

## *From the Archives*

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Edited by Nikolai V. Zlobin

This issue of the journal will introduce you to documents associated with the material on the USSR presidency published here: the article by Yegor Kuznetsov and the interview with Georgy Shakhnazarov. These documents deal with recent history. Their purpose is to reveal some aspects of Gorbachev's political reforms and, in particular, the formation of the president's power structures—the first in the history of the USSR.

It should be clarified that we are not analyzing the documents. Our purpose of introducing the documents is to bring them into circulation and make them available for scholars and journalists. Our comments are only informative, intended to establish better conditions for using the published materials.

Document one is a report entitled “The Structure of the Highest Bodies of Authority,” written by Georgy Shakhnazarov and Vadim Medvedev in the fall of 1989. It was presented to Gorbachev on November 29. Georgy Shakhnazarov was the top adviser to the general secretary on Eastern Europe and a USSR people's deputy. Vadim Medvedev, an economics scholar, was a Politburo member, a secretary of the Central Committee and chairman of its Ideological Commission, and a USSR people's deputy.

Document two, “The Introduction of the Presidency in the USSR and Its Related Problems,” is a manuscript of an analysis by Sergei Stankevich written in early 1990. At that time, Stankevich, a historian, was also a USSR people's deputy, a member of the Inter-Regional Group, the chairman of the Russian Public Political Center and a deputy chairman of the Moscow City Soviet. He later became Yeltsin's main political advisor.

Document three is another analysis, written in 1990 by Anatoly Sobchak, a lawyer, who was the chairman of the Leningrad City Soviet and a USSR people's deputy. He is today the mayor of St. Petersburg.

Document four is a short-hand report taken from the group working on the draft of the new Constitution on 19 February 1990. This group was established under Gorbachev's order in 1989. The report was typed in three parts and covers over 30 pages. Here we provide extractions of the documents where the problems of the presidency and the creation of a new system of power are discussed. Those parts omitted are marked with “X X X.”

We would like to draw attention to the fact that the documents were never intended for publication. Consequently, the language and structure may fall short of literary quality. This is especially the case with the fourth document, where we did not dare improve the short-hand form of the participants' original speeches.

The editorial board would like to thank Yegor Kuznetsov, a member of the Gorbachev Foundation, for his assistance in obtaining these materials.

—N.V.Z.

**The Structure of the Highest Bodies of Authority**

At the first stage of political reform, a major accomplishment was to form a new structure of the USSR's central bodies of authority. Since then, relations have been developing between its major components: the Supreme Soviet, its Presidium and the chairman, and the USSR Council of Ministers. Additionally, a lot has been done to work out a number of crucial bills which deal with radical economic changes and other social issues.

While all these achievements are undeniable, they cannot overshadow the mistakes inherent in the plans. These were elaborated upon during the previous stages of perestroika; to change state and administrative power. Furthermore, it is becoming more and more necessary to complete these projects, to establish new links and to improve upon completed construction.

Presently, the majority is inclined to disintegrate the linkage between the two structures of authority. They would reject the continuation of the Congress of People's Deputies, preserving only the Supreme Soviet as a parliamentary body. In fact, there have been unanimous demands that the chairmen of all the soviets be directly elected. Demands to reject direct representation of public organizations are also growing and it is possible that the analogous idea of electing according to territorial and industrial districts is most likely to be thwarted.

It is easy to see, estimating the complexity of these public and political ideas, that society largely supports a traditional democratic system, and wishes to maintain "the soviet elements" only for the local bodies. Most likely, there are no reasons nor political sensibilities to oppose these trends. But public opinion is not the only significant factor. Lately, serious negative factors have been developing and subsequently, promoting radical changes.

First of all, major institutions are running insufficiently. As a result, they are unable to effectively fulfill their duties. This is especially unfavorable during a period of reforms, when rapid and sometimes unpredictable social and political movements call for urgent measures. Currently, the Supreme Soviet chairman is actually taking on the duties of the speaker. He has no powers to make decisions in the required situation. The government has to constantly give reports to different commissions and also to the Supreme Soviet chambers. The Parliament itself is becoming involved in administrative duties and subsequently, is dragging out the adoption of important acts.

Upon close observation of these shortcomings, it is easy to come to the conclusion that the principle of the division of powers has not been consistently implemented in the structure. Instead, the structure is composed of two poorly coordinated pieces. Without any further delay, this should be improved.

In conjunction with this, a number of problems are emerging. Mainly, the question is how to overcome the clear contradiction between the parliamentary system and that of the soviets. This was originally put into practice through Lenin's idea of combining the best of both.

We regard the following authority structure as optimum: the highest legislative (contrary to the present legislative and administrative) body to be the Supreme Soviet. It consists of two chambers; the Soviet of the Union and the Soviet of Nationalities. The chairman of the Supreme Soviet is elected by the Supreme Soviet. He takes on the duties of the speaker and is supported by the chairmen of the chambers. Additionally, the public and the labor unions should elect a "Consultative Council of Labor." This

body would act as one more chamber of the Parliament with a direct vote.

