

Rethinking ‘Rubber Stamps’

Legislative Subservience, Executive Factionalism,
and Policy-making in the Russian State Duma



Ben Noble
New College

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Abstract

Conventional wisdom views authoritarian legislatures as ‘rubber stamps’. According to this model, non-democratic parliaments are entirely subservient to dominant executives, having no influence on the development of policy; as a result, all bills introduced into the legislature become laws without amendment. Although these bodies might perform other functions, they serve — according to this account — a purely ceremonial function in the policy-making process.

There is evidence, however, inconsistent with this portrayal from a range of non-democracies, including evidence of executive bill failure and bill amendment. Existing attempts to explain these apparently deviant observations refer to some degree of legislative autonomy — bills fail and change as a result of legislator influence. According to these accounts, authoritarian elites use legislatures to co-opt members of the opposition and to gather information about citizen grievances.

This dissertation, in contrast, argues that legislative activity in non-democracies can be driven by *executive* concerns. Whereas the ‘rubber stamp’ model infers from executive dominance an *absence* of legislative activity, the approach proposed by this dissertation suggests there are a variety of reasons why executive actors might want to amend or kill off their own bills in the legislature. In particular, these legislative policy developments can result from clashes between executive *factions*, which use legislative institutions to monitor, challenge, and amend each others’ proposals. This dissertation proposes and assesses this new approach using fine-grained data on legislative processes and outputs from the contemporary Russian State Duma. The analysis draws on a variety of data sources, using both qualitative and quantitative methods. The findings suggest that legislative institutions can still ‘matter’ in non-democracies, even with an entirely subservient body of legislators.

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Abbreviations

API	Application programme interface
ASI	Agency of Strategic Initiatives <i>Agentstvo strategicheskikh initsiativ</i>
ASOZD	Automated System for Supporting Law-making Activity <i>Avtomatizirovannaia sistema obespecheniia zakonodatel'noi deiatel'nosti</i>
CABRI	Collaborative Africa Budget Reform Initiative
CPO	Causal process observation
FAS	Federal Anti-monopoly Agency <i>Federal'naia antimonopol'naia sluzhba</i>
FATF	Financial Action Task Force
FNS	Federal Tax Service <i>Federal'naia nalogovaia sluzhba</i>
FSB	Federal Security Service <i>Federal'naia sluzhba bezopasnosti</i>
FSO	Federal Protection Service <i>Federal'naia sluzhba okhrany</i>
FZ	Federal law <i>Federal'nyi zakon</i>
HTML	Hypertext markup language
IMF	International Monetary Fund
JR	Just Russia <i>Spravedlivaia Rossiia</i>
KGB	Committee for State Security <i>Komitet gosudarstvennoi bezopasnosti</i>

KPRF	Communist Party of the Russian Federation <i>Kommunisticheskaia partiia Rossiiskoi Federatsii</i>
LDPR	Liberal Democratic Party of Russia <i>Liberal'no-demokraticheskaia partiia Rossii</i>
LK	L-kurtosis
MVD	Ministry of Internal Affairs <i>Ministerstvo vnutrennikh del</i>
NBR	Negative binomial regression
OECD	Organisation for Economic Co-operation and Development
ONF	People's Front of Russia <i>Obshcherossiiskii narodnyi front</i>
PR	Proportional representation
PRI	Institutional Revolutionary Party <i>Partido Revolucionario Institucional</i>
RUIE	Russian Union of Industrialists and Entrepreneurs <i>Rossiiskii soiuz promyshlennikov i predprinimatelei</i>
SK	Investigative Committee <i>Sledstvennyi komitet</i>
SMD	Single mandate district
UR	United Russia <i>Edinaia Rossia</i>
URL	Uniform resource locator
USSR	Union of Soviet Socialist Republics
UWFD	Unique word frequency difference (measure of text change)
WTO	World Trade Organization

Transliteration

The following transliteration system is used, although exceptions are made for commonly used Russian names in English.

Cyrillic	Latin alphabet
а	a
б	b
в	v
г	g
д	d
е	e
ё	e
ж	zh
з	z
и	i
й	i
к	k
л	l
м	m
н	n
о	o
п	p
р	r
с	s
т	t
у	u
ф	f
х	kh
ц	ts
ч	ch
ш	sh
щ	shch
ъ	”
ы	y
ь	,
ю	iu
я	ia

Introduction

Parliament has become the ‘Ministry of Approval’, turning into a legislative conveyor belt, which quickly adopts the legislative initiatives of the president and the Government.

Vedomosti editorial¹

The State Duma is a controlled body. The legislative branch stamps decisions taken by the executive branch.

Valerii Gartung, State Duma deputy²

Legislatures in authoritarian regimes are often dismissed as ‘rubber stamps’.³ Indeed, the ‘rubber stamp’ moniker has been used to describe bodies such as the National Assembly of Thailand (Er 2013: 25), the Supreme Soviet of the USSR (Armstrong

¹ Editorial from 24 November 2011. *Vedomosti* is a Russian-language, business-focused, independent daily newspaper.

² Quoted in Novikova (23 January 2013, *Vedomosti*).

³ This dissertation uses the words ‘legislature’, ‘parliament’, and ‘assembly’ (as well as their cognates) interchangeably (cf. Kreppel 2014: 84; cf. Laver 2006).

1978: 165), the People’s Consultative Assembly of Indonesia (Rüland, Jürgenmeyer, Nelson, and Ziegenhain 2005: 30), the Supreme People’s Assembly of North Korea (Baldwin 2004: 296), and China’s National People’s Congress (NPC) (Xia 1999: 104; cf. Tanner 1999: 4), as well as local People’s Congresses (cf. Cho 2002: 724).⁴

Conventional wisdom holds that these legislatures are entirely orthogonal to policy-making, serving only to dress elite decisions in the ‘garb of constitutional legality’ (Fainsod 1965: 384).⁵ Rather than acting as a check on executive power, legislators provide uncritical endorsement for executive initiatives. The purpose of such nominally democratic institutions is simply to act as ‘window dressing’ — a superficial display of a regime’s supposed democratic credentials. Brancati (2014: 317) summarises a widely held view, therefore, when arguing, ‘because authoritarian legislatures exist at the discretion of the dictator, they do not have real decision-making power and only rubber-stamp government-proposed legislation.’

Executive dominance and legislative subservience supposedly have observable effects: executive bills are adopted quickly and without amendment; they certainly never fail to become laws. Indeed, the ‘rubber stamp’ model claims that executive bills pass through the legislature with no resistance *precisely because* parliamentarians are perfect agents of executive principals. As long as the ‘electoral connection’ (Mayhew 1974) is compromised, authoritarian legislatures will not introduce ‘friction’ (Jones

⁴ The ‘rubber stamp’ label is not restricted in the extant literature to non-democratic legislatures. The term has been applied, *inter alia*, to the UK Parliament (cf. Kalitowski 2008: 694), the French National Assembly (cf. Huber 1996: 5), the German Bundestag (n.a., 30 November 2012, *Spiegel Online*), and the New Zealand Parliament (Ganley 2001: 81). Although one interesting research path would be to explore the similarities and differences between democratic and non-democratic ‘rubber stamp’ assemblies, this dissertation focuses solely on bodies of the latter type.

⁵ Quoted in White (1982a: 126).

and Baumgartner 2005: 145) or ‘viscosity’ (Blondel 1970: 80) into the law-making system, given their lack of autonomy from the executive.

Russia’s Federal Assembly (*Federal’noe sobranie*) — the bicameral federal parliament — has also been labelled a ‘rubber stamp’ body, particularly since the consolidation of executive power under Vladimir Putin and the country’s authoritarian turn.⁶ In addition to the quotations at the beginning of this chapter, this comment from Taylor (2014: 245) is indicative of such characterisations: ‘although the Duma formally has the power to discuss and amend laws, its real function is simply to pass laws — it is not an opportunity for influence.’ Also representative of widespread opinion is Karen Dawisha’s observation that ‘the Duma is empty, completely empty, both actually and virtually of real debate, real opposition.’⁷ Such comments are not, moreover, restricted to Western commentators. Offering an explanation for the large number of unusual initiatives proposed by Duma deputies, legislator Evgenii Fedorov outlined the Russian parliament’s role in contemporary politics:

The main task of the political system is to divert the attention of citizens from the real mechanisms of adopting decisions. All methods are good [...] as long as people do not pay attention to the fact that all important decisions are taken in another place.⁸

⁶ For a use of the ‘rubber stamp’ label with respect to the State Duma *before* the 2000s, see Holmes (1993: 124). Russia’s regional assemblies have also been similarly dismissed: Gel’man (2015: 2), for example, refers to ‘rubber-stamping legislatures at the national and subnational levels’ in contemporary Russia.

⁷ This quotation is taken from comments made by Karen Dawisha during an interview at Merton College, Oxford, available here: <https://www.youtube.com/watch?v=zogTrzFKGro> (accessed 1 October 2015).

⁸ See Fedorov’s comments, as well as those of other Russian parliamentarians, in Ukolov (2 December 2014, *Lenta.ru*). Supposedly reflecting the status of deputies as merely actors performing the Kremlin’s script, Russian commentators point to the fact that deputies have often not been able ‘to explain the meaning of [their legislative] initiatives. Neither to society, nor to themselves. Neither publicly, nor behind the scenes’ (editorial, 7 July 2015, *Gazeta.ru*).

Parliamentary subordination is seen as a key feature of Putin’s project to consolidate and centralise power — the construction of the so-called *vertikal’* (Chaisty 2012; Monaghan 2012; Remington 2008a). With the dominance of United Russia — the pro-executive ‘party of power’ — in the State Duma (the lower chamber), and the loyalty of senators in the Federation Council (the upper chamber), the executive has been able to construct ‘unity of purpose’ in a formal separation of powers system (Haggard and McCubbins 2001: 4). This difficult combination was manufactured, it is argued, through institutional innovations — such as electoral legislation reforms and changes to the method for selecting senators — electoral manipulation, media control, and the popular association of economic success and stability with the Putin regime (McFaul and Stoner-Weiss 2008; Rose, Mishler and Munro 2011; White 2011).⁹ The putative effect is legislative subservience. As Remington (2007: 123) describes,

[s]uch a parliament may well go through the motions of parliamentary procedure, but the outcomes are foreknown, and the members, although they may use their status as deputies to obtain other benefits of office, have no opportunity to affect policy.

The Duma’s putative lack of autonomy from the executive, and its apparent willingness simply to stamp executive proposals, has given rise to a variety of derogatory terms beyond ‘rubber stamp’, such as ‘rabid printer’ (*vzbesivshiiisia* or *beshenyi printer*), legislative ‘Xerox’ machine, and legal ‘conveyor’ belt.¹⁰ These labels all

⁹ On the institutional roots of the separation (or unity) of purpose, see Shugart and Haggard (2001: 91-95).

¹⁰ Examples of these Russian terms can be found (respectively) in Epifanova (9 July 2014, *Novaia gazeta*), Zotova (5 July 2015, *Novaia gazeta*), editorial (25 December 2014, *Nezavisimaia gazeta*), and editorial (24 November 2011, *Vedomosti*).

serve to paint a sharply contrasting impression to accounts of Russian legislative politics in the early post-Soviet period, which often pointed to episodes of conflict, bargaining, and negotiation — see, for example, accounts of vote cycling in the Supreme Soviet (Andrews 2002) and gridlock in the second Duma convocation (Ostrow 2000).

1.1 ‘Rubber stamping’ in action

The following account provides an apparent case of ‘rubber stamping’ in action. On 21 September 2012, the State Duma unanimously adopted a Government-sponsored bill — ‘On the introduction of changes to the Criminal Code of the Russian Federation and article 151 of the Criminal Procedural Code of the Russian Federation (on improving criminal legislation in the sphere of protecting state secrets from criminal endeavours)’ — in first reading.¹¹ The bill — drafted by the Federal Security Service (FSB, successor to the Soviet-era Committee for State Security, KGB) — proposed amendments to legislation on state treason, espionage, and divulging state secrets. The stated aim of the legal changes was to improve the security of Russia by closing gaps and resolving contradictions in current legislation that were (according to the FSB) being exploited by ‘foreign special services’.¹² According to the bill’s

¹¹ The bill’s website is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=139314-5](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=139314-5) (accessed 1 October 2015). 449 deputies voted in favour of the bill, with no votes against and no abstentions. The one ‘missing’ vote is explained by the removal of deputy Gennadii Gudkov’s (Just Russia party) mandate on 14 September 2012 (Astapovich and Samokhina, 23 October 2012, *Kommersant*). Voting results are available here: <http://vote.duma.gov.ru/vote/78674> (accessed 1 October 2015).

¹² See the bill’s explanatory note — from which this phrase is taken — here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&6A9E625C85E0AF26C325752000414031](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&6A9E625C85E0AF26C325752000414031) (accessed 1 October 2015).

explanatory note (*poiasnitel'naia zapiska*), a review of FSB activities had revealed that the requirement to prove the 'hostile' quality of activities was hindering the likelihood of successful prosecutions, given the difficulty of presenting sufficient evidence of 'hostility'. Moreover, whereas existing legislation defined state treason as certain activities carried out to the 'detriment of the external security of the Russian Federation', the bill proposed to remove the word 'external'. These changes broadened the scope of these articles significantly: according to Anna Stavitskaia — a lawyer with experience of state treason cases — the exclusion of 'external' permits 'a free interpretation of the law, since security can "be informational, industrial or God knows what"' (Ivanov, 19 October 2012, *Kommersant*”).

Despite these concerns, the bill was adopted in first reading with little discussion — 'on automatic', as described by Dmitrii Gorovtsov, a Just Russia (JR) deputy.¹³ Furthermore, the opposition parties with seats in the Duma did not oppose the initiative: the Liberal Democratic Party of Russia (LDPR) welcomed the modernisation of legislation to allow the FSB 'to counter external enemies'; the Communist Party of the Russian Federation (KPRF) argued that, although the provisions might be used selectively, they supported the idea of improving the protection of state interests; and Just Russia reasoned that, if subsequent enforcement of the provisions demonstrated their improper use, then the issue could be returned to in the future (Ivanov, 19 October 2012, *Kommersant*”).¹⁴

¹³ Gorovtsov made this comment during the bill's second reading in the Duma. Transcripts of the bill's discussion on the Duma floor are available here: http://transcript.duma.gov.ru/api_search/?search_mode=number&sessid=4119&dt_start=&dt_end=&deputy=&number=139314-5&keyWords= (accessed 1 October 2015).

¹⁴ These party positions are clear from the speeches made by party representatives on the Duma floor, transcripts of which are available via the URL cited above.

The bill was adopted with no discussion in second reading on 23 October with 85 percent of deputies in favour.¹⁵ This was followed three minutes later by adoption in third reading. During this short period, deputy Gorovtsov criticised the bill, arguing that it ‘violates the balance between the protection of state security and observing human rights to the detriment of the latter’.¹⁶ As a result, he announced that his party’s parliamentary faction would not support the executive initiative.¹⁷ Despite this rhetorical resistance, the bill passed comfortably in its final Duma vote with 83 percent.¹⁸

The Federation Council similarly provided little resistance: the bill was adopted on 31 October with 83 percent of senators voting in favour of the initiative.¹⁹ Although the chair of the Russian Presidential Human Rights Committee, Mikhail Fedotov, submitted an appeal to the chair of the upper chamber, Valentina Matvienko, criticising the bill, senators argued that these criticisms were largely the result of an incorrect interpretation of the bill.

Following the bill’s adoption by the Federation Council, Liudmila Alekseeva — chair of the Moscow Helsinki Group — argued that the law returned Russia ‘not simply

¹⁵ Voting results are available here: <http://vote.duma.gov.ru/vote/78895> (accessed 1 October 2015). Before this plenary session, the Duma Committee on Civil, Criminal, Arbitration and Procedural Legislation discussed the bill behind closed doors, with all committee members supporting the initiative (Ivanov, 19 October 2012, *Kommersant*”).

¹⁶ This quotation is taken from the Duma floor transcripts.

¹⁷ Note how this constituted a shift in party position from party statements before second reading (see, for example, the quotation in the preceding paragraph). Importantly, the vast majority of Just Russia deputies did not vote *against* adoption of the bill; they simply did not take part in the vote.

¹⁸ Voting results are available here: <http://vote.duma.gov.ru/vote/78896> (accessed 1 October 2015).

¹⁹ Transcripts of the floor discussion are available here: <http://council.gov.ru/media/files/41d44e66730c1e82b0c2.doc> (accessed 1 October 2015).

to the Soviet, but to the Stalinist past' (n.a., 31 October 2012, *Vedomosti*). As a result, Alekseeva stated that human rights activists would appeal to Putin not to sign the law. These efforts, however, came to naught: President Putin signed the bill on 12 November 2012 as federal law 190.

In short, the legislature supported an executive initiative — with seemingly worrying implications for civil liberties — with very little discussion. Indeed, the bill was cited as one of number of repressive measures simply 'stamped' by the Russian parliament (n.a., 5 March 2013, BBC *Russkaia sluzhba*). As such, the case appears to provide a stereotypical account — for Russia in particular and authoritarian regimes more generally — of the inconsequential role played by legislatures in the policy-making process.

1.1.1 Or is it?

There is, however, a basic feature missing from this narrative: although the first reading of the bill took place on 21 September 2012, the bill was originally introduced into the Duma on 11 December 2008 by the then Putin Government. What explains the nearly four year delay from bill introduction to first reading? A corollary expectation of bill passage in 'rubber stamp' legislatures is that initiatives pass through *quickly*.²⁰

²⁰ Blondel (1970: 80) writes: 'Where the legislature is very compliant, bills do not merely pass, they pass very easily and, in particular, the time spent or the number of speakers engaged in debate is very small'.

It could be that legislators resisted bill passage. The votes in favour of the bill were not, after all, unanimous — a possible indication of legislator resistance sufficient to hold up consideration of the bill. This possibility is consistent with accounts of legislative influence in democracies. Calvo (2007: 264), for example, demonstrates that even highly disciplined pro-executive partisans in presidential systems (in this case, Argentina) sometimes employ negative agenda powers to prevent the passage of executive initiatives. Thus, unpopular executive proposals are blocked, not by votes on the floor, but by less visible means such as committee gate-keeping prerogatives. This legislator-centred picture is also consistent with recent theories of authoritarian legislatures, which claim that these bodies are important insofar as parliamentarians have some degree of autonomy — that is, insofar as legislators are *not* perfect agents of executive principals (see Chapter 2 for a discussion of these approaches). Such latitude could result in bill delay. Could it be that the same story explains this particular case in Russia — that State Duma deputies prevented the quick adoption of a seemingly repressive executive bill?

The actual reason is surprising: rather than a function of legislative opposition, the delay was the result of *presidential* intervention. Following submission of the bill at the end of 2008, the Presidential Administration — then under President Medvedev — blocked the bill’s progress in January 2009, arguing that the bill needed further development in order to remove the possibility of a ‘wide interpretation’ of its provisions (Dmitrienko, 21 September 2012, *Vedomosti*).²¹ As such, although the

²¹ The subsequent use of the amended criminal and procedural legislation might give credence to this worry: a *Vedomosti* editorial written by Nikolai Epple from 26 March 2015 suggests that the rise in the number of cases initiated relating to espionage and state treason in Russia is

bill was blocked during parliamentary passage, it would be wrong to infer *legislative* agency: one executive actor simply blocked the initiative of another executive actor during the legislative stage of policy-making. President Medvedev’s intervention was, moreover, consistent with the ‘liberalisation’ and ‘humanisation’ reforms he sponsored during his term in office (Solomon 2013). In other words, this case of intra-executive disagreement is consistent with observed policy differences between Medvedev and Putin.²² Once Putin returned to the presidency, however, political conditions were more propitious for bill passage.

The inadequacy of existing theory

Existing theories of authoritarian legislative politics provide little insight into this Russian bill case.²³ The ‘rubber stamp’ model cannot account for deviations from the speedy adoption of all executive bills with no amendment. Indeed, in addition to significant delay, the above bill *was* amended in its second Duma reading, with four amendments changing the text by 37 percent.²⁴ One prominent approach to

linked to the legal changes introduced by this bill, which have ‘unleashed the hands of accusation’ (*razviazvaet ruki obvineniiu*).

²² Such publicised disagreements could, of course, be treated cynically: ‘Some analysts believe that while disagreement between Putin and Medvedev may exist, there is no real rupture in their relationship and their occasional political back and forth is meant to give the appearance of plurality under Putin’ (Grove, Reuters, 21 September 2012). And yet, this scepticism can go too far, particularly in light of the numerous other examples of apparent policy differences between Putin and Medvedev on both sides of the presidency swap between the two. For example, whilst the head of United Russia’s General Council, Sergei Neverov, and Vladimir Putin enthusiastically backed an initiative prohibiting officials owning property and holding bank accounts abroad, Dmitrii Medvedev — the nominal leader of United Russia — and members of the Federation Council opposed the bill, citing a violation of civil rights (see Gorodetskaia, Nagornykh and Ivanov, 19 September 2012, *Kommersant*”).

²³ See Chapter 2 for a more in-depth discussion of existing theoretical and empirical approaches to authoritarianism, including co-optation, information, and power-sharing theories.

²⁴ See Chapter 4 for an account of how this metric of text change is calculated. In brief, the percentage relates to unique word frequency differences between the introduced bill draft and final law.

authoritarian institutions known as ‘co-optation’ theory — although critical of the ‘rubber stamp’ picture of non-democratic legislatures — argues that these bill changes should reflect the influence of *opposition policy preferences*, with the regime granting such policy concessions in return for increased regime support from members of the opposition. However, the amendments included at second reading are not consistent with this expectation: rather than softening the initiative’s provisions — in line with the appeals of human rights activists — the changes reflected a tougher approach. For instance, one amendment added an aggravating circumstance to article 283.1 of the Criminal Code, which relates to taking information deemed to be a state secret abroad.²⁵ Limited evidence suggests that this bill change was crafted by the FSB, updating its proposal after the nearly four year delay.²⁶

In most existing work, authoritarian executives are portrayed as *unified* entities, using legislatures to offer concessions to members of the opposition or gather information about possible citizen grievances. In contrast, this episode from contemporary Russia points to the legislative effects of *intra-executive differences*, with Dmitrii Medvedev blocking the progress of an initiative supported by Vladimir Putin. This dissertation is motivated by the inability of existing comparative scholarship to account for this

²⁵ See the committee’s amendment table here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&EADFE50D324242BE43257A9B003CA29B](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&EADFE50D324242BE43257A9B003CA29B) (accessed 1 October 2015).

²⁶ Although not conclusive, the biographical details of one of the amendment’s sponsors is suggestive: Otari Arshba — a United Russia deputy and member of the lead legislative committee — was an officer in the FSB. It could be, therefore, that the FSB — the original drafter of the Government-sponsored bill — used Arshba to tailor its initiative, particularly given the significant delay between bill introduction and second reading. Unfortunately, there are insufficient data to evaluate this possibility, although see Chaisty (2013) for an argument that we can (somewhat) infer policy-making influence from the biographical details of Duma deputies.

centrality of *executive* concerns in the policy development observed during legislative review.²⁷

This is, of course, only one episode from one non-democratic regime. It could be that this case is exceptional, even for post-Soviet Russia — a *sui generis* manifestation of the ‘tandemocracy’ between Medvedev and Putin, perhaps (Sakwa 2011: 302). Regardless of its representativeness, however, this bill passage history from Russia intimates an alternative, executive-centred explanation regarding policy development during legislative review that is absent from recent work on non-democratic parliaments. The key attraction of this executive-centred explanation is its *parsimony*. Extant attempts to explain policy-making ‘deviations’ (including executive bill failure and amendment) in authoritarian legislatures invoke legislative autonomy and influence — a significant modification to conventional views of the executive-legislative balance of power in non-democracies. By contrast, the suggestion that bill developments observed during legislative review reflect shifts in executive preferences keeps intact our assumptions or impressions of authoritarian executive-legislative relations — of dominance and subservience. What changes is our image of the executive — from a unified, resolute actor to a factionalised body containing actors and groups with a heterogeneity of preferences that might be motivated to modify its legislative proposals during parliamentary review.²⁸

²⁷ Work on contemporary Russian legislative politics — discussed in section 6 of Chapter 2 — has sometimes referred to the effects of intra-executive policy conflict on the development of executive bills during Duma review. This dissertation builds on these insights, carrying out a systematic analysis of such dynamics, and integrating these findings into the broader literature on authoritarian legislatures.

²⁸ See Charap (2007) for a conceptualisation of executive strength that can accommodate both external dominance and internal fragmentation simultaneously.

1.2 Research questions

Are authoritarian legislatures merely ‘rubber stamps’ when it comes to policy-making?

The dissertation will tackle this main research question by answering two related questions:

1. *Do executive bills fail and/or change during legislative review in non-democracies?*
2. *If so, why?*

As will be argued below, asking two separate questions is necessary for two reasons. Firstly, there is a paucity of empirical work on bill failure and change in non-democracies, never mind in democracies. Establishing that there are, in fact, observations of interest is, therefore, the first step. Secondly, although it might be tempting to move immediately from the mere observation of bill failure and amendment to the claim that a particular legislature is influential or autonomous, this would be premature. The dissertation will demonstrate how both phenomena are *equivocal* — that is, there are various causal paths to the same outcome. As such, executive bill failure and amendment need not result from legislator influence, opening up space for the alternative, executive-centred account proposed by the dissertation.

1.3 Argument in brief

This dissertation makes three key claims. The first, *empirical* claim is that executive bills do sometimes fail and change during legislative passage in authoritarian sys-

tems. Although the empirical focus will be contemporary Russian policy-making, comparative evidence of bill failure and amendment will also be presented from other non-democracies. The second, *conceptual* claim is that this evidence is not necessarily an indication of legislative influence or autonomy — there are various causal paths to failure and amendment. The third, *causal* claim is that one such path takes the form of executives amending and killing off their own bills during the legislative stage of policy-making. In short, there are, indeed, unexpected outcomes of interest; there are conceptual grounds to question the sufficiency of existing explanations for these observations; and there is a plausible theoretical account attributing these observations to executive, rather than legislative, influence.

Contrary to the widespread impression that work on draft bills is concluded by the executive *before* initiatives are introduced into parliament for review, *the legislative passage of executive bills can become another opportunity for executive policy development*. As will be argued in Chapter 2, this includes cases when executive actors with different policy preferences battle over the content of policy proposals, using legislative institutions for this contestation. As such, evidence traditionally interpreted as the result of *inter-branch*, executive-legislative conflict is, rather, evidence of *intra-branch*, intra-executive conflict.

This claim — that the executive is responsible for phenomena that, at first sight, appear to signify non-executive influence — chimes with other recent studies of non-democratic politics. For example, in analysing the logic of ‘patronal politics’, Hale (2014: 14) criticises ‘the standard approach to regime transition, which has been to think in terms of “authorities” (often divided into hard-liners and soft-liners)

and “opposition” as discrete “actors”. The worry is that, if we adopt this bifurcated frame — of elite-opposition, or executive-legislature — then we might ignore the possibility of other, more consequential cleavage structures. Indeed, in his study of patterns of protest in Russia, Robertson (2011: 209) finds that protest has largely been ‘structured by elite politics’, rather than elite-society relations.²⁹

Democratic parallels

The dissertation’s argument also resonates with recent work on *democratic* legislative politics. Specifically, Martin and Vanberg’s (2004, 2005, 2011, 2014) work on coalition governments challenges the conventional wisdom that legislatures only ‘matter’ in the policy-making process insofar as they provide the opposition with an opportunity to shape executive policy. In contrast, Martin and Vanberg argue that legislative institutions are used by coalition partners to prevent partisan ministers from crafting policy proposals closer to their own party’s ideal point than to the coalition agreement’s compromise position. Put differently, their work shows how legislative institutions can be used to help overcome the commitment and monitoring problems faced by executives containing actors with divergent policy preferences.³⁰

That executives face decision-making difficulties across the full spectrum of regime types — from totalitarian dictatorship to liberal democracy — should not be sur-

²⁹ Specifically, Robertson (2011: 4) argues that ‘large numbers of protesters in the streets are usually the result of fissures in the incumbent elite coalition but are not necessarily a sign of the kind of civil society organisation that promotes longer-term democratic development.’

³⁰ See Huber (1996) for an influential work with a related claim: that French executives have used the institutions of the Fifth Republic, *inter alia*, to *protect* policy deals reached in cabinet during legislative review.

prising.³¹ That executive actors in *democracies* use legislative institutions under certain conditions to tackle these problems has only recently been acknowledged. That *authoritarian* executive actors might also use legislative institutions in this way is the core proposition of this dissertation.

For the most part, debate in the recent authoritarianism literature has addressed a more general question: are authoritarian legislatures ‘semidemocratic’ (Gandhi 2008a: 185) or do they, rather, ‘serve quintessentially authoritarian ends’ (Svolik 2012a: 13)? This question is certainly important insofar as it reminds us to be cautious ‘of ascribing the same characteristics to dictatorial institutions that happen to bear the same names as democratic ones’ (*ibid.*: 186).³² The danger, however, is that we fall into the trap of assuming *one model* of democratic legislative politics — that legislatures are important in democracies only when opposition-party legislators are meaningfully able to influence executive policy-making.³³ In effect, this is the model of executive-legislative relations that King (1976: 17) labelled the ‘two-body image’ — a model that he (and many others) have critiqued. Just as there are various ‘modes’ of executive-legislative relations in democracy, so it is plausible that this variety is also found in non-democracies. When focusing on the fine-grained details of the policy-making process, political activity can be remarkably similar across regime types, regardless of electoral dynamics.

³¹ For example, see Hertog (2010: 31, footnote 67) on similarities between Saudi Arabia and the US regarding policy-making practices, and see Brzezinski and Huntington (1964) for a comparison of the US with the USSR.

³² Indeed, Svolik (2013: 9) argues that, ‘while many institutions in dictatorships nominally mirror their democratic counterparts, their political ends may be distinctively authoritarian’.

³³ Note that, in this sense, importance is related specifically to policy-making, and not to other putative functions performed by legislatures, including oversight, representation, and linkage.

1.4 Research design

The dissertation tackles the main research question by examining the legislative stage of executive policy-making in one contemporary authoritarian regime — post-Soviet Russia. In contrast to much recent work combining cross-country correlational analysis and formal theory to explore the roles played by authoritarian legislatures, this dissertation focuses on *within-country-case* analysis, drawing on *causal process observations*.

1.4.1 Case selection

This section will discuss case-selection issues, focusing on the logic of deviant case analysis, the choice of contemporary Russia as an authoritarian country case, and the trade-off between internal and external validity.

Deviant case analysis

Cases of executive bill failure and amendment are selected as ‘deviant’ observations in relation to the ‘rubber stamp’ model.³⁴ Executive bills — that is, legislative initiatives formally sponsored by the Russian president and Government — are the focus of analysis, given the executive’s putative dominance over subservient legislatures in non-democracies; if any class of bills is likely to be ‘rubber stamped’ by parliament, then executive bills are the most likely. In effect, these cases are

³⁴ Gerring (2007: 105, 106) defines as deviant a case that ‘by reference to some general understanding of a topic (either a specific theory or common sense), demonstrates a surprising value’. As such, ‘[d]eviance is model-dependent’.

‘black swans’ (Popper’s 1959) with regard to the ‘rubber stamp’ model’s claims that executive bills never change or fail during legislative passage in non-democracies. The mere observation of these deviant phenomena, however, reveals little about what actually *caused* them. If — as will be argued in Chapter 2 — their are various causal pathways resulting in executive bill failure and amendment, then we need more information to move from the observation of outcomes to a robust causal account.³⁵

The goal of deviant case analysis is to remove impressions of deviance. As Levy (2008: 13, footnote 29) notes, the purpose of such analysis is to ‘eliminate the set of deviant cases’, either by demonstrating ‘that a case is not really deviant, or, by refining the theory to eliminate the anomaly, eliminat[ing] its status as deviant’. Existing work on authoritarian legislatures attempts to eliminate deviance by positing some degree of legislative autonomy in authoritarian systems: non-democratic parliaments do not necessarily ‘rubber stamp’ all executive initiatives insofar as they provide an opportunity for non-executive influence. In contrast, this dissertation eliminates deviance by suggesting that bill failure and change are simply further manifestations of executive dominance over the legislature, since legislators simply ‘rubber stamp’ *developments* crafted by executive actors to executive initiatives.³⁶

With its focus on unexpected outcomes, deviant case analysis necessarily selects on the dependent variable. Contrary to the warnings in King, Keohane and Verba (1994: 142), this selection strategy is not necessarily flawed, as long as we are clear about the *type* of causal insight being sought and the *scope* of resulting generalisations (Collier,

³⁵ On the synergies between deviant case analysis, process-tracing, and theory building, see George and Bennett (2005: 161), and Beach and Pedersen (2013: 155).

³⁶ Such development can include the executive’s desire to kill of its own bills — see Chapter 3.

Mahoney and Seawright 2010: 85-102). For example, selecting on the dependent variable is appropriate ‘when we know the outcome but are unsure about what mechanism(s) made it happen’ (Beach and Pedersen 2013: 154), and the results are used as the basis for *theory building*. Indeed, in order to generalise the findings from deviant analysis to a broader set of cases robustly, the refined theoretical claims must be subjected to further tests. As Levy (*ibid.*) argues,

The examination of deviant cases is not the end of inquiry, as the theory refined on the basis of deviant case analysis must be subject to subsequent testing against new evidence, whether in either large-N or small-N analysis, by applying the revised hypotheses to other cases or to unexamined aspects of the same case.³⁷

Country case: Russia

Contemporary Russia is selected as a non-democratic country case. To be sure, scholars differ in classifying post-Soviet Russia’s regime type. Recent large-N comparative regime classifications code the whole post-Soviet period as non-democratic. Thus, Wahman, Teorell and Hadenius (2013) code Russia, 1991-2010, as a multi-party authoritarian system; Cheibub, Gandhi and Vreeland (2010) categorise Russia as a civilian dictatorship, 1991-2008; and Geddes, Wright and Frantz (2014) classify Russia as a personal autocratic regime, 1994-2010. Levitsky and Way’s (2010) medium-N classification contends that Russia, 1990-1995, was a ‘competitive authoritarian’ regime, whereas by 2008 it had become a ‘fully authoritarian’ regime. And in their study of post-communist regime variation, Bunce, McFaul and Stoner-Weiss (2010:

³⁷ Regarding the important distinction between within-case and cross-case analysis, Collier, Mahoney and Seawright (2010: 98) warn that ‘qualitative researchers must be particularly careful to avoid overestimating the general causal importance of context-specific factors on the basis of these cases.’

330) include Russia in the set of post-communist countries which have shifted ‘in an authoritarian direction’ from hybridity. Russian country specialists show further variation: whereas Fish (2005) describes the ‘derailment’ of democracy in Russia, Sakwa (2011) speaks only about its ‘crisis’. During the same period, therefore, Russia has been variously classified as a democracy, a hybrid regime, and a consolidated authoritarian regime.³⁸ In spite of this variety, however, there is a current consensus that the Russian regime is authoritarian.³⁹

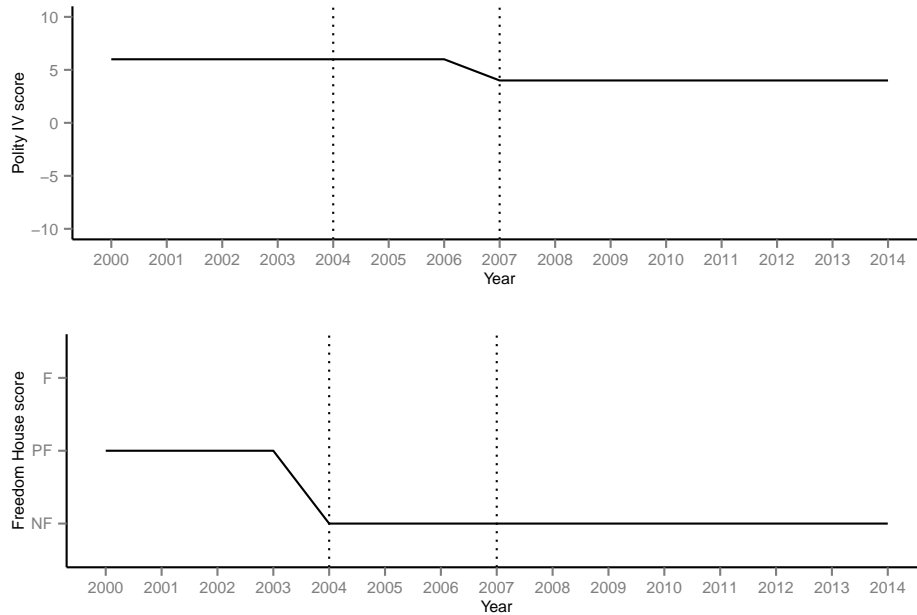
What is at stake when classifying Russia’s regime type? For this dissertation, the main concern is the extent to which elections are free and fair, given the putative effects of these electoral dynamics on legislator behaviour.⁴⁰ Cox (2014: 701), for example, argues that the reason why authoritarian regimes interfere with the ‘electoral connection’ (Mayhew 1974) linking voters and legislators is to ‘undermine the independence of the legislature’. The dissertation follows recent works examining Russian politics in using Freedom House and/or Polity IV scores to classify the country’s regime type (see, for example, Chaisty, Cheeseman and Power 2014; Schleiter 2013; Schleiter and Morgan-Jones 2008). Figure 1.1 presents Polity IV and Freedom House scores for Russia, 2000-2014.

³⁸ See Gunitsky (2015) for a critical discussion of this variation and its implications for analysing contemporary Russian politics.

³⁹ As Gel’man (2015: 2) writes, ‘almost everybody agrees that the political regime in present-day Russia is genuinely nondemocratic (although for various reasons some observers, until very recently, hesitated to label it “authoritarian”).’ And Holmes (2015): 48) goes so far as to write that contemporary Russia is ‘universally acknowledged to be nondemocratic’.

⁴⁰ Different regime classification systems do, however, vary in their focus, with some less interested in electoral dynamics and more concerned with civil and political liberties.

Figure 1.1: *Polity IV and Freedom House scores for Russia, 2000-2014.*



Note: In the lower graph relating to Freedom House ‘Freedom in the World’ scores, ‘F’ stands for ‘Free’, ‘PF’ stands for ‘Partly Free’, and ‘NF’ stands for ‘Not Free’. The Polity IV cut-off point between democracy and non-democracy is a score of six. The dotted vertical lines mark change point for both measures on both graphs, with the middle third marking a period of disagreement between the two measures. These data are taken from the respective organisations’ websites: <http://www.systemicpeace.org/polityproject.html> (accessed 1 October 2015); and <https://freedomhouse.org/> (accessed 1 October 2015).

The dissertation will treat as authoritarian those years for which *both* Freedom House and Polity IV measures code Russia as not free or non-democratic. When both classification systems refer to Russia as free or democratic, these years will be referred to as democratic. This leaves the period from 2004 up to 2007, when Freedom House and Polity IV disagree. The resulting three periods are marked on both graphs in figure 1.1 with vertical dashed lines at 2004 and 2007.

This periodisation ties in neatly both with Duma convocations — the third, 2000-2003, the second, 2004-2007, and the fifth and beginning of the sixth, 2008- — and with accounts from scholars of Russian legislative politics regarding the stages of Russia’s authoritarian turn. Indeed, the middle period, on which Polity IV and Freedom

House disagree, can be treated as a period of authoritarian *consolidation*. Shul'man (2014: 133), for example, notes the institutional reforms carried out between 2004 and 2009, aimed at reducing the legislature's autonomy. Shevchenko and Golosov (2011: 210) also delineate a number of partisan and institutional developments that translated into legislative subordination to the executive. They contend, for instance, that changes to the composition of the Duma Council — the nominal agenda-setting body of the lower chamber — has 'turned the Duma into a tool in the hands of the president and his administration'.⁴¹ Similarly, but more generally, Gel'man (2015: 12) notes that, '[b]y the end of Putin's second term in office [in 2008], the political regime, which he built so carefully, consistently, coherently, and consciously, seemed to achieve a state of equilibrium' — that is, the period of authoritarian *consolidation* was, in a sense, complete. Other important changes taking place during the 2004-2007 period, or differentiating it from the later period, include: the shift from a mixed electoral system to a pure party-list PR system;⁴² a reduction in the number of parties represented in the Duma; an increase in the majority size of the 'party of power', United Russia; and reforms to the Duma's standing orders, reducing opportunities for opposition influence, including changes to the budget review process (see Chapter 6).

⁴¹ The Duma Council's (*Sovet Gosudarstvennoi Dumy*) composition — and, thus, responsiveness to executive preferences — changed in the third and fourth Duma convocations (Chaisty 2005a). However, see also Pomiguyev (2015) for a discussion of whether the Council is a veto player in the policy-making process in its own right.

⁴² Up to and including the fourth Duma convocation, 225 of the 450 deputies were elected by plurality vote in single-mandate districts (SMD). Existing research from Russia suggests that these SMD deputies provided a source of relatively autonomous activity in the Duma: Kunicova and Remington (2008: 555) found 'modest evidence that SMD representatives defect from the faction position on budget bills more often than proportional representation representatives'. We might expect, therefore, that the shift to a pure PR system for the 2007 parliamentary elections would result in tighter party discipline in the fifth Duma convocation.

This periodisation is not perfect. On the one hand, area specialists might object to the use of Freedom House and Polity IV as blunt measures of the political dynamics in Russia. On the other hand, comparative scholars might question whether Russia was, in fact, democratic in the early 2000s (as evinced by the references above). However, the three periods constitute plausible stages in the increasing executive dominance over the lower chamber of the Russian federal parliament.

That Russia has undergone a regime shift also presents an analytic opportunity: it allows us to examine how policy-making dynamics have changed over time with these changing electoral conditions. That is, as well as presenting a contemporary non-democratic case, available data allow us to see how policy-making practices and outputs have varied with the *transition into* this regime type. As will be discussed in the empirical chapters, extant literature frequently refers to electoral dynamics when explaining variation in outcomes of interest. Changes in the level of electoral competition in one country over time allows us to isolate these effects, whilst holding other variables constant.⁴³

The objection might be made that Russia is ‘not authoritarian enough’ — that if we really want to study a ‘rubber stamp’ assembly we should focus on regimes with, say, much lower Polity IV scores. There are a number of responses to this point. Firstly, Russia is not selected as the *modal* non-democratic case.⁴⁴ Rather, it is selected as a contemporary non-democracy, the parliament of which is referred to by both

⁴³ Of course, in light of this diachronic regime shift, we should also be attentive to the possibility of *path-dependent* dynamics, which might differentiate Russia from other non-democratic regimes without a recent period of democracy, as well as other, non-electoral changes.

⁴⁴ Indeed, in light of the variety of non-democracies, it is probably unhelpful to think in terms of modal cases.

domestic and foreign commentators as a ‘rubber stamp’. Secondly, if the objection is made that we should *not* expect ‘rubber stamping’ from the State Duma in light of the presence of at least some degree of political competition both in elections and in parliament, then this *simply becomes a hypothesis for testing* — in effect, that executive bill failure and amendment reflect the inclusion of oppositional voices in the political process, consistent with characterisations of hybrid regime forms such as competitive authoritarianism.⁴⁵

In fact, we might think of Russia as a ‘most likely’ case for the co-optation explanation for authoritarian legislative activity. Indeed, existing work on Russia has explicitly argued that legislative institutions have been used by the elite to co-opt members of the Communist Party (KPRF), with committee leadership positions in regional legislatures exchanged for reduced protest activity on the streets (Reuter and Robertson 2015). As such, if the ‘executive development’ approach proposed by this dissertation outperforms co-optation theory in explaining cases of bill failure and amendment in contemporary Russia, then there are good grounds to accept ‘executive

⁴⁵ Note that the legislative effects of competitive authoritarianism are ambiguous. Levitsky and Way (2010: 63) write:

Legislative control is critical in competitive authoritarian regimes. For one, it enhances the executive’s capacity to manipulate and control other areas of politics [...] Control over the legislature may also allow the governing party to modify the constitution (for example, eliminating presidential term limits) to extend or deepen authoritarian rule. Finally, legislative control has a defensive purpose: to eliminate the legislature as a potential arena for contestation.

Put differently, in electoral authoritarian regimes, institutional subversion (electoral manipulation) underpins institutional observance (majoritarian voting in the legislature) — the electoral playing field is un-levelled in order to engineer comfortable voting blocs in parliament. Insofar as the legislature’s autonomy is, thus, undermined, we would expect to observe classic ‘rubber stamping’ activity. And yet, in light of the possibility of opposition groups winning legislative seats, there are also possible sources of policy-making viscosity.

development’ as a valid alternative explanation to the most popular existing approach to authoritarian legislatures.

For those still unsatisfied by these points, the dissertation also presents data consistent with the ‘executive development’ approach from other regimes with consistently lower scores across a range of regime measures, including China and the USSR.

Internal vs. external validity

The focus on only one country case over a relatively short time period has advantages and disadvantages. The upside is that cases of failure and amendment can be analysed in detail, drawing on knowledge of country-specific factors. Indeed, there is a nascent body of work on authoritarian single-country cases — see, for example, works on Brazil (Desposato 2001); China (Hou 2015; Truex 2014a, 2014b); Mexico (Magaloni 2006; Greene 2007); and Vietnam (Malesky and Schuler 2010; Schuler 2015). The downside is the ostensibly reduced ability to generalise from this single country’s experience.

The aim of the dissertation is not, however, to propose an approach purporting to explain *all* types of legislative activity in *all* non-democracies. Such an endeavour would either be hubristic or simply impossible. As Geddes (2012: n.p.) notes, ‘[a]utocratic legislatures play different roles and serve different functions in different dictatorships.’⁴⁶ And it is plausible that the same legislature can perform various roles at the same time:

⁴⁶ Similarly, Pepinsky (2012: n.p.) is ‘sceptical that there is a single coherent logic, structure, or function of authoritarian legislatures that is applicable across modern authoritarian regimes’.

There is no reason why an assembly cannot both create a check on the dictator *and* provide him with information about the location of the opposition. At the same time, elites may also use the same assembly to prevent the dictator from amassing personal power.⁴⁷

The task is not to present a zero-sum rival to existing theories. Rather, the dissertation has a *theory-building* goal, suggesting an alternative explanation for observations so far attributed to legislative autonomy.

In light of the current stage of the research programme on authoritarian institutions, there are strong arguments for ‘internal validity [...] [to be] privileged over external validity [particularly] when it is difficult to defend the assumptions about measurement validity and data generating processes that are necessary for making externally valid inferences’ (Pepinsky 2014a: 649). In light of the data issues confronting researchers of authoritarian politics (see below), and the variety of non-democratic systems, we need more work examining what authoritarian ‘assemblies actually do’ (Schuler and Malesky 2014: 690). Such works can aid our understanding of the roles played by legislatures in non-democracies, especially in ‘understanding the mechanisms through which they influence outcomes’ (Wilson and Wright 2015: 15).⁴⁸ In short, given how little we know about what takes place within the ‘black boxes’ of non-democratic parliaments, it makes sense to complement cross-national research designs with studies able to get a better purchase on the actual causal processes at play.

⁴⁷ Schuler and Malesky (2014: 689); see also Truex (2014b: 56-57).

⁴⁸ Indeed, these works are congruent with a form of analysis encouraged by Pepinsky (2014b: 4), who calls for more ‘within-country research designs that carefully specify the observable implications of the logics of rule and test them using hard-to-find data’.

In order to increase *internal* validity for the Russian case, exhaustive — or population-wide — samples are used where possible for the outcomes of interest. Thus, *all* cases of executive bill failure, executive bill amendment, and budget changes are analysed in the empirical chapters, albeit for varying periods defined by data availability. In order to help improve *external* validity, the Russian data are nested in *comparative* evidence of policy-making in other non-democracies when such data are available.⁴⁹

1.4.2 Methods

The dissertation uses both process-tracing and statistical methods.

Process-tracing analysis

As discussed in works such as Beach and Pedersen (2013), Bennett and Checkel (eds) (2014), Brady and Collier (eds) (2010), Checkel (2006), Elster (2007), George and Bennett (2005), and Hall (2003, 2008), process-tracing is a *within-case* method for examining the putative *causal mechanisms* linking independent and dependent variables. Thus, rather than assess the covariant relationship between independent and dependent variables — for example, between the degree of opposition inclusion in authoritarian legislatures and the proportion of executive bills that fail to become laws (see Gandhi, Gochal and Saiegh 2003, as well as Chapter 3 of this dissertation) — process-tracing draws on fine-grained data to analyse the details of particular cases; Collier, Brady and Seawright (2010: 2) refer to such data as ‘causal process

⁴⁹ Note, therefore, the different case *levels* analysed in the dissertation — that is, from the individual bill level to the country case level.

observations' (CPO). The aim is to assess whether the causal pathways invoked by existing theory or correlational analysis to explain relationships are, in fact, found to be in operation, or whether these cases suggest other mechanisms.⁵⁰ Indeed, process-tracing analysis is particularly well-suited for deviant case analysis, as the method is sensitive to causal heterogeneity and *equifinality* — the idea that the same observation can be produced by various causal mechanisms (George and Bennett 2005: 161, 215; Haggard and Kaufman 2012: 498). In this dissertation, detailed information on the policy-making process will be used to reconstruct episodes of executive bill failure and change, with the goal of evaluating different explanations for these outcomes of interest.

Statistical analysis

Conscious of the differing contributions to causal inference provided by qualitative and quantitative methods, as well as the feasibility of particular techniques in relation to the number of cases included in the analysis, this dissertation uses both descriptive statistics and regression analysis — specifically, negative binomial regression for the analysis of count data in Chapter 4. This mixed-method approach constitutes a 'nested' design (Lieberman 2005), with the amendment case studies in Chapter 5 placed in perspective by the population-wide analysis in Chapter 4.

⁵⁰ As Haggard and Kaufman (2012: 498) write, 'the empirical question is not only whether antecedent conditions are linked statistically to the outcome but whether they also do so through the stipulated causal mechanisms.'

1.4.3 Data

The dissertation draws on various types of data: documents and information relating to the Duma passage of executive bills taken from the State Duma’s policy-making information portal (*Avtomatizirovannaia sistema obespecheniia zakonodatel’noi deiatel’nosti*);⁵¹ Duma floor voting records; documents from the parliamentary archives; interviews with politicians, parliamentary staff (both current and former), and Russian experts; political party documents; interest group documents; and media reporting.

Data availability and quality in non-democracies

Non-democratic regimes are often seen as ‘black boxes’. Morse (2012: 163, 189) writes of ‘the secretive veil of authoritarianism’: ‘the study of authoritarianism [...] is a difficult challenge given the opaqueness of the inner workings of authoritarian regimes’. Similarly, Malesky and Schuler (2010: 482) report that ‘the opacity of such [authoritarian] regimes [...] [makes] empirical confirmation [of theories] difficult’. As a result, Art (2012: 365) argues that ‘it would be foolish to hold students of authoritarian or hybrid regimes to the same standards of data quality as students of advanced industrial democracies’.

There is certainly a relationship between regime type and data availability. In a novel design, Hollyer, Rosendorff and Vreeland (2011: 1192) use information on

⁵¹ This is the website’s address: <http://asozd2.duma.gov.ru/> (accessed 1 October 2015). Individual bill webpages include, *inter alia*, bill chronologies, bill texts at various stages of preparation, committee reports, and evaluations of initiatives from political bodies.

missing data from the World Bank's World Development Economic Policy and Debt development indicator (reporting data on 181 countries, 1960-2008) as a proxy for transparency, defined as 'a government's willingness to disseminate policy-relevant data'. They find that the presence of electoral competition itself is linked with greater transparency regarding policy-relevant data. Similarly, Ross (2006) looks at data availability for a number of development indicators in both democratic and authoritarian regimes, 1970-2000, finding that missing data correlates with regime type, with more missing data being associated with non-democratic states.

These findings pose a particular challenge for process-tracing analysis. As George and Bennett (2005: 222) argue:

Process-tracing provides a strong basis for causal inference only if it can establish an *uninterrupted* causal path linking the putative cause to the observed effects, at the appropriate level(s) of analysis as specified by the theory being tested.⁵²

And yet, assuming a simple relationship between non-democracy and information opacity is simplistic. Recent research has revealed the variability of transparency across authoritarian regimes. For example, using data on the transparency of information on natural resource management and extraction, as well as the quality and scope of statistical data from non-democratic regimes, Boix and Svolik (2013: 302) find that 'institutionalised dictatorships are more transparent than non-institutionalised ones', where institutionalisation relates to the presence of legislatures and parties.⁵³

⁵² Emphasis added.

⁵³ This is in contrast to Barros (2011: 32), who argues that 'it would appear that authoritarian elections and legislatures do not fundamentally alter the information problems that non-publicity poses for scholars studying authoritarian regimes, though certainly this is an area for future research'.

Furthermore, Croissant and Wurster (2013) note that ‘data accessibility has improved significantly for various policy outcome variables’ for non-democratic regimes. And Roller (2013: 50) goes a step further by arguing that data from different outcome areas ‘display different patterns of availability’.⁵⁴ In brief, these studies suggest that data availability varies along at least three dimensions: regime type (both democratic versus non-democratic, as well as different authoritarian sub-types); time; and policy area or stage.

These data challenges have motivated some scholars of authoritarianism to pursue within-country-case analysis. For example, Magaloni (2006: 31) partly justifies her single-country-case research design for her influential book on hegemonic party rule with reference to the fact that ‘[t]hese types of data [on voting behaviour and the behaviour of party elites] are extremely difficult to obtain for most autocratic regimes’, but that ‘through the years of my study of this regime, I have collected ideal macro- and micro-level data’. And Pepinsky (2014a: 649) applauds the research presented by Malesky and Schuler (2010) for its use of ‘impressive data collection and [the fact that it draws on] a deep understanding of the inner workings of Vietnam’s national legislature.’ This dissertation draws on similar, fine-grained knowledge of Russian parliamentary activities, as well as the (possibly surprising) volume of publicly available data relating to the policy-making process.

⁵⁴ This authoritarian information variation is illustrated nicely by the divergent experiences with data availability regarding the law-making process in Mexico under the dominance of the Institutional Revolutionary Party (PRI). Whereas Weldon (1997) reports an absence of voting data for the Mexican Congress, Nacif-Hernández (1995) reports bill passage rates with impressive detail.

