Hegemony or Rivalry?

Decrees, Laws, and the Dynamics of Executive-Legislative Relations in the Russian Federation

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ABSTRACT

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Executive decree authority can be problematic in new democracies since the executive’s authority to act unilaterally threatens the legislature’s lawmaking prerogatives and undermines the democratic character of the regime. The 1993 Russian Constitution gives the president extraordinary powers which Boris Yeltsin used throughout his tenure to bypass parliament, creating what many consider to be a hegemonic executive. Vladimir Putin’s first year in power has revealed a comparable presidential willingness to use decrees to advance an ambitious political agenda. We use monthly data on the issuance of decrees and the passage of laws for the period 1994-98 to examine systematically the dynamics of legislative-executive relations in the Russian Federation. The volume and scope of presidential decrees were voluminous, with presidential actions touching upon all aspects of Russia’s post-Soviet transformation. Parliament responded cautiously in the face of presidential assertions of authority in a manner suggesting it perceived the president as a hegemon. Nevertheless, parliament challenged the president during critical periods, such as when elections were at stake. The president, in turn, responded to parliament as if it were a powerful rival whose political actions must be carefully attended and quickly countered. While executive-legislative relations are shaped by constitutional design, they depend heavily, as well, on political context and the strategies and skills of political actors.
Introduction:

Executive-legislative relations are problematic in any political system, but especially so in new or emergent democracies (O'Donnell, et al., 1986; Higley and Gunther, 1992; Karl and Schmitter, 1991; Linz, 1994; Linz and Stephan, 1996; Haggard and Kaufman, 1995). The division of executive and legislative power typically dominates debates over the establishment of democratic regimes, fueling disputes over fundamental issues of constitutional design and institutional structure (Di Palma, 1990; Huntington, 1991; Remington, 1994; Smith, 1996). Yet the struggle over executive-legislative powers does not end with adoption of a constitution. Formal rules substantially shape but they do not determine the division of political power. After a constitution is in place, newly-established presidencies frequently clash with fledgling parliaments for predominance, imperiling the transition and risking either reversion to authoritarian rule or a ‘broken-back’ democracy (Rose, et al., 1998). The necessity of interpreting and implementing constitutional provisions, combined with the possibility of amending if not rewriting the constitution, ensures a continuing struggle between executive and legislature for political power and policy influence.

A principal focus of executive-legislative conflict in democratic regimes, old as well as new, concerns the authority of the executive to act unilaterally, usually by issuing decrees (Carey and Shugart 1998). The extent of executive decree authority varies considerably across regimes. In some, especially those emerging from an authoritarian past, presidential decree authority can be so broad that, “whoever wins election to the presidency is thereby entitled to govern as he or she sees fit, constrained only by the hard facts of existing power relations and by a constitutionally limited term of office” (O'Donnell 1994). Even in the United States, where the legislature is unusually powerful and where the constitution is silent on the subject of executive decree authority, U.S. presidents make extensive use of their implied power to issue executive orders shaping public policy in broad areas without the need for congressional approval (Fischer, 1993; Krause and Cohen, 1997; Mayer, 1999).

An important question regarding the use of decree authority is whether and to what extent executives exercise this power in ways that usurp proper legislative functions and prerogatives. In the United States, for example, a number of scholars (e.g., Nathan, 1983, Gleiber and Shull, 1992) assert that presidents routinely use executive orders to bypass an obstructionist congress and implement public policies without congressional approval. Others
(Light, 1982; King and Ragsdale, 1988) dispute this assessment, however, and argue that executive orders are issued independently of congressional considerations, most commonly in support of normal administrative functions and in ways that reflect the evolving structure of the institutionalized presidency. Empirical evidence is in short supply but the most systematic research suggests that both dynamics may operate (Krause and Cohen, 1997, Mayer, 1999). In new or emergent democracies, the purposes for which decrees are used assume added importance. If executives can bypass the legislature or marginalize its policy-making power, then the quality of democracy will be undermined and the survival of the regime put in jeopardy. Unfortunately, although a growing body of research examines the politics of constitution-making and the origins of executive decree authority in new democracies (Sartori, 1997, Carey and Shugart, 1998), very little systematic research examines the uses of decree authority in practice, particularly in the context of legislative-executive relations.

Among recent efforts to establish democracy, nowhere has the legislative-executive struggle been more fraught with conflict than in the Russia Federation following the collapse of the Soviet Union. Not coincidentally, the authority of the Russian president to issue decrees has been central to this struggle. The most dramatic episode was the 1993 shelling of the Russian White House, ordered by President Boris Yeltsin after parliamentary and public opposition to his dissolution of parliament via executive decree. But the struggle between Yeltsin and the opposition-controlled Duma persisted following the adoption of a new constitution and the election of a new parliament in December 1993. The issuance of executive decrees increased significantly as well.

Although it is widely accepted that the 1994 Russian constitution concentrates power in the presidency (Kubicek, 1994; Easter, 1997), some scholars insist that the Russian legislature has retained significant legislative authority and the capacity to exercise it, at least in some important circumstances (Remington, et al., 1998). Formally, the new constitution identifies broad policy areas where laws are required and provides that laws take precedence over executive decrees where the two are in conflict. In practice, the parliament enacted (and the president signed) more than 800 laws between 1994 and 1999, demonstrating the willingness and ability of the parliament to engage the president and establish a prominent role for itself in the policy process. Yeltsin issued over 1500 decrees during the same period, but it is not at all clear from this simple comparison that the president was the political hegemon that critics (and many scholars) contend. Since coming to power at the end of 1999, Vladimir Putin has exhibited a comparable willingness to advance controversial policy measures by executive
decree. Similar to his predecessor, Putin has maneuvered around the parliament while striving to secure legislative support where required by the constitution or where he deems appropriate.

While considerable attention has focused on the politics of constitution-making and on the formal powers of president and parliament (Huskey, 1999), little research explores the dynamics of legislative-executive relations in practice (an important exception is Remington et al., 1998). We examine executive-legislative relations in Russia using time-series methods and monthly data on the issuance of laws and executive decrees for the period 1994 through 1998. Specifically, we develop and test a series of interrelated hypotheses about the forces that impel and constrain executive-legislative relations in post-Soviet Russia, including public attitudes toward president and parliament, macro-economic conditions and public evaluations of the economy, the influence of elections and other critical domestic events, and the ever-changing relationships between the president, his top advisors and the legislative leadership.

**Russian Constitutional Design and Executive-Legislative Actions:**

Considerable attention has been given to Russia's constitutional design since the dramatic events of 1991 (e.g., Colton, 1995; Elster and Preuss, 1998; Frye, 1997). The struggle over Russia's constitutional configuration dominated the political agenda through December 1993, particularly in regard to the division of power between the parliament and presidency (White, 1994 and 1997). The complex and highly public struggle seemingly was resolved in Fall 1993 with the destruction of the parliament, and the crafting of a new Russian constitution. This consolidated the institutional power and policy prerogatives of the presidency and of subordinate executive agencies: both the new formal rules and the informal means by which policy was developed signified the behind-the-scenes preeminence of the executive (Willerton, 1997). Nevertheless, the bitterness that characterized 1991-93 executive legislative relations continued throughout Yeltsin's first term (1991-96) and fundamental mistrust characterized all of Yeltsin's second term (1996-99). Yeltsin's harsh public tone toward the Duma was reinforced by his refusal to appear before that legislative body. In return, both the Left and the Nationalist-Right opposition within the Duma demonstrated little willingness to cooperate with Yeltsin's government, though their hostility diminishing somewhat during the short-lived tenure of Yevgeny Primakov as Prime Minister (1998-99). The parliament's Spring 1999 impeachment efforts, while ultimately failing, revealed the profound legislative mistrust that continued until Yeltsin's surprise retirement at the end of 1999.