The president of the USSR is elected through direct vote. He is the head of the state and administrative and executive powers. The Cabinet of Ministers, approved by the Supreme Soviet, comes into power along with the president. It includes: the chairman of the Council of People's Economy, the minister of Foreign Affairs, the minister of Internal Affairs, the minister of Justice, the minister of Finance, the minister of Labor and Social Matters, the minister of the Federation and the chairman of the KGB. The leader of the CPSU is nominated by the president. He takes the chair at the Politburo meetings. The office of the general secretary is abolished.

The same structure can be set up in the Union republics. But only on the condition that uniformity is not imposed from the top and that a republic can make changes with the general "soviet-parliamentary" structure. For instance, they can decide whether they want the president, the Cabinet and so on.

In regards to the local bodies, it would be possible to go back to their previous system: to have an executive committee headed by the chairman elected by a new means of direct voting (the same system exists in the U.S., France and other countries where the head of the local administration, the governor or mayor, is elected directly). In this way it would be possible to preserve the post of soviet chairman. This post would include the duties of the organizer, the speaker, and the representative body.

The most complicated question of today has to do with the method of transition from the present system to the new one. Obviously, the situation in the country does not allow the risks of having new elections. Due to the present unstable conditions, it could bring a catastrophe to the country and could therefore complicate the course of perestroika.

At the same time we cannot delay the need to urgently change the political structures. The way out could happen without trying to immediately carry out all indicated measures; rather, to undertake changes gradually-within the present mechanism of power. Specifically it would appear as the following:

First: to suggest at the next Congress of People's Deputies that necessary changes should be made in the structures of authority. It should be coordinated with the nine groups of deputies in advance and during the course of the work. Since the members of the latter have spoken in favor of the president, there is reason to believe that at least some sections of them will support the aforementioned ideas. However, time limitations present a problem. There are only three weeks left before the second Congress. If it is decided that there is not enough time, another course of action could be followed: to put forward the general concept of political reform and to appoint a commission at the Congress to work out that matter. The project is to be circulated amongst the deputies. Then, maybe a new Congress will be held, and in early spring the indicated measures will be carried out.

Second: to suggest that the president be elected at the Congress of People's Deputies. If it is approved, the second and third Congress could elect the president (and perhaps the vice-president) and the new chairman of the Supreme Soviet at the same time. If it is not adopted on the grounds that the president should be elected by all the people, it should be suggested that such an election should be held after the term in office of the present authorities expires. This is justified by the current complicated situation and cannot be regarded as a violation of democratic

principles, for the Congress has elected the first person of the state so far—the chairman of the Supreme Soviet. We mean to specify his functions only.

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#### **The Introduction of the Presidency in the USSR and Its Related Problems**

Along with the changes proposed for the structure and functions of the highest bodies of state authority, it seems necessary to focus on the following problems:

1. The contradictions between the centralist orientation of the president's powers and the Unionist orientation which characterizes the relations between the republics in the USSR.
2. The contradictions between executive and legislative powers.
3. The contradictions between the different bodies with legislative powers.
4. The problems of transition to the new organizational form of authority.

1.—

The USSR is most likely to become the Union of Sovereign States with equal rights. Their political interests and economic relations are fixed by the system of treaties. Any other methods of Union organization will be a transition towards the complete sovereignty of the republics. Under the transition, the ties between the republics will not merely become stronger, they will become more essential. It will happen, however, after the period when conflicts become inevitably more aggravated.

In the Union of Sovereign States, the president is to have rather limited and specific duties: to coordinate the relations between the republics and to represent the Union in foreign policy.

The legislation stipulates that the Union president's power carries itself over that of the Union republics' structures of power. In this sense, the Union republics do not carry any more genuine sovereignty than states (such as those found in America, India or Mexico). The president can declare a state of emergency over the republics without the approval of their governments. He can also uphold laws over the Union republics and, according to the context, over their constitutions. There is a provision that he must observe any correspondence between the Union and republican constitutions.

With these provisions, the legislation has become unacceptable to the Baltic republics. Most likely, this will also be the case with Georgia, Armenia, Azerbaijan, and, shortly after the elections, with Moldavia and Ukraine. The adoption of the legislation, which lies in direct opposition to their positions, will bring on lasting conflicts.

Is the USSR leadership ready to accept a model which stipulates that "the USSR is the Union of Sovereign States with equal rights?"

This is the only moderate position, and it should be declared openly, at least as one perspective.

In this case the president of the USSR would have an absolutely different status and function in the future than is currently written in the present legislation.

If we define a future USSR and the corresponding status of the president, we can put the question of a transition period as a task for the provisional powers of the transition period.

