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## Electoral Manipulation in Russia: the Development of a Political System

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*Russia's parliamentary election of December 2011 once more brought to global attention the role of electoral manipulation in that country's political system. The methods of manipulation alleged in 2011 are familiar from earlier elections. Most notably, the regional elections of October 2009 resulted in an overwhelming victory for the 'party of power', United Russia, followed by a walk-out from the State Duma by the three other parliamentary parties, in protest at fraud and electoral manipulation. Multi-layered questions surround the role of electoral manipulation in Russia's political system. Why would a regime which apparently still enjoys substantial popular support engage in electoral manipulation? In electorally authoritarian states elections constitute the central element of legitimacy. Although electoral manipulation helps secure power, it reduces legitimacy. The trade-off between legitimacy and power plays out in other levels too. The opacity of Russia's political system obfuscates the behavioural drivers of other players. Regional leaders formally owe their positions to the President. If they feel obliged to deliver the correct electoral results, there is less clarity on what those results are, especially with the 'tandem' leadership of Medvedev and Putin sending out mixed signals on the nature of democracy in Russia. Opposition parties must weigh up the benefits of participating in flawed elections. The distinction between outright opposition, and 'within regime' semi-opposition again obfuscates. Participation in elections provides opposition with the opportunity to de-legitimise the regime, by highlighting electoral manipulation. For 'within regime' opposition, this opportunity must be weighed against the benefits of gaining some representation in legislatures, albeit at low levels and with no chance of real power.*

### Introduction

December 2011 saw the largest demonstrations in Moscow since the establishment of the Russian Federation in the early 1990s. Tens of thousands of demonstrators marched, with the permission of the ruling regime, to protest against what they claimed to be flawed elections marred by fraud. Although the scale of such demonstrations brought them to global attention, they were by no means the first such expression in recent years of anti-regime anger in the face of electoral malpractice. In particular, Russia's regional elections in October 2009 were beset by allegations of procedural flaws and fraud. These sub-federal elections delivered a landslide victory to then Prime

Minister Vladimir Putin's United Russia and led to the other parties in Russia's lower chamber of parliament, the State Duma, walking out in protest. In the context of two decades of supposedly competitive elections in Russia, the events of October 2009 and December 2011 represent little new. The most detailed and forensic academic analysis to date of elections in post-Soviet Russia concluded, albeit tongue-in-cheek, that 'If you had an election, you had fraud. The only question is: How much?' (Myagkov *et al.* 2009: 2). Were 'how much?' really the only question, then the present analysis would be short, inconclusive and lacking in illuminative insight into the relationship between Russia's political parties, electoral manipulation, and the political system. Indeed, whereas the quantitative question 'how much?' is extraordinarily difficult to answer with any great accuracy, a more qualitative analysis can consider a range of issues from the perspective of comparative electoral authoritarianism. From this standpoint the present article focuses on the regional elections of 11 October 2009 and their aftermath in order to shed light on the strategic options open to both regime and oppositional political parties, in a political system for which elections form the constitutive moment but remain ambiguous with regard to their formally essential role of providing the people with 'an effective choice of political authorities among a community of free and equal citizens' (Schedler 2002: 39).

After setting out the events of October 2009 and following, this article considers the multi-layered relationship between political parties and electoral manipulation in Russia from the perspective of Russia's political system. Interestingly, President Medvedev himself chose to address the problems arising from the October 2009 elections within the framework of 'developing the political system' (Presidential website 2010).<sup>1</sup> Whereas his approach was straightforward and linear – along the lines of 'Russian democracy is making progress although there are still problems to be ironed out' – the analysis here considers the functions of elections in the 'actually existing democracy' of contemporary Russia. For the regime, elections serve a legitimising role, for the opposition, flawed elections present an opportunity to *delegitimise* the regime. Functional difference leads to different responses on the part of the parties concerned. It is not so much that the electoral game is not being played on a level playing field, rather that different games are being played on the same playing field. Writing about electorally authoritarian regimes as a type, Andreas Schedler argues, drawing on George Tsebelis' notion of 'nested games' (Tsebelis 1990), that 'strategic interaction *within* rules goes hand in hand with strategic competition *over* rules' (Schedler 2009).

In the case of Russia's disputed elections of October 2009, the 'games' are complicated further by several factors. The nature of opposition in Russia, as in many electorally authoritarian

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<sup>1</sup> Translation from the Russian here and throughout are by the author.

regimes, represents a conceptual barrier, in that the 'opposition' parties in the State Duma manifest varying degrees of closeness to the ruling regime. Nor does the conceptualisation of regime versus opposition fully capture the complexity of elections, even were the nature of opposition to be clear cut. Regional authorities represent a third element in play. This is self-evident in regional elections, such as those in October 2009 on which this article focuses. However, the regional factor also comes strongly into play in national polls, such as the disputed parliamentary election of 2011 where five regions returned results giving 'the party of power', United Russia, over 90 per cent of the vote, as against its national average of 49 per cent.<sup>2</sup> At the sub-federal level regional authorities are 'regime', but their own relationship with the federal authorities is not a straightforward one of subordination, rather it is a complex interaction of dependence, independence, and political signalling. The position of the regions has been obfuscated still further by the existence at the highest federal level of a 'tandem' leadership, with the President's formal superiority to the Prime Minister undermined by the powerful mix of formal and informal power enjoyed by Prime Minister Putin as a result of his former position as President, and the likelihood that he will return to that position in future. That Moscow, the federal capital, was one of the regions going to the polls in October 2009 exacerbates the analytically complex nature of the regime-opposition-region nexus. Moscow's size and importance gave the electoral dispute a federal, and indeed international, profile. The power struggle between Moscow mayor Yurii Luzhkov and President Medvedev, which was to spill over in Luzhkov's dismissal by Medvedev a year later, represents important context for a 'thick' understanding of the elections' importance. Considering these issues, the present article illuminates the impact of Russia's October 2009 regional elections, and specifically the accompanying disputes over electoral manipulation, on the development of Russia's political system.

