

The Making of a President

A Glimpse of the History of the Top Executive Post in the USSR

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Scholars and historians all over the world are still scrutinizing the deeds of the Founding Fathers of American democracy. Their lengthy discussions, painful pondering over the future Constitution, brilliant solutions and deviations can all be found in text books. Little remains unknown.

Surprisingly, few details are known about similar developments in the former Soviet Union. How did the Founding Fathers of Russian democracy manage to break through the wall of Soviet mentality? How was the long tradition of power concentration violated? The history of the creation of the presidency in the USSR may be interesting to those who study similar processes in other countries. But it is also important to those who have to go into the crazy world of modern Russian political life—because many contradictions and faults introduced into the Soviet Constitution at that stage were inherited by the Russian Constitution. These events of the not-so-recent past gave birth to dozens of presidents, and, subsequently, to a chain of coups-d'état.

Will the principle of power division survive? As a member of the Political Development Section in the office of President Mikhail Gorbachev, this author witnessed the final stage of the presidency, but he also managed to study the beginning with the help of private archives. Most of the papers analyzed were never even registered, let alone published.

Scripts of Supreme Soviet sessions and Congresses of People's Deputies are open to the public and can be studied easily. It might seem interesting, though, to look at some of the unknown stages.

From the beginning of 1989, when the economic crisis was snowballing in the USSR, the political elites in the national republics were actively striving for power and interethnic conflicts were breaking out all over the country. The Inter-Regional Group of USSR People's Deputies and Andrei Sakharov¹ came forward with the idea of the presidency. The goal was to challenge the monopoly of the Communist Party in yet another way.

But Mikhail Gorbachev, a flexible politician, intercepted this idea and started working on it in the circle of his closest aides. The process became extremely intensive in February 1990, a month and a half before the third Congress of People's Deputies.

The First Attempt: The Probing by Members of Parliament

The first stage of the master plan to establish the presidency was to probe the mood

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of the people's deputies. On 13 February 1990, a session of the Club of People's Deputies took place. It was called "An Open Forum on the Presidential Principle and Soviet Parliamentarism."² About a hundred members of Parliament took part in it. This author has a script of this meeting, which was never published and of which exist only two to three copies. It is not always possible to tell who was saying what, because the discussion was heated and informal, and most of the deputies did not care to name themselves.

Fyodor Burlatsky, a people's deputy and former chief of the Group of Consultants at the Central Committee, launched the "probing stone." He introduced the concept of the presidency to the MPs (it is strange, by the way, that the paper he read to the deputies was not among the documents that went to the special file "The Presidential Question," which was used by Mikhail Gorbachev's advisers). Among other things, he suggested that the first president should be elected not by direct ballot, but by the Extraordinary Congress of People's Deputies.

It is characteristic that the first question from the audience was: "Will there be a presidential post in the republics?" Now we see that the establishment of such posts in the independent states emerging on the territory of the USSR became an important tool in the struggle for republican sovereignty. At the same time, the crucial problem of redistribution of powers between the president of the Union and the presidents in the republics had not been solved and later became an important factor contributing to the collapse of the Union state. Prophetic words were pronounced at the meeting: "We have a unique country, and if we now assemble the Extraordinary Congress, elect a president in a hurry, it means that 15 presidents appear in 15 republics. What will their relations be? Nobody knows."

There was an approximately equal proportion of proponents and opponents of the presidency. The opponents were evidently afraid of strengthening the Party *nomenklatura* and personal power of the general secretary of the CPSU. Here are some of the things said:

—"Wouldn't the transfer to presidential power strengthen the position of the Politburo through the person of the general secretary?"³

—"Tell us honestly why there is such a rush with the transfer to presidential power? There are no children here. Sakharov asked this question in the summer, but it was rejected. And now suddenly there is a rush to put this question forward. Maybe, the Congress should dissolve itself and people will elect both president and Parliament directly?"⁴

—"Doesn't it seem to you that, being a CPSU member, the president will become an obedient executor of the Central Committee's will and will not get away from this?"⁵

The deputies did not like the fact that, in their view, the presidential post was created to "suit Gorbachev." The following phrase is characteristic of these moods:

—"Mikhail Sergeevich's popularity rating in Moscow has plummeted catastrophically. And now we have this behind-the-scenes adventure, in which we have been offered to elect the president in the name of the people. Someone is impatient to give Mikhail Sergeevich the post of president. Under the conditions of our disintegrating country, it means transition to an elementary dictatorship."⁶

The election procedure, suggested by Fyodor Burlatsky, also caused a lot of doubts. "We can elect the president only directly."⁷

—“We have just given up our people's power and right now one feels like crying. We are being deceived. Do you understand? We have to wake up. The people will not forgive us if we appoint again, but not elect. We shall again appoint Gorbachev to be president.”⁸

Sergei Stankevich, at that time a prominent MP who went on to become an advisor to Russian President Boris Yeltsin, unequivocally supported the idea of the presidency. “It seems to me that the introduction of presidential power in our country is predetermined by the very course of events. It is not even a subject for discussion. The question is only when and how, and in what form.”⁹ He also supported the way in which the first president was ultimately elected.¹⁰

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The role and the composition of the Presidential Council was also the subject of arguments. The MPs were afraid that the Presidential Council might turn into a new Politburo.

