

# WHEN MAJORITIES FAIL

*The Russian Parliament, 1990–1993*

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# I

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## *Introduction*

In the spring of 1992, in the aftermath of the collapse of the Soviet Union, deputies in the Russian Parliament struggled to create a constitution that would lay the foundations for a new democratic state, the Russian Federation. For the first time in Russia's long history, the country's elected representatives sought to establish a basis for the rule of law, defense of basic human rights, and the means to foster a market economy. Once the deputies had given their initial approval of the draft prepared by the special constitutional commission (which occurred by majority vote on March 19), they began discussion of each of the draft's six chapters. Their goal was to forward a final version of the draft constitution to the Congress of People's Deputies, a superlegislative body that alone had the authority to adopt a new constitution.

Discussion of the draft's six chapters began on March 25. On that day, parliamentary deputies discussed and approved the constitution's first chapter, "Principles of the Constitutional Order," in which the basic provisions of the constitution were outlined. The next day, March 26, the deputies began discussing the draft constitution's second chapter, which concerned "The Basic Rights, Freedoms, and Responsibilities of the Individual Citizen." Over the course of the day's debate, deputies amended the draft chapter nine times. At the end of the day, according to parliamentary procedure, deputies were asked to approve the final version of the draft. An affirmative outcome of the vote ought to have been assured, because a majority of deputies had already voted for each successively amended version of the chapter over the course of the day. However, when the vote was held, a majority of deputies voted *against* the final version of the second chapter of the draft constitution.

The presiding chair, first deputy chairman Filatov, was astonished. "Obviously, something needs to be explained here. Who can explain

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what happened?” One deputy suggested that the result was a fluke; perhaps too many deputies had been lingering in the halls and failed to vote. Another deputy suggested that the draft failed because several of the articles remained controversial. In reply, Filatov asked, “How is that logical, given that this chapter is based on that which has already been passed and approved by the Supreme Soviet (Parliament)?” In the end, a majority of deputies supported Filatov’s proposal that the vote be held again, yet the deputies again failed to approve the draft chapter. After a third attempt to approve the chapter, the presiding chairman gave up, announcing that the chapter would nevertheless be included in the version of the draft constitution to be forwarded to the Congress of People’s Deputies. “Let the Congress evaluate the situation. . . .”

While considering Chapter 2 of the draft constitution, Russian deputies demonstrated a peculiar form of collective irrationality, known as *cycling*. Majorities of deputies supported first *a* over *c*, then *b* over *a*, then *c* over *b*, which represented a return to the status quo. At that time, Russia’s basic law consisted of a much-amended version of the 1978 Soviet-era constitution; this can be thought of as the status quo, or *c*. When deputies approved the draft constitution, which included the chapter on the rights of citizens, they were, in effect, voting for an alternative to the status quo, *a*. A majority of deputies preferred *a*, the draft constitution, to *c*, the Soviet-era constitution. In the course of their debate on Chapter 2, deputies amended the chapter nine times, in effect approving *b*, the constitution containing an amended version of Chapter 2. Finally, deputies were asked to approve the amended version of Chapter 2, in effect voting between an amended draft constitution, *b*, and the original status quo, *c*, the old Soviet-era constitution. A majority of deputies rejected the amended Chapter 2 and by implication the amended draft constitution. In short, a majority of deputies preferred *c*, an outcome rejected one week earlier, to *b*, which they had approved only minutes before.

Exactly the same thing happened on March 27, when the parliament considered Chapter 3 of the draft constitution. On April 4, the deputies completed their debate. In the end, they approved four of the six chapters of the draft constitution, leaving the unresolved issues in Chapters 2 and 3 for the Congress. But, the Sixth Congress of People’s Deputies failed even to consider the draft constitution, returning it to the constitutional commission and to the parliament for further work.

The failure of both the Russian Parliament and the Congress of People’s Deputies to make progress on providing Russia with a new

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constitution led to a significant decline in the authority of the legislative branch of government. This legislative failure provided President Yeltsin with the opportunity to pursue a presidential version of a draft constitution, which gave more powers to the executive than did the parliamentary draft that the Congress had failed to approve.

While the parliamentary chairman frequently and pointedly criticized the president for pursuing an alternative constitution and for eschewing the proper and legal means of adopting a new constitution, the only response the parliament made to the constitutional crisis was to curtail the president's existing powers. The parliament never consistently supported a new constitution, and the Congress never adopted a new constitution, but the confrontation between president and parliament became more and more acute.

In fact, Russia did not acquire a new constitution until the fall of 1993, when President Yeltsin disbanded both the parliament and Congress extraconstitutionally and called for a national referendum on his own version of a new constitution. According to Yeltsin, it was the legislature's failure to act that justified the construction of a new governmental structure in which the powers of the legislature – the major forum for public choice in a democracy – were drastically reduced.<sup>1</sup>

### THE CASE OF RUSSIA: A REALITY CHECK FOR THEORIES OF MAJORITY RULE

The problem of cyclical majorities illustrated by the sequence of events just described is of central theoretical importance to formal studies of majority rule institutions. Indeed, as Krehbiel (1991, pp. 28–29) has pointed out, scholars adopting a formal theoretical approach often implicitly assume that legislatures are, in fact, designed to prevent cycling. Despite the centrality of cycling to these theoretical accounts, there are few actual

<sup>1</sup> On December 14, 1993, the London newspaper *The Independent* called Yeltsin a “tsar” because the imbalance between the president and Duma hearkened back to tsarist divisions of power. During an hour-long phone-in discussion of the draft constitution, which was aired on Channel 1 on December 10, 1993, Yegor Gaidar admitted that “the powers of the legislative authority have been narrowed more than would be justified if one proceeded from the principle of a rational division of authority.” In an interview for Mayak radio on December 2, 1993, Oleg Rumiantsev, former head of the Russian Parliament's Constitutional Commission, made clear his disapproval of the new constitution, which in his view created “an administrative system and the utter tyranny of the bureaucrat,” at the expense of parliamentarism.