This version of the plan could be accepted by the republics.

2.-

The introduction of the president in the present legislation sharply violates a shaky balance of forces between executive and legislative powers. Currently, the balance of power is tipped on the side of the executive.

The position of the president seems to be elevated above the Parliament and the Council of Ministers. Instead of concentrating executive power, the president is becoming an arbiter. In the case of some likely clashes between the Parliament and the government, the president would have the right to dissolve the Supreme Soviet. Thus, the Supreme Soviet is deprived to express the vote of discontent to the government, because it will be constantly threatened with dissolution.

The right to dissolve the Supreme Soviet makes sense if the president and the Parliament are elected directly under a multi-party system. This is a right the president is granted from the governing body of his party members. We lack these conditions now, but there is the Congress of People's Deputies which could elect the Supreme Soviet. The president might find this even more unacceptable and might be even more determined to dissolve it.

Now it is more important to establish the president's right to dissolve the Supreme Soviet during a transitional period. After increasing the number of its members, he should hold a new election to the Supreme Soviet.

3.-

The creation of the Cabinet will immediately sharpen the contradictions between the executive bodies, since the ministers will be divided into two types: those admitted into the Cabinet and all the rest. The information-distribution and decision-making could get slower and the level of responsibility of the ministers excluded from the Cabinet could decrease.

The reorganization will have an unfavorable political impact. Instead of simplifying the administrative pyramid as was previously promised, a new link of hierarchy will make it more complex.

These problems caused by the reorganization may not be alleviated. Perhaps, there is no time for half-hearted attempts and compromises. It is necessary to resolutely undertake full reorganization of the executive link of state authority.

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The plan does not provide political measures for the planned reform. It should include an additional act to promote "a flagship bill" with a properly chosen "squadron" and well thought-out tactics.

#### **Suggestions**

1. The Soviet of Nationalities should immediately start to prepare the draft resolution of the Congress of People's Deputies "On the Major Tasks of the Reorganization for the Relations Between the Republics of the USSR."

a) The draft is to contain an optional new concept of the USSR as a Union of Sovereign States with equal rights.

b) It should also provide methods of transition to the new stage of the Union.

c) It should order the Supreme Soviet to work out certain suggestions and ask the Constitutional Commission to speed up their work. Preferably, specific tasks and terms should be indicated.

Such a resolution can quiet the republics and make the adoption of the presidential body easier. But for the Baltic republics, it would not be effective.

There is a last and radical result, which can be altered according to the realities of the situation. It would make sense to get more documents approved for circulation:

-the draft decree of the Supreme Soviet, "Reestablishing State Independence of the Republics of Lithuania, Latvia, and Estonia;"  
-the draft treaty "The Principles of Relations Between the USSR and Latvia" (the same for Lithuania and Estonia).

Certainly, these documents cannot be approved by the present Congress of People's Deputies. However, drafts could appear at the talks with representatives of the Baltic republics.

It is also necessary to convince them that the documents can be adopted faster if the president has the right to dissolve the Congress of People's Deputies and to hold elections ahead of time.

2. The president's powers listed in the Constitution include the right of the Congress or the Supreme Soviet to empower the president to carry out political reforms in the USSR.

The next Congress will adopt the resolution "The Major Principles of Political Reform in the USSR." It is to contain the following points:

a) The Congress of the USSR as an institution has historically fulfilled a very important role.

b) Taking into consideration the articulated will of the electorate, the USSR people's deputies deem it necessary to start preparing the elections to the USSR Supreme Soviet. This body will have an increased number of deputies.

c) The Congress is entrusting the USSR Supreme Soviet to prepare changes in the number of Supreme Soviet deputies. They will also empower the president to fix the date of direct elections to the Supreme Soviet as soon as the work is completed.

d) The goal of the president, whose term will be on a provisional basis for less than three years, is to provide a transition to the new principles of the construction of the USSR and its political system. As soon as the main tasks of the transition are reached or prepared for negotiation within the three-year period, new presidential elections are to be held. The shape of elections and the powers of the president are to be determined by the Union republics on the basis of their new juridical status.

The resolution will stress that the provisional and transitional character of the president is established by the Congress primarily to settle certain tasks during a limited period. It will also give the president the possibility to hold direct elections to the Supreme Soviet two years ahead of time. The latter will lead to the renewal of the deputies' corps and will save the political system from Congressional obstacles.

3. It is necessary to complete the Constitution and the rules which deal with impeachment—in such a case that the president abuses power or acts unconstitutionally.

4. To be included within the Constitution and the rules:  
 -The right to call any official to the Parliament to provide any required information. He will be entirely responsible for its validity.  
 -The status and procedure of parliamentary investigations.  
 -New budget operations.  
 -A list of actions which the president and other officials can undertake if they are discussed ("with the advice and consent") with the corresponding committees, commissions, or the authorities in the Parliament.

