

Russian Democracy and Civil Society: Back to the Future
Andrew C. Kuchins
Senior Associate, Russian and Eurasian Program
Carnegie Endowment for International Peace

Testimony Prepared for U.S. Commission on Security and Cooperation in Europe
“Human Rights, Civil Society, and Democratic Governance in Russia:
Current Situation and Prospects for the Future”
February 8, 2006

I first want to thank Mr. Chairman and the esteemed members of the Commission on Security and Cooperation in Europe for the opportunity to discuss with you today the important topic of “Human Rights, Civil Society, and Democratic Governance in Russia.” As you may know, I have just returned from a two and a half year stint in Moscow as the director of the Carnegie Moscow Center. My tenure in Moscow began with the Yukos affair and concluded with the battle over the recently signed legislation regulating NGOs in Russia. Friends often joked with me that upon my arrival in Moscow, things really went downhill for Russian democracy and civil society. Just for the record, I accept the correlation, not the causation! For those concerned in particular about civil society and democratic governance, there is no question in my mind that the trend in the last few years has been in the wrong direction, and unfortunately, I do not expect that to change in the near future.

While Russia is no longer the “evil empire” as Ronald Reagan famously described the Soviet Union, Winston Churchill’s description of the country as a “riddle wrapped in a mystery inside an enigma” remain relevant. Russian political culture is deliberately Byzantine; we foreigners are not supposed to understand what is being decided in the Kremlin and why. In fact, even for Russian citizens outside the Kremlin walls these deliberations are mysterious. Recall that Russia is a massive country with tremendous power highly concentrated in the capital of Moscow, and the center of Moscow is a medieval fortress. That fact alone speaks volumes about the non-transparent and centralized nature of Russian governance from the Tsars, to the Soviets, to the current day.

Mr. Putin and Russian Democracy: Not a Pretty Picture

We now have a lot of data to help us answer the famous question, “Who is Mr. Putin?” While Mr. Putin continuously claims to support civil society and democracy, virtually all the evidence of the past six years speaks to the contrary. It is true that he inherited at best a very weakly institutionalized system of democratic governance in Moscow. But as weak and deformed as Russian democracy was during the Yeltsin period, there were competitive and pluralistic aspects to it that could have been nurtured and strengthened. Instead, President Putin has consistently and systematically eliminated competition among independent contending political forces and centralized, at least on paper, more and more political authority in the office of the Presidential administration. If Mr. Putin

does believe in democratic governance as he contends, he has an odd way of expressing it.

This is not a new story, but given our topic today, it is worth repeating, as it has great bearing on the potential in the near-term for Russian democracy. The legislative branch of government which served in the 1990s as a forum, albeit imperfect, for deliberation, debate, and development of law is now virtually subordinate to Presidential fiat. Federation Council members are appointed rather than elected. The new fully proportional representative system in the Duma, combined with more restrictive electoral laws concerning party formation, will reduce the likelihood of real oppositional and new independent parties emerging. After the Yukos case, big business remains cowed and fearful of playing a more independent, let alone oppositional role. While a few print media outlets, one radio station, and the internet remain independent, the most important medium, national TV, has now lost all independence from the Presidential administration. Regional governors who were formerly elected are now appointed by the President and approved by extremely pliant regional legislatures. In response to the virtual elimination of opposition parties, independent media, and further concentration of executive power, Freedom House's political rights rating of Russia in 2005 moved from "partly free" to "not free".

Supporters of Mr. Putin argue that many of the measures he has initiated in recent years are not un-democratic. And it is true that in a number of leading democracies regional leaders are appointed by the central executive rather than popularly elected. It is also true, of course, that many mature democracies have parliament members selected only on the basis of party support in elections—or fully proportional representative systems. They will argue that many of the elected regional governors were deeply corrupt and/or inept. They will also argue that the oligarch-dominated political system was deeply corrupt as big business had, shall we say, a very liberal interpretation of "lobbying". And Mr. Putin's supporters will be for the most part correct in all of these assertions. What cannot be denied, however, is that the net result of these and other measures is that the hyper-presidential system consolidated during Mr. Putin's presidency has nearly eliminated all other existing and potential independent centers of power, or as we like to say, "checks and balances." Under President Putin, political space in Russia has shrunk, and democracy has been truncated. Russia is, as my colleague Lilia Shevtsova describes it, an "imitation democracy" with imitation democratic institutions. The form of democracy is there, but the essential content of competition and pluralism are not.