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empirical examples of cycling and its consequences, as Krehbiel and others have noted (Hall 1995). James Enelow (1997, pp. 160–162) puts it this way:

The question of whether real world majority decision making is stable or not has not been given a rigorous answer. . . . We still do not know the general frequency of cyclical decision making in the real world or, when cycling exists, the general size of the alternative space over which cycling occurs. . . . In the end, we may not be able to answer these questions.

This is a major empirical puzzle. It is one thing to construct an argument that shows how institutional rules prevent the breakdown of majority rule (a substantial part of the new institutionalism in political science<sup>2</sup>). However, as the critics of this work have pointed out, the failure to find empirical evidence of majority cycles undermines claims about the importance of institutional rules for the prevention of cycling.

This study of cycling in the Russian Parliament renders such criticism moot. I show that cycling can and does occur in majority-rule institutions, and when it does occur it has important consequences for the effectiveness of democracy. That we have so few empirical examples of cycling and its consequences reflects the fact that research has been confined to legislatures in stable democracies. This book shows the benefits that accrue from broadening our empirical scope to include poorly institutionalized environments. It reflects my working premise that cycling is more likely to be found in uninstitutionalized settings, such as those found in countries undergoing a transition to democracy, where the institutional mechanisms that prevent cycling are as yet not fully formed.

Furthermore, cycling is consequential. The conditions that led to cycling and the occurrence of the cycles themselves seriously undermined the ability of the Russian legislature to make critical decisions on issues requiring immediate resolution – in particular, on the new Russian constitution. The legislature's inactivity on the constitutional question in turn contributed to the confrontation between president and parliament that was played out in the international media. Thus, cycling is not simply an arcane side issue in social choice theory.

<sup>2</sup> For a review of neo-institutionalism in political science, see “Review Article: Institutions and Rationality in Politics – Three Varieties of Neo-Institutionalists,” by Junko Kato. 1996. *British Journal of Political Science* 25:553–582. Kato distinguishes between those who adopt a rational actor approach and those who take a sociohistorical approach. When I use the term “neo-institutional,” I mean to indicate only that part of the literature that falls within the rational choice paradigm.

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At the same time, the analysis of cycling in the Russian legislature does more than simply help us verify the relevance of social choice theory to the study of real world politics. My analysis of the conditions under which cycling did occur and the implications of its occurrence for the consolidation of democracy in post-Soviet Russia also adds to our understanding of the complexities of majority-rule institutions. The Russian Parliament was, after all, a majority-rule institution that did not work. Why not? The answer is both complex and nonobvious. In the ensuing chapters, I analyze the role of committees, parties, and amendment rules, all of which figure as explanatory variables in theoretical expositions on functional legislatures. My study demonstrates, just as social choice theory predicts, that without committees, parties, or amendment rules to prevent it, the goals of a parliamentary leader may supplant those of a parliamentary majority.

One of the most important consequences of cycling is the opportunity it creates for an individual with control over the legislative agenda to obtain his own most-preferred outcome, an implication of his “chaos” result of which McKelvey was immediately aware. In his classic 1976 article, McKelvey (1976, p. 481) showed that if the space of alternatives is multidimensional and all alternatives within the space are in order, “It follows from the above consideration that if any one voter, say the ‘Chairman,’ has complete control over the agenda (in the sense that he can choose, at each stage of the voting, any proposal . . . to be considered next) that he can construct an agenda which will arrive at any point in space, in particular at his ideal point.” This means, in effect, that if outcomes cycle, a person who controls the agenda, the *agenda setter*, can decide in which order issues will come before deputies so as to ensure the passage of his own most-preferred outcome.

In the legislatures of emerging democracies, if cycling occurs and an agenda setter exists, we would expect to see that person or group amass inordinate control over the legislature’s decisions. The potential for well-positioned elites to benefit in an institutionally poor environment is well documented for Russia’s economic institutions (Aslund 1995, Blasi, Kroumova, and Kruse 1997). However, the potential for well-positioned elites to reap analogous rewards from weak *political* institutions is much less well understood. We ought to suspect, however, that in an institutionally poor environment, individuals with control over key political resources (such as a legislature’s agenda) ought to be able to ensure that they benefit from their institutional position.

With this study of a majority-rule representative institution during a time of transition, I address a major gap in the *empirical* study of public



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choice. Russia's first democratic national legislature in over seventy years, the Russian Parliament, was a legislature in which institutional features that prevent cycling were absent. My primary goal in this study is to discover whether cycling did, in fact, occur in the Russian Parliament, and whether it led to predicted results. Did it create conditions under which the speaker was able to manipulate the agenda in order to obtain his own most-preferred outcomes? In addition, I hope to enlighten the debate on the relative importance of institutional design (committees and rules) and the organization of preferences (political parties) in creating an effective legislature.

This study also bears directly on Russia's democratic transition and on post-Communist transitions more generally. Institutions matter; therefore, the choice of institutions matters. The relative power of institutional actors in post-Communist countries had a profound effect on the institutional arrangements ultimately chosen (Geddes 1996, Elster et al. 1998), no less in Russia. The fact that the Russian Federation inherited from the Gorbachev period a legislature incapable of passing a new constitution meant that the choice of post-Soviet constitutional arrangements was left to the president. The reasons for the Russian Parliament's weakness are therefore of interest to students of Russian democracy and superpresidential systems in general (Colton 1995).