5. To adopt a resolution entitled "The Information Support of the USSR People's Deputies." This will state the duties of the departments to regularly circulate current information about their activities.

6. The creation of a Council of Ministries of People's Economy and other departments to appear outside the Cabinet including state committees and departments. The members of the Council are not regarded as ministers, except for the chairman. The Cabinet attached to the president should be called the Cabinet of Ministers.

Special programs in the spirit of "parliamentary diplomacy" should be worked out to more smoothly delegate meetings with groups of republican deputies, as well as talks with the supreme soviets of the republics and their deputies.

It is worth launching a campaign of discussions in the press and mass media. It would be very favorable if even some Union republics supported the idea of a presidential body.

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**Comments on the Draft**

1. To specify the system of relations between the president and other branches of authority with the maximum of distinction.

2. The main critical remark focuses on the preservation of the two duplicative legislative bodies: the Congress and the Supreme Soviet; and also the president's accountability to the Congress of People's Deputies.

It is necessary to retain one professionally effective Parliament, the Supreme Soviet and the accountability to this very organ.

a) The right of veto should be given to the Supreme Soviet for the presidential decrees.

b) A list of extraordinary exceptions should be made for cases where the Supreme Soviet is to be convened by the request of more than 100 deputies. In this case, extraordinary measures are being adopted.

The rest seem acceptable in principle. In analyzing the procedure of nominating the president, if it is too rapid, it could undermine authority. For example, if Gorbachev is empowered and elected in the same month.

Respectfully yours,  
 A. Sobchak.

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**Shorthand Report of the Working Group on the Constitution**

February 19, 1990

M.S. Gorbachev is chairman.

Gorbachev: Dear comrades, I ask you to speedily hand in your comments.

Kudryavtsev: There are many comments. And, in particular, there is a problem; how are the president and the Supreme Soviet and the government interconnected? I don't think that the correlation is well-balanced. If the president can dissolve the Supreme Soviet, the conditions under which he can do this should be clarified.

Gorbachev: It is suggested that we put the question on hold. It would appear as if we were taking some other country's previous experience. We need to consider that we have the Congress of People's Deputies. Will authoritarian trends arise from this or not? Perhaps, and I insist on this, that we not add anything to the relations between the president and the Supreme Soviet.

Aitmatov: And, in principle, who has the right to dissolve?

Gorbachev: The Congress of People's Deputies has. It has the right to elect on a rotating basis.

Kudryavtsev: We need to decide whether the office of the president is desired in this case. If he has no powers to do something to the Supreme Soviet and the government, the post would become something ephemeral.

Gorbachev: In regards to the government, he can do everything. I guess that the formation of the Presidential Council will mean that all the errors of the activities will be analyzed.

Kudryavtsev: But this isn't the result.

Dzasokhov: I would suggest the following version—the president can put up a motion to dissolve. When we reach the referendum in five years, it will be possible to write down that the president has the right to dissolve the Supreme Soviet. I think we need to undertake tremendous organization since there is no consensus in the Supreme Soviet. We have some critical notes to the memorandum which we shall hand in.

Gorbachev: The developments in the republics are playing an important role. The day before yesterday the Presidium met in Georgia to discuss the matter. They were in favor of the presidential office and for the mechanism of democratization. Besides this, the powers of the president should be listed. They should provide other matters associated with the federation's development and reform.

Aitmatov: This raises many questions. For instance, journalists from our country and from abroad are asking: What do you think of the president? Do you think it will lead to a new authoritative government and cult of personality?

Gorbachev: Comrades, a cable has arrived from Minsk which urgently advises us to approve a socialist state and the president as a form of government.

This would guarantee an acceleration of reform in all crucial steps—during the consolidation of the ties between legislative and executive powers. Democracy means not only collective decision-making, but strict personal responsibility for those decisions.

I believe that the presidential structures will become effective tools of strengthening laws, order and discipline, which will allow us to immediately take measures under extreme situations. It is very important for us to consider the interests of different social strata. This is Alexeev's idea. Pluralism of ideas and actions in overcoming disorganization and mismanagement of the economy.

I hope that the president will become effective in changing the Soviet federation also and providing real sovereignty to the Union republics, as well as rights to each nation and individuals.

The Presidium of the Byelorussian Supreme Soviet supports the idea of holding a special Congress of People's Deputies within the current month. This will attempt to settle the problem of combining the president's power with a wide range of powers.

We can trust the deputies. I am thinking this over and seeking arguments to convince that this isn't my idea. I have always been sure that the presidency doesn't go well with the idea of the soviets. Since we have been pushed by life, our influence is slipping out of our hands. This is the worst kind of irresponsibility.

My situation might lead you to believe that I'm self-interested. Some people say that if Gorbachev wants it, let's do it. You see, that's why we need the president and alternative elections. Don't argue with me because nobody knows what will happen in the future. The Congress is emerging . . . We need to be an equal to society and meet it half-way.