New dataset and database

A key empirical contribution of the dissertation is a new dataset (created by the author) containing information on all bills considered by the State Duma, 1996-2013. The basic information is taken from the State Duma's online archive via its application programme interface (API).⁵⁵ As well as this raw information — including bill initiators, involved committees, and policy areas — the dataset includes additional information calculated from these basic data — including the total number of committees involved and bill velocity — as well as information drawn from other sources — including the level of text change experienced between draft introduction and final law promulgation. Indeed, this latter information is taken from a new database (created by the author) containing complete texts of all executive bill drafts and final laws, 2003-2013. (See Appendix D for an account of how this database was constructed.)

Although the scope and depth of these data provide the means for novel and interesting analysis, they often do not provide a *complete* picture. Specifically, the processes responsible for the 'outer features' (Pereira et al. 2011: 60)⁵⁶ of policy-making are often hidden. In other words, although we might have exhaustive data on the chronologies of bill passage through the Duma, these same data tell us little about *why* one bill is, for example, amended more than another during passage through the lower chamber.⁵⁷

⁵⁵ This is the website address: <http://api.duma.gov.ru/> (accessed 1 October 2015).

⁵⁶ These include features such as stability and volatility, and decisiveness and resoluteness — see Pereira et al. (2011: 84, footnote 1).

⁵⁷ See Chaisty (2014) for an analysis of the correlates of bill velocity in contemporary Russia.

Interviews

Interviews with the actors involved can help to fill in these information gaps. Securing access to relevant and credible interview subjects is a challenge in democracies (Goldstein 2002), never mind in non-democracies (Shih 2015). Ideally, the participant observation approach adopted by Fenno (1978) in his study of Congress — involving ‘soaking and poking’ into the gritty details of everyday activities — and emulated by Ostrow (2000) in his study of the State Duma in the 1990s, would be reproduced, albeit including the observation of *executive* actors. However, the level of access to the Duma achieved by Ostrow (*ibid.*) in the late 1990s is no longer possible, in light of changed political circumstances.⁵⁸ As a result, the interviews — see the list in the References section at the end of the dissertation — helped provide interesting details, rather than forming the core of primary data analysed in the dissertation.

Media reporting

Russian media reporting is able to make up somewhat for the paucity of interviews.

Journalists writing for publications such as, *Kommersant*”, *RBK Daily*, and *Vedomosti*

⁵⁸ These difficulties were compounded by the timing of the fieldwork carried out for this dissertation. Following Putin’s return to the presidency in May 2012, a series of measures were passed reversing liberalising reforms introduced by President Medvedev, as well as legal changes directed at the political opposition and the activities of foreign organisations. This involved the passage of a bill, ‘On the introduction of changes to various legislative acts of the Russian Federation regarding the regulation of activities of non-profit organisations, carrying out the function of a foreign agent’. (The bill’s website is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=102766-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=102766-6) (accessed 1 October 2015).) The initiative was targeted at foreign-funded non-profits — or non-governmental organisations — involved in (vaguely defined) ‘political activity’. Unfortunately, the phrase ‘foreign agent’ entered the popular lexicon, with its negative connotations of espionage. Indeed, a Levada Centre poll conducted in 2012 reflected the negative associations of the ‘foreign agent’ label, in spite of official protestations that it was merely a technical label — see tables 8.5.7-14. In the author’s experience, this translated into a wariness on the part of Russian officials when dealing with foreigners, particularly when the research subject was manifestly political.

have unparalleled access to policy-making actors — including, and crucially for this dissertation, in the executive branch — and frequently report on intra-executive decision-making dynamics.⁵⁹ As discussed in Chapter 5, the very possibility of these insights is, in part, a reflection of the intra-executive policy differences analysed in the dissertation — that is, executive actors sometimes use the strategic leaking of information in policy-making battles.⁶⁰

The dissertation is not alone in drawing on journalism as a key source of secondary data. Various studies of authoritarian politics draw on press coverage as a means of analysing intra-executive dynamics (Lü and Liu 2015); in predicting changes to military spending (Zimmerman and Palmer 1983); or in constructing networks of elites implicated in corruption scandals (Wang and Keller 2015). Indeed, recent works on the Russian policy-making process have drawn heavily on Russian media accounts — see, for example, Fortescue (2009, 2015), and Taylor (2014).

1.5 Unexplored areas

This dissertation does not touch on all areas of legislative activity. This section will briefly outline those related areas not analysed in detail.

⁵⁹ As is clear from the media sources cited in the References section at the end of this dissertation, other sources include *Rossiiskaia gazeta*, *Izvestiia*, *Pravo.ru*, *Gazeta.ru*, the BBC's *Ruskaia sluzhba*, *Nezavisimaia gazeta*, and *Novaia gazeta*. This constitutes a mix of media, some critical of the authorities, others less so. Articles will be referred to in the text according to the following format: writer's surname, date of publication, publication name.

⁶⁰ Huskey (1996b: 464), for examples, writes that 'individual departments within the executive, most notably those responsible for defence, agriculture, and social spending, have publicised intra-executive conflict as a means of mobilising support for their positions in parliament, the executive, and the nation'.

Federation Council

The dissertation will not systematically analyse the activities and outputs of the Federation Council, the upper chamber of the Russian federal parliament. Existing work suggests that the current Council is a ‘weak, rubber stamp chamber’ — a body that Russian sectoral interests do not regard as a venue in which to ‘influence policy-making’ (Ross and Turovsky 2013: 81, 59). This contrasts with the more influential role played by the Council before institutional reforms — including changes to the method of its composition — carried out in the 2000s (for an overview, see Remington 2013: 49-51).⁶¹

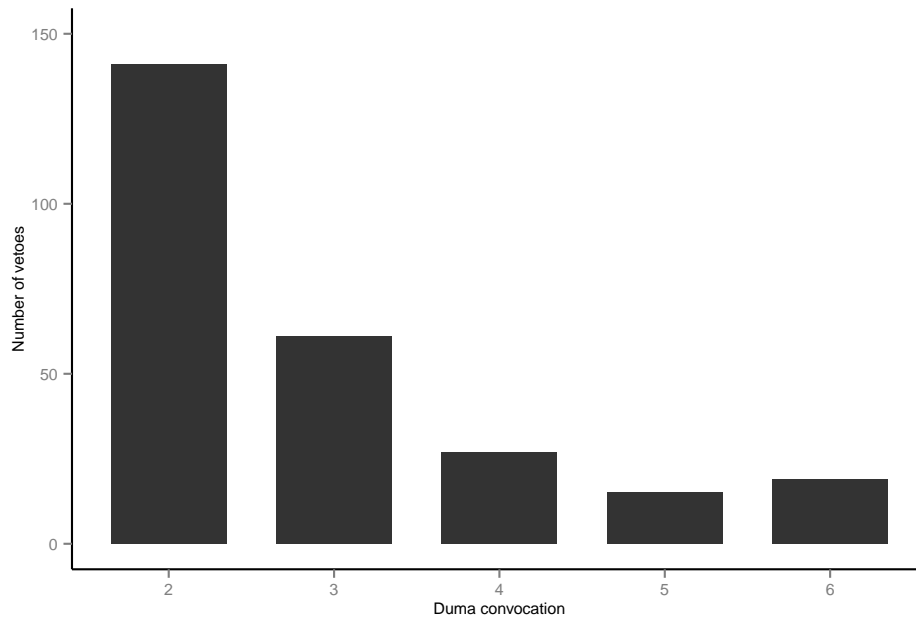
Consistent with this impression of reduced influence, the Federation Council has used its authority to return bills to the Duma for redevelopment — known colloquially as its ‘veto’ power — less over time (Chaisty 2008: 447; Ross and Turovsky *ibid.*: 83). Although the number of Council ‘vetoes’ has reduced, this has not reduced to zero under authoritarianism. Indeed, the figure so far for the (incomplete) sixth Duma convocation is *higher* than for the whole fifth convocation. Figure 1.2 presents the number of Council ‘vetoes’ by Duma convocation.

These include cases of *executive*-sponsored bills. For example, so far in the Duma’s sixth convocation, of the 19 bills returned by the Federation Council, seven were sponsored by the Government and one by the president.⁶² Like bill failure and

⁶¹ However, regarding the policy-making process, the State Duma has always been the most important venue for analysis. Indeed, Ostrow (2001: 647, footnote 1) suggests that, ‘[f]or all intents and purposes, the Duma *is* the Russian legislature.’

⁶² See the bill details here: <http://www.duma.gov.ru/systems/law/?periodType=convocation&periodValue=6§ion=10> (accessed 1 October 2015).

Figure 1.2: *Number of Federation Council ‘vetoes’ by Duma convocation.*



Note: These data are taken from the Duma’s website: <http://www.duma.gov.ru/legislative/statistics/> (accessed 1 October 2015). These figures exclude cases of joint ‘veto’ by the Federation Council and the president. The figure for the sixth Duma convocation is not necessarily final, given that the convocation has not yet ended.

bill amendment, these cases are deviant with respect to the ‘rubber stamp’ model. And yet, consistent with the executive-centred picture proposed by the dissertation, there are reasons to doubt whether these contemporary ‘veto’ cases reflect legislative autonomy. A ‘veto’ used by the Federation Council at the end of the Duma’s 2015 spring session was, according to some Russian commentators, used at the insistence of the Ministry of Finance (Moskovkin, 8 July 2015, *Livejournal*; Shul’man, July 2015, *Novoe vremia*). Thus, evidence that might appear to reflect legislative influence is, on closer inspection, a manifestation of *executive* control.⁶³

⁶³ To be sure, the fact that the Ministry of Finance had to use the rarely-used tool of a Federation Council ‘veto’ suggests a *lack* of executive control at earlier stages of the policy-making process.

Bill velocity

Although the speedy adoption of executive bills is a clear expectation for ‘rubber stamp’ legislatures, the dissertation will only use velocity data when analysing the determinants of bill amendment, when it is used as an (imperfect) proxy for bill scrutiny (see Chapter 4).

Non-executive bills

As stated above, the dissertation will focus on the development of *executive* bills in the State Duma. This is not because executive bills are the only initiatives considered in contemporary Russia. Although Brancati (2014: 317) argues that authoritarian legislatures only pass ‘government-proposed’ bills into law, this is not necessarily the case:⁶⁴ a substantial proportion of bills signed into law in contemporary Russia are formally sponsored by non-executive actors, most often Duma deputies. (See figure 7.1 in Chapter 7 for a diachronic picture of bill sponsorship in Russia.)⁶⁵

⁶⁴ Taylor (2014: 247) makes a similar argument to Brancati (2014), when arguing that, ‘[i]n a competitive authoritarian regime the only actors who can succeed as policy entrepreneurs are in the executive branch, not legislators or civil society actors, a major difference from the policy process in democracies’.

⁶⁵ There is also evidence of successful non-executive policy-making in other non-democracies. For example, writing of the Mexican Congress during the dominance of the PRI, Nacif-Hernández (1995: 216) reports that ‘congressional parties are the main source of legislative initiatives submitted [to] the body. Nevertheless, the great majority of Deputy bills (more than 80 percent) regularly come from the opposition parties, and therefore have little chance of making any progress in further stages of the legislative process’. To be sure, not all initiatives are submitted with the expectation of passage into law. As Chaisty (2006: 99) argues, many initiatives are introduced to raise the public profile of their initiators — ‘PR’ bills (see also Kamakin, 28 September 2015, *Moskovskii komsomolets*). Or initiatives are sponsored by actors with a view to raising the profile of a particular subject (interview with senior State Duma committee official, 13 June 2013), as with bill 57721-6 on aggressive driving (interview with State Duma deputy, 4 June 2013). In Mexico, De la Garza (1972: 59) argues that deputy-introduced initiatives are used by ‘major groups or interests that feel it necessary to emphasise their position so as to spur some kind of action from the executive either through the Chamber or through administrative channels’ (cited in Nacif-Hernández 1995: 216). A similar dynamic is observable in contemporary

Although certain successful bills are formally sponsored by non-executive actors, there are suggestions that these actors may not be the *real* bill sponsors.⁶⁶ For example, a bill formally introduced into the Duma by United Russia deputy Aleksandr Remezko was, in fact, developed by the Investigative Committee (Petrov, 31 January 2014, *RBK Daily*).⁶⁷ Indeed, one opposition legislator — deputy Il'ia Ponomarev — has argued that almost 80 percent of bills formally sponsored by Duma deputies were not, in fact, truly deputy initiatives (n.a., 28 August 2013, *Polit.ru*).⁶⁸ And deputy Evgenii Fedorov goes so far as to argue that '[s]erious bills, are not prepared within the Duma walls, even if they are signed by deputies. The State Duma only adopts laws that come here from other places' (cited in Ukolov, 2 December 2014, *Lenta.ru*). As a number of episodes examined in the dissertation will suggest, the real sponsors of non-executive bills can often be *executive* agents, using deputy proxies in order to circumvent intra-governmental policy sign-off procedures (see Chapter 5). Again, therefore, it is the executive — and not legislators — that appear responsible for observations of interest.⁶⁹

Russia, for example, with initiatives drafted by the All-Russia People's Front (ONF) (Bocharova, 22 November 2013, *Vedomosti*).

⁶⁶ To be sure, this is not a uniquely non-democratic phenomenon: Bräuninger and Debus (2009: 809), for example, refer to '[d]isguised governments bills in Germany', as well as "handout bills" in the United Kingdom'.

⁶⁷ The bill's webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=440058-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=440058-6) (accessed 1 October 2015).

⁶⁸ Apart, perhaps, from the scale, this practice is nothing new: Chaisty (2006: 130) cites a Russian report on the Supreme Soviet from 1992, claiming 'that executive agencies were actually responsible for a quarter of all the bills officially initiated by deputies'; and Chaisty (2012: 96-97) suggests that 'the vast majority of private members' bills introduced since 2004 were authored by United Russia deputies, often on behalf of their colleagues in the executive branch'.

⁶⁹ By contrast, Remington (2008a: 985) proposes another explanation for successful non-executive law-making: 'United Russia, using its enormous majority in parliament, gave the president unchecked power to control the state, but in return received the right to use its power over regulatory and distributive legislation to reward its supporters and ensure its perpetuation in power'. In other words, Remington points to a *trade-off* between pro-executive support from deputies and a certain degree of legislative autonomy and influence in particular areas of

1.6 Dissertation structure

The dissertation contains seven chapters. Following this introductory chapter, Chapter 2 discusses literatures and theories relevant to the study of authoritarian legislatures, before developing an executive-centred approach to explaining the legislative stage of policy-making in non-democracies. Chapter 3 — the first empirical chapter — examines cases of executive bill failure in contemporary Russia. Chapter 4 — the first of three empirical chapters on executive bill amendment — presents and analyses population-wide data on bill text change. Chapter 5 then drills down into particular cases of bill amendment, substantiating the claim that bill change can result from intra-executive dynamics. Chapter 6 looks at changes made to Russian federal budgets — an area of statutory policy-making selected for its significance. Chapter 7 concludes.

Bill failure is tackled first, as such cases are arguably the most deviant with respect to the ‘rubber stamp’ model. For the three chapters on executive bill amendment, the first chapter provides an overview of broad trends, drawing on the whole set of cases and providing context for the next chapter, which looks in detail at particular episodes of change. The final empirical chapter then analyses the changes made to a set of bills not included in the two previous chapters.

The structures of the empirical chapters are largely similar. This similarity is driven by three key goals of the dissertation: firstly, to present theoretical and empirical

policy-making. Evaluating the explanatory power of this hypothesis against the ‘non-executive sponsor as executive proxy’ hypothesis will not be attempted in this dissertation.

challenges to the conventional ‘rubber stamp’ model of authoritarian legislative politics; secondly, to present theoretical and empirical challenges to two recent alternative approaches — co-optation theory and information theory; and, thirdly, to present evidence in support of the ‘executive development’ model of non-democratic legislative activity. Since the empirical chapters touch on different literatures — or, at least, particular research questions within the same literature — this common structure is used to engage with, and challenge, existing wisdom. At the same time, the chapters build on the findings of earlier chapters. Finally, it is worth noting that the time periods covered across the chapters vary in light of data availability. Given the primary interest in policy-making under authoritarianism, all chapters contain data spanning 2008-2013; when data is available, however, the start year is extended back to 2003, 2001, or 1996 in order to explore the changing dynamics across Russia’s putative political regime shift.

Rethinking ‘Rubber Stamps’: Literatures and Theories

The label ‘rubber stamp’ is a widespread and tenacious moniker for legislatures in authoritarian regimes — widespread because it is an almost ubiquitous descriptor for non-democratic assemblies; tenacious because it continues to be used despite evidence presented to the contrary. White (1982b: 191) provides a typical characterisation of non-democratic parliaments: ‘these are subordinate and passive bodies, called simply for the purpose of legitimising what the party has already decided and making no contribution of their own to the work of government or the formation of public policy.’ Even recent works suggesting that non-democratic parliaments are more than simply ‘window dressing’ bodies have, nonetheless, dismissed them as ‘rubber stamps’ with regard to *policy-making*: ‘Authoritarian legislatures rarely seat any political opposition and most of the time just rubber stamp political decisions made elsewhere’ (Svolik 2012b: n.p.).

In spite of the frequency with which the ‘rubber stamp’ label has been used, the specific claims that this description entails have rarely been subjected to empirical verification. This is troubling: as White (*ibid.*) goes on to argue, when the activities of authoritarian legislatures have been examined, ‘this stereotype has been found seriously misleading’ (see also Allmark 2012). Indeed, Chapter 1 began by presenting an empirical critique of the ‘rubber stamp’ model by detailing an episode from post-Soviet Russia inconsistent with the claims entailed by this approach.

Beyond surveying the relevant literatures, and noting how the dissertation relates to these existing debates, the main aim of this chapter is to propose a new theoretical approach to understanding the place of legislatures in non-democratic governance. Parliaments in non-democracies are not simply ceremonial venues for ‘rubber stamping’ previously finalised executive policies. It will be argued that — even with an entirely subservient body of legislators — authoritarian legislative institutions can still ‘matter’ in the policy-making process insofar as they provide additional means for *executive policy development*. Specifically, legislative passage provides opportunities beyond cabinet-level processes for executive actors with differing policy preferences to scrutinise, challenge, amend, and even kill off proposals from other executive actors. Put differently, authoritarian legislative institutions can be used by factionalised executives to solve the commitment and monitoring problems facing collegiate decision-making bodies. One key asset of this proposal is its ability to reconcile observations of bill failure and change with impressions of executive dominance and legislative subservience; as such, it is more parsimonious than other

existing theories, which attempt to explain putative deviations from 'rubber stamp' expectations with reference to legislative autonomy.

This chapter contains six substantive sections. Section 1 presents an ideal-type conceptualisation of a 'rubber stamp' legislature, before presenting a brief summary of how scholarship on authoritarian legislatures has developed over time. Section 2 then presents recent theories of non-democratic parliaments. Problems with these recent approaches are discussed in section 3. Section 4 then turns to recent scholarship on legislative institutions in democracies, using this work as a source of ideas concerning how executives use legislative institutions in the policy-making process. Building on these insights, section 5 presents a new approach to explaining the policy-making activities of authoritarian legislatures. Section 6 then applies this discussion to work on Russian politics. The final section concludes.

2.1 From ideal type to complex institution

This section will begin by providing an ideal-type account of a 'rubber stamp', clarifying the conceptual dimensions constituting this conventional picture. This discussion is necessary both in light of the casual way in which the term has been used and in order to derive observable implications from the 'rubber stamp' model. A brief historiography of the concept will then be outlined, charting how popular and scholarly thinking has developed regarding authoritarian legislatures.

2.1.1 Ideal-type ‘rubber stamp’ legislature

The ideal-type ‘rubber stamp’ legislature would exhibit one mode of executive-legislative relations: unquestioning legislative (agent) subservience to executive (principal) demands. The executive acts as the sole legislative agenda setter and veto player, signing into law bills it had itself drafted and introduced into the legislature without subsequent amendment. Outputs are — according to this ideal-type account — purely a function of executive preferences.

Legislative subservience is linked in the ‘rubber stamp’ model directly to electoral dynamics. Given the absence — or distortion — of the ‘electoral connection’ (Mayhew 1974) in non-democracies, legislators are seen as agents, not of citizen constituents, but of executive principals. The absence of free and fair elections ensures that an effective opposition does not form in the legislature; in turn, this means that executive initiatives do not face resistance during parliamentary passage. By removing the citizen-legislator link provided by meaningful elections, legislatures necessarily — according to the model — cease to be ‘places of action’ (Truex 2014a: 235).

These ‘rubber stamp’ expectations are derived with reference to a particular, spare model of democratic legislative politics. According to this model, all apparent resistance experienced by executive bills during parliamentary passage is attributable to oppositional legislators, who derive their influence from electoral mandates.¹ Without such oppositional legislators in authoritarian legislatures, bill passage does not experience the legislative ‘friction’ (Jones and Baumgartner 2005: 145), or

¹ See below for a critique of this model of democratic legislative politics.

‘viscosity’ (Blondel 1970: 80), associated with decision and transaction costs in democracies (Baron and Ferejohn 1989; Buchanan and Tullock 1962; North 1990).

Table 2.1 presents the two dimensions constituting the ‘rubber stamp’ model. The row label — ‘No legislative autonomy’ — constitutes the idea that authoritarian ‘rubber stamp’ legislatures do not provide a venue for independent legislator activity; parliamentarians simply perform to a script written by the executive. The column label — ‘No bill development’ — relates to the impression (or simply expectation) that executive bills do not develop during parliamentary passage — that is, that they neither fail nor undergo amendment. There is, moreover, a putative causal relationship between the two: there is no bill development *precisely because* there is no legislative autonomy.²

Table 2.1: *Two dimensions of the ‘rubber stamp’ concept.*

	<i>No bill development</i>
<i>No legislative autonomy</i>	Classical ‘rubber stamp’

If this is, indeed, a correct account of authoritarian parliaments, then why do many non-democratic regimes create and maintain such institutions?³ What are the

² Note that there are ways to infer the level of legislative autonomy by means *other* than whether executive bills undergo change during legislative review — for example, by analysing voting records, career trajectories, or testimony from the actors involved. If this were not the case, then the two dimensions would not be causally related variables, but, rather, simply a concept and its observable manifestation.

³ Various studies remark on the surprisingly consistent presence of legislatures in non-democratic states (see Blondel 1973; Frantz and Ezrow 2011; Gandhi 2008a; Loewenberg and Patterson 1979; Mezey 1979, 1983; Svobik 2012a).

benefits of ‘rubber stamp’ bodies for authoritarian rule? In short, *why authoritarian legislatures?*

2.1.2 ‘Rubber stamp’ historiography

[The] rubber stamp parliament [in the German Democratic Republic] [...] neither reflects the will of the people, nor does it formulate any policies of its own. What it does, is merely to formalize [sic] policies and decisions that have already [been] made by a different body and which are not subject to either review or modification.

Joesten (1958: 15)

Non-democratic legislatures — particularly those of twentieth century totalitarian regimes — were often dismissed as being ‘of very little importance’ (Friedrich and Brzezinski 1961: 18).⁴ Insofar as legislatures serve as the quintessential expression of representative democracy, then their creation and maintenance in non-democracies has even puzzled some. For example, writing about the Mexican Congress under the PRI, Portes (1977: 185) writes of the ‘paradox posed by the existence of a formally democratic institution like a parliament within an authoritarian system [...] [particularly when] participation [of these bodies in official decision-making is practically non-existent.’

These bodies’ putative lack of influence was accentuated, moreover, by their *formal* centrality to political life, particularly in Soviet ideological legitimation. Conveying the doctrine of the Communist Party of the Soviet Union (CPSU), Chkhikvadze (1969: 81) argued that ‘[a]ll administrative, economic, military, cultural and other state

⁴ Quoted in Gandhi and Przeworski (2006: 3).

bodies spring from the representative organs of state power and are subordinate to them.’ The stark gap between the rhetoric and reality of Soviet political institutions has served as a synecdoche for the supposed unimportance of formal institutions in authoritarian systems more broadly (Ginsburg and Simpser 2014: 1).⁵

Legislative unimportance was linked specifically to *policy-making*. It was assumed that, if these bodies could not affect the law-making process, then they were inconsequential.⁶ This view informed the direction of scholarship. As Mezey (1983: 512) notes:

The most significant response to the weak-legislature conclusion proceeded on a functionalist assumption: if legislatures were not central to law making yet continued to exist, they had to be performing some other functions for the political systems in which they persisted.

As such, scholarship on non-democratic and developing countries catalogued the putative ‘functions’ performed by parliaments — see, for example, Packerham’s

⁵ This brief historiography largely traces scholarship from the middle of the twentieth century, with a partial bias towards work on communist legislatures. To be sure, it could start much further back than the middle of the twentieth century, looking, say, at the creation of medieval parliaments (see, for example, Graves 2001) or institution-building in the nineteenth century. To some degree, the start point chosen is arbitrary. However, insofar as the dissertation deals in particular with the concept of ‘rubber stamp’ authoritarian legislatures, then it is instructive to note that the phrase ‘rubber stamp legislature’ was only used from around the 1930s — see Google Ngram results (drawing on Google’s text corpus and returning the frequencies of words and phrases) here: <http://is.gd/TB6xVa> (accessed 12 November 2015).

⁶ This extension from policy-making impotence to a general claim of insignificance worked from the (increasingly outmoded) notion that ‘the most important function that legislators perform is making public policy’ (Huber and Shipan 2002: 210). Indeed, modern scholarship on *democratic* legislative politics — at least since Lord Bryce’s 1921 declaration of the ‘decline of legislatures’ — has included a growing chorus of voices sceptical of parliament’s role in governance. Blondel (1970: 85), for example, writes of ‘the nagging problem which faces modern political systems: are legislatures a significant part of the process of government?’ Particularly in parliamentary democracies, but also in presidential systems, legislatures appear to play a secondary role to government’s primary law-making role (see Andeweg and Nijzink 1995; Arter 2006a, 2006b; Bräuninger and Debus 2009; Doering (ed.) 1995; Doering and Hallerberg (eds) 2004; Kopecký 2004; Lijphart 2012; Loewenberg 1971; Mezey 1979; Zubek 2011). The US Congress is often portrayed as the only exception of substantial legislative impact; however, for sceptical takes on this orthodoxy, see Owens and Loomis (2006); Gamm and Huber (2002); and Kiewiet, Loewenberg and Squire (2002).

(1970: 522) list of functions performed by the Brazilian National Congress, 1964-1965; see also Vanneman (1977: 151-175) and Nelson (1982: 3) for the functions supposedly performed by communist legislatures.

By closely inspecting particular legislatures around the world, however, this scholarship also began to revise the ‘rubber stamp’ claim in relation to policy-making.

Thus, Blondel (1973: 10) argued:

in Western countries, in Communist countries, and in a somewhat less clear-cut fashion in the Third World, the rubber-stamp character of legislatures may not be as widespread and uniform as has been suggested by some commentators [...] [Indeed,] a renewed interest in the activities of legislatures has come to indicate that it is feasible, though within somewhat narrow limits, for legislatures to act with independence and effectiveness.

In short, there was evidence of some degree of legislative *autonomy* in the policy-making process, including in non-democracies.⁷ And yet, albeit empirically rich, these empirical insights into non-‘rubber stamping’ in authoritarian parliaments did not lead to theorising about the *springs* of such behaviour.

In spite of these more nuanced conclusions, nominally democratic institutions in non-democracies were sometimes still dismissed as mere ‘window dressing’. Thus, for example, Diamond, Linz and Lipset (1989: xviii) argued that ‘the existence of

⁷ This wave of scholarship on comparative legislatures from the 1970s (see, for example: Blondel 1973; Boynton and Kim 1975; Kornberg and Musolf (eds) 1970; Loewenberg and Patterson 1979) gave rise to typologies proposed for grouping both democratic and non-democratic assemblies. Thus, Mezey (1979) proposed five types of legislatures — active, reactive, vulnerable, marginal, and minimal — according to their policy-making power and their support; and Polsby (1975) proposed a bifurcation between arena and transformative legislatures. Although these typological projects were not universally accepted (see, for example: Norton 1984; and Taylor-Robinson and Diaz 1999), they informed the development of comparative work on legislatures (see, for example: Copeland and Patterson 1994; Loewenberg, Patterson and Jewell (eds) 1985; Mezey 1983; Olson 1980; Olson and Norton 1996). However, this style of comparative scholarship somewhat fell out of favour with the growth in rational choice literature, particularly on the US Congress.

formally democratic political institutions, such as multiparty electoral competition, masks (often, in part, to legitimate) the reality of authoritarian domination'. And, writing about 'pseudo-democratic' hybrid regimes, Diamond (2002: 24) argued that 'democracy is the only broadly legitimate form, and regimes have felt unprecedented pressure (international and domestic) to adopt — or at least to mimic — the democratic form'.

At the same time, scholarship on 'hybrid' regimes — part of the 'end of the transition paradigm' (Carothers 2002) — explored the puzzles of authoritarian *durability* and *variety*: why did non-democracies survive without transitioning to clearer-cut forms of democracy or authoritarianism; and why were hybrid regimes so varied? Works like Geddes (1999), Linz and Stepan (1996), and Wintrobe (1998) proposed classifications for authoritarian regimes, and scholars assembled large-N datasets to code a broad array of features associated with non-democratic rule (see, for example, Przeworski, Alvarez, Cheibub and Limongi 2000). In the first instance, this work served to challenge the modal characterisation — or simply caricature — of non-democracies as capricious autocracies served by slavish subalterns. It also brought a renewed interest in authoritarian *institutions* (for reviews, see Art 2012; Brancati 2014; Morse 2012; and Pepinsky 2014a). Rather than focusing on the personal characteristics of autocrats, these studies argued that authoritarian 'diversity largely rests on these regimes' institutional differences' (Slater 2010a: 132). As such, this literature was concerned with 'taking the institutions of authoritarian regimes seriously' (Art 2012: 352).

Albeit brief and schematic, this survey has charted how thinking about authoritarian legislatures has changed from the work on totalitarianism — which saw little difference between the ideal-type ‘rubber stamp’ and how non-democratic parliaments actually operated — to contemporary scholarship on authoritarian institutions. The following section will look in more detail at recent work on authoritarian political institutions.

2.2 Recent theories of authoritarian institutions

A number of works have analysed the effects of authoritarian elections, legislatures, and parties on variables such as regime survival (Brownlee 2007; Bunce and Wolchik 2010; Gandhi and Przeworski 2007; Geddes 1999, 2008; Magaloni 2006, 2008; Schedler 2006; Slater 2010b; Wright and Escibà-Folch 2012), international relations (Peceny, Beer and Sanchez-Terry 2002; Lai and Slater 2006; Weeks 2008), military spending (Gandhi 2008a), paths to democratisation (Geddes 1999), and economic growth and investment (Escibà-Folch 2009; Gandhi 2008b; Gehlbach and Keefer 2012; Jensen, Malesky and Weymouth 2014; Wilson and Wright 2015; Wright 2008). Institutions are modelled in these studies as independent variables. Conversely, other studies have approached authoritarian institutions as dependent variables, looking at their aetiology (Acemoglu and Robinson 2006; Brownlee 2007; Levitsky and Way 2010; Slater 2010a), although a number of studies combine these two approaches (Gandhi and Przeworski 2007; Wright 2008).⁸

⁸ For a recent review of this literature on authoritarian legislatures, see Schuler and Malesky (2014).

This section will review the three main theories that have emerged from this body of scholarship: co-optation theory; information theory; and power-sharing theory. Each theory attempts to provide a general account of authoritarian legislatures — as well as other institutions — in non-democratic rule.

2.2.1 Co-optation

‘Co-optation’ theory contends that legislatures are used by authoritarian elites to co-opt members of the opposition. In short, the regime offers legislative seats — through which opposition members have access to rents and limited policy influence — in exchange for regime fealty (Gandhi and Przeworski 2006; Gandhi 2008a). As such, authoritarian legislatures are a ‘forum for regime opponents’ (Schuler and Malesky 2014: 684) — a venue ‘in which the regime and opposition can announce their policy preferences and forge agreements’ in a regularised fashion (Gandhi 2008a: xviii). Indeed, Gandhi and Przeworski (*ibid.*: 3-4) go so far as to argue that ‘policy compromise can be made only within a specific institutional framework, namely legislatures’.

This approach suggests that ‘rubber stamp’ deviations are predictable effects of regime-opposition relations. Specifically, observations such as bill amendments and bill defeat are ‘policy concessions’ granted to opposition legislators (*ibid.*: xviii; Gandhi, Gochal and Saiegh 2003). Co-optation of the opposition through parliamentary inclusion, therefore, entails the possibility of policy-making viscosity. Authoritarian elites make such concessions, it is argued, with a view to prolonging the life of the regime: ‘nominally democratic institutions’ (*ibid.*: 34) — including

legislatures — provide an ‘institutional trench’ (*ibid.*: 75) to protect dictatorial rule by providing an elite-controlled arena for the airing of opposition preferences. Indeed, Gandhi suggests her argument can account for institutional variation and effects across non-democratic regimes. As well as examining outcomes such as economic growth, Gandhi looks at three policy areas — civil liberties, military expenditures, and social spending — finding that ‘more institutionalised dictatorships spend less on the armed forces than their noninstitutionalised counterparts’, exhibit lower social spending, and provide ‘more liberalized rights policies’ (*ibid.*: 137-138).⁹

2.2.2 Information

Non-democratic elites face distinct information problems. At base, the problem concerns how the regime can gain credible information regarding citizen grievances without creating mechanisms of accountability, which could be used by societal groups to challenge elite rule. Schedler (2013: 21), for instance, refers to the ‘endemic informational uncertainties authoritarian governance tends to generate’ (see also, for example: Boix and Svoboda 2013; Chan and Zhao 2015; Gehlbach and Keefer 2011; and Petrov, Lipman and Hale 2014). *Inter alia*, the lack of free and fair elections deprives non-democratic elites of both legitimacy and an important information mechanism.

⁹ Frantz and Ezrow (2011) also examine the institutional determinants of policy variation across dictatorships, focusing on expenditure policy following exogenous price shocks, inflationary policy, and foreign direct investment. However, their focus is on the structure of authoritarian regimes — single-party, military, and personalist — rather than on the influence of legislatures.

‘Information’ theory suggests that legislatures can be used to help overcome this paucity of information. According to the most well-developed version of information theory — Truex’s (2014b) model of ‘representation within bounds’ — legislators in authoritarian parliaments serve as information conduits, channelling information regarding citizen grievances, although steering clear of raising points regarding *political* reform. As such, legislators are not members of the opposition, but, rather, serve as information middlemen, remaining loyal servants of the regime. And yet, similar to co-optation theory, the agents of interest are non-executive — *legislatures are important because of the activities of legislators.*

So far, work in this vein has not directly addressed questions relating to bill failure and amendment. However, we can extrapolate from information theory’s core insight to the claim that policy-making viscosity would result from societal reactions to elite initiatives. For example, groups in society might react negatively to an executive bill draft; legislators relay this reaction to the executive, which may, in turn, modify its proposal.

2.2.3 Power-sharing

Unlike co-optation and information theories, ‘power-sharing’ theory does not regard authoritarian legislatures as a forum for elite-society dialogue. In contrast, assemblies serve as a venue for *intra-elite* ‘institutionalized interaction’ (Boix and Svobik 2013: 301). Specifically, legislatures serve as a *commitment* mechanism, established by the dictator to include those allies composing the regime, or ‘winning’, coalition (Buono de Mesquita et al. 2003). The ‘regular interaction’ and increased ‘transparency’ provided

by this institutional setting allows these allies to *monitor* the dictator’s conformity to the regime coalition’s founding agreement. As such, non-democratic parliaments serve as an ‘arena for hashing out compromise[s] with regime allies’ (Schuler and Malesky 2014: 684). Indeed, power-sharing theory regards information problems as being more acute regarding intra-elite relations, as opposed to elite-society relations (cf. information theory).¹⁰

This power-sharing view of authoritarian institutions has been proposed in a number of recent works — see, for example, Acemoglu, Egorov and Sonin (2008, 2009); Boix and Svulik (2013); Brownlee (2007); Gehlbach and Keefer (2011, 2012); Magaloni (2008); Myerson (2008); Svulik (2009, 2012a). So far, the approach has been used in answering questions relating to topics such as regime durability, rather than policy-making dynamics.¹¹ However — as with information theory — we can extrapolate from the theory’s core claim: policy-making viscosity would be the result of intra-elite, rather than elite-society, relations.

2.3 Problems with existing approaches

These recent theories constitute important advances in understanding the role of authoritarian institutions, including legislatures. In spite of their contributions, however, they have associated problems, particularly when trying to understand fine-grained processes and outputs of policy-making. Some of these problems are

¹⁰ Svulik (2012a: 5) presents data on ‘nonconstitutional exits from office of authoritarian leaders, 1946-2008’ to demonstrate that the ‘problem of authoritarian power-sharing’ is more important — existentially, at least — than the ‘problem of authoritarian control’.

¹¹ Indeed, in a review of these recent theories, Truex (2014b: 55) notes that the power-sharing framework provides ‘[n]o clear prediction’ regarding policy influence.

specific to particular theories. For example, scholars have questioned Gandhi and Przeworski's (2006) assumption that policy concessions require legislatures. Thus, Boix and Svobik (2013: 301) criticise the lack of specificity about 'why such co-optation could not occur without institutions'; Magaloni (2008: 715) argues that policy concessions are more dependent on parties and elections than legislatures; and Conrad (2011: 1183) provides evidence of concessions granted to non-institutionalised opposition groups. Intuitively, concessions might be made by an authoritarian elite on an *ad hoc* basis or through institutions other than legislatures.¹² This section will review more general problems, with a view to developing a new approach.

2.3.1 Functionalism

The recent work on authoritarian legislatures has been driven largely by an interest in broader questions relating to regime durability, economic growth, and investment. The strength of this approach is its ambition, including its challenge to the conventional wisdom of legislative unimportance. One basic problem, however, is that these studies often simply *invoke* legislative mechanisms and practices, which — it is claimed — perform certain functions and roles congruent with authoritarian elite preferences.¹³ As Pierson (2004: 46) observes, functionalist arguments conform to

¹² For example, Little (1972: 42) notes the (detrimental) effects of *ad hoc* policy debates on the development of legislative committee specialisation in the USSR, thus implying that debate need not take place within the institutional confines of legislative institutions. In contemporary Russia, for example, bodies such as the Public Chamber might be plausible venues for policy concessions to be made to putative members of the potential opposition. Moreover, other studies note policy influence by outside groups in authoritarian systems without exclusively using legislative channels — for example, Ortmann (2012) discusses policy advocacy in Singapore; and Steinberg and Shih (2012) look at the influence of interest groups on the setting of China's exchange rate policy.

¹³ The functions and purposes putatively performed by legislatures are viewed in extant literature largely from the perspective of *elites*, largely ignoring the possibility that non-elite actors might use legislative institutions to further their own agendas (Hou 2015).

this basic structure: ‘outcome X (an institution, policy, or organization, for instance) exists because it serves the function Y’. The worry is that the causal mechanisms invoked might not, on closer inspection, be those actually in operation.¹⁴

A recent study demonstrates the gains from paying closer attention to the actual causal mechanisms in operation. Previous work has attempted to explain the statistical relationship between the institutionalisation of opposition groups and investment levels in non-democracies by claiming that authoritarian legislatures could act as *constraints* on the executive, limiting its ability to expropriate rents (see Wright 2008). In contrast, Jensen, Malesky and Weymouth (2014: 655) suggest — and provide evidence for — an alternative mechanism:

authoritarian legislatures, by providing a forum for horse trading between private actors, are better at generating corporate governance legislation that protects investors from corporate insiders than they are at preventing expropriation by governments. [As such] [...] the strength of authoritarian legislatures is associated with corporate governance rules and not expropriation risk.

In short, legislatures remain important, but the mechanism linking opposition representation and investment is different to the mechanism cited in previous work.¹⁵

Part of the problem stems from the very language used. As with regular discourse concerning democratic legislatures, there is a tendency to ‘anthropomorphize the parliament, treating it as a coherent actor in the political process and exploring the extent to which it fulfils various roles deemed essential to the polity’ (Huber 1996: 11). Thinking about legislatures in terms of the functions they (putatively)

¹⁴ Another problem of functionalist explanations is that ‘the logic explaining the creation of [...] [legislatures] is conflated with the purpose they serve’ (Schuler and Malesky 2014: 677).

¹⁵ However, see Wilson and Wright (2015) for a response to Jensen, Malesky and Weymouth (2014).

perform, however, pushes back questions of *agency*: why might it, in fact, be in the interests of some actors (and against the interests of others) for legislatures to perform particular roles? Indeed, such an approach dissuades us from thinking about legislative institutions *separately* from legislators.¹⁶ At first sight, this claim might seem odd: why would we be interested in legislative institutions without also thinking about parliamentarians? The answer is simple: as will be demonstrated below, *legislative institutions can ‘matter’ without legislators.*

Parties or legislatures?

One clear and particular manifestation of the functionalism problem is the ambiguity in the extant literature concerning whether it is *parties* or *legislatures* — or some other type of body — that is consequential for co-optation, information-gathering, or power-sharing. Schuler and Malesky (2014: 691) summarise the problem:

Currently, the theory and the empirical evaluations are muddled, particularly between parties and assemblies [...] in the literature on authoritarianism, the different roles of the parties and the assemblies are not carefully distinguished. Gandhi (2008[a]), for example, notes that parties serve a different functions [sic] [to parliaments], but then in the empirical analysis combines the two into a single measure. Svolik (2012[a]), although he provides a different theory for the role of parties and assemblies, also conflates the two institutions in his analysis of the impact of the assemblies

For example, Boix and Svolik (2013: 301) write:

regular interaction between the dictator and his allies in high-level, deliberative, and decision-making bodies within authoritarian parties and legislatures [...] frequently involves the deliberation over major policy changes and periodic reviews of government revenue and spending.

¹⁶ Indeed, parliaments are complex organisations, composed, *inter alia*, of individual legislators, party groups, committees, policy specialists, as well as rules that structure activity.

Which is it: parties or legislatures; or both; or does it not matter? In the face of ambiguity, parties are likely to be privileged as the most consequential institution with regard to power-sharing — and for apparently good reasons. For instance, Truex (2014b: 21) writes that ‘most China scholars would agree that high-level CCP [Chinese Communist Party] organs (namely the CCP Politburo and Politburo Standing Committee) are where internal bargaining really takes place’, rather than the NPC. There is a danger, however, in discounting legislative institutions too soon — that is, of making ‘the mistake of assuming that a restricted decisional influence means no decisional influence at all’ (Mezey 1983: 518).¹⁷

If we are interested in the policy-making process in authoritarian legislatures, then this ambiguity is problematic. If elite differences over policy initiatives are sorted out in *parties* — and before the parliamentary introduction of initiatives — then legislative passage might indeed be an uneventful stage of the policy-making process. If, however, elite actors use legislative institutions for policy deliberation, then we might expect to observe certain phenomena, including bill amendment and failure.

Another approach is to work *from the bottom up* — that is, by examining how authoritarian legislatures actually operate. Rather than assuming legislative functions, ‘*we have to go back and look*’ (Pierson 2004: 47 — emphasis in original) to see whether the causal mechanisms invoked are actually operating in a particular legislature.

¹⁷ Similarly, in his critique of the use of the ‘rubber stamp’ moniker in relation to communist legislatures, White (1982b: 192) notes the ‘fallacious assumption that a dominant single party must preclude the existence of an active and influential legislature, since if power ‘really lies’ in the party it cannot lie elsewhere.’

2.3.2 What about policy-making?

Most existing work lacks an explicit focus on the policy-making process. Congruent with the functionalist approach, institutions are of interest with respect to their *roles*, rather than the finer-grained processes in which they figure. This lacunae, no doubt, reflects the data challenges associated with this field of study. Frantz and Ezrow (2011: 91) go so far as to argue that, ‘[d]ue to the opacity of dictatorships, *it is impossible to test how easy or hard it is to change policy in these regimes*’.¹⁸ And yet, recent studies have marshalled impressive data to study the activities of authoritarian parliaments. For example, Malesky and Schuler (2010: 482) analyse delegate behaviour in Vietnam’s National Assembly, drawing on query session transcripts in an attempt to work out the ‘micro-logic’ linking the regime, delegates, and co-opted societal groups; Desposato (2001) analyses voting data from Brazil’s National Congress under military dictatorship, examining the competing influences on deputy behaviour; and Reuter and Robertson (2015) examine the distribution of parliamentary leadership posts to opposition party members in Russian regional legislatures, combining this with data on strikes and protests to suggest a trade-off between deputy access to rents and reduced political activity on the streets.

However, the absence of policy-making analysis also reflects the fact that scholars remain deeply sceptical of the very possibility of policy development during the legislative review of bills. For example, at the same time as challenging the ‘rubber stamp’ model of authoritarian legislatures, Truex (2014a) focuses on the *economic*

¹⁸ Emphasis added.

benefits associated with legislative membership in the NPC; and, in a study of Russian regional legislatures, Reuter and Robertson (2015: 247) argue that ‘concessions are more about sharing private access to rents than about granting influence over policymaking.’

2.3.3 Unified executives

In much of the existing scholarship on authoritarian legislatures, the image presented is of a *unitary* executive facing non-executive actors. This picture conforms to popular understandings of non-democratic rule — a single dictator, capricious and unconstrained.¹⁹ And yet, one of the founding works in the recent wave of scholarship on authoritarianism notes that ‘politics in such [authoritarian] regimes, as in all others, involves factionalism, competition, and struggle’ (Geddes 1999: 121).²⁰ Indeed, scholarship on non-democracies has offered various labels for this possibility of elite divisions: ‘fragmented authoritarianism’ (Lieberthal 1992) and ‘fragmented authoritarianism 2.0’ (Mertha 2009) in China; ‘segmented clientelism’ (Hertog 2011) in Saudi Arabia; and ‘bureaucratic pluralism’ (Hough 1977), ‘group conflict’ (Skilling 1971b), ‘corporatism’ (Hough 1983), ‘departmentalism’ (Whitefield 1993), and ‘diversity within monism’ (Brown 1983) in the USSR.²¹

¹⁹ Even if it is conceded that the leadership consists of multiple actors, then the expectation is that this group will conform to Downs’ (1957: 26) notion of a ‘party team’ — a group whose ‘goals can be viewed as a simple, consistent preference-ordering’.

²⁰ As Tsebelis (2002: 90) argues, although authoritarian systems ‘are generally considered to be single veto players regimes, close analysis may reveal the existence of multiple veto players.’

²¹ These descriptions have often been proposed with reference to scholarship on democracies — see, for example, Graham Allison’s work on ‘bureaucratic politics’ (Allison 1971) and ‘governmental politics’ (Allison and Zelikow 1999).

Even if elite factionalism is acknowledged, it could be that policy-making disputes are settled *before* the legislature reviews policy. Indeed, this basic scenario of pre-parliamentary negotiation followed by cabinet sign-off and the presentation of a collective executive front accords with impressions from democracies. For example, Huber and Shipan (2002: 183) note that, ‘usually, important legislative deals by members of the governing majority are struck before a bill comes to the floor of parliament’, with the notion of ‘collective cabinet responsibility’ — or ‘democratic centralism’ — invoked to ensure executive unity.²²

Power-sharing theory’s core contribution — in contrast to co-optation and information theories — is its appreciation of elite factionalism. However, the theory models this with respect to the *existential concerns* of regime elites. The allied groups of interest are those that can ‘credibly threaten a rebellion that would replace the dictator should he violate the power-sharing agreement’ by misappropriating the ‘spoils of joint rule’ (Boix and Svobik 2013: 300). Put differently, the theory does not explicitly relate to factionalised *executives* as such: power is shared between powerful interests rather than between, say, ministries. A simple modification to power-sharing theory is to think of elite factions as executive departments in the policy-making process. The problem confronting authoritarian elites is, then, not a question of regime durability, but, rather, the difficulties of joint policy-making.

²² As such, the ‘rubber stamp’ model is perfectly consistent with the possibility that executive factions disagree over policy proposals *before* legislative introduction. What the model cannot accommodate, however, is that legislative passage is used by these same agents to continue — or re-open — policy development following a draft’s exit from cabinet.

2.3.4 Sources of legislative action

Although these recent approaches agree that authoritarian legislatures are more than merely ‘rubber stamps’, co-optation and information theories portray these bodies as venues for interaction and information exchange between the regime elite and outside groups. Indeed, these outside groups are seen as the agents of interest and the sources of possible deviations from the ‘rubber stamp’ model. The following discussion will subject this claim to conceptual scrutiny.

Table 2.2 — building on table 2.1 — represents the difference between traditional conceptions of ‘rubber stamp’ bodies and recent portrayals (excluding the power-sharing approach) of authoritarian legislatures. Regarding policy-making during the legislative stage, we can think simply of whether there is policy development — that is, whether bills change or fail to become laws — or not. Regarding the role of legislators, we can think simply of whether they are autonomous actors or not.²³

In effect, a large portion of recent work has moved from the upper left to the lower right quadrants. In attributing executive bill development to autonomous legislator activity, the picture is redolent of King’s (1976: 17) (critical) notion of the ‘two-body image’ of executive-legislative relations, with government-opposition relations constituting the main driver of parliamentary activity in democracies. As Martin

²³ These binary variables are not, of course, meant to provide a faithful reflection of reality. Rather, this extreme simplification is meant only for the purposes of conceptual elucidation.

and Vanberg (2011: 5) summarise, ‘interactions between government and opposition [...] have traditionally been highlighted in research on legislative politics’.

Table 2.2: *Legislative autonomy and bill change.*

	<i>No bill development</i>	<i>Bill development</i>
<i>No legislative autonomy</i>	Classical ‘rubber stamp’	
<i>Legislative autonomy</i>		Classical legislative influence

And yet, as King (*ibid.*) goes on to argue, there are — contrary to the picture presented by the ‘two-body image’ — various ‘modes’ of executive-relations, only one of which pits the executive against opposition legislators. Legislative activities might also be a function of, for example, relations between the executive and its nominally partisan legislators; between coalition government partisans; and between the executive and extra-parliamentary groups.

Jones and Baumgartner (2012: 5) raise a similar point when criticising a popular approach — the ‘Standard Model’ — often invoked to explain policy change over time in democracies: ‘Policy change is caused by changes in the policy preferences of policymakers. Policymaker preferences change when they are replaced through the election process.’ There is ample evidence, however, that such an account is distinctly limited. For example, Baumgartner, Jones and Wilkerson (2011: 948) argue that, although ‘elections are indeed fundamental elements of democracy [...] policy changes frequently stem from the emergence of new information or changes in the social or economic environment that are not so simply related to the electoral

process'.²⁴ Although this dissertation is concerned with bill developments experienced during legislative review, whereas Jones et al. are concerned with diachronic changes to policy enactments, there is a common lesson: *electoral dynamics are only one source of policy change in political systems.*

This more complex picture of democratic policy-making has implications for the study of non-democracies. By appreciating the various sources of influence on executive bill passage in democracies — particularly those not linked to opposition or electoral dynamics — it becomes possible to imagine the presence or persistence of these influences *even when the electoral connection is removed or impaired.*

In linking policy development and legislative autonomy, however, recent work reifies an association between the *venue* of change and the *agency* responsible for change — change that occurs during legislative review is attributable to legislative influence. However, the empty quadrants are suggestive of other possibilities.²⁵ Indeed, the lower left quadrant conforms to the idea that we cannot easily infer legislative impotence from a lack of bill development in the legislature, as there are *various causal pathways* consistent with the same observational outcome. Legislative actors might, say, influence executive policy-making *before* parliamentary introduction, or the executive and legislators might share the same policy goals. Shugart and Carey (1992: 132-133) neatly summarise the issue for both parliamentary and presidential systems:

²⁴ Adler and Wilkerson (2013), for example, examine the importance of cross-partisan desires to solve policy problems as a driver of policy change in the US Congress.

²⁵ See George and Bennett (2005: 233) on the use of 'empty cells' for building theory.

A parliamentary executive with a secure basis of support among a majority in the assembly can legislate in a virtually unimpeded manner. [...] It would be folly, however, to infer from this situation that the parliament is powerless and that the regime is therefore a “facade democracy.” Yet such assumptions are regularly made with regard to presidential systems where a congress is observed not to play a significant role in legislating and rather appears to be bypassed or, at best, acting as a rubber stamp. [...] In a presidential system, it may be more difficult to see what represents delegation of authority and what represents an executive simply circumventing the assembly while the assembly abdicates its own authority [...] [And yet, the] delegation of powers from the assembly to the executive is neither usurpation nor abdication if authority is delegated carefully, such that agency losses can be detected and authority easily revoked.²⁶

Thus, Siavelis (2002: 201, 104) cautions against taking indicators of executive bill success and bill velocity as evidence of the ‘rubber stamp’ status of the Chilean Congress, as legislators can influence executive policy through, for example, agenda-setting decisions and informal consultation on policy before parliamentary introduction. And, writing of the Westminster parliament, Russell and Cowley (2015: 13) caution that, ‘if conflict within a parliament is limited, and defeats unusual, this does not necessarily indicate the institution’s weakness’.²⁷

What of the upper right quadrant? The following claim is simple but crucial: inasmuch as the *absence* of bill development does not necessarily signify legislative *impotence*, so the *presence* of bill development should not be regarded necessarily as a sign of legislative *influence*. Table 2.3 fills in the empty quadrants.

²⁶ See also McCubbins and Noble (1995) on the difference between delegation and abdication in a comparative analysis of the budget process in the US and Japan.

²⁷ One possibility often noted is the important — albeit ambiguous and difficult-to-measure — parliamentary power of ‘anticipated reactions’: that observable conflict between the executive and the legislature might be avoided, with the former tailoring its submission of policy initiatives in line with its *expectations* of legislative reactions (see Blondel 1970; and Bachrach and Baratz 1963 on ‘nondecisions’).

Table 2.3: *Four combinations of legislative autonomy and bill development.*

	<i>No bill development</i>	<i>Bill development</i>
<i>No legislative autonomy</i>	Classical ‘rubber stamp’	Revisionist ‘rubber stamp’
<i>Legislative autonomy</i>	Hidden influence / unity of purpose	Classical legislative influence

The upper right quadrant — revisionist ‘rubber stamp’ — covers the possibility that legislators do indeed ‘rubber stamp’ executive decisions, *but that these decisions can be changed by the executive following bill exit from cabinet.* By expanding from the two dimensions of an ideal-type ‘rubber stamp’ legislature, we can see — in principle, at least — how it is possible to combine legislative subservience with the observation of policy development during legislative review.

