

Russian Constitutional Change: An Opportunity Missed

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The Russian constitution of 1993 created a hypertrophic presidency invested with enormous powers relative to parliament. For a moment in time, Russia's crisis of 1998 seemed to present an unexpected opportunity for much needed constitutional change. The political maneuvering in the wake of the August financial collapse, including the dismissal of Prime Minister Sergei Kiriyenko, appeared to have a "silver lining," to wit, the possibility of constitutional revision. The ailing and politically weakened President Boris Yeltsin, anxious to reappoint previously dismissed Viktor Chernomyrdin as the new prime minister, offered an olive branch to the parliamentary opposition, including the prospect of amending the 1993 constitution in return for the State Duma's confirmation of his candidate.

The offer was to no avail as Chernomyrdin's candidacy failed twice. A compromise candidate, Evgeny Primakov, then easily sailed through the rough waters of Russian legislative-executive relations and was appointed prime minister in September. Although the urgent tasks on the political agenda in fall 1998 were the formation of a new government and fashioning an economic crisis plan, the possibility of constitutional change, while temporarily dormant, was not dead. Primakov eventually formed his government, although a coherent program to deal with the economic crisis still eluded him at his dismissal in spring 1999. Meanwhile, the prospect of constitutionally revising the relations of power, like flotsam, keeps bobbing up and down in Russia's turbulent politics.

A Rigid Constitution

In 1993, Yeltsin and his constitutional draftsmen deliberately designed Russia's post-Soviet constitution as a rigid document that would be difficult to amend or revise once ratified. Just as generals tend to refight the last war, those charged with designing new constitutions tend to draft reactive documents. The Russian drafters were no exception. In modeling the constitutional amendment procedures

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after the American example, they were reacting to the heavily conflicted presidential-parliamentary relations of the First Post-Soviet Russian Republic, which had ended in violence in the early fall of 1993. The preceding, much-amended Russian Republic Constitution of 1978 had provided for a flexible and relatively easy amendment procedure. In effect, parliament had the authority to freely amend the constitution and had been doing so extensively since perestroika of the late 1980s, as the Russian elite strove to bring its Brezhnev-era constitution into alignment with the reform tasks then at hand.¹

With the end of the Soviet Union in late 1991, fissures and then fault lines began to open in the Russian political elite as President Yeltsin and the parliamentary majority entered into an increasingly bitter adversarial relationship over economic reform policy as well as the design of a new constitution. The patchwork, much-revised, still extant Soviet Russian constitution became the battleground, with the parliament constantly threatening to curb the president by constitutionally reducing his powers. When Yeltsin finally prevailed through a bold, extraconstitutional move and gained full control of the constitutional drafting process, he was clearly determined to secure political stability through a pro-presidential constitution coupled with a rigid amendment procedure.

Chapter 9 of the constitution, "Constitutional Amendments and Revisions," embodies a two-part procedure. The distinction is between ordinary amendments and extraordinary revisions of the constitution. Chapters 3 through 8, the operational sections of the charter, are amendable through ordinary procedure, which is described as an amendment passed by supermajorities of both houses of parliament, and then subject to ratification by the legislatures of two-thirds of the eighty-nine subjects of the federation (Art. 136). The procedure for extraordinary revision of the fundamental law pertains to any changes proposed in the constitution's fundamental principles (Chap. 1), its enumerated rights and freedoms of the citizen (Chap. 2), and the amendment/revision chapter itself (Chap. 9). This revision procedure entails a supermajority in the upper and lower houses, which in turn sets in motion the convening of a Constitutional Assembly empowered to revise Chapters 1, 2 and/or 9, or draft a constitution *de novo*. In either case, the outcome of the Constitutional Assembly is then submitted for public approval to a nationwide referendum (Art. 135).²

Both procedures, however, required enabling legislation before changes to any aspect of the constitution could be considered. The clause on extraordinary revision explicitly mandates enactment of a Federal Constitutional Law on the Constitutional Assembly. This type of law, as distinguished from ordinary federal legislation, requires for passage a three-fourths majority of the Federation Council, the upper house, and a two-thirds majority of the Duma, the lower house, followed by the president's signature. On its face, the constitutional article on ordinary amendment procedure does not indicate the necessity of any special legislation. However, after several years, parliament and the president agreed that an ordinary federal law, subject to simple majorities in parliament and presidential approval, would be necessary to create a procedurally orderly amendment process.