Primakov: I think it's better to call it the State Council. It will be a consultative presidential body.

The State Council would cover two kinds of officials. The positions of the chairman of the Council of Ministers, the foreign minister, the defense minister, the minister of the Interior, the KGB chairman are its members. But I would not bring in anybody else, including the State Planning Committee chairman. The second group would be appointed by the president. This includes: the Union political secretary, the Union federation secretary, the Union party and public organizations secretary. We need to think over, perhaps, if the chairman of the Supreme Soviet should also be included.

The Union secretary of economics and the Union secretary on humanitarian matters should be included. It would be wrong to include the State Planning Committee chairman and the finance minister. There should be one person on charge of all economy matters, the Union secretary of economics.

Gorbachev : Let's call it the Presidential Council instead of the Cabinet.

Dzasokhov: Wouldn't it be better to call it the Federation Council?

Gorbachev: No, then that would insinuate that it would deal only with the problems of the federation.

Dzasokhov: This is a unique case.

Gorbachev: Ours is a unique state.

Dzasokhov: I think we don't need a lot of presidents, shall we call them something else?

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Kudryavtsev: It's necessary to specify the relations of the president and the government. What decision is he to make? Which are obligatory for the government? That's the question.

Gorbachev: We are following the situation. We have rejected the Politburo, which defined and encompassed the whole of politics. All political questions were put in terms of which body was to settle things. When we were settling the matter subject to the government, a draft resolution of the government was required. When we needed to order something a draft order would be issued, and so on. The Politburo estimated and approved it. And then it became a basis for making decisions. In this respect now the Politburo is considering political matters. It is going to avoid regarding problems as if it were the government, the Presidium and so forth. It is actually giving appraisals.

Therefore, there should be an equivalent of the Politburo to function at the state level, basing itself on laws, political criteria and criticism. Otherwise, it already appears that we have lost this very thing. Each time a decision appears: "What is this? The Politburo again?" We should have this in mind. The way to this kind of authority is through laws.

Kudryavtsev: The president will have much power to influence the government. He can suggest, for instance, that the government should resign. But here's the irony: he can dissolve the Supreme Soviet, but can do nothing to the government. Only if supported by the chairman of the Council of Ministers can he ask to do something, say, to a minister.

Gorbachev: That should be written down.

Kudryavtsev: He must have broader rights. I think he can just cancel a resolution of the Council of Ministers if it violates the law.

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Dzasokhov: An important question is about the procedure of nominating the candidate to the presidency.

Gorbachev: We have been thinking it over for a long time. We have decided that all who have the right of legislative initiative can nominate the president.

Kudryavtsev: I think we need to formulate who can become the president by indicating the age, etc.

Primakov: Any person of any nationality and any party affiliation between the ages of 30 and 60 can be elected.

Gorbachev: Is it necessary to put down the age of the president?

Primakov: The maximum and minimum limits are to be set.

Gorbachev: The maximum is clear: a candidate below 65 years can be elected.

Dzasokhov: I think it is important to set the minimum also.

Gorbachev: People are not interested in minimum age.

Kudryavtsev: I don't think the president should take the chair at the meetings of the Congress of People's Deputies.

Gorbachev: No, he shouldn't. In this case the functions would be mixed. Even now they are mixed, though I am acting as chairman of the Supreme Soviet here.

Gorbunovs: It is obvious that we'll have to carry out something of that sort in the republics. Why? Because if now we have the Parliament consisting of one party, we shall elect a new one in March. When we raised the question we were not so much concerned about the name, but with the functions. According to this concrete material, we would stress that the president under such a situation of constant disagreements could appear as the highest conciliatory authority.

I am slightly worried about questions which are sure to be raised in regards to the president and the Supreme Soviet of a republic. For instance, if the president cancels the decision of a republic's Council of Ministers, is he to ask advice to the Supreme Soviet or not? Isn't the Council of Ministers subject to the Supreme Soviet?

Gorbachev: I think we should settle this, cancel it, or spell it out clearly. Let's put the question in this way: Is it required at all? This function has been taken from the Presidium of the Supreme Soviet and attached to the president. Thus, it should be associated with the Supreme Soviet.

Gorbunovs: If it is stated so, republican sovereignty can't be spoken about. This question will be raised at the Congress, and I shall be the first to raise it. But it doesn't mean that the powers of the president are to be reduced and cut. I regret that I haven't got a clear formula yet. I realize that there must be a way out. In case of an emergency, the president of the country must be powerful, but, on the other hand, there must be compromises with the soviets of republics. It is a matter of principle.

Primakov: If there are no unsurmountable differences, some responsibility can be given to them.

Nishanov: We are working on this.

Gorbachev: I think we could write it down now.