### **Russia's regional elections of October 2009 – an empirical overview**

Regional level elections took place in 12 of Russia's 83 regions on 11 October 2009, which had been designated a 'unified day of voting' by the Central Electoral Commission. Until March 2006 Russia's regions had held their elections on different days. In 2005, however, in line with other legislation designed to centralise the electoral process, the State Duma designated the second Sunday in March and the second Sunday in October as the voting days for regional elections. In the same year, the parliament, at President Putin's prompting, also abolished elections to the position of head of the regional executives, leaving only elections to legislatures at the regional level. Despite the term 'unified day of voting', in October 2009 of the 12 out of 83 regions holding regional level

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<sup>2</sup> The republics of Chechnya, Dagestan, Ingushetiya, Karachaevo-Cherkassiya, and Mordovia all returned votes of over 90 per cent for United Russia in the Duma elections of 2011.

elections, nine of these held by-elections only,<sup>3</sup> leaving only three regions (the Republic of Mari El, Tula oblast', and the city of Moscow) holding full elections to the regional legislature. Nonetheless, and largely due to the 10.5 million population of Moscow and the holding of municipal as well as regional elections, the number of regions within which some form of election was held amounted to 75 and about a third of Russia's population was eligible to vote on that day. The results of the three full regional legislature elections are set out in Table 1, in relation to the proportional representation element of the polls.<sup>4</sup>

TABLE 1

RESULTS OF PARTY LIST VOTE IN ELECTIONS FOR REGIONAL LEGISLATURES, 11 OCTOBER 2009 (%)

Region	Parties						
	Communist Party of the Russian Federation	A Just Russia	Liberal Democratic Party of Russia	Patriots of Russia	Right Cause	United Russia	Yabloko
Republic of Mari-El	19.5	3.6	7.2	---	---	64.6	---
Moscow City	13.3	5.3	6.1	1.8	---	66.3	4.7
Tula Oblast	18.3	14.0	6.0	0.8	1.9	55.4	1.6

Source: Central Electoral Commission, available at <http://www.vybory.izbirkom.ru/region/izbirkom> (last accessed 19th December 2011)

On 14 October the Communist Party of the Russian Federation, the nationalist Liberal Democratic Party of Russia, and the pro-Kremlin party, A Just Russia, staged a walkout from the State Duma in protest at what they claimed to be the rigging of elections in favour of Russia's party of power, United Russia. The results in Moscow, where United Russia won 32 of 35 seats, with the Communists winning the remaining three, represented a source of particular anger. Some 135 deputies participated in the walkout from the lower chamber of parliament. According to leading Communist Viktor Ilyukhin, the opposition parties formulated a series of demands, specifically a meeting between President Medvedev and representatives of the minority parties in the Duma, re-

<sup>3</sup> The Republic of Tatarstan, Krasnodar krai, Astrakhan oblast', Bryansk oblast', Leningrad oblast', Samara oblast', Smolensk oblast', Tambov oblast', Tver oblast'.

<sup>4</sup> Both Moscow and Mari-El employed mixed electoral systems, with Moscow having 17 single mandate districts decided by first-past-the-post elections and 18 seats decided by proportional representation under a party list system, and Mari-El 52 seats which were divided equally, 26 decided by first-past-the-post and 26 by party list. In all three regions a threshold of 7 per cent for representation applied.

counts in several regions, a ban on the publication of full results until all suspect circumstances had been investigated, and the resignation of the head of the Central Electoral Commission, Vladimir Churov (Regions.Ru 2009).

The response from the regime in 2009, as again in 2011, amounted to an insistence both that the elections were 'generally fair' (Levy 2009) and that the country's leadership nonetheless took the complaints of the opposition seriously. Prime Minister Putin, who was – in the labyrinthine logic so suited to the opacity of Russia's politics – leader of but not a member of United Russia, had reportedly warned party members 'not to be too enthusiastic' about the use of administrative resources at the regional level during the election (Borisov 2009). Without wishing to compare the magnitude of the events in question, there are echoes here of Stalin's infamous *Pravda* article of March 1930, where he blamed overenthusiastic Party workers for getting 'dizzy with success' and pushing collectivisation too far, too fast: '... successes have their seamy side, especially when they are attained with comparative "ease"' (Stalin 1930).

In 2009 Putin, as he was to do again in December 2011, advised those with complaints on the conduct of the elections to provide proof and to open legal procedures (Borisov 2009, Russian Government website 2011). President Medvedev promised to meet with the Duma opposition leaders, which he did on 24 October 2009. By this time the parties had returned to the Duma – Liberal Democrats and A Just Russia on 16 October, and the Communists on 21 October. The Head of the Central Electoral Commission, Vladimir Churov, robustly defended the elections, though this is scarcely surprising for a man who readily admits, referring to himself by name in the third person, that 'the first rule of Churov is that Putin is always right' (Kolesnikov 2007). He had condemned the parliamentary *démarche* as politically motivated and designed to embarrass Russia during a high profile international visit (US Secretary of State Clinton was in Moscow at the time), and had declared that United Russia suffered from the decisions of the Central Electoral Commission more than any other party in the October elections (Rostovskii 2009). Nonetheless Churov had to endure highly critical questioning when he was summoned to the Duma to explain the conduct of elections.