### *Particulars of Russia's Early Legislative Experience*

Russia began its transition to democracy in March 1990, with the election of the Congress of People's Deputies of the Russian Republic. This body had over 1000 members, each of whom was directly elected from single-member districts. Although the Congress of People's Deputies was technically "the highest organ of state power in the Russian Federation,"<sup>3</sup> Russia's legislature was the Supreme Soviet, a much smaller, approximately 250-person body elected by the deputies of the Congress of People's Deputies from among its own membership. The Supreme Soviet was Russia's "permanently active, legislating, managing, and monitoring organ of state power."<sup>4</sup> Throughout this book, I refer to the Supreme Soviet, elected by the Congress of People's Deputies in 1990,

<sup>3</sup> See Article 104 of the April 21, 1992 Russian Constitution. After the breakup of the Soviet Union, legal references to the "RSFSR" were changed to the "Russian Federation."

<sup>4</sup> See Article 107 of the April 21, 1992 Russian Constitution.

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as the “Russian Parliament.” The Russian Parliament functioned as an independent national legislature from its first session in June 1990 until September 1993, when Russia’s President disbanded it. Although the legislature was called the Russian Parliament, it was not responsible for electing the Prime Minister and Cabinet. In this respect, the Russian Parliament was similar to a congressional legislature.

For the first one and a half years of its transition, while still a republic of the Soviet Union, Russia made extraordinary progress. During this period, the parliament pushed for economic reform, expansion of human rights, and an end to the privileged rule of the Communist Party of the Soviet Union (CPSU). In its efforts to proceed along a course of political and economic reform despite the hesitation of Gorbachev and the central Soviet government, the parliament successfully created the position of Russian President, a move that frightened Soviet hard-liners and contributed to the coup attempt in August 1991.

During the coup, the power and purposefulness of the parliament was at its height. On August 19, 1991, the first day of the coup, parliament and president united to defeat an attempt by reactionary Soviet leaders intent on preserving the USSR and the central bureaucracies that were the source of their power. President Yeltsin together with parliamentary leaders staged a popular resistance in front of the building that housed the Russian legislature, because it was the seat of Russia’s quest to achieve sovereignty and democracy.

In the weeks following the failed coup, when the collapse of the Soviet Union was imminent, deputies in the Russian Parliament along with the Russian President faced the difficult and urgent task of constructing political institutions adequate to govern a newly sovereign nation. They also faced the even more daunting task of creating conditions that would allow a market economy to take seed and grow in the wake of the dismantling of the command economy. At this critical historical moment, six weeks after the president and parliament’s triumphant defeat of Soviet extremists, the Russian Parliament abdicated much of its responsibility to deal with the crises facing the country. Deputies in the parent body of the Russian Parliament, the Congress of People’s Deputies, voted overwhelmingly to grant the Russian President the power to choose his own Cabinet and to create other executive bodies without parliamentary approval. Furthermore, the legislature placed the problem of reforming the country’s economy directly into the hands of the president, granting him the right to carry out economic reform by decree for one year.

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At the moment of real opportunity to achieve the goals for which it had fought so successfully, a democratic state and market economy, the Russian Parliament lost its ability to act decisively. Throughout the next year, the first year of an independent and sovereign Russia, the Russian Parliament failed to sustain a coherent legislative record on either of the major issue areas of the day: (a) the establishment of guarantees of basic human rights and (b) the establishment of the basic framework for a market economy. On November 28, 1991, the parliament passed the Law on Russian Citizenship, a law that encompassed elements of previously approved amendments to the Soviet-era constitution as well as previously approved laws on related human rights issues. Four months later, the parliament was unable to pass the chapter of the draft constitution dealing with similar issues, even after the presiding chair reminded deputies that they had approved almost all elements of the draft chapter earlier. In late June 1992, the parliament passed the Law on Privatization of State and Municipal Property, a major cornerstone of market reform. Subsequently, however, the parliament was unable to consistently support measures to maintain the stability of the ruble, nor was it able to pass other laws necessary to the creation of a market economy, such as a law authorizing the sale and purchase of land, a law establishing a workable system of bankruptcy, and laws creating an appropriate tax structure. By the end of 1992, political and economic reform had stalled in Russia, and the Russian Parliament had become an ineffective and weak institution.

If the Russian Parliament was capable of pursuing a consistent policy agenda before the dissolution of the Soviet Union, why was it incapable of doing so afterwards? The answer to this question has important implications for countries in transition, because it was at a critical moment that the parliament lost its effectiveness as a legislative institution. According to Adam Przeworski, countries making a transition to democracy and a market economy have only a short window of time in which to do so (Przeworski 1991). Those countries that make changes swiftly and completely stand the best chance of success (Hellman 1998). At such a critical juncture, a country in which the national legislature cannot act effectively – or worse yet, one in which the legislature’s aimlessness becomes an impediment to government action – cannot enact and carry through on a program of rapid reform. Certainly, this was Russia’s situation. Also, Russia’s current economic and political difficulties are directly related to problems that surfaced in the first year after the collapse of the Soviet Union.

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From the point of view of Russia's citizens, the legislature's ineffectiveness was disastrous. Robert Sharlet, an expert on Soviet and post-Soviet constitutionalism, states (Sharlet 1993, p. 319), "The underlying political crisis in Russia, which was expressed in constitutional terms [in the confrontation between president and parliament], was the primary source of the ongoing, profound economic crisis." According to Anders Aslund (1995), Yeltsin had a unique window of opportunity after the collapse of the Soviet Union; and, while he credits Yeltsin for using this opportunity to push through important economic reforms, he blames Yeltsin for ignoring the importance of establishing workable democratic institutions. Aslund believes that if after the collapse of the Soviet Union Yeltsin had immediately called for competitive parliamentary elections (for December 1991 *instead* of December 1993) and for the adoption of a new constitution in which the powers of legislature and president were clearly demarcated, economic reform would not have been stalled and almost derailed in 1993. Sharlet, a political scientist, and Aslund, a noted economist and advisor to the Russian government, clearly believe that the design of Russia's legislature had a profoundly debilitating affect on the process of economic reform in Russia.