The 1993 constitution drafted by Yeltsin forces clearly diminished the legislature's position in the policy process. Moreover, as Shugart (1996) has argued, a weak party system,
such as Russia’s, undermines opportunities for integrating executive and legislative leadership and provides enhanced opportunities for presidents to assert their prerogatives unconstrained by legislative fetters. Nevertheless, the emergence of a dominant presidency during the Yeltsin period was constrained by a number of important developments, including: a) widespread public disapproval of the incumbent president and his policies, b) the lack of administrative discipline within the executive branch, including the extensive, “extralegal” involvement of outside business interests (i.e., the so-called “oligarchs”) in federal politics, c) the continuing stridency of legislative opposition to Yeltsin and his policy initiatives, resulting in several efforts at his ouster, and d) executive instability caused by the ever shifting coalition of advisors surrounding the politically and physically weakened president. The powerful formal prerogatives of the presidential office were offset, to some extent, by the idiosyncratic weaknesses of the particular politician holding that office during the 1993-99 period.

Presidential decrees are central to the president’s dominance of the Russian policy agenda and to his control of the bureaucracy. The 1993 Constitution (Article 90) grants the president extensive powers to issue decrees that are binding throughout the Russian Federation as long as they do not contradict either the Constitution or federal laws. Moreover, the massive size of the Russian governmental bureaucracy, with its numerous and often-conflicting ministries and agencies, has required powerful top-down mechanisms such as presidential decrees to spur it to action and coordinate its direction (Kolesnikov and Orlov, 1997). Normative decrees, which are binding on all citizens, may be overridden by parliament, but only upon a two-thirds vote of both legislative chambers, which is difficult to achieve given the weakness of the party system and the highly fragmented, factional structure of parliament.

The Constitution is vague as to the specific purposes for which decrees can be used, although it does specify that federal laws, passed by both houses of parliament and signed by the president, are required for all matters dealing with the federal budget, taxes and levies, financial, currency, credit and customs controls. The Constitution provides that the upper chamber of the parliament, the Federation Council, is responsible for ratifying treaties, declaring war and peace, and determining the status and protection of the state borders of the Russian Federation. Presumably matters requiring federal legislation or action by the Federation Council were intended to be beyond the scope of presidential decrees, although this obviously
is a matter of interpretation.\(^1\) Formally, presidential decrees must conform to laws and may only augment the content of laws as constitutionally required.

Notwithstanding these various constitutional powers and limits, President Yeltsin relied heavily upon the issuance of decrees for a wide variety of purposes throughout his tenure but especially following the December 1993 adoption of a new Constitution and election of a new parliament dominated by his opponents. The president is aided in these efforts by a large presidential administration, composed of dozen of agencies and supported by a staff of approximately 7,000 (Okun’kov 1996). By comparison the Executive Office of the U.S. President has a staff of only approximately 1,600 (Ragsdale and Theis, 1997). Unlike the formal government, the presidential administration in Russia has been immune from legislative oversight. The State Legal Affairs Administration, situated in the federal presidency and with a staff of more than 300, is responsible for reviewing drafts and releasing presidential decrees (Huskey, 1995). It has become an important institutional setting for those interested in influencing the policy process, and the head of the presidential administration has become a central actor in the country’s policy-making process (Filatov, 1995; Huskey, 1999).

Where the number of Russian presidential decrees increases over time, the scope of executive action was broad from the start. In the context of powerful centrifugal forces which threatened to overwhelm Russia, the president used his decree authority to influence virtually every policy area germane to the post-Soviet political, economic, and societal transformation. The sheer number of decrees makes it difficult to assess their individual significance, but many important domestic reform programs were launched via decrees, including most major components of the privatization process (e.g., the move to a convertible currency and the various proposed steps to privatize peasant land and state property). The formal impetus for most major governmental institutional changes came from presidential decrees, including the expansion of judges powers (1994), the increased professionalization of the civil service (1994 and 1995), and the creation of a new passport system (1996). Indeed, most controversial political decisions such as the 1993 dissolution of parliament and the late 1995 intervention in Chechnya were also taken through decrees.

The scope of presidential decrees is illustrated in Table 1, which reports the frequency of

\(^{1}\)President Putin’s 2000 reforms of the Federation Council will reduce its power and alter its decision-making role, though the president will still be required formally to garner legislative approval for such actions. The fact that Putin could, first by decree and then law, alter the power and role of a legislative body testifies to the president’s decision-making preeminence.
We coded presidential decrees based on the primary policy action or implication of each decree. We focused on normative rather than total decrees because non-normative decrees involve mostly administrative appointments and proclamations and have limited policy import. Normative decrees, in contrast, are used to make policy and have put into effect a number of Russia’s most important institutional and policy decisions since 1991.

Given Russia’s parallel transition to democratic governance and a market oriented economy, it is not surprising that the majority of Yeltsin’s presidential decrees were concerned broadly with Government and Administration (including decrees dealing with the operation of political institutions, legal and constitutional reforms, and government communications) and with the Economy (including economic development and reform, privatization, investment, and targeted sectors such as agriculture, banking and transportation). Overall, these two broad categories accounted for 55 percent of presidential decrees or slightly more than all other types of decrees combined. Although there was some minor year-to-year fluctuation in the emphasis accorded these two categories (and considerably more month-to-month variation), the stability over time was impressive; the two substantive areas accounted for a minimum of 52% of all decrees issued (in 1996) and a maximum of 59 percent of decrees issued (in 1997 and 1998).

Police and Military concerns occupied a distant third place on the president’s decree agenda. Overall, 12 percent of decrees focused on issues pertaining to the armed forces and

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2 We coded presidential decrees based on the primary policy action or implication of each decree. We focused on the overall substantive content of the decree and not its specific policy function, except in the parallel coding of “pork-barrel” decrees. Pork-barrel decrees refer to those in which a specific group or individual receives an economic or other tangible benefit, social guarantee, recognition, compensation, etc. Excluded are decrees which confer something very general on diffuse groups such as when a decree protects the rights of consumers to participate in the market economy. In general, decrees relating to the broad architecture of political or economic reform are not considered pork. Importantly, decrees on privatization are almost uniformly considered to be reform measures. This precludes their consideration as pork, which in important cases probably is not accurate. It would be almost impossible, however, to tell from the titles and texts of decrees on privatization whether or not they confer some sort of particularized benefit.

