. The State Duma can reject the Prime Ministerial candidate chosen by the President thrice. However, after the third rejection, the Duma runs a risk of getting dissolved by the President under the provision of the constitution. This situation makes the Duma exercise its power with greater care and restraint while checking the President. The Duma can grant pardon or amnesty, and appoint and dismiss Human Rights Commission. These three are equally important non- legislative function of the Parliament. The State Duma used these powers during 1993 to 1999, the period of Yeltsin as the President of the Russian Federation.

According to the Russian Constitution, the government is responsible for implementing all laws, decrees and resolutions in both foreign and domestic policy and eliminating contradiction therein (article 4). With the due process of the constitution, the President has the right to form or dismiss government, giving him significant power to influence, via government officials, how and the extent to which all legislative acts are to be executed (article 111 & 117). If an important law, such as the Federal Budget, is not executed satisfactorily, the Russian President can dissolve the government and replace it with the officials who are more efficient and reliable to his goal; but at the same time, the State Duma can vote no- confidence in the government. After 2 such votes, within three months, the President is constitutionally bound to disband either the Duma or the government (article 117). Again as already pointed out, the Duma deputies must approve the President's proposed candidate for Prime Minister, but if they reject his nomination

three times, the President must dissolve the Duma and schedule the new election (article 111).

To propose a non-confidence vote against the government, 90 deputies must approve the request which needs simple majority for getting the Prime Minister out of the office. Deputies can telephone their party office in the Duma and may have a representative vote for them. The deputies who will endorse the government must vote 'no' and deputies who are against the government have three options; 'not to vote', to say 'yes' or to 'abstain'. Getting the preference voting (on the will of party), not voting, not participating. In case of Chernomyrdin government, the majority of deputies chose 'not to vote' instead of abstaining because of the party line. So, forecasting the behavior of the deputies in advance is impossible in a transitional political system in Russia. The deputies have not developed any 'personality cult' or 'norms' like any other western European democracy. The constitution has given the Duma two forms of no- confidence voting (article 117): a vote of confidence in the government on a motion brought by the government; and a vote on a motion of non- confidence put by the Duma against the government. The State Duma can manipulate its rules and procedures in favor of it and force the government out of office, when it fails to implement important policy along with the budget.

The first no- confidence vote on Chernomyrdin government on 27 October 1994 was due to the failure of government to carry out the 1994 Budget and devaluation of the Ruble by 30%. Constitutionally, the Duma cannot be dissolved by the authoritative decision of the President. There are certain loopholes which the State Duma can exploit in favor of it. For example, according to article 109 (3), Duma may not be dissolved on the ground provided for by article 117 of the constitution within 1 year following the Duma election. Also, Duma cannot be dissolved by any reason for 6 months of the expiry of the term of the office of the President.

The first vote of no- Confidence was held on 27th October 1994. The main reason was that the Duma deputies were dissatisfied with Chernomyrdin's economic policies leading towards devaluation of the Ruble, his policies on taxes, bank and above all his unrealistic draft of budget that year, in the midst of 'black Tuesday'.

Though the no- Confidence motion was not approved, but executive was not claiming victory as 54 of 450 deputies actually rejected it. In reality, most deputies were unwilling to repeat the political crisis of the previous year that is September 1993. But Yeltsin could not constitutionally disband the Duma in October 1994, as one year of it had not been completed.

After 1994, a further expression of disapproval in government came on 21st June 1995 on the issue of Budyonnousk crisis from war in Chechnya. It was the only vote of no- Confidence which deputies approved between 1994- 1999 by a vote of 241 to 70. After the second no- Confidence vote, Yeltsin could not choose either to sack the government or to call new election for the Duma. Chernomyrdin challenged the Duma to take a second vote as soon as possible; the Duma scheduled it on 1st July. As the second no- confidence motion against Chernomyrdin was a close ballot; it was very difficult to see the performance of the individual deputies or the parties. Totally 69% or 241 of all deputies did not support the government. Only 70 deputies supported the government.

As the tension built before the vote, Yeltsin offered the Duma a compromise by dismissing Federal Security Service director Sergei Stepashin, interior minister Viktor Yerin and Deputy Prime Minister for Nationalities Nikolai Yegorov. These three public figures were most responsible for the President's Chechnya policy. Yeltsin did not, however, remove the then Defence Minister Pavel Grachev, whose loyalty to him had been so vital during the October 1993 event. As a result (due to this compromise), only 193 members supported the no- confidence measure on 1st July. The compromise was possible as neither side had an interest on disbanding the Duma. As elections were scheduled for December, and most Duma members thought their chances of re-election would be enhanced if they had several months to use their office campaign. On the side, Yeltsin did not want early Duma election because the electoral law stated that all parties must be registered 6 months before the election. Ironically, Chernomyrdin's bloc 'Our Home in Russia' would not have been able to compete in a snap election because it had only been registered in May that year. But the Duma's ability to force Yeltsin to dismiss his minister was something of a pyrrhic type of victory as the military stand-off of

Chechnya continued, while Yeltsin appointed elected equally hardliner ministers in their place.

Again the State Duma deputies acted on a confirmation vote against Viktor Chernomyrdin as Prime Minister after August 1996 Presidential election in a closed voting. It was, in the real sense, not a fight against the government, but against the President himself. Despite the overwhelming support of Chernomyrdin when almost to present of deputies endorsed his vote of no- confidence in his government on 22nd October 1997. Because, the Communist- led opposition parties in the Duma were dissatisfied with 1998 Budget with cut in major subsidies to the region and which further hurt the poor and disadvantaged in Russia. Refusing to sign the 1998 budget deputies tried to get concession through, postponing housing reform, withdrawn the tax code from the budget, signing the bill 'on the government of the Russian Federation' to reduce the President's power over the government scheduling regular round-table meeting and extending the coverage of Parliament on state- owned television and radio. In this way, this was the major and significant threat of a no- confidence vote in the Chernomyrdin's government between 1994 and 1998. On April 10, 1998, the Duma rejected Kiriyenko's nomination as 143 members voted for him and 186 against (while few parties abstained) in the first round of voting. On the question of support to Kiriyenko in the Duma, the situation is changing rapidly (Gidadhubli, 1998: 1011-1012).