Following on from his informal meeting with the leaders of the parliamentary opposition on 24 October (Presidential website 2009), President Medvedev met with them again on 16 January 2010, ahead of the State Council meeting devoted to the development of the political system. Russia's State Council does not have executive power, but is an advisory body, chaired by the president as head of state and made up of the heads of all of Russia's federal regions (Bacon 2010a: 101). At the State Council itself, Medvedev acknowledged that the electoral system remained imperfect, but stated that the allegations of fraud in the elections of October 2009 were unproven and that it was indisputable that 'the results of regional elections reflect the real balance of political

forces in the country and public opinion'. Whilst lauding the fact that the number of formally oppositional factions in regional legislatures had risen from 91 in 2004 to 248 in 2009, Medvedev singled out Moscow City Duma as an example of a legislature with too limited a range of factions (specifically, two). He concluded by promising legislation to bring the threshold for representation in elections to regional legislatures down to 5 per cent, in line with national elections (Presidential website 2010).

The next 'unified day of voting' in Russia took place on 14 March 2010, with some form of regional and municipal election being conducted in 76 of Russia's 83 regions, and eight regions electing new legislatures.<sup>5</sup> In all eight of these regions, as if taking their cue from President Medvedev's State Council address, all four of the parties with seats in the State Duma won representation in the regional legislatures. This goes some way to explaining the lack of concerted opposition reaction to alleged electoral manipulation in March 2010, as the instigators of the parliamentary *démarche* fared better in the elections. Nonetheless, allegations of electoral fraud remained widespread and were expressed openly again following the parliamentary elections of December 2011.

The above empirical account of Russia's regional elections in October 2009 and March 2010 is lacking without one further element crucial to our analysis of the relationship between parties, electoral manipulation and the development of Russia's political system. That element is the non-parliamentary opposition. The parties involved in the parliamentary *démarche* of October 2009, whilst excluded from genuine power by the dominance of the Putin-Medvedev regime and the United Russia party, nonetheless can be seen as being 'within system', and indeed as 'semi-opposition'. Analysts differ as to the degree to which these parties represent genuine opposition, with some arguing that the Communist Party of the Russian Federation fits this category, whereas the Liberal Democratic Party of Russia, and A Just Russia are merely 'loyal opposition' or 'virtual parties' (Petrov et al. 2010: 10). Whatever the nuances between them, these parties with Duma representation have demonstrated varying degrees of closeness to the regime. Even their walkout from parliament in October 2009 was short-lived, and they returned with few of their demands met. Some observers suggested that the walkout itself occurred with the regime's approval in order 'to serve as a lightning rod for the high-voltage anger that this latest election fraud had generated, especially among grassroots activist groups' (Doukaev 2009).

Beyond this parliamentary 'semi-opposition', the most prominent protesters about the conduct of the October 2009 elections were the Russian United Democratic Party 'Yabloko', whose

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<sup>5</sup> The Altai Republic, Kaluga oblast', Khabarovsk krai, Kurgan oblast', Ryazan oblast', Sverdlovsk oblast', Voronezh oblast', Yamalo-Nenets autonomous okrug.

leader, Sergei Mitrokhin, voted with his family in the Moscow Duma elections only to find that when the results were announced for his district, no votes were recorded for Yabloko. After his complaint, a re-count was ordered, and the missing votes found. Mitrokhin asserted that 'the level of falsifications in the October 11 Moscow City Duma elections was unprecedented in modern Russian history', detailing electoral fraud and manipulation from the earliest stage of the collection of signatures, through ballot stuffing, a lack of ballot papers, and bussing reliable voters from district to district to complete absentee ballots supposedly on behalf of those who could not attend the polling station, to the counting itself where results were allegedly 'corrected' by the authorities in consultation with colleagues from districts across the city (Mitrokhin 2009). All of these methods of fraud and manipulation were likewise alleged after the December 2011 Duma elections.

### **Types and prevalence of electoral manipulation**

[Figure One about here]

The multi-level relationship between elections and the authorities, as detailed above, is set out in Figure One. To effectively analyse this relationship requires an awareness not just of the levels on which it operates, but also of the types and prevalence of electoral manipulation. 'Electoral manipulation' represents a broad category of behaviour, a continuum of activities from straightforward electoral campaigning at one end, to blatant vote-counting fraud at the other, with many nuances in between. Manipulation can also be categorised in terms of its relationship to deliberate intent, a distinction clarified by Sarah Birch as that between *malpractice* and *mispractice*, in other words, between the deliberate violation intended to achieve a result for personal and/or partisan gain, and unintended deficiencies without directed partisan ends, such as may be caused by poorly trained electoral officials, inadequate resources, and so on (Birch 2009: 25). From a comparative perspective, the definition of electoral manipulation becomes still more multi-faceted when cultural factors are taken into consideration. What counts as normal practice in one country – for example, the widespread use of absentee ballots – seems illegitimate in another (Alvarez *et al.* 2008: 5). Such cultural distinctives overlap with the question of legality. One deceptively straightforward definition of electoral fraud is behaviour that is contrary to electoral law. This is the definition adopted by the chief of Russia's Central Electoral Commission, Vladimir Churov, after the regional elections of October 2009, when he repeatedly challenged complainants to take accusations of fraud to the courts (Zakatnova 2009). However, electoral laws which militate against opposition parties performing well represent an habitual weapon in the armoury of electorally authoritarian regimes (Schedler 2009). In the case of Russia, the Central Electoral Commission's apparently



laudable commitment to the rule of law is tempered when seen against Churov's stated commitment to the infallibility in electoral matters of Prime Minister Putin, or when set against the assertion in a recent Russian book on electoral fraud that:

'At the moment the situation is such that electoral law in this country, as distinct from what happened during the time of the Russian Congress of People's Deputies or in the Soviet years, is not a matter for anyone but the Central Electoral Commission. Neither the State Duma nor any other organ of power develops and directs electoral legislation ... not one law which doesn't come out of the Central Electoral Commission has a chance of being adopted' (Smirnov 2008: 111).

The use of country-specific legality as a normative assessment of electoral manipulation is flawed. International norms, such as those set out in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, represent more stringent criteria (Birch 2009: 5). For the purposes of this paper, I have adapted Sarah Birch's typology of electoral manipulation (Birch 2009: 26). In its original formation, this is a six-fold typology consisting of three types of electoral manipulation (manipulation of institutional design, manipulation of vote choice, and manipulation of the voting act) and a binary categorisation of legitimate / illegitimate for practices in each of these types of electoral manipulation. So, for example, in relation to manipulation of voter choice, electoral campaigning is legitimate, and vote-buying illegitimate. The adaptations to this typology made in Figure Two are country-specific and move away from the binary approach of the original.

In terms of country-specificity, the examples of electoral manipulation used all stem from analyses of electoral practice in Russia in the past few years. Specifically, they are taken from two recent books on the subject (Malkin and Suchkov 2008, Smirnov 2008) and a newspaper article by the leader of the Russian United Democratic Party 'Yabloko', Sergei Mitrokhin (Mitrokhin 2009). From this latter are drawn alleged examples of electoral manipulation during the Moscow City elections of October 2009. In terms of moving away from the binary approach of the original typology, the adaptation in Figure Two places each of the examples of electoral manipulation along a continuum from legitimate to illegitimate. Such placements are by necessity subjective, but nonetheless serve to illustrate the point that electoral manipulation comes in many forms and is a contingent concept in relation to factors such as degree, intent, and cultural context.

[Figure Two about here]

Figure Two sets out a reasonably comprehensive overview of the forms of electoral manipulation practised – or alleged to have been practised – in Russia in the past decade. The need to set up a political system which looks like a liberal democracy represents a key element of electoral

authoritarianism, as it has emerged over the past decade or so in particular. In this context then, the best manipulation is unseen, an *a priori* establishment of the rules of the game in such a way as to distort the electoral outcome in favour of the regime. Such an approach more readily retains the image of a democratic system than does blatant intimidation, ballot stuffing, and so on (Schedler 2009). As Figure Two demonstrates, such *a priori* manipulation also has inherent ambiguity with regard to its legitimacy. For example, the use of what is known in Russia as ‘the administrative resource’ looks to some extent like the simple advantages of incumbency with which any democratic electoral system has to deal. If it becomes the misuse of state resources for personal and political gain, or moves further into bribery or blackmail or the prevention of opposition political activity, then it more clearly moves to the ‘illegitimate’ end of the spectrum. However, cultural factors again remain in play, and can be easily missed in a comparative approach. In a country where the political culture has for decades been one which merged the interests of state and party, of leaders and the people, then the administrative resource is more readily and less controversially drawn upon by the regional boss. Similar interpretative elements apply to other cases of ‘almost legitimate’ manipulation. That the legislature makes changes to electoral legislation is legitimate. That such changes are made with repetitive frequency by a legislature with an overwhelming pro-regime majority, whose members to a large extent owe their places to a system increasingly skewed in their favour, dilutes that legitimacy.

Having essayed a typology of electoral manipulation, I turn briefly to the question of prevalence, or – more precisely – to the *trend* in relation to the prevalence of electoral manipulation in Russia. As noted at the outset, the ‘how much?’ question of how widespread electoral manipulation is in Russia – particularly at the illegitimate end of the spectrum – lies beyond the scope and intention of this paper. The most thorough quantitative analysis available hazards a figure of ‘upwards of 10 million suspect or fraudulent votes’ in the presidential elections of 2004 and 2008 and the Duma election of 2007, as well as asserting that in this latter election ‘almost certainly anywhere between 20 and 25 percent of United Russia’s vote was won in a way which would not pass muster in an established or transitional democracy’ (Myagkov *et al.* 2009: 137). President Medvedev, speaking after the regional elections of October 2009, repeated the line taken by Russia’s ruling regime since it came to power, in stating that ‘the results of regional elections reflect the real balance of political forces in the country’ (Presidential website 2009). Interpreted generously, Medvedev’s claim need not contradict too much with that of Myagkov *et al.* The widely held view that United Russia and the Putin-Medvedev regime remain sufficiently popular to be the genuine first choice of the Russian people remains consistently backed up by opinion polls – although Valerii Smirnov argues that these opinion poll ratings themselves merit scepticism (‘it means that four out

of every five people around us assert “we have such an excellent president! ...” Is that really so?) and that such popularity is artificially created and maintained by media bias (Smirnov 2008: 115).