3 Data on Russian presidential decrees were acquired from INFOBASE which is regularly updated and maintained by INFORIS Internet Center., ISP in Nizhny Novgorod, Russia and is accessible on the net (albeit mostly in Russian) at http://www.inforis.ru/infobase/. This archive gets its material from the official Sobraniye zakonodatel’stva, from Rossiiskaya gazeta and an official Russian government computer data service. There are a number of “secret” decrees that are unpublished and, therefore, are not included in the database. The INFOBASE archive includes numerous non-normative decrees, which we have removed from our database.
law enforcement agencies including the defense industry, security and border guards, and space. The president has used decrees in this area to influence a range of critical issues involving the fulfillment of international treaties, the operation of peace-keeping forces, and ongoing pay and provisioning issues. The May 1994 crime-fighting decree is illustrative in that it laid out the broad parameters for the government’s approach to one of the country’s most acute policy dilemmas. Another 9 percent of decrees concerned issues related to Social Services and Social Problems, with all other issues constituting fewer than 25 percent of presidential decrees.

The emphasis on government and the economy might be expected to diminish over time as the transitions to democracy and the discipline of the market became routinized, but there is little evidence of such trends in the data through 1998. Indeed, Yeltsin’s continued willingness in his second term to act unilaterally in tackling economic problems was evident in several high-profile decrees including those to impose surcharges on all bank transactions, to reestablish a state vodka monopoly and to require competitive bidding in state contracts. While there has been a very slight decline in the percentage of economic decrees since the early 1990s, there was a corresponding increase in the proportion of decrees concerned with government and administration. Both trends, however, were faint and appeared to be within the limits of normal variation. The proportion of decrees in other categories was highly stable over time, as well, generally remaining in single-digits throughout the period. An exception was the category of decrees affecting Non-Governmental Organizations. Predictably, a higher percentage of presidential decrees were devoted to NGOs in the immediate post-Soviet period, as Soviet-era arrangements were suspended and the new rights and rules of trade unions and post-Soviet parties were laid out. There was a precipitous decline in such decrees after about the first year of the transition, however, and the frequency of such decrees remained low thereafter.

Whereas normative decrees generally address policy issues, not all normative decrees affect all sectors of the country equally. Special interests in Russia have recognized the extraordinary powers that decree authority confers and have made the presidency the focus of intense lobbying (Schrader, 1998; Freeland, 2000). It was observed during the Yeltsin era that no one arrived for an appointment with the president or one of his chief aides without bringing along one or more draft decrees granting special benefits or otherwise addressing the particular interests of the individual’s region or industry. In addition to coding executive decrees by subject matter, we also coded them by function, identifying those decrees that appear to provide “pork” for identifiable constituencies as discussed in Footnote 2. Overall, 25 percent of all presidential decrees for the 1991-98 period provided particularized benefits for regional,
sectoral, or other special interests. Predictably, the largest percentage of pork-barrel decrees occurred in 1996 during the run-up to the June-July presidential elections. Fully one-third of decrees issued in 1996 provided specialized benefits, including more than 50% of the almost 200 decrees issued in April, May and June of that year. These included the promised payment of wage arrears to workers, the raising of assistance levels to the dependent, and commitments of federal assistance to regions. In addition, literally dozens of decrees granted exemptions to companies in paying their tax arrears (also see Bekker, 1996). Excluding 1996, however, the percentage of pork barrel decrees was relatively constant, averaging 25% of all decrees from 1991 through 1995, albeit dropping slightly, following the election, to 18 percent in 1997-98.

Unfortunately, no similar coding is available for the production of laws that would permit a direct comparison of the distributions of laws and decrees across policy areas. Remington et al. (1998) use a similar typology in coding laws enacted by parliament during the much shorter period 1994-96. Their categories are sufficiently different from ours to prevent direct comparisons, but they do provide at least some indication of the overall similarity of presidential and legislative agendas and of the stability of those agenda over this shorter period. This is important because if the legislative and presidential policy agendas are substantially different, or if their agendas change significantly overtime, then analyses of the interaction of laws and decrees would be seriously complicated. Happily, both the scope and distribution of the laws passed by parliament appear very similar to presidential decrees, and both agendas appear remarkably stable over time. Overall, Remington and colleagues report that economic, political structural and legal policies accounted for about 35 percent of the laws enacted by parliament during the three years analyzed. Social programs were the focus of about 22 percent of laws, and foreign policy (including trade) accounted for about one quarter of the laws passed. Even more important, from our point of view, there is very little variation within these categories over the limited time covered by the study. Given the different coding schemes employed in our different studies, the distribution of laws and decrees across policy areas is sufficiently similar to confirm that the policy agendas of president and parliament overlap substantially. The president and parliament compete for policy influence over very large areas, and there is substantial stability in these distributions over time.

Figure 1 traces the number of monthly normative decrees issued by the Russian President for the period July 1991 through December 1998. Even a cursory inspection of these data indicates that President Yeltsin made frequent use of his decree authority, issuing an average of 22 decrees each month across the seven year period covered by the data. While
the number of presidential decrees fluctuated considerably from month-to-month, there is a
clear trend of increasing decree activity across the first several years of Yeltsin's tenure. During
his first six months in office Yeltsin issued a total of 60 decrees for an average of 10 per month.
This increased to 15 decrees per month in 1992 and then to 20 per month in 1992, a figure
somewhat inflated by the spike in presidential decree activity immediately preceding the
constitutional referendum and parliamentary elections. Since 1993 the number of presidential
decrees averaged slightly more than 20 per month, again excluding the dramatic increase in
decrees issued during the 1996 presidential campaign.

Figure 1 also tracks the number of laws passed by parliament and signed by the
President during the period since 1994 when the new legislature was convened. Again the
series displays considerable short-term variation, but substantial long-run stability. After
enacting and gaining presidential approval for an average of nine laws per month in its first year
of operation, parliament doubled its legislative output in 1995, before reaching an equilibrium of
approximately 14 laws per month from 1996 through 1998. The obvious outlier occurred in July
1998 when parliament enacted an extraordinary number of laws before adjourning for much of
August and September. A similar pattern occurred in previous years; a small spike in the output
of laws preceded a late summer recess. Why this spike was so pronounced in 1998 is unclear.

Although inspection of the trends in Figure 1 suggests that the production of laws and
decrees generally coincided -- rising and falling in roughly the same rhythm since 1994 -- it also
is clear the strength of this relationship is quite modest. The correlation between the two series
(\( r = .15 \)), while statistically significant, is small in absolute terms, and even 'smoothing' the two
series using three-year moving averages to diminish random 'noise' does not appreciably
strengthen the relationship (\( r = .16 \)).

Predictably, monthly fluctuations in presidential decrees coincide with important
domestic political events and appear to reflect the evolving tenor of executive-legislative
relations. The relative stability in the number of decrees during the second half of 1991 and
1992 appears to reflect the influence of Yeltsin allies as Yury Skokov and Vladimir Shumeiko,
technocrats and tacticians who broadened Yeltsin's political coalition and built bridges to
parliamentary factions. As parliament increasingly resisted presidential policies toward the end
of 1993 and during the run-up to the 1993 parliamentary and referendum election campaigns,

\[\text{Data for Russian laws were also acquired from the INFORIS INFOBASE, but a}
\text{comprehensive coverage of laws is only available for the period since May 1994.}\]
the issuance of presidential decrees increased substantially. Whereas an average of 24 decrees per month was issued during the period September-November 1993, 69 decrees were issued in December 1993. Moreover, an increasing percentage of pre-election decrees was "pork-barrel" in nature, ordering that back salaries be paid to various categories of public-sector workers or granting special benefits to various industries or regions. A higher than average number of decrees was issued immediately after the elections, as well, some reversing or reducing pre-election pork-barrel decrees, others addressing political, legal, and economic issues responding to the new, opposition-dominated parliament's legislative agenda.

