Chapter Four

The Parliament
The evolution and growth of the institution of parliament in Russia differed very much from its western counterpart in the sense it encountered generic and pervasive issues in parliamentary organization and functioning. Representative and decision-making legislatures as opposed to Royal Councils or the inert and decorative bodies of the communist rule faced the twin tasks of expressing as well as resolving policy disagreements. In a rule of law state, parliaments and also executives are bound by clear and accepted rules of procedure both internally and externally. Parliamentary rules and procedures reflect the decision-making rules of democratic elections: disagreements are expressed in a manner that can be resolved through a voting process. This particular chapter aims at providing a detailed examination of how the newly democratized parliament of Russia, only recently emerged from the communist garb, is facing the enduring challenge of rules of development. All democracies and legislatures face the task of developing rules of procedure which can be regarded and accepted both by citizens and political elites as reasonable.

Democracy legitimizes political conflict and invites opposition. As a result, a viable democratic system demands procedural certainty to assure individual commitment to the system. Political actors must have confidence that conflict resolution is regularized; that all actors have access to the same information about how the system operates and how they can
work through it to obtain political objective. In established democracies, parliamentary institutions are crucial mechanisms of conflict resolution. The legislature provides the means for direct representation of popular demands in government and the reconciliation of these demands when they come into conflict. Equally important, the legislature provides a forum to incorporate local interests into national policy formulation. The development of stable legislatures is a crucial element in the process of political pluralism. Legislatures are a recruiting ground for emerging political elite. The legislature can also serve as an institution through which societal groups form coalitions to promote or frustrate social action and change, channel or harness dissent and challenge or reinforce regime legitimation.¹

When Boris Yeltsin abolished Russia’s parliamentary system in September 1993, not only did he change rules of game of democratic consolidation, but also put an end to the game altogether. With the adoption of a new constitution on 12 December 1993, new rules have been established and new institutions have emerged accordingly. Not surprisingly, the new rules strongly favoured President Yeltsin, the man responsible for drafting them. In many ways this chapter attempts to conduct a political autopsy of the circumstances under which the legislative

¹ See Uri Ra’anan, Keith Arms and Kate Martin eds., Russian Pluralism, Now Irreversible? (New York: Saint Martin’s Press, 1992), p.27.
organ emerged in the Russian Federation. Comparatively it would help us learn about the conditions that contributed to the emergence and maintenance of democratic political institutions. The aim of this chapter is to contribute to the knowledge of the process by which stable democratic parliaments develop. The Russian experience offers an unusual opportunity to understand the processes that underlined the consolidation of democratic institutions. This chapter has two purposes: to develop a framework of analysis for understanding legislative institutionalization in Russia and to set the stage for the description of the main phases of Russian parliamentary development from 1990–93.

- The Role of Parliament in Democratization

As Russia and several countries of Eastern Europe are heading towards democratization of the system, it is necessary to establish the place of parliaments in the study of democracy. Legislatures perform a number of functions crucial to democratic systems. Among these are: policy making activities (agenda setting, deliberation, adoption and oversight), representational activities, maintenance functions etc.² How these functions are carried out by legislatures varies considerably and legislatures can be classified accordingly. However, what is common to all democratic legislatures is that all legislatures are designed to articulate citizen

preferences in making decisions. Legislatures are single most important representative institutions in a democratic system. As David Olson and Michael Mezey put it:

The legislature, more than any other political institution, stands at the confluence of democratic theory and democratic practice. From the point of view of democratic theory, then, it seems clear that legislatures are a crucial element in democratic political systems in so far as they serve as the principal link between what governmental institutions do and what people want them to do. However, this should not lead us to the conclusion that important legislative institutions are limited to countries where democracy is already established. They may also be critical to the process of a state becoming democratic. Also, not all the legislatures perform their tasks well. As Robert Putnam has shown it is not enough for democratic institutions to be responsive, they must also be effective.

This observation is very much relevant to the understanding of the development of legislature in post-Soviet Russia. In Russia, electoral mechanism for broad participation were introduced much before stable

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institutions were established, a problem which is referred to as "sequencing". Levels of political participation were quite high, but the capacity of the legislative system to process participation was not adequate enough. The parliament of the post-Soviet Russia has faced many problems that have long been resolved in established parliamentary systems. Among those identified by David Olson are: lack of governmental experience, fragmented parties, constitutional ambiguities, the absence of committee system etc. The difficulties are compounded by problems of economic restructuring. The problem at Russian institutional front is that of "institutionalization" or the "concept of stability of institutions". Although, in Russia, some liberal democratic institutions have started to evolve, these institutions lack the institutional stability and institutional capacity. Institutionalization is the most important factor in democratic consolidation especially in countries seeking to introduce structural economic reform under democratic conditions. To quote Lary Diamond:

In fact, a stronger and broader generalization appears warranted: the single most important and urgent factor in the consolidation of democracy is not civil society but political institutionalization. Consolidation is the process by which democracy becomes so broadly and profoundly legitimate among its citizens that it is very unlikely to break down. It involves behavioural and institutional changes that normalize democratic politics and narrows its uncertainty. This normalization requires expansion of citizen access, development of democratic citizenship and culture, broadening of leadership recruitment, training and other functions
that civil society performs. But most of all and most urgently, it requires political participation. Against the background of this theoretical observation on the role of parliament in democratization, we will take-up a discussion on the parliamentary institutions in Russia in the following pages. But before that in this section, we will trace the development of parliamentary system in the Soviet period.

I. RUSSIA'S LIMITED PARLIAMENTARY EXPERIENCE

Russian historical tradition has been overwhelmingly authoritarian. The Tsars ruled as absolute monarchs without constitutional restraint till 1905. There was, however, some limited parliamentary experience. In 1864, following the emancipation of serfs, Tsar Alexander II begun a system of popularly elected local and provincial legislatures, called Zemstvos which concerned themselves primarily with socio-economic affairs.

The Zemstvos became an arena of political activists seeking to further democratize Russia and as a result nascent political parties emerged. The reactionary Alexander III did his best to truncate the

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Towards the end of the century. But as a result of the revolution of 1905, Tsar Nicolas II was forced to abandon autocracy, grant a constitution and accept a popularly elected national legislature called the government, thus enhancing the regime’s political legitimacy.