In sum

This section has discussed particular problems with recent work on authoritarian legislatures. Firstly, much of the scholarship is functionalist, proposing that legislative institutions perform certain roles without presenting detailed evidence that they do, in fact, operate as such. This lack of specificity is underlined by the ambiguity concerning whether it is parties or legislatures that are the institutions of interest. Secondly, given the interest in general questions such as regime durability and economic performance, there has been relatively little work on the policy-making process itself, although existing theories can be extended to develop relevant expectations. Thirdly, co-optation and information theories assume that a unified executive uses legislatures as

a venue for elite-society dialogue. Although power-sharing theory draws attention to authoritarian elite factionalism, the constituent groups are defined in relation to the regime coalition, rather than as members of the executive in particular. Finally, these elements were combined in a conceptual discussion regarding the relationship between legislative autonomy and bill development during legislative review. This served to highlight the possible combination of legislative subservience with observations such as executive bill amendments and failure.

This conceptual discussion only gets us so far, however. Beyond establishing its conceptual possibility, we need a *positive* account of why executive actors would want to develop their bills during legislative review. Work on democratic legislative politics can serve as a starting point. Recent studies have noted various practices, roles, and functions associated with authoritarian legislatures, which would be familiar to scholars of democratic parliaments, including: the distribution of pork (Manion 2013); voting indiscipline (Desposato 2001); business returns from holding office (Truex 2014a); and government oversight (Schuler 2014).²⁸ Of particular interest is recent work on the use of legislative institutions by coalition governments in parliamentary democracies, given the resonance between this work's interest in the problems facing factional governments and power-sharing's interest in factionalised elites.

²⁸ Although there are these resonances, Way (2010: 335-336) is right to note that '[o]ur understanding of contemporary authoritarian institutions lags far, far behind the extensive knowledge we have of virtually every aspect of democratic legislatures, elections, and parties'.

2.4 Democratic and non-democratic legislatures

All ruling groups — regardless of electoral conditions — confront issues of policy compromise inasmuch as they contain individuals (or sub-groups) with divergent policy preferences, and these preferences have a chance of becoming (or at least influencing) final policy choices. Groups differ, however, in how they choose between — or reconcile — different preferences, as well as how they enforce compliance with such choices. Recent scholarship on parliamentary democracies suggests that, under certain conditions, factionalised executives can use legislative institutions to help overcome the problems of joint policy-making. This section will review this work, before exploring its implications for non-democracies. Firstly, however, the term ‘executive factionalism’ will be defined.

2.4.1 Defining ‘executive factionalism’

What does ‘executive factionalism’ actually mean? In the tenth essay of *The Federalist Papers*, James Madison defined a ‘faction’ as

a number of citizens, whether amounting to a majority or a minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community.²⁹

In other words, a faction is a sub-group capable of self-interested action. The ‘community’ in question can vary, and can include bodies such as political parties and

²⁹ The text of *Federalist No. 10* is available here: <https://www.congress.gov/resources/display/content/The+Federalist+Papers> (accessed 22 March 2016).

political executives. For example, as will be discussed below, executive factionalism is exhibited in *coalition* governments in democracies when *parties* act individually rather than in consort, and against the interests spelled out in the original coalition agreement. Boucek's (2009: 1) suggestion that factionalism 'should be viewed [...] as a dynamic process of subgroup partitioning' is also helpful, since it can accommodate the fact that the composition of factions can shift over time and in relation to different issues.³⁰

Regarding organisational form, ministries, departments, and agencies constitute the formal structures of interest in this dissertation. Can we really regard executive organisational units as factions? This choice requires justification. Firstly, as discussed in section 2.3.3 above, there is evidence from a range of non-democratic regimes of elite fragmentation. Insofar as executive ministries act in a way that prioritises their self-interest over the collective interest of the collegiate executive, then we can legitimately refer to them as factions. Secondly, this focus on formal organisational units is a function of feasibility: although factions need not map neatly onto formal institutions, interactions between these organisational units of the executive are much easier to observe. Although this operationalisation is not ideal, Richard Sakwa — a respected observer of Russian politics — has argued that the '[p]olitically relevant' form of "competitive factionalism" under 'mature' Putinism has been 'largely an intra-bureaucratic phenomenon' (2011: 92).

³⁰ See, for example, the unlikely coalition of the Russian Ministry of Economic Development and *siloviki* actors united against the Federal Anti-monopoly Agency concerning the development of bill 260190-6 discussed in section 5.2.3 below.

This usage of ‘factionalism’, and the focus on executive organisations as the units of interest, contrasts with certain recent usages. In particular, Sakwa (2011: 117-130) — in spite of his statement cited above — analyses factionalism without an explicit focus on formal executive institutions; rather, he enumerates nebulous factions, including the *siloviki*, Yeltsin’s ‘family’, ‘democratic statist’, ‘economic liberals and technocrats’, ‘big business’, and ‘regional “barons”’.³¹ Such attempts to disaggregate and describe factions are, however, fraught with difficulty, insofar as it is difficult to observe these putative groups directly and the resulting groupings are highly subjective. For example, Holmes (2012: n.p.) argues against a Sakwa-like map of factions in contemporary Russia:

That the principal battle within the governing elite today pits liberal reformers against hardline *siloviki* is a misperception. The fabled bulldogs fighting under the carpet are not principled liberals at odds with rapacious strongmen. There aren’t two factions but more than a dozen, and their differences have nothing to do with ideology.

Rather than attempt to construct an alternative map to help navigate the ‘shadowy world’ (Sakwa 2011: 103) of factional conflict, this dissertation focuses on differences exhibited between executive ministries, departments, and agencies.

In other contexts, however, it makes more sense to think of the factionalism exhibited by *parties* (or groups within parties). The discussion will now turn to existing scholarship on factionalism within coalition governments in parliamentary democracies.

³¹ Note also that discrete factions or formal organisations might themselves be factionalised. Sakwa (2011: 109), for example, notes that ‘even the ‘Kremlin’ itself was a far from unitary actor’.

2.4.2 Democratic coalitional government

The problems of joint governance by factionalised executives are particularly well studied regarding coalition governments in parliamentary democracies — see, for example, Laver and Shepsle (1990); Müller and Strøm (eds) (2003); Riker (1962); Strøm (1990); Strøm, Müller and Bergman (eds) (2008). Recent work has focused in particular on the problems of *policy-making* — see, for example, Carroll and Cox (2012); Kim and Loewenberg (2005); Franchino and Høyland (2009); Heller (2001); Lipsmeyer and Pierce (2011); Martin and Vanberg (2004, 2005, 2011); Pedrazzani and Zucchini (2013); Thies (2001); Zubek (2008). This is the crux of the problem: although coalition partners might craft a detailed agreement specifying joint policy choices to be pursued during government, limitations of resources, time, and expertise prompt the delegation of policy portfolios to ministers from particular parties. Once in office, ministers face the temptation of producing policies closer to their own party’s ideal point, rather than being an honest reflection of the coalition compromise. The feasibility of crafting such skewed policies is, moreover, improved by limitations facing coalition partners in the pre-parliamentary, cabinet-level stage of policy-making, reducing the ability of other executive actors to scrutinise ministerial proposals.³² This phenomenon is labelled ‘ministerial drift’ (Martin and Vanberg *ibid.*: 25).

The problems of reconciling divergent policy preferences within the executive is compounded in democratic systems by electoral competition. With a view to upcoming

³² As Martin and Vanberg (2011: 33) suggest, ‘[t]he very workload and need for specialisation in the cabinet that makes delegation necessary in the first place makes it difficult to use these [cabinet-level] institutions as “routine” checking mechanisms’.

elections, ministers are encouraged to display policy stances, which differentiate them from their coalition partners, and for which they can claim credit during the election campaign. As such, even if executive actors are aware of policy disagreements *before* parliamentary introduction, there are incentives not to resolve these problems until the more public, legislative stage of policy-making in order to increase the impression of party policy differences. And yet, coalition partners must continue to work together in order to remain in government. This is the ‘dilemma of coalition governance’ Martin and Vanberg (*ibid.*: 3-4).

Martin and Vanberg’s work suggests that coalition partners use legislative institutions to tackle these problems of joint policy-making. Distinguishing between ‘strong’ and ‘weak’ parliamentary institutions, they suggest:

Parliaments that feature strong committee systems that are organised along ministerial lines, that have broad investigative powers, and that enable members to present amendments without restriction, allow parties to scrutinise and amend ministerial proposals, thus reducing the threat posed by ministerial discretion. In contrast, legislative institutions that make scrutiny and change more difficult — for example, committees that are not permanent or small in number, with jurisdictions that do not correspond to those of ministries, and restrictive procedures that curb the use of legislative amendments — make it much harder for parties to control ministerial drift.³³

Whereas the executive is factionalised along coalition-party-member lines, individual parties are assumed to be unified. This unity allows executive and legislative party members to act in concert, with the latter using the legislature’s capacity for policy scrutiny and revision in order to monitor and amend policy proposals *after* cabinet sign-off. In contrast, ‘opposition parties appear incapable of using the legislative

³³ Martin and Vanberg (2011: 156).

process in a way that would suggest an ability to translate their policy views into legislation' (*ibid.*: 144).

This argument presents a novel view of the role played by legislative institutions in democratic policy-making. Previously, 'when scholars have emphasised that "parliaments matter," the focus has generally been on the legislature as an arena that can allow *opposition parties* to affect the content of policy' (*ibid.*: 53). In contrast, Martin and Vanberg (*ibid.*: 5) suggest that 'the importance of legislatures arises from the impact that legislative review has on the relationships between, and the relative power of, parties *within* government.'³⁴

2.4.3 Single-party government

If this argument holds for multi-party executives, then what of single-party governments? Although sharing the same party label might convey a sense of homogeneity, one party can contain many factions. As Laver (1999: 9) argues,

every government is a coalition government. If it is not a coalition of different parties, then it is at least a coalition of factions within the single governing party-factions that may be explicit or implicit, with members whose preferences may well diverge in relation to particular issues, but who make the strategic decision to stay together within the same party.

In light of these possible differences, Huber and Shipan (2002: 185) suggest that the capacity for joint policy-making by factionalised single-party executives will likely

³⁴ Huber (1996: n.p.) presents a related argument concerning the National Assembly of the French Fifth Republic: 'the primary purpose of these [restrictive legislative] institutions is not to resolve conflict between legislature and executive. Instead, it is to enable the leaders of parties and factions to preserve policy agreements reached outside parliament'. Thus, whereas Martin and Vanberg (2011) point to the use of legislative institutions to scrutinise and *amend* cabinet policy agreements, Huber (1996) notes the use of restrictive procedures to *preserve* such deals.

hinge on the level of policy preference homogeneity and party discipline: ‘If parties are reasonably homogeneous and disciplined, then during single-party governments, the likelihood of substantial conflict between individual ministers and others in the governing majority is low’.

Might legislative institutions be used to help mitigate the policy-making problems facing single-party governments in a similar fashion to coalition governments? Although more work is needed to answer this question confidently, preliminary work suggests not. Firstly, although factions within the same party might have differing preferences, policy negotiations are likely to take place in relative privacy, *before* bill introduction to the legislature. As Martin and Vanberg (2011: 160) argue, a ‘key difference [between coalition and single-party governments] is that [...] [single-party governments] achieve within the party what is achieved across parties in coalition governments’ — that is, the compromise process is carried out in party meetings; subsequent policy is then branded as the party’s unified policy. Secondly, temptations to break collective responsibility are kept in check by *electoral concerns*: whereas coalition partners have incentives to make position-taking deviations from the coalition agreement, single-party executives have incentives to *hide* inter-ministerial policy disagreements.³⁵ As such, Martin and Vanberg (*ibid.*: 161) argue that, ‘given central party control in the electoral process (over nominations, access to party lists,

³⁵ Of course, these incentives are sometimes insufficient to prevent open factionalised conflict in single-party governments — see, for example, the late-Thatcher-era cabinet in the UK (Boucek 2009, 2012).

and ordering on the lists), [...] [executive actors] may expect that significant “drift” would have detrimental consequences for their careers’.³⁶

Without these disciplining electoral pressures, however, it is possible that single-party factionalism might have legislative effects. For example, Key’s (1949) classic study of policy-making in southern US states claims that a lack of meaningful party competition fostered a descent into party factionalism. In this environment, policies became oriented towards local (rather than general) concerns, losing programmatic coherence. Indeed, Gamm and Kousser (2010) find evidence in support of Key’s argument in their analysis of the balance between broad and particularistic policy outputs in US state legislatures.

The experience of *non-factionalised* single-party governments also suggests another, *non-conflictual* source of bill development during legislative review. Safe in the knowledge of holding a loyal parliamentary majority, executives might introduce bills that are not quite ready to become laws. Citing a 2000 report from University College London’s Constitution Unit on the Westminster experience, Becker and Saalfeld (2004: 74) report that ‘[b]ills are allowed into the legislative programme [by the government] which are insufficiently prepared, and then subjected to rafts of government amendments as they go through parliament.’ Similarly — and also writing about Westminster — Russell, Gover and Wollter (2015: 9) argue that ‘the

³⁶ Similarly, Thies (2001: 596) argues that, in contrast to coalition governments, ‘everyone in a single-party-majority government is more or less in a common electoral boat, and subject to myriad intraparty sanctions’. Note that expectations will differ for democratic political systems in which members of the same party can run against each other in elections, as with the case of Japan’s Liberal Democratic Party under the single non-transferable vote system (see Martin and Vanberg 2011: 161).

rush to introduction may leave some loose ends [...] Some post-introduction tidying up therefore occurs.’

2.4.4 Non-democratic government

What of non-democratic governments? Executives in authoritarian systems are likely to face many of the same policy-making constraints as their democratic counterparts. For example, the need for policy-making specialisation is likely a feature of all modern industrial societies, regardless of electoral conditions (Fortescue 2010: 23). In combination with the distributional conflicts stemming from competition over finite resources, executive bodies are likely to contain actors with divergent policy preferences, as well as facing decision-making limitations (such as time constraints and limited policy expertise) when trying to reconcile these different positions — much in line with the constraints highlighted by Martin and Vanberg (2011). Indeed, it is possible that intra-executive differences are *more* pronounced in non-democratic settings, as executive bodies become channels for the representation of societal interests, particularly given the absence of meaningful mechanisms of accountable, representative government (see below).

What else might differentiate authoritarian from democratic governments in their use of legislative institutions for policy development? Facing neither the intra-group discipline fostered by electoral competition, nor the incentives for position-taking by party factions (also encouraged by electoral conditions), this existing work on democracies suggests an *intermediary* position for authoritarian executives between coalition and single-party democratic governments. This claim requires

further explanation. On the one hand, authoritarian executive factions — unlike their democratic party coalition counterparts — do not face electoral incentives for *differentiation*; as such, one source of difficulty in reaching a joint policy position is removed. On the other hand, however, there are possibly fewer costs (electoral, at least) associated with breaking collective responsibility — a factor likely to hinder prospects of joint policy-making.³⁷ In short, although non-democratic executives might be factionalised, the absence — or significant impairment — of competitive elections alters the policy-making environment, both aiding and hampering the possibility for joint decision-making. Building on these insights, the following section will propose a model of how factionalised authoritarian executives might use legislative institutions in the policy-making process.

2.5 Another approach: ‘Executive development’

Authoritarian executives can use the legislative stage of policy-making for the development of their own bills — a scenario referred to in this dissertation as ‘executive development’.³⁸ There are two basic reasons for such bill ‘updating’. Firstly, unified executives might want to modify their proposals in light of new and relevant information acquired through extra-parliamentary means after bill sign-off

³⁷ Of course, non-democratic governments might face other pressures limiting the use of legislatures for policy development. For example, a dominant leader might subdue the expression of ruling group policy differences, or elite members might collectively value the gains from projecting an image of regime dominance by hiding policy differences. See Magaloni (2006), for instance, on the importance of super-majorities to the PRI in Mexico for projecting regime dominance.

³⁸ ‘Development’ relates to both bill failure and amendment — that is, when executive initiatives develop during legislative review ways inconsistent with the ‘rubber stamp’ expectation that *all* bills submitted by the executive will become law, with no change to their content during legislative review. ‘Executive development’ is referred to throughout the dissertation in inverted commas to underline its status as a theoretical innovation, rather than an established approach.

in cabinet.³⁹ Moreover, there are no legislative sources of resistance to such change, given legislator subservience. Secondly — and more interestingly — developments might reflect the outcome of policy conflicts between executive factions. Such disputes are not necessarily neatly contained in the pre-parliamentary stage of policy-making because of both cabinet-level constraints and legislative-stage possibilities. Regarding pre-legislative constraints, limitations of expertise, time, resources, and involvement⁴⁰ hamper the ability of executive actors to detect and counter the tendency of rival actors to draft proposals closer to their ideal point than the executive median. As a result, bills with the nominal support of the entire executive can progress to parliament without, in fact, enjoying the support of all executive actors. Regarding legislative-stage possibilities, the *publicity* entailed by bill introduction, as well as the opportunities for bill *amendment* and *rejection* during legislative passage, allow rival executive factions to scrutinise and modify proposals. As a result, the legislative stage of policy-making can be used to compensate for the commitment and monitoring problems facing factionalised authoritarian executive when crafting joint policy. The key observable implication of this model — in contrast to the traditional ‘rubber stamp’ model — is that executive bills develop during legislative review, whilst legislators remain perfectly subservient. In the language of Charap’s (2007: 336-337) conceptualisation of ‘executive strength’, the executive can *at the same time* be relatively powerful over the legislature and be internally fragmented.

³⁹ The ‘extra-parliamentary’ qualifier is necessary to differentiate this claim from information theory.

⁴⁰ Regarding the latter, executive actors might simply be excluded from cabinet-level discussions, clearly limiting their ability to monitor and influence policy-making at this stage.

Three conditions must be met for legislative institutions to perform this role: firstly, policy-making must involve a legislative stage; secondly, this stage must involve the compulsory publication of draft initiatives; and, thirdly, it must be possible for these initiatives to be changed before legal promulgation, as well as to be removed from consideration. If a legislative stage is not included in policy-making — as, say, with law-making by executive decree — then legislative passage necessarily cannot constitute another opportunity for policy development.⁴¹ If executive bill drafts are not made public, then executive actors excluded from earlier discussions will not have the opportunity to learn of policy initiatives created by other executive actors.⁴² If legislative review does not provide the means for bill amendment or failure, then — even if executive actors disagree with policy proposals — actors will not be able to change or impede initiatives in line with their preferences. Not all of these conditions are likely to hold across all non-democracies. For example, there are no legal requirements for policy proposals to be published in contemporary China (see Lü, Liu and Li 2015: 14).

There is a key difference between the ‘executive development’ model and Martin and Vanberg’s (2011) claims regarding the use of legislative institutions by *democratic* coalitional governments. According to Martin and Vanberg’s model, only *strong* legislative institutions — most importantly, committee structures and rules — make it possible for executive actors (through legislator proxies) to use legislative passage

⁴¹ See Remington (2014) for an analysis of the use of presidential decrees in post-Soviet Russia.

⁴² Note that scholarship on democracies has examined the relevance of the publicity function of legislative introduction. As Pedersen et al. (2014: 213) note for the case of Denmark, certain groups — possibly excluded from pre-parliamentary policy-making discussions — ‘only became aware of the bill when it was presented in parliament’.

for policy scrutiny and change. And yet, existing indices of legislative powers suggest that non-democracies have *weak* legislative institutions (see, for example, Fish 2006). In contrast to Martin and Vanberg’s model, the ‘executive development’ approach is not predicated on the existence of autonomous parliamentary institutions, such as influential committees, with legislators carrying out the information-gathering legwork. Rather, basic institutions — notably, bill publication and the mere possibility of bill amendment and failure — allow both unified and divided executives to monitor and control the fate of bills during legislative passage; indeed, consequential policy discussions between executive actors need not — and probably will not — take place within the legislature. Independent legislators are, therefore, not necessary to explain executive policy development; parliamentarians simply ‘rubber stamp’ *changed* executive policy proposals.

2.5.1 Four types of executive policy development

The discussion so far has intimated different rationales for executive policy development. In light of this equifinality, the first theory-building stage is to delineate the different possible *types* of executive-initiated development experienced during legislative passage.⁴³ Two dimensions are of particular interest. The first dimension concerns whether change is the result of intra-executive *conflict* or not. Thus, Martin and Vanberg (2011) point to the conflictual roots of change, whereas work on Westminster has noted instances of non-conflictual bill amendment (see, for example, the Constitution Unit report cited above). The second dimension concerns whether the

⁴³ On types, typologies, and typological theories, see Collier, LaPorte and Seawright (2012); and George and Bennett (2005: 233-262).

initiative submitted by the cabinet to parliament is considered *finalised* by executive actors. In spite of the widespread stylised picture that executives only submit initiatives to the legislature when they are complete, there is evidence that this is not always the case (see, again, accounts from Westminster regarding the rush to introduce bills). If the executive truly dominates the legislature, with legislators acting as perfect agents of elite principals, then *the hard constraint of cabinet policy sign-off is relaxed*, as there is less pressure to finalise decision-making between executive actors before confronting autonomous, and possibly critical, legislators.

By combining these two dimensions, we can hypothesise four types of executive-based amendments to executive bills. Table 2.4 presents these four combinations.

Table 2.4: *Four types of executive bill development.*

		Intra-elite policy conflict?	
		<i>Yes</i>	<i>No</i>
Policy debate concluded before legislative introduction?	<i>Yes</i>	Discovery	Fiat
	<i>No</i>	Spillover	Deferral

‘Discovery’ refers to cases when elite actors re-open policy debates (previously considered finalised), due to intra-elite preference clashes. Of particular interest is the possibility that the legislative institution of bill publication allows all executive actors — including those excluded from pre-parliamentary policy discussions — to scrutinise proposals crafted by other executive actors. Bill amendment provisions then allow executive actors to propose alternatives or reach a compromise proposal; or provisions

to kill off bills allow these same actors to remove the initiative from consideration. ‘Spillover’ similarly refers to cases of intra-elite policy conflict, but actors acknowledge that policy development has not been concluded before parliamentary introduction. The legislative stage, thus, serves as a continuation of cabinet-level discussions. ‘Fiat’ refers to non-conflictual cases when a unified elite modifies their policy initiative submitted to parliament to reflect changed preferences or conditions. Finally, ‘deferral’ refers to cases when the details of a non-contentious policy initiative are not finalised before legislative introduction, with the executive anticipating to finalise details during legislative passage.

For all four types, ‘parliament matters [...] because it is the forum in which change takes place’ (Martin and Vanberg 2011: 53). However, ‘discovery’ is of particular interest, given the *informational* role enabled by the legislative institution of bill publicity. Unlike information theory, authoritarian executives are not informed about *societal* concerns by legislators; rather, executive actors learn of the policy proposals of *other* members of the executive, which might have eluded them, given pre-parliamentary policy-making constraints. Legislative passage, then, serves as an opportunity to contest these proposals, possibly resulting in bill amendment or failure.

2.5.2 Additional points

Legislative semantics

The ‘executive development’ approach entails thinking separately about legislatures, legislators, legislative institutions, legislative venues, and the legislative stage of policy-making. The model sketched above suggests how the legislative stage of executive policy-making can be important, given the use of legislative institutions, not by legislators, but by executive actors who, moreover, need not physically step into legislative venues in order to affect the development of their own bills.

Institutional creation

The ‘executive development’ approach does not relate specifically to institutional *creation*. The argument is not that authoritarian executives create legislative institutions primarily to facilitate the development of their own policy proposals by executive actors. Rather, the suggestion is that non-democratic parliaments — once created — can operate along these lines.⁴⁴

Variety

Finally, the ‘executive development’ approach is not proposed as a sufficient explanation for legislative processes and outputs. It is perfectly plausible for the dynamics highlighted by co-optation, power sharing, and information theories to be present in

⁴⁴ On the morphing of institutional roles and functions over time, underscoring the need to differentiate between logics of institutional creation and maintenance, see Mahoney and Thelen (2010).

the same authoritarian legislatures at the same time (Schuler and Malesky 2014: 684; Truex 2014: 56-57). And yet, when it comes to explaining putative policy-making deviations such as bill failure and amendment, the ‘executive development’ approach has an advantage over these other approaches, insofar as it accounts for ostensibly deviant policy-making observations with reference to accepted impressions of elite factionalism, rather than the more fundamental modification of legislative autonomy. In short, the ‘executive development’ model is more parsimonious.

2.6 Russia

The ‘executive development’ approach is proposed as a general model for the executive roots of activity during the legislative stage of policy-making in non-democracies. This section will move from the general to the particular, discussing how this approach relates to scholarship on Russian politics. Three areas will be discussed in detail: intra-executive differences and policy conflict; mechanisms used to cope with policy preference heterogeneity during the decision-making process; and evidence of executive actors driving policy development in the State Duma.

2.6.1 Ministries and interests

Intra-elite and intra-bureaucratic competition is a feature familiar to observers of Russian politics. Following the demise of ‘totalitarian’ models of the Soviet political system, Soviet-era scholarship debated the merits of ‘pluralist’ and ‘corporatist’ models of decision-making and interest representation (see, for example, Brown

1983; Hough 1977, 1983; Nove 1977; Skilling 1966).⁴⁵ Albeit exhibiting important differences, these models all reacted against portrayals of Soviet politics including the ‘monolithic party [...] as the only interest group, not itself differentiated in its thinking or behaviour’ (Skilling 1971a: 8).

Studies of Soviet and post-Soviet Russian politics have noted the capacity of executive ministries to act as organisational channels for the expression of socio-economic interests. Thus, Whitefield (1993: 252, 178) argues that interests in Soviet society were ‘structured’ by industrial ministries, constituting the ‘organizational basis’ of the ‘fusion’ between politics, economic, and society. As a result, ‘[b]y the late Soviet period, it became increasingly difficult to disentangle sectoral, regional and Party interests’ (Chaisty 2006: 123). And, commenting on the early post-Soviet experience, Huskey (1996a: 369) writes of the

synergism of bureaucratic and sectoral interests [...] [T]he ministries not only govern Russia, they represent it — or at least its most powerful interests [...] Whereas in democratic countries political parties are the primary mediating institutions between the state and society, ministries perform that function in Russia.⁴⁶

As well as serving as vehicles for the expression of external interests, ministries have also exhibited their *own* set of preferences. Departmentalism (*vedomstvennost’*) — the pursuit of executive department interests, possibly at the expense of the core

⁴⁵ Insofar as one of the dissertation’s goals is to note policy-making parallels between democracies and non-democracies, it is worth noting that this Soviet-era scholarship was inspired to a significant degree by models originally developed in democratic settings; and works like Hough (1977) suggested — controversially, at the time — how work on the Soviet Union might contribute to mainstream political science.

⁴⁶ Similarly, Skilling (1971b: 41) argues that, ‘[i]n view of the absence of a genuine representative or legislative system in the USSR, Soviet interest groups do not have much opportunity to function through the supposedly “representative” organs of the party or state.’

executive's aims — has been a feature of Soviet (Whitefield 1993: 51-63; Roeder 1993: 169-173), early post-Soviet (Huskey 1996a: 369), and contemporary Russian politics (Fortescue 2012: 124).⁴⁷ Hough and Fainsod (1979: vi), for example, write of 'the consistency with which the bureaucratic units tried to evade central controls and pursue their own interests.' Put differently, executive factionalism has been a perennial feature of Russian politics.

The heterogeneity of interests represented in executive bodies has resulted in policy conflict and incoherence (for the Soviet period, see Roeder 1993; for the post-Soviet period, see Chaisty 2006).⁴⁸ Indeed, work on post-Soviet policy-making has noted the presence of 'ministerial feudalism' (Stavrakis 1993: 18-22);⁴⁹ Ostrow (2002: 61) reports that 'conflicts abound across the executive branch'; and Fortescue (2009: 161, 172) writes of 'fierce bureaucratic infighting' and 'bitter struggles between competing interests in public and behind the scenes.'⁵⁰ In brief, the viability of

⁴⁷ Huskey and Rowney (2009: 323) also refer to this phenomenon as 'ministerial siloism'. In contrast to 'totalitarian' models of the Soviet system, intra-bureaucratic conflict has been an ever-present phenomenon. Thus, 'inter-departmental struggles continued [even] under Stalin' (Sakwa 2011: 113).

⁴⁸ On the Soviet period, Skilling (1971b: 41) writes: 'Within the administrative structure there will likely be inter-departmental and inter-agency contacts and pressures, in a bureaucratic type of group conflict.' And, summarising these dynamics in post-Soviet Russia, Sakwa (2011: 85) writes: '[u]nable to take political form in society, conflicts were imported into the managerial system, undermining the coherence of the regime'.

⁴⁹ Cited in Huskey (1996b: 473).

⁵⁰ Summarising these views, Holmes (2015: 37) writes of the

uncompromising turf warfare, factionalism, and zero-sum competition over vast cash flows inside the Russian elite and the impossibility of imposing discipline or common goals on fragmented, self-dealing bureaucrats [...] [E]xecutive agencies and ministries that habitually conceal essential information from each other and work at cross-purposes tend to produce incoherent and self-defeating policies, to seize up in periodic deadlocks, to react dangerously slowly to unexpected crises [...] Such intra-elite warfare reflects massive but hidden state weakness, suggesting strongly that the much talked-of consolidation of vertical power in the age of Putin is more illusion than reality.

stable executive policy coalitions in Russia over time has been challenged by the preference heterogeneity of executive bodies.⁵¹

How has executive factionalism in post-Soviet Russia been affected by varying electoral conditions? A number of points are worth making. Work on policy ‘balkanization’ — that is, ‘the pursuit of inconsistent policies by different “subgovernments”’ — from analyses of policy-making in democratic presidential systems attributes this fragmentation and incoherence to ‘a constitutional separation of powers and electorally driven separations of purpose’ (Cox and McCubbins 2001: 28). As such, we might expect executive fragmentation to have *decreased* in the transition from Yeltsin to Putin, in line with the putative unification of executive and legislative purposes realised through United Russia majorities in the Duma. At the same time, however, this expectation is undercut by electoral dynamics: Sakwa (2011: 88) suggests that ‘[t]he lack of regulated open competition within the elite to win the right to run the country encouraged factional conflict’. In other words, the absence of meaningful electoral competition has *exacerbated* the problem of executive factionalism.⁵² In addition, even with free and fair elections, some scholars have attributed executive factionalism (in part) to Russia’s constitutional type, specifically the ambiguous responsibility of the cabinet to the legislature and the president in presidential-

⁵¹ More generally, Charap (2007: 337) argues that the content of policy is a function of intra-executive conflict: ‘Policy is likely to be shaped by the level of conflict within the executive, especially when internal political actors have significantly different policy agendas and the top executive leader (in the Russian case, the president) lacks the political will, legitimacy, or capacity to keep them in line.’

⁵² That the level of factionalism might not necessarily be related to executive-legislative relations is suggested by Chaisty’s (2006: 199) remark that ‘the lack of accountability that inevitably accompanies executive dominance has not helped resolve the problem of departmentalism and the balkanisation of economic policy’.

parliamentary forms of semi-presidentialism.⁵³ Indeed, Ostrow (2002: 65) goes so far as to argue that, ‘[w]ere government ministers unambiguously accountable to their parliamentary coalition leaders, the problem of internal incoherence within the executive branch would disappear.’⁵⁴

In short, intra-executive conflict has been an enduring feature of Russian politics. Executive bodies have served as channels for the expression of external interests, as well as department-specific preferences — something that has challenged the ability to craft coherent policy. And these intra-executive differences appear to have been little affected by the holding of elections.

As noted in section 2.4.1 above, providing a map of factions according to Sakwa’s (2011) definition — including nebulous groups such as the *siloviki* and ‘big business’ — is fraught with difficulty. As a result, the approach taken in this dissertation is to focus on the conflict exhibited between organisational units of the Russian executive. To be sure, executive units can sometimes simply provide a formal-organisational veneer for other group interests — and, in this sense, a simple focus on these organisational structures runs the risk of missing the dynamics of actual interest. And yet, even if this is the case, a focus on formal organisations provides more traction on these hard-to-observe forces. Moreover, existing work on *vedomstvennost’* attests to the capacity for ministries, departments, and agencies to act in a self-interested fashion above and beyond serving as channels for external, socio-economic actors.

⁵³ See Shugart and Carey (1992) on this variant of semi-presidentialism; and Schleiter and Morgan-Jones (2008) for a discussion of Russian presidential-parliamentarism.

⁵⁴ This expectation is, however, too optimistic: it seems to overlook the possibility of heterogeneous parliamentary coalitions, which would — according to the same logic of legislator-ministerial linkage invoked by Ostrow — also translate into intra-executive incoherence.

With this in mind — and to give a snapshot of the possible actors of interest — figure 2.1 provides a schematic of the Russian executive’s organisational structure.⁵⁵ The two upper-most large grey boxes — Prime Minister and President — signify the semi-presidential structure of the Russian constitution. Under the Prime Minister are deputy prime ministers (*zamestiteli predsedatelia pravitel’sstva*), responsible for different policy areas. The long row of grey boxes under these deputy PMs relate to ministries,⁵⁶ with the white boxes under these units relating to departments and agencies under the control of particular ministries. Finally, the white boxes at the bottom of the figure relate to executive departments and agencies not under the direct control of higher-level Government units. (Full names for organisational acronyms are provided in the footnote below.)⁵⁷

The structure displayed in this figure intimates at least two basic types of factionalism: *constitutional* and *sectoral*. Insofar as Russia’s formally semi-presidential constitution institutes a dual executive, and grants both the president and the Government the right (separately) to introduce legislative institutions into the State Duma, then

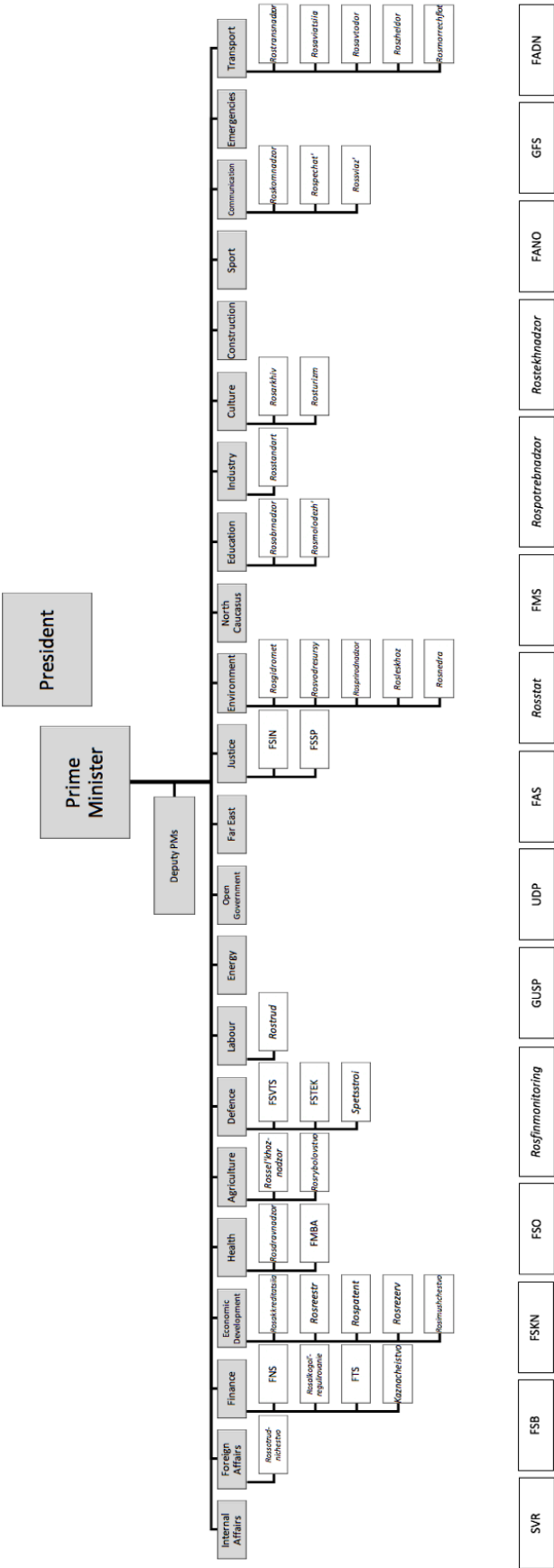
⁵⁵ This information is taken from the Government’s website: <http://government.ru/ministries/> (accessed 15 March 2016).

⁵⁶ The exception is ‘Open Government’, which relates to the policy brief for a minister, rather than constituting a ministry in itself.

⁵⁷ FNS (*Federal’naia nalogovaia sluzhba*); FTS (*Federal’naia tamozhennaia sluzhba*); FMBA (*Federal’noe mediko-biologicheskoe agentstvo*); FSVTS (*Federal’naia sluzhba po voenno-tekhnicheskomu sotrudnichestvu*); FSTEK (*Federal’naia sluzhba po tekhnicheskomu i eksportnomu kontroliu Rossiiskoi Federatsii*); FSIN (*Federal’naia sluzhba ispolneniia nakazanii*); FSSP (*Federal’naia sluzhba sudebnykh pristavov*); SVR (*Sluzhba vneshnei razvedki Rossiiskoi Federatsii*); FSB (*Federal’naia sluzhba bezopasnosti Rossiiskoi Federatsii*); FSKN (*Federal’naia sluzhba Rossiiskoi Federatsii po kontroliu za oborotom narkotikov*); FSO (*Federal’naia sluzhba okhrany Rossiiskoi Federatsii*); GUSP (*Glavnoe upravlenie spetsial’nykh programm Prezidenta Rossiiskoi Federatsii*); UDP (*Upravlenie delami Prezidenta Rossiiskoi Federatsii*); FAS (*Federal’naia antimonopol’naia sluzhba*); FMS (*Federal’naia migratsionnaia sluzhba*); FANO (*Federal’noe agentstvo nauchnykh organizatsii*); GFS (*Gosudarstvennaia fel’d’egerskaia sluzhba Rossiiskoi Federatsii*); FADN (*Federal’noe agentstvo po delam natsional’nostei*).

this formal bifurcation could provide the basis for policy conflict between these two executive units. Moreover, insofar as sub-units of the Government are responsible for drafting particular initiatives in their areas of competence before submitting initiatives for inter-departmental agreement (*soglasovanie*) before Duma introduction, then this intra-Governmental organisational fragmentation could similarly provide the basis for policy conflict.

Figure 2.1: Organisational structure of the Russian executive.



2.6.2 Core executive control and ministerial discipline

Given the reality of intra-executive policy differences, how has the Russian executive — particularly its leadership — coped with the attendant problems of *joint* policy-making? How, in other words, has executive factionalism been kept in check? Existing work has focused both on pre-parliamentary inter-departmental sign-off (*soglasovanie*) procedures, as well as direct intervention by leaders in order to resolve policy disagreements. Thus, according to one long-serving and influential Duma deputy — and somewhat in line with conventional pictures of the policy-making process in democracies — intra-executive differences are reconciled *before* the legislative introduction of policy initiatives. Vladislav Reznik — deputy chair of the Duma Committee on Financial Markets — has argued that when ‘stumbling blocks’ are encountered in the pre-parliamentary *soglasovanie* process,

conciliatory procedures [*soglasitel'nye protsedury*] are used, during which a compromise must be found or one of the sides must finally be chosen. Only after this is the bill entered [for consideration] by the Government [(cabinet)], and from there to the State Duma.⁵⁸

This suggests that, although policy debates might rage in the pre-parliamentary phase, all debate is finalised *before* legislative submission. As a result, bitter executive factionalism can be followed by the smooth passage of executive bills through ‘rubber stamp’ legislatures.

⁵⁸ Quoted in Dement'eva (30 August 2013, *Kommersant*). On formal requirements for intra-Government conciliation procedures, see articles 59-61 and 65-66 of the Government's standing orders (*Reglament Pravitel'stva*).

Although deputy Reznik's account might reflect *theory*, it does not necessarily reflect *reality*. Even if policy deals are finalised between executive actors before Duma submission, these agreements can fall apart — that is, decisions are not necessarily resolute. In fact, Huskey (1996a: 369) notes the absence of 'traditions of party discipline and collective responsibility' in Russia — traditions that could help secure policy agreements; rather, 'the Russian Government has an unwieldy coalition of ministers defending their own institutional interests.' Moreover, Huskey (1996a, 1996b) and Ostrow (2002) have both argued that these problems of executive indiscipline have been exacerbated by Russia's dual executive, with unclear divisions of authority and lines of responsibility between ministers and premiers and presidents. Schleiter (2013) suggests one possible means for executive control: as the Russian political system has become more authoritarian, so have ministerial selection practices shifted from an emphasis on party ties and policy expertise to presidential loyalty. And yet, this selection will not necessarily result in more homogeneous preferences amongst executive actors. Although the president might appoint ministers, the logics of policy specialisation and departmentalism (*vedomstvennost'*); the role of ministries as channels for societal interests; as well as the limited oversight capacity of the appointer to monitor the activities of the appointee mean that those agents appointed are not merely plenipotentiaries of the president.⁵⁹ In addition, appointments based on presidential loyalty are likely, if anything, to undermine the ability of the prime minister and his deputies to coordinate policy-making negotiations, since ministers can appeal unpopular decisions with the president (Fortescue 2012).

⁵⁹ The degree of ministerial decision-making latitude is likely to vary in line with the importance, or level of interest and involvement, of the president in policy-making details.

2.6.3 Legislative effects

If executive actors face difficulties in reaching and maintaining policy deals in the pre-parliamentary phase of policy-making, then we might expect to see evidence of intra-executive conflict in the legislative stage. A number of works refer to such dynamics in Russia. For example, Remington (2008a: 983, 985) notes that

high-stakes lobbying campaigns pit ministry against ministry [...] [and often] the government and the presidential administration are themselves divided. [...] [As such] intense bureaucratic conflicts within the state bureaucracy spill out into the party and parliamentary arenas.

Similarly, Chaisty (2006: 131) provides examples of ‘departments [...] continuing to fight their intra-governmental battles on the floor of the assembly’, citing cases when presidents Yeltsin and Putin have chastised executive actors for this practice. In particular, Chaisty attributes the involvement of executive actors in the legislative stage of policy-making to two types of indiscipline: ministerial and deputy. Firstly, he argues that ‘[d]epartmental lobbying of the parliament revealed the weakness of the Russian core executive in delivering collective decisions’ (*ibid.*: 130)⁶⁰ Secondly, he argues that ‘the weak discipline of parties made individual deputies more receptive to pressure from powerful lobbies’, with departmental lobbyists exploiting ‘the opportunities provided by the parliament’s dispersed structure of decision-making’ (2005: 124, 122).⁶¹

⁶⁰ This accords with Huskey’s comments cited above regarding the lack of ministerial collective responsibility in Russia.

⁶¹ Existing scholarship suggests that Soviet legislative institutions did not serve as a similar venue of activity. Writing of Soviet legislative institutions, Chaisty (2006: 123) argues:

Though not entirely inconsequential, parliamentary institutions were historically a less effective arena for lobbying economic interests than government ministries

Insofar as departmental lobbying was predicated on — or, at least, took advantage of — deputy indiscipline and fragmented legislative decision-making processes, we might imagine that this activity *decreased* with the assertion of executive dominance over the Federal Assembly.⁶² Put differently, if Chaisty (2012: 146) is correct that ‘[t]he opportunities available to initiate, modify and veto legislation as it passed through the legislature declined with the growth in the legislative power of the executive branch’, then it is plausible that intra-executive battles were increasingly contained in pre-parliamentary stages. In line with this expectation, Ekaterina Shul’man — a former Duma bureaucrat, and currently a columnist for *Vedomosti* and a lecturer at the Russian Presidential Academy of National Economy and Public Administration — suggests that executive dominance of the legislature has shifted the *location* of policy-making away from the Duma: ‘Since the legislative branch is cut out from making [a] significant impact on legislative decisions, the work of policy-making and amending moves deeper and lower down into the executive bureaucratic structures, away from all publicity and public control’ (private communication, 7 September 2014).⁶³

or the economic departments of the Central Committee of the Communist Party. Parliamentary deputies provided economic sectors with a formal channel of access to the centres of power, but it was not until Gorbachev’s legislative reforms of the late 1980s that representative institutions gave economic interests a significant institutional base in Soviet politics.

And Skilling (1971b: 41) — writing of the Supreme Soviet, as well as the Party Congress and the Central Committee — argues that ‘none of these organs, so far as can be seen, has great influence on the determination of policy, and hence they are not likely to be important in the process of aggregating diverse group interests.’

⁶² Note that this is a different (albeit related) expectation to that noted above regarding the relationship between executive-legislative relations and actual levels of executive factionalism. In contrast, this expectation relates to the *opportunities* available to executive factions in the legislature.

⁶³ Similarly, Chaisty (2009: 15) notes that, ‘[d]uring the later years of Putin’s presidency, the conflicts that shaped proposals before they came to parliament were arguably more important

There is evidence suggesting, however, that executive actors have continued to battle over policy details during the formally legislative stage of policy-making, even after the putative shift to authoritarianism. Commenting on Government bills getting ‘caught up’ (*zavorachivalsia*) during Duma passage, deputy Aleksei Mitrofanov goes so far to argue that this *only* happens now with bills ‘over which executive departments disagree, and they propose to resolve these differences in the State Duma’ (indirect quotation in Glikin, Biriukova and Novikova, 17 April 2013, *Vedomosti*).⁶⁴

The ‘executive development’ approach presented above helps explain why intra-executive policy battles result in executive policy development during legislative review in contemporary Russia. Although existing scholarship on Russian legislative

than those that took place in the legislature itself.’ And Remington (2013: 51) reports that ‘[t]he sharpest policy debates [...] occur among ministries in government rather than in parliament’. In spite of these cross-branch insights, scholarship on Russian executive and legislative politics has, to some degree, been carried out separately. Stephen Fortescue’s work on Government policy-making processes sometimes traces bill fates from the pre-parliamentary phase into Duma passage (see also Taylor 2014); and Paul Chaisty’s work on Duma law-making dynamics includes information on executive actors. However, it is instructive that the latter scholar has suggested that ‘more needs to be known about the pre-legislative [policy-making] process’ (Chaisty 2009: 15). Put differently, there are few works providing a systematic, cohesive account of both executive and legislative stages of Russian policy-making. One clear exception is Ostrow’s (2001, 2002) work on the ‘unlinked, dual-channel’ designs of both the Russian executive and legislature. And yet, Ostrow does not explore in great detail the possibility that policy disputes in the former might be resolved in the latter. Ostrow (*ibid.*: 63) does, however, provide details of a case when a Government-introduced bill was delayed during Duma passage as a result of intra-executive conflict — ‘massive internal division’ — with a new, ‘diametrically opposed draft’ replacing the original bill following policy negotiation in the executive.

⁶⁴ Unfortunately, extant Russian scholarship on the State Duma provides little insight into such intra-executive dynamics. (One notable exception is Shul’man (2014), who notes the bureaucratic rivalries playing out on the Duma stage.) Rather, Russian works have focused on inter-branch dynamics, examining, for example, the executive’s increased control over the lower chamber’s agenda, as well as the role of United Russia in providing a unity of purpose in executive-legislative relations (see, for example: Dankov 2004; Shuvalov 2004; and Shevchenko and Golosov 2011). It appears that the volume of Russian scholarship produced on the Duma was higher when there was a more conflictual relationship between the executive and the legislature — see, for example: Aleskerov, Blagoveshchenskii, Satarov, Sokolova, and Iakuba (2003); and Shevchenko and Golosov (2001). Tolstykh’s (2006, 2007, 2010) work on lobbying in the Duma provides interesting policy-making case studies, but he does not focus on executive actors and differences between them. Indeed, this paucity of domestic scholarship is reflected in the large proportion of references to Western scholarships in more recent Russian works (see, for example: Pomiguyev 2015; and Shul’man 2014).

politics — including Chaisty (2006: 128-131) and Remington (2008) — has provided important insights into these dynamics, the dissertation’s particular contributions are: to provide a more systematic picture of such cases, including extending the data coverage into the authoritarian period; to engage these findings with the broader literature on authoritarian legislatures; to delineate varying types of executive-sponsored bill developments, as well as to propose their respective rationales; to suggest how executive actors can take advantage of legislative institutions to tackle commitment and monitoring problems faced when crafting joint policy; and to explain why the implications of intra-executive conflict would not necessarily disappear in the turn to authoritarianism.⁶⁵

2.7 Conclusion

This chapter began with an ideal-type conceptualisation of a ‘rubber stamp’ authoritarian legislature. It ended with the proposal of a new way to explain observations inconsistent with the ‘rubber stamp’ model, as well as a discussion of how this model relates to existing work on Russian politics. In short, this chapter has drawn together threads of inquiry from a variety of literatures into a theoretically coherent whole in order to construct an alternative account of the significance of the legislative stage of policy-making in authoritarian regimes.

In contrast to other recent accounts of authoritarian parliaments, the ‘executive development’ approach proposed by this dissertation does not attempt to explain

⁶⁵ Future work needs to explore the use of legislative institutions in resolving intra-executive policy conflict in presidential and semi-presidential *democracies*.

observations such as executive bill failure and amendment with reference to legislative autonomy in the policy-making process. Rather, after acknowledging that authoritarian executives are factionalised, and drawing on insights from scholarship on coalition governments in parliamentary democracies, the ‘executive development’ claim is that executive actors are responsible for bill development during the legislative stage of policy-making. Rather than venues for elite-society dialogue, therefore, non-democratic parliaments can be used by authoritarian elites to overcome the policy-making problems facing groups with differing policy preferences, or the legislative stage is used simply to finish off unfinished proposals.

It is important to be clear about how the dissertation *rethinks* ‘rubber stamps’. On the one hand, the ‘executive development’ approach leaves little unchanged: that non-democratic ‘legislatures are dominated by executive-centred elites whose influence permeates the entire policy-making process’ (Mezey 1979: 132). As such, it presents a clear departure from co-optation and information theories. On the other hand, by re-evaluating the implications of executive dominance over the legislature, as well as the reality of executive factionalism, the ‘executive development’ approach differs markedly from the traditional ‘rubber stamp’ model in regarding bill failure and amendment as normal — or explicable, at least — rather than deviant. What, at first glance, might appear to be evidence of conflicting policy preferences between branches of power — executive bill failure and executive bill amendment — can be, on closer inspection, a manifestation of *disunity* of purpose *within* the executive branch.

The following empirical chapters will assess the viability of the ‘executive development’ approach, using data from post-Soviet Russia. Before this, however, it is worthwhile noting evidence beyond contemporary Russia that is consistent with the ‘executive development’ approach. Writing of the Chinese National People’s Congress, Solinger (1982: 1242) argues that the legislative stage of policy-making is more than simply ceremonial:

at least in recent years, [this stage] has served as more than a rubber stamp on decisions reached at the previous Party meeting. Although the NPC may have merely reissued Party decisions on occasions, it seems that the NPC has more often acted as a forum for hashing out significant differences

More importantly, Paler (2005: 308) cites dynamics in line with ‘executive development’ expectations:

NPC officials sought to eliminate the frequent occasions on which State Council ministries, forced to compromise on draft legislation, have re-opened the debate when it comes before the NPC, inevitably prolonging disagreement on legislation through the unlimited opportunities for opponents to block progress.

Insofar as China’s National People’s Congress is considered an archetypal ‘rubber stamp’ legislature, then these two references provide an encouraging indication that the ‘executive development’ approach is more than simply a conceptual construct or a framework only suited to modern-day Russia.

Executive Bill Failure

Conventional wisdom holds that executive bills do not fail to become laws in non-democracies. Indeed, the lack of executive bill failure is often seen as the *sine qua non* of ‘rubber stamp’ authoritarian parliaments. Regarding the Chinese National People’s Congress (NPC), for example, Truex (2014b: 12) notes that ‘no single bill before the full NPC plenary session in March has ever been voted down, a pattern that has earned the parliament the familiar “rubber stamp” moniker among critics.’¹ A perfect bill passage scorecard is, it seems, a potent symbol of executive dominance over the legislature. As such, Gandhi and Przeworski (2006: 21) go so far as to claim that executive bill failure would signal that a dictatorship had ‘lost its grip’.

There is evidence, however, that executive bills do sometimes fail to become laws in authoritarian systems. In 2010, for example, the Vietnamese National Assembly — a legislature in a one-party, socialist republic — voted down a bill proposing a

¹ In responding to a question regarding when ‘the foreign media [would] finally stop using the term “rubber-stamp” to describe China’s parliament’, an *Economist* correspondent responded, ‘[t]he answer to that question should be obvious: when it finally rejects something put before it’ (n.a., 5 March 2012, *The Economist*).

‘controversial \$56bn high-speed rail project linking the capital, Hanoi with Ho Chi Minh City in the country’s south’ (Steinglass, 21 June 2010, *The Financial Times*).² Providing a more general picture, and drawing on data from 14 non-democratic regimes, Saiegh (2011: 79) presents the ‘surprising’ finding that ‘government-sponsored bills in such regimes are sometimes defeated’. Figure 3.1 summarises these data, presenting a histogram of executive success rates for 92 country-year observations for these 14 authoritarian regimes.³ This evidence is indeed puzzling: bill defeats jars with the supposed dominance of authoritarian executives over their respective legislatures.