The issuance of presidential decrees remained relatively stable throughout 1994 and 1995 averaging 19 decrees per month, reflecting the construction of a Yeltsin-opposition "civil accord" and a general effort by all elements to avoid debilitating confrontation and the gridlock that had characterized 1992-93. This stability gave way by the end of 1995, however, as hardliners gained the upper hand among the president's advisors and a series of election campaigns commenced. The December 1995 parliamentary election further strengthened anti-Yeltsin forces in parliament, and Yeltsin began the subsequent presidential election campaign with single digit popularity. Yeltsin almost immediately increased his use of presidential decrees, issuing an average of nearly 40 decrees per month during the period January-March 1996. This figure grows to a monthly average of 64 decrees during the three months leading up to the presidential elections in June and July 1996, with the president using his decree authority to distribute pork and otherwise grease the wheels of his election campaign.

Following the election and the replacement of several high-profile hardliners among Yeltsin's top advisors (e.g., Oleg Soskovets and General Aleksandr Korzhakov), the issuance of decrees abated, returning to the pre-election campaign level of approximately 20 decrees per month (late 1996-December 1998). Decrees often characterized as containing pork gave way to more contentious decrees effectuating government reorganizations (e.g., the July 1997 decree upgrading the powers of presidential representatives in the regions), personnel changes (e.g., the October 1996 decree giving the universally unpopular Anatoly Chubais control over the most important executive institutions), and procedural reforms (e.g., the March 1997 decree mandating state officials report personal income and property).

Fluctuations in the numbers of laws enacted by parliament and approved by the president were more constrained but reflected similar dynamics. Following the 1993 parliamentary elections, the number of laws enacted by parliament climbed slowly across the ensuing eighteen months in a process of "two steps forward, one step back." A flurry of
legislative activity in one month was followed by a month or two of reduced activity or consolidation before another somewhat larger flurry of legislation. As is the case with presidential decrees, legislative activity appears to reflect the state of legislative-executive relations and the influence of electoral politics. The number of decrees enacted by parliament and signed by the president peaked in November and December 1995 during the parliamentary campaign, falling off afterwards but increasing again (albeit less dramatically) during the presidential campaign. Following the elections, legislative activity during this period generally leveled out save for routine fluctuations including the absence of legislative activity in the late summer of each year during legislative recesses.

Overall, examination of presidential decree activity suggests an active and assertive president willing to use his decree authority to legislate in virtually all areas as the chief executive strove to define and control the policy agenda. Russia’s highest policy priorities -- whether in contouring a new political system, transforming the vestiges of the command economy, or coping with the fallout from the country’s sagging international position -- generated continued and comprehensive executive action through presidential decrees. Notwithstanding the assertiveness of the president, however, the evidence also suggests that the legislature was only slightly less engaged in the policy making process. Parliament continued to find ways to enact and obtain presidential assent for substantial legislation with important consequences for broad sectors of Russian society. There is considerable fluctuation in law-making and the issuance of decrees, but there is no evidence that one form of legislative activity dominates or drives out the other.

Theoretical Expectations:

Although the number of presidential decrees issued in the 1994-98 period substantially exceeded the number of laws enacted, there was considerable month-to-month variation in both activities. We are interested in exploring this variation in order to better understand the dynamics underlying presidential-parliamentary relations. Unfortunately, there is little by way of existing theory to assist us with respect to the Russian case, or, more generally, with respect to the dynamics of legislative-executive relations during democratic transitions. We begin, therefore, by attempting to construct a theory interrelating a series of competing hypotheses from other literatures and from conventional wisdom.

Direct Institutional Relations: An understanding of the dynamics of legislative-executive relations must begin with the way in which the institutions respond directly to the policy-making activities of each other. In this regard, an institutional rivalry hypothesis, implicit in much of
the literature on executive-legislative relations in both new and emergent democracies, holds that the policy-making activities of the legislature and executive will vary directly and positively with one another. Viewing the president as an institutional rival for the control of public policy, the legislature is expected to respond to the increased use of presidential decrees by increasing its own legislative activity, enacting more laws, among a variety of other possible responses. Similarly, the rivalry hypothesis holds that the president will respond to parliamentary law-making initiatives, other things being equal, by increasing more decrees. Both parliament and president could express their rivalry in a variety of other ways in addition to their increased use of laws and decrees. For example, the president could respond to legislation using the veto to block parliamentary initiatives or could offer legislation of his own. Parliament, for its part, could try to overrule the president’s decrees, amend the constitution, or even impeach the president. Alternatively, given the prevailing lack of political consensus among elites, the executive and legislature could opt to avoid public confrontations via vetoes and decree overrides by initiating interparliamentary conferences or interbranch conciliation committees (Huskey, 1999). Nevertheless, laws and decrees are characteristic policy tools for the parliament and president, and the rivalry hypothesis predicts a direct, positive relationship between them.

An alternative to the institutional rivalry hypothesis, suggested in the literature on Russia, is the political hegemon hypothesis. Whereas the rivalry hypothesis assumes that president and parliament are relatively equal in political power or, at least, are reasonably willing and able to contest the actions of the other institution, the hegemon hypothesis assumes a severe disparity in institutional power such that one institution is unwilling or unable to contest openly the policy initiatives of the other. If the Russian president is the political hegemon that many suggest, then we would expect that increasing presidential decree activity would force a subordinate parliament to retreat and to limit its legislative activity in the face of the president’s assertion of authority. Unlike the rivalry hypothesis, which is symmetrical and assumes that an increase in policy activity by either institution provokes a response by the other, the hegemonic or reactive hypothesis is asymmetric; the stronger institution’s activities are expected to affect the actions of the weaker institution but be unaffected by the weaker institution in return. Again, because other factors are likely to be involved, the predicted relationships are probabilistic. Thus, the hegemon hypothesis predicts a direct but negative and asymmetric relationship between the issuance of decrees and the passage of laws. The null hypothesis for both the rivalry and reactive hypothesis is that there is no direct relationship between the passage of laws and the issuance of decrees.
Public Opinion and Elections: Beyond the direct relationship between laws and decrees, a variety of contextual factors could have significant indirect effects on legislative-executive relations in new democracies including Russia. In a democratic system, where both president and parliament are elected and depend on public support for the renewal of their mandate, executive-legislative relations are likely to be influenced by the shape of public opinion toward the two institutions. This is not to say that public opinion necessarily determines executive-legislative relations, but, rather, that the struggle between president and parliament occurs in an environment in which electoral considerations are ever-present, if underlying, concerns.

Although democratization has proceeded slowly in Russia in comparison to many of the post-Communist regimes of Eastern and Central Europe, the fact remains that fundamental changes have occurred in Russian politics and society which have had the effect of greatly increasing the sensitivity of political elites to public concerns. There were four major elections in Russian during the period 1991-1998, all of them fiercely contested and decided by relatively narrow margins. During this time there was a noticeable increase in freedom of the press and of individual expression, and there have been substantial increases in the quantity and quality of public opinion polls as well. This being the case, it is reasonable to hypothesize, ceteris paribus, that the political actions of both president and parliament will be sensitive to variations in public opinion. What is not immediately apparent, however, is how changes in public support for the competing institutions will be manifested in parliamentary and presidential activity. Two possibilities suggest themselves.