The meeting allowed to draw two important conclusions. The deputies, it turned out, did not see much difference between the post of president and that of chairman of the Supreme Soviet. As deputy Viktor Alksnis (the famous “black colonel,” considered to be a hardliner) mentioned during the second session of the Supreme Soviet, the deputies addressed Gorbachev both as “chairman” and as “president.”¹¹ The second conclusion: the deputies' support can be achieved if the presidency is presented as a way to protect Gorbachev from the Party *nomenklatura*.

Working Group on the Constitution: Gorbachev Moves In

The third session of the Supreme Soviet that followed supported the idea of the Extraordinary Congress and the introduction of the presidency. The session was aired live and its scripts were published in national newspapers. But not a single newspaper wrote about the session of the Working Group on the Constitution, chaired by Gorbachev himself. Its script was never published and did not find its way into the archives.

According to the script, the working group under Mikhail Gorbachev rejected the proposal to vest the president with the right to dissolve the Supreme Soviet. “There are proposals to remove this question from the agenda. It looks like we are trying to apply the experience of other countries to our country. We do not take into account that we have a Congress of People's Deputies of the USSR. Will it not increase authoritarian power? Maybe the president should not be given the power to treat the Supreme Soviet this way?” Gorbachev said.¹² He was too emotional and did not express himself very clearly.

Academician Vladimir Kudryavtsev and Politburo member Alexander Dzasokhov kept insisting on giving the president this right. “Should it be decided if we need the post of the president at all in this case? If he does not have powers in relation to the Supreme Soviet and government, this post will turn into something ephemeral,” Kudryavtsev said.¹³

Alexander Dzasokhov proposed another variant: "The president may ask for the dissolution of Parliament. And when we have a referendum in five years, then it would be possible to write that the president has the right to dissolve the Supreme Soviet."¹⁴

Gorbachev proposed to preserve these powers only in relation to the government. He also did not allow to question the composition of Congress. Mikhail Gorbachev was in all ways trying to prove that it was not him who initiated the formation of the presidential post. "I am thinking more and more and seeking arguments to persuade that it is not my idea. I have always been convinced that it is not carried out within the nature of soviets," he said.¹⁵ And further on: "My position is such, that one can think I am pulling the blanket my way. Some say, if Gorbachev needs this, let's do it. Do understand that this is why we need a president and competitive elections. I don't need handouts. No one knows how things will be in the future. We'll see what the Congress will say," mentioned Gorbachev.¹⁶

The issue of presidential power has again become a topic of arguments, as during the meeting in the Club of Deputies. Yevgeny Primakov (at that time a USSR Supreme Soviet member and chairman of the Soviet of the Union, now chief of the Russian Foreign Intelligence Service) proposed that this body should be called the State Council, which should be the consultative-executive organ of presidential power.¹⁷ According to Primakov's concept, on the strength of their positions it should have included the chairman of the Council of Ministers, the minister of Foreign Affairs, the minister of the Interior, and the chairman of the KGB. The second category would be persons appointed by the president. They should have been called state secretaries on different issues.

Mikhail Gorbachev proposed to call this body not simply cabinet, but Presidential Cabinet.¹⁸ Anatoly Lukyanov said that "Russia always had a State Council." He spoke against the idea of the president being the only head of the executive power.¹⁹ In the end Gorbachev said: "Okay, let's call it Presidential Council. We have to make a concession to Anatoly Ivanovich [Lukyanov]." "It's a concession not to me but to the power of the soviets," Lukyanov replied.²⁰

Differences also emerged on the question of relations between the president and Parliament. According to Lukyanov's idea, the president should have the right to chair the Council of Ministers, the Supreme Soviet *and* Congress.²¹ "This is the furthering of our system of soviets. In this there is stability. It will not work if we want to build on the principle of a division of powers," said Lukyanov.²²

Gorbachev suggested to introduce an article allowing both president and vice-president to chair sessions.²³ Vladimir Kudryavtsev was against this idea: "It is possible for vice-president, but the chairman should not be made president."²⁴

On the question of relations between the president and the government no special differences emerged. Vladimir Kudryavtsev pointed out that the president should have powers to offer the government to resign. Gorbachev supported him.²⁵

Final Check: Meeting of the "Presidential Commission"

The meeting of the Commission on the Preparation of Proposals Concerning the Introduction of the Presidency in the USSR took place on February 21. That was the final check before the Congress. Surprisingly, there were no reports on it in the

press, despite the fact that not only Gorbachev's team participated but also some members of the Supreme Soviet.