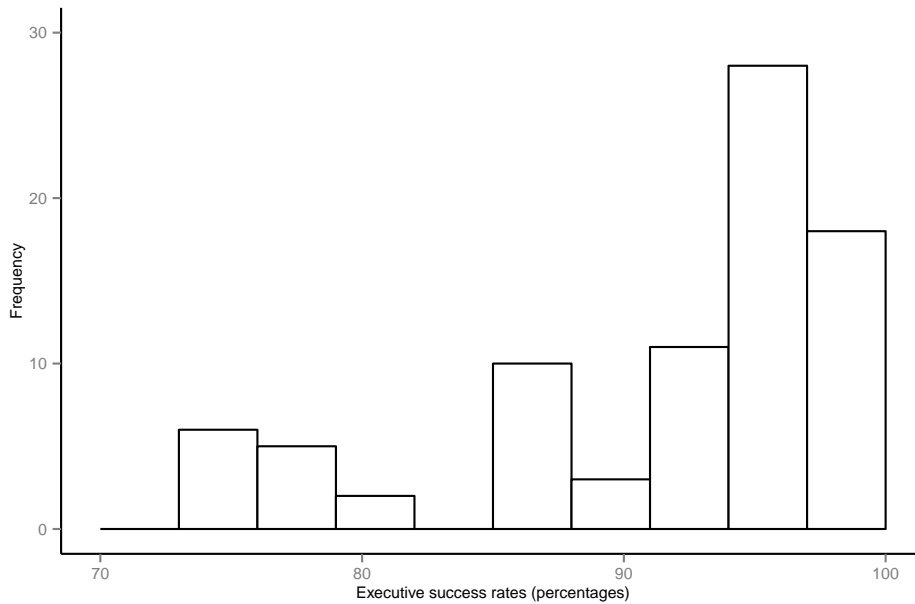
Existing explanations for bill failure point to successful legislative opposition. Gandhi, Gochal and Saiegh (2003: 1) provide the following account:

dictators establish nominally-democratic institutions in order to co-opt various interest groups and broaden their bases of support. Once legislatures are established, dictators can strategically use them to either cement their support or divide any opposition movements. Still, dictators may have to pay a price in the form of legislative defeats which may occur if the potential opposition is relatively strong and encompasses more diverse views.

² Thanks to Paul Schuler for bringing this case to the author’s attention.

³ Gandhi et al. (2003) and Saiegh (2011) both acknowledge the limited scope of the data they use for analysis, underlining the caution necessary when considering the representativeness of this selection. As Saiegh (2011: 82-83) writes: ‘Authoritarian rulers who routinely receive 100 percent approval of their proposals from their assemblies may not even bother to report their legislative output.’ More worrying, however, are questions of data quality. Both studies draw on bill passage rate data from prior works. The result is a secondary comparative dataset, which saves on the costs of primary data collection, but runs the risk of suboptimal quality and inconsistency (Atkinson and Brandolini 2001; Schedler 2012). In fact, this problem is illustrated with the data included by Saiegh (2011) for Russia, 1996-1999. This information is taken from Remington (2001: 222), in turn taken from a 2000 report compiled by the Russian State Duma’s Analytical Department (*Analiticheskoe upravlenie*). Saiegh includes an executive success rate of 84 percent in his dataset. This figure is wrong: it corresponds to the percentage of president-initiated bills (of those that were actually considered during the legislative convocation) that passed third reading in the State Duma. Moreover, it is not clear whether the data are truly comparable: do these success rates exclude certain types of bills (international treaties, for example); and do they include cases of initiatives that have yet to be finalised?

Figure 3.1: *Histogram of authoritarian executive bill success rates from 14 non-democracies.*



Notes: Note that the x-axis does not start at zero. Frequencies relate to executive success rates — the percentage of executive-submitted bills that become laws — for authoritarian country-year cases. These data are taken from Saiegh’s (2011) dataset of executive legislative success rates.

In short, the claim is that non-democratic executives do not always enjoy complete control over their legislatures. Indeed, this was apparently the case in Vietnam: ‘Nguyen Minh Thuyet, one of the deputies most critical of the [railway] project, said the vote was a watershed for the legislature. “It shows the assembly has become more and more independent, and more serious in its work”’ (Steinglass, *ibid.*).

This chapter questions the data, conceptualisation, and theory used in existing studies. As an alternative, the chapter proposes an executive-centred account of bill failure in non-democracies, drawing on the theoretical discussion in Chapter 2. In brief, executive bills do not fail necessarily as a result of legislative opposition; rather, executives can control the failure of their own bills due to, for example, intra-executive disagreements, and the realisation of policy proposals in other, successful

bills. The plausibility of this alternative explanation is tested using data on executive bill failure in Russia, 1996-2013, with convocation success rate data, 1996-2011, and process-tracing case studies conducted for all cases of failure, 2008-2013.

The chapter consists of four substantive sections. Following this introduction, section 1 surveys existing explanations for executive bill failure in non-democracies, before noting deficiencies and proposing an alternative account. Section 2 then presents a research design for testing the plausibility of this executive-centred alternative. Section 3 discusses extant impressions and expectations of executive bill failure in Russia, moving on to present diachronic failure data. Section 4 then drills down into 39 cases of executive failure, 2008-2013. The final section concludes.

3.1 Authoritarian executive bill failure

Executive bills should not fail in authoritarian legislatures.⁴ And yet, they do. Why? The existing explanation combines insights from work on information uncertainty and executive-legislative relations in democracies, and the co-optation approach to authoritarian legislatures.

3.1.1 Incomplete information and co-optation

In principle, executives with very different formal powers and partisan support could all achieve a perfect success rate by calibrating their agenda to existing conditions,

⁴ Bill failure occurs when a legislative bill formally submitted to, and registered by, a legislature fails to become law, and has also been removed from further consideration. The latter condition is key, as otherwise the definition would also include bills still pending.

in particular their level of partisan support in the legislature. In short, executives could initiate bills *strategically*. Thus, Saiegh (2011: 21) cites Alesina and Rosenthal (1995), Groseclose and Snyder (1996), Heller (2001), Shepsle and Bonchek (1997), and Shepsle and Weingast (1987) as examples of ‘models of statutory policy making where proposers are never defeated’.⁵ Saiegh’s key insight is that it is possible for there to be a mismatch between a legislator’s formal partisan affiliation, their sincere policy preferences, and their voting intentions, *and that the executive is not necessarily aware of this mismatch*. In other words, the executive lacks complete information.⁶ As such, Saiegh (2009: 1345) explains executive bill defeat thus:

Even if chief executives can observe the partisan distribution of the legislature, they may still have difficulty in identifying legislators’ policy preferences. Given their prior beliefs about the latter distribution, chief executives may send a proposal to the legislature. Yet, they may lose such [a] legislative gambit by miscalculating their support.⁷

⁵ Similarly, Diermeier and Vlaicu (2011: 852) note that, ‘[i]n current presidential versus parliamentary models, built around a perfectly informed agenda setter, legislative success would always be guaranteed because the setter will simply adjust his proposal to the point where it just buys off the cheapest majority.’

⁶ Of particular relevance here is the literature on ‘competing principals’ (Carey 2007: 93) and cross-pressurisation. For example, Zucco and Lauderdale (2011) note the multiple influences on Brazilian legislators’ voting decisions, looking at ideological convictions, executive career opportunities, and pork incentives. There is also evidence that such cross-pressurisation can be found in non-democracies. For example, in a study on voting behaviour by Brazilian deputies under military dictatorship, 1964-1985, Desposato (2001) provides evidence of competing pressures on legislators, finding that they responded to shifting popular evaluations of the regime; if evaluations went down, legislators apparently responded to local constituent concerns, albeit running the risk of military wrath. The balance of risk, therefore, was between constituent and executive ire. See also Malesky and Schuler (2010) on the behaviour of delegates in Vietnam.

⁷ Although a large portion of existing work cites incomplete information in explaining bill failure, alternative models account for failure even in conditions of perfect information. Thus, Groseclose and McCarty (2001) argue that agenda setters can strategically propose bills that they anticipate will be rejected by the veto player. The purpose of this is to inform voters about the latter’s policy preferences in an effort to discredit them electorally. And Buisseret (2013: 1) argues that presidential constitutions produce incentives for legislators ‘to build reputation through the specious rejection of executive proposals’ to signal independence and strength, even if the presidential policy proposal is consistent (or even desired) by legislators. In non-democracies, Gandhi et al. (2003: 11) entertain the possibility that authoritarian executives might ‘knowingly go to defeat if placing an issue on the legislative agenda would deeply divide the opposition forces’ — a practice they refer to as ‘posturing’. However, Gandhi et al. acknowledge that

In other words, incomplete information results in *misplaced executive certainty* over legislative support for a proposed bill.⁸ Even the presence of an ostensibly pro-executive majority in the legislature might not, therefore, ensure the passage of executive initiatives.⁹

Although this incomplete information account was developed largely to explain bill failure in democracies, co-optation theory suggests the explanation can travel to non-democracies. As discussed in Chapter 2, rather than a legislature packed with pro-executive loyalists, co-optation theory suggests members of the opposition are granted assembly seats — along with limited policy influence and access to rents — in exchange for regime fealty. One implication of this is that the executive is less well informed about such co-opted actors; an executive might, therefore, submit

such ‘posturing’ might not be effective if ‘the legislature is seen by the population as a natural extension of governmental power’ (*ibid.*).

⁸ This phrase — ‘misplaced executive certainty’ — seems more appropriate than Saiegh’s own notion of ‘uncertainty’, as, if the executive was indeed uncertain about legislative support, they might decide against sending a particular bill to the legislature. Note that this account does not necessarily depend on levels of voting cohesion or discipline on the legislature floor. For example, Calvo (2007: 264) presents data from democratic Argentina, which suggests impressive pro-executive voting discipline is underpinned by significant bill filtering: ‘Most legislation that fails to be approved [...] dies in committee without ever being voted down by [...] [Congress]. High party discipline, therefore, is complemented by an extensive use of negative agenda power on the part of the majority party to prevent unpopular or divisive legislation from ever reaching the floor.’ In non-democracies, Gandhi and Przeworski (2006: 22) maintain that, ‘on the floor of the legislature there is no uncertainty’, whilst conceding that work in committees might display more flexibility.

⁹ Writing of Colombian executive-legislative relations, Archer and Shugart (1997: 110) argue that, ‘[d]espite most presidents’ [sic] having held co-partisan legislative majorities, presidents have low partisan powers because parties are internally fragmented. Two institutional features contribute to low partisan powers: First, parties lack control over the use of their party labels (i.e., candidates do not need to have party approval to run under the party name); second, the electoral system fosters intra-party competition.’ See also the recent work on presidentialism, which explores the conditions in which such regimes can function more in line with the traditional conception of parliamentary systems (Albert 2009; Amorim Neto, Cox and McCubbins 2003; Cox and Morgenstern 2001; Chaisty 2008; Chaisty et al. 2014; Cheibub 2007; Cheibub, Przeworski and Saiegh 2004; Colomer and Negretto 2005; Crisp, Desposato and Kanthak 2011; Figueiredo and Limongi 2000; Hammond and Butler 2003). Thus, presidents can sometimes cultivate stable legislative voting blocs without the need to construct majorities for every bill initiated (cf. Diermeier and Vlaicu 2011).

a bill, which does not enjoy the requisite level of support from legislators. Thus, executive-submitted bills can fail, even under authoritarianism.¹⁰ This causal story is offered for all country-cases cited by Gandhi et al. (2003) and Saiegh (2011).

Although not attempted in existing work, it is possible to extend information theory in relation to bill failure. Following bill publication as a result of legislative introduction, social groups might react negatively to a proposed executive initiative. Regime-loyal legislators convey this grievance to the executive, which, as a result, removes the initiative from consideration. Again, this failure results from the executive's lack of prior knowledge concerning societal policy preferences.

3.1.2 Problems with the existing explanation

There are, however, a number of problems with this existing account. At base, the approach is very demanding: it requires us to modify key features of the widely accepted model of authoritarian executive-legislative relations — of executive control and legislative subservience. Indeed, there is a basic numerical disparity between the modal number of seats held by opposition groups (parties) in authoritarian legislatures and the number of votes necessary to block bill passage. As Magaloni (2008: 719) notes, it is 'seldom the case under dictatorship' that 'minority opposition parties [...] control enough seats to veto constitutional change or legislation'.

Indeed, Svobik (2012a: 36, figure 2.6) presents data on the legislative seat shares of

¹⁰ On the correlates of authoritarian executive bill failure, Gandhi et al. (2003: 23) argue that 'legislative defeats are more likely under dictatorships when the potential opposition is relatively strong, as evinced by the organisation of multiple parties within the legislature and the mobilisation of strikes outside of it. Defeat also is more likely when the population is more ethnically heterogeneous; we take this to mean that the legislature also is more likely to encompass heterogeneous preferences, resulting in more possible veto players against government initiatives.'

authoritarian regimes, 1946-2008, suggesting that the ‘regime party’ controls fewer than 75 per cent of all seats in parliament (suggesting a relatively sizable ‘opposition’ legislative presence) in only 17 per cent of all cases.

A response to this critique might be that legislative opposition need not come from ostensibly ‘opposition’ parties: legislators from dominant, pro-executive parties can defect. Indeed, such stories of defection are noted by Saiegh (2011: 79-80) and analysed in detail by Desposato (2001) for the case of Brazil under military dictatorship. And yet, the option of defection is circumscribed by the relative severity of the regime’s response, ranging from the restriction of access to rents to purges (Desposato 2001: 288). In short, although possible in particular circumstances, marshalling the requisite number of legislators to block executive bills in non-democratic settings is deeply problematic; an explanation for bill failure invoking such resistance must, therefore, be treated with caution.¹¹

The most significant problem concerns the conceptualisation of the dependent variable and the resulting research question. Existing works assume that all cases of bill failure are cases of bill defeat at the hands of resistant legislators. Although bills can ‘die’

¹¹ Alternatively, bill failure might not necessarily depend on the particular level of legislative support marshalled by opponents to an executive initiative. That is, rather than the opposition garnering enough votes to block a bill, the executive might concede defeat as a concession, even though — strictly speaking — it has the request number of votes to realise its initiative. Reuter and Robertson (2015: 247) make a related point when arguing that the distribution of legislative leadership posts in non-democracies do not reflect ‘minority-party electoral success, as they would [...] in a democracy’, but, rather, reflect the co-optation of members of the potential opposition; as such, there need not be proportionality between electoral results and leadership distributions. (Of course, this argument glosses over institutional differences regarding particular rules governing parliamentary leadership posts.)

in various ways and at various stages of the parliamentary process,¹² Saiegh (2011: 71-72) argues ‘the failure to get approval must count as a defeat’. The assumption is that executives want all of their proposals to become laws, and when this does not happen, the cause is *necessarily* legislative resistance. A zero-sum relationship is assumed: a loss for the executive is treated as a win for the legislature.¹³ By interpreting all cases of bill failure as cases of defeat, the research question for non-democratic regimes becomes how to explain this apparent impaired executive control in environments hitherto considered to be perfectly dominated by executives. The issue is framed, therefore, in the familiar ‘two-body image’ of executive-legislative relations (King 1976).

But what if there are various reasons for bill failure? One way to illustrate the problem with the existing approach is by analogy with the difference between murder and death: the former is merely a very particular instance of the latter. In effect, the approach taken by Gandhi et al. (2003) and Saiegh (2011) is based on the assumption that all cases of executive bill failure (death) are cases of bill defeat (murder at the hands of resistant legislatures). However, we need further information about a case in order to classify a death as murder.¹⁴ By conflating failure and

¹² See Siavelis (2002: 86) for a disaggregation of bill completion types for presidential initiatives in Chile, 1990-1993, which intimates the distinction at the heart of this chapter: ‘Law’ (bill success); ‘Withdrawal’; ‘Defeated’; ‘Other’; and ‘Pending’.

¹³ In effect, this existing approach constitutes a move to the lower-right quadrant of table 2.3 in Chapter 2 — that is, bill development is necessarily tied to some degree of legislative autonomy, overlooking the possibility that development might not be the result of legislative agency.

¹⁴ In fact, going back again to the Vietnamese case, further details of the case intimate that the legislator-centred explanation provided by the parliamentarian might be deficient: although Ho Nghia Dung — the transportation minister — had apparently ‘staked [...] [his] prestige on the project’, he was reported to say he was ‘“not sad” ’ to see the bill defeated in the assembly; indeed, ‘analysts cautioned that the rejection [of the bill] was not necessarily a sign of a permanent strengthening of democratic governance or separation of powers in the Communist party-ruled country’ (Steinglass, 21 June 2010, *The Financial Times*).

defeat, the existing approach fails to conceptualise — and, subsequently, measure — the dependent variable correctly.¹⁵

The basic conditions for failure are not necessarily the obverse of success: whereas majority legislative support is a necessary requirement in most legislatures¹⁶ to pass normal bills¹⁷ into law, *the absence of majority support is not a necessary requirement for failure*. If we acknowledge the possibility that bill failure is equifinal — that there are different causes of bill failure, in addition to legislative opposition — then this opens up the possibility of a more parsimonious explanation for failure under authoritarianism — one that provides a plausible account of bill failure without modifying impressions and assumptions of executive dominance.

3.1.3 An alternative account

Executives may control the failure of their own bills.¹⁸ This possibility is derived from the discussion in Chapter 2, which underscored the possibility of intra-executive

¹⁵ This critique also applies to the study of democracies, where bill failure is also not necessarily always bill defeat. See, for example, the case of the Banking Bill (No. 2) in the United Kingdom: although this bill failed, this failure was not the result of legislative opposition, but, rather, the outcome of a special law-making procedure intended to aid expedited review; an identical bill ultimately become law (see House of Lords 2009).

¹⁶ See Italian procedures allowing committees to legislate directly, within limits (Borghetto and Giuliani 2012: 8).

¹⁷ Amendments to basic laws often require qualified majorities (Shepsle 2006).

¹⁸ This is also possible in democracies, albeit rarely noted. For example, Martin and Vanberg (2011: 1) cite a case from Germany concerning a bill on child protection introduced into the Bundestag by a coalition government formed by the Christian Democrats and Social Democrats. Although the coalition cabinet had approved the bill — drafted by a Christian Democrat minister — for introduction into parliament, committee discussions quickly displayed cracks in the coalition partners' positions, which were exacerbated by competing electoral strategies. In light of this conflict between members of the coalitional executive, the responsible minister withdrew the bill from legislative consideration. Unfortunately, we lack data and analysis regarding the possible executive springs of bill failure in *presidential* democratic systems.

disagreement, the lack of cabinet-level finalisation of bills before legislative introduction, and the possibility of bill updating in response to changing socio-economic conditions. Whereas existing work points to misplaced executive certainty about legislator behaviour, uncertainty under authoritarianism is more plausibly a feature of *executive* preferences. Although an executive might wish its bills to become laws at point of parliamentary introduction, this same executive is not perfectly informed about its own *future* preferences, which might change as a result of new information, shifting societal conditions, or changes to its membership. Moreover, the costs associated with such changes are likely to be lower than in democracies, in which a free media can highlight such policy shifts, and voters can punish executives for policy vacillations or U-turns at the ballot box.¹⁹

The existing approach portrays bill failure as the result of legislator opposition to the policy initiatives of a unified executive. However, by focusing on the executive side of the executive-legislative relationship, we can construct a narrative of bill failure that is consistent with perfect legislative subservience. Bill failure, then, becomes yet another demonstration of how the executive controls activities during the legislative stage of policy-making.

3.2 Research design

Testing the plausibility of the executive-centred model of bill failure requires fine-grained, process-level information on the treatment of executive bills during parlia-

¹⁹ On media monitoring of executive policy U-turns in the United Kingdom, for example, see Owen and Tran (3 April, *The Guardian*).

mentary passage in an authoritarian regime. Every case of Russian executive bill failure will be examined in the authoritarian period, 2008-2013, using process-tracing methods. This authoritarian-only analysis will be nested in diachronic data on executive legislative success rates, 1996-2011.²⁰

3.2.1 Process-tracing and deviance analysis

The following examination of failed executive bills is framed as a *deviant case analysis*. As discussed in the introduction, deviant case analysis is used to explore and explain cases that do not conform to extant theoretical expectations (Gerring and Seawright 2007: 106) — in this case, the ‘rubber stamp’ model of authoritarian legislative politics. To repeat a quotation from Levy (2008: 13, footnote 29) provided in Chapter 1, ‘[t]he purpose of deviant case analysis is to eliminate the set of deviant cases’, either by demonstrating ‘that a case is not really deviant, or, by refining the theory to eliminate the anomaly, eliminates its status as deviant’ (see also Gerring and Seawright 2007: 107). In effect, whereas Gandhi et al. (2003) and Saiegh (2011) propose the second of Levy’s two options — ‘refining the theory’ of authoritarian executive dominance — this chapter suggests the first option: cases of bill failure are ‘not really deviant’ when we realise that failure is not necessarily defeat.²¹

²⁰ These dates are constrained by: data availability for the start year (law-making information is incomplete for the first Duma convocation, 1994-1995); and the need to compose success rates only for *full* convocation periods (that is, more recent data relating to bills in the sixth convocation must be excluded).

²¹ Note that, in attempting to explain deviance, Gandhi et al. (2003) use statistical techniques to explore the correlates of authoritarian legislative success rates; they do not present detailed case studies of failed bills.

3.2.2 Expected observations

If bill failure cases are instances of defeat, then we might expect to observe features such as: critical committee reports on executive bills; critical speeches by legislators on the parliamentary floor; critical commentary by legislators in the press; and sustained executive support for its proposals up to the point of defeat. In contrast, if bill failure is driven by executive agency, then we might expect to find evidence of: limited parliamentary hostility to policy proposals; executive withdrawal of support for its own bill in media reports or communications to parliament (with additional evidence that this decision was not prompted by expectations of legislative defeat); or intra-executive conflict over policy proposals (with additional evidence that this was decisive in bill failure).²²

Information on the stages at which,²³ and forms in which,²⁴ bills die will likely give little purchase on the springs of failure. Consider, for examples, cases of bill withdrawal by the bill's initiator. On the one hand, this might reflect legislative opposition. Indeed, regarding communist-era Poland, Modelski (1973: 92) finds that, '[a]lthough committees have never rejected any government measure, there have been occasions on which the government has withdrawn legislation as a result

²² Note that our confidence in the conclusions of process-tracing analysis increases in proportion to the amount of information consistent with one theoretical expectation and inconsistent with another. Sometimes, however, this is tricky. For example, apparent executive support for the failure of its own bill is not necessarily a sign that executive dynamics underpin failure. Realising legislative opposition, an executive might reduce the reputational costs of defeat by endorsing legislators' actions.

²³ That is, the stage of bill consideration during parliamentary review — for example, first, second, or third reading — at which a bill dies.

²⁴ That is, for example, defeat by vote on the floor or withdrawal by the initiator.

of opposition from the committee involved'.²⁵ On the other hand, withdrawal might also reflect the initiator's re-appraisal of the merits of its proposal — a decision that could be entirely orthogonal to legislator preferences and behaviour. In light of these expectations, but also because of the ambiguities associated with them, we need an additional means to infer the roots of executive bill failure.

3.2.3 Policy ideas

Although research on the fate of executive bills can provide revealing insights into the executive-legislative balance of power, ultimately, we are interested in whether particular policy proposals are enacted. In light of this, an exclusive focus on the fates of bills will provide little purchase on the true object of interest unless we also take into account policy *ideas*. As Wilkerson, Smith, Stramp and Dashiell (2013: 2) argue:

an important limitation of bill success research is that the bill is the unit of analysis. If bills are synonymous with policy ideas, then one can use them to study policy effectiveness. Unfortunately, bills are not policy ideas. Bills are “vehicles” or containers for policy ideas.²⁶

It is reasonable to assume that when legislators block the passage into law of executive legislative proposals, they do so because they are opposed to the policy provisions

²⁵ Modelski is cited in Mezey (1979: 136).

²⁶ Similarly, Blondel (1973: 27) criticises as myopic a focus on bill fates without concomitant appreciation of the fate of the ideas expressed by them:

if, as may well be the case, the same type of bill, relating to the same idea, is presented each year over a ten-year period, and if the bill eventually comes through only at the end, it is not as interesting to note the defeat of nine bills as to note that it took ten years for the suggestion to go through, either because the executive had its way in the end or because backbenchers slowly convinced the government.

There are, however, practical limitations associated with tracing the fate of policy ideas systematically over time.

contained in these bills.²⁷ This suggests that the provisions in failed executive bills will not be realised in other legislation — in the short term, at least, and with other features, such as partisan composition, held constant — given the fact that legislators will block further attempts by the executive to realise these same, or similar, initiatives. If, on the other hand, bill failure is not in fact bill defeat caused by resistant legislators, but is, rather, a function of executive control, then we might well observe provisions from failed bills realised in other legislation.²⁸ In short, the fate of policy *ideas* can help uncover the causes of bill failure.

Policy idea success can be seen as an ‘auxiliary outcome’ — an outcome other than ‘the main one of interest that should be present if [the] cause really affects [the] outcome’ (Mahoney 2010: 127) — which is inconsistent with the defeat model found in extant work, but consistent with the hypothesis of executive control proposed by this dissertation.²⁹ In practice, these policy ideas can be traced by ‘text reuse’ methods (Wilkerson et al. 2013: 5). That is, we can track the fate of a particular proposal by searching for the use of text expressing that idea in relevant documents.

Having established divergent, process-level expectations in order to evaluate rival causal accounts of executive bill failure, we are now in a position to examine the details of bill failure in Russia.

²⁷ However, see Buisseret (2013: 4) on incentives for the ‘specious rejection’ of policy proposals by a veto player ‘in order to build reputation’ at the expense of an agenda setter.

²⁸ We should not, however, expect to see executive policy ideas succeed in cases when the executive no longer supports its proposal.

²⁹ As noted by Hall (2008: 310), the causal leverage provided by evidence of such auxiliary outcomes is increased to the extent that the findings are consistent with only one theory in ‘a ‘three-cornered fight’ among a theory, a rival theory, and a set of empirical observations’.

3.3 Executive bill failure in Russia over time

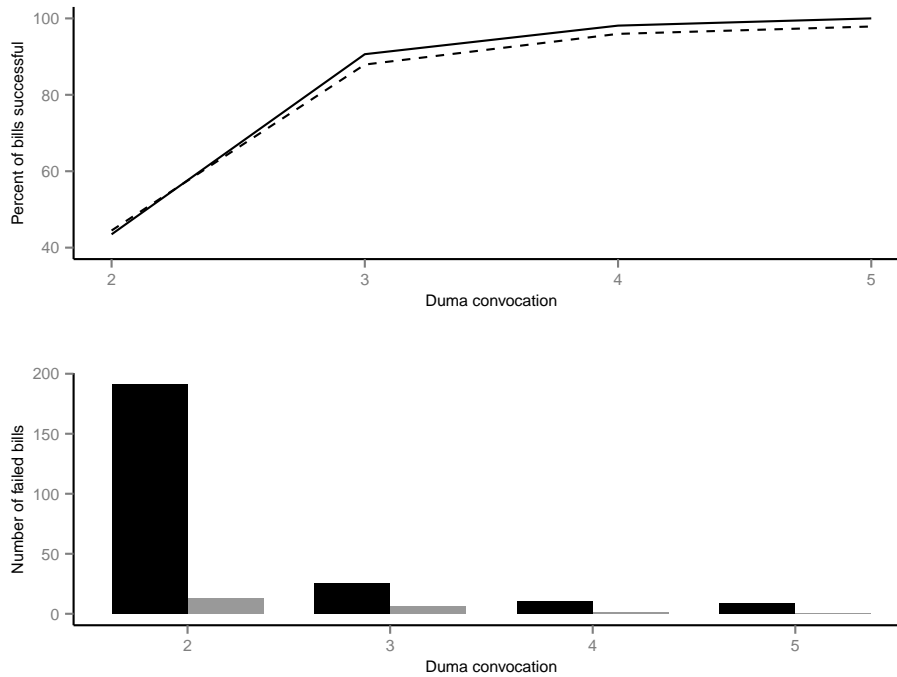
Existing commentary on Russian legislative politics denies the occurrence — and even possibility — of executive bill failure with executive dominance over the legislature. Remington (2007: 137), for example, writes: ‘Under Putin [...] the president enjoys such dominance in both the Duma and the Federation Council that it is unheard of for either chamber to reject a legislative initiative of the executive branch’. Similarly, Shul’man (2013: 127) argues: ‘Within the apparent consensus of the branches of power, the scenario of the rejection of a bill introduced by the Government, the president or a group of authoritative deputies is inconceivable.’ However, these impressions only relate to policy-making subsequent to the Kremlin’s possession of a United Russia (super-)majority in the State Duma, as well as reforms in the composition of the Federation Council. The first, second, and third Duma convocations were associated with manifest inter-branch conflict and compromise. Given these changing conditions, it is worthwhile providing an over-time picture of executive law-making success.³⁰ Figure 3.2 presents both success rates and failure frequencies over time for both presidential and Government bills.

The frequency of executive bill failure, as well as executive success rates, over time maps neatly onto existing knowledge of Russian executive-legislative relations.³¹ The trends are consistent with the executive’s diachronic variation in partisan support in

³⁰ Data on bill fates are taken from the Duma’s online information portal: <http://asozd2.duma.gov.ru/>.

³¹ Interestingly, the trends for presidential and Government success rates are remarkably similar. Despite the fact that the Government has been consistently more active in submitting bills to the Duma than the president, the chances of success are virtually the same for both parts of the executive.

Figure 3.2: *Executive bill failure frequencies and success rates by State Duma convocation, 1996-2011.*



Notes: This figure summarises the data presented in table A.1 in Appendix A. In the upper graph, the dashed line relates to Government bill success rates; the solid line to presidential success rates. In the lower graph, the black bars relate to Government bills; the grey bars to presidential bills.

the legislature (Chaisty 2005a, 2008, 2012; Remington 2008). In addition, the variation in success rates is consistent with accounts from various convocations on party voting cohesion and discipline (Bagashka 2008, 2012; Chaisty 2005b; Remington 2006; Thames 2007), as well as studies noting institutional changes — particularly those supporting majoritarianism — and their effects on legislator behaviour (Chaisty 2003, 2005a; Remington 2006).³² And yet, *executive bills still failed under authoritarianism.*

³² Existing comparative data places Russia's recent success rates as an outlier when compared to democratic regimes: Cheibub (2007: 89) cites data on the average success rate for a sample of majority and super-majority democratic presidential regimes: 70.93 percent and 67.94 percent, respectively. However, it is not unheard of for semi-presidential regimes (more similar to Russia's formal constitutional structure according to the 1993 Constitution) to achieve impressive scores — for example, executive success rates in semi-presidential France in the early 1970s were around 96 percent (from Saiegh's 2011 dataset).

Interestingly, this diachronic picture from Russia — of a sharp reduction in bill failure in conjunction with a rising proportion of pro-executive partisans in the Duma — is consistent with evidence from Mexico’s transition from the dominance of the PRI. Data cited in Casar (2002), taken from Nacif-Hernández (1995), and reproduced in Appendix C shows that, as the PRI’s seat share in the Congress of Deputies fell, so too did executive success rates, as well as the absolute number of bills signed into law.³³ Yet, even with PRI dominance of the Mexican Congress, the executive did not achieve perfect success scores.³⁴ As such, executive law-making dynamics in Mexico and Russia mirror each other across their respective regime shifts. Why do executive bills fail under authoritarianism?

3.4 Russian case studies

There are 39 cases of executive bill failure, 2008-2013.³⁵ This section presents results from process-tracing analyses of every case of failure. Given considerations of exposition length, narratives for all 39 bills will not be given; rather, illustrative cases will be discussed for each particular dynamic uncovered. This analysis draws

³³ These data are consistent with Casar’s (2002), Magaloni’s (2006), and Weldon’s (1997: 227) characterisation of the sources of Mexican *presidencialismo*: unified government, with a disciplined party controlled by the executive. In a study on the transition from authoritarianism to democracy in Taiwan, Cheng and Haggard (2001: 194) also point to the importance of legislative control: ‘the apparent strength of the executive *ultimately rested on the capacity of the party to maintain ruling majorities in the National Assembly and particularly in the Legislative Yuan*’ (emphasis in original).

³⁴ Unfortunately, Nacif-Hernández (1995) does not provide further details about these failed bills.

³⁵ These cases only include executive bills introduced and finalised in the fifth convocation and beginning of the sixth (up to the end of 2013). As such, they do not relate simply to the cases summarised in figure 3.2 and in Appendix A, which relate to success rate data from the second to the fifth Duma convocations. Full bill details for the 39 cases of failure, 2008-2013, are provided in Appendix B.

on primary documents from State Duma archives, records of parliamentary debates, and press reporting.³⁶

Although such an exhaustive approach produces a population-wide picture — therefore removing worries of selection bias — there is a related concern: that the detailed focus on cases constituting a small minority of executive bills (the vast majority of which became laws in the authoritarian period) distorts general impressions of contemporary Russian law-making. This worry is addressed, firstly, by the historical context provided above, emphasising the diachronic trend relating to executive bill failure. Secondly, the goal of the following analysis is not to generate a general picture of law-making; rather, the aim is to understand why executive bills can fail in conditions ostensibly characterised by executive dominance of the legislature.³⁷

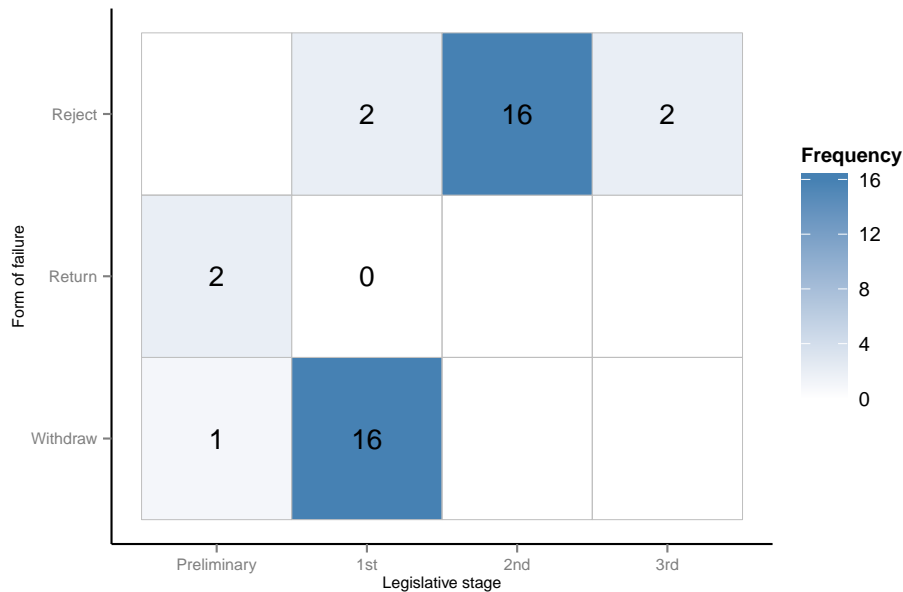
Figure 3.3 summarises frequencies regarding the stages at which, and forms by which, these 39 bills failed. This tile graph represents frequencies by strength of shade: the stronger the shade in a tile, the more frequently executive bills died in that particular stage of the law-making process and in that particular form; actual frequencies are

³⁶ Parliamentary documents relating to bills were accessed via the State Duma's online information portal: <http://asozd2.duma.gov.ru>. Each bill has its own page, which includes full chronologies, texts of bill drafts at various stages of parliamentary review, as well as committee reports.

³⁷ At the same time, existing works on Russian policy-making point to the insights gained from seemingly exceptional episodes. Writing on the parliamentary passage of an executive bill regulating trade, Stanovaia (21 December 2009, *Politcom.ru*) argues that that case 'is very revealing regarding the mechanisms and nature of work of the main institutions of the state and the political regime as a whole.'

also provided. Empty tiles represent impossible combinations of stages and forms according to the Duma’s standing orders.³⁸

Figure 3.3: *Stages and forms of executive bill failure, 2008-2013.*



Notes: The x-axis relates to stages of law-making in the State Duma, starting with preliminary consideration and ending with third reading. The y-axis relates to the three possible forms of bill ‘death’: withdrawal by the bill’s initiator; return to the bill’s initiator (by the Duma Council or the main committee); and rejection on the floor.

There are two distinct clusters of bill failure: withdrawal from first reading; and rejection at second reading. As noted above, however, these data alone provide surprisingly little insight into the springs of failure.³⁹ We need to analyse further information in order to uncover the springs of failure — a task to which the chapter

³⁸ For example, it is not possible to withdraw or return bills in second and third readings. Note, moreover, how these institutional limits complicate interpreting these basic data. For instance, the only way for a bill to fail at second reading — even if this failure is entirely controlled by a unified executive — is by rejection through voting on the Duma floor.

³⁹ One combination stands out, however: given the possibility of bill withdrawal in first reading, the occurrence of bill *rejection* at this stage is particularly surprising. Indeed, it suggests that executive initiatives were defeated on the floor. The executive did not withdraw its initiative, presumably as it believed its proposal would garner sufficient votes, which, however, it failed to do.

now turns. The cases are grouped according to three main dynamics: shifting policy ideas and bill redundancy; legislative committee influence; and executive preference change.

3.4.1 Shifting ideas and bill redundancy

Amending existing bills

The modal case of failure involves an executive bill, the substantive provisions of which are transposed (before failure) as amendments to *another* bill already under consideration in the State Duma. Following the movement of policy ideas into an (ultimately) successful bill, the original bill is superfluous. Thus, for example, the provisions of four Ministry of Finance⁴⁰ bills — 472058-5,⁴¹ 484128-5,⁴² 484894-5,⁴³ and 556701-5⁴⁴ — found success as amendments to another bill from the same ministry, 247390-5, ‘On the introduction of changes to article 342 of Part Two of the Tax Code of the Russian Federation (on the specification of conditions for the application of a tax rate in the amount of 0% for tax on the extraction of mineral

⁴⁰ Information on the ministerial origins of executive bills is taken from the Government orders (*rasporiazheniia*) promulgated when bills leave cabinet and are introduced into the Duma; they are available from <http://pravo.gov.ru/ips/> — an official internet portal for Russian legislation maintained by the Federal Protection Service (*Federal’naia sluzhba okhrany*).

⁴¹ The bill’s webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=472058-5](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=472058-5) (accessed 12 November 2015).

⁴² The bill’s webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=484128-5](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=484128-5) (accessed 12 November 2015).

⁴³ The bill’s webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=484894-5](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=484894-5) (accessed 12 November 2015).

⁴⁴ The bill’s webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=556701-5](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=556701-5) (accessed 12 November 2015).

resources for the extraction of oil)'.⁴⁵ This latter bill was introduced into the Duma on 22 August 2009 and signed into law as 258-FZ in July 2011, whereas the four failed bills were rejected in second reading or returned before parliamentary consideration. Looking only at this finalisation information, we might conclude incorrectly that the Government had failed to realise four separate policy goals.

Take the example of bill 472058-5, 'On the introduction of a change to article 342 of Part Two of the Tax Code of the Russian Federation (on setting a tax rate in the amount of 0% for the extraction of tin ore in the territory of the Far Eastern Federal District)', which was registered in the Duma on 14 December 2010. According to its explanatory note, the bill's aim was to improve the competitiveness of tin extraction in an area with poor infrastructure, proposing to keep a 0 percent mineral extraction tax rate for a period of five years from 2011.⁴⁶ The bill was adopted in first reading on 22 February 2011, with 400 deputies (out of a Duma total of 450) voting in favour of the proposal.⁴⁷ However, on 11 January 2012 — that is, nearly a year later — the Committee for Budget and Taxes recommended to reject the bill in second reading, stating that the bill was now redundant due to the adoption of federal law 258.⁴⁸ Looking at the development of the bill (247390-5) which became this law, it is clear that the exact language was lifted from bill 472058-5 and inserted as an amendment

⁴⁵ The bill's webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=247390-5](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=247390-5) (accessed 12 November 2015).

⁴⁶ The bill's explanatory note is available here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&954C75ACC437700AC32577FB00263553](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&954C75ACC437700AC32577FB00263553) (accessed 12 November 2015).

⁴⁷ The voting results are available here: <http://vote.duma.gov.ru/vote/72102> (accessed 12 November 2015).

⁴⁸ See the report written by the lead committee and published before rejection of the bill in second reading here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&A3E7845B10E27D53C3257983004F84F9](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&A3E7845B10E27D53C3257983004F84F9) (accessed 12 November 2015).

to bill 247390-5 during second reading.⁴⁹ Moreover, the formal sponsors of this amendment — cited in the table of amendments recommended by the committee for adoption — were the committee chair, Andrei Mikhailovich Makarov, as well as other members of the committee.⁵⁰ This formal sponsorship information, therefore, masks the *executive* origin of the policy idea. In short, a bill result interpreted by extant scholarship as *defeat* is — when examining the fate of policy *ideas* — not even a case of *failure* but, conversely, *success*.

Provisions from failed executive bills were also included (before failure) as amendments to bills sponsored by *non-executive* agents. Bill 610370-5 — ‘On the introduction of changes to various legislative acts of the Russian Federation in relation to the improvement of the division of authorities (on the transfer of authorities in the field of assistance of employment and other questions of social policy to executive organs of subjects of the Russian Federation)’ — was drafted by the Ministry of Regional Development, registered in the State Duma on 7 October 2011, and recommended for further consideration on the same day by the Committee for Work and Social Policy.⁵¹ According to the bill’s explanatory note, the bill was prepared in response to a meeting (*soveshchanie*) chaired by Prime Minister Vladimir Putin on 6 July

⁴⁹ The reason why we find this pattern of policy idea transposition is unclear. However, the policy substance of the case is redolent of an episode described in Tolstykh (2007: 300-305) concerning the fate of bill 294445-4, which also related to tax benefits in the field of natural resource extraction. Tolstykh reports that lobbyists attempted (unsuccessfully), *inter alia*, to widen proposed tax benefits from oil companies in eastern Siberia to the gas and coal sectors. Coming back to the cases cited above, one hypothesis is that the four ‘failed’ executive bills were the result of the successful lobbying activities of agents pushing for a widening of the benefits outlined initially in bill 247390-5.

⁵⁰ See the table of amendments proposed by the committee for adoption here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&arhiv/a_dz_5.nsf/ByID&5152BB99A185D328C32578C0004B5FC8](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&arhiv/a_dz_5.nsf/ByID&5152BB99A185D328C32578C0004B5FC8) (accessed 12 November 2015).

⁵¹ The bill’s webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=610370-5](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=610370-5) (accessed 12 November 2015).

2011, during which the division of powers between the regions and the federal centre was discussed, specifically in relation to the centralising of police financing from 1 January 2012.⁵² The bill was, however, recalled by the Government on 25 February 2012, and removed from the Duma on 12 March 2012.

Once again, however, bill failure was not bill defeat: the Government bill's proposals were included as amendments to a bill sponsored by a group of deputies, as well as one senator — bill 526517-5, which was introduced into the Duma on 6 April 2011 and signed into law on 30 November 2011.⁵³ This transposition is made clear simply by examining whether the provisions proposed by bill 610370-5 were realized in future legislation. By checking the relevant law — 'On employment in the Russian Federation' — amendment information reveals that federal law 361 from 2011 introduced such amendments.⁵⁴ Next, by examining 361-FZ's legislative history on the Duma's online archive, it is evident that amendments were made to the text in preparation for second reading, which included points from the failed Government bill.⁵⁵ Again, however, these amendments — although involving provisions taken from an executive bill — were sponsored by Duma deputies. Without tracing the complete parliamentary history of this idea, we might run the risk of mistaken attribution.

⁵² The bill's explanatory note is available here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&2CF504FE2FCA7D51C3257922003794F1](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&2CF504FE2FCA7D51C3257922003794F1) (accessed 12 November 2015).

⁵³ The bill's webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=526517-5](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=526517-5) (accessed 12 November 2015).

⁵⁴ The text of the law, including amendments information, is available here: http://www.consultant.ru/document/cons_doc_LAW_60/ (accessed 12 November 2015).

⁵⁵ See the committee's amendment table here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&arhiv/a_dz_5.nsf/ByID&41EBD3B372E37147C325794A0058465C](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&arhiv/a_dz_5.nsf/ByID&41EBD3B372E37147C325794A0058465C) (accessed 12 November 2015).

The methods used for tracing the flow of policy ideas from failed executive bills are much cruder than the computer-aided text reuse methods proposed and implemented by Wilkerson et al. (2015). And yet, they allow us to demonstrate — on a case-by-case basis — that executive policy ideas have not been defeated, even if the bills originally containing them did not become laws. This evidence is not congruent with the dynamics expected by co-optation or information approaches, which see bill failure as defeat — the result of opposition or societal resistance to executive policy proposals.

Superseding bills

A number of executive bills were made redundant by the passage of *later-introduced* bills. Take bill 116815-6, ‘On the introduction of changes to the law of the Russian Federation “On education” and the federal law “On higher and postgraduate professional education” regarding improvements to the state task of training people with higher professional education using state budget funds’.⁵⁶ Drafted by the Ministry of Education and introduced into the Duma on 25 July 2012, the bill proposed to revise two laws on education, changing the algorithm for calculating the minimum proportional number of students eligible for state support. Specifically, the bill proposed to change the lower threshold from 170 students for every 10,000 people of the whole Russian population to 800 students for every 10,000 people in the 17-30 age bracket.⁵⁷

⁵⁶ The bill’s webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=116815-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=116815-6) (accessed 12 November 2015).

⁵⁷ According to the bill’s explanatory note, this change was required by a change in the age structure of the Russian population. See the note here: <http://asozd2.duma.gov.ru/main.nsf/>

In its report of 20 March 2013 before the bill's first reading on the Duma floor, the Committee on Education recommended to reject the bill — albeit noting its support for the bill's policy substance. The reason for this recommendation was that the proposed legal change had already been realised as part 2 of article 100 of another, much broader executive bill 121965-6, 'On education in the Russian Federation'.⁵⁸ This latter bill — also drafted by the Ministry of Education — was introduced into the Duma on 3 August 2012 and signed into law on 29 December 2012, replacing the 1992 law 'On education'. Thus, the need for a minor amendment to a law was removed following the wholesale replacement of the same law.⁵⁹

These cases reflect policy-making *messiness* rather than conflict. Executive policy preferences change over time, and this necessitates developing (including failing) already-submitted bills. These cases demonstrate executive policy proposals being moved around or overtaken by other executive bills during parliamentary passage; the notion of defeat is simply not applicable. This picture of policy ideas 'flowing' between different bills is familiar to scholars of law-making in the US Congress — see, for example, Ryan, Sokhey, Wilkenfeld and Wojcik (2013); and Wilkerson, Smith and Stramp (2015). However, it is a novel finding in the context of the Russian State Duma and authoritarian legislatures more generally.

(ViewDoc)?OpenAgent&work/dz.nsf/ByID&5C7FE7CFDC4FC7943257A4E00272E48 (accessed 12 November 2015).

⁵⁸ The bill's webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=121965-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=121965-6) (accessed 12 November 2015).

⁵⁹ This picture of bill redundancy is supported by details from a report made by the Deputy Minister of Education and Science, Natal'ia Tret'iak, in the Duma just before the rejection of bill 116815-6 in first reading. See her comments on the Duma floor in transcripts available here: http://transcript.duma.gov.ru/api_search/?search_mode=number&sessid=4204&dt_start=&dt_end=&deputy=&number=116815-6&keyWords= (accessed 12 November 2015).

3.4.2 Committee influence

Legislative defeat

There is only one case of defeat. The bill relates to legal changes mandated by Russia's accession to the World Trade Organisation's (WTO) Treaty on Trademark Laws — also known as the Singapore Treaty. Bill 217039-5 — 'On the introduction of a change to article 1501 of Part Four of the Civil Code of the Russian Federation (on increasing the time period for examining trade mark applications)' — was drafted by the Ministry of Education and Science, registered in the Duma on 17 June 2009, and assigned to the Committee for Civil, Criminal, Arbitration and Procedural Law.⁶⁰ The bill's explanatory note states that the initiative proposed a change to Russian civil law in order to harmonise legislation with provisions of the WTO treaty.⁶¹

When the bill was finally considered on the floor in first reading — after two postponements, the reasons for which are not clear — the Government's representative in the State Duma, Andrei Viktorovich Loginov, asked deputies to support the Government's bill.⁶² This request was complicated, however, by the simultaneous consideration of an *alternative* bill of the same name submitted by a group of deputies (188997-5), including the chair of the lead committee, Pavel Vladimirovich

⁶⁰ The bill's webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=217039-5](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=217039-5) (accessed 12 November 2015).

⁶¹ The explanatory note is available here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&arhiv/a_dz_5.nsf/ByID&621C07B784705059C32575D9003F65EA](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&arhiv/a_dz_5.nsf/ByID&621C07B784705059C32575D9003F65EA) (accessed 12 November 2015).

⁶² Transcripts including Loginov's statements on the Duma floor are available here: http://transcript.duma.gov.ru/api_search/?search_mode=number&sessid=4204&dt_start=&dt_end=&deputy=&number=217039-5&keyWords= (accessed 12 November 2015).

Krasheninnikov. Comparison of the two draft bills reveals that they were substantively identical. When speaking from the tribune on the Duma floor, Krasheninnikov stated:

I draw your attention to the fact that we [deputies] entered our bill some months earlier than the Government. Moreover, when I spoke about the ratification of the Singapore Treaty from this very tribune, I drew the Government's attention to the fact that we had already entered — not simply prepared, but already entered — a bill. If anyone is doubtful, I have the stenogram here. [...] The committee supports both bills, but I suggest to support the bill entered by members of my committee, deputies of the State Duma, as it was entered earlier. This is the first reason. And, from a legal-technical point of view, it is better prepared.⁶³

In a 'rating' vote⁶⁴ to decide between the two alternative bills, the deputy bill was accepted and the Government bill rejected.⁶⁵

This case appears to constitute a clear-cut case of defeat: a public statement of executive support for the bill was swiftly followed by failure in the legislature following a clear call from a committee leader to reject the proposal. Moreover, voting details suggest there was uncertainty on the floor: United Russia legislators did not form a cohesive voting bloc, with 37 voting for passage of the Government version, 13 voting against, and 265 not voting.⁶⁶ This lack of cohesion suggests either the absence of clear directions from the executive to United Russia deputies, or the presence of cross-pressurisation.

⁶³ Transcripts including Krasheninnikov's statements on the Duma floor are available here: http://transcript.duma.gov.ru/api_search/?search_mode=number&sessid=4204&dt_start=&dt_end=&deputy=&number=217039-5&keyWords= (accessed 12 November 2015).

⁶⁴ These votes are used to decide between alternative legislative initiatives considered on the Duma floor at the same time in first reading (Duma standing orders, article 119, section 3).

⁶⁵ Voting results are available here: <http://vote.duma.gov.ru/vote/66804> (accessed 12 November 2015).

⁶⁶ See Remington (2008a: 983), however, on how little voting results can often tell us regarding issue divisiveness in the Russian context.

If this is indeed a case of executive bill defeat by resistant legislators, does it also conform to the extant explanation (from co-optation theory) portraying defeat as a policy concession to members of the potential opposition? The biography of Pavel Krashennnikov — United Russia member, former Russian Minister of Justice, and chairman of the Russian Association of Lawyers — does not suggest so. Indeed, these details suggest he is a loyal regime insider, as well as a respected legal authority. If a concession was made by the executive, it appears to involve policy-making *etiquette*, rather than conceding a point of policy to consolidate regime support. Indeed, even though the executive bill was defeated, the exact same legal change was introduced by the rival non-executive bill — that is, the particular policy idea *succeeded*.

Policy refinement

Other cases demonstrate less confrontational committee influence. Take bill 336526-5, ‘On the introduction of an amendment to article 582 of part two of the Civil Code of the Russian Federation (on the recognition of unpaid work and services gifted in the form of a donation)’.⁶⁷ In his yearly address to the Federal Assembly on 12 November 2009, President Medvedev stressed the need for the state to support the activities of non-profit charitable organisations.⁶⁸ In response to this, the Ministry of Economic Development drafted a bill, which was sent from Government on 26 February 2010, registered in the Duma on 2 March 2010, and assigned to the Committee on Civil, Criminal, Arbitration and Procedural Legislation.

⁶⁷ The bill’s webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=336526-5](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=336526-5) (accessed 12 November 2015).

⁶⁸ A transcript of Medvedev’s speech is available here: <http://kremlin.ru/events/president/transcripts/5979> (accessed 12 November 2015).

According to the bill's explanatory note, the initiative proposed to amend the Civil Code to harmonise the concept of a 'donation' with its definition in other legislation.⁶⁹ Specifically, whereas article five of the law 'On charitable activities and charitable organisations' (135-FZ, 1995)⁷⁰ included gratuitous work and free services rendered in the definition of a donation, article 582 of part two of the Civil Code defined the concept purely in terms of a gift of property or a right.⁷¹ Moreover, according to part one of the Civil Code (article three, section two), civil law norms contained in normative acts other than the Code itself must not contradict the codified provisions.⁷² These apparently dry definitional points had consequences for tax liability: section two of article 251 of the Tax Code stipulates that donations are not included in taxation calculations. As such, the Government reasoned that amending the Civil Code with a broader definition of a donation would lower the tax burden on non-commercial organisations.

Shortly after parliamentary introduction, the lead committee proposed to reject the bill. According to the committee's report (*zakliuchenie*), the bill's aim could be better realised, not by amending the Civil Code, but by amending the Tax Code.⁷³ The committee reasoned that an amendment to the former was much more complicated

⁶⁹ The note is available here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&arhiv/a_dz_5.nsf/ByID&7156E8FBD48EB09DC32576DB003E284F](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&arhiv/a_dz_5.nsf/ByID&7156E8FBD48EB09DC32576DB003E284F) (accessed 12 November 2015).

⁷⁰ The text of the law is available here: http://www.consultant.ru/document/cons_doc_LAW_7495/ (accessed 12 November 2015).

⁷¹ Part two of the Russian Civil Code is available here: <http://www.consultant.ru/popular/gkrf2/> (accessed 12 November 2015).

⁷² Part one of the Russian Civil Code is available here: <http://www.consultant.ru/popular/gkrf1/> (accessed 12 November 2015).

⁷³ The committee's report is available here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&arhiv/a_dz_5.nsf/ByID&02CC3D21C785CDDDC325770B0045AEE8](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&arhiv/a_dz_5.nsf/ByID&02CC3D21C785CDDDC325770B0045AEE8) (accessed 12 November 2015).

from a legal-technical point of view than anticipated by the Government bill, as well as having possible negative unintended consequences, including legal obligations following the provision of free work by charity volunteers. As a result, the committee proposed to include its solution of a change to article 251 of the Tax Code as a second-reading amendment to another Government bill then under consideration by the same committee (306882-5, ‘On the introduction of changes to various legal acts of the Russian Federation with regard to the formation and use of the endowment capital of non-profit organisations (on the question of the formulation and replenishment of the endowment capital of non-profit organisations)’).⁷⁴ Bill 336526-5 never reached the Duma floor, as the Government withdrew it from consideration on 21 March 2011.