Attempts at Constitutional Change

Prior to the August 1998 crisis, there had been two unsuccessful attempts to amend the constitution. Both were intended to correct the imbalance of power between the executive and legislative branches, in the direction of strengthening the weaker branch, the parliament. The first amendment effort was provoked by the Chechen war. The large-scale Russian attack on its secessionist Chechen province in December 1994 aroused widespread opposition, and within a month, several amendments were under discussion in the Duma. The first proposed amendments were modest in scope (for example, to authorize the Duma to establish ad hoc investigative committees), but by late spring of 1995 they had failed to gain the necessary legislative support to complete the initial step of the prescribed constitutional procedure for ordinary amendments.³

The second attempt at constitutional revision was broader in scope and better coordinated, but also fell short of success. The specific catalyst was Yeltsin's serious heart condition and subsequent enfeeblement during summer and fall 1996, but again the larger purpose was to seek to constitutionally redistribute power to achieve a more viable system of checks and balances within the separation of powers doctrine. Initially, though, the effort was in reaction to presidential incapacity and sought unsuccessfully to enact legislation analogous to the American Constitution's 25th Amendment that would operationalize the Russian constitutional clause on the temporary transfer or the early termination of a president's powers due to reasons of health (Art. 92).

The broader-based approach to constitutional reform got under way in early 1997, and was driven more generally by power-sharing concerns. This phase of the attempt was led by a coalition of senior parliamentarians, including the speakers of both houses of parliament. It included an array of proposed amendments and legislative efforts to enact the procedural law on ordinary amendments as well as the Federal Constitutional Law on the Constitutional Assembly. There was consensus on the revisions needed in the horizontal separation of powers arrangements but not on the vertical division of powers between center and periphery. On the latter issue, the large Duma Communist faction favored recentralization and reassertion of Moscow's control over the subnational governments of the Russian Federation. In contrast, several influential republic leaders and regional governors advocated recognizing in federal constitutional law the extensive decentralizing gains made by subjects of the federation.

Yeltsin successfully resisted all aspects of the constitutional reform drive of 1996–97, raising the level of debate on the nature of the 1993 constitution by arguing that it was intended to be a durable, although not immutable, document of considerable longevity. Conversely, the parliamentary advocates of revision took the position that the constitution was not an "icon," in the phrase of Speaker Stroyev of the upper house, and hence should be considered a transitional charter subject to revision. The president countered that the constitution's durability had contributed substantially to the stability of the Second Republic since its inception in early 1994. Nonetheless, the reform coalition argued in its vari-

ous voices, the time was at hand to redress the power imbalance between president and parliament, as well as between the government and parliament. Yeltsin, recovering from his illnesses, had the final word in spring 1997, rejecting the idea of amending the constitution generally at that time as premature and potentially destabilizing.

Operationally, Yeltsin exercised his opposition by a successful presidential veto of the procedural bill on ordinary amendments, without which the various constitutional reform proposals could not proceed further. Still, the breadth of the reform movement, the responsible nature of many of its proposals, and the momentum it had gained, suggested by summer 1997 that it was no longer a question of “if” Russia’s strong presidential constitution was going to be reformed, but when.⁴

Alternative Paths to Constitutional Change

President Yeltsin’s veto, which could not be overridden, did not entirely doom the near-term prospects for constitutional change. In addition to the formal process for amendment or revision, there are other less-salient and even sub rosa ways that the Russian constitution can be altered, at least at the margins of power. In fact, by one path or another, the constitution has been constantly undergoing change during the Second Republic.

First, the Duma, which as a result of the elections of 1993 and 1995 contained anti-Yeltsin majorities, has periodically attempted to strengthen its position vis-à-vis the executive by slipping small, seemingly insignificant changes into ordinary federal legislation. For the most part, President Yeltsin and his advisers have been vigilant in blocking this sub rosa path to constitutional change by means of presidential veto.⁵

Second, the parliament as a whole has sometimes used the passage of mandated federal constitutional laws as an opportunity for institutional aggrandizement. The Federal Constitutional Law on the Government was a case in point. Legislative-executive differences had held this bill up for several years until late 1997. At that time, to get parliament’s support for a more austere budget (in response to pressure from international lenders), the president agreed to a version of the bill on the government that marginally gave parliament more leverage vis-à-vis the government. In effect, Yeltsin and his opponents practiced “log rolling” or legislative-executive compromise, and in the process slightly altered the constitution through the enactment of subconstitutional legislation.