A resource-capability hypothesis suggests that presidential and parliamentary policy-making activity should increase in direct proportion to the public popularity of the respective institutions. According to this perspective, as the popularity of the president increases, the president should be emboldened to expand his legislative initiatives issuing increasing numbers of presidential decrees among other legislative activities. By the same logic, as public support for parliament increases, it also should be willing and able to enact more legislation and be better able to secure presidential assent for that legislation as well. In competition with the resource hypothesis, a political needs hypothesis suggests that presidential and parliamentary policy activity will vary inversely with changes in their public support. According to this perspective, as their popularity in the polls declines, the president and parliamentary leadership will respond by increasing their legislative activities in an effort to reverse the decline by creating the appearance, at least, that they are active, problem-solving, and ‘in charge.’ A corollary to the political needs hypothesis predicts a positive relationship between public
support for one institution and the policy-making activities of the rival institution. Even if its own popularity remains stable, the president and parliament are likely to view the increasing popularity of the other institution as a political threat and respond by taking positive steps to raise its own public standing by increasing its legislative profile.

Even if president and parliament do not respond to every monthly 'jiggle and jolt' in public opinion, it is likely they will pay particular attention to public concerns during the run-up to elections. As in established democracies, the temptation to use their law-making and decree authority to appeal to special constituencies during election campaigns is likely to be powerful. Indeed, as noted previously in Figure 1, it appears that both the number of laws and decrees increased substantially during the several months preceding both parliamentary and presidential elections. While presidential elections are more likely to stimulate presidential decree activity and legislative elections are more likely to stimulate law-making activity, the political rivalry of president and parliament make it likely that both institutions will increase their activities during all elections, their own as well as their rival's. Thus a political campaign hypothesis predicts increases in both the number of laws and decrees during election campaigns. For very different reasons, the number of laws and decrees are likely to be higher than normal in the immediate post-election period as well. This is consistent with the suggestion that Yeltsin used his decree authority following elections to revoke or ameliorate the effects of the pork-barrel decrees he issued in the run-up to the election. It also is a likely consequence of the administrative demands associated with a new, post-election administration.

Economic Performance and Critical Events: Given the importance of the economy in shaping public support of political institutions and leaders in western democracies (Clarke, et al., 1992; Lewis-Beck, 1989), it is reasonable to expect that economic conditions will have important contextual effects on legislative-executive relations in new democracies, as well. This is especially likely to be the case in formerly communist countries given the severity of the economic problems they confront as they attempt the dual transition to democracy and the market. That citizens of post-communist regimes are accustomed to holding government responsible for managing the command economy only heightens the impact of economic conditions on politicians' standings. Consistent with the idea that president and parliament compete for public support, the economic effects hypothesis leads us to expect that both institutions will increase their policy-making activity in response to deteriorating economic conditions. Even if they cannot reasonably expect to solve economic problems with political action, both institutions are likely to want to appear to be doing something to turn the economy
around and to ameliorate the effects of a declining economy on critical constituencies.

The motivation for political institutions and leaders to “do something” in the face of economic crisis applies equally to other crises as well. Just as the American president and congress compete to offer “solutions” to school shootings, airline crashes, and even natural disasters, so too the Russian president and parliament can be expected to compete for credit (or to shift the blame) in the aftermath of dramatic events such as the outbreak of the Russian-Chechen war or the August 1998 financial crisis. Thus the political crisis hypothesis holds that both decrees and laws should increase, if only temporarily, immediately following such politically significant events.

In this regard, the health of President Yeltsin could be regarded as a continuing political crisis, albeit a particularistic one (Aron, 2000). During his tenure, Yeltsin was hospitalized with serious illnesses or otherwise incapacitated and out of public view for extended occasions, especially during his second term. These episodes had a variety of implications for executive-legislative relations. With regard to legislative activity, for example, both the institutional rivalry and hegemonic presidency perspectives support the hypothesis that parliamentary policy-making activity would increase during periods where Yeltsin was incapacitated or out of public view. In the vacuum created by the president’s absence, parliament would be more willing and better able to pursue its policy agenda. Regarding presidential decrees, however, the situation is more complex. A paralyzed presidency hypothesis predicts that the number of presidential decrees should fall precipitously during presidential illnesses if the president was unable to conduct business as usual and aides were unwilling or unable to carry on in his stead. On the other hand, however, presidential decree activity could continue unchanged or even increase during the president’s illnesses if advisors continued to issue decrees in the president’s name either to create the public appearance that Yeltsin remained firmly in control or to issue decrees of their own design that Yeltsin might have overruled if he was more firmly in control.  

Another important possibility, but one we cannot definitively test with available data, is the policy distance hypothesis. A venerable thesis holds that legislative-executive conflict increases with the policy and partisan distance between the branches. As policy distance increases, the possibilities for compromise and cooperation between president and parliament are reduced and the likelihood of independent presidential or parliamentary action increases. Judgments about the shifting ideological orientations of the president and parliament vary by observer, leaving measures subject to question. The Yeltsin coalition of interests evolved during this period, as did the ideological composition of the parliament and its leadership. Since a systematic test will necessarily rely on judgment calls and “soft” measures of ideological orientation, we exclude this hypothesis from the analysis.
Methods and Measures:

To test these hypotheses we use time-series methods and monthly data. Specifically we use a ‘cross-lagged effects model’ (Finkel, 1995) consisting of separate equations for laws and decrees both of which include a lagged version of the other institutional variable on the right hand side of the equation.\(^6\) Thus:

\[
\text{LAWS}_t = \text{DECREES}_{t-1} \quad (1)
\]

\[
\text{DECREES}_t = \text{LAWS}_{t-1} \quad (2)
\]

The use of a cross-lagged design enables us to avoid the problem of correlated error terms that would be inherent in a system of simultaneous equations such as would be created if an unlagged measure of laws were included on the right-hand side of the decree equation and vice versa (Finkel, 1995: 24-32). Moreover, a crosslagged design is consistent with theory in that it assumes that president and parliament react to each other’s initiatives at a lag; it also has the advantage of allowing an unambiguous assessment of the causal direction of the relationship between laws and decrees.

In addition to the lagged measure of the other policy variable, the law and decree equations also include a variety of measures of the several contextual influences hypothesized to affect executive-legislative relations (details on the construction of all variables are included in Appendix A). These include lagged measures of public support for the president and parliament as well as dummy variables capturing the effects of election campaigns. In addition to a dummy variable measuring pre-election legislative and decree activity, a post-election dummy variable also is included to capture the heightened legislative and decree activity that immediately follows elections as pre-election pork is revised or rescinded and as new administrations seek to organize themselves and set out on their legislative agenda.\(^7\)

Three measures of economic performance are included in the model: an objective measure of inflation, a subjective measure of public confidence in the economy, and a dummy

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\(^6\) Throughout the analysis we focus on the total number of normative decrees issued and of laws enacted each month. While it would be interesting to disaggregate laws and decrees by policy type and to analyze these separately, this is not possible with available data since the laws and decrees are categorized very differently as previously discussed in the text.