What seems indisputable, however, is that electoral falsification in Russia has become more apparent in the past decade. The number of mentions of electoral falsification in the Russian press indicates that this is the case. Figure Three shows the average number of articles per month, in the comprehensive Eastview database of Russian newspapers, with the words ‘falsification’ (фальсификац\*) and election (выбор\*) together.<sup>6</sup> A straight line drawn from the column for 1999 to that for 2010 illustrates the clear trend of a year-on-year increase in press discussion of electoral falsification. (The anomalous year of 2004 is explained by the ‘Orange Revolution’ in Ukraine, with much of the press coverage of that event mentioning the electoral falsification which lay behind the anger of Ukraine’s Orange revolutionaries). Unsurprisingly, given the disputed Duma elections of December 2011, the figure for that year is notably higher again.

[Figure Three about here]

### **The function of elections**

This paper so far has set out an empirical account of Russia’s regional elections of October 2009, developed a Russo-specific electoral manipulation typology, and demonstrated the increasing prevalence of electoral falsification in Russia by counting references to the practice in the press. All of the foregoing supports the contention that Russia’s political system can be categorised as electoral authoritarianism. Electorally authoritarian systems, although they have a number of possible future scenarios as discussed in our final section, stand distinct from transitional systems. They are not necessarily on the way to democracy – although such a future turn is not excluded – but rather they merit conceptualisation as they now exist. Such a conceptualisation deserves emphasis in Russia in particular, where the regime’s narrative remains one of democratic transition, hampered only by the ‘deeply rooted traditions’ of the Russian state (Medvedev 2008a). As I have argued elsewhere, the transition approach, for all its insight in the past, has become ‘less appropriate for conceptualising today’s relatively stable regime’ in Russia (Bacon *et al.* 2006: 7). In short, to use an inelegant phrase, Russia has stopped transiting. President Medvedev’s assertion that ‘our electoral system is still young’ (Presidential website 2009) belies the fact that it has been carefully developed, in the two decades since the Soviet collapse, alongside a robust emphasis, particularly since Vladimir Putin came to power in 2000, on the need for stability. When responding to the parliamentary démarche following the elections of October 2009, Prime Minister Putin

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<sup>6</sup> The asterix is a search symbol, indicating any letter, so that the relevant words are picked up whatever the case endings.ir

warned against the ‘Ukrainisation’ of Russia’s political life (Bratersky and Abdullaev 2010), by which he meant instability brought about by political uncertainty, such as that produced by democratic elections in Ukraine in 2009.

The essence of an electorally authoritarian regime is that elections matter. They are, to re-use Andreas Schedler’s term, constitutive of the regime, being central to claims of legitimacy. Bounded by manipulation as it is in Russia, the electoral framework of a liberal democratic system was at least originally established with the intention of adhering to its democratic essence. At the heart of the development of electoral authoritarianism in Russia lies the realisation that this framework can be retained, but manipulated in such a way as to keep the incumbent regime, or its chosen successor, in power, as has been the case in Russia for two decades. Such an approach maintains stability, with no need for authoritarian coups d’etat or too crude repression of opponents. It sits well too with the international community, as a departure from democracy can be convincingly denied. In such a system then, the function of elections is to keep the regime in power in a manner which looks democratic – there is opposition, it’s just that the opposition loses.

Taking Schedler’s ‘chain of democratic choice’ (Schedler 2002: 39), itself drawing on Robert Dahl (1971), the seven elements deemed normatively necessary for a democratic electoral process provide a useful assessment of how Russia’s elections function.

1. *Empowerment.* Elections should lead to power. In an electorally authoritarian regime this relationship between elections and power can be circumscribed by keeping key positions away from the electoral process. Russia’s regional elections are a case in point, with the abolition of elections to the post of head of the regional executive in 2004, leaving elections to regional legislatures only.
2. *Freedom of supply.* In Russia the restriction of the supply of opposition parties and candidates has been accomplished by the introduction of formidable and detailed registration requirements, the minutiae of which, and their ill-defined catch-all nature, mean that ‘transgressions of the law, witting or not, are relatively straightforward to allege or identify’ (Bacon *et al.* 2006: 104). As a result, unwanted parties and candidates have been kept off the ballot on the grounds that they have contravened electoral law, for example, in terms of gathering signatures, or declaring income.
3. *Freedom of demand.* The control of the media in Russia, although not comprehensive, is sufficient – particularly when it comes to national television channels – to distort citizens’ awareness of the arguments and platforms of alternative candidates (McFaul and Stoner-Weiss 2008: 69-70).

4. *Inclusion.* Russia enjoys universal suffrage, although turn-out rates have declined as the certainty of election results has increased (Smirnov 2008: 124).
5. *Insulation.* The insulation of voters from the threat of coercion in order to vote their free preference generally exists in Russia. Occasional accusations of intimidation – particularly in more overtly authoritarian regions – are heard, but such is the case in more democratic systems too.
6. *Integrity.* Once voting has been conducted, fair counting is required. A good deal of evidence, in this paper and elsewhere, points to falsification in this regard as playing an important role in electoral manipulation in Russia (Levy 2009, Myagkov *et al.* 2009, Mitrokhin 2009).
7. *Irreversibility.* The consequence of elections should be that those elected exercise the power to which they are entitled. Such is broadly the case in Russia, although some would argue that the existence of the ‘tandem’ of President Medvedev and Prime Minister Putin curtailed the freedom of the former to exercise the full range of powers granted to Russia’s president.