### *The Nonobvious Implications of an Underinstitutionalized Legislature*

Clearly, something about the parliament changed when the Soviet Union broke down; features of the parliament that had prevented cycling before the collapse no longer did so afterwards. As I report in Chapters 6 and 7, evidence from the roll call votes of deputies supports the contention that the problem of cyclical majorities existed throughout 1992. As I suggest above and discuss fully in Chapter 4, the institutional design of the Russian Parliament was never sufficient to prevent outcomes from cycling. This design, as expressed in the rules and regulations of the parliament, remained essentially unchanged throughout the three years of the parliament's existence, yet cycling did not occur during the first year and a half of the parliament's existence. It was not a change in rules that led to cycling. What changed was the array and complexity of political issues: (a) the dimensionality of the issue space and (b) the array and complexity of deputy preferences.

Up until the events of fall 1991, the Russian Parliament focused on one and only one overriding issue, Russian sovereignty. Within the parliament, deputies formed two coalitions, one in support of sovereignty

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(the democratic reformers) and one opposed (the communist conservatives); and within these two coalitions, the preferences of deputies were homogeneous.

However, after the failed coup and the collapse of the Soviet Union, deputies were faced with many new issues having to do with economic reform, human rights, and the federal structure of a now independent Russia. In the language of social choice theory, the policy space became multidimensional. Throughout 1992, deputies debated laws on property rights, privatization, tax and banking systems, bankruptcy, land reform, and many other building blocks of a market economy. They also discussed laws and treaties bearing on the federal structure of Russia and on the rights and responsibilities of Russia's constituent units. In addition, deputies were faced with the task of creating a judicial system that could defend individual and property rights. Added to this, deputies debated a new Russian constitution, a document that incorporated all of these important political dimensions simultaneously.

Because of the dramatic change in relevant issues that occurred after the collapse of the Soviet Union, deputy preferences, which had been relatively homogeneous beforehand (deputies were either for Russian sovereignty or for the status quo), became heterogeneous afterwards. As democratic deputies experienced economic reform, their preferences regarding the best way to bring it about began to diverge. Similarly, when faced with the *fait accompli* of a sovereign Russia, communists and nationalist conservatives began to differ in their ideas about the rights of citizens of the new country. Thus, with the proliferation of issues after the political and economic institutions of the Soviet Union collapsed, it became impossible to define deputies in terms of democrat and conservative, and as a result the two coalitions broke into many factions.<sup>5</sup> No stable majority existed in the parliament. A multidimensional policy space coupled with the absence of adequate institutional design created the potential for cycling.

Obviously, cycling undermines the legislature's ability to make decisions, but in a legislature in which one person has the ability to control

<sup>5</sup> Even in those countries where the communist party heavily influenced the first elections, as in Russia in 1990 and in Poland in 1989 (Geddes 1996), so that the number of parties was at first limited, reform-oriented groups such as Solidarity in Poland and Democratic Russia in Russia quickly fragmented as soon as they were faced with the many issues of the transition. In both countries, as soon as the legislature began to grapple with economic reform and human rights, the legislature had, in effect, many political parties.

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the agenda, its effects are even more devastating. The speaker of the Russian Parliament had unusually extensive powers to influence the legislative agenda. As chairman of the parliament, he was also chairman of a superior organizing body, called the Presidium. The Presidium, a holdover from the Soviet past, was responsible for preparing the legislative agenda, assigning legislation to committees, and distributing deputy input to the relevant committees. Most important of all, the Presidium controlled the legislature's budget. Thus, the head of the Presidium could use these prerogatives to influence the final content of legislation as well as the order in which legislation was brought before the deputies for a vote. In other words, the chairman of the Presidium was an agenda setter; and in a legislature with no stable majority, he could manipulate the agenda and so use the legislature to achieve his own most-preferred outcome, just as McKelvey described.

During its three-year existence, the Russian Parliament had two chairmen: Boris Yeltsin, who served until his election as Russia's first President in June 1991, and his successor, Ruslan Khasbulatov, who served until the parliament's dissolution in the fall of 1993. The difference in the structure of deputies' preferences before and after the collapse of the Soviet Union determined the extent to which these two chairmen could influence parliamentary decision making.

While Yeltsin was chairman, he was the head of a majority coalition of democratic deputies that was opposed by a near-majority coalition of communist conservatives.<sup>6</sup> Although Yeltsin used his position as head

<sup>6</sup> Lacking political parties and the disciplining effect of party organizations, deputies in the Russian Parliament formed loose associations based on their preferences alone. Because of this, it is always difficult to count the number of members of any deputy group. In the first few weeks after the March 1990 elections, spokesmen for the umbrella organization Democratic Russia reported that slightly over half of the deputies considered themselves to be democratic reformers. The fact that Boris Yeltsin was elected chairman of the parliament supports this assertion. Experts disagree on the exact number of democrats in the parliament during the entire first year and a half, but Alexander Sobyenin (1994) believed that growth in the number of undecided centrists meant that neither the democrats nor the communists had a majority. However, if one examines the voting record, it is clear that the democrats were much more successful in passing their agenda than were the conservatives. Thus, when deputies were forced to vote, the only reliable indication of many deputies' political preferences, a majority tended to vote consistently for political and economic reforms. Therefore, I believe that a democratic coalition based solely on deputy preferences maintained a slight majority throughout 1990 and 1991. In Chapters 3 and 4, I discuss in detail the nature of this majority and its dissolution after the collapse of the Soviet Union.

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of the Presidium to influence the legislature's agenda (most of the major issues on the agenda were central to the democratic coalition), as head of the democratic coalition, Yeltsin was subject to constant reassessment by that coalition. Just as the reformers depended on Yeltsin to spearhead their initiatives, Yeltsin depended on the coalition for support. So long as his own goals and those of the democratic coalition were similar, Yeltsin could accomplish much of what he wanted. Because the size of the two coalitions was so close, Yeltsin spent much of his energy rallying centrist deputies to support democratic initiatives. It is a testament to his skill as a politician that on so many issues important to his agenda he was able to hold together his slight majority.