\(^7\) This specification is consistent with the conception of the political business cycle in which a government-induced expansion of the economy in the year leading up to the election must be offset by efforts to reduce economic activity after the election. This is necessary to prevent runaway inflation and to create the economic slack to expand the economy again in the run-up to the next subsequent election (See, for example, Alt and Chrystal, 1983)
variable measuring economic crises. To capture the effects of political crises, a dummy variable was constructed reflecting the series of critical events associated with the war in Chechnya. A dummy variable also was constructed based on news reports indicating periods when Yeltsin was incapacitated or out of public view for extended periods. Finally, to control for periods when parliament was in recess, a ‘parliamentary recess’ variable was constructed along with a variable capturing the rush of legislative activity that typically precedes a legislative recess.8

With the addition of the several contextual variables the final cross-lagged models were specified as follows:

\[ L_t = \alpha + b_1 D_{t-1} + b_2 PP_{t-1} + b_3 LP_{t-1} + b_4 PRE_t + b_5 PST_t + b_6 CPI_t + b_7 EE_t + b_8 EC_t + b_9 PC_t + b_{10} YS_t + b_{11} PLR_t + b_{12} LR_t + \epsilon \] (3)

\[ D_t = \alpha + b_1 L_{t-1} + b_2 PP_{t-1} + b_3 LP_{t-1} + b_4 PRE_t + b_5 PST_t + b_6 CPI_t + b_7 EE_t + b_8 EC_t + b_9 PC_t + b_{10} YS_t + b_{11} PLR_t + b_{12} LR_t + \epsilon \] (4)

where: L and D are the number of laws and decrees each month (t); PP and LP are presidential and legislative approval lagged one period (t-1);9 PRE and PST measure pre and post election periods; CPI is the Consumer Price Index; EE is an economic evaluation index; EC and PC measure periods of economic and political crisis (the latter associated with the Chechen conflict); YS is an index of the months in which Yeltsin is incapacitated; PLR is the month immediately preceding a legislative recess and LR controls for periods of legislative recess.

To estimate these equations, ordinary least squares procedures are used with monthly data from April 1994 through December 1998.10 The results, reported in Table 2, indicate that the cross-lagged model performs very well. The model accounts for more than 76% of variance

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8 Several other control variables were included in preliminary models including a measure of IMF interventions and another of the instability (extent of turnover) among senior members of the executive branch. None of these had any effect on either equation, however, and were deleted from the final model to save precious degrees of freedom.

9 Public approval of both president and parliament are lagged one month in order to avoid ambiguity about causal direction that would result from a contemporaneous specification (i.e., does popularity cause a change in the number of decrees or vice versa). A lag also is specified because theory suggests that parliament and president should respond to opinion at a slight lag, if only because of the delay between the conduct of a survey and its publication.

10 The choice of time periods is dictated by data availability. Very simply, the INFORIS INFOBASE which is the source of our data on laws and decrees does not provide data on laws before May, 1994.
in presidential decrees and a smaller, but still substantial 39% of variance in laws across the period. The time-series diagnostics for all equations fall within acceptable limits indicating that equation residuals are uncorrelated and confirming the appropriateness of OLS estimates.\textsuperscript{11} 

**Rival or Hegemon?**

The presidential hegemon hypothesis assumes an assertive president who uses his decree authority to bypass, pre-empt and suppress parliamentary law-making. It further assumes a largely reactive parliament that retreats legislatively in the face of presidential assertions of authority. Consistent with this hypothesis, Table 1 provides clear evidence that parliament’s law-making activity is substantially and negatively affected by presidential decree making.\textsuperscript{12} The coefficient measuring the lagged impact of decrees on laws is strong and statistically significant ($b = -.45$) indicating that, for every increase of nine decrees issued by the president over a three month period, the number of laws enacted by parliament subsequently declines by about four and one half.\textsuperscript{13} Of course, this reduction in laws cannot be attributed entirely to parliamentary passivity in the face of presidential action. The president also can use his authority to veto legislation to reduce the number of laws enacted, thus reinforcing his use of executive decree authority. Nevertheless, the outcome is the same; an increase in presidential decree activity is accompanied by a significant reduction in the number of laws enacted.

The hegemonic presidency hypothesis must be qualified, however, in light of the evidence of a positive, albeit very weak, relationship between the number of laws enacted over a three month period and the subsequent level of decree activity ($b= .13$). The positive sign of this relationship indicates that the president reacts to parliament as a rival whose policy initiatives must be met by increased presidential activity in response. The weakness of the relationship suggests, however, that the president views parliament as a relatively weak rival, not as a political co-equal. Parliament, for its part, clearly responds to the president as a hegemon.

\textsuperscript{11} The Durbin Watson (DW) statistic is non-significant for either equation indicating the absence of first-order autocorrelation. The Ljung-Box Q (LBQ) statistics also are not significant indicating that the autocorrelation functions are ‘white-noise’; and Lagrange multiplier (LM) tests are not significant in any of lags up to six months.

\textsuperscript{12} Because of the small number of cases and given the exploratory nature of this study, we use a rather liberal probability level ($P \leq .10$) in assessing statistical significance.

\textsuperscript{13} The size of this effect is highly stable and is nearly identical when the measure of presidential decrees is lagged or unlagged.
The evidence regarding public opinion effects on law and decree production is more mixed. While there is clear evidence that public opinion matters, the nature of these effects varies between president and parliament. Consistent with the resource capability hypothesis, the enactment of laws by parliament appears to be strongly affected by the level of public approval for that institution. The relationship is strong, positive and statistically significant. Higher levels of public approval for parliament appear to embolden parliament to enact significantly more legislation and to persuade the president to sign it. By contrast, fluctuations in public approval of the president have only modest effects on decree activity. While the relationship is positive as the resource capability hypothesis predicts, it is relatively weak and only marginally significant.

Parliamentary approval levels also have strong effects on the level of presidential decree activity. This is more consistent with a political needs hypothesis, however, since it indicates that the president responds to increasing legislative activity by issuing even more decrees. In contrast, changes in public approval of the president have little or no effect on parliament’s activity. The impact of presidential popularity on law-making by parliament is positive as the rivalry theory would predict, but the coefficient is small and not statistically significant. As this suggests, the president and parliament appear to view their relationship with each other very differently. For most of the period under study, the president responds to parliament as a political rival whose increased legislative actions or public standing must be countered promptly. Parliament, in contrast, reacts to the president as a power to be feared and avoided.

During election campaigns, however, both the president and parliament compete as rivals. In the two months leading up to the several presidential and parliamentary elections both the number of laws passed by parliament and the number of decrees issued by the president increased dramatically. The president issued more than 25 additional decrees each month in the immediate pre-election period whereas parliament enacted an average of approximately 20 additional laws per month in the pre-election periods. Predictably, parliament was especially active during the parliamentary campaigns whereas the president was relatively more active during the presidential campaign (not shown). Both institutions, however, competed vigorously in both election periods.