A third path to constitutional change is through the venue of the Constitutional Court of the Second Republic. Unlike its predecessor, which got caught in the political crossfire at the tumultuous end of the First Republic in 1993, the current Constitutional Court has since its first sitting in 1995 proceeded much more cautiously. While the constitution empowers the court to “interpret” the fundamental law (Art. 125.5) as well as resolve jurisdictional disputes within the separation and division of power doctrines (Art. 125.3), the justices have been careful for the most part (the Chechen case of 1995 excepted) to avoid politically freighted cases that could embroil them in interbranch politics. Generally, the court has

accrued a credible record on narrow and highly specific, justiciable issues, thus creating a solid body of technical constitutional jurisprudence. Occasionally, however, the court makes cautious forays into constitutional interpretive and jurisdictional areas, resulting in what one justice has called the “silent transformation” of the constitution.⁶

A fourth route to constitutional change has been through the mechanism of bilateral treaties between the central government of the federation and its individual provincial components. This treaty-making process is sanctioned by the constitution (Art. 11.3), and in the past five years has encompassed nearly half of the subjects of the Russian Federation. Cumulatively, the process has produced a diverse body of paraconstitutional-

al law as the center has devolved some of its administrative and extractive powers to the peripheral governments. Although the treaties themselves contain much similar boilerplate text, each document includes unpublished protocols specific to the particular republic or region. The result is an emerging asymmetric federal structure that is significantly altering the unitarism embedded in various parts of the constitution.⁷

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Finally, there is the possibility of carrying out micro-constitutional change by means of presidential decree. The presidential pathway to change, however, is subject to constitutional checks and therefore may entail only temporary changes. The potential checks include parliamentary legislation on the matter at hand, which would have superior legal status in the hierarchy of laws and thereby supersede the decree (Art. 90.3), and of course, the possibility of judicial review by the Constitutional Court on the basis of an appropriate petition (Art. 125.2.a). Nevertheless, absent such checks, the constitution has been marginally altered by decree as when President Yeltsin, seeking to broaden support for the Primakov government in 1998, decreed that the heads of regional associations of federation subjects were to be included in the inner cabinet, an arrangement not provided for in the constitution.

Although these diverse paths to constitutional change testify to a process of ongoing constitutional adjustment as new circumstances arise, the formal route of amendment/revision outlined in Chapter 9 has the advantage of greater transparency and legitimacy. This would certainly be the case for macro-constitutional revision, but also for any individual amendment that would significantly alter intra-constitutional power-sharing, not to mention changing first principles, fundamental rights, or Chapter 9 itself. I turn now to the exceptional opportunity for constitutional reform in Russia that arose as a result of, and in the wake of, the August 1998 crisis.

Crisis and Constitutional Opportunity

Russia's financial collapse during late summer 1998 engendered a political crisis of considerable magnitude. President Yeltsin abruptly dismissed his short-lived, young prime minister, and amid calls for his resignation from the presidency, quickly sought to send the seasoned Chernomyrdin, himself dismissed by Yeltsin in March, back into the breach. Chernomyrdin hesitantly agreed, but subject to conditions, such as that he would have more discretion in forming a new government and that the government in turn would have more autonomy relative to the chief executive. Yeltsin agreed to his terms and sent Chernomyrdin's nomination to the Duma for confirmation. The Duma's large Communist faction and their allies, long critical of the Kremlin's economic policy and the hardships it created for much of the population, would not countenance the return of Yeltsin's earlier long-time prime minister and voted down Chernomyrdin by a resounding majority.

Bridling at the rebuff, Yeltsin was determined to resubmit Chernomyrdin's name, but understood that some political groundwork and tactical bargaining would first have to occur to secure his confirmation. As a result, the president authorized his chief parliamentary liaison to enter into negotiations with the leadership of the two legislative chambers. The outcome was a political treaty or pact between the legislative and executive branches that encompassed significant political-constitutional concessions by Yeltsin. If implemented, the pact would effect perceptible intra-constitutional change in branch power relationships.

The president agreed to waive his constitutional authority to unilaterally appoint the government, and permit his prime minister to form his government through consultation with the Duma factions and appropriate committees before presenting the list to the president for formal appointment. The power ministers were to be excluded from this arrangement. Yeltsin would continue to appoint these ministers himself. In the pact, Yeltsin also yielded his unrestricted constitutional right to dismiss the government, and agreed that he would consult with the Duma before taking such action.