For the first time, the 1993 constitution had the possibility of meeting a genuine Parliament. Virtually all the deputies had completed higher education and working in Parliament on a fulltime 'professional' basis. But the new legislature became an effective professional Parliament and party struggle. The Duma proved capable of independent and powerful initiative, though it has limited power. In February, it exercised its questionable right to pardon those involved in the event of 3-4 October 1993 and 1991 Coup. Despite Yeltsin's protest Rutskoi, Khasbulatov and others were released from jail, and an end was put to the whole affair. In the time of Chechen war an attempt of legislature's control over military action within Russia was felt, but in March 1995 the Duma dismissed the Human Rights Commissioner, Sergei Kovalev.

Impeachment:

The Opposition on the floor of the Duma finally succeeded in placing impeachment on the agenda in spring session of 1998. In June 1998, the deputies agreed to appoint a commission to consider 5 charges against Yeltsin.

1. He had committed treason by signing the Belovezh agreement in December 1991 to dissolve the Soviet Union.
2. He had illegally dissolved the Russian Congress and the Supreme Soviet in 1993.
3. He had illegally initiated the war in Chechnya in 1994 without declaring the state of emergency.
4. Again, he had destroyed Russian defense capacity by signing START II
5. He had also committed genocide against the Russian people by the effect of economic policies of his government since 1992.

Relationship:

The assessments of the 1993 Constitution tended to exaggerate the degree to which the Presidency dominated the political system; even Yeltsin was mistaken about the constitutional ability to let him act as he pleased. During his term, he was continuously obstructed by the Parliament. He tried to bypass the Parliamentary channels through his decrees and vetoes. In turn, Duma did not approve his policy initiations. So, the relationship between Yeltsin and the Duma was mainly hostile for entire term of his Presidency.

Nevertheless, after the second-term election, due to poor health, Yeltsin cooperated with the legislature. For example, during second Duma, more than 500 bills were passed by Parliament and eventually signed into law by the President (Chasty and Schleited, 2002: 702). From spring 1997 to spring 1998, Yeltsin held regular meetings with party leaders and heads of Duma factions and Federal Council committees. It is known as the 'period of cooperation'. This shows how he was dependent on the timing the meeting that he was

making an effort to work with the Duma instead of working against it and that he had less power in 1994 when he had issued decrees at will without consulting Parliament: very often the most important political decisions were taken by presidential decrees which the deputies had no power to influence. Yeltsin also established committee comprising of the speakers of the Duma and Federation Council, the Prime Minister and himself which met regularly to discuss issues. Yeltsin's acceptance of the Duma's suggestion of Primakov for the Prime Minister's position in September 1998, after the Duma rejected his candidate twice, meant that he found it necessary to work with Duma to avoid further political crisis.

The legislature had overturned the Presidential veto twice (between March and July 1997) on the draft bill concerning disapproval of the return of cultural was trophies. Finally, the decision of the Russian Constitutional Court obliged the President to sign this draft law. The State Duma was never dissolved during the four year term by the President. However, Duma had moved an impeachment motion against Yeltsin in 1999, which could not be passed.

Chapter 4

ROLE OF THE STATE DUMA FROM 1999- 2003

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Role of the State Duma from 1999- 2003

Russia, since its independence after the disintegration of the Soviet Union, was under Yeltsin Presidency almost for a decade, at the end of which the political system had certainly started to take shape. All the system wanted was a fresh regime-change. This change was delivered by the dynamic leadership of Vladimir Putin, who emerged on the Russian political scene at the end of 1999. Putin came from obscurity to become the Prime Minister, and then the Acting President on the first day of the new millennium.

Yeltsin was passing through a rough patch, because of his deteriorating health and constant disagreement with the antagonistic State Duma, led by the Communist bloc. After two quick Prime Ministerial replacements, of Primakov (1998) and Steppashin (May 1999), Yeltsin brought Vladimir Putin to become the Russian Prime Minister in August 1999. With the outbreak of Second Chechen War in October 1999 Putin suddenly emerged as a political hero. Yeltsin declared Putin as his political successor. After Yeltsin's sudden resignation on 31st December 1999, Putin was made the Acting President. He played a skilful role during his time as acting President in the first half of 2000, gaining broad support from the regional leaders, the military, business tycoons and the public.

The Third State Duma was elected in December 1999 and immediately after that, Putin was democratically elected as the President of the Russian Republic. The ascendancy of Putin as the President and election of the new Duma signaled a change in the relationship between the executive and the Parliament. The written, or constitutional, powers of the Russian President and the Parliament did not change, as 1993 Constitution was still intact. However, there was a definite shift in the President- Parliament engagements. Antagonistic Parliament during the Yeltsin's Presidency became very cooperative soon after Putin came to power. This gave rise to a friendly law-making atmosphere in the country. With the comfortable backing from the State Duma Putin could implement his policy designs.

This chapter analyzes how the Parliamentary (December 1999) and Presidential (March 2000) elections affected the composition of the Duma and its relations with the new President and his team in the Kremlin. The Third Duma witnessed an increase in the Parliamentary laws, the smooth passing of federal budgets, and number of vetoes went down considerably (Troxel, 2003:177). After examining the Parliamentary and the Presidential elections, working of the Third Duma will be reviewed in details. The tenure of the Third Duma will be compared to that of the First and the Second Duma.

The Election to the 3rd State Duma, 1999:

President Yeltsin appointed Vladimir Putin as the new Prime Minister and at the same time announced the elections to the Third Duma, which were to be held on 19th December 1999. For these elections, the Election commission introduced some new rules; the party lists were to include members from 18 Federal subjects (unlike 12 in the 1995 elections); candidates were made to declare their assets and income. Similarly, the Election Commission withheld the right to disqualify candidates on the grounds of violation of these rules. This was done in order to tackle increasing criminalization of politics (Mohanty, 2010: 176-177).

The 1999 Duma elections were very significant. As mentioned earlier, Yeltsin's departure from the Russian politics was quite clear. He had already named Prime Minister Vladimir Putin as his political successor. The 1999 Duma elections were held six months before the due date of the next Presidential elections. And thus, they were looked as the rehearsal for the Presidential elections. These elections, in fact, mobilized public opinion and identified the issues that Presidential candidates would be addressing (Badan, 2000: 31). These elections were held on the eve of the significant regime- change in Russia.

Before going into the details of the election campaign and the results, it is necessary to have a broad outlook about Russian party system, as there had been some interesting

developments on Russia's political map before 1999 Duma elections. Russia's party system has been slow to develop, but there have been some discontinuity over the decade in the way the parliamentary vote has been structured.