#### **Party responses to electoral manipulation**

The regional elections of October 2009 usefully illuminate the different ways in which Russia’s parties relate to elections, depending on whether a party is oppositional, semi-oppositional, or part of the regime. As noted above, the overarching motivation in the election process for the regime, and so for the United Russia party, remains the retention of power. The process of election both confers legitimacy – to the extent that such legitimacy is not undermined by perceptions of electoral manipulation – and facilitates a degree of mobilisation and communication with the electorate. Taking as given the fact that United Russia and individuals with its support win elections, and accepting that legitimacy represents a central goal of the electoral process, the obvious question often asked is why then does the regime appear to engage in a level of electoral manipulation sufficient to undermine the perceived legitimacy of the electoral process itself?

Three explanations suggest themselves.

- First, the accepted notion that United Russia and the Putin-Medvedev tandem enjoy sufficient popularity to win an election without resorting to illegitimate manipulation is contingent, and stems in the first place from the control which they enjoy over the electoral system and beyond. That control creates and sustains their popular and media support. To let it slip risks revealing a tear in the fabric of the regime which can only worsen. As soon as the notion that the regime no longer has a political monopoly gains some credence, then serious players, at regional level or in business, might begin to think in terms of backing other options too. Such

an approach explains to some extent the consistent insistence on unity within the Putin-Medvedev tandem, as the existence of genuine choice affecting the direction of the country brings with it the potential of undermining the regime.

- Second, and related, Vladimir Putin's fear of 'Ukrainisation' (Bratersky and Abdullaev 2010) confirms a long-standing commitment to stability as the Kremlin's highest political goal, far more important than democracy (Bacon 2012). A trade-off then exists between hiding overt illegitimate electoral manipulation in order to enhance legitimacy, and allowing some such activity to be revealed in order to demonstrate the regime's ability to control. The regional elections of October 2009 represented a diminution of the regime's democratic legitimacy, in that they undermined the notion that Russian democracy involves free and fair elections. At the same time though, they reinforced the notion that the regime represents the only sure route to power. The reactions of the parliamentary opposition, in walking out of the Duma, and of the President, in making mollifying gestures, indicate that the balance in this case swung too far in the direction of overt manipulation.
- Third, a structural explanation commends itself with regard to regional elections in particular; in October 2009, regional authorities, knowing that their positions depend for the most part on the President, the Prime Minister, and United Russia's federal leadership, proved overcautious in ensuring the 'correct result' and 'sort of overdid it' (Itar-Tass 2009). In this explanation, since the Kremlin manipulates rather than micro-managing election results, it relies on the competence of the regional authorities in correctly reading the signals from the centre, and conducting elections which arrive at an appropriate result without resorting to overly overt fraud.

The response of opposition parties to the degree of electoral manipulation apparent in Russia's electoral system is likewise highlighted by the regional elections of October 2009. For those parties with representation in the Duma – termed 'semi-opposition' by some observers – the enactment of a parliamentary *démarche* in particular demonstrates their nuanced relationship with the regime. On the one hand, taking part in the elections, although they know they have no chance of winning real power, brings access to the federal and local parliaments, a degree of closeness to the regime – as demonstrated by the President's relatively swift meeting with these party leaders at their request after the disputed elections in October 2009 – and the attendant privileges which accompany such status. None of these factors should undermine the genuine policy differences which these parties have with United Russia on occasion, and indeed from the regime's point of view it is an essential element of the political system's design that 'within system' opposition retains a degree of independence in order to retain a degree of integrity. To that end, the walk out from

parliament served a purpose for the parties which walked out *and* for the regime. For the Communists, Just Russia and the Liberal Democrats it represented a protest not only at unfair elections – after all, they are hardly new – but at unfair elections going so far as to undermine the rules of the game. If elections are so unfair as to deny these parties almost any representation, then the benefits of remaining within the system disappear. For the regime, the *démarche* – although unlikely to have been a desired outcome – posed no serious threat and was easily resolved without giving in to any demands. At the same time, it served the purpose of enabling the regime to claim that a genuine opposition, prepared to stand up for its rights, existed within Russia's electoral system.

The question of why opposition parties outside the Duma engage with an electoral process which they see as flawed is less easy to answer. On occasion, for example before the presidential election which saw Medvedev come to power in 2008, such parties as the Union of Right Forces have called for an election boycott. Nonetheless, there remains a broad commitment to participation in the electoral process amongst parties such as Yabloko, Right Cause, and the Party of People's Freedom 'For Russia without Arbitrariness and Corruption' (the latter created in December 2010 by four leading extra-systemic opposition groups with the specific aim of gaining access to elections). Again, three reasons suggest themselves for such participation in a flawed process. First, the fact of electoral manipulation provides an opportunity for opposition to deligitimise the regime, as happened after the October 2009 and December 2011 elections. Drawing on elections' centrality to the regime's legitimation strategy, convincing cases of illegitimate manipulation serve to undermine legitimacy and increase popular discontent. Second, regional elections in particular allow more potential for access to power than do elections at federal level. It remains possible that such parties gain representation at regional level, especially if plans to reduce the threshold are introduced nationwide. The third reason for opposition parties which are currently outside the system to compete in flawed elections applies, to some extent, to the 'within system' opposition parties too. It is the notion that, notwithstanding the apparent strength of the current regime, the possibility of regime collapse always remains, however remote it may seem. The political culture of contemporary Russia is shaped not just by the experience of the Soviet years, but also – and strongly – by the experience of the sudden collapse of the apparently impregnable Soviet state. Echoes of this experience can be heard in the emphatic commitment to stability of the Putin-Medvedev regime, and remain too in the commitment of opposition forces to stay in the game, holding their place should similar events occur in future.