The political consequences of this plan would be that if the Duma was consulted in the formation of the government, it, and especially the majority opposition factions, would also be indirectly implicated in the policies of that government. The Duma would no longer have the luxury of criticizing policies for which it bore no responsibility. This shift in parliamentary leverage would mean more operational freedom for the government within the executive branch. The power adjustment would, however, not be cost-free for the government. Although it would gain more independence from the president, the government would now be more accountable to parliament. As part of the deal, the Duma was to curb its unqualified right to vote no confidence in the prime minister. In the end, the constitutional rearrangement would help rectify and reduce presidential hegemony within the constitution, leading to a more viable system of checks and balances between the two branches of power of the Russian polity.

Implementation of this de facto constitutional reform was to take place with-

in thirty days, including drafting the necessary constitutional amendments to formalize the power shift. The antecedent law on constitutional amendment procedure had finally been enacted in March 1998 so it was possible to amend the constitution. While the necessary amendments were being prepared for legislative action and required ratification by two-thirds of the federation subjects, the president pledged to submit to the Duma corresponding legislative amendments to the Federal Constitutional Law on the Government. Finally, implementation of the pact was to include passage of the long-pending Federal Constitutional Law on the Constitutional Assembly.

Yeltsin's representative signed the agreement on his behalf, setting in motion the process to secure Chernomyrdin's nomination. At the last minute, however, Gennady Zyuganov, leader of the Duma Communist faction, balked, refused to sign, and Yeltsin's candidate went down to even more embarrassing defeat on the floor of the Duma. An angry Yeltsin was determined to send Chernomyrdin's name up one last time, holding over the Duma his constitutional power to dissolve the lower house, call new elections, and appoint his candidate as acting prime minister should the lower house reject him a third time. Unintimidated, the Duma leadership prepared for the showdown, confident that new elections would return the anti-Yeltsin deputies in even larger numbers in the post-August economic breakdown. Fortunately, calm prevailed, a compromise candidate agreeable to all sides was found, and further worsening of the political crisis was avoided.

Primakov was easily confirmed as prime minister. Although Yeltsin's Duma representative, Aleksandr Kotenkov, was quick to point out that the president was no longer bound by the pact—which had been rejected by the opposition and was tied to Chernomyrdin's candidacy—Yeltsin informally adhered to the provision permitting the new prime minister authority to consult with the Duma on the choice of ministers. Prime Minister Primakov did so, and his final list presented to the president included several names of opposition-friendly individuals who would have not normally been appointed to the government by Yeltsin.

In the post-confirmation preoccupation to assemble something akin to a coalition government and put in place as soon as possible an economic recovery plan to alleviate public distress, the abortive September pact with its promise of much-needed constitutional reform fell to the wayside. Later in the fall, Primakov called for resurrecting and signing the agreement to institutionalize some of *de facto* changes, but there were by then no takers, neither from president's office nor from the parliamentary opposition. More illness had overtaken Yeltsin, his office and the Duma had drafted dramatically different and opposing bills for a Constitutional Assembly law, and Zyuganov was in no mood for compromise, declaring the constitution a "plastic bag" over the head of the nation that had to be removed and revised. As the political situation stabilized under Primakov's calming hand and the worst of the economic crisis abated in fall 1998, the window of opportunity for collaborative constitutional reform may have been closing, but the issue of revising the constitution was securing a prominent place on parliament's political agenda.⁸

Renewed Momentum for Constitutional Change

Primakov's stewardship of the government relieved the Kremlin of pressure to bargain on constitutional change, certainly during Yeltsin's incumbency, but momentum for revising the fundamental law increased during the fall of 1998. For the Communist Party, including its parliamentary faction, the drive for constitutional reform continued to be part of its political struggle against Yeltsin. However, as in the 1997 effort, support for change was broad, reaching across the political spectrum. The Communists' list of proposed amendments had doubled in size since 1997, but an attempt to garner the necessary 300 votes in the Duma for several of these amendments fell short in October. Neither the Communists nor other deputies or senators were discouraged by this setback, and the air remained thick with various proposed amendments. Some were frivolous—such as abolishing the Federation Council or leasing the South Kurils islands to Japan—while others were radical to the extreme—as in abolishing the presidency—but most proposals were serious, constructive, and concerned important aspects of the fundamental law.⁹

Several of the ideas in circulation, and a selection of constitutional clauses that would be affected, included the following:

- Expanding the circle of government ministers subject to Duma confirmation to include the deputy prime ministers and power ministers (Arts. 83, 103, and 112)
- Permitting the Duma to express no confidence not only in the prime minister, but in deputy prime ministers and power ministers as well without threat of dissolution (Arts. 103 and 117)
- Making the government more accountable to parliament in other ways, including mandatory ministerial reports to relevant standing committees (Arts. 101-103)
- Simplifying the presidential impeachment procedure to eliminate review of the charges by the Supreme Court (Arts. 93, 102, and 103)
- Shifting the advisory jurisdiction on various appointments from the Federation Council to the Duma (Arts. 83, 102, 103, 107, 128, and 129)
- Re-creating the office of the vice president (Chap. 1, Art. 11)
- Electing the president indirectly (Art. 81)
- Restructuring the federation from eighty-nine subjects to eight-to-twelve larger components (Arts. 65, 95, and 137)

All but one of the above could potentially be achieved through the ordinary constitutional amendment procedure, although one can imagine the immense difficulty if not active opposition to a federation restructuring amendment (a recentralizing proposal discussed by Mayor Luzhkov of Moscow and Prime Minister Primakov), which would have to be supported by at least sixty provincial legislatures. The remaining idea, the proposed re-establishment of the vice presidency, which would alter Chapter 1, "Fundamentals of the Constitutional System," could be accomplished only by a Constitutional Assembly and a follow-on public referendum.

With the latest governmental crisis behind him, Yeltsin fell back to his defensive posture of regarding constitutional reform as untimely given the constitution's brief existence and its critical importance in underpinning the political stability of the Second Republic. However, in recognition of the broad-based momentum the constitutional issue had gained, the Kremlin signaled that it would not object to "reforming" the fundamental law in the direction of greater governmental efficiency, but would oppose any attempt to systemically change the constitutional structure of Russia.

In what appeared to be an orchestrated response to the rising amendment fever among parliamentarians, the justice minister as well as the chief justice of the Constitutional Court publicly counseled caution in considering changes to the constitution, any of which could have an unintended ripple effect on other parts of the fundamental law. The presidential Duma liaison added that any amendment drafted should reflect the views of the president and not only those of parliament. Yeltsin's press spokesman reiterated that the president remained firmly committed to the constitutional prerogative of exclusive presidential appointment of the power ministers. To harness and try to control the forces driving the pro-reform discussion, Yeltsin let it be known that he would appoint an expert committee of jurists to sort out the various amendments being proposed, reaffirming that he would hold the line for constitutional presidentialism while not permitting the emergence of a parliamentary republic in Russia.¹⁰

Then in a dramatic shift in tone in a radio address to the nation on 12 December 1998 commemorating the fifth anniversary of the constitution, the president effectively tried to shut off the on-going debate on reform as he had succeeded in doing through his veto in 1997. His technique was to impute the impetus for constitutional change to his left-wing opponents who "feel nostalgia for the old rules," which Yeltsin characterized as "the arbitrary rule of the Communist Party bureaucracy, the persecution of the Church, and the command system of the economy." He then attacked the left for their ruinous constitutional plan, which would return Russia to "a republic of soviets."¹¹

To avoid tarring other, more responsible constitutional reformers with the same brush, the president left the door slightly ajar for the possibility of limited constitutional revision, but with the caveat that it could be done only through a slow, careful process. In effect, Yeltsin sought to corral reform and defer it beyond his incumbency. His effort was to no avail as the pro-reform chorus kept rising from all points of the political compass.

Constitutional Change in Russia: A Durable Issue

As the parliamentary election year of 1999 dawned, the issue of constitutional change had become a durable part of the Russian political agenda. Failing to still the chorus of reform in December, the president directed his prime minister to seek a new political accord, another pact, that would ensure political stability during the impending election period of the last years of his term. The idea was to articulate a consensual set of transitional political rules that would permit the

principal constitutional actors to work together harmoniously in the lead-up time prior to the parliamentary and presidential elections of 1999–2000.

Representatives of the government, the president, and the two houses of parliament labored assiduously through the winter months of early 1999, and agreement was achieved on certain points—that any proposed amendments to the constitution should be the result of collective consultation rather than unilateral initiative, and that a working party on constitutional reform would be created. On the latter point, however, division prevailed between the president's representatives, who suggested that the group's mandate would be to inquire whether the constitution needed reform, and the parliamentary participants, who argued that the working party should proceed to draft proposed amendments. A further sticking point was the parliamentarians' broadly supported idea that after 2000, the government should be formed on the basis of the parliamentary majority. The president strongly opposed the concept of a "majority government."