The Communist Party of the Russian Federation had always been the organization resembling a true European-style party. It possessed a reasonably coherent political stance, a substantial following of loyal voters, a network of local organizers and activists, and impressive voting discipline among its parliamentary faction. It generally managed to finesse its own substantial internal disagreements over strategy and tactics and to present a united face to its supporters and its rivals. But, the other Russian parties have been far less focused. On the reformist side of the spectrum, where leaders committed to market reform and liberal democracy positioned themselves, unity was a rare situation.

However, it was a salient feature of the 1999 election that the main body of reformists (rightists) overcame their own internal differences for the first time, and joined together in an alliance called the 'Union of Rightist Forces' (SPS). They competed for the reform vote with Yabloko. Thus the left and right were anchored in this election by relatively cohesive parties. The other two political camps in Russian elections—Nationalists and the 'party of power' slot—were more fragmented this time. Vladimir Zhirinovskiy, the leader of 'Liberal Democratic Party of Russia' (Nationalist opposition party so far), had long since exhausted his credentials as a radical outsider; he had traded his voting support to the government for various benefits so often that he was more a pro- than an anti-government force (Remington, 2000:141). Other would-be nationalist elements lacked credible leadership or effective organization. The 'party of power' was something which was filled by whatever structure for the bureaucracy's effort to hold on to power.

When 'Our Home- Russia' was organized in 1995, under then- Prime Minister Chernomyrdin, it quickly came to be referred to as 'the party of power' due to the fact that office-holders at all levels were strongly encouraged to back it and to turn out the electorate in its favor. Even earlier, in 1993, Gaidar's Russia's Choice performed something of this function when the government was mainly controlled by the young reformers. But in 1999, Chernomyrdin, although still head of 'Our Home- Russia', was no longer in power, and officeholders had no reason to support a party of power that was

already out of power. Meantime Moscow Mayor, Yuri Luzhkov, formed his own political party, 'Fatherland- All Russia', with an eye on the Presidential elections in 2000. Eventually another widely respected figure, Yevgeny Primakov, joined this force. For a time this alliance appeared unbeatable. Late in the campaign, however, a rival governors' bloc arose. It was called 'Unity' or, from the acronym of its full name, Medved' (meaning 'bear').

'Unity' was formed as the 'party of power' hastily before the election campaign started. It had little to recommend it to politicians or voters, other than the fact that it seemed to enjoy the Kremlin's financial and organizational support. Unity's ability to attract the support of powerful federal and regional constituencies on the strength of its posture as the real 'party of power' seemed low until Prime Minister Putin publicly stated that he personally intended to vote for it. Putin's endorsement had an immediate effect, and Unity's ratings began to rise steadily. As with Putin, so with his party, a reputation for electability made it more attractive to others who wanted to be sure to back the winning team (Remington, 2000: 142). More governors began defecting from the Fatherland-All Russia camp to support Unity. Unity's success in the 1999 election had almost everything to do with the public's high approval of Prime Minister Putin, and almost none with any policy- or personality-based qualities of Unity.

Putin's remarkable public approval was also instrumental for the Union of Rightist Forces. Its leadership associated itself closely with Putin, supporting, for example, the war in Chechnya. Putin's ability to share his public standing with the groups he endorsed is suggested by the remarkable rise in the support levels of SPS and Unity during the campaign, compared with the flat or declining levels of support of their competitors.

In October, public opinion polls gave the Fatherland-All Russia alliance about 21 percent of the party list vote, but by the time of the election on December 19, it received only 13.3 percent. Unity, meantime, enjoyed only about 5 percent support in October, but won 23.3 percent of the vote in December (Remington, 2000: 142). These opinion polls signaled the results of the 1999 Duma elections as well as 2000 Presidential elections. Putin's popularity was increasing day-by-day that it was quite clear that he would be the next choice of the Russians for regime- change.

In the Third Duma elections, total 28 political parties/ blocs participated. This included leftist forces mainly led by the Communist Party and the centrist forces like, Fatherland-All Russia (OVR) (mainly lead by former Prime Minister Yevgeeni Primakov and the Mayor of the Moscow Luzhkov), Unity Party and Our Home- Russia. There were also rightist blocs like Yabloko and Union of Rightist Forces (SPS) and the nationalist Zhirinovski Bloc (Liberal- Democratic Party of Russia- LDPR). The Unity Party was the exciting development in these elections. This bloc mainly came up as the party of the Kremlin or the party in power. It was hurriedly formed just before the election campaigns; and was backed by outgoing President Yeltsin, his supporters and the Prime Minister Putin (Mohanty, 2010: 188-189).

However, during the campaign for the 1999 elections there took place some important events that had deep impacts on the poll results. As soon as Putin was appointed as the Prime Minister, a series of Apartment Bombings in Moscow and other Russian cities killed hundreds of people. Chechen terrorists were blamed for these attacks. This led to a full-scale assault on Chechnya by the Russian government forces, and the outbreak of the Second Chechen War in October 1999.

The Second Chechen War became very popular with the Russian public as compared to the First Chechen War. It gave some unexpected surprises to Russian political life. The Moscow Mayor and the leader of 'Fatherland- All Russia' received heavy blow. On the other hand, Vladimir Putin emerged as the hero of this war. This established the image of Putin as a strong politician. This image became popular in public as it was ready for a change from the weak President Yeltsin; it came as a political advantage to Putin. He emerged as the hero of Second Chechen War. Putin openly supported the 'Unity' bloc and in turn, 'Unity' backed the State actions in Chechnya. This popularized the bloc (Gorenburg and Gaffney, 2004: 15-16).

When the results of the December 1999 Duma elections came out, no faction or coalition could claim majority unlike previous Dumas. Six parties crossed the threshold of 5% of votes, namely, CPRF, Unity, OVR, Yabloko, SPS and LDPR. However, following the

results there came some interesting surprises. The party in power, 'Unity' allied with the opposition communist faction, in order to gain their support. In return, they elected a Communist candidate as the speaker of the Duma. Three factions, Unity, the Communists and, the People's Deputies group, enjoyed a bare majority in the chamber which they could use to win the post of the Speaker and committee chairmanships in a way that favored them. However, this alliance came out to be useful only in appointment of important post and could not be effective in voting over the bills in next four years (Remington, 2006: 13-14). After the distribution of the posts, 'Unity' and other pro-government factions changed their tactics and made alliance with the rightist forces in the House, OVR and LDPR, to get Kremlin- proposed legislations passed (Mohanty, 2010: 202). This led to passing of many controversial laws during the Third Duma.