Supporters of Mr. Putin will also point to his consistently high personal approval and popularity ratings over the past six years to support the contention that democracy is not dying in Russia since their elected leader is very popular. It is true that Mr. Putin is genuinely popular, and there are understandable reasons for this. The Russian economy has been growing at a robust rate of more than 6% a year during his tenure. Unlike the Yeltsin years when the Russian economy was in tatters, salaries and pensions are regularly paid—in fact incomes are rising quite rapidly, mostly due to high oil prices. He has also restored a higher level of decorum and consistently professional behavior to the office after the erratic and often absent Mr. Yeltsin. In March 2004 Mr. Putin could have

promoted a truly free and fair democratic presidential election, and he still would have won by a large margin. Yet he chose not to, and instead the presidential election looked more like a farce with the cast of so-called opponents.

Why the Picture will get Darker

Why is the near-term outlook for democracy in Russia bleak? The answer is simple. Mr. Putin, as he has stated on a number of occasions including last week's lengthy press conference, believes that highly centralized political authority—something he once described as “part of Russia's DNA”—is most appropriate for Russia's current stage of social, economic, and political development. Anything else, in his view as well as that of his closest advisors, supposedly risks anarchy, even state collapse. With a constitutionally mandated transfer of power scheduled for 2008, Mr. Putin and his team do not want to leave anything to chance. Their self-named system of “managed democracy” (long on management and short on democracy) will ensure that Mr. Putin's appointed heir will win the election, or that, a more unlikely event, the constitution will be revised so that Mr. Putin may stay in power. Every indicator suggests that no independent political force will be allowed to emerge in the next two years to upset the Kremlin's plan for the transfer of power. There is also no indication that the plan has been finalized, and political logic argues that it is in the interests of President Putin to keep the plans unknown.

The inability of the Kuchma administration to successfully manage the Ukrainian presidential election at the end of 2004, resulting in the so-called “Orange Revolution”, deeply shook the Kremlin, which had invested tremendous political and financial resources into the election of its favored candidate, Viktor Yanukovich. This event further alerted the Kremlin leadership, already inclined to centralize and control as much as possible, to the danger of allowing civil society and particularly organizations supported by foreign financing to play a role in national politics. In his annual presidential address to the Federal Assembly in spring 2004, Mr. Putin made some very threatening remarks about the civil society organizations in Russia acting, in his view, against state interests, especially those receiving foreign financing who “would not bite the hands that feed them.” While civil society was put on notice then, the Kremlin did not act immediately. But the view that it was foreign supported NGOs that played a key role in rallying Yushenko supporters and eventually overturning the presidential election results in Ukraine only strengthened the view of the Putin administration that it needed to further weaken civil society in Russia to ensure that could not happen in 2008.

In my view the chances of any “colored revolution” taking place in Russia in the upcoming electoral cycle are slim to none, but the prevailing mentality in the Kremlin is that nothing can be left to chance. That is the inspiration for the new legislation regulating the non-governmental and non-commercial sector that Mr. Putin signed last month. It is true that the final legislation is a considerable improvement on the initial draft law, a draft that the Duma approved in its first reading by a vote of 370-18. According to the analysis of the International Center for Non-governmental Law, the first draft would have put Russia in a category with countries like China, Zimbabwe, and

Egypt with their highly restrictive regulation of NGOs. Only after Mr. Putin was quietly but effectively lobbied by the US and European governments did he intervene to call for a softening of the law. But while the new law is an improvement, it is principally better for foreign NGOs operating in Russia. And like any legislation in Russia, what really matters is how it will be implemented. As with the selective application of law in the Yukos case, we can expect that the new NGO law will be very selectively applied to shut down NGOs considered against the interests of the Kremlin. The legislation will also likely push organizations to further self-censor their statements and activities.

All is not Lost...

Before saying a few words about policy recommendations and Russia's status as chair of the G-8 now and beginning in May, the Council of Europe, let me point out a couple of perplexing paradoxes of current Russian realities. While the near-term future, the next few years does not appear promising for democracy and civil society, the current Russian polity, a throwback to Russia's centuries-long tradition of centralized and authoritarian governance, does not appear sustainable for the longer term. It is an anachronism in an increasingly democratic and globalizing world. The "power vertical" also too often results in an ineffective decision-making process prone to error.

But the paradox lies in the fact that Russia for the last six years has become a less democratic state while incomes and the middle class have been growing. It is complicated to measure the size of the middle class in Russia, but today it is probably approaching 30% of the population. Many observers, including myself, have been hopeful that a growing middle class over time will serve as the foundation for a more stable and democratic Russia. So far that is not happening. Why not? It is not because Russians are culturally undemocratic. The University of Michigan World Values Study indicates that Russians are at about the global median in support for democratic values. But *today*, after the difficult legacy of the 1990s, democracy is not such a high priority; Russians have been ready to trade off greater stability and order for less democracy. And the current government has encouraged the view that more democracy now will result in greater instability—that Russia is not ready for real democracy. But over time, as the middle class grows and there are more stakeholders in the economy with property to defend, the existing centralized and highly corrupt order will be less and less acceptable. This is a source of optimism.