By early spring, consensus still eluded the negotiators, and the talks stalled when the Communists conditioned their support for the draft agreement on Yeltsin's resignation from the presidency. Perhaps memories of the earlier Civic Accord of 1994 that Yeltsin had unilaterally abrogated later that year were recalled. Basically, the steady grinding presidential-parliamentary conflict during the Second Republic had eroded much of the mutual trust essential for such para-constitutional pacts.

Concurrent with the inter-branch peace negotiations, the president and his spokespersons tactfully but consistently continued his line of discouraging the prospects for current constitutional reform. In this vein, Yeltsin made it clear that he saw no need to rush passage of a bill on the Federal Constitutional Law on the Constitutional Assembly, suggesting that if parliament sought to do so, he would slow the process down by appropriate countermeasures. Yeltsin's "no constitutional change now" became the key theme of his 1999 State of the Nation address in which he insisted that the constitution be left alone until the newly elected and appointed authorities were in place after the presidential inaugural of 2000.¹²

In Lieu of a Conclusion

At this writing, barring an unusual occurrence such as the incapacitation or resignation of President Yeltsin (less likely), or the ailing leader's sudden death before the end of his term (more likely), it appears that constitutional reform, while now highly probable, will be deferred until at least the year 2000. As long as Yeltsin is able to conduct a rear guard action against near-term constitutional change, it seems unlikely that the complicated process of ordinary amendment, with its lengthy ratification requirement, could be completed before the president's term in office expires.

Russian constitutional reform in the direction of rebalancing power and increasing dialogue between the legislative and executive branches will not in itself resolve the current economic crisis. Constitutional change, however, could create conditions for Russia's evolving democratic development, which might help avert similar policy failures in the future.

NOTES

1. For a discussion of flexible vs. rigid constitutions, see Rett R. Ludwikowski, *Constitution-Making in the Region of Former Soviet Dominance* (Durham, NC: Duke University Press, 1996), 215–18.

2. The Russian constitution in English translation can be found in Gordon B. Smith, *Reforming the Russian Legal System* (Cambridge: Cambridge University Press, 1996), Appendix.

3. For a brief discussion of the “Chechen war” amendments, see Robert Sharlet, “Reinventing the Russian State: Problems of Constitutional Implementation,” *John Marshall Law Review* 28, no. 4 (Summer 1995): 783–84.

4. For an extensive discussion of the 1997 campaign for constitutional reform, see Robert Sharlet, “The Politics of Constitutional Amendment in Russia,” *Post-Soviet Affairs* 13, no. 3 (1997): 197–227.

5. Possibly the first attempt to modify constitutional relationships by means of ordinary federal law was in the context of the new State Duma’s drafting of its internal rules of legislative procedure in 1994.

6. B. S. Ebzeev, “Tolkovanie Konstitutsii Konstitutsionnym sudom Rossiiskoi Federatsii,” *Gosudarstvo I pravo* 5 (Mai 1998): 9. The author is a justice of the Constitutional Court.

7. See Kathryn Stoner-Weiss, “Central Weakness and Provincial Autonomy: Observations on the Devolution Process in Russia,” *Post-Soviet Affairs* 15, no. 1 (1999): 87–106, esp. 87–93.

8. Zyuganov made his remark in an interview with Radio Ekho Moskvyy on 8 October 1998. The full interview is available through World News Connection (WNC), Central Eurasia Region, at wncplp@apollo.fedworld.gov, Document No. FBIS-SOV-98-281.

9. One of the Communist Party’s proposed amendments that did not gain the necessary 300 votes in the lower house would have authorized the Duma to dismiss the prime minister, deputy prime ministers, and power ministers through a “highly streamlined procedure that would leave the President no opportunity to oppose the Deputies’ demands.” Quoted from *Nezavisimaya gazeta*, 15 October 1998 as translated in *Current Digest of the Post-Soviet Press* 50, no. 41 (1998): 16.

10. Chief Justice Marat Baglai of the Constitutional Court has consistently supported the constitutional status quo, and implicitly, Yeltsin’s opposition to reform in periodic extra-judicial statements. In the latest instance, he was being interviewed by Radio Ekho Moskvyy on 7 January 1999. The short interview is available through WNC, Central Eurasia Region, Document No. FBIS-SOV-99-007.

11. The full text of President Yeltsin’s Constitution Day radio address as broadcast by Radio Ekho Moskvyy on 12 December 1998, is available through WNC, Central Eurasia Region, Document No. FBIS-SOV-98-345.

12. Yeltsin’s State of the Nation address on 30 March 1999 was published in *Rossiiskaya gazeta* 31 March 1999, 1, 3–6.