In fact, the Unity Party and the Fatherland-All Russia were merged together to form, what was called as, 'United Russia' in April 2001. Since its foundation, United Russia performed the role of the party in power, ensuring support for the President's initiatives. It was essentially a broad coalition of national and regional political and economic interests. Presenting itself as a discussion platform where different ideological backgrounds can find a place, United Russia had structure containing various political clubs and nationalistic think tanks, institutions of expertise and youth groups following the strategy and ideology of United Russia. Moreover, another step subsequently taken by President Putin to institutionalize a standing majority in the Duma was the formation of a 'Coordination Council' in the legislature that would harmonize the voting position of the four pro-Presidential factions (Unity, People's Deputies, Fatherland- All Russia and the Russia's Region).

Presidential Election, 2000:

Yeltsin resigned on 31st December 1999, six months before the expiry of his term, and Prime Minister Vladimir Putin was made the Acting President for 3 months before the Presidential elections. Putin made his presidential urge public a day after his confirmation as the Acting President. He was supported by Yeltsin who had already announced him as

his political heir in Russia. Yeltsin, who has kept himself away from the public throughout his tenure after re-election in 1996, seemed to be concerned about his political legacy (Dash, 1999: 2640-2641). However, it was not a very easy task to get elected as the President. After all it was going to be an open democratic competition which he had to face.

During his electoral campaign, he faced several challenges like: decreasing voter turnout, catastrophe in his Chechen military campaign and escalating problem with Dagestan, a possible connection between Putin and apartment bombing in September, stiff competition from the Communist candidate Zhuganov, and opposition from the former Prime Minister Yevgeni Primakov. Nevertheless, the Chechen crisis also boosted Putin's drive. Prime Minister Putin, who had handled the situation in Chechnya with a heavy hand, emerged as the hero of this war. The image of a 'strong' leader became popular in public as it was ready for a change from the weak Presidency of Yeltsin. It came as a political advantage to Putin. Yeltsin and the Kremlin stood vehemently behind Putin in the elections.

As mentioned earlier, Presidential elections were due after the convening of the Third Duma. In fact the Duma elections played role of the test-case of the forthcoming Presidential elections. These elections, in fact, mobilized public opinion and identified the issues that Presidential candidates would be addressing (Badan, 2000: 31). These elections were held on the eve of the significant regime- change in Russia and they definitely signaled what the results of the Presidential elections are going to be.

The elections to the post of the President were held on 26th March 2000. Though there were 15 candidates in the race, most of the attention was obviously given to Vladimir Putin. Putin was the Prime Minister and the Acting President of the Russian Federation. He had been in the Presidential chair (acting) for three months till the election (Badan, 2000: 36). Putin was also declared by Yeltsin his political successor. This was actually a plan of the people in Kremlin to secure smooth transition of power from the hands of Yeltsin to that of Putin (Gorenburg and Gaffney, 2004: 16).

After Putin was declared the acting President, he emerged as the clear favorite in the 2000 Presidential elections. Although there were 15 candidates running for the Presidential post, the election campaign was narrowed to a two-man race, between Putin and the leader of the Communist Party, Gennady Zyuganov. Though Zhuganov gave a tough contest to Yeltsin in 1996 Presidential elections, he faced much stronger competitor in Putin.

During the time of election campaign, Putin chose not to be aligned to any particular political party or bloc. This move had farsighted political vision and a great scheme in his mind for his upcoming reign. Though he did not align with any party, all the pro-Kremlin forces, parties and blocs supported his candidature strongly. Putin wrote an "Open Letter to the Russian Voters" (2000) during his election campaign, which was more pragmatic than ideological. It consisted of a plan for economic revitalization; continuation of liberal reform; strengthening of the State authority and rule of law; and suppression of any secessionist drive within the Russian Federation (Hesli, 2003: 5). Putin was aware of the knack of appealing to the voters in Russia who, in turn, voted for Putin's candidature in affirmative.

With 68.74% turnout of the voters in the election, the results were not at all surprising. The acting President and the Prime Minister Vladimir Putin won the Presidential race in the first round of polling itself, with the sweeping majority of 52.9% votes. His opponent Zhuganov could manage to get only 29% of vote. This election was very significant for Russia's political future. As the outgoing President Yeltsin had named Putin his political successor, there were apprehensions this being against democratic ethos. This action of Yeltsin was described in terms of 'managed democracy' (Mohanty, 2010: 177). However, the transfer of the executive power from Yeltsin to Putin took place through the electoral process (Hesli, 2003: 7).

Putin, with massive public support evident through 52.9% votes, had proved his credentials as the next strong ruler of the Russian Federation. The March 2000 Presidential election reaffirmed that winning a competitive election is a necessary condition for granting or maintaining a hold on the Kremlin. Including the June 1991 ballot for the Presidency of the Russian republic, it was the third time in a decade in

which Russians had democratically elected the President (Rose, Muma & While, 2000: 287). However, it was for the first time in the Russian history that there was a democratic, non- violent, legal transfer of power from one leader to the next leader..

The opinions surrounding the conduct in the elections of 1999, after Putin's appointment as a Prime Minister, underlined that voters were most obliged to Putin for accepting responsibility for the security of the Russian people. He looked like a leader who was taking charge during an uncertain time and making good on his people to provide stability and safety (Colton and McFaul, 2002: 1).

Working of the Third Duma 1999-2003:

As discussed above, surprises kept coming even after the 1999 Duma election results were out. Post- election period experienced a lot of action, alliances, break-ups and counter alliances. Putin's manipulation of the levers of power once the new Duma convened in January was no less artful. The victorious parties began negotiating in late December and early January over the distribution of leadership posts in the new Duma.

In 1994 and 1996, party leaders had come up with a creative point system for weighting the relative desirability of Duma leadership positions, then letting each winning party faction "bid" for the positions it wanted by assigning it a number of points proportionate to the number of seats it held. This system had enabled a set of party leaders who were highly suspicious of one another to divide the offices of Duma chairmanship, deputy chairmanships, and committee chairmanships surprisingly smoothly. It was generally a practice that if the communists gained the chairmanship, the office of first deputy chairman would go to a large faction of the opposing camp. Above all, in 1994 and 1996, faction leaders had divided up the leadership positions more or less proportionally to their strength on the floor but always ensuring that no faction was left without at least some post (Remington, 2000: 142).

In case of the Third Duma, however, Putin intervened in the process of electing various posts. He instructed his following in Unity's faction to strike a separate deal with the

communists. They did so, bringing into the deal the largest of the registered independents' groups⁵. These three factions—the communists, Unity, and the group called “People’s Deputy”—used their majority to pass a package deal on the floor over the vociferous objections of the other factions. In return for letting the communists have the Chairmanship, Unity would get the first deputy chairmanship, and a number of key committee chairmanships.

