

Municipal Reform in the Russian Federation and Putin's "Electoral Vertical"

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Abstract: To truly assess democratization in Russia we need to study politics not only at the national and regional levels but also at the subregional level. A detailed examination of the implementation of the Federal Law, "On the Principles of Local Self-Government in the Russian Federation," which was adopted in 2005, shows that the political and financial autonomy of Russia's municipalities have been seriously compromised and that local self-government has been turned into nothing more than a third branch of state power. Moreover, an examination of municipal elections conducted from 2004 to 2005 shows that elections in Russia are far from free and fair. The instigation of what may be termed Putin's "electoral vertical" has thwarted the development of grassroots democracy and United Russia now dominates the municipal political landscape.

Keywords: municipal elections, municipal reform, Putin, Russia

Since President Putin came to power in 2000 we have witnessed a radical assault on the principles and practices of federalism. More recently, Putin has turned his attention to politics at the subregional level. In October 2003 a new federal law, "On the Principles of Local Self Government in the Russian Federation" (hereafter, the 2003 Law), was adopted that seriously compromises local government autonomy.¹ After discussing the major features of the 2003 Law and the problems of its implementation, this article examines the most recent round of municipal elections, which took place in 2004 and 2005. Municipal elections in many federal subjects have been far from free and fair. State control over local electoral commissions and the courts have dealt a serious blow to the development of grassroots democracy in Russia. The consolidation of democracy has also been undermined by a series of laws on elections and parties that Putin adopted in the wake of the Beslan hostage crisis in September 2004. These new laws, ostensibly designed to strengthen Russia's party system, have, in practice, allowed United Russia to consolidate its hold over regional and local assemblies.

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Federalism and Local Government in the Russian Federation

In theory, local governments in Russia operate outside the formal state hierarchy. Article 12 of the Russian Constitution states that, "In the Russian Federation local self-government is recognized and guaranteed. Within the limits of its powers local self-government is independent. Bodies of local self-government do not form part of the system of bodies of state power." However, municipalities have, in practice, been treated as a "third tier" of state power, subordinate to regional and federal administrations.²

Municipal government in Russia also operates within a quasi-federal system epitomized by high levels of constitutional and political asymmetry. Thus, to fully understand local level politics, the peculiarities of the Russian federal system, and in particular the massive powers that were ceded to the federal subjects in the 1990s need to be taken into account. Between 1994 and 1998 Yeltsin signed forty-six bilateral treaties with federal subjects that granted the signatories a number of extraconstitutional powers, including the right to develop their own forms of local government. By the end of the Yeltsin era, a highly politicized form of "contract" federalism had replaced constitutional federalism. "The result," Campbell stresses, "was not decentralisation but 'autonomisation' . . . whereby the state was held together by a loose parade of treaties bargained between the centre and the individual regions."³

Daniel Elazar argues that local governments in federal systems are often able to gain "a substantial measure of entrenched political power" by capitalizing on "the spirit of noncentralisation—the spirit of federalism."⁴ However, in Russia's quasi-federal system, regional elites have been able to subjugate local level bodies with impunity. In many of the ethnic republics (e.g., Adygeya, Bashkortostan, Dagestan, Kalmykiya, Komi, North Ossetiya, Sakha, and Tatarstan), the chief executives were able to carve out personal fiefdoms and to instigate highly authoritarian regimes. Local governments were subordinated to the republican administrations, and republican presidents directly appointed heads of municipalities.⁵ Moreover, the 1995 law, "On the Principles of Local Self-Government in the Russian Federation" (hereafter, 1995 Law), was not implemented in eighteen regions, and only partially in forty-three.⁶

Thus, on the eve of Putin's accession to the presidency, there were major variations, across the federation, in the structures, functions, and powers of local governments. Indeed, the degree of political and economic asymmetry at the local level was even higher than in the regions. Regional elites often had the final say over which powers would be delegated to municipalities. Local governments were also highly dependent on the tax receipts of regional and federal authorities, and chronic deficit budgets were the norm rather than the exception.

Putin's Federal Reforms

In 2000 Putin initiated a series of federal reforms whose primary aim was to create a unified economic, legal, and security space across the federation. Over the last six years there has been a concerted attack on the powers of the regions and localities and a recentralization of economic and political power in the hands of the Kremlin. Through the instigation of what he terms a "dictatorship of law," Putin has sought to reign in the anarchic and feudal powers of the regions and to bring an end to the "negotiated federalism" of the Yeltsin era. Most of the bilateral treaties have now been rescinded, and regional legislation is gradually being brought into line with the Constitution. The *ex officio* membership of regional chief executives in the Federation Council has also been ended. Regional chiefs

are now subject to daily oversight from Putin's presidential envoys in the seven new federal "super-districts."

Putin has also been granted the power to dismiss regional heads and councils if they adopt legislation that violates the Russian Constitution or federal laws. In turn, the heads of federal subjects were given similar powers to dismiss heads of local administrations.⁷ Furthermore, new legislation, which came into force in January 2005, gives Putin new power to directly appoint regional governors and presidents. Regional legislatures have been given the task of approving the president's nominees, but so far no regional parliament has refused Putin's nominees. One of the most recent nominations to be confirmed was that of Murtaza Rakhimov, the president of Bashkortostan, who has been accused of human rights violations, corruption, and electoral fraud.⁸

Local Government Reforms under Putin

In July 2001 Putin set up a commission, chaired by Dmitry Kozak (the deputy head of the presidential administration), which was charged with drawing up new proposals on the distribution of powers between federal, regional, and local governments. Proposals from the commission led to amendments to nearly two hundred federal laws. In 2002 the commission drafted a new law on local self-government, which was ratified by the Duma on September 16, 2003, and signed by Putin on October 6, 2003. The law was originally scheduled to come into force on January 1, 2006, but in October 2005 the Duma passed legislation postponing full implementation until 2009—that is, until after the completion of the 2007–08 parliamentary and presidential elections.