The word “Soviet” is an old Russian word meaning ‘council’. During the revolutions of 1905 and 1917, councils (Soviets) of the workers and soldiers’ deputies sprang up and became key elements of revolutionary process. In 1917, the Bolsheviks and their allies eventually gained a majority in the Soviets and overthrew the provisional government using the slogan ‘All powers to the Soviets’. They renamed the country Russian Soviet Federated Socialist Republic (RSFSR), popularly known as Soviet Russia. In 1922, RSFSR formed a federation with Ukraine, Bylorussia and the three-transcaucasian states of Armenia, Georgia and Azerbaijan, thereby called the Union of Soviet Socialist Republics (USSR). The national legislature, nominally the highest organ of state power, was called the ‘Supreme Soviet’. The restructured and updated Supreme Soviet of 1989 bore some structural resemblance to its predecessors but the differences were far greater than the similarities.

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7 See ibid., p.52.
(i) The Old Soviet System

The constitution of Russia, although much amended, had been adopted in 1978 when it was common practice for constitutions in all the constituent republics of the USSR to replicate that of the Soviet Union itself. On paper, this constitution provided for a strong parliamentary system. At the national level, parliament was called the ‘Supreme Soviet’ and was identified as ‘the highest institution of state power in the USSR’ (Article 108). Deputies to this parliament were elected for five years on the basis of universal suffrage. The government, called the Council of Ministers and headed by the functional equivalent of a Prime Minister, was elected by and (in theory) accountable to the parliamentary body.

Despite the considerable formal powers accorded to the Supreme Soviet, it was not a decision making body. Consisting of 1,500 representatives, it met twice a year for few days and unanimously ratified whatever legislation was placed before it. Real power to make decisions rested with the leadership of the CPSU, which oversaw the implementation of its policies by an elaborate state bureaucracy. The CPSU’s monopoly of decision making power was ensured not only because of its claim to be the only legitimate “directing force of Soviet society” (Article 6), but because

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8 The detailed structure of the old parliament has already been discussed in Chapter 1.
no one could be nominated to the legislature without at least the tacit approval of the party organization.\(^9\)

This system of ‘Soviet’ rule extended from national level down to the smallest village. All Soviets below the national and republican level were called ‘local’ Soviets. Their structure and functional relationships paralleled those at the national level. Deputies to village, city and provincial Soviets were elected from single member districts for two-and-a-half years. From among their members they chose an executive committee, headed by a chair, whose job was to administer local affairs. The executive, however, was subject to the principle of ‘dual subordination’. Although formally accountable to the legislative council that elected it, members of the executive branch were also responsible for implementing policies from the central ministries. The Soviets were controlled by their executive committees, while those on the executive committees from bottom to top were answerable to the corresponding party secretary to whom they owed their positions. In this way an unbreakable ‘circular system of power’ was created with ultimate power located in the hands of the CPSU General Secretary.\(^{10}\)

\(^9\) See Hahn, n.3, p.4
\(^{10}\) See ibid., p.14.
The very stability of the old system made it resistant to change. After all those with a vested interest in preserving the status quo had the least incentive for changing it. The result was economic stagnation. It was in order to undermine the resistance of the party-state bureaucracy to economic reform that Gorbachev proposed his momentous reforms of the Soviet political system in the 19th Conference of the CPSU in June 1988. In mid-1988, at the extraordinary Nineteenth Party Conference, Gorbachev presented an elaborate set of radical proposals to restructure and upgrade the legislative branch. The main thrust of the proposals was to create a democratically elected legislature vested with real executive authority. The creation of a new two-tier legislative system at the Nineteenth Party Conference in 1988 signalled a major overhaul of the way in which policy and legislation were made in the Soviet Union. The new legislative reforms provided for USSR Congress of People's Deputies consisting of 2,250 deputies who would be elected as follows:

- 750 deputies from territorial constituencies with an equal number of voters;

- 750 deputies from national - territorial constituencies in accordance with the following norms: 32 deputies from each Union Republics, 11 deputies from each Autonomous Republics, 5 deputies from each Autonomous Oblast and 1 deputy from each Autonomous Okrug.

- 750 deputies from all Union social organizations in accordance with the norms laid down by the USSR Law on deputies.
Article 108 of the amended constitution declared the USSR Congress of People’s Deputies as the higher body of state authority and empowered it with electing the Supreme Soviet – standing, legislative, administrative and monitoring body of USSR state authority. The Supreme Soviet consisted of two chambers, the Soviet of the Union and the Soviet of Nationalities (see Figure 1.3). However, in stead of unifying the Soviet people behind reform, the new parliamentary bodies became symbols of the failure of Perestroika and the fragmentation of the Soviet Union. By the time of the August coup of 1991, the Congress of People’s Deputies and Supreme Soviet were lame duck parliaments. They had been superseded by the creation of an executive presidential post by and for Gorbachev in the spring of 1990 and by the more dramatically elected and authoritative legislatures of the Union Republics.

With respect to reshaping Soviet governmental institutions three reforms held particular importance: competitive elections, accountability of the executive branch and a rule of law based on an independent judiciary. These reforms were implemented on the national level in 1989 and below in 1990. How they affected other areas of politics has been touched already. What is of interest here is what they meant for the legislative branch of the Russian Republic.

**CONGRESS OF PEOPLE'S DEPUTIES (CPD)**

2,250 members elected by popular vote every 5 years: 750 from population-based electoral districts; 750 from administrative districts; 750 from national public organizations. The CPD elects the Supreme Soviet and its Chairman, and approves the state plan and budget and constitutional amendments.

**USSR SUPREME SOVIET**

Chairman, Anatolii Luk'ianov

542 members elected from the CPD by secret ballot. Divided into two Councils, scheduled to meet in the spring and fall for sessions of 3-4 months. Supreme Soviet enacts legislation, approves top government appointments, adopts national budget and state economic plans, ratifies treaties, approves declaration of international emergency situations, authorizes use of armed forces abroad, declares war. Up to one-fifth of members can be replaced annually.

**PRESIDIOUM OF THE USSR SUPREME SOVIET**

Composed of the Supreme Soviet leadership (Chairman, chairmen and deputy chairmen of both Councils, committee/commission chairmen, representatives from each of the 15 union republics plus 3 representatives of autonomous republics, oblasts, and okrugs. Prepares agenda and organizes work of CPD & Supreme Soviet, coordinates commissions and committees, and organizes nationwide discussion of USSR draft laws.

**SECRETARIAT**

- **Council of the Union**
  271 members based on equal population districts. Responsible for national issues: economy, legal rights, foreign policy, and national security

- **Council of Nationalities**
  271 members based on administrative regions. Responsible for federal and interethnic issues

- **Commissions**

- **Ethics Commission**

- **Procedures Commission**

**JOINT COMMITTEES OF THE USSR SUPREME SOVIET**

Responsible for oversight of ministries, initial confirmation of top appointments. Half of members are drawn from the Supreme Soviet, half from other CPD members.