Khasbulatov, on the other hand, was the leader of no group in the parliament. After the collapse of the Soviet Union, while he was chairman, the two-party dynamic in the parliament broke down in reaction to the total collapse of Soviet institutions and the emergence of a bewildering array of problems facing the deputies and the country. As chairman, Khasbulatov could not rely on a stable majority coalition to support his initiatives – there was no such coalition for him to ally with or lead. Because the role of majority leader was not an option for him, using his powers as chairman of the Presidium to control the agenda, Khasbulatov was able to manipulate the shifting majorities of deputies to support his goals. Thus, Khasbulatov's power did not emanate from his position as head of a majority coalition; instead it emanated from the institutional rules that made him chairman of the Presidium. It is a testament to Khasbulatov's consummate skill as a back-room strategist that he was able to use the Presidium to achieve his agenda without the consistent backing of any faction in the legislature.<sup>7</sup>

The difference in institutional context affected the political machinations and strategies of the two chairmen as well as their perceived personal style. As the leader of the democratic coalition, Yeltsin promoted a consistent political agenda, the goal of which was to promote democratic and market reform in the Russian Republic and to increase Russia's sovereignty from the Soviet Union. Throughout his term as chairman, Yeltsin never wavered in his support for an end to communist domination in Russia, for the competitive politics and basic human rights

<sup>7</sup> Not only did no particular faction back him, but also factions of different political orientations tried at different times to remove him from office. The Democratic Russia faction did so in September 1992, and the Russia faction did so in January 1993. A similar attempt was made by a group of centrist deputies in May 1993.

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that are the foundation of a democratic system, and for a rapid transition to a market economy.

Khasbulatov, on the other hand, espoused many contradictory and shifting policy positions. He always claimed to be a strong supporter of market reform,<sup>8</sup> yet he began to criticize President Yeltsin's economic reform program almost the instant it was launched. Throughout the spring of 1992, Khasbulatov savagely criticized every aspect of the government's program for economic reform; he started calling for the government's resignation in January 1992.<sup>9</sup> Yet, in June 1992, Khasbulatov came out in favor of the government's plan to privatize most of Russia's state-owned industries and businesses. Khasbulatov always claimed to be a democrat<sup>10</sup> who supported, among other things, freedom of the press, but starting in September 1992 he increasingly tried to silence the newspaper *Izvestia*, probably the most vocal critic of the parliament and of Khasbulatov himself. In the fall of 1992, Khasbulatov's chameleon-like behavior was especially pronounced as he repeatedly shifted from calling for the resignation of Yeltsin's government to announcing his reconciliation and support of Yeltsin's government.<sup>11</sup>

Because Khasbulatov was the leader of no majority, nor even of one of the factions, he could achieve his goals only by manipulating unstable majority coalitions first one way, then another, until he had shifted debate to the topic central to his own political goals, the relative power of president and parliament. Khasbulatov's record throughout 1992 reflects this strategy. Indeed, as the parliament declined in effectiveness, his power and influence increased.

During its third year, the parliament concerned itself almost exclusively with issues designed to eliminate Khasbulatov's critics both inside and outside the parliament. Deputies discussed strikingly fewer issues than they had the year before. For example, fewer roll call votes were held (only 33 roll call votes were held in 1993, as compared to 388 in 1992). Among the issues they did discuss were

<sup>8</sup> He made this claim in interviews with the press in 1991 and 1992, and he made this claim forcefully in my interview with him in June 1996.

<sup>9</sup> Remarks reported in *Izvestia*, January 14, 1992, pp. 1-2.

<sup>10</sup> For example, this is how he described himself in an interview with me in June 1996.

<sup>11</sup> The many changes in the relationship between Khasbulatov and Yeltsin during the period of debate over the Law on the Government are well-reported in the Russian press at that time, especially by the newspaper *Izvestia*.



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attacks on three parliamentary committees: the Committee on the Media and the Committee on Human Rights, which in 1993 were two of the main sources of criticism of the parliamentary leadership emanating from within the parliament, and the Legislation Committee, which had refused to acquiesce in the chairman's attack on the activity and autonomy of parliamentary committees.<sup>12</sup> In addition, the parliament gave serious discussion to taking control of the newspaper *Izvestia* and limiting freedom of the press in a more general sense, an issue that was blatantly the result of the chairman's anger at criticism of himself and the parliament for their poor performance.<sup>13</sup> In an interview in the June 26, 1993 edition of *Izvestia* (p. 2), deputy speaker Nikolai Riabov, commenting on the disbandment of the parliamentary legislation committee, stated that Ruslan Khasbulatov "has finally cast aside the democratic mask he used to wear, and entered upon the path of establishing his autocratic dictatorship" in Parliament.

Four Russian scholars, editors of a book on the confrontation between president and parliament (Dobrokhoto et al. 1994, p. 4), summarize the conflict in their introduction:

Given our historical tradition, the politics of which is characterized by personal factors and explanations, especially on the contemporary stage, with its unformed or weakly developed political parties and movements, the sharp rivalry between legislative and executive branches of power found its personal expression in the confrontation between Yeltsin and Khasbulatov.

In interviews with me in June 1996, two parliamentary leaders representing very different political views, Lev Ponomarev of the Democratic Russia faction and Sergei Baburin of the nationalist faction Russia, characterized the confrontation as a personal conflict between Yeltsin

<sup>12</sup> Both Bragin and Ponomarev (chairman and member, respectively, of the Committee on Media) said in interviews with me that Khasbulatov attacked their committee because it was critical of his leadership.