The 2003 Law seeks to establish a uniform and universal system of local government throughout the country. It calls for the creation of a two-tiered system, composed of upper level "municipal districts" and their constituent "settlements" (city and rural). There is also a third type of municipality, the "city okrugs" (city districts), which is outside the jurisdiction of the municipal districts. According to data from the Central Electoral Commission, since 2006 the number of municipalities has more than doubled in size from 11,957 to 24,208.⁹ The number of city settlements has risen significantly—almost fourfold, from 461 to 1756. Of the 12,251 new municipalities, there are 10,700 rural settlements, 1,295 city settlements, 238 municipal districts, and eighteen city okrugs. In the republics of Chechnya and Ingushetia, and in Moscow and St. Petersburg, new municipalities still have to be formed.

Elections to the new municipalities were held between 2004 and 2005, and by December 2005, 119,358 deputies and 8,664 heads of administrations had been duly elected. Moreover, 180,000 officials were recruited to staff the new administrations.

Principal Features of the 2003 Law on Local Self-Government

According to Vladimir Mokry, the chair of the Duma's Committee on Local Self-Government and one of the chief architects of the reforms, the 2003 Law has three aims: 1) to create a uniform pattern of local self-government across the federation, 2) to clearly delineate the powers and duties of each level of government and grant each the financial and administrative resources necessary to carry out their duties, and 3) to ensure an equitable distribution of income within the municipal districts and federal subjects.¹⁰ The law also provides new "forms of direct democracy," such as public hearings, citizens' gatherings, and citizens' conferences (Articles 22–26).¹¹ Article 52 also calls for greater

transparency in the affairs of local authorities. It is now mandatory for administrations to publish quarterly budget reports. However, as Lankina notes, “the spirit of these democratic provisions” is substantially weakened by the large number of state regulations governing them.¹²

Other commentators have been far less charitable about the 2003 Law and its impact on local government autonomy. According to Liborakina, the new legislation demonstrates “a clear tendency towards the ‘governmentalisation’ of local self-government.”¹³ In a similar vein, Evans and Gel’man argue that the Kozak Commission defined the independence of local-self government as “public power” (*publichnaya vlast’*).¹⁴ Thus, although Article 34.4 reaffirms that “bodies of local self-government shall not be a part of the system of bodies of state power,” it also goes on to stress that, “bodies of state power and state officials,” in certain circumstances, “may participate in the formation of local self-governments and the appointment and release of local officials.” For Kosareva et al. the “reform is merely an attempt to establish a third level of centrally controlled state authority.”¹⁵

The Powers and Competences of Local Self-governments

In comparison with the 1995 Law, the 2003 Law includes an exhaustive and binding list of local competences to be addressed by local self-government, and it is much more prescriptive than the 1995 Law. The powers of settlements are set out in Article 14, those of municipal districts in Article 15, and city districts in Article 16. These articles provide local governments with many more functions and finances, but the majority of these are mandatory duties, financed by the federal government. Far from gaining greater autonomy, these delegated duties will hinder local governments, and will be subject to far greater levels of control from federal and regional administrations.

City Okrugs

Article 11.2, which lays out the criteria for the formation of city okrugs, leaves a great deal of room for regional discretion. It simply states, “The status of a city okrug may be granted to a city settlement . . . subject to availability of social, transportation, and other infrastructure enabling the local self-government of the city settlement to address independently the local issues of a city okrug, as well as to perform selected state powers.” According to the Institute for Urban Economics, thirty-six capital cities were under threat of being denied such status in 2005. Some of these are large cities of more than five hundred thousand inhabitants and even include, the “millionaire” cities of Novosibirsk and Omsk.¹⁶ Moreover, cities with a population of several hundred thousand that do not gain okrug status “will have the same rights as settlements of a few hundred residents.”¹⁷ By July 2006, eighty cities had been downgraded to city settlements, including the city of Angarsk, which has a population of 250,000.¹⁸ The vast majority of appeals by officials of these downgraded cities to have their cities reclassified have been denied. Vyacheslav Glazychev, the head of the Public Chamber’s Committee on Local Self Government, has now called for such decisions to be decided in local referendums.¹⁹

Regional Powers over Municipalities

The 2003 Law also states numerous instances when regional governments can take over the functions of local self-governments and impeach the heads of municipalities. Thus, for

example, according to Article 75, regional governments may temporarily take over local governments for up to one year if they run up debts exceeding 30 percent of their “own” budget revenues. Article 74.1 states that heads of local administrations may be impeached if they adopt measures “giving rise to violations of human rights and freedoms” or which present a threat “to the unity and territorial integrity of the Russian Federation,” or to the “national security of the Federation and its military efficiency.” Article 74.2 further provides for the impeachment of heads of municipalities if they fail (within a period of two months) to rescind legal acts that have been declared by a local court order to have infringed the Constitution of the Russian Federation or federal or regional laws. As Lankina notes, “It is not difficult to imagine how the regional authorities may use any of these provisions to penalize politically disobedient municipalities.”²⁰

Local Councils and Executives

The 2003 Law also allows for the indirect election of deputies to municipal districts. Thus, for example, in Stavropol Krai the councils of municipal districts are made up of the ex-officio heads of the settlement administrations plus two deputies from each settlement council.²¹ This provision conflicts with Article 130 of the Russian Constitution, which states that local self-government “shall be exercised by citizens through a referendum, election, or other forms of direct expression of the will of the people, through elected and other bodies of local self-government.”²² Moreover, the same rate of representation from the settlements applies whether they are city settlements of one hundred thousand inhabitants or rural settlements of one thousand inhabitants.