Tracing the proposed Tax Code amendment, it is clear that the change was indeed made, albeit not through an amendment to the bill suggested by the lead committee. Rather, the change was made to yet another Government bill, 38519-5 — the Ministry of Finance’s response to Medvedev’s 2009 speech, sent from the Government on 31 May 2010 and registered in the Duma on 2 June 2010.⁷⁵ The committee’s idea to amend article 251 of the Tax Code was included as an amendment to bill 385319-5 in preparation for second reading, tabled by the chairman of the Committee for Public Associations and Religious Associations, Sergei Popov (United Russia), in May-June

⁷⁴ The bill’s webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=306882-5](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=306882-5) (accessed 12 November 2015).

⁷⁵ The bill’s webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=38519-5](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=38519-5) (accessed 12 November 2015).

2011.⁷⁶ Without tracing the origins and fate of particular policy ideas, we might — once again — have incorrectly conflated amendment sponsorship with ideational genesis or policy influence.

These cases suggest that parliamentary committees can influence the passage of executive bills. This influence, however, appears limited. For the case of bill defeat, the fate of the policy idea was not in question. For the case of policy refinement, the overall policy goal was not critiqued by committee; rather, the committee suggested a more efficient form for its realisation. Even then, the committee's proposed solution was not followed in full by the executive.

3.4.3 Executive preference change

Losing executive support

Other bills failed because of a loss of executive support. Bill 137443-6 — 'On the introduction of changes to the Budget Code of the Russian Federation and establishing requirements for workers of specialised financial organisations, established by the Government of the Russian Federation' — was drafted by the Ministry of Finance and introduced into the Duma on 12 September 2012.⁷⁷ The bill proposed the creation of the Russian Financial Agency (*Rosfinagentstvo*), the purpose of which — according to the bill's explanatory note — was to manage money from the Reserve Fund (*Rezervnii*

⁷⁶ See the committee's amendment table here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&arhiv/a_dz_5.nsf/ByID&21128DB5B13874A6C32578BD003F2470](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&arhiv/a_dz_5.nsf/ByID&21128DB5B13874A6C32578BD003F2470) (accessed 12 November 2015).

⁷⁷ The bill's webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=137443-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=137443-6) (accessed 12 November 2015).

fond) and the National Welfare Fund (*Fond natsional'nogo blagosostoianiiia*), as well as the management of Russian public debt.⁷⁸ This would involve considerable amounts: according to a report by the Audit Chamber (*Schetnaia palata*), as of 1 September 2012, the Reserve Fund contained \$60.5 billion and the National Welfare Fund, \$85.6 billion.⁷⁹ The aim in creating *Rosfinagentstvo* was to manage Russia's oil wealth in a way that produced higher returns by entrusting its management to an independent, profit-seeking entity (editorial, 12 July 2012, *Vedomosti*).⁸⁰

The bill was, however, rejected at second reading on 22 November 2013,⁸¹ with the chair of the lead committee, Andrei Makarov, claiming that this rejection constituted a sign of the Duma's 'maturity':⁸²

And if we were only able to adopt this one decision (concerning the rejection of this bill) for the whole parliamentary session, then it would be noteworthy, because this is an act of deputies, which shows maturity and rejects the possibility — to put it mildly — of the embezzlement of state reserves.⁸³

⁷⁸ The explanatory note is available here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&ECFE8174448F6B2743257A780041AD28](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&ECFE8174448F6B2743257A780041AD28) (accessed 12 November 2015). Whereas the formal role of the Reserve Fund is to help mitigate against adverse fluctuations in the price of oil (and the knock-on effects for budgeting), the National Welfare Fund's purpose is to cover deficits in the Pension Fund.

⁷⁹ The report is available here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&F9EB77EC69EBA89143257AAE003EA942](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&F9EB77EC69EBA89143257AAE003EA942) (accessed 12 November 2015).

⁸⁰ This desire for independence and investment expertise was reflected in mooted personnel choices — for example, former general director of Deutsche Bank, Josef Ackermann, was tipped to become chair of *Rosfinagentstvo*'s board of directors (Trifonov and Pis'mennaia, *Vedomosti*, 17 August 2012).

⁸¹ Voting results are available here: <http://vote.duma.gov.ru/vote/83660> (accessed 12 November 2015).

⁸² Indeed, the language of legislative maturity bears a striking resemblance to the comments made by the Vietnamese deputy in the case of bill failure noted at the beginning of the chapter.

⁸³ Transcripts including Makarov's comments on the Duma floor are available here: http://transcript.duma.gov.ru/api_search/?search_mode=number&sessid=4204&dt_start=&dt_end=&deputy=&number=137443-6&keyWords= (accessed 12 November 2015).

This language suggests that deputies rebelled against the passage of a significant executive proposal — that is, the picture painted is of legislative *defeat* of an executive bill. This conclusion, however, would be wrong.

Before parliamentary introduction, the Ministry of Finance's proposal to create *Rosfinagentstvo* faced considerable opposition and intra-executive dispute (Polukhin, 30 January 2013, *Novaia gazeta*; Rudenko, Tofaniuk and Ivanitskaia, 13 June 2013, *Forbes.ru*). Concerns included the putatively dubious merits of creating yet another state corporation, as well as the very need for such a management body for 'surplus' funds, given Russia's economic situation during the world economic crisis. Despite these issues, the bill was signed off for parliamentary introduction at a Government meeting on 6 September 2012 (Papchenkova and Tovkailo, 6 September 2012, *Vedomosti*).

The bill was heavily criticised by the Duma in first reading.⁸⁴ Critical reports were presented by the Audit Chamber, the Committee on Budget and Taxes, the Committee on Civil, Criminal, Arbitration and Procedural Legislation, the Committee on the Financial Market, as well as the Duma's Legal Department.⁸⁵ Objections included: the lack of clarity regarding oversight mechanisms; problems with the organisational-legal form of the proposed agency (an open joint-stock company); objections regarding the correct legal basis for the body (federal law or Government normative act); and the absence of transitional period provisions in the bill. And

⁸⁴ Aleksei Polukhin (30 January 2013, *Novaia gazeta*) referred to the deputies' response as 'unexpected and merciless'.

⁸⁵ These are all available on the bill's webpage.

yet, the bill was passed by deputies in first reading on 25 January 2013,⁸⁶ on the condition (rhetorically, at least) that the deputies' suggestions to improve the bill be incorporated in second reading.⁸⁷

Initially, such amendments seemed possible, even likely. Deputy Speaker of the Duma, Aleksandr Zhukov, stated that Prime Minister Medvedev had agreed to the need for changes, including the organisational-legal form of the agency, and the Ministry of Finance also appeared ready to amend the bill (Tovkailo, 29 January 2013, *Vedomosti*). However, continued difficulties in reaching a compromise soon became apparent. Although the deadline for the presentation of amendments to bill 137443-6 was set for 30 days following its passage in first reading, this was pushed back firstly to 10 March, then to 17 March, then to 31 March, and then to April, by decisions of the Duma Council.⁸⁸ Although parliamentary hearings under the title 'On the creation of the Russian financial agency' were held on 6 March 2013, satisfactory amendments were not proposed in the renewed time period.⁸⁹

This sustained legislative criticism of the bill was only possible, however, due to persistent *intra-executive* disagreements. According to Russian experts, the Ministry of Finance's initiative was resisted by the Ministry of Economic Development and the

⁸⁶ Voting results area available here: <http://vote.duma.gov.ru/vote/80232> (accessed 12 November 2015).

⁸⁷ See the speech made by Andrei Makarov on the Duma floor. Indeed, this scenario of United Russia deputies voting for the passage in first reading of an executive bill, about which they were publicly critical, became a common occurrence (see Visloguzov, 25 February 2013, *Kommersant*”).

⁸⁸ See the Council's decisions here: <http://is.gd/h1Jsk0> (accessed 12 November 2015); <http://is.gd/mmaYGC> (accessed 12 November 2015); <http://is.gd/boRIkS> (accessed 12 November 2015); <http://is.gd/07DfkQ> (accessed 12 November 2015).

⁸⁹ See United Russia commentary on the parliamentary hearings here: <http://er.ru/news/97851/> (accessed 12 November 2015).

Central Bank (Siniaeva, 25 February 2013, *RBK Daily*). Indeed, Aleksei Polukhin (*Novaia gazeta*, 30 January 2013) attributed the vociferousness of criticism at first reading to the machinations of the Presidential Administration, which was hostile to the initiative. Moreover, the case against creating *Rosfinagentstvo* was strengthened by a growing worry that its activities might expose Russian state assets to the threat of seizure abroad. As the proposed agency was intended to act as ‘the official investor of the Government abroad’ (Rudenko, Tofaniuk and Ivanitskaia, 13 June 2013, *Forbes.ru*), there were concerns that cases against Russia — such as the claims of former YUKOS shareholders in The Hague — might lead to claims on the assets managed by *Rosfinagentstvo*.

In addition, the Ministry of Finance apparently lost interest in creating the agency following the passage into law of bill 116795-6, ‘On the introduction of changes to the Budget Code of the Russian Federation and various legislative acts of the Russian Federation relating to improving the budget process’, in May 2013.⁹⁰ In effect, this bill reflected a decision to spend portions of the National Welfare Fund on domestic infrastructure projects, rather than investing these funds (Visloguzov, 23 November 2013 *Kommersant*). This executive decision was a result of Russia’s economic situation: as stated in a *Vedomosti* editorial from 17 June 2013, ‘[t]he authorities recognise that the economic situation is bad and it is time to break the piggy bank.’

⁹⁰ The bill’s webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=116795-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=116795-6) (accessed 12 November 2015).

In his budget address (*biudzhethnoe poslanie*) on 13 June 2013, President Putin remarked that the attempt to create *Rosfinagentstvo* had revealed a number of unresolved problems; alternative mechanisms were needed to improve the management of state funds.⁹¹ This announcement effectively signalled the removal of executive support for bill 137443-6 — more than five months before its failure in the Duma.

At first glance, this case of bill failure might be classified as defeat. However, tracing bill passage between the bookends of introduction and failure reveals the importance of factors such as intra-executive policy contestation, changing economic conditions, and the realisation of other policy proposals. In isolation from these factors, deputy criticism might appear to be singularly consequential. On closer inspection, such criticism was either simply an intervening factor or entirely orthogonal to the bill's fate.⁹²

President vs. president

The only case of presidential bill failure relates to reform of the federal parliamentary electoral system. Following the disputed State Duma elections in December 2011,

⁹¹ The address text is available here: <http://kremlin.ru/acts/18332> (accessed 12 November 2015).

⁹² There are other such cases. For example, a UR deputy reported that deputy Andrei Makarov was able to criticise the activities of the Ministry of Finance only because 'the [policy] position of the chair of the budget committee is shared by the Kremlin' (quoted indirectly in Bocharova, 8 July 2015, *RBK Daily*). Indeed, the case suggests intra-executive disagreement as a scope condition for the possibility of legislative criticism. This point has been made in comparative work on non-democratic legislative politics. Writing of the experience of Arab parliaments, Baaklini, Denooux and Springbourg (1999: 51) observe:

whenever there is substantial disagreement within the executive bureaucracy over a particular issue, the role of the legislature is typically enhanced. A lack of consensus within the bureaucracy can cause executive agencies to seek external support, sometimes among legislators, for their respective policy preferences. This gives the legislature leverage over both the executive and policy-making.

President Medvedev introduced a number of political reforms, apparently aimed at liberalising political activity. In his address to the Federal Assembly on 22 December 2011, Medvedev proposed changes to the method of electing federal deputies in order to ‘strengthen links between deputies and voters’.⁹³ On 16 February 2012, bill 21870-6 — ‘On the election of deputies of the State Duma of the Federation Assembly of the Russian Federation’ — was introduced into the Duma, proposing to replace a 2005 law of the same name, originally presented by then President Putin.⁹⁴

Substantively, Medvedev’s initiative involved keeping the party-list proportional representation (PR) system introduced by the 2005 law, but dividing the federation-wide electoral district into 225 ‘territorial units’ (*territorial’nye edinitsy*) (bill article three, section two). According to the bill’s explanatory note, the goal of this modification was to ‘ensure representation for voters of all subjects of the Russian Federation in the State Duma’.⁹⁵ The following day — 17 February 2012 — the Committee for Constitutional Legislation and State Construction supported the bill for consideration by the Duma. Although with proposals for particular amendments, opinions from the Duma’s Legal Department, the Public Chamber, and involved committees all supported the bill’s concept. The bill, however, was withdrawn before first reading on 11 March 2013.

⁹³ The address text is available here: <http://kremlin.ru/transcripts/14088> (accessed 12 November 2015).

⁹⁴ The bill’s webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=21870-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=21870-6) (accessed 12 November 2015).

⁹⁵ The note is available here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&80532B3AD914A25DC32579A60049CBCB](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&80532B3AD914A25DC32579A60049CBCB) (accessed 12 November 2015).

On 1 March 2013, President Putin introduced another bill (232119-6) of the same name as Medvedev's proposal.⁹⁶ In contrast to Medvedev's initiative, Putin's electoral reform proposed a return to the mixed system last used for the 2003 State Duma election. Thus, 225 seats would be filled by single-mandate district (SMD) contests and 225 by party-list PR. There was, clearly, a temporal overlap between presidential bills aiming to reform the electoral system. Removing Medvedev's bill from consideration — and, hence, producing a failed presidential bill — caused problems. Although the former bill was no longer under serious parliamentary consideration, its formal sponsorship by the head of United Russia introduced a delicate problem of etiquette, even for a figure whose political capital had fallen considerably since leaving the presidency and becoming prime minister (Kozlov, 12 February 2013, *Izvestia*).

According to media reports, the two reform models presented by the two presidents' bills reflected divergent preferences between key figures in the respective presidential administrations, particularly Vyacheslav Volodin and Vladislav Surkov. Whereas the former favoured a return to a mixed electoral system, the latter was against the return of single mandate districts (Vinokurova, 28 September 2012, *Gazeta.ru*; Ivanov, 9 January 2013, *Kommersant*). In addition, Russian political commentators agreed that Medvedev's initiative — regardless of its content — was a kneejerk reaction to the unprecedented popular demonstrations from December 2011, rather

⁹⁶ The bill's webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=232119-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=232119-6) (accessed 12 November 2015).

than a coherent and sincere reform effort (see, for example, Evgenii Minchenko in Ivanov, *ibid.*).⁹⁷

In short, Medvedev's electoral reform bill was not defeated by legislative opposition. Rather, bill failure was a function of *intra-executive* policy contestation, as well as changed societal conditions between the time of bill introduction and failure.

3.5 Conclusion

At first sight, cases of bill failure appear deviant under authoritarianism. If legislatures in non-democratic regimes simply 'rubber stamp' executive decisions, then why would executive bills sometimes fail to become laws? The existing explanation for such failure contends that these are cases of defeat: the executive is sometimes prevented from realising its policy goals by oppositional legislators, who are given parliamentary seats in return for regime support — or, in an application of information theory, the executive sometimes removes its initiatives from consideration in light of societal opposition relayed by loyal legislators. This chapter challenges the extant solution. Noting firstly the conceptual point that bill defeat is merely a subset of bill failure, the chapter — drawing on the theoretical proposal in Chapter 2 — suggested that authoritarian executives control the failure of their own bills.

⁹⁷ Indeed, this conforms to a general pattern of contemporary Russian lawmaking described by Petrov, Lipman and Hale (2014: 22): 'the typical regime response would appear to be slapdash concession packages designed to defuse the tensions, followed by subsequent efforts to crack down on the sources of political uncertainty that generated the crisis in the first place.'

We do not have to dig very deep into the process of Russian parliamentary lawmaking using publicly available⁹⁸ documents to challenge the existing explanation. Close attention to process-level information reveals that observations, which *prima facie* appear to question the ‘rubber stamp’ approach, turn out to underscore impressions of executive dominance. Executive bills develop during parliamentary passage, although not primarily as a result of legislator influence.⁹⁹ Policy ideas are transposed between bills or are superseded by broader executive initiatives; executive bills fail, therefore, due to redundancy rather than legislative opposition.¹⁰⁰ Executive bills may die, but — in the majority of Russian cases, 2008-2013 — executive ideas live. In other cases, executive proposals lose executive support, either because of intra-executive disagreement or changed socio-economic conditions.

These findings speak to various audiences. For scholars of Russian politics, the data challenge existing claims that executive bills both have not and could not fail with the legislative dominance of the ‘party of power’, United Russia. For scholars of

⁹⁸ However, as Malesky and Schuler (2010: 493, footnote 1) note, there is a difference between ‘publicly available’ and ‘publicised’.

⁹⁹ Cases of legislator influence analysed above involve points of law or parliamentary etiquette raised by regime-loyal legislators, rather than direct challenges to the policy substance of executive initiatives.

¹⁰⁰ There is, however, evidence of executive bill defeat in earlier Duma convocations. Take, for example, bill 96017243-2 — ‘On providing special assistance to citizens in a state of intoxication’ — which was introduced into the Duma on 23 April 1996 by the Government. (The bill’s webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=96017243-2](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=96017243-2) (accessed 12 November 2015).) The Government first faced resistance from deputies in getting the initiative onto the Duma floor agenda. For example, on 5 September 1997, KPRF deputy Al’bert Makashov proposed to remove the bill from the day’s plenary agenda, complaining that the legislative agenda was full of ‘so much rubbish that we are drowning, discussing bills that nobody needs!’ (See the bill’s Duma floor transcripts, available here: http://transcript.duma.gov.ru/api_search/?search_mode=number&sessid=4119&dt_start=&dt_end=&deputy=&number=96017243-2&keyWords= (accessed 12 November 2015).) When the bill was finally considered in first reading on 19 September 1997, the Government’s initiative was defeated, with only 32 percent of deputies voting in favour. This followed a recommendation from the Committee for the Protection of Health — the lead committee — to reject the bill on the grounds that it did not solve the problem it proposed to tackle.

legislative politics, the chapter highlights the problems of equating bill failure with bill defeat, with the limited conception of executive-legislative relations that this entails. Finally, for scholars of authoritarianism, the process-level data allow for a preliminary evaluation of claims made by recent theories of legislative politics in non-democracies, as well as a preliminary application of the theoretical contribution — the ‘executive development’ approach — proposed in Chapter 2. At least for the 39 cases of Russian executive bill failure, 2008-2013, the ‘executive development’ approach significantly outperforms both co-optation and information theories.

Albeit confirming the executive as the key actor, these cases reveal a much richer variety than expected simply by the ‘executive development’ model presented in Chapter 2. Three points are worth noting in this regard. Firstly, this appreciation of variety is made possible by the particular research design — the bottom-up, fine-grained, process-tracing analysis of an *exhaustive* set of cases. Secondly, acknowledging the equifinality of failure underscores that the goal of the dissertation is not to provide a holistic, sufficient model of authoritarian policy-making, placing the executive as the sole actor of influence. Rather, the aim is to suggest another, hitherto unnoticed — or under-appreciated — dynamic.¹⁰¹ Thirdly, although the data available allowed us to reconstruct the processes leading to failure, there is insufficient material regarding the *pre-parliamentary phase* in order to group the 39 cases according to the four types of executive policy development postulated in Chapter 2: ‘discovery’; ‘spillover’; ‘fiat’; and ‘deferral’. Put differently, this research design has suited exhibiting variety,

¹⁰¹This impression of variety will, no doubt, increase with equivalent information from other non-democratic regimes.

but not — unfortunately — the variety hypothesised in the theoretical discussion in the previous chapter.

Although challenging the extant account equating bill failure with bill defeat, the chapter's executive-centred account is, nevertheless, plausibly compatible with the *correlates* of bill failure reported in extant scholarship. Gandhi et al. (2003: 23) interpret the finding that societies with higher ethnic fractionalisation scores are associated with higher bill failure rates the following way: 'we take this to mean that the legislature also is more likely to encompass heterogeneous preferences, resulting in more possible veto players against government initiatives.' However, such diversity might also manifest itself *in the executive*, possibly resulting in policy 'balkanization' (Cox and McCubbins 2001: 28), which could increase the chances of intra-executive conflict over policy during parliamentary passage. In other words, the *correlations* found in past work might be correct, but the *causal pathways* invoked to explain these relationships might be incorrect.¹⁰²

Bill failure has still been a rare phenomenon in post-Soviet authoritarian Russia.¹⁰³ Given the infrequency of bill failure in contemporary Russia, does this evidence provide solid grounds to rethink 'rubber stamps'? Or, could it be that another way of 'rethinking' involves seeing authoritarian legislatures as *probabilistic* 'rubber stamps' — that is, although the vast majority of executive bills become laws speedily and with no changes, occasional cases might not conform to this model as a result of, say,

¹⁰²Indeed, this re-evaluation of causal mechanisms — or 'micro-logic' — chimes with recent findings presented in Jensen et al. (2014: 656) on the relationship between non-democratic legislatures and political risk.

¹⁰³However, see figure 3.1 — drawing on data from Saiegh (2011) — suggesting that, in other non-democracies, bill failure is a more common phenomenon.

stochastic error? One way to explore this possibility is to look at another deviant phenomenon with reference to the ‘rubber stamp’ model: executive bill amendment.

Bill success and bill amendment are possibly related. As Saiegh (2011: 40) argues, ‘if the chief executive can change the content of [...] legislation, then he would be able to tailor it to accommodate the policy preferences of a majority of legislators and avoid being defeated’. Could it be that the impressive passage rates discussed are underpinned by executive concessions to initially resistant legislators? The cases of bill failure analysed in this chapter provide preliminary lessons for an examination of bill amendments, which caution against hastily assuming legislative influence. Firstly, amendments can take the form of executive policy ideas moving (apparently under the full control of the executive) from other bills; this jars with the impression of bill change during legislative review reflecting *legislative* influence. And, secondly, even when non-executive actors are the formal sponsors of bill change, this information can provide a poor purchase on the *real* movers of change; we should be cautious, therefore, in inferring amendment agency from formal sponsorship information.

The amendment activity related to failed bills might be exceptional. It could be, for example, that changes to executive bills (in Russia, at least) are *only* made to transpose policy details from *failed* bills. We need, therefore, to analyse amendments to ultimately *successful* bills — a task which the following three chapters take on.

Amending Executive Bills

Conventional wisdom holds that executive bills do not change during parliamentary passage in authoritarian regimes. As noted in Chapter 2, bill change is inconsistent with the ‘rubber stamp’ model; and even some recent revisionist accounts of authoritarian institutions are sceptical of the possibility of policy change during legislative review under authoritarianism. Commentary on Russian federal legislature reflects this scepticism: Taylor (2014: 245) argues, for example, that, ‘although the Duma formally has the power to discuss and amend laws, its real function is simply to pass laws — it is not an opportunity for influence.’

There is evidence, however, that bills do sometimes change during legislative passage in non-democracies. As demonstrated in Chapter 3, certain executive bills have changed during Duma review, with policy provisions from failed bills transposed into other, successful bills. Beyond Russia, Olson and Simon (1982: 68) cite evidence of committee amendments to government bills in the Polish Sejm under communism. De la Garza (1972) notes the important role played by the Mexican Chamber of Deputies

under the dominance of the PRI in ‘revising and amending executive initiatives’.¹ And, writing of the Chinese National People’s Congress, Tanner (1999: 221) reports that ‘few laws (except international treaties) pass through NPC review without substantive amendments, and many have their contents significantly altered.’

In line with analyses of amendments in democracies, bill changes under authoritarianism have been interpreted as evidence of legislative influence. Going back to communist Poland, Olson and Simon (1982: 70), for example, argue that amendments demonstrate that ‘deputies do not always give their consent to the policies proposed by the government and the ruling party’.² What are the implications of this evidence? Either authoritarian elites are not in complete control of legislative activity, in which case these bodies are not, strictly speaking, ‘rubber stamp’ legislatures; or our understanding of amendments as losses for the ruling elite is flawed or incomplete. This chapter presents and analyses data on the extent of amendment experienced by all Russian executive bills, 2003-2013.³ The chapter has various goals. The theoretical aim is to derive expectations from theories of authoritarian legislatures regarding bill amendment. The empirical aim is to provide a comprehensive, diachronic picture

¹ Cited in Nacif-Hernández (1995: 4).

² This is consistent with impressions from democracies — ‘amendatory powers represent the most important means by which parliamentary assemblies create the content of legislation and contend with governments’ (Capano and Vignati 2008: 38).

³ Bill amendments are the changes made to the content of legislative initiatives. This chapter will focus only on those changes made during parliamentary passage, as well as restricting analysis to bills submitted by the executive. We could also distinguish between proposed amendments — those changes formally submitted for consideration — and successful amendments — those changes included in the final version of a bill. This chapter largely focuses on the latter. Finally, only *successful* bills are analysed. Failed bills (the subject of Chapter 3) are excluded from analysis, as the ‘treatment periods’ — the time, or opportunities, available for amendment — are unknown, although they are probably more restricted than for successful bills, given the stage at which executive bills fail. (See below for a discussion of other bills excluded from analysis.)

of executive bill amendment in Russia across a putative regime shift, 2003-2013, as well as a first-cut statistical analysis of the determinants of bill amendment. This comprehensive, over-time picture will also provide context for the amendment case studies in Chapter 5. The chapter constitutes the first *systematic* analysis of bill amendment activity during the legislative stage of policy-making under authoritarianism, as well as across a putative regime shift.

From the outset, it is important to stress that the goal is not to account for every possible type and instance of executive bill amendment in post-Soviet Russia. Rather, the aim is to provide an unprecedented picture of policy-making dynamics in the State Duma in relation to bill change. In addition, this chapter alone does not provide conclusive evidence in support of the ‘executive development’ explanation for amendments. Although regression results reported at the end of the chapter intimate support for the executive-centred account — over expectations from both co-optation and information theories — the fine-grained data needed to discriminate between these different approaches is provided in Chapters 5 and 6. In a sense, therefore, the purpose of this first chapter is to set the stage: to demonstrate that executive bills are, in fact, changed during legislative passage under authoritarianism; and to marshal preliminary evidence that this change is driven by executive agency, rather than legislator influence.

The chapter proceeds as follows: section 1 discusses extant work on, and approaches to, amendments in both democracies and non-democracies; section 2 then turns to existing impressions of executive bill change in the Russian State Duma; section 3 proposes a research design to examine bill change, including a discussion of different

ways to measure bill amendment; section 4 presents and discusses descriptive statistics relating to the amendments made to 1,150 executive bills signed into law, 2003-2013; section 5 begins to explore the determinants of these patterns of change and the observed changing dynamics over time; the final section concludes.

4.1 Authoritarian amendments

If the legislative passage of executive bills in authoritarian regimes is simply decorative, then the content of these bills should not change during the parliamentary stage of policy-making. And yet, there is evidence that bills do change in the legislature. How can we explain this ostensibly deviant behaviour? The following section will discuss possible explanations, tying together the literatures on democracies and non-democracies.

4.1.1 Executive-legislative bargaining

The paradigmatic frame for amendments — drawn primarily from the study of democracies — is executive-legislative bargaining. Huber (1996: 71-72) presents a conventional account:

If one assumes that the bill originally submitted by the government to parliament fairly represents the preferred policy of the government, then particular types of amendment activity may signal policy disagreement between the government and a majority of members of the National Assembly [...] [and] it seems quite likely that policy conflicts between government and parliament will be greatest on the most heavily amended bills.⁴

⁴ In the same vein, Capano and Vignati (2008: 38) argue, for example, that ‘amendatory powers represent the most important means by which parliamentary assemblies create the content of legislation and contend with governments’. Similar statements abound: Shephard and Cairney

The conventional narrative regarding amendments made during legislative passage is, therefore, the following: legislators propose amendments in order to bring executive proposals closer to legislators' ideal points; and executives concede to these changes in order to ensure bill passage. Amendments are, thus, seen as the outcome of executive-legislative bargaining.⁵ As such, amendments are interpreted as a legislature's *reaction* to executive proposals. Indeed, Blondel (1970: 79) writes of 'the power of the legislature to change the content of the legislation with which it is confronted' as the 'most obvious' manifestation of a legislature's 'power of reaction'; the amending process, therefore, contributes to increasing the 'viscosity' of the law-making process (*ibid.*: 80).

This point can be reformulated in terms of legislative agenda control. If amendments result from opposition influence, and this influence goes against the policy preferences of the executive, then amendments would appear to be an indicator of impaired executive control of the parliamentary agenda. Thus, in a study of amendments made to government bills in Poland, Zubek (2008: 158) characterises such changes as signifying a 'loss of legislative control' by the executive. Similarly, Goetz and Zubek (2007: 531) write — again, in the context of post-communist Poland — of the 'protection of government bills', noting various mechanisms used to 'shield its

(2005: 303, 309) claim amendments demonstrate 'the extent to which the Parliament is having an impact on Executive legislation', and that amendments signal 'the nature of the balance of power between the Executive and the Parliament'; Borghetto and Giuliani (2008: 17) note that '[t]he tabling of amendments has traditionally been conceived as a tool in the hands of opposition parties to exert some influence over the content of a bill'; and Hurka (2013: 274) contends that 'the success and failure of amendments can be thought of as an indicator for the actual power of individuals MEPs [Members of the European Parliament] in the legislative process'.

⁵ For example, Cox and Morgenstern (2001: 173) write: 'By bargaining, we mean that the president makes actual concessions in proposed policies in order to gain legislative acquiescence or "buys" votes with pork or patronage.'

legislation from amendment’ in post-communist Poland. The image conjured is one of executive bills running the gauntlet of parliamentary passage. As a general rule, Tsebelis and Rasch (2011: 9) go so far as to contend that ‘significant amendments will not be proposed, or, if proposed they would fail in countries with strong agenda setting rules’ for the executive; this expectation is clearly based on the assumption that such ‘significant amendments’ are contrary to executive preferences.

This bargaining approach to amendments in democracies resonates with a portion of recent work on non-democratic parliaments. As discussed in Chapter 2, co-optation theory proposes that legislatures act as fora for the granting of policy concessions, or compromises, to members of the potential opposition by the ruling elite.⁶ Co-optation theory, therefore, regards amendments as the result of elite-opposition bargaining.

4.1.2 Amendment variety

Amendments are not, however, born equal. Heller (2001: 786), for example, points to a number of distinct amendment types:

There are basically three kinds of legislative amendments. Friendly amendments are designed to correct technical or political flaws and omissions. They benefit the majority and should pass with Government blessing and little intra-majority strife. Second, credit-claiming amendments allow parties to signal their policy commitments to supporters but potentially could seriously damage carefully crafted legislation. Opposition amendments, finally, would kill or significantly alter Government bills.

⁶ Rather than making concessions to avert bill defeat, it could be that executives grant concessions in order to avert other actions, such as street protests by members of the potential opposition — cf. Reuter and Robertson (2015).

That amendments are not necessarily the result of executive-opposition conflict is underscored by Borghetto and Giuliani (2008: 17) who — writing of contemporary Italian legislative politics — observe that ‘[i]t is perfectly normal for MPs belonging to the ruling majority to submit their own amendments, since there may be matters which are left unsolved between government and party leaders at the preparatory stage.’ In a similar vein — albeit discussing practices in a non-democratic legislature, the Mexican Congress of Deputies under the dominance of the PRI — Nacif-Hernández (1995: 227) argues that committee reports are ‘essentially legislative deals hammered out previously between the executive branch, and the PRI delegation [...] with the function of the plenary being that of revising legislation for last-minute stylistic amendments’.⁷ These examples suggest a continuum of amendments types, with changes placed on the continuum according to their distance from the executive’s ideal point. Put differently, amendments can result from various ‘modes’ of executive-legislative relations, rather than simply the subset of executive-opposition relations (King 1976). As such, we cannot infer a particular — and singular — causal story from the mere observation of amendments.

Again, we can relate these findings from democracies to recent work on non-democratic assemblies. Information theory does not necessarily entail the picture of elite-opposition disagreement and bargaining suggested by co-optation theory. In contrast, legislators remain loyal to the elite, but provide a channel for the revelation of citizens’ preferences. To be sure, the airing of popular grievances might highlight

⁷ Nacif-Hernández (1995: 220) also notes that ‘the convention developed that the congressional party functions as a revising force, that can contribute to the improvement of legislation drafted by the PRI-controlled executive branch’.

conflict potential over policy details; but information-provision is also consistent with non-conflictual forms of policy amendments.⁸

4.1.3 Executive amendments

Heller's (2001) typology of amendments does not include the possibility of *executive* amendments to executive bills. And yet, such a scenario is not uncommon. Blondel (1970: 80), for example, acknowledges that 'bills are indeed amended, but mainly at the overt request of the government, in the legislatures of 'liberal democratic' countries'. For example, in a study of bill amendments in the Westminster parliament, Russell, Gover, and Wollter (2015: 8) find that, although the Government formally sponsored 18.7 percent of all moved amendments (4,149 in total for 12 case-study bills), its share of *agreed* amendments was 93.9 percent.

There are ostensibly three groups of executive changes cited in existing works. Firstly, the executive might make technical, drafting changes to its own initiatives. Writing of the Scottish Parliament, Shephard and Cairney (2005: 317, footnote 4) observe that, '[a]s in Westminster, poor drafting of bills as introduced leads to a raft of ministerial amendments which may change the substance of the bill and allow Parliament less time to scrutinise legislation'. Secondly, executive-sponsored changes might reflect *non-executive* amendment initiatives. Blondel (1970: 80) argues, for example, that

it is not possible to know without a detailed analysis of each particular case or at least of a sample of cases, whether the government did in a 'real' sense

⁸ Another information role played by authoritarian legislatures might take the following form: the executive capitalises on the publicity entailed by the legislative introduction of bills to elicit popular feedback on proposed policy changes; in the face of fierce resistance, the regime might change its initiative.

initiate the amendment. It can be postulated that at least in a number of cases the government received a suggestion from outside and either genuinely liked it (in which case there is already a response to outside intervention) or felt neutral or even somewhat negative, but for general political reasons considered it appropriate to make a gesture.

Indeed, Huber (1996: 71, footnote 10) — writing of the French National Assembly — finds that

[g]overnment amendments generally represent concessions to the National Assembly. The government and members of the majority, for example, might agree outside of parliament on policy changes to a government bill. The government will then submit an amendment reflecting these extra-parliamentary agreements.

And, Griffith (1974: 93) — writing of three Westminster parliamentary sessions (1967-68, 1968-69, and 1970-71) — finds that, although Government ministers were formally responsible for the vast majority of successful amendments moved, ‘[m]ost Government amendments moved in committee in the Commons are the result of extra-Parliamentary activity or of pressure exerted by Members privately’.⁹

The reasons for executive sponsorship of non-executive amendment initiatives include considerations of prestige (the executive might want to maintain an image of control, albeit incorporating the substance of non-executive proposals) and procedure (non-executive changes might need to be cleared by ministries — a task that is easier if ministers themselves ‘adopt’ a proposed change).¹⁰ It is important to note that

⁹ See Kalitowski (2008), and Russell and Cowley (2015) and Russell, Gover and Wollter (2015) for contemporary analyses of amendment practices in Westminster that also note the ‘hidden’ influence of non-executive actors through formally executive amendments. The latter work concludes that, ‘while the majority of government amendments lack policy substance, the majority that do have substance follow clear parliamentary pressure for policy change’ (*ibid.*: 12).

¹⁰ On the latter, see Russell et al. (2015: 11-12).

this discrepancy between formal and real agents of change complicates attempts to infer influence from formal amendment sponsorship information — a conclusion that resonates with evidence presented in Chapter 3.

Thirdly, executive amendments might result from *intra-executive* policy disputes. As noted in Chapter 2, Martin and Vanberg (2005, 2011) suggest that amendments made during parliamentary review (to coalition government bills in parliamentary democracies with strong committee systems) reflect differences between members of the ruling executive, rather than differences between the executive and the legislative opposition.¹¹ This insight formed the basis for the ‘executive development’ approach presented in Chapter 2, according to which amendments experienced by executive bills during legislative review in non-democracies are the result of changes to executive preferences.

In sum

This section has attempted to synthesise existing work on bill amendment in democracies and non-democracies, drawing out in particular how co-optation, information, and ‘executive development’ approaches map onto analyses of amendments in democracies. The key result of this discussion is to underline the basic fact that amendments made to executive bills during legislative passage are not exclusively the result of executive-legislative bargaining. Put differently, it is simply wrong to conclude actor

¹¹ Note that there is little work exploring this possibility in *presidential* democracies. However, see Gaylord and Renno (2015).

influence from the *venue* of change. Following this general discussion, the chapter will now turn to the case of post-Soviet Russia.

4.2 Amending executive bills in Russia

We have very little idea of whether, or by how much, executive bills are amended as they pass through the Russian State Duma, regardless of regime period. This section will survey existing impressions of bill change, after a brief overview of formal amendments rules.

4.2.1 Formal amendment rules

Bill amendment is structured by rules. Amendment outcomes are the result of the interaction of these rules with other variables, such as the partisan composition of the legislature and the separation, or unity, of purpose (Haggard and McCubbins 2001).¹² The rules relating to bill amendment in the Russian State Duma are contained in the body's standing orders (*Reglament Gosudarstvennoi Dumy*). Specifically, articles 119, 120, 121, and 123 specify the stages when, and conditions under which, amendments can be made, as well as which actors have the authority to propose such changes. Put simply, the provisions state that bill amendments are made during the second reading stage.¹³ All legal subjects with the right of legislative initiative — that is,

¹² As Baron and Ferejohn (1989: 1181) write: 'Bargaining in legislatures is conducted according to formal rules specifying who may make proposals and how they will be decided. Legislative outcomes depend on those rules and on the structure of the legislature.'

¹³ Note that, although texts passed by the Duma but vetoed by the Federation Council or the President can be changed in conciliation and special commissions, these documents are, strictly speaking, already federal laws.

those agents with the right (enshrined in article 104, part one of the Constitution) to introduce bills into the Duma — also have the right to introduce amendments into normal federal bills. Before consideration on the Duma floor, the lead committee collects amendment proposals, itself deciding on the basis of a committee vote which amendments to propose for acceptance or rejection by the Duma in plenary.¹⁴ This committee-amended bill is then put to the Duma floor for a vote, with deputies able to challenge particular amendments. Substantive amendments are inadmissible in third reading, although minor legal-technical changes can be made before the floor vote.¹⁵

The scope for significant amendments in the Duma is curtailed — in principle — by a germaneness rule. Specifically, following discussion and adoption of a bill's concept (*kontseptsia*) in first reading (see article 118, part one of the Duma's standing orders), subsequent parliamentary consideration — namely, amendments in second reading — should not alter this concept. Indeed, a Constitutional Court resolution (*postanovlenie*) from 5 July 2001 affirmed this point, also establishing that the introduction of conceptual changes after first reading constituted a procedural violation, which, in turn, provided grounds for ruling the subsequent law unconstitutional.¹⁶

¹⁴ Committees can also withhold a decision on proposed amendments, for resolution on the floor. In addition, since changes to the Duma's standing orders in 2012, lead committees can also deem proposed changes to fall outside the bill's conception, and, thus, to be inadmissible.

¹⁵ If substantive changes are required, then the bill is returned to the second reading stage (in effect, for a second second reading).

¹⁶ The Court's resolution is available here: <http://doc.ksrf.ru/decision/KSRFDecision30397.pdf> (accessed 12 November 2015).

4.2.2 Existing impression — little change

As stated above, there is no extant, systematic picture of Russian executive bill amendment. There are, however, suggestions. Commenting on changes in policy-making dynamics in the transition from the third to the fourth Duma convocations, for example, Remington (2008a: 975) notes: ‘[it is] striking that, in contrast to the bargaining that accompanied tax bills in the past, there were almost no changes to the government’s initial version while the bill was going through the Duma’.

This is not to deny legislative *rhetorical* resistance to executive initiatives, even from United Russia deputies. For example, writing of the legislative passage of bill 196666-6 — ‘On the introduction of changes to various legislative acts of the Russian Federation regarding countermeasures to illegal financial operations (regarding countermeasures to illegal financial operations)’¹⁷ — the journalist Vadim Visloguzov (25 February 2013, *Kommersant*) observed the following case of acquiescence:

United Russia, according to an already established tradition for the discussion of complex economic bills from the White House [Russian Government], severely criticised the bill, but, as usual, voted in favour, promising ‘to clean’ the most odious novelties from it before second reading. [...] The rhetoric of United Russia on the degree of unwelcome change differed little from the tone of statements from opposition fractions. [...] Given the variety of complaints and the political impossibility of rejecting the White House’s bill, a representative of Just Russia, Oksana Dmitrieva proposed a compromise to United Russia deputies: to ask the Government to exclude from the bill the ‘clearest odious, repressive norms’ before the first reading. The parliamentary majority did not decide to go so far in a disagreement with the Government: they adopted the document in first reading with 293 votes for the bill.

¹⁷ The bill’s webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=196666-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=196666-6) (accessed 12 November 2015).

Even though ostensibly pro-executive partisans in the Duma have reacted negatively to executive proposals, and even though these same legislators have made statements promising to alter the content of the bills, their willingness to press the Government on desired changes has not, apparently, matched the vociferousness of their criticisms.¹⁸ The following description is indicative of ‘rubber stamp’ characterisations of the State Duma:

If parliamentary effectiveness is measured by passing as many bills as possible, as quickly as possible and *with as few amendments as possible* — with the preferential treatment of the president’s and government’s initiatives — then the current Duma has been enormously productive. [...] How do you make such a rubber stamp parliament any better than already it is [sic]?¹⁹

Similarly, a seemingly candid account of a meeting between Duma party representatives and Prime Minister Medvedev in January 2013 underscores this impression of deputy impotence to influence the content of executive bills in spite of a clear clash of preferences:

Deputies from all factions, including from United Russia (the chairman of the Budget Committee, Andrei Makarov, and vice-chairman of the Duma, Aleksandr Zhukov) severely spoke out against the Government bill concerning the battle with offshore companies. In response, Medvedev reproached them, saying that they did not publicly object to the Government, which sometimes makes mistakes; deputies need to express criticism more loudly [contended Medvedev]. There is already no need to respond to this: the State Duma is a controlled organ, stated Gartung [a Just Russia deputy]. The legislature stamps decisions, which are taken by the executive, therefore the authority of parliament falls, he said.²⁰

¹⁸ For similar dynamics in a parliamentary democracy, see Huber (1992: 678): ‘government parties in parliament may find a proposal worse than the status quo but nonetheless accept it to remain loyal to the government’.

¹⁹ Schulmann (24 April 2014, *The Washington Post*), emphasis added.

²⁰ Novikova (23 January 2013, *Vedomosti*).

Indeed, Liliia Biriukova (12 September 2012, *Vedomosti*) reports United Russia deputies' 'dissatisfaction with the fact that they have become simply "voting buttons"'. At most, existing studies supporting this picture of legislative impotence point to 'minor concessions' (Fortescue 2009: 176) or 'minor victories' (Taylor 2014: 232) won by the legislature.

4.2.3 A different picture — significant change

In contrast to this narrative, however, there are suggestions that Russian executive bills are sometimes amended significantly during legislative review, even in recent years. Shul'man (2013: 128) observes, for example, that '[t]he text of a legislative bill 'on exit' from the State Duma can differ radically from the introduced draft, but may coincide with it'. In November 2013, for instance, the speaker of the Federation Council, Valentina Matvienko, criticised the changes made to Government bills during parliamentary consideration. At a meeting with state secretaries from various Government ministries, Matvienko stated: 'The Government introduces one version, then Duma deputies work seriously on these laws [sic — read 'bills']',²¹ and — what is unacceptable — they introduce conceptual changes between the first and second readings' (quoted in Petrov, 26 November 2013, *RBK Daily*).²²

²¹ Although bills only formally become laws following adoption by the Duma (even before adoption by the Federation Council and presidential signature), bills are often referred to (informally) as laws.

²² See also Gorodetskaia and Khamraev (26 November 2013, *Kommersant*). There is, of course, a distinct irony in the speaker of the Russian upper chamber complaining about what, at first sight, looks like evidence of legislative influence on executive initiatives — that is, of the parliament *reacting* to executive policy proposals; of acting autonomously. This irony was not lost on all: for example, Aleksei Mukhin — director of the Centre of Political Technologies — argued that 'it is precisely in the competence of the lower chamber of parliament to enter corrections to bills to make them acceptable to society' (Petrov, 26 November 2013, *RBK Daily*).

Matvienko cited as an example a bill that, according to the text as introduced to the Duma, related to state duties to be paid for the registration of aircraft. In second reading, a large number of articles were added, proposing changes to taxation and customs legislation, as well as legislation relating to the Central Bank. What is more, according to Matvienko, the length of the bill increased dramatically — from two to 65 pages.²³ There are suggestions that such cases of significant bill amendment are not exceptional: Bocharova (22 March 2013, *Lenta.ru*) goes so far as to claim that ‘the practice of amending a law [sic — read ‘bill’] beyond recognition between first and second reading [...] [has become] a tradition’.²⁴

Such bill transformations are, of course, familiar to scholars of presidential politics in democracies. For example, commenting on law-making in Brazil, Ames (2002: 213) writes: ‘Proposals that survive the legislative process emerge disfigured by substantive concessions and weighted down by pork-barrel payments’. And, writing of the ‘flow of ideas’ between bills in the US Congress, Wilkerson et al. (2013: 2)

²³ Although Matvienko did not identify the particular bill in question, it is clear from the features she noted that the initiative in question was bill 293332-6 (‘On the introduction of changes to Parts One and Two of the Tax Code of the Russian Federation and other legislative acts of the Russian Federation’). The original title of the bill was different: ‘On the introduction of a change to article 333.33 of Part Two of the Tax Code of the Russian Federation regarding the determination of state duties for the state registration of aircraft rights’. Whereas the submitted bill was just over 200 words in length, the final law was just under 10,000 words long. The bill’s webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=293332-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=293332-6) (accessed 12 November 2015).

²⁴ Indeed, Pleshanova (29 June 2015, *Kommersant* “*Vlast*”) provides an example suggesting that such extensive amendments are not restricted to executive bills (even if the instigators of change are executive actors):

In June 2013 [...] the [Presidential] Council [on Codification and the Development of Civil Legislation] discussed a 25-page bill of amendments to the Land Code: the Government decided “to tether” them to a deputy bill, linked to the Town Planning Code and adopted in first reading in June 2007. Through these amendments in second reading, the Government proposed to introduce a new chapter into the Land Code [...] The bill grew almost tenfold in second reading.

report that ‘[t]he bill that becomes law is often very different from the bill that is introduced’.²⁵ However, such policy-making practices are unexpected in authoritarian legislatures — *policy ideas are not supposed to flow in ‘rubber stamp’ assemblies.*

Although Matvienko’s criticism seemed to be levelled against deputies — suggesting, perhaps, that United Russia deputies’ promises to amend criticised bills in second reading (noted above) might not have been as empty as previously thought — the precise aetiology of significant amendments is not clear. Indeed, at the November 2013 meeting of state secretaries referred to above, Andrei Klishas — chair of the Federation Council Committee for Constitutional Legislation — cited the example of a Government bill introduced to the Duma in 2012, but changed in accordance with a presidential decree from 7 May of the same year. In second reading, and by the suggestion of the Government, several elements were excluded from the bill.²⁶ More generally, Pleshanova (29 June 2015, *Kommersant*’ *Vlast*’) suggests that such ‘amendments, frequently exceeding the original bills in size, not infrequently come from the Government’.

That the executive might be responsible for these significant changes helps to explain why there is little evidence of the executive challenging such amendments. If, for example, these bill changes constituted movements away from the executive’s ideal

²⁵ See Krutz (2001) for an analysis of omnibus bills in the US Congress.

²⁶ The bill in question, albeit not directly cited by Klishas, is bill 148166-6 — ‘On the introduction of changes to various legislative acts of the Russian Federation regarding the realisation of measures for enhancing the prestige and attractiveness of compulsory military service’, the webpage of which is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=148166-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=148166-6) (accessed 12 November 2015). Despite the primary role of the Government in amending its own bill, the successful amendments made during second reading were all formally sponsored by deputies — a finding that resonates with evidence discussed in Chapter 3. See the committee amendment table here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&E2123BCCBA0E91F343257B890028305C](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&E2123BCCBA0E91F343257B890028305C) (accessed 12 November 2015).

point, then the executive could propose alternative amendments, attempt to remove its initiative from the legislature, or block a bill's passage into law (see the comment from Aleksei Mukhin in Petrov, 26 November 2013, *RBK Daily*).

Conceptual change

Putative violations of the amendment germaneness rule (cited above) have motivated challenges to federal laws. In 2012, the Federation Council returned a bill (440300-5, sponsored by LDPR deputies)²⁷ to the Duma on the basis that its concept had changed significantly following first reading (Bocharova, 22 March 2013, *Lenta.ru*). In addition, an appeal made by a group of deputies to the Constitutional Court challenged the constitutionality of a 2012 law (65-FZ, from bill 70631-6),²⁸ in part with reference to putative procedural violations in its adoption, including alleged conceptual changes made during second reading.²⁹ Although the final Court resolution did not agree with the complainants that the concept of the bill had changed following first reading, a dissenting opinion from Justice Vladimir Iaroslavtsev made the opposite conclusion:

Analysis of the proposed amendments clearly shows that, between the first and second readings, not only was the bill renamed, but significant changes to the bill's concept were made, widening the range of regulated relations, resulting in a substantial change to the scope of the constitutional right of freedom

²⁷ The bill's webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=440300-5](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=440300-5) (accessed 12 November 2015).

²⁸ The bill in question related to the regulation of public demonstrations — a particularly hot topic at the time, in the wake of the disputed December 2011 parliamentary elections. Attempts by opposition legislators to block (or simply impede) the passage of the bill into law through stalling tactics (an 'Italian strike') ultimately failed, but provided an exceptional moment of manifest opposition on the Duma floor. Amendments were made to the Duma's standing orders in September 2012 to reduce the opportunities for such stalling tactics to be used by deputies in the future.

²⁹ The Court's decision in relation to this appeal is available here: <http://doc.ksrf.ru/decision/KSRFDecision131666.pdf> (accessed 12 November 2015).

of assembly, rallies, demonstrations, marches and pickets [...] [therefore] indicating the unconstitutionality of the act.³⁰

This basic difference between the Court's majority decision and the dissenting opinion can be interpreted in various ways. On the one hand, it simply underscores the ambiguity of the notion of conceptual change.³¹ On the other hand, it possibly hints at the difficult *political* calculus confronting the Constitutional Court. Although the bill in question was formerly sponsored by deputies, sources in the Presidential Administration revealed that the bill was, in fact, written by staff of the administration's Department of Internal Policy (Nikol'skaia and Surnacheva, 26 January 2015, *Kommersant*"). As such, the Constitutional Court faced the prospect of ruling a de facto presidential initiative unconstitutional due to procedural violations in its adoption in the State Duma.³²

Although these episodes provide important insights into contemporary policy-making practices in Russia, it is unclear how frequently such significant change takes place. We need, therefore, a way to develop a systematic, longitudinal picture of executive bill change. This information will allow us to evaluate the jarring pictures discussed above — of both little and significant changes made to executive bills during Duma passage — as well as impressions and expectations regarding diachronic change.

³⁰ The text of the dissenting opinion is available here: http://www.consultant.ru/document/cons_doc_LAW_142234/?frame=1 (accessed 12 November 2015).

³¹ Ambiguities concerning the Russian law-making process have motivated a number of attempts for stricter regulation. Proposals for a 'law on laws' have been discussed since the 1990s, albeit never becoming federal law. On the latest attempt — a bill written by the Ministry of Justice — see Rodin (29 December 2014, *Nezavisimaia gazeta*) and Kornia (12 January 2015 and 27 January 2015, *Vedomosti*).

³² See Trochev (2008) for an analysis of the Russian Constitutional Court, including fluctuations in its apparent political autonomy.

The following section will present a research design for examining bill amendment, including a discussion of various ways to measure bill amendment.

4.3 Research design

Overall, the goal of this and the following two chapters is to examine whether, by whom, and why executive bills change during legislative passage. Within this broader project, this chapter's primary goal is to explore whether, how frequently, and by how much executive bills have been amended during Duma passage. It will also present a preliminary analysis aimed at evaluating rival claims regarding the springs of change. Of particular interest is how amendment dynamics have changed *over time*, particularly across the putative shift from democracy and the interim period of authoritarian consolidation into authoritarianism. In effect, this regime shift allows us to control for a wide range of variables, whilst varying the level of electoral competition and, in turn, legislative autonomy — a variable that extant scholarship posits to be important for bill amendment. This chapter presents and analyses amendment data on *all* executive-sponsored bills, 2003-2013 (see Appendices D and E for a discussion of these data). Before these data are presented, the particular measures of bill amendment chosen will be justified.

4.3.1 Measuring amendment

There are various approaches to measuring bill amendment. A significant proportion of extant work is concerned with explaining the genesis, fate, and impact of

particular, formal amendments. Thus, for example, Huber (1996: 72) presents data on amendment fates for all proposed changes made to 356 French government bills (*projets de loi*), 1978-1989; Tsebelis et al. (2001) trace the legislative histories of around 5,000 amendments made in the EU law-making process; and Russell, Gover and Wollter (2015) reconstruct the paths of 4,361 amendments proposed to six bills in Westminster, 2005-2010.

Interpreting such amendment data is notoriously tricky. As Shephard and Cairney (2005: 306-307) note, for instance, amendments proposed are not necessarily all sincere attempts to change a bill — they might serve the purpose of, say, highlighting an issue or raising the profile of the proposer. In addition, discrete proposed amendments are not necessarily comparable in terms of importance — one amendment might simply correct a punctuation error, whereas another proposes to change the substance of the bill significantly. And information on formal sponsorship might not reflect the real agents of change (as discussed above).³³ It is difficult, therefore, to infer conflict (never mind its intensity), or the influence of particular actors, on the basis of this summary data.

A number of studies have attempted to address these concerns. For example, some studies have incorporated data on amendment substantiveness. Kreppel (2002: 794), for example, includes four categories of amendment scope.³⁴ Furthermore, a minority

³³ Indeed, a senior State Duma committee official noted in an interview (6 June 2013b) that the Government sometimes expressly instructs committees to insert particular amendments, but under the name of deputies.