<sup>13</sup> After the results of the April 25, 1993 referendum made it clear that efforts by the parliament and its chairman to reduce Yeltsin's power and effectiveness were clearly not supported by the population at large, Khasbulatov lashed out at the media for its coverage of the referendum and its results. The newspaper *Izvestia* was especially critical of Khasbulatov's statements against the media, accusing him of attempting to introduce censorship. (See, in particular, the April 28, 1993 issue of *Izvestia*.) In reaction to *Izvestia*'s harsh criticisms of himself as well as *Izvestia*'s pro-democracy coverage of the referendum, Khasbulatov organized a parliamentary attempt to gain control over *Izvestia* by subordinating the newspaper to the parliament. The resolution passed, but members of Yeltsin's executive branch prevented the resolution from being put into practice.

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and Khasbulatov. Both Ponomarev and Baburin insisted that the conflict had little to do with debate or divisions within the parliament; they both asserted that Khasbulatov did not act on behalf of a group of deputies, he acted on his own behalf.

In the 1993 referendum on President Yeltsin, the legislature (in this case the Congress of People's Deputies), and Yeltsin's program of economic reform, over 50% of those participating (and over half the eligible voters did participate) said that they supported Yeltsin and his economic reform program. Thus, in contradiction to his public statements that he was acting on behalf of the Russian people, Khasbulatov was clearly acting against the wishes of a majority of Russians in attempting to reduce the power of Yeltsin's government and to halt economic reform.

By ignoring the country's need for decisive action on economic problems and, throughout 1993, focusing mainly on a confrontation between the president and parliament, which was certainly not supported by the population at large, the parliament placed the Russian economy and polity in grave danger and eroded the public's respect for their representative institution. Throughout the confrontation with Yeltsin, popular support for the parliament declined, reaching the low point registered in the referendum of April 1993.<sup>14</sup> In many respects, the behavior of the deputies seems singularly self-destructive.

The conflict between legislature and executive was resolved when President Yeltsin disbanded the parliament on September 21, 1993. Many deputies refused to acknowledge the validity of Presidential Decree 1400 – indeed, it was not an act supported by the Russian constitution. Led by the parliament's chairman, these deputies barricaded themselves in the parliament building and elected Alexander Rutskoi, Yeltsin's vice-president, as the new president. After twelve tense days, violence erupted on October 3 when in response to a speech by Rutskoi, an angry mob attacked the office of Moscow's mayor. The crisis ended the next day when troops loyal to Yeltsin fired on the White House, forcing the chairman of the parliament and his supporters to surrender, leaving the seat of Russian democracy in flames as they walked into the custody of

<sup>14</sup> At the insistence of the Congress of People's Deputies and its chairman, a referendum on President Yeltsin and his economic reform program was held across the nation on April 25, 1993. Sixty-five percent of Russia's citizens turned out to vote; of these, 60% indicated that they supported President Yeltsin, and 55% supported Yeltsin's economic policies, a result surprising to everyone, including Yeltsin. In addition, 45% supported early parliamentary elections, demonstrating dissatisfaction with the parliament.

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Yeltsin's waiting troops. Weakened as it was by a year and a half of indecision and costly confrontation with the executive, the legislature could not withstand the president's attack.

### OTHER INTERPRETATIONS OF THE CAUSES OF RUSSIA'S LEGISLATIVE FAILURE

Some scholars have argued that Khasbulatov's power as head of the parliament was based on a conservative majority that crystallized in the parliament soon after the collapse of the Soviet Union. In an influential article, Remington et al. (1994) argue that with the loss of democratic members of parliament to Yeltsin's administration, the balance between conservatives and democrats changed after Yeltsin became president. However, although certain democratic leaders, such as Sergei Shakhrai, did leave the Parliament to join Yeltsin's administration, other well-known democratic leaders, such as Lev Ponomarev, Viacheslav Bragin, Oleg Rumiantsev, Victor Sheinis, Gleb Iakunin, and Sergei Kovalev, remained in the parliament and continued to play prominent roles until well into the last year of the parliament's existence.

Russian scholar Alexander Sobyenin (1994) argues that deputies became more conservative as time went on. Because analysts agree<sup>15</sup> that a communist or conservative majority did not exist prior to the collapse of the Soviet Union, in order to sustain the argument that a conservative majority appeared in the parliament after the collapse of the Soviet Union, one must show that deputies changed their minds. According to Remington et al. (1994), who base their conclusions on a careful analysis of the roll call votes of members of the Congress of People's Deputies (the parent body of the parliament, or Supreme Soviet), over 200 deputies changed their position from the democratic wing to the conservative wing after the collapse of the Soviet Union. If one-fifth of the deputies in the Congress of People's Deputies changed their political positions, then some percentage of deputies in the parliament (whose membership is a subset of the Congress) must have changed their positions as well. Although neither Remington et al. nor Sobyenin analyze roll call votes from the parliament, Sobyenin (1994, p. 203) implies that most of

<sup>15</sup> In his interview with me, Lev Ponomarev said that a very slight democratic majority existed during the summer of 1990, which was enough to elect Boris Yeltsin as the parliament's first chairman. Although Sobyenin is skeptical that the democratic majority existed throughout the period before the collapse of the Soviet Union, he agrees that a conservative majority certainly did not exist at that time (1991).

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Table 1.1. *Median Sobyenin Index for All Deputies in Sessions 2–6*

Session 2	Session 3	Session 4	Session 5	Session 6
0	5	39	36	32

the deputies who switched position were members of the parliament; therefore, by implication, the percentage of members who changed from democrat to conservative would have been greater in the parliament than in the Congress.

If one uses an index measuring commitment to democracy devised by Sobyenin before the collapse of the Soviet Union, the number of so-called democrats *increased* after the collapse of the Soviet Union (Sobyenin and Yur'ev 1991). The index ranges from +100, which corresponds to a committed, Westernizing democrat, to -100, which corresponds to a committed, Soviet-style communist; a value of 0 corresponds to a neutral deputy. Thus, a positive value indicates some degree of support for democracy, and a negative value indicates some degree of opposition to democracy. In Table 1.1, I present the median Sobyenin index for deputies in Sessions 2–6. Sessions 2 and 3 correspond to the period before the collapse of the Soviet Union, while Yeltsin was chairman, and Sessions 4, 5, and 6 correspond to the period after the collapse of the Soviet Union, while Khasbulatov was chairman. In all sessions, the number of democrats exceeded the number of communists, and the number of democrats was actually greater in Sessions 4 through 6 than in Sessions 2 and 3.