Predictably, decree and law-making activity are not as high in the months immediately

\[14\] Overall, the president’s ratings average about 25 percent higher than parliament’s (3.1 v 2.3 on VCIOM’s 10-point public approval scale) from 1994 through the end of 1998.
following an election as during the election campaign. Still, political activity in the immediate post-election period is higher than during non-election periods. This is especially the case with respect to presidential decrees, where the level of decree activity falls only slightly during the post election period and remains much higher than during more “normal” times. As previously discussed, some of this activity likely involves the taking back of some of the pork distributed by the president during the campaign. But some of it also reflects institutional jockeying for position following the election as a new political era.

Whereas the numbers of both decrees and laws are sensitive to political context, they appear to be only modestly influenced by fluctuating policy needs. Regarding the economy for example, there is little evidence in equation 2 that the number of laws enacted is related to fluctuations in economic conditions, real or perceived. Law-making in Russia appears to have been almost completely unaffected by the dramatic increase in inflation (as reflected in the consumer price index) that Russia experienced during this period and was wholly unaffected as well by the public’s largely pessimistic evaluations of the economy. Indeed, law-making activity actually declines modestly (b = -9.24) though significantly in the aftermath of significant economic crises such as “Black Tuesday” and the August 1998 financial collapse. The pattern with respect to presidential decrees is similar. Although the president does issue somewhat greater numbers of decrees in response to rising inflation, he does not appear to have used decrees to respond to public evaluations of the economy or to economic crises. Neither is there any evidence that the issuance of presidential decrees was influenced by the conflict in Chechnya. The number of laws enacted by parliament does increase very slightly during the period of the Chechen conflict, but the relationship is small and only marginally significant. Whereas the production of both laws and decrees is substantially influenced by political considerations, neither appears to be appreciably influenced by the several economic or political performance measures we consider.

A further indication of the importance of political context is the evidence that presidential decrees increased significantly during periods when Yeltsin was ill and incapacitated. It is not clear from this evidence whether the increase in presidential decrees during these periods reflects efforts by Yeltsin’s advisors to maintain the image that he was in charge even from his sickbed, or whether, instead, it results from Yeltsin’s advisors taking advantage of his absence to issue decrees on their own that Yeltsin might otherwise not fully support. What is clear, however, is that decree activity in the president’s office increased significantly when he was ill. Interestingly, the number of laws enacted by parliament increased by a very similar level during
periods when the president was incapacitated, although the standard error is large so the relationship is not significant. This suggests that from the parliament’s perspective, the hegemonic presidency is as much a function of the expression of the chief executive’s will as of the formal institutional powers of the Russian presidency: a possibility that can be tested when there is a longer history of relations between parliament and post-Yeltsin presidents.

**Discussion:**

The struggle between president and parliament has dominated Russian politics and political discourse since the crumbling of the Soviet system. The dramatic events of Fall 1993 and the resulting constitution establishing a separation of powers system with extraordinary executive powers went a long way toward creating a dominant presidency. But the formal distribution of executive and legislative powers marks only the beginning, not the end, of the institutional struggle. Rather than determining the path of executive-legislative relations, a constitution establishes broad directions and issues an invitation to the president and parliament to continue their struggle for power in the venue of everyday politics, only somewhat constrained by formal constitutional rules. In Russia, that struggle is now more than six years old, and an analysis of its ebb and flow is instructive as to the nature of executive-legislative relations in practice.

Predictably, legislative-executive relations in Russia appear very different from the opposed perspectives of president and parliament, at least as reflected in their respective behaviors. The law-making behavior of parliament in the 1994-98 period reflects its apparent perception of a hegemonic president whose substantial, formal powers have been reinforced in practice by the president’s aggressive use of his decree authority. From parliament’s perspective, the president dominates the policy and political agenda. Rather than directly challenging that agenda, the parliament tended to retreat in the face of presidential assertions of authority while trying to work around the president, expanding its role in areas and at times when the president was incapacitated or otherwise preoccupied. Our findings fit nicely with Malcolm and Pravda’s (1996: 554) evaluation of the parliament’s quite limited role in shaping foreign policy: they note that parliamentary actions have at times affected the timing of foreign policy moves and the overall climate of policy but have not determined its strategic direction.

By contrast, the pattern of presidential decree activity during the Yeltsin era reflects a president who viewed the opposition-dominated parliament as a significant political rival whose political and policy initiatives required prompt and decisive presidential action in response. Far from ignoring parliament or assuming his policy superiority, the president carefully attended to
parliament’s legislative initiatives and to its standing with the Russian public. Indeed, the
president reacted even more to parliament’s popularity than to his own, and he consistently
responded to expansions of legislative activity by acting unilaterally and issuing more decrees.

Yet which of these perspectives is correct? To what extent have executive-legislative
relations been characterized by presidential hegemony or institutional rivalry? Certainly on the
surface there are ample reasons to accept the hypothesis of a hegemonic president. The 1993
constitution, written by and for Yeltsin, creates one of the strongest presidencies among
contemporary democracies. Even before the new constitution was ratified, Yeltsin
demonstrated his willingness to stretch the limits of his formal powers, and after the adoption of
the constitution, he was even more assertive, issuing decrees at nearly twice the rate that
parliament enacted legislation. The sheer volume and substantive diversity of presidential
decrees throughout the Yeltsin era underscores the ability of the executive to maneuver around
the legislative in the contestation of political issues. While the available data are insufficient to
draw firm conclusions about the relative impact of decrees versus laws on public policy in
Russia, even a cursory review of the major policies undertaken by decree is sufficient to
demonstrate that the country’s chief executive has been able, unilaterally, to determine the
direction of major aspects of Russian domestic and foreign policy during the transition. Faced
with a clear majority of parliamentary deputies opposed to Yeltsin’s policies, and wrestling with
restive regions, the executive exploited its decree authority to bolster its power position and
implement its agenda. This was even true during Yeltsin’s second term, when Yeltsin was tired,
physically weak, some have argued depressed, but certainly withdrawn.

Nevertheless, a case can be made in support of the hypothesis that parliament
possesses and occasionally has used its formal authority to serve as an effective rival to the
president in the policy arena (Remington, 2000). At the very least, as Huskey (1999: 168)
reminds us, the parliament serves as “a political theater whose stage can be used to shame as
well as inform” the public about a president’s shortcomings and failures. Since 1994, the
legislative output of parliament has been substantial. If the president’s use of decrees far
exceeded the production of laws during critical periods, in more “normal” periods the legislative
output of parliament and president were roughly comparable. Questions can be raised whether
the president’s extensive use of decrees permits him to transcend simply dominating the
country’s political agenda to dominate the formal policy agenda.

As noted, a very high percentage of Yeltsin era presidential decrees were particularistic
in focus and served the political purpose of providing pork to key constituencies at critical
moments. Discounting these pork-barrel activities, the level of legislative output by parliament and president was more nearly equal, although an unknown percentage of legislation undoubtedly was pork-barrel as well. Moreover, the formal primacy of laws provides a potentially powerful institutional advantage for the parliament: an advantage it was unable, regularly, to exploit given the lack of common purpose in parliament and the weakness of its leadership resulting from the fractionalization of parliament and from the transcendence of Yeltsin’s personality in Russian politics. The general absence of a united opposition to Yeltsin, in the context of a highly fragmented parliament, advantaged the president and his representatives when outside lobbies or inter-branch conciliation committees attempted to influence policy. Only occasionally did fractious legislators prove able to come together, whether to override a presidential veto on Nazi war trophies or to work with the executive to shape a federal budget.