## Conclusion

However remote, the possibility of regime collapse remains one of several potential future pathways for the development of Russia's political system. A further three broad future pathways for Russia's political system remain possible. First, a continuation of the current system of electoral authoritarianism. For all the regime's avowed commitment to stability, a number of potential destabilising factors exist in electorally authoritarian systems. As the *démarche* of 2009 demonstrated, the balance between acquiescence and protest on the part of opposition parties is delicate. Former Soviet president Mikhail Gorbachev noted that 'if even such disciplined, cautious people, who are so close to power, decided to issue a *démarche*, that means confidence in the political institution of elections is completely lost' (Gorbachev 2009). Elections without real substance undermine too their function as a means of communication between rulers and people. A poll for the Levada polling agency showed that only 28 per cent of respondents even knew that elections had been held in their regions in October 2009 (Interfax News Agency 2009). Too blatant illegitimate manipulation may also lead to the sort of street protests which encapsulate Prime Minister Putin's fear of 'Ukrainisation'. This is what occurred in Moscow in December 2011. At this juncture a further broad pathway for the development of Russia's political system – a more overtly authoritarian turn – also becomes an option, though to take that route and abandon even a formal commitment to democracy is not an option that the current regime has so far seemed ready to choose.

President Medvedev opted, at the State Council meeting of January 2010, to address opposition complaints about the October 2009 elections in the broader context of the development of the political system. Little of substance came from the State Council and the regional elections of March 2010 produced results in line with Medvedev's stated desire that regional legislatures should have members from more than two parties. But what of the longer term? President Medvedev has written of his hopes for a political system which will be:

'extremely open, flexible, and internally complex ... As in the majority of democratic states, the leaders in the political struggle will be parliamentary parties that periodically replace each other in power. Parties and coalitions will form the federal and regional organs of executive power (not the other way around) and nominate candidates for the post of head of state and regional and local government leaders. They will have long experience of civilized political competition. And of responsible and meaningful interaction with voters, of interparty cooperation ... The political system will be updated and improved in the course of free competition among open political associations' (Medvedev 2009)



Medvedev's long-term vision represents a final possible future pathway for Russia's political system – namely a return to an active transition to democracy. Such a pathway is less likely to be taken in the short term, but were it eventually to be essayed, then the persistence with the electoral process on the part of opposition parties may well pay off in the long-term.