The 2003 Law is also much more prescriptive than the 1995 Law in setting out the structures and powers of local councils and administrations (Articles 34–39). Such norms conflict with Article 131 of the Constitution, which states that local communities will determine the structure of local bodies independently.²³

The 2003 Law creates strong local executives and weak local councils. Thus, as table 1 shows, the new councils are to be small, numbering between seven and thirty-five members. In addition, only 10 percent of deputies are permitted to work full-time. This means that in cities with 20,000–500,000 inhabitants there will only be two full-time deputies, and in those with over 500,000 inhabitants, just three.²⁴ Moreover, heads of the administrations can veto legislation adopted by local councils. Such vetoes can only be overturned by a vote of two-thirds of the deputies. It is unlikely local assemblies will be able to muster such a qualified majority, as the vast majority are politically fragmented.

TABLE 1. Number of Deputies in Assemblies of Settlements and City Okrugs

Size of population	Number of deputies
Fewer than 1,000	7
1,000–10,000	10
10,000–30,000	15
30,000–100,000	20
100,000–500,000	25
More than 500,000	35

Elections of Chairs of Councils and Heads of Administrations

The 2003 Law continues the practice (first established by the 1995 Law) of allowing heads of administrations (in municipal rayons and city okrugs) to be indirectly elected from members of their local assemblies or directly elected by their citizens. It also calls for a separation of executive and legislative powers. No longer will the chair of a council also be allowed to hold the post of head of administration. This means in effect that there will be two heads of municipalities: the chair of the council, who may be indirectly or directly elected, and an “executive manager,” to be hired by a special selection committee. According to the original provisions of the 2003 Law, one third of the members of the panels charged with appointing the new executive managers were to be chosen by regional administrations (Article 37.5) and the others by local councils. However, in an amendment adopted in April 2005, the percentage of representatives from regional administrations was raised to 50 percent, which significantly enhanced regional control over the appointment process. This new dual system has the potential to generate conflict between heads of the local councils and appointed managers, especially where the latter are nominees of regional governors.

Numerous local politicians and officials have complained that they are being pressured to adopt the indirect method of electing their council heads. According to the Ministry of Regional Development, in July 2005 thirty-six of Russia’s eighty-eight federal subjects had changed to this system. It is clear that the indirect method is preferred because it is much more open to manipulation and control from the regional authorities than popular elections. It is much easier for regional executives to gain control over local councils than to control local electorates.

Appointment of Mayors of Regional Capital Cities

Over the last few years there has been a vigorous debate within the Russian political establishment over granting regional leaders the power to appoint the mayors of their capital cities. As Coalson notes, public support for such a policy has come from a number of high-ranking politicians such as Lyubov Sliska, the first deputy chair of the Duma (and a member of United Russia [YeR]), Vladimir Zhirinovskiy, deputy chair of the Duma (and head of the Liberal Democratic Party of Russia), and Vladislav Surkov, deputy head of the presidential administration. However, other key politicians such as Boris Gryzlov, chair of the Duma (and head of YeR), have declared their opposition to such a move.²⁵

Critics argue that the elimination of mayoral elections would require changes to the Russian Constitution. Article 32.2 states that “Citizens of the Russian Federation shall have the right to be elected to bodies of state governance and organs of local self-government.” Furthermore, as previously mentioned, Article 130.2 declares that “local-self government shall be exercised by the citizens through referendums, elections, and forms of expression of their will, through elected and other bodies of local self-government,” and Article 131.1, states that, “the structure of bodies of local self-government shall be determined by the population independently.”²⁶ The appointment of mayors would also violate the European Charter of Local Self-Government to which Russia is a signatory. Article 3.2 of the charter stipulates that rights in the field of local self-government must be exercised by democratically constituted authorities.²⁷

Although the appointment of mayors may now be on the back burner, this has not prevented other initiatives from being aired, which, if adopted, would significantly weaken

mayors' abilities to govern. Thus, for example, in April 2006 members of YeR put forward new proposals that would allow governors to take control of their regional capitals without having to seek a court order. The initiative for the new law comes from Putin's chief of staff, Sergei Sobyenin.²⁸ As one local government official commented, this seems "to be an effort to abolish mayoral elections de facto without formally abandoning them."²⁹ Vladimir Miroschnik (chair of the Committee on State Building and Local Government of the Kemerovo City Council) pleaded, "If you want to get rid of local government and transfer power to the regional and federal levels, then you should say so directly. Instead, now we have some kind of game—it seems to be local government, but the content is completely different."³⁰ Leonid Roketsky, head of the Federation Council's Committee on Local Self-Government, warned that, if adopted, "this amendment will take us back to the Soviet system" where "local self-government . . . was part of the vertical chain of command—subordinate to the district and city party committees."³¹

Local Budgets and Finance

Municipal leaders have also failed in their quest to improve their financial independence. As Liborakina notes, "laws granting powers to local authorities become meaningless when real financial power is not included."³² Although the new law calls for financial clarity and a clear demarcation of local powers and finances—as expressed in the slogan "our assignments our funding!"—in reality it reduces the financial autonomy of local governments, increases the degree of regional and federal controls, and does not adequately address the widespread problem of budget deficits. According to the Institute of Urban Economics, centralization will cause a 31–43 percent reduction in local self-government's spending authority and a reduction of its share in the total local budget expenditures to 50–61 percent as opposed to the current 89 percent. At the same time, the proportion of spending authority delegated to local self-government by the state may increase to 39–49 percent, as opposed to 11 percent today.³³ Valery Galchenko (head of the All-Russian Council of Local Self-Government) has stressed that there is crisis looming over the financing of local budgets. In 2006, municipal expenditures were twice as high as revenues, and 98 percent of municipal budgets were in deficit.³⁴