Other factions in the house denounced this display of majoritarian power as undemocratic. Three factions declared a boycott and refused to accept the leftover posts which the majority coalition had condescended to offer them. Eventually, however, negotiations produced a solution and the opposition factions agreed to end their boycott in return for a promise by Unity to support their legislative initiatives. What was remarkable about these negotiations was Putin’s pragmatic approach to deal-making: the leadership package was more about power politics than policy. Putin’s agreement with the Communists cut out his friends in the liberal camp, the SPS, and the Yabloko faction.

Nevertheless, these arrangements still left Putin free to pursue any legislative agenda he chose with the help of his allies in Unity and other pro- Government groups. Moreover, on closer inspection, it turned out that the Communists did not gain much. They failed to win several major committee chairmanships that they had hoped for, including the defense, security, and legislation committees. They controlled neither of the budget committee, the committee on property and privatization, nor the foreign affairs committee. All in all, the deal left them without any of the power committees. Thus in one stroke, Putin neutralized his chief rival in the Duma, Yevgeny Primakov, by allying with the communists, and kept the communists in positions where they could not threaten either his policy or his power (Remington, 2000: 144).

This alliance between, ‘Unity’ and the Communists, came out to be useful only in appointment of important post and could not be effective in voting over the bills in next

⁵ Duma deputies who are not affiliated with a party faction may form their own start-up groups and, if they can attract at least thirty-five members, they are granted the same rights and privileges as the party factions. These include office space, staff budget, and floor time. Thus registered groups are, for all intents and purposes, equivalent to the factions formed of the members of those parties which cleared the 5 percent threshold to election and won seats for their party list candidates.

four years (Remington, 2006: 13-14). This gave a way to Putin's next step. He declared on Russian television on January 23, he wanted the opposition deputies to come back to work, because he needed their support in passing legislation 'aimed at promoting a market economy'. The Unity faction was instructed to reach a 'policy-based' agreement with the liberal SPS faction. Under the agreement, SPS and the other boycotting opposition factions came back and supported a legislative package consisting of such top priority items as Part II of the Tax Code; a Land Code which would—finally—legalize the sale and purchase of land; and a bill stripping deputies of their extensive privileges and immunities (Remington, 2000: 145). After the distribution of the posts, 'Unity' and other pro- government factions changed their tactics and made alliance with the rightist forces in the House, OVR and LDPR, to get Kremlin- proposed legislations passed (Mohanty, 2010: 202). For the first time in the Russian history, it appeared that the President can command a majority of votes in the Duma without resorting to bribes and threats. As with many of Putin's early moves, his skillful handling of Duma inter-factional politics showed his proficiency at the political game.

Thus, the 3rd Duma evidenced some important events where the President used institutional manipulation to induce a stable pro- President majority.

1. First occurred in the distribution of the Duma's chairmanship and other important posts at the opening of the new Duma itself.
2. There was the effort to form a '*Coordinating Council*' of four pro-President factions to safeguard the majority before the items reached the floor. This was an attempt by the President to institutionalize a standing majority in the Duma. This harmonized the voting positions of the four pro-President factions including; Unity, People's Deputies, Fatherland- All Russia (OVR), and Russia's Regions.
3. The third was introduction to the practice of holding the 'Zero Reading' consultation between the government and the leaders of the pro- Kremlin factions before it came up for the first reading on the floor (Remington, 2006: 12). In this Putin sought assurance that, the bills his government introduces, the policies it initiates, would never go down.

When Putin became the President, it appeared that the conflict between the President and the Duma appeared to have come to an end at last. The antagonistic Duma during the the Yeltsin's Presidency changed through Putin's political engineering. Putin got support from majority of the Duma deputies and he, in turn, approved most of the legislation-attempts by the Duma. However, due to the friendly relationship between the executive and the Parliament, the system of 'checks and balances' received a heavy blow. This may have been one of the obstacles to the emergence of an effective party system and responsible government.

The actual power of the Russian President vis-à-vis the Parliament include, their use of decree vs. laws, the frequency of cabinet formation and dismissal, the use of vetoes vs. veto overrides, and the discussion on the federal budget. The actual powers exercised by the President, varied between Yeltsin's final year in office and Putin's Presidency. There was a dramatic change during Putin's 1st year in office. He and the Duma worked successfully together on many pieces of legislation (Troxel, 2003: 193). However, this does not mean that they always agreed, but that democratic mechanism worked to facilitate negotiation between the branches. It has been mentioned earlier that, during the Yeltsin's period, the conflict between the President and the parliament complicated the law-making process. However, during Putin's time, this was avoided through working together.

According to Thomas Remington (as quoted in Troxel, 2003: 194),

".. If the President and the Duma are on the same side of an issue, they will cooperate.. The Tax Code, Criminal Code, judicial reform and the Budget (are) areas where the current President (Putin) and Duma have worked together to produce legislation that represents a compromise between the various political factions in the Duma.. "

The best example of the cooperation between the president and the Duma can be explained through the case-study of **ratification of the START II Treaty**.

START II was a treaty between the US and the Russian Federation on 'further reduction and limitation of the Strategic Offensive Arms'; it was signed by President Boris Yeltsin and President George Bush on 3rd January 1993 in the Kremlin. It was a continuation of the nuclear weapon disarmament that was agreed on in the START Treaty, signed by President Mikhail Gorbachev and George Bush on 31st July 1991, but START II calls for both the countries to reduce nuclear arms to less than a half of what was allowed in the first START Treaty, that is, to between 3000 to 3500 total warheads each. Before START II could be implemented, it was necessary to get ratification by both, the US Senate and the Russian Parliament, where it met with hostility.

Because of the continuous expansion of the NATO and its membership to include former Soviet countries, the Duma became hesitant to approve the treaty. Sergei Shakhrai, the deputy head of the President's administration and Duma deputy, stated, 'the admission of the new members to the NATO could make the ratification of the START II by the State Duma unrealistic.' (Troxel, 2003: 87). Because of the antagonistic relations between the executive and the legislature during the Yeltsin Presidency, it took more than 7 years for the Duma to ratify the treaty. Finally, the Duma ratified it on 14th April 2000; this was after President Putin attended the Duma debate. He convinced the deputies that most Russian missiles were old and would be scrapped soon anyway. This incidence was significant, because this was an issue not only of domestic but also of international importance (Troxel, 2003: 88).