³⁴ It is worth noting that even this approach is not perfect. Kreppel (2002: 794) writes: ‘Ideally, there would be a way to measure the significance of individual amendments, but given the extremely technical nature of most EU legislation and the broad gambit of proposals examined here, this kind of categorization was impossible.’ Even this imperfect approach is challenging in

of studies include information on the extent of adoption, rather than a simple binary outcome (success or failure) (Tsebelis et al. 2001). However, the costs of such analysis — given the fine-grained information required — as well as the expertise to make competent (albeit subjective) judgements on amendment substance, scope, or importance are very high. As Martin and Vanberg (2011: 73) contend: ‘Given the technical nature of most modern legislation, grasping the policy significance of changes to a draft bill by classifying the substantive content and language of such changes requires extensive expertise in the policy areas dealt with by the bill.’

Text change

Partly as a response to these costs and difficulties, another approach to measuring amendment focuses on the extent of *text* change experienced by bills during legislative passage. Such approaches ignore formal sponsorship information and unsuccessful amendments, looking simply at text-based differences between bills and laws. A very basic — and un-costly — measure is to look at word-length differences between bills and laws. A slightly more sophisticated approach is taken by Martin and Vanberg (2005: 99), who look at changes, deletions and additions to bill articles between draft and final laws, beyond mere copy editing:

the measure we will be using as our dependent variable is defined as *Number of articles altered (or deleted) in the draft version of bill + Number of new articles added to the draft version of bill*. The dependent variable is thus an integer that is bounded from below by zero (a case in which a draft bill is not altered at all in the legislative process) and unbounded from above.

itself, as evinced by the empty field for ‘Importance of Amendment’ in Tsebelis et al.’s (2001) spreadsheets on EU amendment results, available at http://sitemaker.umich.edu/tsebelis/european_union_data (accessed 12 November 2015).

A variant of this approach focuses on *words* rather than (sub)articles.³⁵ Pedrazzani and Zucchini's (2013) study of amendments to government bills in contemporary Italy measures amendment extent in the following way:

we computed for each single word appearing in either version the absolute difference between the number of times it occurs in the draft bill and the number of times it occurs in the final law, and then summed all these absolute differences. In this way, we considered substituted words, but overestimated their number, which resulted in twice the actual value. For this reason, we computed the absolute difference between the number of words in the original bill and the number of words in the final law to get the number of added or removed words, subtracted this quantity from the sum of the absolute differences calculated in the second step and divided the result by two, thus finding the actual number of substituted words. Finally, we added the number of substituted words to the number of added or removed words, and obtained the total number of changed words.

This technique is a 'bag-of-words' approach, where the metric of change is the total unique word frequency differences (UWFD) between drafts and laws.³⁶

This approach clearly has its own downsides. For instance, it would be naive to assume a simple relationship between the extent of amendment (in terms of the simple UWFD measure of text change) and the *importance* or *substantiveness* of this change.³⁷ One way to address this concern is simply to couch interpretations of the data carefully. Thus, we should be careful not to slip from statements such as 'The *text* of bill *x* changed significantly during legislative review' to statements such as 'The *substance* of bill *x* change significantly during legislative review'. These data only allow us to speak strictly about the level of text change — and a particular measure, at that.

³⁵ Martin and Vanberg (2011) modified their approach by focusing on *subarticles* as the base unit.

³⁶ For a comparison of Martin and Vanberg's (2011) approach with that of Pedrazzani and Zucchini (2013), see Appendix 7 of the latter, available at: <http://coolresearch.net/wp-content/uploads/2012/09/Appendices-horsesandhippos1.pdf> (accessed 12 November 2015).

³⁷ For a similar issue, see critiques of attributing law 'importance' with reference to law word length (Tsebelis 2002: 166).

Claims of importance or substantiveness require further information and analysis. And yet, this text-based approach to measuring amendment constitutes an intuitive, and straightforward, first step to analysing bill change. As such, this text-based measure will be used below for analysing Russian executive bill amendments.

This text-based measurement approach, clearly, depends on having access to texts of introduced drafts and final laws. Appendix D sets out the data-collection procedure for the dataset of 1,150 executive bills, 2003-2013. The following section will present and discuss these data.

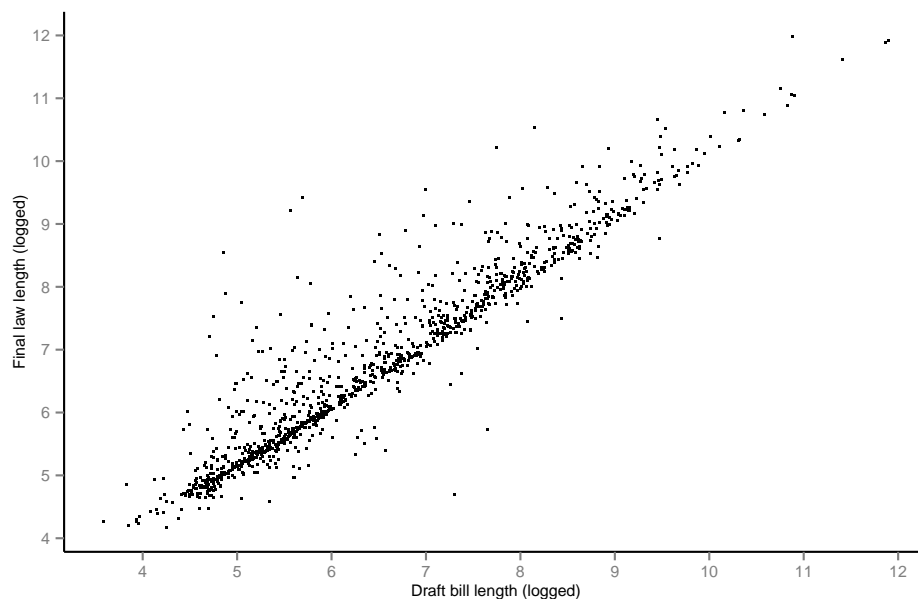
4.4 Russian data — descriptive statistics

Far from exceptional or deviant, *executive bill amendment has been the norm in Russia, 2003-2013*. Figure 4.1 provides a summary visualisation of the changes experienced during legislative passage for all 1,150 executive bills in the dataset, plotting logged submitted draft word lengths against logged final law word lengths.³⁸

The ‘rubber stamp’ expectation for this graph would be a straight line, demonstrating no change in word counts for bill-law dyads. Although many values fall around this line of parity, there is also a substantial number of cases falling off the line. Interestingly, the majority (89 percent) of executive bills *grow* in length during Duma

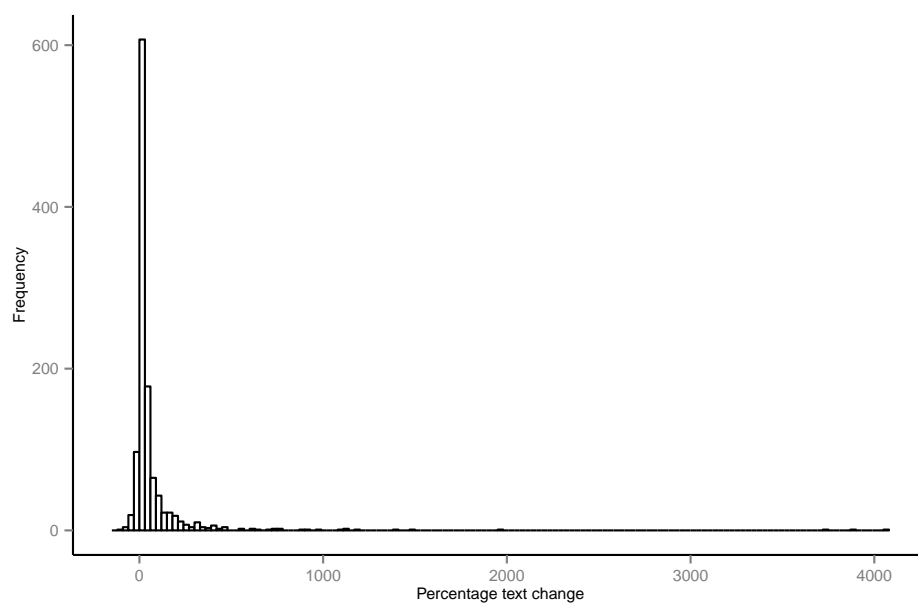
³⁸ The log transformation aids visual presentation, in light of the skewed distributions.

Figure 4.1: *Word lengths of submitted drafts and final laws (both log transformed), 2003-2013.*



passage. Figure 4.2 presents the same information, but as a histogram of word number percentage change values.³⁹

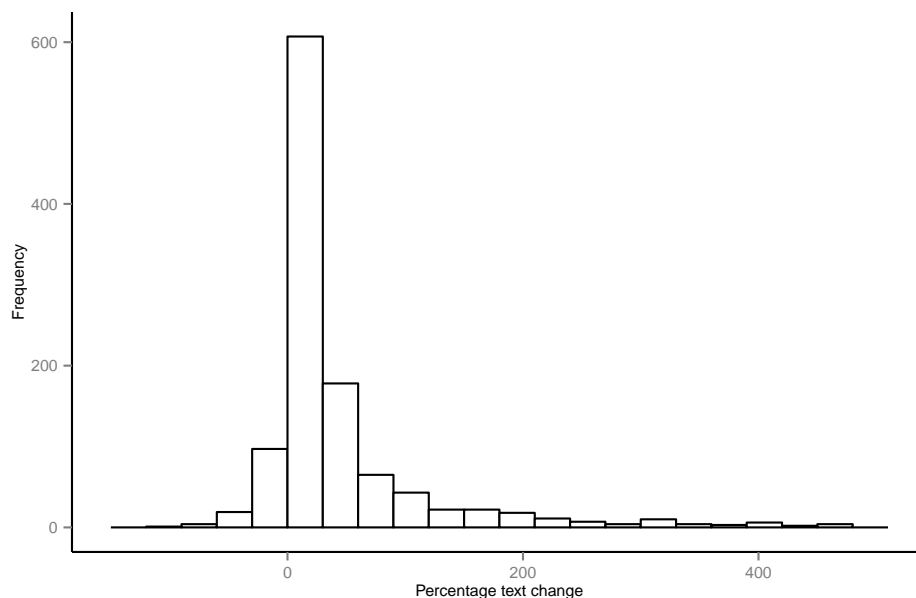
Figure 4.2: *Histogram of word length change percentages, 2003-2013.*



³⁹ Percentage change in word length is calculated thus: law word length minus draft bill word length, divided by draft bill word length. This is, of course, an even more basic measure than the UWFD measure of bill change. However, it provides a simple, and intuitive, first step.

The distribution of the histogram is instructive: it combines a tall peak, corresponding to many small amendments; weak ‘shoulders’, corresponding to relatively few moderate changes; and a ‘fat right tail’, corresponding to occasionally dramatic levels of text change. In short, it is *leptokurtic* — a distribution that is more ‘peaked’ than the normal distribution. Indeed, the l-kurtosis (LK) value — ‘a standardised measure of kurtosis that adjusts for over-responsiveness of kurtosis to extremes’ (Jones et al. 2009: 860) — for the distribution is 0.563; by contrast, a normal distribution has an LK value of 0.123.⁴⁰ These features are reflected in summary statistics of percentage text change: the mean is 69, and the median is 19 percent. Given the skew in the data (driven by the extreme values in the right tail), figure 4.3 excludes values above 500 percent.

Figure 4.3: *Histogram of word length change percentages, 2003-2013 (removing values greater than 500 percent).*

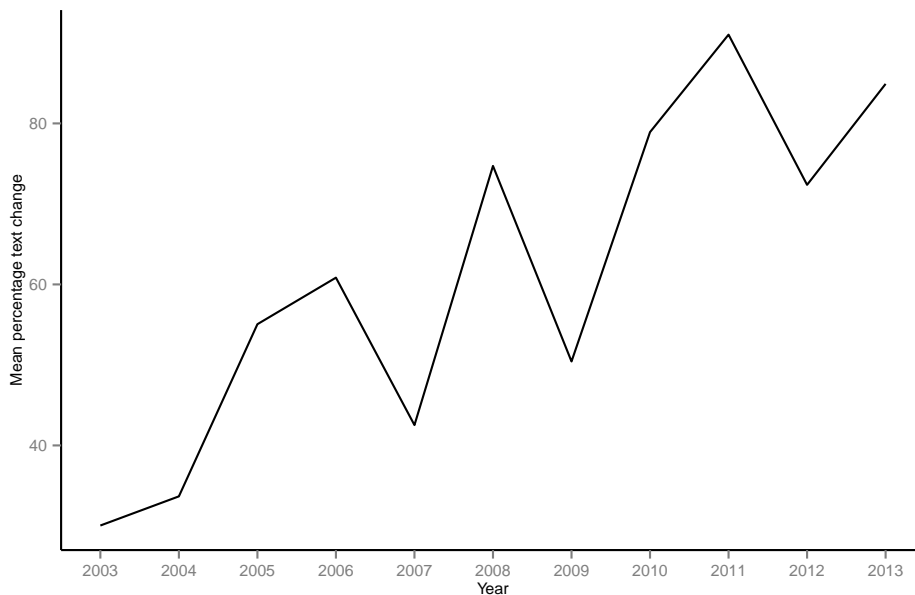


⁴⁰ The analysis of LK values is common in recent studies of democratic year-on-year budgeting dynamics — see, for example, Breunig and Koski (2006); Jones and Baumgartner (2005); Jones et al. (2009). Recently, this analytic approach has been extended to the study of non-democracies — see, for example, Baumgartner, Bishtawi, Carammia, Epp, Noble, Rey, and Yildirim (2015) and Lam and Chan (2015).

Removing these values still leaves a leptokurtic distribution (LK value = 0.364) — that is, even after removing the clearest outliers, the distribution shape is still distinguished by many small changes and occasionally large changes.

But these data are pooled. It could be, therefore, that this overall picture of change is driven primarily by observations from the democratic and authoritarian consolidation periods — that is, before 2008. Figure 4.4 plots yearly means of percentage text change.

Figure 4.4: *Word length change percentages (yearly means), 2003-2013.*

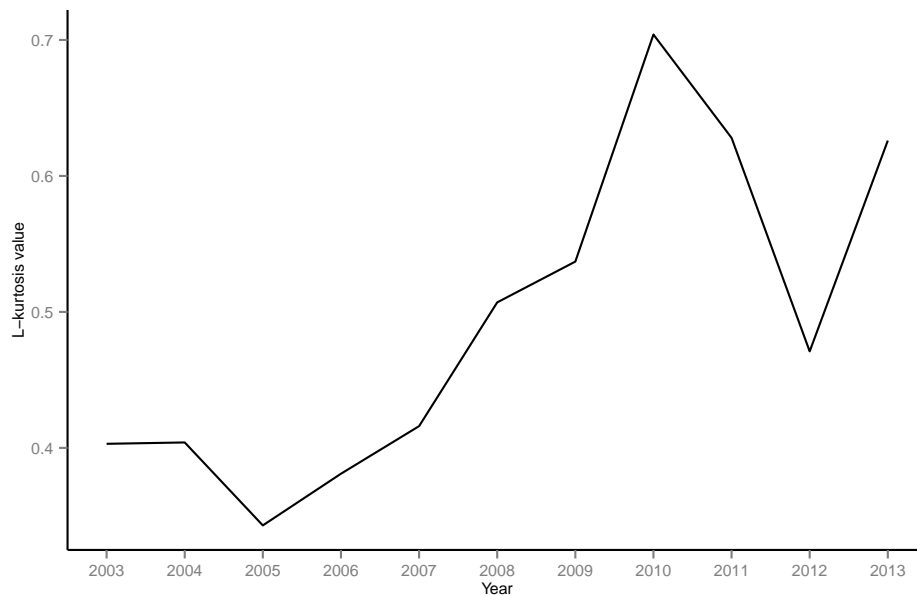


This figure should surprise scholars of both Russian and authoritarian legislative politics. The diachronic trend is precisely in the *opposite* direction to that congruent with existing knowledge. If the level of text change were the result of legislative influence, and if we accept that the Duma’s influence has decreased over time, then we would expect the trend line to slope *downwards*. This is clearly not the

case.⁴¹ Whereas the mean level of text change in 2003 was around 30 percent, the corresponding figure for 2013 is around 85 percent.

How has the *distribution* of percentage change values varied over time? Although measures of central tendency provide a consistent picture over time, this information does not tell us about the distribution of *types* — or, rather, the relative size — of changes. Figure 4.5 presents yearly LK values.

Figure 4.5: *L-kurtosis values of word length percentage change distributions by year, 2003-2013.*

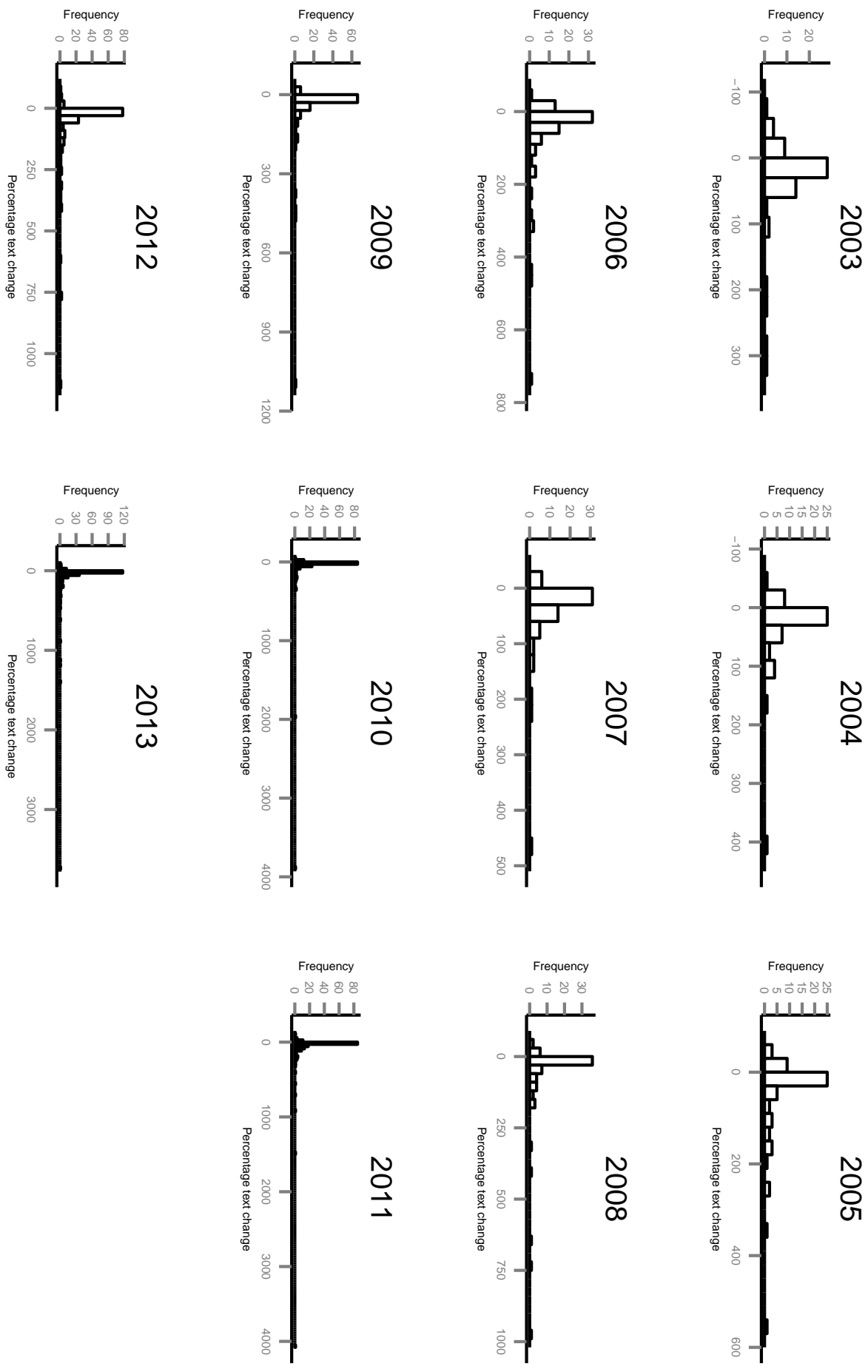


Although, again, the trend over time is not monotonic, there appears to be an increase over time in the kurtosis of the change distributions. In other words, the

⁴¹ Given the skewed distribution, tracking the mean level of text change over time might give a distorted picture of changing central tendency, given the presence of extreme values in the right-hand tail. However, data on median changes are congruent with the upward trend in text amendment level over time. These are mean values (by Duma convocation) of median percentage change figures by year: 13.91 (third convocation); 17.73 (fourth convocation); 17.18 (fifth convocation); and 21.21 (sixth convocation). Note, however, that we do not have data for all years of the third and sixth convocations.

distributions have become more ‘peaked’ over time, with more values of little change complemented by occasionally substantial change. This interpretation is supported by eye-balling the yearly distributions. Figure 4.6 presents histograms for the yearly change values. (Note that the scales of the y- and x-axes varies across the individual graphs, given varying distributions.)

Figure 4.6: Histograms of word length percentage changes by year, 2003-2013.



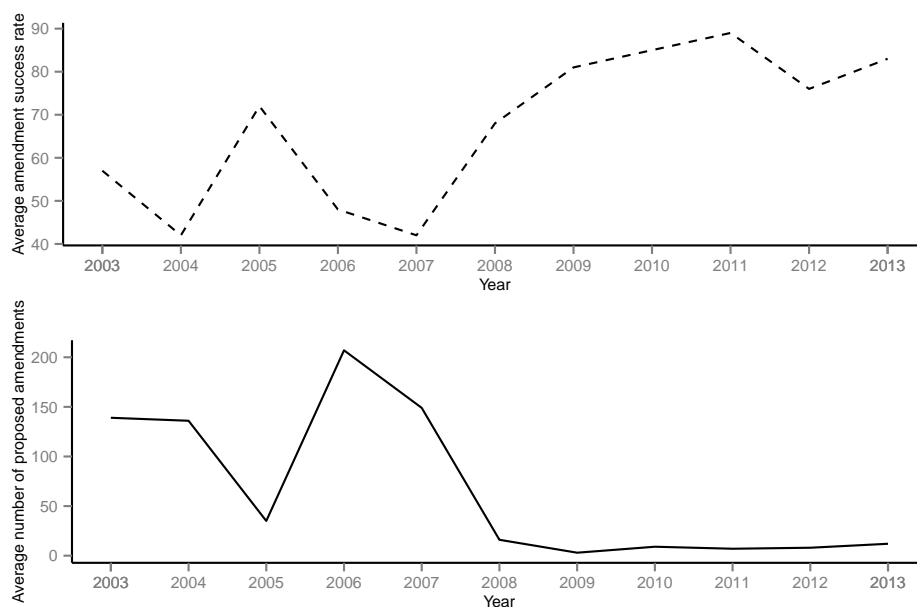
How do these data on the extent of text change relate to information on *individual* amendments? The data presented so far relate to the extent of realised text change, rather than to discrete amendment packages. There need not, however, be a relationship between, say, the raw *number* of successful amendments and the *extent* of bill text change. Put differently, analysing diachronic dynamics in the movement and success of discrete amendments provides another measure of amendatory activity.

Collecting data on individual amendments is much more costly than measuring basic text change, as information needs to be parsed either from Duma floor transcripts or from committee amendment tables, introducing added complexity. In light of this, rather than presenting exhaustive data, we will focus on a random sample of all executive bills, presenting information on the yearly average number of individual amendments proposed, and the yearly percentage of these moved amendments that were successful. Figure 4.7 presents amendment information drawn from a random sample of executive bills, 2003-2013 — specifically, 5 percent of all successful bills (from the overall set of 1,150 bill) by year of passage into law. This results in 56 cases in total.

Although caution should be taken when interpreting data from a random sample when missing data is probably not evenly distributed,⁴² the two graphs appear to present a clear picture in changing amendment dynamics over time: particularly from 2008, amendment practices have become more efficient (with efficiency defined as minimising the number of failed amendments).

⁴² Bills from earlier years have a higher proportion of missing data (that is, missing committee amendment tables) than later years.

Figure 4.7: *The mean number of all proposed amendments (lower graph) and the mean percentage of successful amendments (upper graph) by year, 2003-2013.*



Notes: The upper graph (with the dashed line) presents the percentage of moved amendments that are successful — specifically, the figures are means of individually calculated amendment success percentages by year. (Note that the y-axis does not start at 0.) The lower graph (with the solid line) presents the raw number of moved amendments. The data are taken from committee bill amendment tables.

Combining figures 4.4 and 4.7, the following characterisation can be made: although the *raw* number of amendments proposed to executive bills during legislative passage has decreased substantially when comparing the authoritarian period with earlier years, the *proportion* of these amendments that have been successful has risen substantially; and these fewer formal changes are associated with *higher* mean levels of text change experienced by executive bills during Duma passage.

In sum

Executive bills have been amended frequently during legislative passage in post-Soviet Russia, *even under authoritarianism*. Although deviant with respect to the ‘rubber stamp’ model, executive bill amendment has been the norm in contemporary Russia. Moreover, the yearly mean levels of text change experienced by Russian executive bills during Duma passage have *increased* over time as the Russian political system has shifted from democracy to authoritarianism.⁴³ This finding jars with the ‘rubber stamp’ expectation of reduced (to zero) bill amendment across a regime change to non-democracy.

The yearly *distributions* of bill text change data are also illuminating. In a sense, these data combine two stories. The first story — in line with the tall (and growing) peaks of the percentage text change distributions — is of little change made to executive bills in the State Duma. This is in line with observations made by Remington (2008a) and Schulmann (24 April 2014, *The Washington Post*) cited above. The second story — in line with the fat (and lengthening) tails of these distributions — is of the sometimes significant changes made to executive initiatives in the Russian lower chamber. This is in line with observations made by Valentina Matvienko — speaker of the Federation Council — and Bocharova (22 March 2013, *Lenta.ru*) cited above. What at first might seem to be contradictory interpretations of Russian amendatory activity are, on closer inspection, merely *two distinct parts* of the overall picture: the

⁴³ This impression of increased levels of bill amendment would be missed by an approach simply focusing on *formal*, discrete amendments: data on the raw number of amendments moved — drawn from a random sample of executive bills — paints an expected picture — of lower amendatory activity in the transition from democracy to authoritarianism.

former story relates to the peaks, and the latter to the tails, of the distributions in figure 4.6.

Although informative, and presenting a clear challenge to existing knowledge, the discussion so far has drawn on basic measures of bill change. The descriptive statistics above relate primarily to a crude measure of text change — percentage changes in word lengths, comparing introduced drafts and final laws. This approach is attractive for its simplicity and for its ability to capture *negative* change — that is, when final laws are shorter than introduced bill drafts.⁴⁴ Yet, we need a more nuanced approach to text change. And we also need a way to explore the *causes* of these observed patterns of amendment. The following section will tackle both of these areas.

4.5 The determinants of change

What explains these patterns of executive bill amendment in post-Soviet Russia? Unfortunately, conducting an econometric analysis of the roots of Russian bill change along the lines of Martin and Vanberg (2011) is not possible. Their analysis draws on detailed and reliable party policy preference and salience data, allowing them to compare not only policy preference similarities and differences between party members of the ruling coalition, but also between this coalition and the legislative opposition; this allows them to regress the level of executive bill amendment on, *inter alia*, intra-coalition ideological contestation.⁴⁵ Although the information compiled for

⁴⁴ As noted above, the UWFD measure is bounded below by 0.

⁴⁵ Martin and Vanberg (2011) draw on the expert survey data on party preferences compiled by Laver and Hunt (1992) and Benoit and Laver (2006).

Russia by, say, the Manifesto Research Group / Comparative Manifestos Project could provide a purchase on inter-party policy differences, this is insufficient in a number of ways.⁴⁶ Firstly, the Russian Government — particularly under authoritarianism — has not really been *party*-based government. Thus, Schleiter (2013: 45) notes ‘the diminishing reliance on party affiliation and the increasing use of personal loyalty by both presidents [Yeltsin and Putin] in ensuring that ministers shared their political aims’. Secondly, the governing coalitions of interest in the case of authoritarian Russia are not between discrete political parties, but between non-party-differentiated elite factions. And thirdly, tracking party policy preferences and salience is particularly problematic in the case of Russia, given significant doubts concerning whether these parties are, in fact, programmatic parties (for which it even makes sense to talk about policy preferences and salience) or merely creatures of charismatic leaders or the Presidential Administration;⁴⁷ and given relative party system instability.⁴⁸

In light of these challenges, a different approach is taken here. Rather than evaluate the relative influence of coalition partners and opposition legislators on executive bill passage, the goal is to evaluate the divergent expectations of co-optation and information theories on the one hand and the executive-centred picture of bill amendment proposed by the dissertation on the other. Specifically, the two sides differ regarding the role of a putative independent variable: *legislative scrutiny*. As

⁴⁶ See the Russian data here: <https://manifestoproject.wzb.eu/countries/Russia> (accessed 12 November 2015).

⁴⁷ Writing of United Russia, for example, Remington (2008a: 984) argues that it is ‘not a programmatic party, but a mechanism for extracting rents and distributing patronage.’

⁴⁸ As Remington (2014: x) notes, the exigencies of transition present their own analytic challenges: ‘The sophisticated techniques used to estimate ideological locations of presidents, legislators, and legislation in the United States work poorly in a turbulent transitional environment’.

both co-optation and information theories link legislative importance to the legislators included within them, it is consistent with both approaches that the level of bill change made during legislative passage is linked to *legislator effort*. In contrast, if the executive-centred picture proposed by the dissertation is correct, then the level of bill change should be largely unrelated to parliamentarians' activities. How can we measure such legislative scrutiny?

4.5.1 Velocity and legislative scrutiny

Legislative velocity — that is, the time taken between bill introduction and some end point, such as exit from the legislature or signature into law — is regarded in existing scholarship as a proxy for the level of legislative scrutiny. Martin and Vanberg (2011: 70) argue, for example, that

[i]n general, bills that are scrutinised more carefully will tend to require more *time* in the legislative process than bills that are not subjected to close scrutiny. [...] [As such,] the amount of time the bill spends in the legislative process can serve as a useful proxy measure for the degree of scrutiny to which a bill is subjected.

In turn, existing scholarship identifies legislative scrutiny (proxied by bill velocity) as a robust explanatory variable for the level of bill amendment. Thus, for example, Martin and Vanberg (*ibid.*: 114; 141) report that the length of legislative review is a statistically significant correlate of the extent of bill change in both weak and strong committee legislative systems. This relationship has also been reported for a non-democratic regime: writing of the Polish Sejm under communism, Olson and

Simon (1982: 69) find that ‘the longer the committees work on bills, the more they amend the original texts’.⁴⁹

There are, however, reasons to doubt the efficacy of bill velocity as a proxy for legislative scrutiny as such. As Martin and Vanberg (*ibid.*: 70, footnote 9) themselves acknowledge, ‘we might also expect that factors other than scrutiny could lengthen the time a bill spends in the legislative process. Most importantly, opponents of a bill might simply stall or delay a bill, even if there is no scrutiny taking place.’⁵⁰ More generally — and in the only existing study of the determinants of legislative velocity in Russia — Chaisty (2014: 589) notes that ‘there is no way of determining *a priori* the significance of legislative speed’. In other words, velocity is an ambiguous proxy.

This ambiguity extends to the *actors* involved in scrutiny. The validity of legislative velocity as a proxy for legislative scrutiny rests on the assumption that only — or, at least, the majority — of scrutiny is being conducted by legislators or their agents. However, various actors — including, importantly for this dissertation, *executive* actors — can be involved in the legislative stage of policy-making. Indeed, Chaisty (2014: 593-594) capitalises on this possibility when noting that a substantial portion

⁴⁹ Although the authors take this to mean that Sejm deputies might have a degree of autonomous influence on the policy-making process, they do not marshal clear evidence to support this interpretation.

⁵⁰ See, for example, the bill cited at the beginning of Chapter 1: the long delay between bill introduction and law promulgation was apparently the result of Medvedev blocking a proposal supported by Putin. Another non-scrutinising, non-delaying reason might simply relate to timetabling: Becker and Saalfeld (2004: 74) note that ‘a great deal of time is “lost” between the different stages [...] while bills were “waiting” to be dealt with by a committee’. Furthermore, in reviewing Martin and Vanberg (2011), Blidook (2012: 1023) notes, *inter alia*, that ‘time is measured [in Martin and Vanberg’s study] in days — not sitting days — which means that calendar breaks are [inappropriately] included in the measurement.’ (However, see Martin (2004: 451) for a defence of the use of calendar, rather than legislative sitting, days.)

of ostensibly legislative time can be taken up by executive scrutiny.⁵¹ This point is less of a worry for Martin and Vanberg (2011), who argue that executive coalition members use their legislative co-partisans to scrutinise executive-submitted bills through activities such as committee hearings and bringing in outside experts. In other words, even though executive agents use parliamentary scrutiny as an intra-coalition monitoring device, it is *legislative actors* who do the grunt work of scrutiny on behalf of their executive co-partisans. As such, legislative velocity can still capture the activities of theoretical interest.

In contrast, the account proposed by this dissertation suggests that members of authoritarian executives need not rely on deputies to scrutinise executive-submitted bills — executive actors can scrutinise executive bills during the nominally legislative stage of policy-making *but outside of the legislature*. This suggests the need to separate — both empirically and conceptually — the time (and, by imperfect extension, the effort) taken by executive and legislative actors in scrutinising bills in the State Duma. Given the relative opacity of executive activities compared to legislative activities, it is less costly to construct a more direct measure of legislator activity. One such measure is the amount of floor activity associated with a bill. Unlike the basic measure of bill velocity (days from introduction to exit, signature, or publication), which includes an unknown mixture of processes and actors, a metric of parliamentary floor discussions should provide a more direct measure of legislator activity as such.

⁵¹ Note that Chaisty’s (2014) analysis relates to a subset of ‘important’ legislation, including both executive and non-executive initiatives.

How do expectations drawn from co-optation, information, and executive-development theories differ regarding this ‘purer’ measure of legislator activity? The logic of co-optation and information theories suggest this measure of parliamentary effort should correlate positively with bill amendment level; as noted above, both theories contend that authoritarian legislatures matter because of the legislators included within them. In contrast, if the dynamics hypothesised above regarding executive amendments are valid, then the time spent by a bill in the legislative stage of policy-making will be determined largely by *executive* activity. This would be reflected in the traditional bill velocity measure, but not, crucially, in a measure of floor activity. Although one key goal of the dissertation is to emphasise the various causal pathways to the deviant outcomes of interest, it might be that, on balance, certain dynamics are more pronounced than others. If so, then this analytic strategy should help provide a first-cut purchase on the springs of executive bill amendment in authoritarian post-Soviet Russian.

Russian data

The website <http://transcript.duma.gov.ru> hosts transcripts of Duma floor proceedings. By searching for a particular bill, all discussions and voting activity relating to that bill are summarised on a single page. As such, the data contained within this page provides a comprehensive record of Duma floor activities in relation to each individual bill. The number of HTML lines constituting each bill’s transcript record page can be taken as a proxy for the floor activity associated with each bill — the longer a bill is discussed on the Duma floor, the more HTML lines are required to

compose a webpage for the transcripts of these discussions.⁵² Although not perfect, this HTML-line measure of legislative floor activity should provide a closer proxy for legislator scrutiny than the traditional bill velocity measure, which captures an ambiguous mix of activities carried out by a variety of actors.⁵³

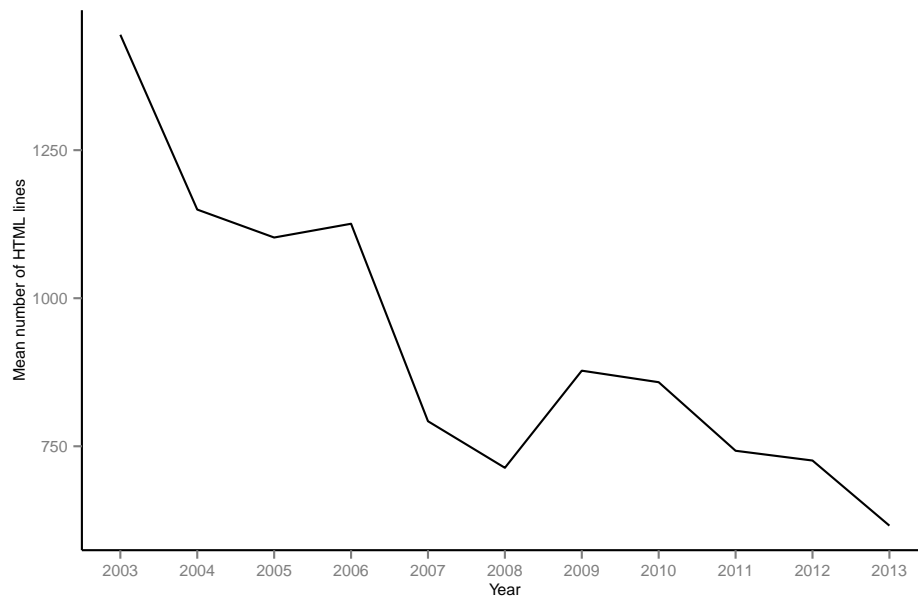
Is the HTML-line measure, in fact, a good proxy for legislative scrutiny? One way to evaluate the measure is to compare its values over time with extant views on diachronic changes in Duma debate over time. Figure 4.8 presents yearly mean values for the HTML-line measure, 2003-2013. This trend is consistent with existing impressions of

⁵² The information used to create this measure also has the added value of being easily scraped automatically with simple computer code.

⁵³ To be sure, this measure does not include time spent in legislative committees, and existing research suggests that committees are important venues to examine when analysing authoritarian legislatures and their impact on policy-making. For example, Gandhi and Przeworski (2006: 22) argue that, ‘changes to legislation may be taking place within committees or party caucuses’, rather than as unanticipated amendments moved against the executive’s wishes on the legislative floor. Corroborating this picture of committees as the venue for bill change, Modelski (1973: 91) — writing of policy-making in the Polish Sejm under communism — reports that some changes were so significant as to be ‘almost a substitution of the original measure’ (cited in Mezger 1979: 136). Indeed, the older literature on legislative institutions in non-democratic and developing countries underscores committees as venues exhibiting surprising activity. LaPalombara (1974: 129) notes: ‘What is [...] remarkable about the so-called rubber-stamp legislatures of the Communist world is the marked tendency to increase the number of specialised committees [...] From what information we have, these committees are anything but inert bodies; they carry on investigations, often criticise the technical details of legislation, increasingly engage in critical review of legislative proposals from the bureaucracy, and supervise administrative behaviour itself’ (cited in Olson and Simon 1982: 62). Writing of the USSR Supreme Soviet, Vanneman (1977: 162) notes: ‘The subcommissions can collate suggestions from experts and the public on the circulated draft, then deliberate upon the incorporation of these suggestions without revealing the dirty linen.’ Also examining the Supreme Soviet, Little (1972: 59) concludes that, ‘[f]rom the standpoint of the party leadership [...] an effective standing committee system embedded in a weak legislature may well be an acceptable pattern of parliamentary involvement in the political system.’ In sum, these scholars argue that, in part as a result of the relative privacy of committee activities, these bodies can exert autonomous influence on policy-making. That the HTML-line measure of legislative activity relates specifically to Duma *floor* activities should, therefore, be borne in mind when analysing the data. However, there are indications in existing work that the measure’s exclusion of committee activity might not be too distorting of a general picture of legislative scrutiny: Shevchenko and Golosov (2011: 211) argue that ‘policy making that takes place in Duma committees is tightly controllable [sic] by the executive’, suggesting that these bodies might not serve as autonomous sources of legislator influence (in contemporary Russia, at least).

reduced Duma discussion and influence.⁵⁴ Interestingly, the corresponding diachronic picture of executive bill velocity (yearly means) presented in figure G.1 (in Appendix G) paints a much more ambiguous picture.⁵⁵ Moreover, the velocity and HTML-line variables are not correlated: Pearson’s product-moment correlation = 0.025, p-value = 0.405.

Figure 4.8: *Yearly means for the number of HTML lines forming bill transcript webpages, 2003-2013.*



Notes: The y-axis does not start at 0.

The data presented so far suggest that, as the State Duma has spent *less* time (on average) discussing executive bills, the extent to which these bills has changed has *increased* (on average — see figure 4.4 above). What can this tell us about the *source*

⁵⁴ Goode (2010: 1060), for example, has argued that ‘debates in the Russian parliament steadily lost observational value after 2003’.

⁵⁵ To the extent that there is a visible trend in the data, there appears to be a decrease in bill velocity over time. This accords with data reported in Chaisty (2014) regarding bill velocity in post-Soviet Russia.

of bill change? At most, this relationship is suggestive — that the level of executive bill amendment might not be the result of legislator effort.

In order to explore the relationship between legislative scrutiny and executive bill change more formally, we can turn to multivariate regression to evaluate the explanatory power of different independent variables in accounting for varying levels of bill amendment. Specifically, we can evaluate the power of the velocity and HTML-line measures (as independent variables) in accounting for variation in executive bill amendment levels (the dependent variable), 2003-2013, by using negative binomial regression (NBR) — a method used for count data.

4.5.2 Negative binomial regression

As the dependent variable (unique word frequency differences, UWFD) is a count measure characterised by overdispersion,⁵⁶ a negative binomial regression model is used in preference over a Poisson model (Hilbe 2011: 141). The velocity variable is the number of days between bill introduction and law publication. The HTML variable is the number of HTML lines composing the web pages for the floor transcripts for each bill.⁵⁷ To reiterate, the expectation is that the measure of Duma floor activity will lose its explanatory power in the shift from the freer period to the authoritarian period — a change consistent with the expectation that executive bill amendment under authoritarianism is not the result of legislator influence. A key control to

⁵⁶ Overdispersion is a feature of the dependent variable, when the variance is greater than the mean (Hilbe 2011: 141). The theta figures presented in the negative binomial results in tables 4.1 and F.1 below relate to the dispersion parameters for the models, demonstrating that there is, indeed, overdispersion in the data for both periods.

⁵⁷ See table E.1 in Appendix E for variable summary statistics.

include in the model is the length of the submitted bill, measured as the number of words (logged) constituting the introduced draft. It is a plausible assumption that longer drafts are susceptible to more changes than shorter texts. Indeed, this control variable has been found to be a substantive and statistically significant correlate of bill change in extant scholarship (see, for example, Martin and Vanberg 2011: 114; Pedrazzani and Zucchini 2013: 702; Zubek 2008: 157).

Results

Table 4.1 presents results from two negative binomial models of bill amendment. The first model relates to executive bills passed into law, 2003-2007; the second to those passed, 2008-2013. The main figures are NBR coefficients, with standard errors in parentheses.

The logged draft word length variable is substantively and statistically significant in both models, consistent with the idea that longer bills are amended more than shorter bills. The velocity variable — the number of days between bill introduction and passage into law — also remains highly statistically significant in both models. This is consistent with the idea that the length of time spent deliberating and scrutinising executive initiatives — by a variety of actors and in a variety of venues — is related to the extent of bill text change. In contrast, the HTML-line measure — which provides a more focused measure of *legislator* activity — is statistically significant in the first model (related to bills passed in the 2003-2007 period), but becomes insignificant in the 2008-2013 period. As such, legislator activity — at least as captured by Duma floor activity — is an important explanatory factor for the level of bill change in the

Table 4.1: *Negative binomial regression results.*

	<i>Dependent variable:</i>	
	UWFD	
	2003-2007	2008-2013
Draft (log)	1.823*** (0.083)	1.787*** (0.073)
Velocity	0.001*** (0.0002)	0.002*** (0.0001)
HTML	0.0002*** (0.00004)	0.0001 (0.0001)
Constant	0.536** (0.229)	0.835*** (0.188)
Observations	313	837
θ	1.272*** (0.092)	0.796*** (0.034)

p<0.05; *p<0.01

democratic and authoritarian consolidation periods, but not in the authoritarian period.⁵⁸

These results are robust for excluding possible outliers and including information on bill policy areas. Regarding policy areas, it could be that bills in certain policy areas systematically vary in the extent to which they change during legislative review (Martin and Vanberg 2005: 101).⁵⁹ Regarding possible outliers, it could be that cases in the long right-hand tail of the percentage text change distributions presented in figure 4.2 disproportionately influence the results. As such, cases associated with

⁵⁸ See Chapter 1 for a justification of this periodisation.

⁵⁹ The Duma's online archive classifies bills according to six policy areas — see figure E.2 in Appendix E for a representation of the distribution of bills included in the statistical analysis by policy area. Cases with missing data regarding policy area are dropped in these additional regression models.

greater than 1,000 percent text change can be excluded to explore this possibility.⁶⁰ Table F.1 in Appendix F presents results of six additional negative binomial regression models including these additional variables and modified samples.⁶¹ As with the results reported in table 4.1, the coefficients reported in table F.1 tell a very similar story: that the HTML-line variable moves from being highly statistically significant to insignificance in the move from the 2003-2007 to the 2008-2013 periods; the bill velocity variable, however, remains significant across both periods.

Interpreting the substantive implications of negative binomial regression (NBR) coefficients is not straightforward. In order to help with interpretation, the NBR coefficients from table 4.1 can be converted into incident rate ratios (IRRs), which are exponentiated transformations of the coefficients (Hilbe 2011: 112-116). For the 2003-2007 period, these IRRs show that a one standard deviation increase in the number of days taken for bill passage (around 319 days) increases the percentage change in unique word frequency differences by around 19 percent; and a one standard deviation increase in the HTML-line proxy for Duma floor activity (around 1326 lines of code) increases the percentage change in unique word frequency differences by around 27 percent. For the 2008-2013 period, the HTML-line measure is statistically insignificant. However, a one standard deviation increase in the number of days

⁶⁰ To be sure, this cut-off point is arbitrary, but eliminates those observations that seem most exceptional when eye-balling figure 4.2.

⁶¹ The first two models simply add policy area information to the models presented in table 4.1. The third and fourth models exclude policy area information, but crop observations displaying greater than 1,000 percent text change. The final two models combine these cropped data with policy area information. (The policy area reference category is '1. Budget, tax, and finance legislation'.)

taken for bill passage (around 274 days) increases the percentage change in unique word frequency differences by around 44 percent.

Discussion

This econometric analysis has been used to begin to explore the causes of executive bill amendment. Specifically, the goal has been to question the ability of co-optation and information approaches to explain the level of change experienced by executive bills during Duma review. The coefficients presented above — and in Appendix F — suggest that the level of bill amendment has become disassociated from the level of floor activity (used as a proxy for legislator scrutiny) in the shift to authoritarianism. Insofar as both co-optation and information theories link bill amendment to legislator effort, and insofar as this effort is reflected in the level of legislative floor activity experienced by bills (and captured by the HTML-line measure), then the regression results suggest that these two extant theories of authoritarian legislatures cannot account for executive bill amendment in contemporary Russia. At the same time, these results do not speak directly to the ‘executive development’ dynamics proposed in Chapter 2; rather, they suggest that existing explanations might be unable to account for bill change, therefore opening up space for an alternative account.

How should we interpret the velocity variable coefficients? The number of days taken for bill passage is a significant predictor of bill change across both regime periods, indeed increasing in substantiveness under non-democracy. As argued in the discussion above, this variable combines an ambiguous mix of activities carried out by a variety of actors. Although evidence presented in Chapter 5 will suggest — albeit

for a small subset of bills — that much of the time spent by executive bills in the Duma is taken up by *executive* activities, rather than legislator scrutiny, we cannot confidently take the velocity variable to be a good proxy for the level of executive scrutiny as such. It could be that legislators remain influential, albeit exhibiting this influence off the Duma floor — perhaps in the relative privacy of committee meetings — and that this scrutiny is reflected in the bill velocity variable.⁶² The negative binomial regression results cannot rule out this possibility. In order to discriminate between rival causal accounts — and in order to discriminate between different *types* of executive-centred reasons for bill change — we need finer-grained information on the practices in operation and actors in play.

4.6 Conclusion

This chapter has presented challenges to existing assumptions and impressions of policy-making in the contemporary Russian legislature, as well as non-democratic assemblies more broadly. The chapter’s theoretical contribution has been to synthesise existing work on amendments from democracies with recent theories of authoritarian

⁶² However, an account from Taylor (2014: 244-245) — in an examination of the passage of the law, ‘On Police’ — suggests that committee activities might (at least sometimes) be themselves subject to executive control:

According to Gennadiy Gudkov, from Just Russia, the normal procedure for considering amendments was not followed; instead of voting on each amendment separately and then dividing them into two columns of a table, approved and rejected, when the committee met the amendments had already been classified along this scheme, “by whom was unclear.” Committee Chair Vasil’yev and Bulavin told the committee that they had already worked out with the Kremlin (i.e., the PA [Presidential Administration]) and the Government (i.e., the Prime Minister and the MVD [Ministry of Internal Affairs]) which amendments should be approved

Of course, it is not clear how often this takes place beyond Gudkov’s reference to ‘normal procedure’, which could simply relate to the *formal* procedures.

rule. The deviance of executive bill amendments is diminished if we move away from thinking of bill changes during legislative passage as necessarily detrimental to executive preferences; or if we acknowledge that the executive, as a collegiate body, can — and often does — contain divergent policy preferences.

In addition, the chapter includes three main empirical findings, drawing on a new dataset of bill change. Firstly, executive bills have been amended — sometimes significantly — in an authoritarian political system: Russia, 2008-2013. The evidence presented above is the first systematic picture of bill change in a non-democracy in the literature.⁶³ Secondly, in the transition from democracy to authoritarianism in Russia, the level of bill amendment — measured by the degree of bill text change — increased. This conflicts with expectations of amendment *reduction* with Russia's post-Soviet authoritarian turn. Another way to frame the results is as follows: while holding a wide range of variables constant, but varying the level of electoral competition, the observed level of executive bill amendment does not conform to existing impressions. Thirdly, legislator activity — at least as captured by a measure of Duma floor activity — shifted from being an important explanatory variable for executive bill amendment in the 2003-2007 period to being unimportant in the 2008-2013 period. This evidence is consistent with the 'executive development' approach, but inconsistent with co-optation and information theories.

The majority of the evidence presented in the chapter has been marshalled to critique the 'rubber stamp' model. Only at the end did the chapter attempt to adjudicate

⁶³ For a similar challenge of the 'rubber stamp' expectation of no bill change using data from a range of non-democratic regimes, see the OECD data on budget bill changes in Chapter 6.

between co-optation and information approaches, on one side, and the ‘executive development’ approach, on the other. The following two chapters will explore in more details the sources of, and reason for, executive bill change.

Amendment Case Studies

The Government will think how to torpedo the presidential bill

Senior Government official¹

I think that work on the bill will continue. This work will continue in the State Duma, but the Government has taken a decision: the law is entered [for parliamentary review].

Iurii Trutnev, Deputy Prime Minister²

The previous chapter provided an unprecedented population-wide, longitudinal picture of executive bill amendment during legislative review in contemporary Russia. This evidence challenges existing impressions of the legislative stage of policy-making

¹ Indirect quotation in Biriukova, Papchenkova and Tovkailo (13 November 2013, *Vedomosti*) in relation to bill 357559-6 (on tax crimes) discussed below.

² Trutnev — presidential plenipotentiary representative (*polpred*) in the Far East — made these comments during a meeting of the Government Commission on Questions of the Socio-economic Development of the Far East on 9 October 2014, during which bill 623874-6 (on territories of socio-economic development) was discussed. Transcripts of the briefing following this meeting are available here: http://government.ru/dep_news/15168/ (accessed 12 November 2015). The bill's webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=623874-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=623874-6) (accessed 12 November 2015).

both in modern-day Russia and in non-democratic regimes more broadly. Although revealing, the text-change data do not allow us to explore in detail the particular *causal processes* at play. Indeed, the dynamics observed are consistent with various causal stories.

The purpose of this chapter is to examine fine-grained data on the contemporary Russian policy-making process in order to understand the activities responsible for the patterns presented in Chapter 4. In particular, the primary, theory-building goal is to explore the hypothesis that executive bill change can be driven by *intra-executive* dynamics, rather than exclusively reflecting the influence of co-opted groups (co-optation theory) or the accommodation of citizen grievances through legislator middlemen (information theory). In addition, the chapter will evaluate the four types of executive bill amendment hypothesised in Chapter 2. Is there evidence of such types in contemporary authoritarian Russia?

In moving from a chapter dealing with population-wide data to a chapter composed of a small number of cases studies, there are, of course, important questions regarding the generalisability of findings. The aim of the chapter is not, however, to account for *all* sources, types, and levels of executive bill amendment in contemporary Russia, not to speak of other non-democracies. Rather, the chapter's purpose is to demonstrate the empirical validity of the novel causal mechanisms proposed in Chapter 2 relating to the executive's use of legislative institutions. To reiterate, theory-building process-tracing analysis is employed 'when we know the outcome but are unsure about what

mechanism(s) made it happen’, and we want to propose a causal explanation that applies ‘across a population of cases’ (Beach and Pedersen 2013: 154, 16).³

The chapter consists of two substantive sections. Section 1 presents anecdotal evidence suggesting that executive actors have been responsible for bill change during Duma passage. The first section also presents limited data relating to the frequency of the processes in question. Section 2 then drills down into the case studies, selected with reference to the four types of executive bill amendment hypothesised in Chapter 2: spillover; deferral; discovery; and fiat. The final section concludes.

5.1 The executive springs of change

Before analysing particular cases, the chapter will present preliminary material supporting the claim that executive bill amendments are initiated by executive actors in contemporary Russia. The aims are: to underscore (following Chapter 4) that the changes experienced by executive bills are significant; to propose that they are plausibly the result of executive action; and to provide an argument for why the executive would need to amend its own bills following cabinet-level sign-off.

As demonstrated in the previous chapter, executive bills sometimes experience extraordinary change during second reading. Pleshanova (29 June 2015, *Kommersant*” *Vlast*’), for example, writes,

³ Note that ‘[t]heory-building process-tracing studies do not claim that the detected causal mechanism is sufficient to explain the outcome’, in contrast to ‘explaining-outcome process-tracing’ (Beach and Pedersen 2013: 16).

the bill, prepared for second reading, fundamentally differs from the bill adopted in first reading, when the concept is discussed [...] [and] on “exit” many norms have changed beyond recognition, surprising not only their developers, but also often their opponents.