One positive development is the commitment in the 2003 Law to bring an end to "unfunded mandates." Up until Putin's 2004 monetary reforms there were 236 groups of residents that were entitled to more than 150 different social benefits.³⁵ Overall, regional and local governments were capable of funding just 30–35 percent of those mandates out of their own budgets. Article 19.5 abolishes this process with its declaration that all federal and regional programs will be funded with federal and regional subventions. Another welcome innovation is the move to setting tax sharing rates on a long-term basis.³⁶ More controversial is the policy of equalization of revenues with the transfer of funds from richer to poorer municipalities ("negative transfers"). As Evans and Gel'man note, this policy has been criticized "as potentially detracting from the stimulation of economic development in those cities that serve as engines of economic growth, and erecting more administrative barriers to the creation of new businesses."³⁷

Problems of Implementing the 2003 Law

Putting the 2003 Law into practice across the federation has been an immense task. As previously mentioned, more than twelve thousand new municipalities have been formed,

each with its own charter, budget, and local administration. In addition, thousands of elections to the new municipalities have had to be organized and financed.³⁸

The original timetable stated that the new municipalities were to be functional by January 1, 2006; but on October 12, 2005, Putin signed a law delaying the full implementation of the reforms until January 1, 2009. Thus, just as the 1995 Law fell foul of the 1995–96 elections and was postponed until December 1996, the 2003 Law also looks like it may be derailed by the 2007–08 electoral cycle.

For Vladimir Mokry the amendments were to be welcomed, as they “would enable regions to regulate the amount of authority being transferred to the localities, deal with budget issues, divide property, and train personnel without panic.”³⁹ However, far from making the situation better, the postponement of the 2003 Law has created “a morass of complications and legal confusion for both local and federal officials”⁴⁰ because of the fact that 160 federal laws that were to take effect in 2006 are closely linked with the 2003 Law, as are the tax, housing, urban development, and budget codes. As Kosareva et al. stress, “delaying the reform has effectively annulled the results of the elections. In many regions, local councils are still waiting for regional parliaments to adopt the necessary legislation which will allow them to function.”⁴¹

Moreover, as Rogozina notes, “any system which leaves it up to the subjects of the federation to decide what powers to endow to local self-government in the transition period is bound to lead to conflict.”⁴² Thus, of the forty-six laws adopted by regions to bring their legislation into line with the 2003 Law, by the summer of 2006, only thirteen were in full compliance. Regions have been reluctant to legislate in the following areas: “local taxes and duties, municipal budgets, the ownership of municipal property, the ownership and management of land, local planning, and questions over the borders of rural and urban settlements.”⁴³

Across the federation there have been fierce battles over defining new municipal boundaries, codifying municipal property, forming settlement budgets, and ratifying municipal charters. A study of 140 cities in sixty subjects of the federation, carried out by the Institute of Urban Economics in 2005, also revealed numerous discrepancies between the rights granted to municipalities by regional laws and the reality of local power relations on the ground. For example, there were many cases of settlements being directly subordinated to municipal districts even though this is prohibited by Article 17.⁴⁴ Many regional administrations have also ignored provisions that state that procedures for dividing or amalgamating settlements can only be decided after considering the opinion of the local population in a referendum (Articles 12, 13, and 34).⁴⁵

Elections and Democracy

The right to vote in free and fair elections and to hold those in office accountable is an essential if not sufficient condition for the development of a consolidated democracy.⁴⁶ For Schedler, “The democratic ideal requires that all citizens enjoy unimpaired opportunities to formulate their political preferences, to signify them to one another, and to have them weighed equally in public decision making.”⁴⁷ However, local elections in Russia are still a long way from meeting such democratic criteria. Indeed, manipulation of elections is now widely practiced throughout the federation, and it was prevalent in the municipal elections of 2004–05. The consolidation of local democracy has been further stifled by Putin’s new legislation on political parties and elections adopted between 2004 and 2006.

Putin's Amendments to Laws on Parties and Elections

A new version of the 2001 Law, "On Political Parties," was ratified in December 2004 with further amendments in July 2005,⁴⁸ and a new version of the 2002 federal law "On Basic Guarantees of Electoral Rights and the Rights of Citizens of the Russian Federation to Participate in a Referendum" was ratified on July 21, 2005.⁴⁹ According to Aleksandr Veshnyakov, chair of the Central Electoral Commission, the main aims of these laws were "to stimulate the development of political parties; strengthen their role and raise their responsibility in the electoral process."⁵⁰ However, far from improving the opportunities for electoral participation, Putin's electoral and party reforms have made it much more difficult for many opposition parties and independent candidates to contest elections, particularly at the local level. The main provisions of Putin's new legislation on elections and parties are as follows:⁵¹

1) According to the latest version of the law "On Political Parties," to register for elections, parties must have a total of fewer than fifty thousand members (previously ten thousand). Moreover, they are required to have regional branches in more than half of the federal subjects, each with a minimum of five hundred members (previously one hundred members), and the number of members of other regional branches must number no fewer than 250 members (previously fifty). Furthermore, only parties that have been registered for one year prior to an election can register for that election.

2) The new law "On Parties" also prohibits regional parties from competing in elections. This ban is clearly designed to prevent regional governors and presidents from building local political machines to capture control over their legislatures. This is especially important now that regional legislatures have been charged with approving Putin's nominees for chief executives. Moreover, the party that wins the most seats in a regional legislature has the right to nominate the candidate for the post of chief executive.