The discussion started from the most important question: how to combine the election procedure written down in the Constitution with the legitimacy of electing the first president at the Congress. A search for compromise started. Rafik Nishanov, at that time chairman of the Soviet of Nationalities of the Supreme Soviet, proposed to write in the Constitution that "Congress elects the president," and to mention in the footnote that "From that point on the president shall be elected through universal direct secret ballot."²⁶ Anatoly Lukyanov proposed to introduce an "abstract article," stating that "Supreme power in the Soviet Union and governing of the state affairs is executed by the Congress of People's Deputies, the Supreme Soviet of the USSR, the president of the USSR and the Council of Ministers of the USSR."²⁷ As during the working group meeting, he consistently spoke against the division of powers. His position, however, did not find any support. A characteristic remark from the audience (author is unknown): "One of the key moments is to divide power. And when we say that the supreme organ of state power is this troika together with the Council of Ministers, then all sense is lost."²⁸ It was decided to write: "[The president] is elected on the basis of universal suffrage," and to adopt a one-time law on the election in Congress.²⁹

Again the question of presidential power bodies was taken up. Lukyanov called the Presidential Council the "Politburo on a state level." But Gorbachev pointed out that this should be the organ for coordination and discussion, not for decision-making.³⁰ There was a proposal to supply the Council with defense and security functions, but that was not supported by Gorbachev.³¹

Again discussion started on the relations between president and Parliament. Yuri Kalmykov (at that time member of the Soviet Parliament, now Russian Minister of Justice) proposed to abolish the post of chairman of the Supreme Soviet. In his opinion, the vice-president could have chaired joint sessions of both chambers.³²

Vladimir Vorotnikov (at that time member of the Politburo and of the Soviet Parliament) proposed to merge the posts of speaker and vice-president in order "not to create a precedent for the republics."³³ Gorbachev put an end to the discussion by saying that a head of state needs a working vice-president. As a result, it was decided to keep the post of the chairman of the Supreme Soviet. The Constitution of Russia adopted the same pattern, thus creating an archrival (Ruslan Khasbulatov) to Boris Yeltsin.

The Congress went smoothly and Gorbachev was elected first and last president of the USSR. The big question remains: Can post-Soviet states endure the division of powers? Or was Lukyanov right in saying that the traditional structure of soviets was more stable? On the one hand, Belarus, the most stable republic of the former Union, decided not to introduce the presidency. On the other hand, the leaders of Ukraine, Belarus and Russia had to dissolve the Soviet Union to get rid of the Soviet presidency. There was no constitutional way to achieve this, but it was done anyway.

Notes

¹ Draft of Constitution of the Union of Soviet Republics of Europe and Asia, written by Andrei Sakharov, Article 28, *Novoe Vremya*, No. 52 (1989), pp.26-28

² “On the Presidential Principle and Soviet Parliamentarism,” script of the meeting of the Club of People’s Deputies of the USSR, p. 12.

³ Ibid. p. 2.

⁴ Ibid. p. 4.

⁵ Ibid. p. 4.

⁶ Ibid. p. 5.

⁷ Ibid. p. 5.

⁸ Ibid. p. 6.

⁹ Ibid. p. 9.

¹⁰ Ibid. p. 9.

¹¹ Ibid. p. 15.

¹² Script of meeting of working group on the Constitution, p. 1.

¹³ Ibid. p. 2.

¹⁴ Ibid. p. 2.

¹⁵ Ibid. p. 5.

¹⁶ Ibid. p. 5.

¹⁷ Ibid. p. 6.

¹⁸ Ibid. p. 6.

¹⁹ Ibid. p. 7.

²⁰ Ibid. p. 38.

²¹ Ibid. p. 30.

²² Ibid. p. 30.

²³ Ibid. p. 38.

²⁴ Ibid. p. 38.

²⁵ Ibid. p. 8.

²⁶ Script of the session of the Commission on Preparation of Proposals Concerning the Introduction of the Presidency in the USSR, p. 2.

²⁷ Ibid. p. 2.

²⁸ Ibid. p. 3.

²⁹ Ibid. p. 9.

³⁰ Ibid. p. 3.

³¹ Ibid. p. 13.

³² Ibid. p. 13.

³³ Ibid. p. 13.