Gorbunovs: We have an impression that it is impossible to transform the present situation, say, in Azerbaijan or Armenia and to compare it to our republic. If the leadership of a republic cannot maintain the situation within it we should think of a solution.

Gorbachev : The president and the Supreme Soviet have agreed that the president's right to dissolve the Supreme Soviet shouldn't be written in. The president has conciliatory functions, he is an arbiter, and he can put the question on dissolution of the Supreme Soviet to the Congress.

We have decided to write down clearly that the president is powerful enough to influence the government and to issue orders towards it. He can also interfere with decrees or cancel them. He can also make dismissals and appointments without waiting for the Supreme Soviet. But he will inform the Supreme Soviet of these decisions. In short, we are opening possibilities for him to gather his forces when necessary, and I think the president will come through with them.

Then, who can become the president? It's very important that it be someone who didn't get his citizenship yesterday. If the age should be specified, what are the limits? Minimum age seems embarrassing, but it is said that the public would like to know the maximum.

It is necessary that a health certificate should be required for everybody, from the president to each deputy? Then, we were discussing what form the presidential body should take; the State Council, the Cabinet or the Presidential Council. I suggested that it be the Presidential Council.

Lukyanov: Russia always had the State Council.

Gorbachev: Then that was Russia, now this is the Union of Soviet Socialist Republics. I think that the bodies will settle the problem. That is, the Presidential Council will make it clear that the Cabinet will not merely hold meetings, but act. And what about the Council of Ministers and the government? It is to be known as the "Federal Soviet" and will embrace the idea of the multinational state under the president. Thus, these two instruments will allow the features of our state to be taken into consideration. There is to be some other combination: to strengthen the mechanism of executive power.

In regards to the relations with the republics, it is written that one of the president's duties is to use all his powers and options to settle the problem of reorganizing our federation, strengthening sovereignty and so on. It must be the only way. What do I mean? The Supreme Soviet Presidium has had some of its functions shifted. It can make a decision to cancel something.

We are moving towards establishing Union priorities and republican priorities. It is to be fixed in the Constitution strictly, that the Union won't be able to interfere in republican priorities. We need a formula which could lead to definitions in the future, and through definitions we will pass on to a new understanding of the Union Treaty.

Lukyanov: As regards the Union jurisdiction, the president can have the right to approve the acts of the republics. There must be a Union jurisdiction.

Gorbachev: I am saying the same: the Union and the republics must be priorities.

Lukyanov: It should be written down that the president has the right of veto.

Gorbachev: Neither the president, nor the Supreme Soviet can veto something which is subject to the republics.

Kudryavtsev: Must the president be a deputy?

Gorbachev: No, not necessarily.

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Gorbachev: I must inform the Commission of the following: there is an opinion of some comrades which ask, Why are we going to do all of this? If we establish a presidency we will hold the Congress and begin what is necessary; including all the debates and conferences. We are to discuss the candidates, no doubt there will be alternatives. Do we need to start all that, to open it up so broadly? People are tired of this, they are starting to look for decisions.

Is it worth, in connection with this, to give all the powers of the president to the chairman of the Supreme Soviet just not to waste more time on these activities? Then an act to distinguish the powers of the president should be adopted. Then things will move forward and it remains to be seen what is next. We'll study the situation, and so on.

Primakov: All the same, we'll have to hold the Congress.

Gorbachev: Presently, the country is out of hand. There is much speculation taking place, about social and economic errors and the difficulties in the construction of the federation.

I am stressing that we must do everything to save the complex process of democratization, of perestroika. We must hold out. The process is very rapid, but it's necessary to do everything possible to prevent a worsening of the situation and to move on from there. Adding to the complexity is the fact that two peoples, Armenians and Azerbaijani, have gotten into a conflict. We could hardly blame both of them. Yevgeny Primakov has been watching this the whole week but there is a paralysis of state and social structures. This is where perestroika is going on slowly, that is, where progressive forces are stopped by "dams," but the dams are overflowing. That is the other side of the coin.

I have asked for a tape of Yeltsin's speech on Leningrad TV. Have any of you seen him?

Kudryavtsev: Just the same mere verbiage, as usual.

Gorbachev: Well, he suggested that all Russians should come back to Russia. But it's nonsense. Then about 15 million Russians will have to leave the Ukraine. How could they do that? How is it possible to advocate such things?

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Kudryavtsev: Consider the following situation: the person whose name is Gorbachev is the leader of the Supreme Soviet, and the legislative branch is strong. Then he breaks off, and another person leads the Supreme Soviet. Then what happens? Practically nothing will be handled, because the president will not be able to influence it. He could show his influence only by dissolving the Supreme Soviet.

According to the text he cannot exert much influence on the government. He can do nothing but dismiss a minister with the support of the chairman the Council of Ministers. Here is a danger of a reverse process in which the president could be deprived of some action. I think we could carefully think over how he could influence both the Supreme Soviet and the Council of Ministers. In regards to them both, we need something balanced, otherwise, he will be totally powerless.