3) The percentage of signatures that an individual or party needs to gather to contest an election has been raised in some regions from 1 to 2 percent, and the number of invalid signatures that are permitted has been lowered. Up until 2005 registration for elections could be refused if 25 percent of a candidate's signatures were declared invalid. This has now been reduced to 10 percent for regional and local elections. Moreover, parties that have party list seats in the Duma do not need to gather signatures or pay a deposit. The verification of nomination signatures has been subject to widespread abuse by regional and local administrations with scores of opposition candidates being ousted from election campaigns.

4) In July 2005 the maximum share of state officials and members of political parties that can serve in electoral commissions was increased from one-third to one-half.⁵² This has led to a situation whereby supporters of YeR now dominate electoral commissions at all levels.

5) Since July 2003 regional councils have been obliged to elect at least half of their members by proportional representation in a party list system. Although this could be seen as a positive move that will encourage the development of parties at the regional and local levels, viewed alongside the aforementioned changes it is more likely to increase YeR's domination of regional legislatures. Currently the party controls fifty-eight regional legislatures.⁵³ In 2005 the electoral threshold was raised from 5 to 7 percent, another factor that will make it more difficult for small parties to win seats, and independents will no longer be able to contest regional elections.⁵⁴ There is also a ban on electoral blocks at all levels.

Formerly election blocks were restricted to a maximum of two or three political parties; now they are banned altogether.⁵⁵

Municipal Elections and Parties, 2004–05

Regions are free to determine their own electoral system for municipal elections. In the 2004–05 municipal elections the majoritarian system was by far the most common. A mixed majoritarian/proportional representation system was adopted in just fifty municipalities (0.2 percent of the total), which were situated in seven regions (Kransnoyarsk Krai, Volgograd, Nizhegorod, Tomsk, Tula, Sakhalin, and Chita oblasts).⁵⁶

“[F]ar from improving the opportunities for electoral participation, Putin’s electoral and party reforms have made it much more difficult for many opposition parties and independent candidates to contest elections, particularly at the local level.”

Party Membership of Municipal Councils and Administrations

Parties are a necessary if not sufficient condition for democracy. They are especially important during regime transitions and for the consolidation of democracy, where they play a vital role in bolstering system legitimacy at a time of political uncertainty. However, clientelism, not party politics, dominates regional and local politics in Russia. Only 17 percent of candidates for municipal councils and 8.9 percent

of those standing for heads of local administrations in 2004–05 were party members. Moreover, of the 198,815 deputies and 13,655 administrative heads who were elected, just 18.7 percent of deputies and 20.2 percent of the heads of administrations belong to a political party (see table 2).⁵⁷

In many regions parties found it difficult to find candidates willing to stand for election. Thus, for example, in Tatarstan 80 percent of all candidates in the municipal elections

TABLE 2. Party Membership of Municipal Councils and Heads of Municipal Administrations in December 2005

Party	Deputies of municipal councils		Heads of municipal administrations	
	(No.)	(%)	(No.)	(%)
YeR	31,525	15.8	2,457	17.4
KPRF	3,037	1.5	337	2.3
LDPR	414	0.2	70	0.4
Rodina	359	0.18	6	0.04
Yabloko	41	0.02	1	0.00
SPS	35	0.01	2	0.01
Other parties	1,966	0.98	101	0.09
Total	37,377	18.69	2,974	20.24

Source. VTsIK 2, no. 193 (2006): 260. Does not include data for Chechnya and Ingushetiya.

Note. YeR = United Russia; KPRF = Communist Party of the Russian Federation; LDPR = Liberal Democratic Party of Russia; SPS = Union of Right Forces

ran unopposed, as was the case in many of the rural settlements in Arkhangelsk Oblast, the Republic of Yakutiya, and Ust-Ordinsk Buryat Autonomous Okrug. Where parties did compete, YeR was by far the most active and successful. Thus, for example, in Tver Oblast YeR nominated 94 percent of all candidates for local councils and executive posts; in Saratov, 87 percent. Of the 723 party members who won seats in local councils in Tver Oblast, 704 (93 percent) were members of YeR. Only three other parties won seats: the Democratic Party of Russia (LDPR) (fifteen seats), the Communist Party of the Russian Federation (KPRF) (three seats), and the People's Party (one seat).⁵⁸ In the Volgograd region, YeR nominated two thousand candidates, while the Communists, the main opposition party in the region, only mustered 359; the LDPR, 112; Rodina, 184; and the Agrarian Party of Russia, 144.⁵⁹

In Tatarstan, opposition candidates were threatened with “criminal investigations and other forms of harassment” if they did not withdraw their names from the ballots.⁶⁰ This may explain the fact that 97 percent of candidates (approximately five thousand) came from YeR and its close ally Tatarstan—A New Century while the opposition numbered only three hundred (3 percent).⁶¹ These two “parties of power” won more than 70 percent of the votes. The remaining parties—including the KPRF, LDPR, and the Union of Right Forces (SPS)—together received fewer than 1 percent. Candidates from the democratic opposition, supported by the public associations Equality and Legality and Our City did not win a single seat. Moreover, all but one of the district heads, who the republican president had appointed, won reelection.⁶²

In total, as table 2 demonstrates, YeR won 15.8 percent of the council seats and 17.4 percent of the heads of administrations. The KPRF came in a distant second with just 1.5 percent of the council seats and 2.3 percent of the heads of administrations. All other parties had token representation—below 1 percent. The poor representation of political parties has led to the creation of highly fragmented and weak municipal councils, which in a majority of cases are far too divided to provide a meaningful check on the executive.