Our analysis of Yeltsin period behavior reveals that neither president nor parliament appeared substantially concerned with the business of governing. Neither demonstrated much responsiveness to the economic and political problems associated with the country’s transition. Even economic and political crises elicited little concrete action from president or parliament. This might have been because neither branch believed there was much that it could do in the short run to resolve Russia’s abiding problems, and neither was willing to engage in symbolic politics, enacting laws or issuing decrees simply to appear to be doing something. But a more likely explanation is that president and parliament were simply too consumed with politics -- with the struggle to accumulate and consolidate political power -- to devote much attention to policy concerns. In this regard it is instructive that election campaigns provided one of the strongest dynamics underlying executive-legislative relations. Election campaigns provided one of the few venues where the parliament was willing to challenge the president’s legislative hegemony, and the president’s use of his decree authority increased substantially during election campaigns as well. Overall, the president’s use of executive authority reveals a president motivated to seize and hold onto political power as much as to exercise it, whereas parliament’s behavior suggests an institution reluctant to challenge the president on policy lest it provoke a reaction that might put its fledgling legislative powers in jeopardy.

A year into Vladimir Putin’s presidential term, we see a vigorous chief executive using presidential decrees to further consolidate his institutional position while advancing an ambitious policy agenda. Early presidential decrees (May 2000) created seven macro-level federal districts and a system of presidential envoys to these districts, with subsequent decrees
reorganizing the country’s Security Council (May) and establishing new executive bodies in war-torn Chechnya (June). Whether in abolishing the country’s environmental ministry, in creating a new State Council of regional leaders (as part of the reorganization of the parliament’s upper house), or in changing the organization and leadership of the high-profile Bolshoi Theater, Putin has relied extensively on decrees to address both broad and more particularistic concerns. Parliamentary legislation on a number of these matters has followed up on Putin’s initiatives, and Putin has positively engaged the parliament – even in its own reorganization. But most major initiatives were initially unilateral moves by the executive. As Putin noted in responding to an Izvestiya interview question, “If we can do something ourselves, if this is within the competence of the executive branch, we issue a presidential decree...” (Kremlin Federal News Service, 14 July 2000).

Elster (1997) has observed that many post-communist systems are ‘tailor made’ and the “presidency is made by the tailor for the tailor.” Most post-communist systems have rules favoring strong national-level executives; the founders’ personal power and charisma have been institutionalized in the presidencies. Post-Soviet Russian constitutional rules and institutional arrangements clearly advantage the federal executive in relationship to the parliament, but our analysis suggests that it was Yeltsin’s willingness to use these advantages in political practice, combined with the parliament’s reluctance to make full use of its legislative prerogatives, that account for the president’s domination of the Russian political agenda. Barring constitutional changes -- which cannot be ruled out -- the political advantages enjoyed by Yeltsin will be available to his successors as well. Indeed, Putin’s initial moves reveal he has picked up where his predecessor left off, taking the political initiative and reinforcing the hegemonic presidency through executive decrees. Meanwhile, a continuing underdeveloped party system and a generally quiescent population reveal no immediate bottom-up pressures that might alter the federal executive’s advantages. Whether Vladimir Putin and future presidents will have the willingness and ability to use these advantages as fully as Yeltsin, and whether they will have the political standing to cause parliament to shrink from institutional rivalry are open questions which only time will tell. We should continue to give careful attention to the dynamics of presidential decree making, tempering our judgment with the understanding that no political arrangements are immutable while the Russian economy and society continue to undergo profound transforming change.
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Source: As in Figure 1.

N = 1,940

(standard errors in parentheses)

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<td>Yeltsin Illness</td>
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</table>

| R²                               | .69         | .40    |
| DW                               | 1.98        | 2.23   |
| LBQ (6)                          | 4.31 (ns)   | 6.75 (ns) |
| LM (6, 30)                       | .77 (ns)    | 1.56 (ns) |

** p ≤ .05  * p ≤ .10
### Appendix A: Variable Coding, Sources, Means and (Standard Deviations)

<table>
<thead>
<tr>
<th>Variable Name</th>
<th>Coding of Variable (and Source)</th>
<th>Mean (SD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Presidential Decrees</td>
<td>Number of normative presidential decrees issued (INFOBASE)</td>
<td>25.0 (13.6)</td>
</tr>
<tr>
<td>Laws</td>
<td>Number of laws enacted (INFOBASE)</td>
<td>14.5 (11.4)</td>
</tr>
<tr>
<td>Presidential Approval</td>
<td>Mean response to question “What mark from 1-10 would you give to the President of Russia Boris Yeltsin?” (VCIOM)</td>
<td>3.1 (.46)</td>
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<tr>
<td>Parliamentary Approval</td>
<td>Mean response to question “What mark from 1-10 would you give to the performance of the State Duma?” (VCIOM)</td>
<td>2.3 (.42)</td>
</tr>
<tr>
<td>Election Campaign</td>
<td>Coded 1 in November and December 1995. Also coded 1 in April, May and June of 1996 and 0 otherwise.</td>
<td>.09 (.29)</td>
</tr>
<tr>
<td>Post Election Campaign</td>
<td>Coded 1 in January and February 1996, also in July and August 1996 but 0 otherwise.</td>
<td>.09 (.29)</td>
</tr>
<tr>
<td>log-Consumer Price Index</td>
<td>Natural log of the annual percentage change in the Consumer Price Index (Economist)</td>
<td>3.5 (.29)</td>
</tr>
<tr>
<td>Evaluation of Future Economy</td>
<td>Difference in the percentage of citizens responding “some/much improvement” vs the percentage responding “some/much deterioration” to the question “What do you think the Russian Economy can expect in the forthcoming months?” (VCIOM)</td>
<td>-35.3 (9.8)</td>
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<tr>
<td>Economic Crises</td>
<td>Coded 1 in October 1994 following “Back Tuesday” and in August 1998 following the financial collapse but 0 otherwise.</td>
<td>.12 (.33)</td>
</tr>
<tr>
<td>Chechen Crises</td>
<td>Coded 1 in December 1994 thru September 1996 where Russian Troops were withdrawn.</td>
<td>.31 (.47)</td>
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### Appendix A: Variable Coding, Sources, Means and (Standard Deviations) -- Continued

<table>
<thead>
<tr>
<th>Variable Name</th>
<th>Coding of Variable (and Source)</th>
<th>Mean (SD)</th>
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<tr>
<td>Pre-Parliamentary Recess</td>
<td>Coded 1 in month before Parliament recessed and 0 otherwise.</td>
<td>.09 (.29)</td>
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<tr>
<td>Parliamentary Recess</td>
<td>Coded 1 in months Parliament was in recess and 0 otherwise.</td>
<td>.09 (.29)</td>
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</tbody>
</table>

**Notes:**
1. Prior to January 1997 the question asked was "What is your personal attitude to the Federal Assembly of Russia,"
   Responses were recorded on a five point scale. We have re-scaled the latter responses to a 10 point scale for consistency.

**Sources:**
Economist: The Economist Intelligence Unit, *Country Profile: Russia*, 4th quarter, 1993 and various, subsequent issues.
Figure 1: Trends in Russian Presidential Decrees and Laws