- Agrarian and Food
- Construction and Architecture
- Defense and State Security
- Ecology and the Rational Use of National Resources
- Economic Reform
- Glasnost and Citizens Rights and Appeals
- Health
- International Affairs
- Internationalist Servicemen's Affairs
- Law and Order and Battle Against Crime
- Legislation
- Science, Education, Culture and Upbringing
- Soviet of People's Deputies and Management and self-management
- Development
- Veteran and Invalid Affairs
- Women's Affairs and Family, Mother, and Child Protection
- Youth Affairs

II. INSTITUTION OF PARLIAMENT IN RUSSIA

Of the many changes made in the Soviet political system since 1985, one of the most important is the restructuring and upgrading of the legislative branch of government. In Russia, the legislative branch has been transformed from a ceremonial entity into a system of popularly elected assemblies with real legislative authority. Again, under the Yeltsin Constitution of 1993, the legislature was reduced to a virtual non-entity in comparison to the executive institution. The legislative system is at the centre of much of democratization in post-Soviet Russia. The success and sustainability of democratization and free market reform hinges in substantive part, on the effectiveness of popularly elected representative government i.e. the legislative branch. The present section attempts at outlining the evolution of the institution of legislature in Russia, particularly in the backdrop of the promulgation of the presidential draft in 1993. However, in order to place the discussion in proper perspective it would be logical here to trace the development of legislative institution in the transitional period.

A transitional period in Russian legislative institutions began in 1990 with the creation of a 1,068-member Congress of People’s Deputies and the 252 member Supreme Soviet, which was drawn from the Congress. These institutions were created by amending the 1979 Russian
Constitution. The deputies were selected for five year terms by direct popular election in March 1990, and convened as the Congress of People’s Deputies nine times between May 1990 and March 1993. The Supreme Soviet served as the working legislature. The Congress could reverse or direct the decisions of the smaller Supreme Soviet but the Congress met for only a few days each year and seldom delved into the details of everyday legislation.

The Supreme Soviet was bicameral – each chamber had 126 deputies – but not in the usual sense. In fact, the legislative process of the Supreme Soviet might be described as ‘collapsed bicameralism’. Most of the Supreme Soviet’s work was done in joint session and most of the details of legislation were devised in joint committees. The two houses were led by a single Presidium, or Executive Committee, which was headed by a Chairman who was known informally as the ‘speaker’. The Presidium, comprising the committee chairs, devised the floor agenda, assigned legislation to committees, hired the staff of a large central apparatus, and made a number of decisions in the name of the Supreme Soviet. The Chairman presided over both the Congress and the Supreme Soviet. Succeeding Boris Yeltsin as Chairman after Yeltsin’s election as President, Ruslan Khasbulatov eventually came to use the resources of the chairmanship to centralise power within the Supreme Soviet and use that power on behalf of the conservative bloc of Communists and Agrarians.
In the meantime, the old constitution was amended further in 1991 to provide for a separate, directly elected President. Boris Yeltsin was elected President in June of that year. But the constitution left quite ambiguous the distribution of government power between Congress and the President. Although the new constitutional provisions explicitly declared a separation of powers system, they also left in place the traditional Soviet-era precept that the legislature could decide any matter under the jurisdiction of the Russian Federation. The mixed provisions of the amended constitution, combined with the opposition majority that materialised after the demise of the Soviet Union, gave Yeltsin's opponents a means to block the President on any issue including the reforms. The main point to be made here is that the dominant institution of Russian political system set up in 1990 was the legislature as before. But the difference between it and the old Soviet system was that those elected owed their positions to their constituencies and not to the party.12

Thus, the legislative system changed when Gorbachev launched his political reforms in the late 1980's. But the liberalization of politics under Gorbachev had unanticipated consequences for the republics. Not only did it divide defenders of the old order and radical democrats, but it allowed coalitions of democratic and bureaucratic nationalists in the republics, including Russia, to mobilise support around demands for national independence. Gorbachev's programme of political liberalization culminated in the elections of deputies to new – all union, republican and

12 See Hahn, n.3, p.15.
local Soviets. These elections stimulated the mobilization of the new political forces. Generally led by the democratic intelligentsia and often expounding a mixture of national and liberal values, these forces then became part of an expanded political arena.\textsuperscript{13} This pattern was vividly represented by the meteoric rise of Boris Yeltsin, whom Gorbachev had removed from the position of Moscow city party leader in October 1987 and soon afterward from the Politburo. Yeltsin came to champion the democratic cause, leading populist opposition to the power and privileges of the party apparatus and successfully positioning himself as its victim. Yeltsin rode the electoral wane through a remarkable series of political victories in 1989-91 when he won a landslide victory in 1989 elections, receiving 89.4 per cent of the popular vote in the race for Moscow’s large seat in the new USSR Congress of People’s Deputies. The following year Yeltsin won a seat as well in the Russian Congress winning with 80 per cent of the vote against six candidates. Having become the titular head of the democratic and anti-union forces, Yeltsin then was narrowly elected Chairman of Russia’s Supreme Soviet.\textsuperscript{14}

The results of the election in terms of the political composition of the new parliamentary bodies was mixed. In the Russian Congress of People’s Deputies, it was divided fairly evenly between deputies associated with the “conservative” wing of the CPSU and those supported by the


\textsuperscript{14} See ibid., p.64.
democratic movement, with each holding about 40 per cent of the seats and the balance held by independents.\textsuperscript{15} The democratic movement had just enough cohesion to obtain the votes needed to narrowly elect Boris Yeltsin as Chairman of the Supreme Soviet at the first session of the Russian Congress of People’s Deputies held in May–June 1990. At the local level, democratic movement candidates scored dramatic wins in the city Soviets of Moscow and Leningrad; but fared much less well elsewhere. Broadly speaking, they found themselves in sizeable minorities or even a rare majority in provincial cities. But in the provincial legislatures, which were comprised of rural as well as urban constituencies, they found themselves badly outnumbered by candidates backed by regional communist party organization. The result of these findings in elections were crucial, for, they set in motion the dynamics of conflict between Yeltsin and parliament that ended in the destruction of the first Russian Republic.\textsuperscript{16} The ‘conservative’ political composition of Russia’s new legislatures all but ensured that they would become the bastion of institutional opposition to Yeltsin’s radical economic reforms.