Manipulation of Elections

During the 2004–05 municipal elections there were countless instances of opposition candidates and parties being ousted from elections because of so-called infringements in their nomination documents. Thus, for example, as Buzin demonstrates, in the Moscow municipal elections of March 2004, 1,100 out of 4,500 candidates were refused registration. Registration was often denied because individuals simply signed their name or wrote the date in the wrong columns of their nomination papers. One candidate was even refused because he wrote the words, “self-nomination” instead of “independent candidate.”⁶³ As Buzin stresses, higher-level courts subsequently backed the local electoral commissions' absurd decisions. There have also been cases of outright falsification of election results in those few districts where opposition candidates could not be squeezed out at the registration stage. One common method employed here was to move votes from the “votes against all” column and give these to YeR candidates.⁶⁴

Another favored method of manipulating the vote was to persuade members of the electorate to vote ahead of schedule. Often these early voters are enticed to the polls with promises of gifts or the provision of local services. Thus, for example, in the elections for the Svetlanovskoe Municipal Council in St. Petersburg in December 2004 YeR received 90 percent of the votes during preschedule voting while Yabloko won only 10 percent. However, on

the official polling day Yabloko received between 20 and 70 percent in individual electoral precincts, while YeR won just 10 percent. According to Yabloko's Mikhail Amosov, the municipal elections commissions were in effect, "buying votes by attracting elderly residents to local housing committees by offering [them] free consultations on the replacement of benefits-in-kind with cash payments, or giving away free internet access cards."⁶⁵

In the March 2004 elections for the Akademicheskoe Municipal Council in the Kalinin district of St. Petersburg, the SPS and Yabloko candidates won eight and fourteen seats, respectively, in electoral district No. 52. However, shortly after the elections, the municipal electoral commission declared the results invalid because students from the local military academy had participated in the elections. Both Yabloko and SPS had actually asked for these students to be prohibited from voting, but a Petrograd district court declared that the students were entitled to vote. In this district, YeR won a majority of the seats. As the *St. Petersburg Times* reported, "The City Prosecutor's office could not answer the question about how two courts could issue contradictory judgments about the eligibility of students of military academies to vote."⁶⁶ The very bodies that were set up to protect the electoral rights of citizens and parties, the St. Petersburg election commission, the Federal Electoral Commission, and the city prosecutor's office sanctioned these anomalies. According to Tatyana Dorutina, head of the St. Petersburg League of Voters, "officials, whether they are in city or municipal election commissions, are receptive to what President Vladimir Putin says and try to be in line with his opinion rather than following the law and the Constitution."⁶⁷

Yet another ploy of the regional authorities is to put pressure on elected deputies to change their party allegiance. Thus, for example, in the city of Volzhsky (Volgograd Oblast), which was the sole municipality to employ a total party list system in the 2004–05 municipal elections, there was a surprise victory for LDPR, which won 21.5 percent of the votes. YeR was pushed into second place with 18.5 percent. The KPRF came in third with 17.7 percent, and Motherland was fourth with 12.8 percent. However, in a bizarre sequel that took place at the first session of the city council, almost all of the members of the LDPR faction "requested" that they be transferred to the YeR faction. Clearly, members of YeR and the regional administration pressured them into taking such action.⁶⁸

Some regional administrations have also put pressure on their citizens to turn out and vote, and to support YeR. Such pressure is likely to have occurred in high turnout regions. Thus, for example, average turnout in rural settlements (in the 2004–05 municipal elections) was 56.4 percent, whereas in Bashkortostan it was 97.44 percent, in Sakha, 81.6 percent; in Chukotka Autonomous Okrug, 84.6 percent; in Orenburg, 81.2 percent; and in Agin-Buryat Autonomous Okrug, 80.1 percent. In Tatarstan there was an average turnout of 87.6 percent, but in some districts (Atninski and Apastovski) it reached 99 percent—figures reminiscent of the manufactured turnout rates of the Soviet era.

There are also numerous cases of mayoral candidates being expelled from elections. In some cases, compromising materials may have been collected by the security forces to "persuade" incumbents to voluntarily withdraw from the campaigns.⁶⁹ In 2004–06, refusals to register such candidates, or their forced withdrawal from elections, were observed in Vladivostok (July 2004), Volgograd (2004), Pskov (2004), and Perm (March 2006), to name a few.⁷⁰ Viktor Cherepkov ran for office twenty-seven times in the city of Vladivostok, "but in every case he was either removed by the regional [governor] Nazdratenko, or the elections were overturned. The region's courts and election commission were firmly under the governor's control."⁷¹

On the eve of the March 2006 Perm mayoral elections, the YeR candidate, Igor Shubin, a deputy of the Perm city council, was appointed the acting mayor so that he could tap into the administrative resources of the city. The governor of Perm supported Shubin. His chief opponent, Vladimir Plotnikov (who had previously spent time in prison) was ousted from the campaign by the city electoral commission on highly dubious grounds concerning the authenticity of his registration documents. One of the participants, General Feodor Utrobin (deputy head of the regional administration of internal affairs), was a bogus candidate. His task was to mobilize the security structures against Plotnikov and have him expelled from the election. Utrobin won just 1.2 percent.⁷² After his ouster from the elections, Plotnikov called on the citizens of Perm to show their support for his candidacy by voting “against all” candidates. Shubin finally won the election in the second round of the contest with 37.13 percent of the vote. However, no fewer than 25.2 percent of the electorate showed their disfavor at the way the elections had been run by voting “against all.”⁷³

One of the reasons why the manipulation of elections is so prevalent is the fact that election commissions are financially dependent on the state and are dominated by members of YeR. Thus, as former chair of the Central Election Commission Aleksei Ivanenko observed in 2005, “In our country the electoral commissions themselves are entirely within the complement of the system of executive power.”⁷⁴ Members of YeR made up 40.3 percent of party members in the electoral commissions of rural and city settlements in 2004–05, members of the KPRF, 25 percent; the LDPR, 14 percent; and Rodina, 3.7 percent. Yabloko and SPS both had just 3 percent.⁷⁵

Conclusion

Many authors have alluded to the unique nature of Russia’s dual transition and its difficult task of simultaneously reforming its economy and polity. But there is a third transition under way in Russia that is of no less importance: the need to reconfigure central-local relations and to create a stable and viable form of local government. As this article demonstrates, to truly assess democratization in Russia not only national level politics but regional and local politics need to be examined. Although there has been a plethora of studies on regional politics, Western scholars have somewhat neglected the study of local politics, and in particular, local elections.