In regards to the Supreme Soviet. Perhaps we need to add something else to this right of veto. Of course, the right of veto is important. We need wider powers in regards to the Council of Ministers. It has its own chairman. Why does it need the president? I guess this presents a kind of danger.

Gorbachev: Our Presidium takes up economic matters. It isn't allowed to be involved in politics.

Shakhnazarov: We need either to turn the government into the Council of People's Economy, give it a title which relates to the job, or to envision the right of the president to take the chair at its meetings.

The president acts as the head of the government when he thinks it necessary. Perhaps, the chairman of the Council of People's Economy should be included into the Cabinet, and the rest will become the Council of People's Economy.

Kudryavtsev: It will give rise to a negative reaction in the Supreme Soviet. The prime minister has just been elected, the government has been formed . . .

Shakhnazarov: It is even easier now as long as the federal system hasn't been formed. Thus, the president can take the chair at the meetings of the government when the most serious problems are being discussed.

Gorbachev: I think it is settled so let's give the whole thing up. We should propose something realistic. Of course, there is some irritation on the part of the Party and the government. It just proves that the problem is very serious. They are talking here and there, but nobody can negotiate any settlement.

Ryzhov: Taking this into consideration, we should empower and move forward.

Gorbachev: I believe it's apolitical. We must develop another system. If the question is put that way, the Supreme Soviet and the government will suffer. At the first stage, the president appears as a mediator, and, should the need arise, he can propose something to the Congress of People's Deputies.

I think we should focus on that. There was the word "administrative." It involves our Supreme Soviet in unnecessary activities and takes time away from legislation and control. These two functions—legislative and control—are preserved. We'll stress on saving them. I think that this Presidential Council should be defined clearly. Then, there will be a strong center to lead administrative departments of the Cabinet. Let's keep it, otherwise it won't be the Cabinet, but the second government.

Gorbunovs: That's a hidden aspect, here we see only the tip of the

iceberg. I think it shouldn't be called the Cabinet, but the Presidential Council. It's very important, since if it is the Cabinet it will be a type of government. But the Presidential Council is the highest executive body with rather political functions. And we need it, comrades. We see that the Politburo is lifeless, the government is engaged in quarrels with the Supreme Soviet. Therefore, we need strong power to cover the country. The executive mechanism is slow and is at its weakest point. There is lack of laws, though there are some. That's why we need strong power to press the government, so to speak.

Lukyanov: If the idea is real, and, I think, it is absolutely necessary, we should start this as soon as possible. We shouldn't copy anything: neither the French Cabinet, nor the American. We need to take into consideration our present system, and to replace the Politburo with some political body, the presidential body, one which would correspond to our Soviet conditions. It doesn't mean that the president cannot be regarded as the executive branch. It would kill the whole concept. As it is put in the memorandum and in the text, he is to combine executive and legislative powers. He is to exert his influence upon both the Parliament and the government. Here is the body replacing the Politburo. Who will be involved? We shouldn't think of that. We should set up the Parliament, and someone to exert his influence on the government. The chairman of the State Bank would be desired, but not the Chairman of the State Planning Committee.

Gorbachev: The chairman of the State Bank disappeared when the Finance Ministry appeared.

Lukyanov: Then, the minister who has connections with the Parliament is out of the question. There cannot be a person in the Presidential Council especially oriented to the public. It's primarily through the Parliament.

The person responsible for the connections with the Parliament is to be in the Parliament. If he represents legislative and executive powers and is really a leader using his powers in respect to the Parliament and the government, he will demonstrate his value as he enters our system? Or what should this be?

The president and the State Council are purely consultative bodies. The Parliament has the Federation Council and the Defense Council. All the rest is a narrow circle. It isn't the Cabinet at all. The president has the right to take the chair at the Council of Ministers, he can take the chair at the Parliament, and, should the need arise, at the Congress. This means we will fail to base this concept on the division of powers. The period is wrong. He will amalgamate these two powers.

My opinion is that there are no reasons to have the chairman of our Parliament. We have two equal chambers. We mean that there cannot be a chairman of the Parliament since he cannot be a member of either chamber.

Gorbachev: It is possible to form the Presidium of the Supreme Soviet, and the chairmen of the chambers will take the chair in turn.

Lukyanov: There should exist a person through which the president will influence the Parliament and the government. What form shall it take? Perhaps, the chairmen of the two chambers should enter the State Council or the Presidential Council. All the same, it should be a body to exert the president's influence upon the Parliament and also the government.

This is my position.

Gorbachev: Well, how will he assert his influence?

Lukyanov: Say, the State Council or the Presidential Council has worked out a bill and submitted it to the Supreme Soviet. I realize this has replaced the Politburo. No other systems fit.