In Russia, the legislature became the focus of conflicting demands from both society and political elites as the processes of democratization


\textsuperscript{16} See Hahn, n.3, p.16.
and marketization continued. Before its dissolution in the fall of 1993, the Congress of People's Deputies had the power to enact new constitutional control over spending and formulating policy. Thus, it was responsible for redistributing political and economic property rights in accordance with democratic and market relationships. In essence, the success or failure of reform hinged on the ability of the legislature to establish a system of government institutions that were able to force compliance with the new property rights at the elite and the lower social levels within the bounds of the constitution. This, in turn, required a majority consensus on principles within the parliament that would provide a basis for bargaining over critical details.

- 1991-93

Between its inception in spring 1990 and its catastrophic demise in the fall of 1993, the Russian legislature underwent an extraordinary transformation. Having elected Boris Yeltsin Chairman of the Supreme Soviet by a slim margin at the Congress in May/June 1990, the leadership of the Supreme Soviet had been taken over by its most conservative elements. Virtually no liberal committee chairs remained in office. The confrontation between Parliament and President over President's powers brought about a protracted constitutional crisis, which Yeltsin persistently sought to resolve by extra-constitutional means, such as forcing a national referendum on a new constitution and assuming extraordinary powers
himself. Although the parliamentary leadership opposed Yeltsin's constitutional plans, its confrontational stance made the deputies neither popular nor powerful. The culmination of the crisis occurred in September 1993, when Yeltsin decreed the dissolution of parliament, stripped all one thousand deputies of their powers and called for new parliamentary elections. A better understanding of the radical shift in the political balance within the parliament will shed some light on the evolution of Russian democratic institutions in the post-communist period. The case also illustrates the dynamics of the development of young representative institutions in a highly turbulent environment.

Three explanations are commonly offered for the deputies' turn from support to opposition towards Yeltsin and reform:

1. Many Deputies, and specially their Chairman Khasbulatov, claimed that in resisting Yeltsin, they were defending a society suffering from the effects of a misguided, radical economic experiment and a gathering presidential dictatorship. Shock therapy had led to severe recession and a breakdown of the social order, so the Deputies were faithfully defending the interests of the voters in fighting Yeltsin.

2. A second theory argued that the legislative system was flawed from the beginning by the use of the peculiar two tiered structure that Gorbachev devised for the Union legislature and more generally by the continuity of old Soviet forms into the post-communist period. As Yeltsin put it in his opening address to the Constituent Assembly in June: "Soviets are incompatible with democracy". Therefore, the problem was structural and the solution was new and internally consistent constitution.

3. A third view attributes the confrontation to the make up of the Deputies elected in 1990. The Deputies were said to be dominated by members of the old Nomenclatura, who had succeed in winning a far larger
presence in the Congress than their actual popular support would justify who had used it ever since to fight reform.\textsuperscript{17}

The parliamentary leadership depicted itself as the real democrats, in contrast to the corrupt, power seeking and misguided officials around Yeltsin. The deputies viewed that the presidential coterie was using dictatorial methods because their policies were profoundly anti-popular. As Khasbulatov put it in a speech on 1 June 1993:

Having realized the utter bankruptcy of shock therapy, its authors naturally are trying to escape discussion of these problems, the hasty railroading through a new constitution has its goal, first of all to dump the entire blame for the breakdown on the Soviets, above all, on the representative branch, on the Supreme Soviet, on the Congress, declaring them of course, yet another enemy of the people: and second, to free itself from a genuinely independent representative organ of power, which in accord with its constitutional principles and statutes can demand a stern accounting from the reformers and how could it be any way?\textsuperscript{18}

In September 1993, Yeltsin did use unconstitutional methods in dissolving parliament. The shelling of the parliament building in October 1993 confirmed the impression many observers had of Yeltsin as a leader willing to use any means to achieve his aims and display his power.

Another line of argument emphasizes the effects of the peculiar organization of legislative system. Derived from the Leninist theory of Soviets, as modified when Gorbachev proposed a new parliamentary

\textsuperscript{17} Thomas F. Remington, “The End of Soviet Parliamentarism” in Hahn, n.3, pp.106-139.

\textsuperscript{18} Khasbulatov, text distributed at the Conference of Local Soviet Deputies, (Moscow: Parliamentary Centre, June 1993).
system for the Union, the Russian legislative structure was widely faulted for its internal inconsistency. A representative opinion was voiced by the legal scholar Avgust Mishin:

The Congress system headed by a chairman was flawed from the very beginning. This was demonstrated by the sad experience of the analogous system in the former Soviet Union. We need ‘parliamentarism’, where a system of checks and balances work effectively. The current three headed Parliament, Congress, Supreme Soviet, Presidium of the Supreme Soviet is incapable of working constructively and it is impossible to reform or improve it. It is necessary to liquidate the Congress, Presidium of the Supreme Soviet and of course, the ridiculous and dangerous job of quasi-president – chairman of the Supreme Soviet.\(^{19}\)

The original design featuring the Congress, the Supreme Soviet and the Presidium was a model developed by a group of legal experts during the 1988 as part of the package of constitutional reforms that Gorbachev presented to the 19\(^{th}\) Party Conference. Quite clearly it was a compromise between radical, conservative positions that met the party leadership’s objective of balancing representation with executive dominance of the legislative branch. It restored certain traditional elements of the Soviet state framework, such as the separation between outer and inner Parliaments from the 1918 constitution and preserved elements of Presidium and bicameralism first introduced in 1924 constitution and retained through the Gorbachev period. However, the changes in the legislative structure in 1990 injected parliamentary elements into an older Leninist model of Soviet power. The Soviet model possessed other properties that proved to

be problematic when representative institutions were actually called upon to exercise law-making power. The practice of Soviet power differed both from 'parliamentarism' in that it did not operate with competitive government and opposition parties seeking to gain control of the executive by acquiring a majority of seats and separation of powers (USA) where government is formed independently of parliament. Yet elements of all three models were reflected in the 1990-93 constitutional system, facilitating conflict and crisis between the President and the legislature. Parliamentary leadership continued its dominance of the Presidium to manipulate the agenda and the proceedings of the Supreme Soviet and Congresses and defend the corporate interests of the Deputies.

As professor Mishin indicated, the Chairman of the parliament was the chief executive official of the state until the presidency was created. Yet when establishing a presidency to oversee the executive branch neither the union nor the Russian Deputies modified the constitutional status and powers of the Presidium or the Chairmanship of the Supreme Soviet. The Chairman of the parliament retained certain vestigial powers befitting a head of the state, while the Deputies defense of the traditional rights of the Soviets to exercise both law-making and dispositive powers brought them into constant conflict with the executive branch over allocation of resources and the determination of economic policy. As Russia proceeded with the privatization of state land and productive assets, the stakes of the fight became serious. The question of ownership rights, profits from privatization of state assets became an acute point of confrontation...
between the Soviets and the executive branches at the centre and at the lower levels throughout the country. One result was that in the absence of other partisan links, the Deputies mobilized around a defense of their corporate prerogatives and formed a 'Soviet Party', while the President's supporters rallied to the defense of the executive branch and formed the equivalent of a 'Presidential Party'. In several ways, therefore, structural and inherited powers of the Russian Parliament did indeed work to promote confrontation between executive and legislative branches.