The other paradox to note is that while political freedoms have been systematically constrained, individual freedoms, for the most part, have become more entrenched with the Russian people. While the political revolution has stalled, as my colleague in Moscow Dmitri Trenin has put it, Russia has had a "revolution of money" for which there has been no *thermidor*. Russians are freer today probably than at any time in their history. They can buy and sell property. They are traveling the world in rapidly growing numbers. With a robustly growing economy they are experiencing a consumer boom. However, at some point further restrictions of political freedoms will erode individual freedoms, and I do not think this will be acceptable to Russians. This also makes me more optimistic about Russian democracy in the long run.

But today we are face to face with a very negative trend line for democracy and civil society in Russia. And this trend is accelerating precisely as Russia takes over the chair of the G-8 and soon the Council of Europe. This is a double irony. Membership criteria were bent in both institutions to let Russia in. The calculation was that through membership Russia could be “socialized” to take measures to strengthen its adherence to democratic values and practice and respect for human rights. At the risk of sounding like one of those old Sovietologist dogs that Mr. Putin referred to in his press conference last week, Russia simply does not meet the criteria, to the extent that such criteria exists, for membership in the G-8. This is obviously not a mature democracy, but rather an increasingly authoritarian state with only the trappings of democracy. Still, I do not advocate at this point throwing Russia out of the G-8. But if the first version of the NGO legislation had been approved and signed by the President, for me that would have been grounds for throwing Russia out and canceling the St. Petersburg meeting. I think Mr. Putin understood this risk and pulled back from the brink. We should expect that the Kremlin will continue to test the limits as we approach the 2008 elections. The U.S. needs to clarify where the red lines are with Russia, although admittedly that is easier said than done. However, I think the Bush administration did that quite effectively with the NGO legislation issue at the end of last year, and the message was effectively conveyed to the Russian leadership.

Foreign Policy Implications of Current Trends

There are also worrisome trends in Russian foreign policy that are related to some extent—it is difficult to calculate how much—to the authoritarian trend in Russian politics. There is no question that as Russian politics has become more authoritarian, Moscow’s relations with the West have cooled. This has been most noticeable in disputes over policies in the states on the territory of the former Soviet Union. The Ukrainian presidential elections were the biggest dispute in 2004, and the brutal repression of the Andijan riot in Uzbekistan was a major and indicative difference of viewpoint in 2005.

In the second half of last year Uzbekistan asked the United States to abandon its military base there and then signed a security treaty with the Russian Federation. This event marked the first setback for the United States that redounded to the benefit of Russia in Eurasia after a virtual 20-year roll for the United States. But the larger point is that Russia has been consistently siding with regional authoritarian leaders like Karimov in Uzbekistan and Lukashenko in Belarus while opposing more democratically oriented leaders like Yushenko in Ukraine and Saakashvili in Georgia.

As Russia’s ties with the West have cooled in the last few years, Moscow’s relationship with Beijing continues to deepen. The Sino-Russian military exercises of last summer may not have carried much military significance, but they did reflect Russia’s frustration the West. The current Russian leadership has very little tolerance for what it perceives as excessive criticism and interference in its domestic affairs from the West. Suffice to say

that there will be no public hearings in China where one could hear criticism of Russian democracy, civil society, and human rights!

I have dubbed this trend in Russian foreign policy “Authoritarians of the World Unite,” but I think the relationship between Russian domestic politics and its evolving foreign policy remains poorly understood despite its importance for near and long-term US foreign policy interests. In fact, I think Russia’s importance for US interests is underestimated in Washington, especially given our concerns about the proliferation of WMD, radical Islamic-inspired terrorism, and energy security. What other country can potentially promote or thwart our interests on all three of these first-order priorities to the extent that Russia can?

It is true that we would have important business to pursue with Moscow on these and other issues even if Russia were to become a full-fledged authoritarian state. But I am also convinced that Washington and Moscow would find their interests in closer alignment if Russia were a more open and developed democracy

Chto Delat’? What Is To Be Done?

Obviously there is no magic bullet in our policy toolkit for the promotion of democracy, civil society, and human rights in Russia. Just as obviously, our leverage today with Russia is far less than the 1990s when the Russian economy was weak. The self-named ideology of the current Russian government is “sovereign democracy,” with the emphasis on sovereign. Part of the backlash we see today against foreigners emerges from the sense of humiliation and weakness that Russia experienced during the 1990s when foreign influences (the United States, the IMF, the World Bank, etc.) played an outsized role in Russian policymaking. In contemporary Russian political mythology, this period is likened to the Time of Troubles at the turn of the 17th century when Russia was internally weakened and for a short time Polish troops occupied Moscow. Last year, the old Soviet holiday of Revolution Day, November 7, was finally replaced with a new holiday on November 4 which celebrates the eviction of Polish troops from Moscow nearly four hundred years ago. The message of this new holiday is that “Russia is for Russians!”