Putin's first term as president from 2000 to 2004 combined economic liberalization with constraints on democracy. For example, Putin's government successfully steered measures through the Duma relating to the adoption of a tax code (a uniform personal tax rate at 13 percent and corporate tax rate lowering from 34 to 24 percent), a land transactions bill, a criminal code and joint stock company law. It also oversaw the conversion of the upper house of the parliament, composed originally of elected governors, into a rubber-stamping body of presidential appointees; the politically motivated jailing of the oil tycoon Mikhail Khodorkovsky; the installation of Kremlin-vetted appointees in seven sectors of Russia with a view to making regional laws conform

to federal norms; and media restrictions on the eve of the December 1999 Duma election. These illiberal political measures are now being supplemented by the post-Beslan proposals (Desai, 2005: 104).

Yet while members of the new economic team spoke at length of the need for structural reform and drafted many program and proposals, the results of Putin's first year in office were modest, in part because the president's attention was focused on consolidating his own authority. The most important structural reform achievement of 2000 was the passage of part 2 of the new Tax Code, albeit without the chapters on the profit tax and resource taxes, two of the most important-and controversial parts of the new code. Developments in 2001 were far more encouraging. A large volume of structural reform legislation reached the statute books, including the tax code chapter on the profit tax, which underwent a radical reform, new land and labor codes, a trio of bills aimed at reducing bureaucratic interference in the economy (an issue Putin himself has addressed at length and, at times, with some passion), the first three bills of the government's pension reform package, and the major elements of its judicial reform transactions. Moreover, the government submitted to the State Duma further draft laws on the remaining aspects of tax reform, as well as on pensions, electricity restructuring and bankruptcy reform, all of which were likely to be passed into law in 2002 (Tompson, 2002: 934-935)

One of the important characteristics of the executive-legislature engagements is the power of veto, and veto-overrides. As the President is empowered with the right to veto the legislations, the legislature can, in turn, override the veto by a special majority vote. Eugena Huskey noted that, 'the ultimate weapon in the legislative arsenal is the veto override' (Huskey, 1999: 169). The Parliament's and the President's use of Vetoes and Veto override power was, significantly different in Yeltsin and Putin's terms. The period of Third Duma and Putin's first term in office saw great improvement in the executive-legislature relationship regarding the legislative process.

It was for the first time in the history of the Duma that 100% of all legislations passed by the Duma were signed into law by the President in the year 2000. On the contrary, during the period of Yeltsin's presidency, only between 58% and 64% drafts became laws. Also, the Duma passed and Putin signed 172 bills into law in 2000. Although this was a drop in the number signed into law by Yeltsin in 1999, this was more a result of parliamentary elections in 1999 than a problem with executive- legislative relations. In Russia, there is a clear trend that before parliamentary elections, the number of bills passed by Duma and laws passed by the President increase. In 1995, 228 laws were signed by Yeltsin and 229 in 1999, both the highest total of any year. It was also noticeable that there was decrease in the Laws passed in the first year after Duma comes into power. This is because the deputies spend first few months getting organized, deciding on committee distribution, internal rules, speaker position and so on. The number of vetoes issued by the President considerably declined between 1999 and 2001. In 1999, Yeltsin vetoed 64 bills approved by the Duma, while Putin vetoed only 11 in 2000-2001. It was said that Putin granted the new deputies the 'Honeymoon period' where he chose to cooperate to improve relations.

According to Paul Chasty and Jeffrey Gleisner, 'the Duma had acquired a level of influence within the political system that exceeds its constitutional powers. The political consolidation of the Duma in the shape of assertive faction has created a self-confident legislature. It is increasingly difficult for the government to rule without the consent of the Duma.'(Chasty and Gleisner, 2000: 66-67). With working in close cooperation with the Kremlin Duma increased its influence manyfold.

Another important tool used by the President against the Parliament is Decree; it enables him to make policies without the intervention of the legislature. As seen in Chapter 3, Yeltsin made a lot of use of his power to decree. This was prompted by the hostile relationship he had with the State Duma. In fact, he exercised the decree power so much so that it lost its importance. Remington opined that Yeltsin's use of the decree power became virtually meaningless towards the end of his term. The great majority of the decrees in 1998 and 1999 concerned executive reorganization and many simply rescinded earlier decrees that contradicted subsequent laws and decrees. The expansion of the policy areas regulated by legislation has restricted the President's ability to fill gaps in

existing law through the use of decrees (Troxel, 2003: 196). Nevertheless, when it comes to Putin's period, he reduced the use of decree power. His assertion was that if the legislation can be passed through normal legislative channels, there would be no need to issue decrees. Because of his close cooperation with the legislations, all his policy initiatives were made into laws by the Duma itself, leaving literally no need for the use of decrees.

The Relationship between Putin and the Duma:

The personality of the President is important in shaping the relationship between the executive and the legislature. Putin, right from the beginning had a very comfortable relationship with the Duma. In fact, he believed that a state cannot be governed smoothly if two branches of the government are clashing against one another. As seen above, Putin had been much more of a negotiator with the Duma than Yeltsin. Putin visited the Duma and talked with the Duma deputies to secure the Unity- Communist coalition over the committee appointments. Other example of Putin as a negotiator includes his negotiating style of legislation.

Yegor Gaidar, co-leader of the Union of Rightist forces, who negotiated with Putin, said, 'the President preferred to keep balance and flexibility, and it is his style; he likes to be flexible. But after the fight over the budget and tax code, in which the government and the Presidency were close to the liberal and very distinct from the communists, it appeared that Putin just wanted to establish balance, showing he has more possibilities, if necessary, making alliance on the right or the left' (Troxel, 2003: 192). By identifying legislation specifically associated with President's priorities, one can assess the nature of the President's support coalition in the Duma in relatively pure form. Putin's policy with the legislature has been more pragmatic, and less ideological; likewise, his support in the Duma varied with the content of the legislation.

Throughout his first term, Putin preferred to control the functioning of the State Duma. He had seen the way opposition-led Duma had continuously challenged Yeltsin and prevented him from implementing his reform programs. Thus, he was determined to

ensure that Duma did not hinder the implementation of his agenda. This task of controlling the Duma became easy because of Putin's popularity and victory of the parties he supported in 1999 Duma elections. The Unity, Fatherland- All Russia, and the Russia Regions factions merged to create a pro- Kremlin majority in the Duma. During Putin's first term, former contentious Duma became essentially a rubber-stamp organ that unquestioningly implemented Putin's agenda. Though Communist Party remained a voice of opposition in the Duma, it had no practical ability to influence Duma's functioning (Gorenburg and Gaffney, 2004: 18-19).