Another explanation focusing on the composition of the Congress related to the conservative mould of the deputies. According to this view, the deputies were political dinosaurs left over from the communist era, intent on pressing their privileges and status as Deputies and wrestling with Yeltsin for the control over the economy.\textsuperscript{20} They used their traditional influence in the localities to get elected despite the anti-nomenclatura mood of the electorate.

The explanations presented above for radical change in the political temper of the Russian parliamentarians over the period 1990-93 are wanting but each illuminated an aspect of the problem. In stead of a clear separation of powers, the Russian system started out using a model that gave all allocating power in the state to the Soviets. The creation of the executive presidency did not clarify the respective spheres of power over

\textsuperscript{20} Remington Thomas, "The End of Soviet Parliamentarism" in Hahn, n.3, pp.106-139.
ownership of property, control over the cabinet, powers over the local government, foreign policy and other issues. By itself the flawed constitutional structure could not explain the shifting balance of political forces within the Congress, yet surely it encouraged each side to cite constitutional backing for its own political aims. None of the explanations by itself sufficed to explain what happened but each served to complement an account focussing on the self-reinforcing effects of the change in institutional arrangements that occurred with the creation of state presidency in Russia. An equilibrium between the democrats and the opponents was further upset when Yeltsin left the legislature for the position of executive presidency. The opposition acquired an expanding share of votes in the Congress, which it used to oppose Yeltsin and his government. The chairmanship then passed to a figure who allied himself with the anti-Yeltsin opposition Khasbulatov. He could use the strategic powers of the chairmanship to reward those who supported him and force aside his opponents. Since more and more Deputies were pushed or pulled from their legislative offices and into presidential appointments, executive legislative confrontation became more and more self-reinforcing resulting in Decree 1400 of 21 September 1993 and its bloody aftermath.21

After 1991, the Russian constitutional system broke down at least twice. Following the August coup attempt, all the governing structure of

the Soviet Union, including its parliamentary institutions collapsed. The weak, manipulated Congress and Supreme Soviet of the USSR could not contain the demands of the republics for sovereign power. Its leader allied himself with the opposition to President Gorbachev’s efforts to form a new but much looser Union. Similarly, the Chairman of the Russian Congress and the Supreme Soviet allied himself with a coalition strenuously opposed to President Yeltsin’s powers and policies. The collision brought about the demise of that constitutional system. The new constitution can be viewed as the work of the Yeltsin camp. It clarified the responsibilities of the President, the government and the legislature. It provided for a dual executive (president and prime minister) and a bicameral Federal Assembly with a strong lower and weak upper chamber. How far the new constitutional arrangement and its provisions relating to the legislative institution would prove lasting than its predecessors is a question which is still premature. However, it is expected to solve some of the problems at institutional front as far as issue of political stability is concerned. In the following pages we will take up a discussion of the provisions of the 1993 constitution relating to the legislative institution.

II. THE LEGISLATIVE INSTITUTION UNDER THE CONSTITUTION OF 1993

According to the new constitution of 1993, the Parliament itself is called as the “Federation Assembly” (federal noe sobranie) and it is the
representative and the legislative body of the Russian Federation. The Federal Assembly consists of two chambers – the Council of Federation or the Federation Council and the State Duma. Both are standing legislatures (Article 99.1), thereby ending the two tier system inherited from the Gorbachev era in which a large, non-standing and unprofessional body, the Congress of People’s Deputies elected a standing legislative organ, the Supreme Soviet.

The Council of the Federation is comprised of two representatives from each of the “89 subjects of the federation” (i.e. the 66 non-ethnically defined “regions”, the twenty-one ethnically defined “republics”, plus Moscow and Saint Petersburg). Curiously, one representative will be from the “representative” organ (i.e. the legislature) and one from the 'executive' organ of power (Article 95, 2). On the other hand, the State Duma consists of 450 deputies directly elected for a term of four years. However, an appendix to the constitution specifies that the procedures for electing Deputies to the Duma are established by the federal laws. The State Duma and the Council of the Federation meet separately and the meetings are conducted by the Chairmen and the Vice-Chairmen. The Council of Federation and the State Duma form joint and standing committees and hold parliamentary hearings on questions under their jurisdiction.22

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The matters which fall under the jurisdiction of the Council of Federation are:

a. Confirming decrees of the President of the Russian Federation on the introduction of martial law;
b. Confirming border changes between members of the Russian Federation;
c. Confirming decrees on the introduction of the state of emergency;
d. Scheduling elections for the President of the Russian Federation;
e. Removing the President from the office;
f. Appointing judges of the Constitutional Court of the Russian Federation, the Supreme Court of Russia;
g. Appointing the Prosecutor General of the Russian Federation and relieving him of the duties; and
h. Appointing Vice-Chairman of the accounting office and half of the auditors.

Article 103 of the Russian constitution outlines the jurisdiction of the State Duma as follows:

a. Giving its consent to the President of the Russian Federation on the appointment of the Chairman of the government of the Russian Federation;
b. Deciding the question of confidence in the government of the Russian Federation;
c. Appointing the Chairman of the Central Bank of the Russian Federation and relieving him of his duties;
d. Appointing the Chairman of the accounting office, half of its auditors and relieving them of their duties; and
e. Bringing accusations against the President of the Russian Federation with the aim of removing him from the office.

\[23\] Article 102 of the constitution of 1993.
The Council of the Federation and the State Duma adopt resolutions on questions assigned to their jurisdiction by the constitution of the Russian (Art 105, 2). It is then sent to the Council of the Federation (105,3) and these resolutions are adopted by majority vote.

Under the new constitution, virtually all organs of states have the right of legislative initiative including the President, the Constitutional Court, the Supreme Court, the government and both houses of the Federal Assembly (Art. 104, 1). Under most circumstances, draft legislation is taken up first by the State Duma (Art 104, 2) and is approved through a simple majority vote where it again requires only majority approval (105,4). However, if the Federation Council does not vote on the bill within fourteen days, the bill is rejected. Draft laws on a few financial matters need the finding by the government of the Russian Federation. If the Council of Federation rejects a federal law passed by the State Duma, the two chambers may set up a reconciliation commission to overcome the differences. Federal laws adopted by the State Duma are subject to mandatory consideration by the Council of Federation in some questions.