Not surprisingly after the experience of the 1990s, there is an acute sensitivity among much of the Russian political elite to foreign influences. And with \$60+/barrel oil prices fueling a virtual macroeconomic miracle, the Russian leadership is indeed feeling very confident. In addition to “sovereign democracy,” the other catch phrase in Moscow today is Russia’s status and future as an “energy superpower.” The high oil price is the most important factor driving current realities in Russia today. International experience shows that sustained high oil prices will encourage neither democratization nor economic diversification in countries highly dependent on export of fossil fuels. This is not to say that we are powerless to promote democracy in Russia, but rather to be aware of our limitations and obstacles.

Certainly Russia's chairmanships of the G-8 and the Council of Europe offer us and our European partners a modicum of leverage. We have already seen this play out in the battle over the new NGO legislation. If Russia had not been assuming the chair of these groups, I am pretty confident that a far more draconian piece of legislation would have been signed by President Putin. The U.S. and Europe need to speak in one voice and seek to draw as much attention as possible to Russia's anomalous membership status, let alone chairmanship, of these groups at a time when democratic institutions and values are under attack. In particular, we should expect that the Russian government will seek to control and co-opt the civil society component of the G-8 meeting. We should take initiative to not let this happen by promoting a major gathering of Russian civil society and international civil society organizations at the time of the of the G-8. It is outrageous that in the first weeks of its G-8 chairmanship, the Russian government is attacking domestic NGOs, including an important umbrella organization, the Research Center for Human Rights.

When Russian democracy, civil society, and human rights are being attacked, this is clearly NOT the time to reduce US government as well as private funding for these goals. Although dependence on foreign funding is a real problem for Russian human rights NGOs, the U.S. government and major U.S. private foundations should quickly make a statement by significantly increasing their support for these essential organizations in 2006 and beyond. Support for internships for young Russians in international NGOs abroad should also be encouraged.

We need to increase our support for a variety of exchange programs that strengthen the connectivity of our two societies. The most important area is in education, from high school through graduate programs. From the standpoint of "democracy assistance," I think you get the greatest long-term payoff with support for more Russian youth to have the opportunity to live and study in the U.S.

Our public voice is important also. First we must ensure that we keep our own democratic and human rights house in order so that we maintain our moral authority to speak on these issues. Second, we must consistently apply the same standards to Russia as we do to other countries to ensure that we neither understate nor overstate the problem at hand.

Balancing public criticism by high-level USG officials with back-channel efforts to lobby the Russian government will continue to present challenges. While it is important that the US government speak forthrightly at the highest levels about deficiencies of Russian democracy and policies towards civil society and human rights, this must be carefully calibrated in order to avoid the impression of "piling on". While we do not want to compromise our principles, we also do not want to lose the interest and attention of our interlocutors. Again, I think the Bush administration handled the balance of public criticism with intense back-channel discussions just right on the NGO legislation issue. President Bush raised the issue with President Putin when they met at the APEC meeting in South Korea, and this put the issue on the agenda for a series of State Department, NSC and other officials to express their concerns with Russian officials.

We should also be able to de-link our concerns about backsliding on Russian democracy with other areas of national security and economic cooperation with the Russian Federation. In other words, yes we must try to work as closely with the Russians on, for example, closing down nuclear weapons programs in Iran and North Korea, but these policy goals should not prevent the US government, including Congress, from speaking forthrightly and continuing to promote democracy and civil society as well as defending those whose human and civil rights are being violated.

Finally, I agree with my colleague Michael McFaul that it is time for a U.S. government official to make a major address about Russia and its importance for U.S. foreign policy. Probably the ideal candidate for the job is Secretary of State Rice. Russian political elites have simultaneously felt miffed at the perceived diminished priority Moscow holds for Washington and relieved that Washington may pay less attention to the systematic weakening of democratic institutions in Russia since it is bogged down in Iraq, rising energy prices, and nuclear challenges from Iran and North Korea. Such a speech would force the US policy-making apparatus to focus on the importance of the challenges Russia presents and to state as clearly as possible the essence of our goals. As an outside observer, I sense some cognitive dissonance or tension within the administration between those more concerned with the dangers of democratic backsliding and its implications for Russian foreign policy with those more inclined to emphasize how we advance our security and economic interests with Moscow. It is incumbent upon us to synthesize these “idealist” and “realist” inclinations into a coherent policy strategy. Russia’s future remains too important for our near and long-term interests to shirk such an effort, and it is essential that our friends and colleagues in Russia understand this.