

Pity the Russian Voter

By Padma Desai

The election season is in full swing in Russia. On Dec. 7, voters will elect 450 members of the lower house of parliament, the Duma, which is the effective legislative body of the land. Russia's election watchdogs must ensure that the contending parties and candidates observe legal requirements: Among other things, the law sets limits on their overall campaign spending and also restricts corporate contributions. Yet there are no limits on the number of parties or individual candidates which a corporation may choose to support. Russian big business can thus manipulate election outcomes by spreading cash around in support of several parties and many candidates all at once.

The current legal action brought by the Russian prosecutor's office against Yukos, Russia's largest oil company, evidently seeks to address the problem arising from this loophole. The prosecutor has launched eight lawsuits against the company and put two of its operatives in jail on grounds ranging from tax evasion, to extortion, to murder. Mikhail Khodorkovsky, the chairman of Yukos and Russia's richest man, was hauled in by the prosecutor for questioning. The charges do not cite infringement of election laws by the company; but their timing and intent imply the use of scare tactics by the law enforcement agencies.



Mikhail
Khodorkovsky

With vast financial resources at his command, Mr. Khodorkovsky seems bent on influencing the future composition of the Duma. He has been supporting political parties and groups across the ideological spectrum, ranging from the liberal Union of Right Forces to the center-left Yabloko to the Communist Party of the Russian Federation. At the same time, his financial support reportedly extends to as many as 70 constituencies. Yukos has hired talented campaign strategists and trainers to coach the candidates in the tough art of campaigning.

If even half the candidates under the company's banner were to win—35—that would qualify them under parliamentary rules to form a Duma group, which in turn has the right to elect its representatives in Duma committees and initiate legislation. Some may effectively stake their claim to being included in the future cabinet. Capturing these seats will therefore give a strong institutional voice to Mr. Khodorkovsky in the Duma and perhaps in the government. His tactics resemble the pre-1832 English-type "pocket boroughs" in which parliamentary representation was owed to a family or an individual.

On the eve of his departure for the U.N. General Assembly meetings, President Vladimir Putin finally reacted to the ongoing Yukos controversy by saying that the law must take its course and that politics should be kept out of the judicial process. Yet the president and his Kremlin advisers certainly are aware that Mr. Khodorkovsky's financial support of a wide spectrum of political groups and candidates can overturn the current composition of the Duma, in which the Kremlin-backed United Russia group dominates.

On one level, Mr. Putin may regard this political interference as a violation of the pledge given by the oligarchs to keep away from political activity. What must strike him as most ominous, however, is the prospect of the Kremlin block, United Russia, being weakened in the Duma—and how this hiccup could affect his presidential prospects in March 2004. Indeed, Russia's liberal analysts believe the president sanctioned the heavy-handed legal proceedings against Yukos via the prosecutor's office, although Mr. Putin has denied it.

Any way you look at it, the Yukos affair demonstrates just how far Russia still is from having the checks and balances of pluralistic, law-based arrangements in which elections can guarantee fair and balanced outcomes. Loopholes in campaign finance legislation can let a single corporation—such as Yukos, or, for that matter, the dominant oil sector—"privatize" a significant number of legislative seats, thereby depriving legislative decision-making of the necessary give and take. The Russian president has supported questionable judicial procedures with a wink and a nod to forestall such a possibility.

The tactics of big business vote-grabbing and presidential muscle-flexing have made their way into the provinces and other government agencies. Regional governors and local political bosses freely exercise their political clout to sway electoral outcomes.

Meanwhile, a recent amendment to the Law on Mass Media, sponsored—surprisingly—by the Central Election Commission itself, forbids journalists from "agitating" (without clearly defining agitation), and prescribes severe penalties, including closing of a media outlet after only one warning. A journalist Ivan Ivanov—Russia's proverbial version of your average Joe—cannot write about a candidate in an article without dedicating the same space to the remaining contenders. In August, the government took control of the Russian Center for Public Opinion and Market Research (WCIOM), Russia's leading pollster and a frequent indicator of unwelcome public opinion.

Russia's forthcoming parliamentary elections are thus tainted by manipulations and restrictions beyond the reasonable norms of electoral politics. The clear losers will be the voters.

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