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24 Draft laws on imposing or repealing taxes, on tax exemption, on floating state loans, and on changing the state's financial obligations and expenditure to be covered through federal budget may be submitted only if there is a finding by the government of the Russian Federation.

25 Questions on federal budget, federal taxes, fees, financial currency, credit regulation, emission of money, ratification and denunciation of international treaties of the Russian Federation and war and peace (Article 106) are subject to the compulsory consideration by the Council of the Federation.
Within 5 days of its adoption, a federal law is sent to the President of the Russian Federation for signing and promulgation. The President can sign it within 14 days and if not, the bill is sent for reconsideration in accordance with the procedure established by law. However, if it is repassed by a majority of the two-thirds of the total number of Council of the Federation and the State Duma deputies, it must be signed by the President within 17 days and then promulgated. Article 109 empowers the President to dissolve the State Duma in few cases and the scheduling of the new date for the elections to the new legislature.

The greatest problem of Russia’s political system during the period before the promulgation of the new constitution was legislative and executive deadlock. No surprise, then that Yeltsin’s main constitutional aim was to prevent a recurrence of the standoff between the President and the Parliament. Yeltsin did this, primarily by constitutionalizing the President’s right to legislate by decree and making the cabinet depend on presidential, not parliamentary good-will. In most of the constitutional systems, the legislative initiative and the law making power are vested in the parliament or the representative organ. But in Russia, as the legislative initiative rests with almost all branches of the government, the parliamentary weakness is quite obvious. As against the parliamentary system, where there is a democratically accountable and politically
responsible representative assembly, the constitution of 1993 provides for a strong presidential form of government.

In the Soviet parliamentary system, committees and commissions were a viable means to encourage and promote mass participation at the top most level of Soviet parliamentary system. Though formal legislative powers belonged to the legislative institutions, yet real legislative deliberations and law making tasks fell on various standing and ad-hoc committees appointed from time to time. The committee system in the Soviet parliamentary theory and practice was an important source in the functionalism of Soviet democracy as they provided an important channel for meeting the growing needs of a highly industrialised and developed Soviet society to draw upon advice and suggestions from various experts and specialists. Compositionally these standing commissions and ad-hoc committees involved as much as 70-75 per cent of the total membership of the Supreme Soviet. Basically the drafting of legislation used to be the work of these commissions.

The present constitution of Russia also makes provisions for committees for the smooth functioning of the legislature. Article 101 (3) of the constitution provides that the Council of Federation and the State Duma form joint and standing committees and hold parliamentary hearings on questions under their jurisdiction. In some respects, decision-making
processes within committees have changed little from the process typical of the Soviet as well as transitional years. But the most important similarity with past practice is the dependence on working groups and expert commission for drafting the details of legislation. 26

IV WEAKNESSES OF THE RUSSIAN LEGISLATURE

From the constitutional and practical point of view, the Russian legislature suffers from two fundamental weaknesses – structural and procedural weaknesses.

(i) Structural Weaknesses

The first Russian Federal Assembly (Parliament) was elected on 12 December 1993. Notwithstanding the unconventional birth of the Federal Assembly and the constitution itself, the first parliament convened after the adoption of the new constitution was governed by the latter’s ‘closing and transitional provisions’. After that elections to the Russian Duma have taken place smoothly. However, experience with the working of the parliament has revealed defects in some of the constitutional provisions governing its activities. The experience has disclosed some gaps in the law

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which require immediate rectification if parliamentary performance is to improve.

Grave doubts have been expressed about the effectiveness of the Russian Duma. Huber explained that the current structure of the Duma emerged when there was no consensus about the rules of the game in Russian politics. Its institutionalization remained mixed, full of contradictions and in a state of flux, making it difficult to draw clear-cut conclusions about its role in policy making.\textsuperscript{27}

The electoral law calls for half of the Duma's seats to be chosen by proportional representation and half through votes for individual candidates. This process has undermined party cohesion in that district candidates are free to associate with any faction. Moreover, it has produced mixed outcome in the promulgation of rules. Parties are unable to exercise discipline over the legislative process because the Council of the Federation and Duma Committees operate on the basis of consensus rather than majoritarian principles.

Huber pointed to the procedural weaknesses in the Duma, including the right of each faction to have at least one committee chair, even if the chair and the majority of the committee represent opposite ends of the

\textsuperscript{27} Views expressed by Bob Huber, former Vice-President of IREX, at the Kennan Institute Lecture on 16 June 1997, See Meeting Report, vol.XIV,no.18, 1997
political spectrum. The composition of the Federal Assembly is unclear. Article 95.3 sets the number of Duma Deputies at 450, the comparable provision governing the composition of the Federal Council is open-ended. Article 95.2 provides that “the Federation Council consists of two representatives from each member of the Russian Federation: one from the representative body of state power and one from the executive organs of state power.” This provision, in practice, is further obscured by the absence of rules for determining the time, place and manner of future elections to the parliament. All that the constitution says on this matter is found in Article 96.2. The procedures for forming the Council of Federation and the procedure for electing Deputies to the State Duma are established by federal laws. Because the constitution does not fix the mode of elections, this important set of arrangement lies at the mercy of the ephemeral majorities.

The composition of the Federation Council also poses important practical problems which remains yet to be solved. The first of these questions is whether the members of the Federation Council should be nominated or elected. The language of the constitution is ambiguous in this

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28 See Article 95(2) of the Constitution promulgated in December 1993.
30 See Article 96 (2) of the Constitution promulgated in December 1993.
31 EECR, n.29, p.61.
respect, although it seems to be in favour of nomination options. “Members (Chleni) of the Federation Council stand in verbal contrast to “Deputies” of the State Duma (immunity provisions in article 98). The potential significance of this language is reflected in the transitional provisions. Finally, the constitution refers hazily to the “formation” (formirovanie) of the Federation Council, whereas “election” will be held for the State Duma.

If the Federation Council is to be elected, who should elect the members? Should local legislatures select the members, or should they be elected directly by the people in the component subjects of the Federation? This would make the Federation Council members wholly dependent on the regional electorate that sent them to the capital, thereby significantly facilitating regional lobbying. Selection by local legislature if accepted also leads to some problem. In the first term of the parliament nearly 70 per cent were appointed by President Yeltsin himself. Given the local influence of these leaders, many of them have had a possibility of continuing in office in the coming years. That means the Federation Council was to be packed with members beholden to the President.