Ryzhov: I believe that we must define our position. We can proceed from two opinions concerning the reform of governing.

First, perestroika isn't proceeding. Many people say, and quite reasonably, that we need to involve the forces of perestroika taking into account both the present level of public consciousness and the existence of the old structures. This includes economic reform and political reform. Many also say that authoritarian rule will put a bit of pressure on us. When we start changing, the situation will get worse for the majority of the population. Strong power is wanted by them to lead us where we want to go—to the accomplishments of perestroika. This is the first task.

Second. Taking into account our extremely complicated situation we need to define right now what to do to keep ourselves afloat. Our boat is already going to sink. In this first case we need to clarify, for instance, who the president rules over. The president of the present USSR, which is extremely shaky now, so there is nothing to discuss. Thus, we start specifying national and state organization and so on. Proceeding from our targets we shall define the role, tasks, duties, responsibility, etc.

The second version regards an emergency situation. Under this, we need to clarify what is strong power today and what it can and must do. We need to use it to stabilize the situation. So, the approaches are different in the first and the second cases.

Lukyanov: We shouldn't take the examples of the bodies, but rather their functions.

Ryzhov: During the construction of an aircraft, we start defining which is to be a fighter and which is to be a jet liner. But it's possible to make an aircraft first and then declare that the first will take passengers, and the latter will fight.

Lukyanov: The USSR president is to cancel the acts of the Union republics. There should exist a combination of executive and legislative powers, he is to hold up the acts of the Supreme Soviet and cancel the acts of the Council of Ministers.

Gorbachev: I have an objection: we are trying to find a simple solution which doesn't exist. I am basing this on the fact that having worked under the new situation which has taught us a lot, we now know social forces we have never previously considered.

If we tried curbing all the processes it would be the worst case, especially if we tried to stop the forces which have already been awakened . . . Though, I doubt that any dictatorship will manage to stifle them. People are called upon. However, if it happened and people returned to their previous situation—there are such moods, they seem weary and I am afraid of indifference—we would fail with all our reforms. After opening the process we must realize that we haven't made mistakes in our goal, but

we see perestroika skidding. Now, growing energy is stopped by different dams. It's obvious, people are getting angry, and where the situation is extremely hard, people lose control. Remember the miners? Something is wrong in our mechanism.

We are initiating new things in the economy and in politics. But without an executive mechanism, we cannot achieve these initiations. If there is no balance, we'll remain at the initial stage of meetings. Everything rests on complicated social problems. That's why we need to take drastic measures. First of all initiatives should be done in the course of the formatting of the mechanism. It will free the initiative and energy we need to move forward. So, the main goal is perestroika. We mustn't spoil this. If we delay, they will start settling by other means. They could say: let's take the Romanian model. By the way, they don't know what to do now in Romania. The same has happened in the Fergana. Some people say; let's do it the way it was done in Romania, in Czechoslovakia for five days. It is a gamble in such a country as ours. Such things if initiated could be more hazardous than the Chinese Cultural Revolution. Thus, we shouldn't miss the opportunity. We should accelerate our work. I think the main source of this acceleration is a strong executive mechanism.

Ryzhov: Mikhail Sergeevich, haven't we missed the opportunity to do this?

Gorbachev: Not yet. But now things are complicated by new anticonstitutional issues. We need a power which can react rapidly. Within the present contract, there is no realization of this quick reaction.

I am thinking over this a lot. People are discussing much about this issue. But I see life taken by the throat. I'll tell you openly we need to save and protect perestroika. We need to make sure that all progressive forces get mobilized for involvement.

### Editor's Notes

Note: Titles of players are at the time of the meetings. All were members of the USSR Congress of People's Deputies.

Chingiz Aitmatov—chairman of the board of the Kyrgyz Writers' Union.

Sergei Alexeev—chairman of the Constitutional Compliance Committee of the USSR.

Council of People's Economy—also known as Sovnarkhoz.

Alexander Dzasokhov—chairman of the USSR Supreme Soviet Committee on International Affairs, and Politburo member.

Mikhail Gorbachev—general secretary of CPSU Central Committee and chairman of USSR Supreme Soviet.

Anatolijs Gorbunovs—chairman of the Latvian Supreme Soviet.

Vladimir Kudryavtsev—jurist and academician.

Anatoly Lukyanov—member of Politburo, deputy chairman of USSR Supreme Soviet.

Rafik Nishanov—chairman of the Soviet of Nationalities, USSR Supreme Soviet.

Yevgeny Primakov—academician, head of Moscow's Institute of the World Economy and International Relations (IMEMO).

Yuri Ryzhov—academician.

Georgy Shakhnazarov—deputy chairman of the USSR Supreme Soviet Committee on

Legislation, Legality and the Rule of Law, and one of Gorbachev's top advisers.

State Planning Committee—also known as Gosplan.