Local Democracy and Democratization

It is now widely accepted that before a country can be classified as a “consolidated democracy,” democratic institutions and practices must be entrenched at both the national and local levels. As Pratchett notes, “From Tocqueville onwards, there has been a strong normative argument within political theory that local self-government is a fundamental component of broader democratic structures and practices.”⁷⁶ By serving as a “school of democracy” and a “training ground” for national level politicians, local government “provides the foundation for strong national democratic institutions and practices.”⁷⁷ For Hahn, “among the lessons to be learned through participation in local politics are tolerance for the opinions of others, majority rule, representation and accountability.”⁷⁸ Furthermore, as Peter John observes, local governments “offer the benefits of diversity; provide a supply of public goods that reflect the preferences of those who live in local jurisdictions; and can ensure that higher levels of government express a plurality of territorial and functional interests.”⁷⁹

However, as Stoker warns, we must be careful not to romanticize the role of local government. Smaller communities are not necessarily more democratic than national governments, indeed, “they can be stifling or disabling in reinforcing relationships of subordination and narrow parochialism.”⁸⁰ Corruption and collusion between politicians and businessmen is often more prevalent at the local level. More autonomy does not translate automatically into more democracy. In the case of Russia, high levels of regional autonomy have led the regions more often in the direction of dictatorship than democracy.⁸¹ Many regional leaders have used their autonomous powers to subjugate municipal governments.

Putin’s local government reforms are a logical extension of his centralizing political agenda and his assault on the principles of federalism. As Vladimir Gel’man notes, “in no other policy area in Russian politics is the contrast between declarations of local autonomy and local democracy on the one hand, and the realities of impoverished municipalities and overwhelming ‘political machines,’ on the other, so sharp.”⁸² Thus, although the 2003 Law reiterates the Russian Constitution’s key provision that local self-government is not part of the system of state power, it is clear that in practice this new legislation will not only lead to less autonomy for local governments, but it will also directly subordinate local governments to regional and federal bodies. Proposals now underway to give regional heads the right to directly appoint mayors of their capital cities or strip them of a number of key powers must be viewed against Putin’s wider assault on federalism and his centralizing political agenda.

Municipal elections in Russia are far from free and fair and it is becoming much more difficult for opposition parties and candidates to participate in local elections. What may be termed Putin’s “electoral vertical,” has now been extended from the regions to the municipalities. Moreover, in the last few months we have witnessed the adoption of additional legislation that will further undermine the legitimacy of elections in Russia. In July 2006 the Duma adopted legislation removing the “vote against all” category from ballots. No longer will citizens have the opportunity to show their disapproval of the election system, the lack of real choice, or individual candidates by voting against all candidates. The “vote against all” could often be seen as a barometer of the integrity of elections. When it was unusually high it was often because Russian citizens were showing their disapproval in the only way permitted. In the municipal elections of 2004–05, an average of 18.8 percent of the participants in the single mandate elections, voted “against all” candidates. However, in many municipalities the figure was much higher and in many cases new elections had to be called as “votes against all” received the highest support.⁸³

On July 27, 2006, the Duma adopted the new “Law on Combating Extremist Activity,” which gives the government new powers to ban parties from elections if any of their members are charged with extremist activities. Even Aleksandr Veshnyakov has spoken out against this law. In an interview conducted in the summer of 2006, he warned, “I will mention that attempts are now being made to modify legislation in order to get more ways to cut out disliked candidates using administrative resources,” and furthermore,

What frightens me is that if these amendments are adopted, we will have elections without choice, as it was in fact in Soviet times. . . . It is simply a different ideology of elections where everything must be regulated and in that way no candidate the government does not like will be permitted to participate in an election. It resembles Soviet times.⁸⁴

For elections to be considered democratic all citizens and parties must be provided with equal opportunities to stand for elections and the rules for the registration of candidates

must be open and transparent. Supervision of the elections must be carried out by independent and impartial electoral commissions whose decisions are backed up by independent courts. However, this is far from the case in Russia where in many regions YeR and the regional governments have effectively merged and there is no longer any meaningful separation of legislative, executive, and judicial power and no impartial electoral commissions. Municipal elections in many of Russia's regions are now largely "decorative," with no real contestation and no level playing field. Of particular concern is the politicization and state domination of the courts, procuracy, police, and electoral commissions, and the extensive use of administrative resources to manipulate elections in YeR's favor. The 2003 Law has seriously compromised the autonomy of municipalities, and the implementation of Putin's "electoral vertical" has thwarted the development of grassroots democracy.

NOTES

1. Federal Law No. 131 (October 6, 2003), "Ob Obschchikh Printsipakh Organizatsii Mestnovo Samoupravleniya v Rossiiskoi Federatsii" (Moscow: Os'-89, 2005).