President made regular visits to Duma and addressed the deputies whenever required. The Russian President's Annual Message to the legislature had been an occasion for the staff responsible for policy- development in the executive branch to highlight issues on which legislative action is a high priority for the president. In contrast to the Yeltsin administration, the Putin administration usually followed the Annual Message to Parliament with a step to develop new policy measures. In his first message to the Parliament in July 2000, Putin listed several far-reaching and fundamental policy-reforms that he wanted to be enacted into law; a flat income tax rate, lower taxes on profit and lower social tax, firm protection of property right, less-intrusive regulation of business, banking reform, recognition of property right in land, free labor market, reform of the custom regime, and a new law of the political parties. In the following year, in his 2001 message to the Parliament, Putin called for administrative reforms, further tax cuts, reform of the pension system, new labor court, reduction in the regulatory burden on business, and intellectual property rights protection, as well as new legislation regarding federal relations and criminal and civil procedures. Next year's (2002) message was more ambitious, the most ambitious of his first term, in fact. He called for legislation de-marketing the jurisdictions of the federal government and federal territorial subjects; reform of the structure of the state bureaucracy. Moreover, he called for breaking up the large natural monopolies (gas industry, electric power, and rail roads) and the reforming the house and the utilities sector. In 2003, he made very little mention of legislative priorities, instead emphasizing the need to enact the previously outlined program (Remington, 2006: 17).

Another way in which Putin utilized his control over the Duma was to debilitate the regions. Putin sought to weaken regional leadership by removing them from the Federation Council. Since 1995 each region's representatives to the Council were Governor and the head of the regional legislature. But, under Putin's rule, Federation council members had to be appointed by the governor and the legislature, who could not concurrently serve the regional government position. The requirement that the regional representatives to the Federal Council had to be from the region they represent was removed. This led to increasing representation of the elites who were close to Putin and were detached for the regions. This hampered the representation of the regional interests in the Parliament (Gorenburg and Gaffney, 2004: 17). Putin is popular, mainly because of the backing of the State Duma to his policies. As against Yeltsin who relied on the regions against the Supreme Soviet and later the Duma, his successor Putin is acting with the support of Duma to bring the regions to heel (Tompson, 2000: 16).

Putin's mantra focused around strengthening the State. This did not mean slowly strengthening of the executive branch, but it meant making federal bodies more powerful than local government and holding people accountable. All Putin wanted was to strengthen the state, not at the expense of Duma. Thus, contrary to many western fears about a strong leader, there is no reason of why this should mean a weak Parliament. In case of Russia, there emerged a system of dual power where both are very strong in written and actual power. It can be said that Russia has not reached that level yet, but it is essential to realize that a strong President is not, in itself, undemocratic as long as there are checks and balance on his power and strong opponents to do this (Troxel, 2003: 189).

Despite the favorable political environment, Putin enjoys, his politics had been cautious and rather orthodox; more precisely, a preference for quite behind-the-scene deals rather than overt principled structural reform. Putin was keen to preserve a political consensus with a fractious legislature, and to make some amendments to satisfy the legislative opposition. It is very difficult for the leadership to function successfully without favorable Duma election results and popular support. Putin proved to be a successful politician in this arena. With the favorable political configuration in the State Duma and

close cooperative relationship with the deputies, he hardly encountered any problem in getting his policy initiations passed.

Chapter 5

CONCLUSION

Conclusion

After studying the functions and role of the State Duma in Russian politics, it is now important to summarize the findings of this research work.

As discussed in the first chapter, post-Soviet republics chose the path of democratic transition after the collapse of the Soviet Union. The democratization process in these states is generally termed as the 'third wave of democracy'. However, it was not an easy task to smoothly transform the tightly controlled communist state into a democratic one, guided by the rule of law. With no strong democratic traditions in the past, it became even more difficult to build those from the scratch. In such a scenario, what emerged was a mixed system that was rightly termed by some scholars as 'democratic authoritarianism' or 'managed democracy'.

Russia came out to be a classic case of 'democratic authoritarianism', with a very powerful Presidential system. Here, President enjoys superior position over other branches of power, which are rendered helpless as no strong system of 'checks and balances' is developed. Transition to democracy is proportional to the degree of Parliamentarism. In the Russian Federation, Parliament is a weak body, with no control over the executives. The history of post-Soviet Russia has been, actually, governed by the tussle between the executives and the legislature. This study mainly focused on this hostility between the President and the State Duma during the first decade of the working of Russian Constitution.

Yeltsin became the first directly-elected President of the Russian Republic in June, 1991. The Congress of People's Deputies granted Yeltsin the emergency powers to rule by decree. This was done keeping in mind the turbulent situation in the republic. Nevertheless, Yeltsin had his own political equations. He openly supported breaking away from the Soviet Union, which finally resulted in the disintegration of the Union in December 1991. The Supreme Soviet also ratified this decision.

Yeltsin proved to be a 'strong destroyer, but weak builder'. The momentum, in which he broke the USSR, could not be maintained when new Russia was to be constructed. The path of market economy and democratization was chosen, but that too with no clear plan for its practical implementation. With the help of his extraordinary decree power, Yeltsin started a radical reform program, called 'shock therapy'. But, the state-controlled economy of several decades could not be converted into 'market economy' overnight. The hasty reforms gave a way to, nothing but, collapse of the entire economy. The Congress started opposing the reforms, giving rise to an unprecedented tussle between the President and the Parliament.

The dispute between the President and the Parliament sharpened on the issue of the adoption of new Constitution, as both the institutions wanted to retain maximum powers. The hostility continued for 1992-1993, finally leading to Yeltsin dissolving the Congress of People's Deputies in October 1993. After getting rid of the Congress, Yeltsin handpicked the assembly that framed a new Constitution. It was the President's draft only with a few modifications as the writers of the Constitution were given the aim of increasing president's powers while reducing that of the Assembly.

The constitution which was adopted under such circumstances was bound to reflect the conflict situation of that time. The Russian Constitution calls Russia a constitutional and federal republic, but it is silent about the form of the republic, which can be either Presidential or Parliamentary. However in reality it appears as a 'super-Presidential' system, with President being the only guarantor of the constitution with maximum powers concentrated in his hands. He is superior over other branches of power, and no strong mechanism of checks and balances is developed to control unlimited executive power.