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FIGURE 1

THE MULTI-LEVEL GAME OF RUSSIA'S REGIONAL ELECTIONS, OCTOBER 2009

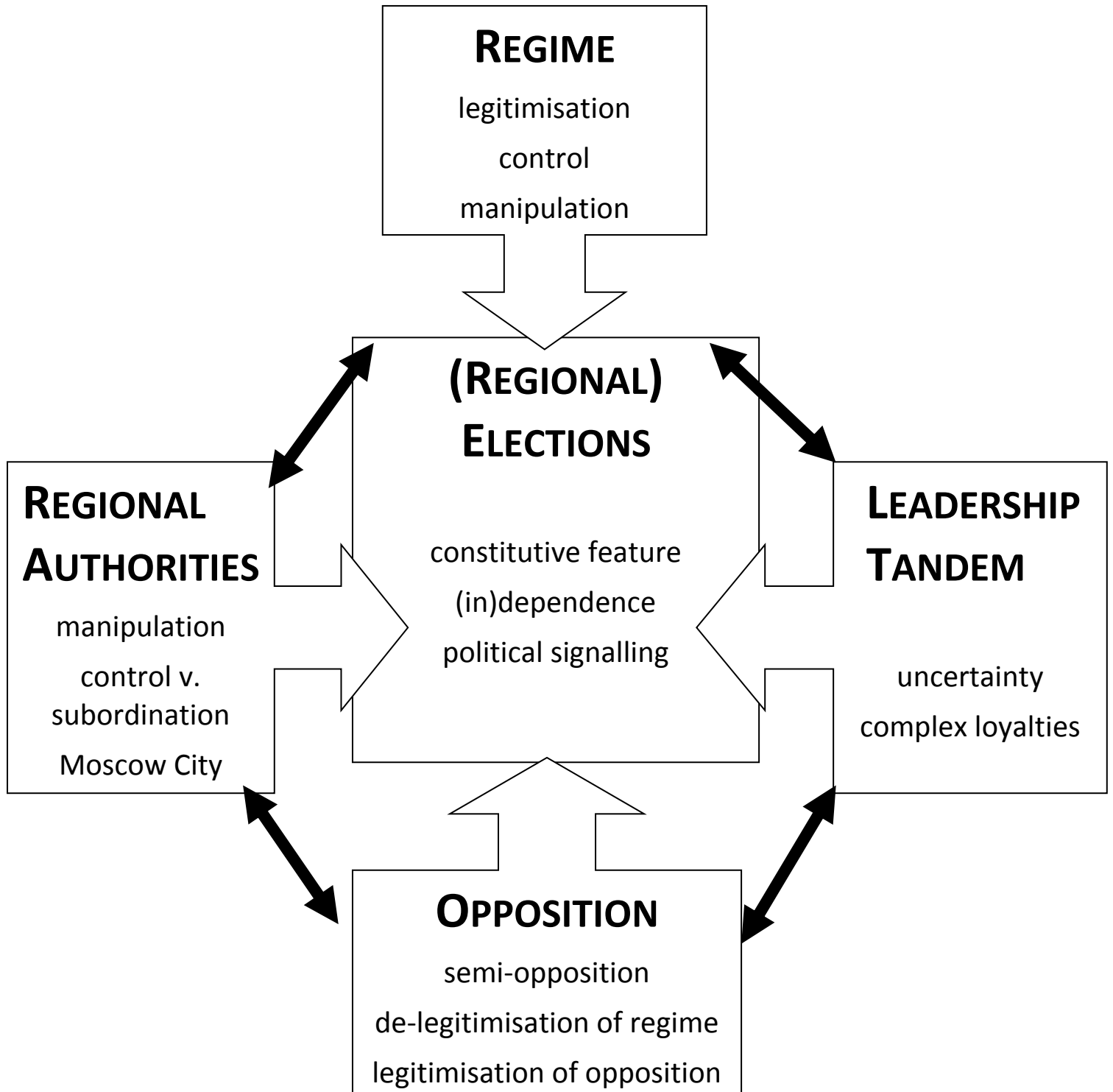
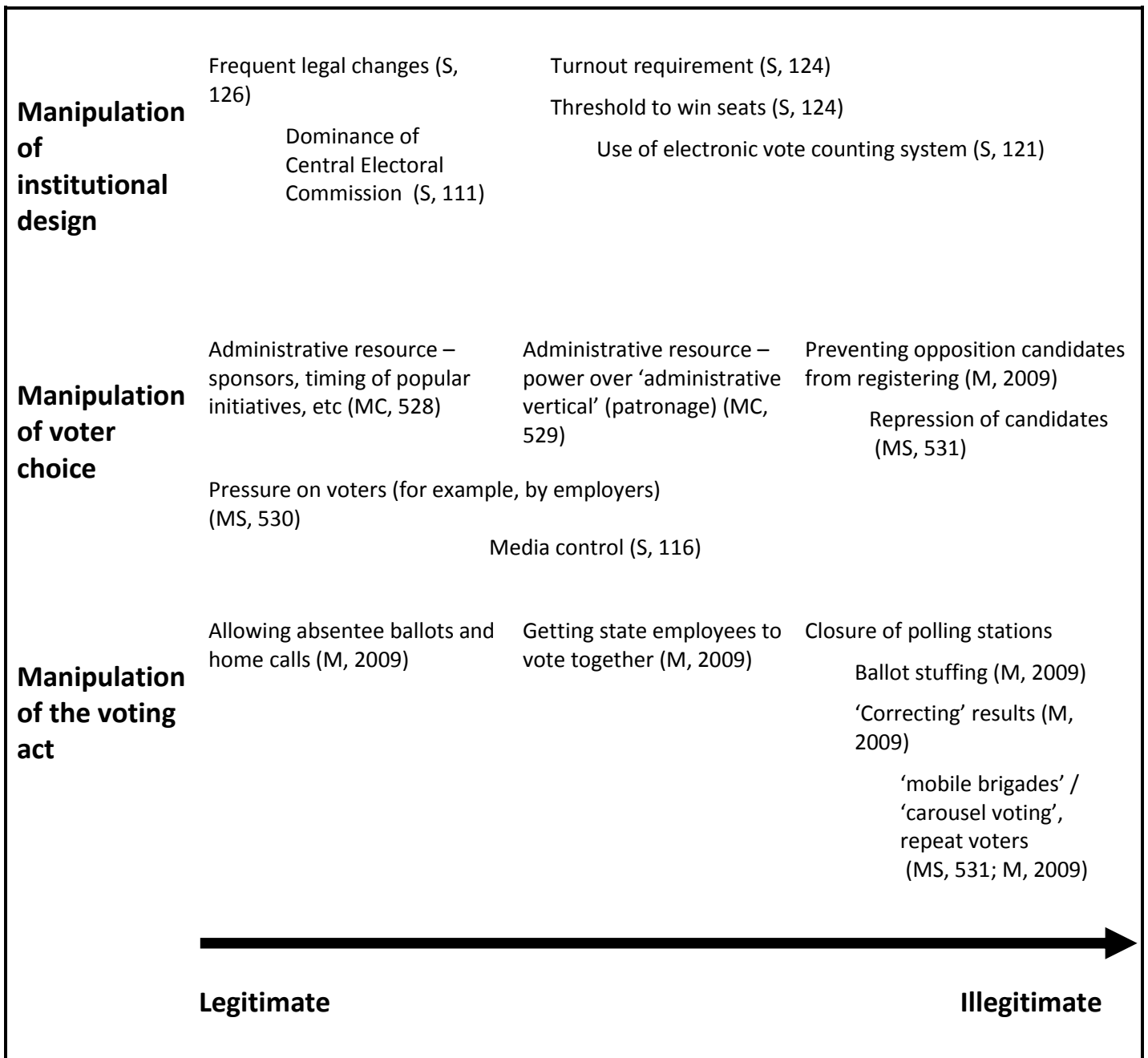


FIGURE 2

TYPOLOGY OF ELECTORAL MANIPULATION IN RUSSIA



‘MS + page number’ refers to Malkin and Suchkov, 2008. ‘S + page number’ refers to Smirnov, 2008. ‘M, 2009’ refers to Mitrokhin, 2009.

FIGURE 3

AVERAGE MONTHLY NUMBER OF ARTICLES MENTIONING 'FALSIFICATION' AND 'ELECTIONS' TOGETHER IN THE EASTVIEW DATABASE OF RUSSIAN NEWSPAPERS, 1999-DECEMBER 2011.