These changes are not necessarily trivial. For instance, certain bill amendments are of particular concern to the business community. Aleksandr Shokhin — president of the Russian Union of Industrialists and Entrepreneurs (RUIE), a body referred to informally as the ‘oligarchs’ trade union’ (see, for example, Politkovskaia 2008: 32) — complained thus during a meeting chaired by then prime minister Putin: ‘we have had many cases when, during second reading, a bill is changed significantly from that which was discussed with us during public procedures before the first reading.’⁴ According to Kirill Vsevolozhskii of *Opora Rossii* — an organisation representing the interests of small and medium businesses — ‘the most harmful amendments for business, as a rule, escape all expertise and are introduced at the very last moment before second reading, [and] often their initiators have no relation to the bill’s [formal] author’ (indirect quotation in Kornia, 27 January 2015, *Vedomosti*). According to *Opora Rossii*, the losses incurred by Russian business as a result of such amendments stand at 200 billion roubles.⁵ In short, the worry for Russian business is that, although they may be consulted at certain points during the policy-making process — including in the pre-parliamentary phase — this does not ensure meaningful influence, insofar as significant changes can be made independently of them at second reading.

⁴ Partial transcripts of the meeting are available here: <http://archive.premier.gov.ru/events/news/18709/> (accessed 12 November 2015).

⁵ Figure cited in Shtykina (9 June 2014, *RBK Daily*). It is not clear from the article, however, how this figure was calculated or to which time period it relates.

It could be that these bill changes are made autonomously by deputies during legislative review. And yet, this jars with the widespread view that legislators in non-democracies are subservient to executive principals. Another, more parsimonious explanation — developed in Chapter 2 — is that changes result from *executive* intervention. Indeed, despite protestations to the contrary,⁶ the Russian executive is heavily involved in the legislative stage of law-making.⁷ In the language of Cox and Morgenstern (2001: 458), the Russian executive is deeply ‘integrated’ into the legislative process in parliament. There is anecdotal evidence to support this claim. Commenting on the preparation and development of bills associated with the National Entrepreneurial Initiative road map,⁸ Andrei Belousov — then presidential aide — noted the following:

I can report that, to date, there are 39 bills with an expired adoption date. Of these 39 bills, seven are at the final stages of preparation. That is, their committee dates in the State Duma have already [...] been assigned, and we can state with a high degree of certainty that these bills will be adopted in the spring session [of the Duma, 2014]. Eight bills are in the State Duma, of which *the main portion are bills lacking Government amendments for second reading*, although not only. They are also being held up as a result of activities in committee, but *above all it is because of the absence of amendments*. 13 are in the Government Apparatus, seven are in [executive] agencies at various

⁶ On denials, see the rhetorical question posed by Dmitrii Peskov, Putin’s spokesperson: ‘How can the administration become involved in law-making activities?’ (quoted in Nikol’skaia and Surnacheva, 26 January 2015, *Kommersant*). And, according to Aleksei Mukhin — General Director of the Centre of Political Technologies — ‘officials should not in any circumstance interfere in the work of deputies’ (quoted in Petrov, 26 November 2013, *RBK Daily*).

⁷ The Russian executive is endowed with an impressive array of formal legislative prerogatives. Schleiter and Morgan-Jones (2008: 159) apply Shugart and Carey’s (1992) measure of presidential powers, arguing that the ‘1993 constitution creates one of the most powerful presidencies among European semi-presidential regimes’ (see also Shevchenko and Golosov: 2001; 2011). However, the Russian executive’s ability to realise this potential has varied significantly with the balance of partisan forces in the legislature (Chaisty 2005a, 2008; Haspel, Remington and Smith 2006; Remington 2007, 2008).

⁸ ‘Improving the investment climate of the Russian Federation’, an initiative of the Agency of Strategic Initiatives (ASI) — an organisation created by the Government in 2011.

stages of preparation and four bills have been agreed on by the working group, including ASI [Agency of Strategic Initiatives] representatives.⁹

When Belousov refers to the lack of Government amendments, the implication is that changes will eventually be made to bills, but that the executive has not yet submitted proposed changes. This statement suggests, therefore, that the pace of legislative review can result from *executive-centred* delays — that is, the time taken by drafting Government amendments to executive bills — rather than reflecting *legislative* scrutiny. Moreover, there are suggestions that this ‘viscosity’ can result from intra-executive policy *conflict*: Surnacheva and Nikol’skaia (22 June 2015, *Kommersant*’ *Vlast*’) write, for example, that the ‘majority of bills are held up by deputies without clear reason, bogged down in numerous inter-agency and inter-fraction agreement processes.’

Decision-making difficulties are not restricted to executive actors. Citing Pavel Krasheninnikov — the chair of the Duma’s Committee on Civil, Criminal, Arbitration and Procedural Legislation — Surnacheva and Nikol’skaia (*ibid.*) report that ‘the delay [in bill passage] is a result of the fact that branches of power cannot come to an agreement regarding the introduced amendments.’ What is striking is that the deputy does not cite the *legislature* as one of the branches. Krasheninnikov argues:

A resolution of the Constitutional Court in relation to the Criminal and Criminal Procedure Codes involves the Supreme Court, the Government, the General Prosecutor’s Office, the Investigative Committee, and the MVD. And, of course, in the case of bills implementing decisions of the Constitutional Court we cannot adopt them without agreement with the Presidential Administration. Believe me: all of this is difficult in practice.

⁹ Emphasis added. Belousov made these comments during a Government meeting on 17 April 2014, partial transcripts of which are available here: <http://government.ru/meetings/11735/stenograms/> (accessed 12 November 2015).

Bill development during the legislative stage of policy-making can, therefore, reflect the difficulty in finding a common policy position between a diverse set of executive and state actors, with legislators possibly excluded from discussions.

If these changes do, in fact, reflect executive concerns, then a simple question presents itself: Why are these issues not dealt with *before* legislative introduction? The answer is a mixture of the mundane and the theoretically interesting, both of which will be analysed in the case studies. Before that, however, general material on the *conflictual* roots of executive bill amendment and the role of legislative institutions will be presented and discussed.

5.1.1 Circumventing *soglasovanie*

Inter-agency policy sign-off procedures — in Russian, *soglasovanie* procedures — are aimed at structuring intra-executive negotiations over policy provisions.¹⁰ Such procedures are necessary in light of policy specialisation: executive departments are delegated policy-drafting prerogatives in particular subject areas — for example, health, education, and defence. And yet, given policy preference differences between members of the executive, initiatives drafted by particular sections of the executive need to be screened for their conformity with the preferences of the executive as a *collegiate* body. Put differently, these mechanisms are put in place to counter what Martin and Vanberg (2011: 31) refer to as ‘ministerial drift’ — the tendency of ministries to draft initiatives reflecting their interests rather than the interests

¹⁰ Stephen Fortescue’s work provides the most comprehensive treatment of Russian *soglasovanie* procedures and practices — see, for example, Fortescue (2009, 2010, 2012, 2015).

of the wider executive.¹¹ In that these rules provide opportunities for executive agents to block, or veto, policy proposals from other executive agents, there are incentives for those presenting policy to *circumvent* these procedures, with the aim of avoiding a possibly arduous, possibly impassable hurdle. This section will survey existing evidence of the methods used by Russian executive actors to get around the *soglasovanie* process, noting how this leads to the resolution of intra-executive policy differences during the legislative stage of policy-making.

Non-executive proxy sponsors

Unlike Government initiatives, bills and amendments introduced by other legislative subjects do not have to go through the *soglasovanie* process. As such, the costs associated with bill and amendment introduction are significantly lower. There is evidence that executive actors take advantage of these reduced costs, using non-executive proxies — Duma deputies, for instance — to be the formal sponsors for executive-drafted initiatives.¹² Indeed, the use of deputies to introduce department-drafted bills is not new in Russia. As Chaisty (2006: 130) notes,

[f]or departmental lawmakers, this process [of inter-agency agreement] is often more hazardous than simply finding a sympathetic deputy to introduce legislation on their behalf [...] As a result, many of the laws attributed to deputies were in fact introduced by government departments.

¹¹ In Russian, this tendency is sometimes referred to as *vedomstvennost'*.

¹² However, submitting bills this way runs the risk of later resistance from opposing executive factions, as well as depriving initiatives of the privileges granted to executive bills. Note also that non-executive bills are sometimes sent to Government *before* Duma introduction in order to assess an initiative's chances, hopefully with a view to receiving support from the executive. On this, see Tolstykh (2010: 3-5).

More recently, Mikhail Fedotov (quoted in Ivanov, 29 January 2014, *Kommersant*) has reported that ‘many bills, which are developed within ministries or agencies, are then introduced [into the Duma] by deputies’. Regional legislatures have also been used as proxy sponsors for executive actors. For example, a proposal to change the taxation system for extracting oil was the object of heated debate between the Ministry of Finance and the Ministry of Energy (Papchenkova, 4 February 2015, *Vedomosti*).¹³ Unable to reach a consolidated Government position, the Ministry of Energy’s position was introduced to the Duma as a bill formally sponsored by the Khanti-Mansiisk Autonomous Okrug’s regional duma (Barsukov, 16 March 2015, *Kommersant*).¹⁴

What has not so far been appreciated fully — especially in the academic literature — is the introduction of departmental *amendments* to executive bills by non-executive sponsors. Bocharova and Iuzbekova (12 May 2015, *RBK Daily*) describe one such case:

The Ministry of Communications and Mass Media plans to introduce amendments during second reading to a Government bill on the postal service through Duma deputies, and not by the standard procedure in such cases, when the amendments of ministries and executive agencies are approved in the Government Commission on Legislative Activity and entered in the name of the Government. [...] [According to a source in the Duma] [t]he actions of the ministry can be explained by disagreements in the Government regarding the further development of *Pochta Rossii*, in particular, regarding the possibility of its privatisation.

¹³ Many thanks to Stephen Fortescue for bringing this case to the author’s attention.

¹⁴ The bill in question is 862141-6, ‘On the introduction of changes to Parts One and Two of the Tax Code of the Russian Federation and the Budget Code of the Russian Federation’. The bill’s webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=862141-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=862141-6) (accessed 12 November 2015).

Thus, intra-executive disagreement and the associated difficulty in producing a unified Government position led to the displacement of policy development from cabinet into the legislature. In certain circumstances, therefore, Duma deputies — as well as other non-executive actors with the authority to introduce bills into parliament — act as *proxies*, formally introducing bills drafted by executive actors. Indeed, in the words of a *Gazeta.ru* editorial from 7 July 2015, deputies ‘are working essentially as couriers: they receive a packet in one executive agency and solicitously deliver it to parliament.’¹⁵ The move made by the Ministry of Communications is not without its drawbacks: as Bocharova and Iuzbekova (12 May 2015, *RBK Daily*) note, by using deputy proxies to introduce its amendment to a Government bill, the ministry understands that these changes ‘could receive criticism from other executive agencies’. That is, although circumventing cabinet sign-off procedures might mean that the proposals can progress to the legislature — and, therefore, a later stage in the policy-making process — this does not ensure their subsequent incorporation into the bill, never mind passage into law.

Both the Duma and the ‘party of power’, United Russia, leaderships have criticised the use of deputy proxies by executive departments (see, for example, Bocharova, 8 July 2015, *RBK Daily*). The reason for this resistance is clear: without a clear statement of a consolidated executive position, Duma and UR actors are caught in the middle of an executive policy dispute; by adopting an amendment, a legislative committee risks angering influential actors. This dynamic is clear from a case relating to bill 677890-6

¹⁵ The editorial goes on to argue thus: ‘Deputies have turned into an instrument, which is used by different institutions of the ruling elite to adopt their decisions. Deputies execute the representative function of parliament marvellously: they represent current interests — those of different centres of power.’

— ‘On the introduction of changes to various legislative acts of the Russian Federation with the aims of strengthening responsibility for participants in the tourism market and increasing the level of legal protection for tourists, travelling outside the territory of the Russian Federation’.¹⁶ Anatolii Aksakov — chair of the Duma Committee on Economic Policy — requested that the Government work out a united position regarding amendments to the Government-introduced bill, given the persistence of intra-executive differences and the prospect of departments presenting their own, non-Government-agreed amendments to the bill through deputies (Bocharova, Sobolev, Koptiubenko, 7 August 2015, *RBK Daily*).

The use of non-executive proxies is not, however, restricted to Government *factions*.

This simplified route is sometimes used by a *unified* Government. As Andrei Belousov

— advisor to the president — has noted,

there is a practice, when the president instructs the Government to develop and adopt some law, but then this law is introduced by deputies. This suits the Government well, because adopting a law by the usual procedure means that the federal organ has to sign off on the bill with everybody, which sometimes takes a year. Then, it is necessary to pass the relevant deputy prime minister, as well as the Government Commission on Legislative Activities. Following this, the document is considered at a meeting of the Government and, finally, is entered to the Duma. As you can see, the path is very long. It is much simpler to agree with a deputy who — omitting all of this procedure — introduces the bill directly into the Duma. But, as a result, we get what Aleksandr Nikolaevich [Shokhin, president of the RUIE] said: not only the RUIE, but even us in the Presidential Administration often do not see what is happening. In the autumn session [of the State Duma in 2014] there were a number of cases when bills were returned from third to second reading in order to introduce changes, then these bills were considered once again in third reading. That is, the simplified

¹⁶ The bill’s website is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=677890-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=677890-6) (accessed 12 November 2015).

mechanism does not work well. We will combat this defective practice, with the exception of cases when the subject in question is really urgent.¹⁷

In effect, Belousov suggests that Government attempts to circumvent the Presidential Administration's oversight of pre-parliamentary policy-making can be caught and rectified with the aid of legislative institutions — namely, the ability to review and amend bills. Following Martin and Vanberg's (2011) concept of 'ministerial drift', we might label this unified executive variant 'Government drift' in the Russian context, as well as in other formally semi-presidential systems.¹⁸

'Raw' bills

Russian commentary on the law-making process occasionally refers to the introduction of 'raw' (*syroi*) bills.¹⁹ In essence, the claim is that such bills are unfinished, even though they have been introduced into the Duma for consideration. There are two reasons offered for why such 'incomplete' initiatives are submitted for parliamentary review. The first is that the bill developers simply have (sincerely) not yet elaborated a policy proposal fully; unfinished proposals are introduced because of, for example,

¹⁷ This comes from an article written by Belousov and published on 28 January 2015 in *Vedomosti*. See also Shuvalov (2004) on the possible divergence between the formal and real sponsors of legislative initiatives.

¹⁸ Indeed, Huber (1996: 72) cites Duhamel and Parodi (1988: 549), arguing that 'during cohabitation, the [French] government at times used private members to submit government bills in an effort to avoid review by the Council of State'.

¹⁹ See, for example, Saigonov (2 July 2013, *Gazeta.ru*) on a bill reforming the Russian Academy of Sciences; and Papchenkova (25 June 2015, *Vedomosti*) on a bill introducing a pilot regime for taxing the profits of natural resource extraction.

approaching deadlines imposed by the president or by existing legislation.²⁰ Deputy

Pavel Krasheninnikov has complained of this practice:

At the stage of bill entry, it is necessary to have everything agreed, rather than simply ticking off [*a ne galochku vstavit'*] that the bill has been introduced [...] It is necessary to have a document that is ready, that has been developed with all branches of power, that will already continue further. But it happens that the Government presents a bill, and now the Duma is guilty for everything²¹

Krasheninnikov's frustration is understandable: simply because of the *stage* of bill delay, legislators are blamed, whereas the real agents of resistance are executive actors.

The second rationale for 'raw' bill introduction is strategic: although developers have a complete policy, they introduce an incomplete initiative, excluding elements they anticipate will face resistance; at second reading in the Duma, these 'missing' elements can then be inserted into the existing bill. As described by Papchenkova (27 May 2015, *Vedomosti*), executive bodies can 'enter a raw bill, and then finish it off with amendments. In second reading [...] [agencies] can tack on all disembodied ideas'. As such, the aim is to introduce possibly unpopular features as late in the policy-making process as possible, so that opponents have fewer opportunities to resist change.

²⁰ For example, there are formal time constraints relating to Constitutional Court decisions: if the Court rules a law unconstitutional, then the Government is obligated to develop and introduce into the Duma *within six months* necessary changes in order to address the highlighted problems — see article 80 of the law, 'On the Constitutional Court of the Russian Federation', http://www.consultant.ru/document/cons_doc_LAW_4172/ (accessed 12 November 2015). However, no time limit is provided for parliamentary *passage* (Berseneva, 22 May 2015, *Pravo.ru*). This can result in Government-sponsored bills responding to Constitutional Court decisions languishing in the Duma.

²¹ Quoted in Surnacheva and Nikol'skaia (22 June 2015, *Kommersant* "Vlast").

In sum, in light of the potential costs associated with achieving pre-parliamentary inter-agency agreement on policy initiatives, executive actors have incentives to bypass the monitoring and amending mechanisms constituting *soglasovanie* procedures. Legislative institutions, moreover, enable other, opposed executive actors to monitor, challenge, and amend bills. Crucially for the chapter's argument, *this circumvention results in executive bill change during the legislative stage*. Whereas *soglasovanie* bypassing might be intended, for instance, 'to speed up the procedure of adopting laws' (Bocharova and Iuzbekova, 12 May 2015, *RBK Daily*), the legislative stage of policy-making can easily become yet another venue for intra-executive policy conflict. As such, inter-agency conflict involving 'bureaucratic infighting, delay, shifts and turns in policy preferences, and bitter debate' (Fortescue 2009: 160) is not necessarily contained in the pre-parliamentary phase of policy-making.

5.1.2 Regulatory impact assessment

One institutional reform ostensibly introduced in part to tackle such practices is the requirement for certain bills and amendments to be subject to regulatory impact assessment (RIA) — in Russian, *otsenka reguliruiushchego vozdeistviia*. This system was introduced for Government bills and amendments in 2010, and overseen by the Ministry of Economic Development.²² The stated goal of the system is to ensure that members of society in general, and business interests in particular, have a means by which to influence the formation of economic-regulatory policy; for statutory policy,

²² See Government resolution (*postanovlenie*) 336 from 15 May 2010, available here: http://www.consultant.ru/document/cons_doc_LAW_100656/92d969e26a4326c5d02fa79b8f9cf4994ee5633b/ (accessed 12 November 2015).

this constitutes a possible channel of influence *before* Duma introduction. In practice, draft policies are uploaded to a website²³ for public discussion, followed by a report from the Ministry of Economic Development.²⁴ According to the lead ministry, the system has saved the Russian business community 3.1 trillion roubles from 2010 to 2015 (Nikolaeva, 25 June 2015, *Kommersant*”).

Other actors have been less positive about the system. Participants from the business community have complained of the short time periods available for bill commentary and discussion, as well as the infrequency with which their opinions are taken into account by executive departments (Goriashko, 16 July 2015, *Kommersant*”; Nikolaeva, 25 June 2015, *Kommersant*”). Indeed, the Ministry of Economic Development reported that the majority of more than 4,700 opinions posted in relation to a Ministry of Culture bill on copyright were not the result of human agency, but, rather, bot programmes (n.a., 27 April 2015, *RAPSI*). More importantly, beyond the fact that negative RIA opinions cannot prevent the progression of bills, these procedures only relate to executive bills — that is, non-executive bills are not subject to the same review procedure. As such, actors can circumvent RIA procedures by using deputy proxies (Bocharova, 11 September 2015, *RBK Daily*). According to Ivan Efremkov — head of the Centre of Expertise and Analysis of Entrepreneurs’ Issues of *Opora Rossii* — this has resulted in a shift in formal bill sponsorship patterns: ‘If three to five years ago the majority of bills were introduced to the Duma by the Government, then now they are introduced by deputies, namely in order to avoid

²³ This is the website’s address: <http://regulation.gov.ru>.

²⁴ For a description of the procedure, see: <http://regulation.gov.ru/#psid=26> (accessed 12 November 2015).

public discussion’ (quoted in Nikolaeva, 25 June 2015, *Kommersant*). In short, it is likely that an institutional reform aimed at increasing the inclusiveness and transparency of the policy-making process has, rather, resulted in further law-making opacity.

In response to this apparently unintended consequence, various Government actors have called for the extension of RIA procedures to bills in the lead up to second reading to evaluate *all* proposed amendments. Specifically, the suggestion is to allow the Government’s Commission on Legislative Activity to oversee such expanded procedures.²⁵ Conscious that such a development could be interpreted as a violation of the legislature’s independence, Minister Uliukaev stressed that, ‘of course, the principle of the separation of powers would be maintained’, and Mikhail Abyzov — minister in charge of the ‘Open Government’ initiative — stated that, as the ‘Duma is an independent branch of power [...] RIA is possible only with the good will of deputies’ (quoted in Papchenkova, 27 May 2015, *Vedomosti*).

These calls to extend RIA are not new, however: point two, section d) of presidential decree number 601 from 7 May 2012 called for proposals to be presented regarding the introduction of RIA before bill second readings. And yet, beyond an apparent repeated call, there has been little progress.²⁶ Indeed, President Putin held a meeting on 26 May 2015 with representatives of *Delovaiia Rossiia*, who, *inter alia*, raised their concerns regarding significant bill change before second reading; Putin merely

²⁵ See the comments by Prime Minister Dmitrii Medvedev and Minister of Economics Aleksei Uliukaev during a 11 June 2014 Government meeting, partial transcripts of which are available here: <http://government.ru/news/13006/> (accessed 12 November 2015).

²⁶ The text of the decree is available here: <http://www.rg.ru/2012/05/09/gosupravlenie-dok.html> (accessed 12 November 2015).

‘acknowledged’ the problem (Papchenkova, 27 May 2015, *Vedomosti*). It is possible that this apparent reluctance to introduce reforms reflects the executive’s difficulty in reconciling two positions: on the one hand, its desire to increase core executive control over creating unified, coherent policies; and, on the other hand, the flexibility provided by the ability to modify bills substantially during legislative review, often bypassing the need for costly formal procedures, as well as preventing resistance from certain societal groups, including the business community. In short, it seems that the executive ambivalence has resulted in maintaining the institutional *status quo*.²⁷

And yet, as noted in Chapter 2, executive-caused developments to executive bills in the literature need not result from conflict. As the case studies below will demonstrate, there are clear conditions under which a *unified* executive would desire to change its legislative initiative. Before proceeding to these cases, preliminary data will be presented regarding the *frequency* of the dynamics highlighted in the above discussion.

5.1.3 Official data on amendment frequency

Although these insights from Russian media reports and records of Government meetings are instructive, they reveal nothing of the *prevalence* of such dynamics. Producing a systematic impression is no easy task, however; as noted previously, exploring the roots of bill change is difficult even in more transparent, democratic

²⁷ Indeed, Shuvalov (2004: n.p.) proposes a rationale for avoiding the formalisation of decision-making procedures: ‘rules that worked well yesterday and work well today could significantly impede the legislative process in the future, as they might not respond to new realities. In this case, if such rules are set in federal laws, then changing them requires a significant amount of time and great effort.’

systems. A preliminary step, therefore, involves looking simply at official data relating to executive amendments. Following the expectations developed in Chapter 2 regarding the stage at which the executive decides to amend its bill, two sources of information are relevant: the contents of Government decisions relating to bill introduction into the Duma, which sometimes include references to the need to develop the initiative further; and formal Government amendments to bills under legislative review. Unfortunately, both types of data are limited, with restricted temporal availability, as well as doubts relating in particular to whether they provide a complete account.

Regarding Government bill introduction decisions, information relating to all bills submitted by the Government to the State Duma over a year (between 18 July 2014 and 18 July 2015) was collected (264 bills in total).²⁸ Specifically, Government decisions (*resheniia Pravitel'stva*) regarding particular bills were examined to see whether there was an explicit — and formal — acknowledgement that the bill signed off in cabinet would undergo further development. Of the 264 bills, around 13 percent have provisions attached to their legislative introduction noting their need for further development. These took a number of forms: from a statement that the bill had been adopted by cabinet ‘taking into account the discussion’ during the Government meeting, to a statement that the bill would be developed by executive agencies

²⁸ These dates correspond to the dates of the Duma introduction of executive drafts. Presidential bills are not included, as these are not subject — formally, at least — to the same inter-departmental agreement procedures as those bills formally sponsored by the Russian Government. One recent calendar year was chosen, given the relatively low costs of data collection (as changes to the Government’s online archive make tracing more recent initiatives much simpler than older initiatives). As such, these data must be interpreted accordingly: as a non-random convenience sample, selected from the population of all Government-introduced bills.

during second reading in the Duma.²⁹ Note that, insofar as these data relate to cabinet-level statements on the finalisation (or not) of executive initiatives before submission to the legislature, this information most clearly relates to two of the four cases of executive policy development hypothesised in Chapter 2 — ‘deferral’ and ‘spillover’.

There are clearly problems with these data. As *formal* statements regarding executive amendment plans *before* bill introduction to the Duma, they do not speak to the possibility of *informal* executive decisions to amend initiatives during legislative review, nor do they incorporate amendment decisions made *after* cabinet sign-off. Responding to the latter deficiency, we can examine public information on formal Government amendments.³⁰ Of all the 72 cases listed (stretching from 9 March 2013 to 23 July 2015),³¹ 40 relate to Government-sponsored bills — that is, of all the formal Government amendments proposed to bills under consideration in the State Duma, around 56 percent relate to bills drafted and introduced by the Government. However, these data — in turn — have their problems: it is likely that they do not provide an exhaustive account of all formal Government amendments proposed to bills;³² and the mere fact of such amendments tells us nothing about the actual springs of change, including the agents of change, as well as the presence (or not) of

²⁹ Further research will analyse whether information regarding the pre-parliamentary phase of policy-making is significant in explaining the level of bill change during legislative review — for example, by looking at variation across different drafting bodies (e.g., ministries). See Gaylord and Renno (2015) for an analysis ministerial differences in executive policy-making.

³⁰ This information is available here: <http://government.ru/activities/?selections=304> (accessed 12 November 2015).

³¹ This is an exhaustive list drawn from all available information provided by the Government on its website.

³² For example, the two formal Government amendments made to bill 260190-6 in second reading are not listed.

conflict. In order to examine these latter features, we need to dig further down into the histories of particular executive bill cases — the task to which the chapter now turns.

5.2 Cases

The following case studies are presented as evidence of the four types of executive bill amendment proposed in Chapter 2: ‘spillover’; ‘deferral’; ‘discovery’; and ‘fiat’. To recap, the first two types refer to cases when the executive sends a proposal to the legislature, knowing that the bill is unfinished; the latter two types refer to cases when the executive revises an initiative previously finalised before legislative introduction. Of these two groups, the first type in both cases — spillover and discovery — refer to cases of change related to intra-executive conflict, whereas the other two — deferral and fiat — relate to non-conflictual change.

5.2.1 Spillover

Additional calculations will be made, and the final decision will be taken, however the bills can be sent [from cabinet] to the State Duma.

Deputy Prime Minister Arkadii Dvorkovich³³

[W]e have 17 questions [to discuss]. These include those without which we cannot move forwards, so to say, in the area of preparing the budget: that is approving the main directions of tariff policy, tax policy, and also the question of state procurements. I know that, unfortunately, it was not possible to agree points fully between departments, but this is the normal working process.

Prime Minister Vladimir Putin³⁴

³³ Dvorkovich made these comments during a Government meeting in relation to taxation policy, including the 2014 budget, on 30 May 2013. Partial transcripts of the meeting are available here: <http://government.ru/meetings/2147/stenograms/> (accessed 12 November 2015).

³⁴ Putin made these comments during his final Government meeting on 2 May 2012, partial transcripts of which are available here: <http://archive.premier.gov.ru/events/news/18850/> (accessed 12 November 2015).

Draft bills sent from the Government to the State Duma are not necessarily the version the executive wants to see become law. In certain cases, although a bill is signed off by cabinet, the Government openly acknowledges at the time of introduction that the submitted draft requires further development. In order to qualify as a case of ‘spillover’ as defined in Chapter 2, this lack of policy finalisation must, furthermore, be the result of intra-executive *conflict*. The following section will present such a case.

The ‘budget rule’

Since we are discussing this publicly, in the presence of a large number of people, in front of cameras, it means that we did not fully discuss [the question] [...] Of course, we will enter the law [into the State Duma], but we will return to this question and literally in the next few days discuss whether we will take into account inflation or not.

Prime Minister Dmitrii Medvedev³⁵

Bill 102334-6 — ‘On the introduction of changes to the Budget Code of the Russian Federation and certain legislative acts of the Russian Federation regarding the use of the oil and gas revenues of the federal budget’ — proposed to introduce a ‘budget rule’ specifying the use of those oil and gas revenues included in the federal budget.³⁶ According to the bill’s explanatory note, such a rule was necessary to ensure budget

³⁵ Medvedev made these comments during a Government meeting on 28 June 2012, partial transcripts of which are available here: <http://archive.government.ru/docs/19516/> (accessed 12 November 2015).

³⁶ The bill’s webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=102334-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=102334-6) (accessed 12 November 2015). Many thanks to Stephen Fortescue for bringing this case to the author’s attention.

discipline, given both the importance of oil and gas revenues for the Russian economy and the volatility of world prices for these resources.³⁷ Prepared by the Ministry of Finance, the bill was introduced into the State Duma on 29 June 2012; the resulting law (268-FZ) was signed by President Putin on 25 December 2012.³⁸ The following narrative contains evidence of intra-executive conflict spilling over from the pre-parliamentary stage into the legislative stage of policy-making.

In his 2012 budget address (*biudzhethnoe poslanie*), President Putin called for the re-introduction of a ‘budget rule’, suspended during the recent world economic crisis.³⁹ This rule would provide statutory limits on the use of revenues from oil and gas, motivated by a desire for an anti-cyclical budget policy. In brief, the goal was to prevent excessive spending during years of plenty, as well as providing protection from significant falls in natural resource prices. The OECD, the World Bank, and the IMF had all encouraged the re-introduction of such a rule in order to aid the Russian economy (Smirnov, 23 March 2012, *Vedomosti*; Kuvshinova, 28 March 2012, *Vedomosti*). Putin’s statement reflected the outcome of negotiations between executive actors, with differences especially apparent between the Ministry of Finance and the Ministry of Economic Development. In particular, the two ministries disagreed over the number of years used to calculate the base (average) oil price, with the former backing 10 years and the latter suggesting three. In practice,

³⁷ The explanatory note is available here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&D80B763A7407ABBE43257A2C00437D1D](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&D80B763A7407ABBE43257A2C00437D1D) (accessed 12 November 2015).

³⁸ Using the unique word frequency difference (UWFD) measure of bill change discussed in Chapter 4, the text changed by 28 percent between introduced draft and final law.

³⁹ The address text is available here: <http://kremlin.ru/acts/news/15786> (accessed 12 November 2015).

the Ministry of Finance's proposal would result in a lower base oil price, leading to more conservative spending figures. In the end, a compromise decision was reached, with an initial period of five years chosen, increasing by an additional year each year up to 10 years (Smirnov, 23 March 2012, *Vedomosti*; n.a., 4 April 2012, *RIA Novosti*; Butrin, 9 April 2012, *Kommersant*"; Netreba, 18 April 2012, *Kommersant*"; Visloguzov, 22 June 2012, *Kommersant*").

Putin's public statement regarding the substance of the 'budget rule' appeared to signal that a consolidated decision had been reached by the executive. Other key points of the policy included the following: if the actual oil price exceeded the base oil price, then additional revenues would be sent to the Reserve Fund (rather than used immediately for additional budget spending, as had been the case following the suspension of the previous rule during the economic crisis) or would be used to fund the budget deficit, with the Government deciding between the two options; if the actual oil price fell below the base oil price, then the Reserve Fund would be used to fund the deficit; and, once the Reserve Fund had reached seven percent of GDP, then additional revenues would be channelled into the National Welfare Fund, with up to 50 percent of these funds available for spending on infrastructure projects.⁴⁰

The finality of the policy decision was underlined by Prime Minister Medvedev during a Government meeting on 28 June 2012 — the same day as Putin's address. Following an outline of the main features of the rule given by Minister of Finance Anton Siluanov, Medvedev's call for comments from other members of Government was qualified by the suggestion that there was, in fact, no need for further discussion,

⁴⁰ See the bill's explanatory note.

as ‘we already discussed the budget rule with the President’.⁴¹ Possibly to the Prime Minister’s surprise, Minister of Economic Development Andrei Belousov asked to make a ‘brief comment’:

We [the Ministry of Economic Development] signed off on this bill with one small remark [*zamechanie*] which is, it would seem, technical in nature [...] [to wit, that] when calculating the base oil price [...] [we should] take into account an indicator of global inflation.

It is important to note the *stage* at which Belousov proposed to make such an amendment to the ‘budget rule’: ‘We are proposing now, of course, not to hold up the law [...] but to take this amendment into account during the preparation of Government amendments for second reading [in the State Duma].’ The minister was, therefore, proposing during a meeting of the cabinet to make a supposedly technical change to a Government initiative during legislative review.

Finance Minister Siluanov’s response was resolutely negative: he made it clear that he thought the proposed change was not merely technical, but would have a significant impact on the calculated base oil price. Perhaps more surprisingly, other members of cabinet came out in support of Belousov’s inflation proposal: Deputy Prime Minister Arkadii Dvorkovich argued that ‘the basic rules of economic and mathematical logic speak of the need to take inflation into account’, stating that ‘it is necessary to factor in this amendment during consideration of the law at second reading’; and First Deputy Prime Minister Igor’ Shuvalov noted that the idea of incorporating inflation

⁴¹ A partial transcripts of the Government meeting is available here: <http://archive.government.ru/docs/19516/> (accessed 12 November 2015).

had been discussed at a meeting with Medvedev, with ‘the majority of participants of the meeting [*soveshchanie*] supporting the position of the Ministry of Economics’.

These differences are revealing. If Shuvalov was correct when arguing that a majority of *soveshchanie* participants backed the Ministry of Economics — and if Belousov was correct when arguing that the same ministry signed off on the bill on the condition that its amendment regarding inflation was taken into account — then it appears that the Ministry of Finance was renegeing on an earlier Government decision. As such, this example appears to be a clear manifestation of ‘ministerial drift’. Why did the Finance Ministry think it could get away with this? The answer is not clear.⁴² There are, however, more understandable cases of ministries renegeing on deals made with *non-executive* actors during policy formation — see, for example, the case of a bill developed initially by the Ministry of Justice, criticised and amended by the Presidential Council on Human Rights in cooperation with the Ministry of Justice, but stripped of these amendments by the Justice Ministry when the bill was entered into the Duma (Chernykh, 18 June 2015, *Kommersant*). Both cases reveal the constraints facing participants in the pre-parliamentary phase of policy-making — that is, the difficulty in reaching and maintaining a credible, binding commitment between actors.

Medvedev responded thus to the exhibition of inter-ministerial dispute concerning the ‘budget rule’ during the Government meeting:

⁴² It could be that the Finance Ministry was confident of prevailing, possibly with the support of the Presidential Administration.

At the beginning of my presentation, I said that the budget rule, which has today been proposed, is the result of collaborative work and common approaches. I want to preserve these common approaches here, because we already suggested our approaches to the President, and in this regard have repeatedly returned to this.

The Prime Minister continued with the words quoted at the beginning of this section: the ‘budget rule’ bill would be introduced into the Duma, but the debate concerning the inflation question would continue. In short, *intra-executive policy conflict spilled over from cabinet into the legislative stage of policy-making*. In spite of the Prime Minister’s belief that the matter had been settled — in particular, following discussion with President Putin — executive actors continued to debate policy substance.

Following Duma introduction, the bill was comfortably adopted in first reading with 66.2 percent of votes in favour of the initiative.⁴³ In preparation for second reading, a deadline of 29 August was set for the presentation of amendments to the lead committee. However, on 27 September, the period for the proposal of bill changes was extended to 13 October;⁴⁴ and consideration of the bill was again delayed on 22 October ‘to a later date’ (*na bolee pozdnii srok*).⁴⁵ What explains this delay?

The amendment-proposal period was changed, it seems, due to continued intra-executive disagreement. September 2012 saw the finalisation of the Ministry of Finance’s draft budget for the 2013-2015 period. This initiative received heavy

⁴³ United Russia and LDPR deputies voted in favour, with KPRF deputies not voting, and Just Russia deputies voting against. See voting results here: <http://vote.duma.gov.ru/vote/77823> (accessed 12 November 2015).

⁴⁴ Such decisions are taken by the Duma Council. Although summaries of this body’s meetings are made available, detailed information on the reasons offered in support of (and, possibly, against) particular decisions are not provided. See minutes from the respective meeting of the Duma Council here: <http://is.gd/sKIgaP> (accessed 12 November 2015).

⁴⁵ See minutes from the respective meeting of the Duma Council here: <http://is.gd/E2FKIf> (accessed 12 November 2015).

criticism from President Putin, arguing that it did not take into account important electoral promises he had made — for example, in relation to development projects in the Far East (n.a., 21 September 2012, *RIA Novosti*; Tovkailo and Liutova, 21 September 2012, *Vedomosti*). In addition to these broader concerns — and possibly capitalising on Putin’s displeasure with the Finance Ministry — Minister Belousov proposed to amend the ‘budget rule’ bill, revising down the threshold of the Reserve Fund (after which oil and gas revenues would flow to the National Welfare Fund) from seven to five percent (Kuvshinova and Tovkailo, 21 September 2012, *Vedomosti*).

Understandably, Prime Minister Medvedev did not react well to this continued intra-Governmental dispute, stating that ‘[t]he decisions have been adopted, and I consider it necessary to end their discussion, including in Government circles.’ However, it took presidential intervention to settle the dispute: although deputies submitted an amendment in second reading proposing to change the threshold from seven to five percent on behalf of the Ministry of Economics, Putin

at the last moment took the Ministry of Finance’s side, and United Russia deputies had to change their minds quickly — the Budget Committee (in a rare event) rejected the five percent amendment, introduced by the committee’s chair, Andrei Makarov, and the first deputy speaker of the State Duma, Aleksandr Zhukov⁴⁶

Overall, 23 amendments were proposed. Of these, 17 were recommended by the Budget Committee for adoption by the Duma — and of these successful amendments, nine were formally sponsored by the Government; most of the other eight successful

⁴⁶ Visloguzov (17 December 2012, *Kommersant*”).

changes were formally sponsored by Andrei Makarov, the committee chair.⁴⁷ None of the these amendments related to inflation adjustments. The bill was considered for second and third readings on 14 December, garnering 240 and 238 yes votes, respectively.⁴⁸ The law faced no apparent resistance during passage through the Federation Council, being reviewed positively by two committees and being adopted with 83 percent of votes in favour and none against.⁴⁹

In short, this case provides an example of intra-executive dispute — on display in the pre-parliamentary phase of policy-making — spilling over into the formally legislative stage of law-making, and resulting in executive bill amendment.⁵⁰ Executive actors appeared reluctant to conclude their dispute, attempting at various stages to revise the putatively final decision. Indeed, Prime Minister Medvedev appeared powerless to prevent such ongoing policy conflict.⁵¹

⁴⁷ The committee amendment tables are available here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&6EE529DE0BAAF6E343257AD1003E67F9](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&6EE529DE0BAAF6E343257AD1003E67F9) (accessed 12 November 2015); [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&44B028C693885ED943257AD1003E75E9](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&44B028C693885ED943257AD1003E75E9) (accessed 12 November 2015).

⁴⁸ Voting results are available here: <http://vote.duma.gov.ru/vote/79709> (accessed 12 November 2015); <http://vote.duma.gov.ru/vote/79710> (accessed 12 November 2015).

⁴⁹ See the committee conclusions here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&C3EC4F9C1924168A43257AD800420B47](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&C3EC4F9C1924168A43257AD800420B47) (accessed 12 November 2015); [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&7C23FC1D58A9767F43257AD800420B7A](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&7C23FC1D58A9767F43257AD800420B7A) (accessed 12 November 2015). See the transcript of the Federation Council plenary during which the law was adopted here: <http://council.gov.ru/media/files/41d44e6674f4a47f12e7.doc> (accessed 12 November 2015).

⁵⁰ For another case of ‘spillover’, see bill 68702-6, ‘On the contract system in the sphere of procuring goods, works, and services for supporting state and municipal needs (regarding the regulation of state and municipal procurements)’. That executive actors were not able to resolve policy disputes before Duma introduction is evinced by the quotation from Prime Minister Putin above; that amendment activity in the Duma was driven by debate between the Ministry of Economic Development and the Federal Anti-monopoly Service was reported in an interview with Denis Primakov (9 May 2013).

⁵¹ In light of the exigencies associated with Russia’s economic difficulties, the ‘budget rule’ was suspended for the 2016 budget process (Visloguzov and Kriuchkova, 8 September 2015, *Kommersant*”).

5.2.2 Deferral

Although intra-executive conflicts can spill over from cabinet, other cases suggest that a united executive *defers* the finalisation of policy until the legislative stage of policy-making, safe in the knowledge that loyal deputies will comply with the executive's policy-making plans. The case below demonstrates why an executive might wish to do so, combining the need to consult with international experts and the expediencies imposed by related legislation.

Capital amnesty

If the bill is adopted by Government, then already next week consultations will begin with FATF [the Financial Action Task Force] regarding the bill's main parameters. It is possible that, as a result of these consultation, the provisions of the bill will change and we will effect these changes in second reading in the State Duma.

Minister of Finance Anton Siluanov⁵²

In his 4 December 2014 address to the Federal Assembly, President Putin called for a 'full capital amnesty' (*polnaia amnistiia kapitalov*).⁵³ As described by the president, this would involve the repatriation and legalisation of funds and property to Russia on the understanding that individuals would not be subject to criminal, administrative and tax investigations in relation to the source and use of these assets.

⁵² Siluanov made these comments during a Government meeting on 26 March 2015, partial transcripts of which are available here: <http://government.ru/meetings/17388/stenograms/> (accessed 12 November 2015).

⁵³ The address text is available here: <http://kremlin.ru/events/president/news/47173> (accessed 12 November 2015).

The proposal was made in the context of a wider campaign to combat the use by Russian citizens of offshore jurisdictions (the so-called *deofshorizatsiia* campaign),⁵⁴ as well as a worsening economic climate resulting from falling oil prices and sanctions imposed by Western states in response to Russia's annexation of Crimea. Bill 754388-6 — 'On the voluntary declaration by individuals of assets and accounts (deposits) in banks and on the introduction of changes to certain legislative acts of the Russian Federation' — was the Government's response to Putin's idea, drafted by the Ministry of Finance, and entered into the Duma on 27 March 2015.⁵⁵ The following account will demonstrate that the significant changes made to the bill during legislative passage were neither the result of deputy influence nor intra-executive conflict. Rather, a unified Government introduced the draft to parliament, expecting to change its content following consultation with an inter-governmental organisation — the Financial Action Task Force.⁵⁶

Following Putin's December 2014 announcement, the initial bill draft was put together in January 2015 by a working group led by Russia's business ombudsmen, Boris Titov (Visloguzov, 30 January 2015, *Kommersant*). Before Duma introduction, the bill was subject to significant changes, reflecting the influence of both officials and business representatives. Areas of debate included: whether the initiative should require the repatriation of capital, or simply its declaration; whether declarations

⁵⁴ Russia has not been alone in this regard. The UK, for example, has attempted a similar initiative, albeit with limited success (see Houlder, 24 July 2015, *The Financial Times*).

⁵⁵ The bill's webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=754388-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=754388-6) (accessed 12 November 2015).

⁵⁶ According to the UWFD measure of amendment, the bill text was changed by around 57 percent, although this figure excludes the addition of the important appendices to the bill in second reading.

should involve a fee; whether assets over a certain value threshold should be subject to mandatory checks regarding the veracity of submitted information; which criminal code articles would be included in the amnesty; which period the amnesty would cover; what steps were necessary to comply with international obligations; whether declarations had to include all assets, or simply those the declarant was prepared to include; whether declarants would be required to pay tax arrears; whether the declarations of certain categories of officials would be checked automatically; and how the declared information would be kept from law enforcement agencies. At base, the main difficulty concerned how to reconcile Putin's vision of a wide-ranging amnesty with Russia's international obligations regarding money laundering and financing terrorism, which placed clear limits on the scope of any proposal. Whereas the president was keen to introduce a 'simple, understood, and hassle-free'⁵⁷ procedure, Russia's international commitments required particular measures be taken with a view to ensuring the mechanism was not used for illicit purposes.

Arguably the most important factor influencing the development — and, in particular, the time line — of the draft bill was the fate of a related piece of legislation concerning 'controlled foreign companies' (*kontroliruemye inostrannye kompanii*). Signed into law as federal law 376 on November 2014, and known colloquially as the 'anti-offshore law', bill 630365-6 — 'On the introduction of changes to Parts One and Two of the Tax Code of the Russian Federation (regarding the taxation of profits of controlled foreign companies and the revenues of foreign organisations)' — was

⁵⁷ This phrase comes from the introduced bill's explanatory note, available here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&B491148CBF45792243257E1500436DB4](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&B491148CBF45792243257E1500436DB4) (accessed 12 November 2015).

aimed at restricting tax evasion by, and increasing tax contributions from, Russian individuals and companies.⁵⁸ Although formally sponsored by a group of senior deputies, the initiative was developed by the Ministry of Finance.⁵⁹ In brief, the legislation mandated the declaration of Russian ownership of companies registered in foreign jurisdictions, as well as the payment of taxes on these companies' profits to the Russian exchequer. In its original edition, the law included a deadline of 1 April 2015 for such declarations to be made, after which stiff penalties — including criminal responsibility — could be levied for non-declaration. Given these conditions, the business community was keen to link the policy with the timing of the capital amnesty for a simple reason: whereas 376-FZ required Russians to declare their foreign interests to the authorities, with no safeguards against the use of submitted information by law enforcement agencies against the declarants, the amnesty bill provided such protections. By staggering the time frames of the two initiatives, individuals could take advantage of the amnesty provisions before facing the mandatory requirements of the 'anti-offshore law'. In short, as Boris Titov argued, 'before applying the whip, the state should offer the carrot' (quoted in Visloguzov, 30 January 2015, *Kommersant*”).

Time was running out, however. In spite of 376-FZ coming into force on 1 January 2015, and in spite of the approaching 1 April deadline for 'controlled foreign companies'

⁵⁸ The bill's website is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=630365-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=630365-6) (accessed 12 November 2015).

⁵⁹ Congruent with a scenario noted above, it was suggested that the Ministry of Finance used deputies to sponsor the bill in order to avoid the Government inter-agency agreement procedures, in particular those stages involving representatives from business peak organisations (Shtykina, Miliukova, Bocharova, 22 October 2014, *RBK Daily*). It is also possible that the Finance Ministry made this decision in order to distance the Government from what was widely seen as an unpopular policy.

declarations, the Government had not yet approved the form of notification that business people would need to inform the Russian tax authorities about their foreign assets (Kashevarova, 20 March 2015, *Izvestiia*). There was pressure, therefore, to extend the April deadline to give time for passage of the amnesty bill into law. At a 19 March congress of the Russian Union of Industrialists and Entrepreneurs, President Putin finally signalled his agreement for delaying the deadline, instructing Minister of Finance Siluanov and Andrei Belousov to work out the specifics (Miliukova and Dziadko, 20 March 2015, *RBK Daily*).

Following Putin's approval for policy synchronisation, the amnesty bill was prepared for Duma submission. At a meeting chaired by President Putin on 24 March, a liberal variant of the amnesty bill was picked, apparently conforming to the principle of 'Christian forgiveness' (Papchenkova, 25 March 2015, *Vedomosti*).⁶⁰ Before Putin's backing of this version, however, a wide variety of options were still on the table, including whether declarants would be required to pay unpaid past taxes (Papchenkova, 27 March 2015, *Vedomosti*). In other words, the policy details were clearly far from settled.

According to a Russian civil servant, the bill was prepared for entry into the State Duma in a 'mad rush' (quoted by Papchenkova, 29 March 2015, *Vedomosti*). Indeed, evidence in support of this is provided by the fact that the bill was not considered — as is usual practice — in the Government's Commission on Legislative Activity

⁶⁰ Wanting to remove any necessary suggestion of illegality, the word 'amnesty' was removed. As Igor' Shuvalov stated in the press briefing following the 26 March Government meeting, 'we do not want to call it an amnesty, because we do not want — even in an indirect way — for people, coming to the tax authorities, to confess to some offences from which they are cleared'. A transcript of the briefing is available here: <http://government.ru/meetings/17388/briefings/> (accessed 12 November 2015).

before discussion and agreement by the cabinet.⁶¹ Moreover, there is clear evidence that the bill submitted to parliament was not finished. Firstly, the formal notification of cabinet sign-off included references to areas in need of further development, including regarding the relationship between declarants and nominal owners of assets.⁶² Secondly, members of Government stressed the need to consult with international bodies — in particular, the Financial Action Task Force — regarding the amnesty’s scope. During the cabinet meeting on 26 March 2015, for example, Finance Minister Siluanov stated: ‘it is suggested to define more specifically in the bill’s second reading [in the Duma] the list of Criminal Code articles, responsibility from which it is suggested to free participants of the amnesty, after consultation with FATF.’⁶³ Indeed, on the same day, John Ringguth — Executive Secretary of MONEYVAL, the Council of Europe’s expert council on countering money laundering and financing terrorism⁶⁴ — met with representatives from *Rosfinmonitoring*, the Ministry of Finance, the Presidential Administration, and law enforcement agencies in Moscow to discuss the draft bill (Papchenkova, *ibid.*). He warned that the initiative risked violating FATF principles, which would result in Russia being blacklisted by the organisation.

⁶¹ This is made clear by searching for the initiative in the on-line list of initiatives considered by the Commission, available here: <http://government.ru/activities/?selections=302> (accessed 12 November 2015).

⁶² The list of areas for further development is available here: <http://government.ru/meetings/17388/decisions/> (accessed 12 November 2015).

⁶³ Partial transcripts of the Government meeting are available here: <http://government.ru/meetings/17388/stenograms/> (accessed 12 November 2015).

⁶⁴ This is the body’s website: https://www.coe.int/t/dghl/monitoring/moneyval/About/MONEYVAL_in_brief_en.asp (accessed 12 November 2015).

Following Duma introduction, the bill was subject to a ‘zero reading’ in the Public Chamber.⁶⁵ The Chamber produced a positive report.⁶⁶ In first reading in the Duma, limited discussion involved whether a separate amnesty document was needed, as well as why this initiative would achieve its stated aims, given the apparent failure of another attempted capital amnesty in 2007.⁶⁷ The bill was adopted with 351 yes votes.⁶⁸

40 amendments were proposed in second reading, with the lead committee recommending — and the Duma floor assenting — to incorporate 17 and to reject 23.⁶⁹ All of these proposed amendments were formally sponsored by Duma deputies, in spite of the fact that these changes reflected the outcome of *executive* consultations with FATF. The bill was adopted in second reading on 20 May 2015 with 336 yes votes, with the vast majority of KPRF deputies refraining from voting.⁷⁰ Although the bill progressed following this adoption to third reading phase, the bill was returned to

⁶⁵ On the use of the term ‘zero reading’ in this case, see the Public Chamber’s Secretary, Aleksandr Brechalov, during the bill’s first reading discussion on the Duma floor, transcripts of which are available here: http://transcript.duma.gov.ru/api_search/?search_mode=number&sessid=4119&dt_start=&dt_end=&deputy=&number=754388-6&keyWords= (accessed 12 November 2015).

⁶⁶ The report is available here: https://www.oprf.ru/files/2015dok/zak1754388-6_amnistiya_kapitala.pdf (accessed 12 November 2015).

⁶⁷ See transcripts of the Duma floor discussions here: http://transcript.duma.gov.ru/api_search/?search_mode=number&sessid=4119&dt_start=&dt_end=&deputy=&number=754388-6&keyWords= (accessed 12 November 2015).

⁶⁸ Vote results are available here: <http://vote.duma.gov.ru/vote/90673> (accessed 12 November 2015).

⁶⁹ See the committee amendment tables here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&C5858156649B0B9B43257E4A0080E2C9](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&C5858156649B0B9B43257E4A0080E2C9) (accessed 12 November 2015); [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&922083998BD1344543257E4A0080F55A](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&922083998BD1344543257E4A0080F55A) (accessed 12 November 2015); [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&A71D6C0FFD263DF343257E4C0070AEE1](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&A71D6C0FFD263DF343257E4C0070AEE1) (accessed 12 November 2015).

⁷⁰ Voting results are available here: <http://vote.duma.gov.ru/vote/90792> (accessed 12 November 2015).

second reading status and adopted a second time on 22 May. According to Andrei Makarov, this was required in order to introduce two amendments suggested by the Russian Supreme Court.⁷¹ The bill was finally adopted in third reading with 76 percent of the vote.⁷²

In sum, the bill submitted to the legislature was not the version that the executive wanted signed into law. Key details were left out, given the need to consult international expertise. Bill amendment was, as such, expected by the executive — but delayed until the legislative stage of policy-making — and not the result of policy conflict.

5.2.3 Discovery

Both ‘spillover’ and ‘deferral’ relate to cases when the executive intends (before bill introduction) to amend initiatives during parliamentary review. The remaining two types — discovery and fiat — relate, in contrast, to cases when the executive sends a bill to the legislature without expecting to change the text during legislative review. Of these two types, discovery involves cases of bill amendment resulting from intra-executive conflict.

⁷¹ See Makarov’s comments in the Duma floor transcripts.

⁷² Voting results are available here: <http://vote.duma.gov.ru/vote/90846> (accessed 12 November 2015).

Tax crimes

[W]e will do everything to impede the [presidential] initiative in the Duma.

Senior official in the Ministry of Economic Development⁷³

Bill 357559-6 — ‘On repealing various provisions of legislative acts of the Russian Federation’ — was introduced into the Duma by President Putin on 11 October 2013.⁷⁴ The resulting law — ‘On the introduction of changes to the Criminal Procedure Code of the Russian Federation’ — was signed by Putin on 22 October 2014, with the text changed significantly.⁷⁵ The following section will discuss how such change resulted from intra-executive policy dispute.

The presidential bill concerned the initiation of criminal cases relating to alleged tax crimes. This area of criminal justice has been particularly controversial in post-Soviet Russia, given the practice of law enforcement officials initiating criminal proceedings for offences such as tax evasion, not with a view to realising justice, but to exert pressure on businesses in order to extract rents (Khamraev, 15 October 2013, *Kommersant*). In 2011, then President Medvedev introduced a liberalisation to Russian criminal law removing the right of investigators to launch criminal cases alone, with the hope that this would limit the law’s abuse by law enforcement

⁷³ Quoted in Papchenkova and Tovkailo (12 November 2013, *Vedomosti*).