Assuming that the Constitution has created a President- centric system of government, the State Duma was obviously to have a secondary position in country's political system. It inherited very limited range of written powers. Firstly, wide range of legislative powers given to the President, especially his right to issue decrees and right to veto legislations passed by the Parliament, reduce the prospects of the Duma as the major legislative organ. Secondly, the non-legislative powers granted to the Duma are very less and come

out to be worthless most of the times. It is empowered, to consent President's appointee for the post of the Prime Minister, to pass the no-confidence motion against the government and also to impeach the President. But all these powers are not without limitations and restrictions, as Duma runs the risk of getting dissolved.

Despite the weak position conceded to Duma in the Constitution, it has been playing positive role in the Russian Politics for last two decades. In practice, it has exploited its ability as the major legislative organ. Particularly in 1990s, the Duma made its presence visible as a forum of opposition to the authoritarian President. In the process, the reputation of the Duma as a legitimate parliamentary body was duly established. In fact, increasing hostility between the President and the Parliament had become the most striking feature of this period. The Second Duma elected in 1995 was overwhelmingly dominated by the leftists, led by the Communist Party. They enjoyed comfortable majority in the house, and thus blocked all legislative initiatives by the government.

The dominant position of the left opposition was evident from the decision to grant amnesty to the leaders of August 1991 Coup. The Belovezhski Agreement to dissolve the Soviet Union (December 1991) was denounced in Duma in March 1996. Bill on the privatization of farm land could not be passed. They also blocked many other problematic legislations, opposed Presidential nominees for the post of the Prime Minister, and finally brought impeachment proceedings against the President.

On the other hand, President Yeltsin acted as the stalwart opponent of the Duma. The tenure of the First (1993-1995) and the Second (1995-1999) Dumas faced unprecedented issuing of the decrees and use of Presidential vetoes. President tended to bypass legislative channels and Duma in turn tried to undo Presidential decrees. The whole era witnessed President-Parliamentary struggle in the form of, Vetoes vs. Veto-overrides, Decrees vs. Parliamentary laws, and government making vs. government breaking.

The clash ended only with ascendancy of dynamic Putin as the President (2000) and election of the Third (1999-2003) Duma. The significant regime-change in the country also signaled a change in the relationship between the executive and the Parliament. Antagonistic Parliament during the time of Yeltsin's Presidency suddenly became very

cooperative as soon as Putin came in. This gave rise to a friendly law-making atmosphere in the country. With the comfortable backing from the State Duma Putin could go away with his policy designs.

Putin, as a strong statesman, had realized the importance of Parliamentary support. In fact, he believed that a state cannot be governed smoothly if two branches of the government are clashing against one another. He had seen the obstructionist Duma of the Yeltsin era, which hindered all Yeltsin's policy initiatives. Putin proved to be successful negotiator in case of President-Duma relationship. He totally relied on the Parliamentary backing for his policies to get legislated and seldom made attempt to bypass the Duma channels. He signed most of the legislation- attempts by the Duma, and used his veto power for very few times. Putin visited the Duma and talked with the Duma deputies to secure majority vote on his policies.

However, through the friendly relationship between the Executive and the Parliament, the system of 'checks and balances' received a heavy blow. The President manipulated the law-making procedure so much, so that the Parliament could not maintain its independent status. This may have been one of the obstacles to the emergence of an effective party system and responsible government.

By and large, the working of the State Duma has faced the structural and political problem in coordination between the Duma and the executives. The difficulties in the synchronization of the two branches of power have lead to executive issuing decrees/ vetoes. This has contributed to the Duma's image as ineffective and peripheral in the political process in Russia, despite its considerable achievement in passing important legislations. This problem is most pronounced when political disagreements with the executive accentuate the existing structural difficulties of inter-branch coordination, something which was most evident during the Yeltsin era. However, as seen above, the 1999 Duma elections and Putin's accession to the Presidency have reduced political disagreements. But the structural problem of lack of coordination continues.

Political disagreements with the Presidency and the weakness of party political links between the branches have hampered coordination of the Duma's legislative agenda and

the executive policy aims. In the Russian political system, neither the Parliament nor the political parties have the right to form the government; they also lack the levers to influence the functioning of the executive power. This makes the Parliament handicapped, as it has practically no control over the laws it has passed. There are various other systemic problems that hinder the smooth functioning of the Duma. Duma's internal organization and political divisions impose significant burden on legislative process.

The Parliament is considered as the heart of democracy, as the democratization process in any country is heavily determined by the role its Parliament plays in its political life. Russia, which was a tightly-controlled authoritarian state ruled by a single party, was bound to take some time and effort while transforming to democratic system. Russia made a significant step towards the building of Parliamentarism after the disintegration of the Soviet Union. The bilateral Federal Assembly was created with number of legislative and non-legislative powers conferred on it. Though weak, and fragmented, the role played by State Duma, in the transitional phase of Russian political system, cannot be ignored.

Nevertheless, there are various hindrances that block smooth functioning of Russian Parliamentarism. As mentioned earlier, these hindrances can be internal as well as external. Internal difficulties are pertaining to the poor organizational networks and external hindrances mainly concern executive- Parliamentary relationship. These difficulties have to be eradicated for the advanced role of the State Duma in the Russian politics.

Anyway, high-level of development and perfectionism cannot be achieved through the internal betterment of Federal Assembly alone. There are several systemic factors that have to be addressed. This relates to the process of state-building and state-consolidation. The political system as a whole has to be reformed, through constitutional amendments. All the branches of power should be made independent of control from each other. The system of Checks and balances can be strengthened, and cooperation among various channels of law-making be achieved. The political institutions can be evolved in a way to make them more inclusive and accessible for common people. Development of

Parliamentarism is directly linked to the improvement in law-making. Parliamentary laws should reflect the interests of the people.

Russia started with the process of democratization in the early 1990s and since then, it has been marching on the right path. Periodic and fair elections have been conducted. Regimes have changed through the ballot-path and not arbitrarily. It has been just two decades, which is a very short span for democracy to take firm roots. Given the distance Russia must still travel, it may still take decades to reach Parliamentary democracy. But considering the distance already travelled in a brief time, it shows Parliamentarism to be no longer an empty word. Indeed, every sign points to the fact that Russian legislature is already organically operating within the Russian political system.

Russia cannot have a healthy democracy without a strong parliament. And thus, if it aspires to walk on the democratic path, smooth institutionalization of Parliamentarism cannot be ignored. Parliament should be given its due role and importance in the political system, in order to run it efficiently.

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