2. For a discussion of earlier reforms of local government in Russia see: Cameron Ross, "The Tortuous Path of Local Government Reform in the Russian Federation," *Local Government Studies* 32, no. 5 (2006): 639–58; T. H. Friedgut and J. W. Hahn, eds., *Local Power and Post-Soviet Politics* (New York: Armonk, 1994); Adrian Campbell, "Regional Power in the Russian Federation," and "Power and Structure in Nizhnii Novgorod, St. Petersburg, and Moscow" in *Local Government in Eastern Europe: Establishing Democracy at the Grassroots*, ed. Andrew Coulson, 145–67, 238–63 (Aldershot: Edward Elgar, 1995); John Gibson and Philip Hanson, *Transformation from Below: Local Power and the Political Economy of Post-Communist Transitions* (Aldershot: Edward Elgar, 1996); Peter Kirkow, "Local Government: Awakening from Slumber?," *Europe-Asia Studies* 49, no. 1 (1997): 44–58; John F. Young, "At the Bottom of the Heap: Local Self-Government and Regional Politics in the Russian Federation," in *Beyond the Monolith: The Emergence of Regionalism in Post-Soviet Russia*, ed. Peter J Stavrakis, Joan DeBardeleben, and Larry Black, 81–102 (Baltimore: Johns Hopkins University Press, 1997); V. Gel'man, S. Ryzhenkov, E. Belokurova, and N. Borisova, *Avtonomiya ili Kontrol'?* (St. Petersburg: Letnii Sad, 2002); Galina Kourliandskaya, Yelena Nikolayenko, and Natalia Golovanova, "Local Government in the Russian Federation: Developing New Rules in the Old Environment," in *Local Government in Eastern Europe, in the Caucasus and Central Asia*, ed. Victor Popa and Igor Munteanu, 161–264 (Budapest: Local Government Institute, 2001); Valery Tishkov, "Local Self-Government versus Local State Administration: Russia's Hybrid Experience" in *Local Governance and Minority Empowerment in the CIS*, ed. V. Tishkov and E. Filippova, 5–20 (Budapest: Local Government Institute, 2002); V. B. Zotova, ed., *Mestnoe Samoupravlenie v Rossii* (Moscow: Os'-89, 2003); Alfred B. Evans and Vladimir Gel'man, eds., *The Politics of Local Government in Russia* (Lanham, MD: Rowman and Littlefield, 2004).

3. Adrian Campbell, "State versus Society? Local Government and the Reconstruction of the Russian State," *Local Government Studies* 32, no. 5 (2006): 663.

4. Daniel J. Elazar, *Exploring Federalism* (Tuscaloosa: University of Alabama Press, 1987), 187.

5. See Cameron Ross, *Federalism and Democratisation in Russia* (Manchester: Manchester University Press, 2004); and Cameron Ross, "Federalism and Electoral Authoritarianism Under Putin," *Demokratizatsiya* 13, no. 3 (2005): 347–72.

6. Federal Law No. 154 (August 28, 1995), "Ob Obschchikh Printsipakh Organizatsii Mestnovo Samoupravleniya v Rossiskoi Federatsii," in *Predmety Vedeniya i Polnomochiya Mestnovo Samoupravleniya v Rossiskoi Federatsii*, L. I. Brychev, 21–31 (Moscow: Yuridicheskaya Literatura, 2001).

7. With the exception of the mayors of the capital cities of the federation's subjects.

8. He was nominated on October 5, 2006, for another five-year term in office.

9. See “Zapiska ob itogakh munitsipal’nykh vyborov v khode reformy mestnovo samoupravleniya v Rossiiskoi Federatsii v 2004–2005 godakh,” *Vestnik Tsentral’noi Izbiratel’noi Komissii Rossiiskoi Federatsii* 2, no. 193 (2006): 11.

10. Nikolai Myakinnik, “Mestnoe ne Znachit ‘Negosudarstvennoe’: Samoupravlenie—Istochik Initsiativy i Aktivnosti,” interview with Vladimir Mokry, chair of the state Duma Committee for Local Self-Governance, *Sotial’noe Partnerstvo* 2, no. 29 (2006): 2.

11. Elena Gritsenko, “A New Stage of Local Self-Government Reform in Russia and the German Experience,” *Kazan Federalist* 8, no. 4 (2003): 4.

12. Tomila Lankina, “President Putin’s Local Government Reforms”, in *The Dynamics of Russian Politics: Putin’s Reform of Federal-Regional Relations*, Vol. 2, ed. Peter Reddaway and Robert W. Orttung (Lanham, MD: Rowman and Littlefield, 2005), 166.

13. M. I. Liborakina, “We Need a Law for a Free People,” *NGO Newsletter, Legislative Process in the State Duma*, Issue 55, Short Version (special), April 23, 2003, 7.

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15. Nadezhda Kosareva, Marina Liborakina, and Lyudmila Rogozina, “A Reform That Won’t Wait,” *Moscow Times*, July 26, 2005, 10.

16. Liborakina, “We Need a Law,” 8.

17. Ibid.

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20. Tomila Lankina, “The Kozak Commission’s Local Government Reforms” (paper presented to the 36th Conference of the American Association for the Advancement of Slavic Studies, Boston, MA, December 2004), 23

21. “Analiticheskaya zapiska o nekotorykh voprosakh praktiki organizatsii munitsipal’nykh vyborov v khode reformy mestnovo samoupravleniya v Rossiiskoi Federatsii,” *Vestnik Tsentral’noi Izbiratel’noi Komissii Rossiiskoi Federatsii* 6, no. 185 (2005): 11.

22. Liborakina, “We Need a Law,” 6.

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25. Ibid.

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29. Dmitry Vinogradov, “Mayors Seek to Protect Power from Governors,” *Russian Regional Report*, April 28, 2006, 3.

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32. Liborakina, “We Need a Law,” 5.

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56. L. F. Dem'yanchenko, ed., *Reforma Mestnovo Samoupravleniya v Rossiiskoi Federatsii: Itogi Munitsipal'nykh Vyborov v 2004–2005 Godakh* (Moscow: Central Electoral Commission of the Russian Federation, 2006), 379.
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