If more than half of the deputies after the collapse of the Soviet Union were democrats, what then is meant by a conservative? For the most part, analysts have ignored the crucial first half of 1992, when the confrontation between Khasbulatov and President Yeltsin was not yet apparent<sup>16</sup> and when there was clearly no consistent opposition to reform. Even in 1993, when the parliament appeared reactionary to many, one can imagine many deputies voting with Khasbulatov and in opposition to Yeltsin only because the range of issues on which they were asked to vote was limited. An inspection of the actual content of deputy voting shows that very few laws of any kind were passed in 1993. The parliament considered legislation pertaining to political and

<sup>16</sup> Dobrokhov et al. (1994) refer to this period as a period of compromise, which ended in December 1992.

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economic reform only during the first six months of 1992. The fall 1992 session of parliament was dominated by the attempt to reduce the power of the executive branch, and all of 1993 was dominated by attacks on President Yeltsin and his allies inside and outside the parliament.

Finally, whatever the explanation for the distribution of deputy preferences from session to session, to argue that the presence of a conservative majority explains the confrontation between president and parliament, one must argue that it was in the interest of this majority to pursue the confrontation. This argument is hard to sustain. Why in 1993 did a majority of deputies pursue a set of policies that was, in the words of deputy Alexander Kopeika, “a process of self-destruction”?<sup>17</sup> After the April 1993 referendum, it was clear to the whole country that Khasbulatov was one of the least popular men in Russia and that his personal ambition was destroying the prestige and popularity of the parliament as well. Had a conservative majority existed in parliament, why did it not at some point replace Khasbulatov with the much more respected, charismatic, and *conservative* nationalist Sergei Baburin or *conservative* communist Ivan Rybkin, each of whom was a highly visible critic of Boris Yeltsin?

In contrast to an interpretation based solely on changes in deputy preferences, my explanation takes into account institutional features as well as the implications of changes in the number of issues facing deputies after the collapse of the Soviet Union. An extensive analysis of the deputies' voting record before and after the collapse strongly supports my theoretical contentions. My account provides a consistent and comprehensive explanation of some of the strange inconsistencies of Russia's first three years as a democracy. I explain why the parliament was effective before the collapse and why it was so ineffective afterwards. I also explain why for many months after the collapse of the Soviet Union, the parliament waffled in its support and opposition to political and economic reform. My explanation helps us understand why the parliament appeared so obedient to Khasbulatov in 1993, why so few roll call votes were held, and why so many important votes in the last year of the parliament's existence concerned attacks on Khasbulatov's opponents within the parliament and in the press. I also explain why the parliament became wholly engaged in a fruitless struggle with President Yeltsin. By spring

<sup>17</sup> ITAR-TASS, April 30, 1993, parliamentary correspondent Liudmila Yermakova.

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of 1993 one could no longer speak of parliament's goals, because the goals of the parliament reflected those of its chairman. Thus, while it could not have been in the interest of the majority of parliamentary deputies to risk their jobs and political future in opposing an extremely popular and powerful president, it was, conceivably, in the interest of an ambitious individual to try and increase his own power vis-à-vis the president, using the parliament as a platform from which to do so.

## CONCLUSIONS

Many scholars interested in the former Soviet Union are trying to understand the processes by which stable, democratic institutions evolve. One approach is to study how exogenous factors, such as popular support for democratic values (Gibson et al. 1992, Duch 1993, Hahn 1993, Bahry and Way 1994, Hough 1994, Andrews and Stoner-Weiss 1995, Whitefield and Evans 1998, Colton 2000), the electoral system (Colton 1990, Helf and Hahn 1992, Moser 1993, Remington and Smith 1995, 1997), political culture (Stoner-Weiss 1997), and political parties (Fish 1995a,b, Urban 1997, McFaul 2001) shape evolving democratic institutions. Another approach is to study the effects of endogenous institutional mechanisms, such as rules and incentive structures, on institutional stability and success (Prokop 1996, Solnick 1998, Smith and Remington 2001). In this book, I have chosen the latter approach. This is a study of how inadequate institutional design coupled with poorly developed political parties created the conditions for instability in the Russian national legislature.

For the past 15 years, scholars taking a neo-institutional approach to the study of democratic national legislatures have made great progress in determining the institutional features that lead to legislative stability. However, theorists have rarely applied the formal study of institutional design to legislatures other than the United States Congress.<sup>18</sup> By testing arguments derived from social choice theory in a setting other than Congress, one in which neither committees nor parties are as strong as in Congress, I hope to provide an important addition to legislative scholarship in the neo-institutional tradition.

One of my goals in studying an institutionally poor, transitional legislature such as the Russian Parliament is to ascertain the relative impor-

<sup>18</sup> Some notable exceptions: Cox (1987a), Myagkov and Kiewiet (1996), and Remington and Smith (1995, 1997).

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tance of those features identified by Congressional scholars that structure the institution (committees) and those features that structure deputies' preferences (political parties) in determining the effectiveness of a legislature. The effectiveness of the Russian Parliament changed over time, from a period of relative effectiveness before the collapse of the Soviet Union to one of extraordinary ineffectiveness after the collapse of the Soviet Union. Furthermore, while the nature of political coalitions changed from one period to the other, the structure of the institution did not change. This "natural experiment" provides an opportunity to isolate the effect of one determinant of stability, political parties, while holding constant another determinant, legislative design.