The question of Federation Council’s term, especially whether or not it should coincide with that of the State Duma also remains unclear. Furthermore, there is the question of whether the terms of individual members of the Federation Council should be staggered, in order to give
the institution a greater sense of continuity. There are also procedural weaknesses in the Duma where the legislative process itself is quite chaotic, with legislation passed containing contradictory provisions. Committees often outflank each other for consideration of budgetary items within their jurisdiction, and the budget committee itself failed to operate transparently. Procedure on the floor is arbitrary and legislation enacted in many cases is left to the government to sort out or supersede by presidential decree.

These structural and procedural questions have all but ignored so far reflected the faultiness of the Russian constitution. The haste of its authors in drafting these provisions and their indecision about how exactly to include the regional electorate and elites in the political process, has essentially turned over the formation of the legislature to unaccountable and shifting personal and corporate interests.

(ii) Procedural Weaknesses and the Relation Between the Chambers

As pointed out earlier, the provisions of the constitution of 1993 relating to the institution of parliament reveals certain structural as well as procedural weaknesses. The structural weaknesses of the constitutional

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32 See ibid, p.62.
33 *Meeting Reports*, n.27., p.1.
34 See ibid.
provision are clear from the above discussion on the compositional aspect of the legislature. The actual working of the legislature has underlined similar procedural weaknesses on the part of the legislature. We may now move to identify these weaknesses.

In matters of bills and passing of legislations, the relation between the two houses of the legislature remains very confusing. Once the State Duma adopts a federal law, it must be sent to the Federation Council within five days (Article 105). Once it receives the bill, the Federation Council has 14 days to act on it. If it does not act within this period, the bill is considered approved. Should the upper chamber reject the law, the chambers may form a conciliation commission, pursuant to Article 105.4 to overcome their disputes. Afterwards, the Duma may again consider the bill and even override the Federation Council’s veto by a two-thirds votes of the total number of Deputies. This procedure clearly indicates that the Duma is meant to play a more active legislative role. The Federation Council seems to be designed primarily to slow down the legislative process, not to have an equal say with the Duma.

But parliamentary experience has revealed in practice the inadequacy of many of the rules governing the institution. The practical results of these ill-designed rules are two-fold. On the one hand, parliamentarians sometimes abide by them in which case the result is undesirable because of the perverse incentives created by the rules. On the

other hand, parliamentarians sometimes ignore the rules and settle on informal practices. This evasive tactic does not say much for having the rules in the first place. Parliament has at times, reached beyond its jurisdiction and attempted to deal with problems not assigned to it by the constitution. For example, in the spring of 1994, issues such as the situation in the agricultural sector and the so-called crisis of non-payments, though clearly within the jurisdiction of the executive, were introduced onto the agenda of the Federation Council. The discussion of these issues was not particularly productive and ate into valuable legislative time. The reason why the Federation Council took up these issues was that the upper house had begun functioning as the primary lobbyist for regional and local interests.

The importance of concentration on the work of the Federation Council is apparent from another defect in the constitutional rules, namely the 14 days provision in reviewing legislation passed by the Duma. Given the reality of working on a “non-constant” basis, the Federation Council has experienced inordinate difficulties in meeting this deadline. Whereas the Duma holds a plenary session twice weekly except for two annual vacations, the Federation Council meets only between long interruptions which may exceed 14 days. Thus, if the Duma passes a law during a Federation Council recess, the Federation Council may not even convene

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36 See *East European Constitutional Review*, n.29, p.62.

37 According to Paragraph 9 of the “Concluding and Transitional Provisions of the Constitution, the Federation Council members of the First Convocation exercise their powers on a non-constant basis.
before 14 days have elapsed. The parliament has attempted to solve these problems by convening extraordinary meetings when very important laws are being considered. The problem with this approach is that it is too expensive, unpredictable and unwieldy.

A second way in which the bodies have tried to overcome this difficulty is for Federation Council to reject automatically any law it cannot consider within the allotted time. This rejection is then followed by mediating sessions in an Article 104-105 reconciliation commission. Unfortunately, the work of the reconciliation commission itself has no time restrictions. Thus, neither solution is practical nor desirable.

The lack of co-ordination between the two bodies of legislature becomes even more apparent when we consider the tension between Article 105 and Article 106 of the constitution.\footnote{Article 105 states that the Federation Council only has 14 days in which to act on a law passed by the Duma. By contrast Article 106 states that certain federal laws adopted by the Duma are subject to compulsory examination. See the provisions in articles 105-106 of the Constitution of 1993.} The inadequacy, vagueness and mutual inconsistency of these rules predetermines the observed lack of co-ordination and insufficient interaction between the chambers. Only mode of interaction provided by the constitution is 105.4 reconciliation commission. This provision does not seem sufficient as information does not flow constantly and reliably between the two chambers. Personal communication between Deputies and experts serving the two bodies is also lacking. One inevitable consequence of this lack of
inter-party chamber co-ordination is confusion in legislation. The lack of co-ordination symbolized by physical separation of the two chambers (they meet in two separate buildings in the centre of Moscow) is not accidental. In the wake of the events of September and October 1993, President Yeltsin was unwilling to allow parliament to gain too much strength. Even though there were compelling arguments for allowing both chambers to reside in one building, Yeltsin was concerned that the legislative bodies would again crystallize into an opposition as they had done under Ruslan Khasbulatov and therefore he chose a divide and rule strategy.39

The effectiveness of legislative organ as an institution of law-making necessarily demands an easy co-operation and inter-chamber harmony.

Thus, the inability on the part of the Russian legislature to emerge as a powerful legislative organization much as the legislatures in the western countries has been hampered by the designers of this new institution. The form and the powers of this institution reflects the particular circumstances under which it emerged in the post-Soviet milieu. The rational choice principle of utility maximization can be useful in understanding Russian politics and the emergence of new political institutions thereby when reflected through the prism of Russian political experience.40 The regulation, party cohesiveness and many other measures of

39 East European Constitutional Review, n.29, p.64.
40 Meeting Reports, n.27, p.1.
institutionalization were created through a process of bargaining between the old and new Russian elites.\textsuperscript{41} The conservative elements have therefore accepted marginalized legislature in exchange for a stable political identity. This also suggests that stable institution building in post-communist setting can take new and counter intuitive forms.\textsuperscript{42}

V SAFEGUARDS TO THE RUSSIAN PARLIAMENT

(i) Party Discipline

As already stated, there were structural as well as procedural factors which contributed to the emergence of a weak legislature in the post-Soviet Russia. The composition of parliament was an important cause of its relative ineffectiveness and lack of focus. There is no majority party in the Duma, though perhaps the distribution of seats may be a faithful representation of the ideological composition of Russian society. The absence of a majority party, coupled with the inability of deputy associations or parties to form consistent voting blocs, has made legislation unpredictable and slow.\textsuperscript{43} It has often proved impossible for a majority to form, which partly explains the low volume of legislation passed so far, a failure on the part of the institution of legislature that has left unregulated many areas of social life requiring new legislation. The fault lies with the electoral system. In 1993 national elections, half of the Duma's Deputies

\textsuperscript{41} Ibid.