The implications of work that formally derives and precisely states the conditions under which equilibria in legislatures can exist seem especially important to students of emerging democracies. To my knowledge, there are few studies of actual cases of cycling, and there are no cases that are so clearly politically important.<sup>19</sup> Thus, my study shows that this theoretical construct exists empirically and occurs exactly under those circumstances where one would expect it, in an institutionally poor, multidimensional environment. Furthermore, I show that the consequences of legislative instability are quite serious indeed, especially if it occurs in times of transition, when democratic institutions first begin to function. Only when we understand the determinants of stability within individual institutions, or within classes of institutions, can we understand why transitions to democracy succeed or fail.

### PLAN OF THE BOOK

I begin in Chapter 2 with a description of the most important example of cycling that occurred in the Russian Parliament, the March 1992 parliamentary debate on the draft Russian constitution. It is this debate that I describe in the book's opening paragraphs. Not only do I describe the immediate consequences of cycling and the deputies' reaction to a breakdown in majority rule, but I also consider the long-term implications for Russia's constitutional debate. Cycling disrupted the debate on

<sup>19</sup> The most well known example is the story of the flying club reported by William Riker in *The Art of Political Manipulation*. Evidently, Riker searched for years to find an important example of cycling, and eventually he had to settle for this somewhat trivial example. I am indebted to Timothy Frye for this observation.

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the constitution, preventing the legislature from adopting a new constitution at that time. But, it also enabled the parliament's chairman, using his power to control the agenda, to structure the subsequent constitutional debate in such a way that deputies focused solely on reducing the president's power by amending the existing constitution. Because a new constitution would have put an end to the Presidium and thereby ended the source of Khasbulatov's power, the chairman aggressively resisted Yeltsin's efforts to pass a new constitution, using his power over the parliament's agenda to keep the deputies from entertaining the president's option. Russia's drawn-out struggle to pass a new constitution demonstrates the empirical significance of cycling, and it shows nicely how the chaotic environment of a democratic transition can foster, and thus be affected by, this seemingly esoteric problem of majority rule.

After a detailed discussion of this important case, I move to Chapter 3, in which I lay out the theoretical framework used in the book. In Chapter 3, I describe in formal but accessible language the theoretical concepts that I use in my book. I discuss differences in majority decision making in one-dimensional and higher-dimensional cases, and I show how cycling occurs in multidimensional settings. I present a detailed discussion of cycling and agenda control in the presence of cycling. I conclude the chapter with a discussion of the implications of cyclical majorities in legislative settings and the institutional mechanisms that prevent cycling.

In Chapter 4, I describe the institutional structure of the Russian Parliament, including the committee system and the rules of procedure governing the passage of legislation. Because of its importance to the agenda-setting powers of the parliamentary chairman, I describe in some detail the organizing body known as the Presidium, and I discuss the powers accruing to the chairman through his dominance of the Presidium.

In Chapter 5, I discuss the political groups that existed in the parliament both before and after the collapse of the Soviet Union, including descriptions of the groups' political platforms and characteristics of their members. Partisanship in the Russian Parliament was complicated, and it changed after the collapse of the Soviet Union. Before the collapse of the Soviet Union, two loosely organized coalitions – the communist conservatives and the democratic reformers – existed in the parliament. After the collapse of the Soviet Union, these two grand coalitions fell apart, and deputies organized themselves into three blocs.



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My goal in Chapter 6 is to support empirically the hypothesis that the policy space was one-dimensional before the collapse of the Soviet Union and multidimensional afterwards. Toward this end, I present the results of a principal components analysis of roll call votes that suggest that one dimension dominated debate before the breakup of the Soviet Union, and that more than two issue dimensions were present afterwards. Using the estimates of deputy ideal points, I map the positions of members of the deputy groups before and after the collapse of the Soviet Union, showing that the preferences of deputies were relatively homogeneous before the collapse of the Soviet Union and relatively heterogeneous afterwards.

In Chapter 7, I operationalize Norman Schofield's concept of a cycle set. Because the issue space was not multidimensional before the collapse of the Soviet Union (and because only two relevant deputy groups existed at that time), I look for cycle sets after the collapse. I find that cycle sets existed in Sessions 4 and 5. Furthermore, I provide tabular and graphical evidence that only in the session immediately after the collapse of the Soviet Union (Session 4) were the votes distributed in such a way that outcomes would have fallen within the cycle set (that is, within the area bounded by three minimal winning coalitions in the parliament). Finally, I present three concrete examples of cycling that occurred in the session immediately following the collapse of the Soviet Union. I could find no concrete examples of cycling in any other period before or after the collapse of the Soviet Union.

In Chapter 8, I compare the power of an agenda setter in a one- versus a two-dimensional setting. I present graphical evidence that Chairman Yeltsin's powers were constrained in the way predicted by Romer and Rosenthal's setter model (Romer and Rosenthal 1978). In contrast, Chairman Khasbulatov was able to obtain his most-preferred outcome as predicted by McKelvey (1976). Finally, I support the hypothesis that it was Chairman Khasbulatov's ability to dominate legislative outcomes that led to the parliament's self-destructive confrontation with President Yeltsin.

In Chapter 9, the concluding chapter, I discuss the relative importance of committees and parties in structuring a congressional legislature. When parties are weak, it is particularly important that a legislature does not also have weak committees, or an otherwise weak institutional design. Furthermore, if cycling occurs in an institutionally weak legislature, the danger exists that a person or group with the power to set the legislative agenda will be able to dominate the legislature.

I discuss the importance of cycling as a phenomenon that may exist in weakly structured legislatures during times of political and economic

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transitions. For example, cycling on the issue of the government budget occurred in the first year of the Polish Parliament. The institutional rules governing the Polish Sejm prevented an outcome like that which occurred in Russia. Instead, the government fell, and ultimately new elections were held, which eliminated the potential for cycling.

Until now, cycling has been treated as an interesting but empirically esoteric concept. With this study I show not only that cycling is an empirical reality, but also that it has just those serious consequences for majority rule that have concerned some of social science's most creative theorists.