\textsuperscript{42} Ibid.

\textsuperscript{43} East European Constitutional Review, n.29, p.64.
were elected through party list, while the other half were elected directly in electoral districts. The shortcomings of 1993 electoral system were supposed to be corrected by 1995 Duma elections. But no consensus could be reached on the matter and the experience suggests (after 1995 elections), that the relevant cleavage of left-right division continues to hamper the legislative efficiency (see Table 1.1). A well developed party discipline will solve most of the procedural weaknesses in the new legislature of Russia.

### Table 1.1

**Party Factions in the State Duma, 16 January 1996**

<table>
<thead>
<tr>
<th>Party/Faction</th>
<th>Vote share in PR ballot (in %)</th>
<th>PR seats won</th>
<th>District seats won</th>
<th>Total seats held</th>
<th>Share of PR seats (in %)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Communists</td>
<td>22.7</td>
<td>95</td>
<td>54</td>
<td>149</td>
<td>33.1</td>
</tr>
<tr>
<td>Liberal Democrats</td>
<td>11.4</td>
<td>50</td>
<td>01</td>
<td>51</td>
<td>11.3</td>
</tr>
<tr>
<td>Our Home is Russia</td>
<td>10.3</td>
<td>45</td>
<td>20</td>
<td>65</td>
<td>14.4</td>
</tr>
<tr>
<td>Yabloko</td>
<td>7.0</td>
<td>31</td>
<td>15</td>
<td>46</td>
<td>10.2</td>
</tr>
<tr>
<td>Regions of Russia</td>
<td>--</td>
<td>0</td>
<td>41</td>
<td>41</td>
<td>9.1</td>
</tr>
<tr>
<td>Agrarians</td>
<td>--</td>
<td>2</td>
<td>33</td>
<td>35</td>
<td>7.8</td>
</tr>
<tr>
<td>People's Power</td>
<td>--</td>
<td>2</td>
<td>35</td>
<td>37</td>
<td>8.2</td>
</tr>
</tbody>
</table>

*Note: The Regions of Russia, Agrarian, and People's Power factions were formed after the new Duma convened in order to represent deputies elected from single-member districts, many of whom had been nominated by parties which failed to receive seats in the PR ballot.*

**ii) Legislative – Executive Relations**

As a result of the 1993 constitution and other institutional changes it brought about, power in the parliament is more decentralized than in the past while the conflict within parliament and between the parliament and executive is more structured. Recent working of the parliament and
government use procedures established by the standing rules and the constitution to identify and resolve their differences. Nearly every major issue on which parliament and the executive have differed since January 1994, has been resolved by a compromise. To a surprising degree, the actors on both sides of the system have found it advantageous to resolve their differences through bargaining and compromise. The tense brinkmanship prevalent in 1992-93 in the relations between executive and parliament has not recurred. The President does not invariably use decrees to enact policies; sometimes representatives of the President and government have usually worked with parliament in joint commissions to find mutually acceptable solutions. Both the 1994 and 1995 budgets were passed after long negotiations between representatives of the major Duma factions and the government. The 1996 budget was passed before the end of calendar year 1995, the first time a parliament had been able to debate and approve a budget before the budget year began.

The Federal Assembly's legislative efficiency is hampered by both internal and external obstacles. Internally, the Duma has chosen to retain non-majoritarian, party-dominated governing structure and decentralized distribution of rights. The external obstacles to legislative productivity include the President's ability to veto Duma legislations and his ability to make policies by decree or edict. While the internal differences can be corrected by a well developed party system, the external obstacle can be removed by a sound understanding between the executive and the legislative branch. Notwithstanding these limitations, parliament has
passed a number of important acts of legislation such as parts one and two of the civil code, the law on local self-government, the law on election of the Duma, and the law on production sharing etc. In mid-1996, after years of work, parliament passed and the President signed a new criminal code. In each case compromises were hammered out by commission representing the major factions of both branches, permitting passage of the measure in parliament and presidential approval.

Like western democracies, if sound conventions develop in Russian politics they should be able to cure most of the problems relating to legislative branch.

To sum up the discussion in this chapter we see that the model of Soviet power that developed under communism had treated state power as a single, undivided whole. The Soviets as representative organs combined rule making power with the right to allocate resources and directly oversee the executive branch. However, this theoretical unit of state power in the Soviets was never an accurate description of how power was actually exercised as the Communist Party made all major decisions. The demise of the old regime left the question of division of responsibility between Soviets and state administrators undecided. In Russian Republic, the legislative branch faced same problem. The new deputies elected on the democratic wave of 1989 and 1990 frequently found themselves unable to take charge of the renewed responsibilities and hence demanded stronger executive authority. The establishment of a presidency in March 1990 and the conception of that office by Yeltsin set off a chain of events leading to
sharp confrontation between President and Parliament. The polarization of political forces was the result of deputies' orientation towards reforms. The subsequent developments saw the intensification of this conflict and the dissolution of old parliament. The Constitution of 1993 as designed by Yeltsin and democratic camp preferred to retain the institution of parliament but in a relatively weaker form. The working of the bicameral Federal Assembly in post-Soviet Russia has shown certain structural and procedural inconsistencies. However, over time and with growing experience parliamentary institution in Russian conditions can be a useful and indispensable body for the articulation of variety of interests which is one of the most important prerequisites of democratic consolidation.

Russia's political system is an example of a hybrid, or mixed system combining presidential and parliamentary elements. Of course both the immense constitutional and extra-constitutional powers of the President attest to the continued presence of authoritarian elements in the political system. Yet, evolution in the direction of a pluralistic democracy may also be discerned. Political parties stimulated by the party list features of electoral system as well as the party dominated organization of parliamentary governance are making use of parliament for their political interests. Thus, the record of parliamentary activity in last few years give some reason to hope that the new constitutional environment in place since 1994 may stabilize the rules of political game in Russia. Having discussed the legislative branch in greater detail, in our next chapter we move on to a discussion of the evolution of judicial branch in post-Soviet Russia.