⁷⁴ The bill’s website is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=357559-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=357559-6) (accessed 12 November 2015).

⁷⁵ The UWFD measure of amendment produces a change figure of 522 percent.

officials.⁷⁶ In line with the reform, criminal cases could only now be initiated on the basis of a report compiled by the Federal Tax Service (*Federal'naia nalogovaia sluzhba*, FNS) — an organisation considered by reformers to be un-marred by the pathologies of extortion. Liberalisers pointed to the fall in the number of cases launched following the legal change as a sign that the reform had worked — that is, they claimed that this decline demonstrated that many cases previously had been launched simply for the purposes of rent extraction; fewer businesspeople would now be subject to interference from law enforcement officials (Titov, 25 February 2014, *Gazeta.ru*). However, others saw it differently: according to law enforcement officials, the fall in the number of cases initiated constituted a dangerous collapse both in the prosecution of tax crimes and the legitimate tax-extraction capacity of the state (Papchenkova, 21 February 2014, *Vedomosti*; Aleksandr Bastrykin, quoted in Pavlova, 14 January 2014, *Rossiiskaia gazeta*).

The Investigative Committee (*Sledstvennyi komitet*, SK) — Russia's chief federal investigating body — drafted a bill proposing to reverse the Medvedev-era reform. In accordance with formal procedures to gain the assent of executive actors, the SK introduced its proposal for intra-Governmental sign-off; the proposal was, however, rejected (Parfenova, 7 November 2013, *Kommersant*). In response to this setback, the SK took its bill to the Presidential Administration, which also has the authority to submit bills to the legislature. In contrast to Government-submitted bills, however, presidential legislative initiatives are not subject to the formal sign-off process with

⁷⁶ This liberalisation formed part of a wider set of liberalising reforms in the Russian criminal justice system, a substantial portion of which was aimed specifically at improving the Russian business climate (Solomon 2013).

other executive actors; as such, Government bodies — such as federal ministries — are not necessarily aware of proposals in the pipeline, nor do they have an opportunity to amend or block such initiatives.

President Putin gave his blessing for the SK bill to be sent to the State Duma. This move caught Government actors by surprise: when the bill was registered in the Duma, commentators noted that it had been introduced ‘over the heads of Government officials — its introduction was a shock to many of them’ (Papchenkova and Tovkailo, 12 November 2013, *Vedomosti*). As the quotation at the beginning of this section reveals, Government actors were openly opposed to the bill.⁷⁷ In a rare display of apparent autonomy, even Prime Minister Medvedev publicly criticised the presidential bill in a speech on 12 November.⁷⁸ Putin’s response to this public display of intra-executive disagreement is instructive:

there is a specified practice for resolving questions before they appear in the media. It is well known that if somebody does not agree with this practice, as [former Minister of Finance] Kudrin did in his time, then he moves to the expert community [and out of cabinet] [...] We have a long-established practice, according to which we carry out discussions either in the Government or in the Presidential Administration. We do this collectively and sufficiently democratically. We all, of course, want to appear, as they now say, white and fluffy, and liberal. But this is not our task. We are not actors of an artistic genre, of artistic words. In making decisions of this kind, we must find balanced

⁷⁷ There is evidence, however, that the Government was not itself united in its opposition: whereas the Ministry of Economics sent a letter to the Cabinet of Ministers, in which it outlined its opposition to the initiative, certain sections of the Ministry of Finance welcomed the move, noting the possibility of increased tax revenues (Papchenkova and Tovkailo, 12 November 2013, *Vedomosti*).

⁷⁸ Despite this vocal Government criticism of the presidential bill, the Government’s formal review (*ofitsial’nyi otzyv*) of the bill was positive. The review is available here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&CB8A03FD0EBA4F0443257C4D004F2F0B](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&CB8A03FD0EBA4F0443257C4D004F2F0B) (accessed 12 November 2015).

decisions, which ensure the interests of all groups of society — of the business community and the rest of society.⁷⁹

In effect, this constituted a thinly veiled threat of firing those officials — including Medvedev — who provided a window on the reality of intra-executive conflict. Moreover, the president appeared to criticise the expression — even behind closed doors — of a plurality of views.⁸⁰

The bill also spooked the business community. Influential individuals, such as Boris Titov (Presidential Commissioner for Entrepreneurial Rights) and Mikhail Prokhorov (billionaire and founder of the party, Civic Platform), as well as peak organisations (such as the Russian Union of Industrialists and Entrepreneurs (RUIE), *Delovaia Rossiia*, the Commercial and Industrial Chamber, and *Opora Rossii*) were vocal in their criticism of the proposal (Parfenova, 7 November 2013, *Kommersant*"; Khamraev, 15 November 2013, *Kommersant*"; Petrov and Evstigneeva, 13 December 2013, *RBK Daily*). They feared that its passage into law would re-empower law enforcement agents to interfere with businesses without legal grounds.

Despite this opposition, there was never any sense that the presidential initiative would be defeated in the legislature or that the president would remove it from consideration. However, in a meeting held on 11 November 2013 by presidential aide Andrei Belousov, it became clear that there was a consensus amongst stakeholders that the bill could not progress without amendment (Papchenkova and Tovkailo, 12

⁷⁹ Quoted in n.a. (14 November 2013, *RIA Novosti*). The reference to Aleksei Kudrin relates to an episode during Medvedev's presidency, when the then Minister of Finance Kudrin was dismissed from his post in 2011 by Medvedev for publicly undermining him.

⁸⁰ That is, Putin argued that finding the right solution — the right balance — trumps the democratic process.

November 2013, *Vedomosti*). Putin's willingness to soften the bill was made clear during a meeting with the head of the FNS, Mikhail Mishustin, on 25 November 2013, during which the president suggested that law enforcement agencies be required to consult the FNS when initiating criminal tax cases (Latukhina, 26 November 2013, *Rossiiskaia gazeta*). Around this time, the Government and the RUIE were developing their own amendments to the presidential bill, which were discussed in a Kremlin working group, including the SK and the FNS (Agamalova, 25 November 2013, *Vedomosti*).

The bill was adopted by the Duma in first reading on 10 December 2013. Although some parliamentarians criticised the bill — particularly in light of the fact that they had been asked to pass precisely the *opposite* measure two years previously — the proposal was supported by 86 percent of Duma deputies.⁸¹ However, the debate on the floor also made clear that a compromise between the SK and the FNS had not yet been reached (Visloguzov, 11 December 2013, *Kommersant*). The deadline for presenting amendments to the lead committee before second reading was set for 30 days following first reading. However, on 20 January 2014, the Duma Council postponed the bill's further consideration, presumably because a compromise solution had not yet been reached.⁸² Meanwhile, the bill's progression simply to first reading was seen as one of the worst tax developments for Russian business in 2013 (Visloguzov, 12 February 2014, *Kommersant*).

⁸¹ Voting results are available here: <http://vote.duma.gov.ru/vote/83736> (accessed 12 November 2015).

⁸² See the Duma Council's postponement decision here: <http://is.gd/aB5DZR> (accessed 12 November 2015).

Negotiations continued throughout winter, with a compromise only being reached in spring (Papchenkova, 21 February 2014, *Vedomosti*; Petrov and Evstigneeva, 13 December 2013, *RBK Daily*; n.a., 15 January 2014, *RBK Daily*; Sterkin and Papchenkova, 20 June 2014, *Vedomosti*).⁸³ Some actors doubted the meaningfulness of the deal reached — the RUIE, for example, called it simply the ‘appearance of compromise’; and even the chair of the Duma committee responsible for the bill, Pavel Krashennnikov, stated ‘I am [still] afraid of [the initiation of] false criminal cases’ (quoted in Papchenkova, 29 September 2014, *Vedomosti*). However, 70 percent of deputies voted in favour of the presidential initiative in second reading on 26 September 2014.⁸⁴

The policy battle was not yet over, however. The bill was returned from third reading status to second reading in order to amend the proposal further, although the substantive impact of these changes was ambiguous. On the one hand, the FNS was granted more time to review SK case materials, which the business community welcomed; yet, on the other hand, investigators now had the right to initiate criminal proceedings without a report from the tax authorities given ‘sufficient information indicating the signs of a crime’ (Papchenkova, 9 October 2014, *Vedomosti*; Shkliaruk, 16 October 2014, *RBK Daily*; Shtykina, Makutina, Koptiubenko, 7 October 2014,

⁸³ The sticking point was whether investigators could initiate proceedings unimpeded, or whether they would be required to receive confirmation from the tax authorities that an offence had, in their opinion, been committed.

⁸⁴ Voting information is available here: <http://vote.duma.gov.ru/vote/87424> (accessed 12 November 2015).

RBK Daily). Following inclusion of these changes, the bill was adopted in third reading by 85 percent of deputies.⁸⁵

What can we learn from this case? Most importantly, the legislature was not chosen as the physical venue for dispute resolution. Rather, the obligatory publication of draft legislation allowed members of the Government to discover a policy proposal from the presidency, which they did not support — indeed, they thought they had vetoed it during inter-agency review. The publicity entailed by legislative introduction allowed for intra-executive monitoring. Moreover, the case exhibits the hypothesised difference between bill velocity and floor activity. Although the bill spent a year in the Federal Assembly, it was discussed very little on the Duma floor. In addition, transcripts of these floor debates reveal little evidence of parallel, influential Duma committee discussion. Therefore, although the development of the bill took place during the nominally legislative stage of policy-making, executive actors and venues proved the most important. And, although the amendments introduced during legislative review were drafted by extra-parliamentary actors, bill changes were formally sponsored by Duma deputies. Without the wider contextual detail, we might — once again — mistakenly attribute these amendments to deputy influence.

This case also suggests another mechanism by which legislative institutions can function to counter threats to private property in non-democracies. In existing works, legislatures are either portrayed as ‘binding’ mechanisms, created to form ‘a credible constraint on the regime’s confiscatory behaviour’ (Wright 2008: 322; see

⁸⁵ Voting information is available here: <http://vote.duma.gov.ru/vote/87993> (accessed 12 November 2015).

also Gehlbach and Keefer 2012); as ‘a forum for horse trading between private actors’, aiding the creating of ‘corporate governance legislation that protects investors from corporate insiders’ (Jensen, Malesky and Weymouth 2014: 655); as a signalling device to dissuade lower-level bureaucratic predation (Hou 2014); or as a means for the individual protection of businesspeople’s assets, including through immunity from prosecution (Spector 2008). In contrast, the Russian case intimates that legislative institutions might aid property protection by alerting portions of the ruling elite (as well as business leaders) of potentially repressive (or easily abusable) legal changes, as well as providing an opportunity to amend these proposals.

Some observers might argue that this case is a particular reflection of Russia’s semi-presidential constitution (cf. Goode 2010: 1060). Given the formally dual executive — and given the specific expression of this duality during the ‘tandemocracy’ of Putin and Medvedev — it could be argued that this executive amendment type will not likely ‘travel’ well to other authoritarian settings.⁸⁶ In order to tackle this possible challenge, the following case also displays the discovery mechanism, but without conflict between the Government and the Presidential Administration.

⁸⁶ Stanovaia (2009) and Fortescue (n.d.) have written of another case of policy conflict — concerning the law ‘On Trade’ — between the Government and the Presidential Administration, playing out partially in the State Duma.

Economic competition

Examination of the bill by the State Duma was postponed namely because of disagreements [between the Federal Anti-monopoly Agency (FAS)] and the *siloviki*. The MVD [Ministry of Internal Affairs], the General Prosecutor's Office and the Investigative Committee of Russia came out against the [FAS] amendments.

Sergei Puzyrevskii, head of the FAS Legal Department⁸⁷

At the end of 2012, the Government approved a 'road map' for improving economic competition and developing anti-monopoly policy.⁸⁸ This formed part of an ongoing effort to reform Russia's anti-trust legislation.⁸⁹ Bill 260190-6 — 'On the introduction of changes to article 178 of the Criminal Code of the Russian Federation and various legislative acts of the Russian Federation (regarding the clarification of criteria of responsibility for the prevention, restriction or elimination of competition)' — was developed by the Federal Anti-monopoly Agency (FAS).⁹⁰ Following approval by the Government's Legislation Commission,⁹¹ the initiative was discussed and adopted

⁸⁷ Indirect quotation in Titov and Papchenkova (8 October 2013, *Vedomosti*).

⁸⁸ See Government directive (*rasporiazhenie*) number 2579 from 28 December 2012, available here: http://www.consultant.ru/document/cons_doc_LAW_140480/ (accessed 12 November 2015).

⁸⁹ Referred to as 'anti-monopoly packages', there have been four stages of legislative reforms, the first realised in 2006, the second in 2009, the third in 2012, and the fourth is still the object of debate and legislative passage — see comments by Igor' Artem'ev during bill 260190-6's first reading in the Duma, transcripts of which are available here: <http://api.duma.gov.ru/api/transcript/260190-6> (accessed 12 November 2015).

⁹⁰ The bill's website is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=260190-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=260190-6) (accessed 12 November 2015).

⁹¹ The Commission's approval decision is available here: <http://government.ru/activities/1272/> (accessed 12 November 2015).

by the cabinet on 4 April 2013,⁹² sent to the legislature on 12 April 2013,⁹³ and registered in the State Duma on 16 April 2013. The resulting law was, however, signed by President Putin much later — on 8 March 2015 — and with ‘significant revisions’ (n.a., 2 February 2015, *Pravo.ru*). As the narrative below will demonstrate, this delay and bill amendment resulted primarily from conflict between executive bodies, as well as the objections of business interests.⁹⁴

The bill primarily concerned economic cartels, but also related to the abuse by companies of their dominant market position. According to the bill’s explanatory note, the proposed ‘legal-technical’ changes to article 178 of the Criminal Code — on the ‘Prevention, restriction or elimination of competition’ — were required in order to prevent the ‘incorrect interpretation’ of the article’s spirit, supposedly evinced by existing practice. In 2013, for example, FAS claimed that, of 56 instances supposedly discovered by the Agency relating to article 178 violations and sent to the MVD for investigation, only 10 criminal cases were initiated, of which none had reached court proceedings (Rubnikovich, 24 June 2014, *Kommersant*). In addition, the last sentence had been handed down by a court in 2010, suggesting to some that the principle of the inevitability of punishment was being undermined (Kaliukov, 23 June 2014, *RBK Daily*). FAS blamed the ambiguous language of the Criminal Code article for these low figures: the Agency claimed that the existing phrasing of article 178 meant that law enforcement officials regarded as criminal only those cases

⁹² The cabinet’s approval decision is available here: <http://government.ru/meetings/1167/decisions/> (accessed 12 November 2015).

⁹³ The introduction decision is available here: <http://government.ru/activities/10115/> (accessed 12 November 2015).

⁹⁴ UWFD data suggest that the bill text changed by around 62 percent.

when *both* cartels were formed and these companies also repeatedly abused their market position. In addition, FAS argued that law enforcers were disregarding cases when there was no evidence of preventing, restricting or eliminating competition, even if there was clear evidence of damages to citizens and the earning of illegal proceeds.⁹⁵ The putative importance of this bill was underscored by the explanatory note's reference to cartels as 'one of the most dangerous threats to the foundations of the economy'.

In order to rectify these problems, the introduced bill contained a number of proposals, affecting three separate pieces of existing Russian legislation. Firstly, the bill proposed to change the language of article 178 of the Criminal Code by removing the opening reference to the 'prevention, restriction or elimination' of competition; amending the language to clarify that *either* involvement in a cartel *or* the abuse of a dominant economic position were grounds for criminal proceedings; and adding that individuals would be freed from criminal responsibility only if they were the *first* to inform the authorities about putative criminal activity. Secondly, the bill proposed changes to the law 'On operational search activity' (*Ob operativno-rozysknoi deiatel'nosti*), meaning that the results of search activities carried out by law enforcement officials would be sent to FAS for use in administrative cases. Finally, the bill proposed a change to the law 'On the protection of competition', mandating FAS to send law enforcement bodies material regarding whether to initiate criminal proceedings according to article 178 of the Criminal Code.

⁹⁵ See the language in paragraph three of the bill's explanatory note, available here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&BD2B0D7340808F0943257B5000403E5A](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&BD2B0D7340808F0943257B5000403E5A) (accessed 12 November 2015).

Peak organisations representing business interests came out strongly against the initiative. Letters from the heads of RUIE and *Delovaia Rossiia* — Aleksandr Shokhin and Aleksandr Galushka, respectively — to the Chairman of the State Duma, Sergei Naryshkin, made two basic complaints: firstly, that the bill proposed to make the mere fact of a collusion agreement a criminal offence, rather than an agreement *resulting in negative consequences*;⁹⁶ and, secondly, that the whistleblowing provision raised the risk of corruption.⁹⁷ Regarding the first complaint, the specific charge was that the proposal violated article 14 of the Russian Criminal Code, which states that only those activities considered ‘socially harmful’ can be classified as criminal.⁹⁸ A former FAS official, Aleksei Ul’ianov, argued that this amendment was motivated both by the desire of FAS to make life easier for itself (by removing the need to present hard-to-find evidence of the negative effects of collusion) and to create an ‘instrument of pressure on business’ (Ul’ianov, 19 April 2013, *Forbes.ru*).

The original bill draft also faced resistance from law enforcement institutions — ‘power agencies’, sometimes referred to as *siloviki* bodies. For example, the MVD worried that a requirement to share information with FAS before the initiation of criminal proceedings raised the risk of ‘information leaks’; and that, as such, FAS — wanting to bring a large company to administrative responsibility — might jeopardise criminal proceedings (Siniaeva and Petrov, 13 February 2013, *RBK Daily*).

⁹⁶ Indeed, the mere fact of collusion was grounds for launching an administrative case under article 14.32 of the Code of Administrative Violations.

⁹⁷ Copies of these letters can be found here: <http://www.forbes.ru/sites/default/files/Scann001.pdf> (accessed 12 November 2015); http://www.forbes.ru/sites/default/files/Pismo_Naryshkinu_Galushka.pdf (accessed 12 November 2015).

⁹⁸ For the Russian Criminal Code text, see here: <http://www.consultant.ru/popular/ukrf/> (accessed 12 November 2015).

Indeed, given this resistance, it is perhaps surprising that the bill was able to achieve pre-parliamentary, inter-agency agreement in the first place.⁹⁹

In spite of this resistance, the bill was adopted in its first legislative reading with 331 votes in favour.¹⁰⁰ The Duma Committee on Civil, Criminal, Arbitration and Procedural Legislation, and the Committee on Economic Policy, Innovation Development and Entrepreneurship supported the bill, albeit noting areas for further consideration, including: defining what constituted being ‘the first’ to notify the authorities about putative criminal activities (particularly given Russia’s various time zones and different law enforcement agencies); and the fruitfulness of law enforcement officials sharing search information with FAS.¹⁰¹ Following first reading, however, the initiative ‘froze’.¹⁰² Consideration of the bill was postponed twice — on 16 September and 14 October.¹⁰³

The ‘viscosity’ experienced by bill 260190-6 following first reading was the result of intra-executive disagreement. Although a period of 30 days was originally set

⁹⁹ It could be that the *siloviki* were not included — fully, at least — in the pre-parliamentary *soglasovanie* process; or, even if participants in this agreement process, they might have agreed to bill introduction into the Duma, with the expectation of challenging its provisions in parliament. There is insufficient information, however, to evaluate these possibilities.

¹⁰⁰ Voting results are available here: <http://vote.duma.gov.ru/vote/81580> (accessed 12 November 2015).

¹⁰¹ The committee reports are available here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&67769D5DCD366ED743257B86002E94C2](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&67769D5DCD366ED743257B86002E94C2) (accessed 12 November 2015); [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&808CC9DA992576DE43257B830043C1DF](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&808CC9DA992576DE43257B830043C1DF) (accessed 12 November 2015). The Duma Legal Department’s report also touched on the same points: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&9C53AF9470561C8543257B79004A8307](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&9C53AF9470561C8543257B79004A8307) (accessed 12 November 2015).

¹⁰² A *Delovaia Rossiia* presentation on the fate of bill 260190-6 uses this language (‘*zamorozka*’). The presentation is available here: <http://www.slideshare.net/testantitrust/2013-2014-45888562> (accessed 12 November 2015).

¹⁰³ See the Duma Council decisions here: <http://is.gd/txjA2P> (accessed 12 November 2015); <http://is.gd/fUeuiR> (accessed 12 November 2015).

for the presentation of bill amendments, Sergei Puzyrevskii — head of FAS’s Legal Department — requested that the Duma postpone the further consideration of the bill. The reason given was that FAS had prepared its own amendments to the bill, which required inter-agency sign-off in order to be allowed as a formal Government amendment to the bill (Titov and Papchenkova, 8 October 2013, *Vedomosti*).

The FAS draft Government amendment proposed three changes: firstly, to remove ‘repeated abuse of a dominant [market] position’ as grounds for criminal responsibility; secondly, to raise the thresholds for both criminal proceeds and citizen damages for activities to qualify as criminal; and, thirdly — and most importantly — to insert a change in the Criminal Procedure Code meaning that criminal cases involving article 178 of the Criminal Code could only be initiated on the basis of FAS materials.¹⁰⁴

The first of these changes was apparently made following the publication of an OECD report from June 2013 (Sokolovskaia, 4 December 2014, *Vedomosti*). Indeed, this interpretation is backed up by notes prepared by FAS for an event at the Russian Institute of State and Law, referring to the decriminalisation as being motivated by a ‘recommendation of the OECD’.¹⁰⁵ The second change was also, it seems, prompted by OECD recommendations, as well as lobbying from business interests. Finally, the third proposal conformed to a proposal originally included in the 2012 ‘road map’ (referred to above) as point 6.1.7, and reaffirmed as point 12 of a Government directive

¹⁰⁴This draft amendment was made public on an old version of the website <https://www.regulation.gov.ru>. All of the recommendations made through this website by experts were rejected. Unfortunately, the new version of the website does not contain this information, but the author has a hard copy of the draft amendment.

¹⁰⁵The notes are available here: http://www.igpran.ru/public/events/19.03.2014/Spravka_o_proekte19032014.pdf (accessed 12 November 2015).

issued following a 26 June 2013 meeting between members of the Government and *Delovaia Rossiia*.¹⁰⁶

Responses from sectors of the executive varied by the particular proposal in question and the agency concerned. The Ministry of Economic Development, for example, welcomed the required use of FAS materials to launch criminal cases, with the expectation that this would reduce law enforcement officials interfering with businesses (Titov and Papchenkova, 8 October 2013, *Vedomosti*). Formal responses from the General Procuracy, the Investigative Committee and the MVD, however, all argued against the proposals, claiming that: monopolies would take advantage of the change; there was no economic justification for the raise in thresholds; and the obligation to use FAS materials in initiating criminal proceedings would result in a fall in the number of cases, rather than a rise (Titov and Nikol'skii, 31 January 2014, *Vedomosti*).

In light of opposition from the *siloviki*, FAS proposed a compromise: to require that FAS conclusions be included during the consideration of criminal cases involving article 178, albeit not limiting the procedural independence of the investigator in initiating such cases.¹⁰⁷ As such, the proposal was, ostensibly, similar to the compromise reached regarding the tax crimes case discussed above. There is no direct evidence available, however, either that such a proposal was formally submitted

¹⁰⁶The directive text is available here: <http://government.ru/orders/2915/> (accessed 12 November 2015).

¹⁰⁷This was the language used by the head of the FAS Legal Department, Sergei Puzyrevskii (see Puzyrevskii, 4 February 2014, *Rossiiskaia gazeta*).

for inter-agency approval, or of the particular legal changes required to effect this compromise.¹⁰⁸

This compromise did not work. In light of this failure, FAS's response was an ambitious administrative reform: in June 2014, Igor' Artem'ev sent a letter directly to Prime Minister Medvedev, requesting that FAS be granted the authority to initiate criminal proceedings alone (*samostoiatel'no*). Specifically, Artem'ev suggested that FAS be granted the status of an 'inquiry organ' (*organ doznaniia*). Whereas existing rules meant that FAS had the authority only to establish the fact of the formation of a cartel, the proposal would allow the agency to define those guilty. In effect, therefore, the proposal amounted to making FAS, in part, another 'power agency' — an innovation unpalatable to erstwhile supporters of the FAS bill. Indeed, the Ministry of Economic Development came out strongly against the latest proposal (Titov and Nikol'skii, 24 June 2014, *Vedomosti*). Legal experts were also sceptical: according to the lawyer Robert Zinov'ev, although 'investigative functions always raise the status of an executive agency, it also raises its corruption susceptibility' (quoted in Rubnikovich, 24 June 2014, *Kommersant*). In response to Artem'ev's proposal, Prime Minister Medvedev instructed First Deputy Prime Minister, Igor' Shuvalov, to explore the feasibility of the suggestion, 'including with the power agencies' (Malysheva, 24 June 2014, *RBK Daily*).

¹⁰⁸Indeed, this speaks to the concern voiced by lawyers at the time that the changes proposed by FAS in this period to their own bills were entered 'behind the scenes' (*kuluarно*) (Filina, 1 November 2013, *Pravo.ru*). However, FAS notes prepared for an event at the Institute of State and Law reveal that, rather than amending article 140 of the Criminal Procedure Code, changes were proposed to article 220. In short, a prohibition would be introduced regarding sending an indictment to the prosecutor without a FAS document confirming their opinion that there were grounds for criminal proceedings. However, it is not clear how this would appease the *siloviki*, since — according to this revised formulation — investigators would not retain procedural independence regarding the initiation of a criminal case.

By August 2014, however, rather than an *expansion* in FAS authority, debate concerned whether to *reduce* the body's competencies. Specifically, the Government discussed whether to divide some of FAS's responsibilities between *Rosfinnadzor*, the Ministry of Health and the Central Bank (Malysheva, 4 August 2014, *RBK Daily*). Another shift by this point concerned the general economic conditions. In light of the fall in world oil prices, as well as Western sanctions against Russia, the Government formulated anti-crisis measures, involving the support of small- and medium-sized businesses. This translated into a call from the Ministry of Economic Development, as well as business interests, for a further rise in the thresholds for damages and proceeds in order for competition-restriction activities to qualify as criminal acts (Titov, 20 November 2014, *Vedomosti*). These additional points — as well as FAS's own suggestions — were considered by a working group of the Agency of Strategic Initiatives (ASI), with activities being steered by First Deputy Head of the Government Apparatus, Maksim Akimov.¹⁰⁹ A deadline of 24 November was set for a consolidated response to the FAS amendments to bill 260190-6. By December 2014, the Government agreed at a meeting chaired by Igor' Shuvalov to raise the thresholds to a much higher level than originally suggested by FAS.¹¹⁰ Moreover, the Ministry of Economic Development called for guarantees to ensure the 'immunity' of small business from FAS predation (Gordeev, 8 December 2014, *RBK Daily*). It appeared, therefore, that FAS was losing to other executive agents.

¹⁰⁹See the minutes of a meeting chaired by Akimov on 14 November 2014 here: <http://is.gd/t2ymPn> (accessed 12 November 2015).

¹¹⁰Indeed, a senior FAS official had recently argued *against* raising these thresholds, arguing that it would mean that local cartels would not be held to account — see the comments of Andrei Tenishev quoted in Titov (20 November 2014, *Vedomosti*).

When the bill was finally considered in second reading on the Duma floor on 30 January 2015, the amendments proposed by the lead committee — and adopted by the floor — reflected the triumph of *siloviki* and business concerns over FAS.¹¹¹ Whereas the submitted bill draft affected three separate pieces of existing legislation, the final bill draft made changes only to the Criminal Code: repeated abuse of a dominant market position was decriminalised; and damages and proceeds thresholds were raised tenfold. However, no changes were made to the law ‘On search activities’, and — most significantly — nothing was included relating to FAS involvement in the initiation of criminal cases.¹¹² Indeed, with a *reduction* in the bill’s word count, the case is unlike the majority of bills analysed in Chapter 4.

In short, the substance of the bill changed significantly between legislative introduction and exit. Indeed, deputies Moskal’kova, Reshul’skii and Kolomeitsev all protested that the bill had changed considerably — and conceptually — since first reading.¹¹³ In response, deputy Remezkov — Deputy Chair of the Committee on Civil, Criminal, Arbitration and Procedural Legislation — argued simply that

¹¹¹Overall, six amendments were proposed, three of which were accepted; of these three, two were formally sponsored by the Government. See the bill amendment tables here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&222BD47C74EEB40243257DDA00306ECD](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&222BD47C74EEB40243257DDA00306ECD) (accessed 12 November 2015); [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&CA02CB9B028B3CBA43257DDA0030814A](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&CA02CB9B028B3CBA43257DDA0030814A) (accessed 12 November 2015).

¹¹²When commenting on the bill’s adoption in third reading, Sergei Puzyrevskii noted that the resulting law excluded small business from criminal prosecution for violations of anti-monopoly legislation, reflecting the changed tenor of the debate and, as a result, the law’s focus — see http://www.fas.gov.ru/fas-news/fas-news_36301.html (accessed 12 November 2015).

¹¹³Transcripts of the Duma floor discussion are available here: http://transcript.duma.gov.ru/api_search/?search_mode=number&sessid=4204&dt_start=&dt_end=&deputy=&number=260190-6&keyWords= (accessed 12 November 2015). The conclusion presented by the Federation Council’s Committee on Constitutional Legislation and State Construction also noted that the majority of changes introduced by the law ‘were not contained in the bill adopted in first reading, and are conceptual in character’ — see the conclusion here: <http://is.gd/NKYvVL> (accessed 12 November 2015). This did not, however, prevent the Committee from recommending the Federation Council to adopt the law.

the bill has been considered by the Government for a very long time, and amendments have been prepared. The Government studied the statistical data, and the opinion of business, which is waiting for this law. And I already presented the position of my Committee, which supports the position of the Government.

Shortly after this statement, the proposal was adopted with 244 votes in favour; and the bill was adopted in third reading on 25 February with 239 affirmative votes.¹¹⁴

The policy debates proposing, resisting, and resulting in bill change did not take place primarily in the State Duma, either in committees or on the floor; neither did they involve influential legislators. Rather, the formally legislative stage of policy-making provided an opportunity for executive agents to propose and challenge revisions to a Government-sponsored bill. Legislative passage provided an opportunity for *siloviki* officials to challenge the FAS initiative, including the amendments it proposed to its own bill.

Both cases of discovery involve disputes over the right to initiate criminal cases. That this is the object of executive conflict in contemporary Russia is not surprising: Tagaeva (19 November 2013, *Slon.ru*) goes so far as to say that the right to initiate criminal proceedings is the ‘main political goal’, when writing of disputes between the General Prosecutor and the Investigative Committee. Unanticipated executive bill change need not, however, involve intra-executive conflict. The final case study relates to ‘fiat’.

¹¹⁴Voting information is available here: <http://vote.duma.gov.ru/vote/89712> (accessed 12 November 2015); <http://vote.duma.gov.ru/vote/89921> (accessed 12 November 2015).

5.2.4 Fiat

Unanticipated bill amendment proposed by a united executive is the least interesting of the four types of executive bill amendment analysed in this chapter. And yet — somewhat paradoxically — finding evidence of such change is difficult. On the one hand, without the markers (and interest) of conflict, it can be difficult to find such cases — for example, such cases do not attract the level of media attention as do the cases of bill conflict discussed above. On the other hand, even for putative cases of this type of amendment, it is difficult to exclude the possibility either that the change was, in fact, the result of conflict, or that the change was anticipated by the executive before legislative introduction. At the same time, it is possible that this type of bill change is frequent — perhaps the most frequent of the four types — as an executive introduces, say, technical changes to proposed policy initiatives during parliamentary review.

One clear case involves the capital amnesty bill discussed above. With the need to adjust the fast-approaching 1 April 2015 declarations deadline for the law on ‘controlled foreign companies’, the Government faced the problem of how to make the change to existing legislation. Preparing a separate bill to introduce the change into the ‘anti-offshore law’ was — according to the Chair of the Budget Committee, Andrei Makarov — not possible, given the need to make the change quickly.¹¹⁵ As such, the new deadline of 15 June was effected through an amendment to *another*

¹¹⁵See Makarov’s comments on the Duma floor here: http://transcript.duma.gov.ru/api_search/?search_mode=number&sessid=4119&dt_start=&dt_end=&deputy=&number=667946-6&keyWords= (accessed 12 November 2015).

Government bill (667946-6) — proposing a change to article 219 of the Tax Code, regarding social tax deductions — which was ready for adoption (Visloguzov, 26 March 2015, *Kommersant*).¹¹⁶ The lead committee had to propose the bill a second time for second reading in order to incorporate the necessary changes to an entirely different piece of legislation — a move which clearly violated the Duma’s standing orders.¹¹⁷ Despite the executive’s primary role in crafting the change, the amendment was formally sponsored by a group of deputies.¹¹⁸ Andrei Makarov, defended this method with reference to the fact that all Duma parties backed the change in support of the president; and, besides, he argued, there ‘is no other way’.¹¹⁹

In short, without the change being anticipated by executive actors before Duma submission of bill 667946-6, and without evidence of intra-executive conflict, the case conforms to the features of the type of executive amendment labelled fiat in Chapter 2. Other cases of fiat involve a sub-set of the bills considered in Chapter 3 on executive bill failure, where executive-drafted amendments involving provisions taken from failed bills were slotted into other executive bills during Duma passage.

¹¹⁶The bill’s webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=667946-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=667946-6) (accessed 12 November 2015). Using the UWFD measure of change, the bill text was amended by around 80 percent between introduction and passage into law.

¹¹⁷Given the new subject matter, the bill should have been returned to first reading in order to discuss the concept of the revised bill; but this would require additional time. See Chapter 4 for a discussion of conceptual changes made to bills during legislative review.

¹¹⁸See the committee amendment table here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&886D587F3CC34F9B43257E1300689364](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&886D587F3CC34F9B43257E1300689364) (accessed 12 November 2015).

¹¹⁹Although Makarov’s language demonstrated sensitivity to the fact that the amendment insertion constituted a violation of the Duma’s *reglament*, he did not have to worry about effective opposition to the initiative on these grounds.

5.3 Conclusions

The chapter has presented evidence from contemporary Russian policy-making in support of the claim that amendments made to executive bills during legislative passage can result from executive action. Moreover, the cases presented above demonstrate variation *within* the set of executive-initiated amendments, conforming to the types hypothesised in Chapter 2: ‘spillover’; ‘deferral’; ‘discovery’; and ‘fiat’. None of these cases can be accommodated by ‘rubber stamp’, co-optation, or information models of non-democratic legislative politics. Indeed, the case studies point to the similarities in policy-making practices *across* regime types: collegiate executive bodies — regardless of electoral circumstances — face distinct challenges in crafting *and maintaining* a consolidated policy position.

This chapter has shown how legislative institutions can be used by factionalised (and unified) executives in contemporary authoritarian Russia to develop policy. It is not simply that the legislative stage of policy-making provides another window to view intra-executive, bureaucratic infighting: the above evidence suggests, more importantly, that executive actors consciously use legislative institutions to monitor, challenge, and amend policy proposals from other executive actors. In other, non-conflictual cases, the executive’s dominance over the legislature allows the former to make changes to its own initiatives without costly executive-legislative bargaining. The remainder of this conclusion will draw out additional points raised by these case studies.

5.3.1 Executive power and weakness

The picture presented of the Russian executive is distinctly mixed. On the one hand, the executive seems powerful: the executive is able to exercise control over the legislature, with United Russia deputies providing a loyal pro-executive voting bloc. On the other hand, however, when the executive is divided over policy, the picture of executive power is significantly diminished. Although executive bills are supported by loyal legislators, this is only possible after executive actors have reconciled over policy details — or, at least, a winning side has been chosen. As such, the chapter's findings support Fortescue's (2009: 177) claim that 'the prime minister does not have the strength to impose a rigorous policy regime on ministers pursuing the interests of their agencies' — a claim similar to Chaisty's (2006: 130) observation of the 'weakness of the Russian core executive'.¹²⁰ In the language of Charap (2007: 335-336), these policy-making cases demonstrate both the 'relative power' of the Russian executive with respect to the legislature and the executive's 'fragmentation'.¹²¹

5.3.2 Information

The evidence presented above is publicly available, mostly drawn from the Duma's online archive, Russian media reports, and official executive materials. And yet, authoritarian elites are meant to be particularly concerned with preventing the airing

¹²⁰In spite of the very different electoral dynamics in the 1990s, Huskey (1996: 369) similarly reported that 'ministries have been able to flaunt Western conventions of collective responsibility, which would impose discipline on a fractious Russian executive'.

¹²¹Indeed, the case materials suggest that presidential intervention by Vladimir Putin is often necessary to end intra-executive conflict.

of such ‘dirty laundry’.¹²² Why, therefore, is such information available? Part of the answer is simple: executive control over information suffers the same problems as coordinating policy-making — that is, there are incentives for executive actors to defect from collective responsibility. Indeed, research on the effects of ‘political fragmentation’ in contemporary China cites the ‘leaking of information’ by officials to journalists as one effect of elite factionalism (Mertha 2009: 1012). Such leaks might be motivated by coalition-building concerns, with actors using information to garner support for their position or detract from rivals’ positions;¹²³ or ‘pluralism by leak’ might simply be an ‘expression of frustration’ (Galeotti, 6 August 2015, *The Guardian*).

5.3.3 Amendment variety

It is worth stressing again what the chapter has not argued: that *all* amendments made to executive bills are the result of executive dynamics. As certain cases in Chapter 3 demonstrated, for example, senior legislators in the Duma have successfully proposed expertise-based changes to executive bills — see, in particular, the efforts of deputy Pavel Krashennnikov. Changes made during legislative passage can also respond to extra-parliamentary concerns. For example, Minister of Education and Science Dmitrii Livanov made the following remarks during a 26 July 2012 Government meeting regarding the preparation of the bill ‘On Education’ (bill 121965-6):

¹²²To be sure, this ‘dirty laundry’ only relates to cases of amendment resulting from intra-executive conflict.

¹²³On another mechanism used by authoritarian executive actors for coalition-building, see Lü, Liu and Li (2015) on the use of bill and policy proposal sponsorship in China.

Regarding a number of suggestions, we agreed with representatives of employers and trade unions on harmonising positions during consideration of the bill in the State Duma. [...] The bill was entered to the Government with disagreements, a large portion of which, however, were settled in Government. Two principal disagreements remain with the Ministry of Finance [...] In accordance with the received opinions of the State Legal Department of the President, the Office of the President on Scientific-Educational Policy and the Expert Office, the bill is supported conceptually, and the expressed remarks are invited to factor in during preparation for second reading.¹²⁴

As such, there are various sources of bill change, even with regard to the same executive-drafted bill. Within this variety, however, the chapter has attempted to highlight the executive roots of change — so far largely overlooked in the comparative literature on authoritarian legislatures — as well as the variety observed within this sub-set.

5.3.4 Business influence

The cases discussed in this chapter sometimes point to the involvement of business interests alongside (or through) executive actors. At least in the cases examined above, influential interventions by the business community took the form of direct interventions by peak association officials, rather than through deputy representatives of sectoral interests (cf. Chaisty 2013). As such, although the legislative stage of policy-making was an important *period* for the intervention of economic interests, this influence was exercised *without* the direct involvement of legislators.

¹²⁴Minister Livanov made these comments during a Government meeting in which the bill ‘On Education’ was discussed. Partial transcripts of the meeting are available here: <http://archive.government.ru/docs/19807/> (accessed 12 November 2015). Bill 121965-6’s webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=121965-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=121965-6) (accessed 12 November 2015).

The cases also demonstrate that it is sometimes difficult to disaggregate business and departmental policy interests — something that is congruent with Huskey’s (1996: 369) claim that executive ministries constitute the key channel through which sectoral interests are expressed in the Russian policy-making process. This blurring of actor influence is demonstrated by amendments drafted originally by RUIE to the presidential tax crimes bill discussed above: the changes proposed by the ‘oligarchs’ trade union’ were taken up by the Government as its own formal amendments; however, the amendments were, in the end, formally sponsored by deputy Krasheninnikov (Biriukova and Papchenkova, 20 November 2013, *Vedomosti*). And yet, the convergence of business and departmental interests need not signify executive *capture* by sectoral interests (see Chaisty 2006: 5-6; Frye 2002; and Yakovlev 2006).

5.3.5 Non-executive proxies

Although legislators can be mobilised to act as proxies for executive departments in sponsoring bills and amendments, this has not translated into a lack of *voting cohesion* by pro-executive partisans. Dmitrii Viatkin — Duma representative in the Russian Constitutional Court — explains how:

At every stage of the law-making process there are many participants, this work is collective, many organs take part, and it is necessary to receive the agreement and conclusions of various sides. There is an internal kitchen, at each stage questions can crop up. And until we reach a unified position, the law is not put up for a vote¹²⁵

¹²⁵Quoted in Surnacheva and Nikol’skaia (22 June 2015, *Kommersant Vlast’*). This use of negative agenda powers to withhold the further consideration of bills without the necessary support conforms to a dynamic noted by Calvo (2007: 264) regarding the treatment of executive initiatives in democratic Argentina:

More work is needed on the use of deputy proxies, analysing, for example, whether there are consistent links between particular Duma deputies and ministries.

5.3.6 Attributing influence

Correctly attributing the agents of change is complicated by Russian reporting practices. Vadim Visloguzov — a respected financial correspondent — wrote the following regarding the capital amnesty bill: ‘For second reading, deputies plan to put the finishing touches on the Government bill, including in it, in particular, the list of eight Criminal Code articles, the violation of which fall under the amnesty’ (29 April 2015, *Kommersant*⁷⁰). This suggests some degree of legislator autonomy in influencing the executive’s proposal. And yet, Visloguzov acknowledges elsewhere in the same article that the list of code articles would be included as amendments in second reading ‘as the White House [the Government] entered the bill in a hurry’, rather than as a reflection of legislator influence. In effect, the former statement reifies the putative association between the *venue* and *agency* of change — that changes made during legislative passage are necessarily the result of legislator influence. As the dissertation aims to make clear, however, such an automatic association is flawed. The case also highlights once again the problems in taking formal amendment sponsorship at face value: although the successful bill changes were sponsored by deputies, they were crafted by the executive in response to FATF recommendations.

[m]ost legislation that fails to be approved [...] dies in committee without ever being voted down by [...] [Congress]. High party discipline, therefore, is complemented by an extensive use of negative agenda power on the part of the majority party to prevent unpopular or divisive legislation from ever reaching the floor.

5.3.7 The next step

The cases presented in this chapter were selected as illustrative examples of the four types of executive-sponsored bill amendment posited in Chapter 2. The goal has been to evaluate whether the hypothesised amendment types are mere conceptual constructs or, rather, relate to observable, differing rationales for executive-sponsored changes to executive bills during legislative passage.

These case studies reveal nothing, however, about the *frequency* of the executive amendment types highlighted, nor are we in a position to specify confidently the scope conditions for their operation or the level of bill amendment. The cases selected relate primarily to *recent* policy-making episodes, and the text-based (UWFD) measure of change suggests that none of them exhibit the extraordinary levels of change reported in figure 4.2 in Chapter 4.

An alternative selection strategy is to look at evidence consistent with the ‘executive development’ approach with regard to *important* legislation. One such area is *budget* policy-making. This area also has the added advantage of constituting a *new* source of data, since budget bills have been excluded so far from amendment analysis (see Appendix D).¹²⁶

¹²⁶To be sure, this focus on ‘important’ legislation is only the first step in bridging the gulf between the fine-grained analysis of particular cases (presented in this chapter) and population-wide data on bill amendment (presented in Chapter 4).

Amending Budget Bills

Amendments made to draft budgets during parliamentary passage are often attributed to legislative influence. Araya (2015: 220), for example, argues: ‘While the government has no motivations to amend its budget bill, the assembly is interested in adapting the budget to its preferences’. As a result, ‘deviations in budgetary outcomes from proposals reflect the political power of the legislative and executive branch. The formulation of the budget can then be modelled as a bargaining process’ (Meyer and Naka 1998: 273, footnote 19). Given these expectations, Chaisty (2006: 15) suggests that ‘[p]assage of the annual budget is [...] a useful test of a parliament’s legislative power’; and Carey, Formanek and Karpowicz (1999: 569) argue that the legislative passage of budget bills serves as a ‘bellwether[] of legislative autonomy’.¹

If budget changes are indeed the result of legislative influence in democracies, then the ‘rubber stamp’ expectation would be that budget drafts are *not* amended during

¹ These quotations are taken from studies covering the three main democratic constitutional regime types: presidential, parliamentary, and semi-presidential, respectively. It is plausible, therefore, that the supposed causal relationship between budget draft amendments and legislative influence holds across these different systems of executive-legislative relations. However, see Cheibub, Elkins and Ginsburg (2014) for a critical discussion of the differences between these conventional democratic regime categories.

passage through legislatures in non-democracies. Indeed, Wehner (2010: 114-115) argues that ‘the persistent absence of any [budget] amendments typically indicates a rubberstamp legislature’.²

There is, however, evidence that budget bills do sometimes change during parliamentary passage in authoritarian systems. For example, White (1982a: 152) presents and discusses evidence of ‘remarkable changes’ made to USSR budgets during consideration in the Supreme Soviet. Similarly, Hough (1975: 25) reports the success of Supreme Soviet commissions in securing additional expenditures for their respective economic ‘branches’, with Juviler (1960: 385) reporting that these changes in the 1950s amounted to ‘usually about one tenth of one per cent of the total’ proposed budget.³ Minagawa (1975: 65) suggests, moreover, that ‘there is an area, notably the social welfare sections of the national economic plan and the budget, where the members [of the Standing Commission] can fight to obtain modest increased appropriations of materials and funds.’ And, beyond Soviet politics, Weldon (2002: 401) charts the tabling and adoption of amendments made to Mexican budgets in the Chamber of Deputies, 1917-2000.

² It is worth noting the weak role played by many democratic legislatures in the budget process. Drawing on extensive comparative data, Wehner (2010: 140-141) finds that, ‘[p]arliamentary control of the budget is difficult to attain if not elusive. Many national legislatures have neither the institutional means nor the political independence to be influential budgetary actors. In such cases, the annual ritual of budget approval amounts to little more than a constitutional myth.’ For example, in a study on Argentina, Jones (2001: 161) notes that ‘relatively little modification of the budget proposed by the executive branch occurs at any time during the treatment of the budget bill in Congress’. Similarly, Baldez and Carey (2001: 122) report — regarding Chilean budgeting — that ‘the overall level of spending proposed has been altered by relatively miniscule amounts, if at all’. If even democratic legislatures face particular difficulty in influencing budget bills during parliamentary passage, an intuitive implication is that non-democratic assemblies will face even stronger impediments to influence.

³ Cited in Mezey (1979: 135-136).

What explains this evidence? There are two basic possibilities: either budget amendments are indeed the result of legislative influence, in which case the institutions in question are not (strictly speaking) ‘rubber stamp’ legislatures; or there are sources of budget change other than legislative influence.⁴

Budgets are appealing subjects of amendatory analysis for a number of reasons. Firstly, the subject area is manifestly important: passage of the annual budget is a key moment in the political year, evinced in particular when things go wrong.⁵ Secondly, the policy dimensions in question are relatively stable over time: in the main, budgets spell out revenues and expenditures for all major policy areas, simplifying diachronic analysis. Thirdly, there is a straightforward and intuitive measure of the extent of change — the difference between figures in the budget draft and the final law — which allows for relatively straightforward cross-sectional and longitudinal comparison.⁶ This chapter will focus in particular on changes to *expenditures*, largely leaving aside amendments to revenues and other features of budgets. Finally — and with reference to the particular research design of the dissertation — budget

⁴ Analyses of budget amendments made during legislative passage are often framed in terms of executive-legislative bargaining. Thus, in a study on US state budgeting, Clarke (1998: 12) uses as ‘a measure of conflict between the governor and legislature, the percentage change made by the legislature to the governor’s recommendation for each [executive] agency’. And, Wehner (2010: 56) uses budgetary ‘amendment activity’ as a ‘measure of [legislative] policy influence’. Such approaches — working back from observations of budget amendments to infer legislative influence and the executive-legislative balance of power — are valid, however, only insofar as budget amendments are indeed exclusively the result of legislative agency. If amendments are also the result of other sources of influence, then the viability of the approach is called into question.

⁵ See, for example, the US budget crisis of 2013. For Russia, Chaisty and Schleiter (2002) include the federal budget law each year in their list of ‘important laws’, 1994-2000.

⁶ Although this might be the most simple measure of change, other measures are used in this chapter, including the number of particular amendments moved and the extent of text change between introduced draft and final law.

bills constitute a fresh sub-set of bills for analysis, given their exclusion from the amendment analysis in the two previous chapters.

This chapter presents and analyses data on Russian budget bills, 2002-2014.⁷ This time frame is largely set by data availability.⁸ As demonstrated in previous chapters, this period allows us to examine changing dynamics across a putative regime shift — from democracy to authoritarianism. How do patterns and causes of budget bill change vary in relation to Russia’s slide into autocracy? The chapter also looks at *comparative* data on executive budget bill amendments, drawing on OECD data.

Although Chapters 4 and 5 demonstrated that executive bill amendment is not exceptional (or deviant) in contemporary non-democratic Russia, this chapter contributes to these findings by: exploring amendment patterns in other non-democratic regimes; focusing on a manifestly important sub-set of executive policy-making; providing a richer picture of bill change, drawing on a variety of amendment measures; and combining diachronic data with an exploration of amendment agency and rationales. It is also worth stressing at the outset what this chapter does *not* attempt to do. The aim is not to assess the influence of the legislature on executive-submitted budget bills. This would require systematic analysis of, *inter alia*, legislator involvement in pre-parliamentary budget discussions, as well as the anticipation by executive actors

⁷ These years relate to the *fiscal* year, rather than the year of budget drafting, Duma consideration, and legal promulgation. Thus, in what follows, ‘the 2012 budget’, for example, refers to the annual budget relating to the 2012 fiscal year, but considered by the Duma in 2011. (In contrast, Huber (1996), for example, refers to budgets in relation to their year of formulation, not the fiscal year.) In addition, even with the shift to the three-year budget cycle in Russia (discussed below), references in the text will refer to the first year and not the planning year — for example, ‘the 2012 budget’ refers to the law ‘On the Federal Budget for 2012 and the planning period 2013 and 2014’.

⁸ See Appendix H for a discussion of data collection, including particular sources.

of legislator demands.⁹ Rather, the goal is to examine the causes of bill amendments made during legislative passage.

The chapter consists of five substantive sections. Section 1 briefly discusses expected observations relating to budget amendments from theories of authoritarian legislative politics, before testing the ‘rubber stamp’ prediction of no change using comparative data. Section 2 then moves down to the case of Russia over time, demonstrating diachronic trends in legislative scrutiny and change, as well as shifting formal rules. Section 3 analyses changes to spending figures during Duma passage, attempting to infer agency from the substance and direction of change. Section 4 proposes a more accurate strategy for linking observed changes and agency, examining changes to budget bill opacity. Section 5 then looks at pre-parliamentary, cabinet-level budget discussions to explore reasons motivating executive changes to executive bills during legislative passage. The final section concludes.

6.1 Amending budgets under authoritarianism

What expectations do models of non-democratic legislative politics generate regarding budget amendments? Basic expectations can be derived from the discussions in Chapter 2 and Chapter 4. The ‘rubber stamp’ model suggests that executive budget drafts are not amended during legislative review. Although there are no explicit extensions of ‘co-optation’ theory to the realm of budget policymaking, we

⁹ For example, Jones (2001: 163) argues: ‘If a legislator or legislative group wants to influence the content of the budget, it is easier to do so at the draft stage of the budget (via lobbying of the executive branch and decentralized organisations) than when the budget bill is under examination in Congress’.

can plausibly assume that this approach would interpret budget amendments as concessions to members of the potential opposition with seats in non-democratic legislatures; the substance of these concession amendments would vary regarding particular group claims. ‘Information’ theory might argue that budget drafts change in response to updated information supplied by legislators regarding citizen preferences, although only in relation to areas that do not impinge directly on sensitive areas of regime interest. Finally, the ‘executive development’ approach presented in Chapter 2 suggests that budget bill amendments are the result of intra-executive dynamics, including the resolution of policy debates spilling over from cabinet discussions or disputes discovered during parliamentary review. In short, budget bill amendment is inconsistent with the ‘rubber stamp’ model, but consistent with co-optation, information, and ‘executive development’ approaches. In order to discriminate between these latter three models, we need finer-grained data on the actors and dynamics involved in change.

Before drilling down into the case of contemporary Russia, findings will be presented from a basic empirical test of the ‘rubber stamp’ expectation of no budget bill change, drawing on comparative data. This also provides cross-national context for the detailed single-country case study of Russia.

6.1.1 Comparative evidence

Are budgets amended during parliamentary passage in non-democracies? Fortunately, despite data availability issues in non-democracies (see Chapter 1), comparative data on budget bill change is available. The 2007/2008 OECD International Budget

Database (version 2) collates information on budget practices and procedures from a number of sources: a 2007 OECD survey; a 2008 World Bank / OECD survey; and a 2008 Collaborative Africa Budget Reform Initiative (CABRI) / OECD survey.¹⁰ In total, this includes information for 97 countries, with non-OECD states represented from the Middle East, Africa, Eastern Europe, Asia, Latin America and the Caribbean. Question 41 from the survey questionnaire relates specifically to budget changes made during parliamentary passage: ‘What has been the total size of changes made by the Legislature as a percentage of the budget presented by the Executive?’¹¹ The questionnaire asks for responses for both the ‘current’ and ‘previous’ fiscal years.

These observations can be grouped by country regime type using Wahman, Teorell and Hadenius (2013) regime classification scores for 2007.¹² This results in 66 non-democratic and 126 democratic country-year observations.¹³ Within the non-democratic group, there are cases of monarchical, military, one-party, and multi-party authoritarian states — for example, Morocco, Thailand, Vietnam, and Russia, respectively.

With these data, we can test a basic observable implication of the ‘rubber stamp’ model: when data is available for non-democratic regimes, we should observe no

¹⁰ For details of these surveys, see: <http://www.oecd.org/gov/budgeting/internationalbudgetpracticesandproceduresdatabase.htm> (accessed 12 November 2015).

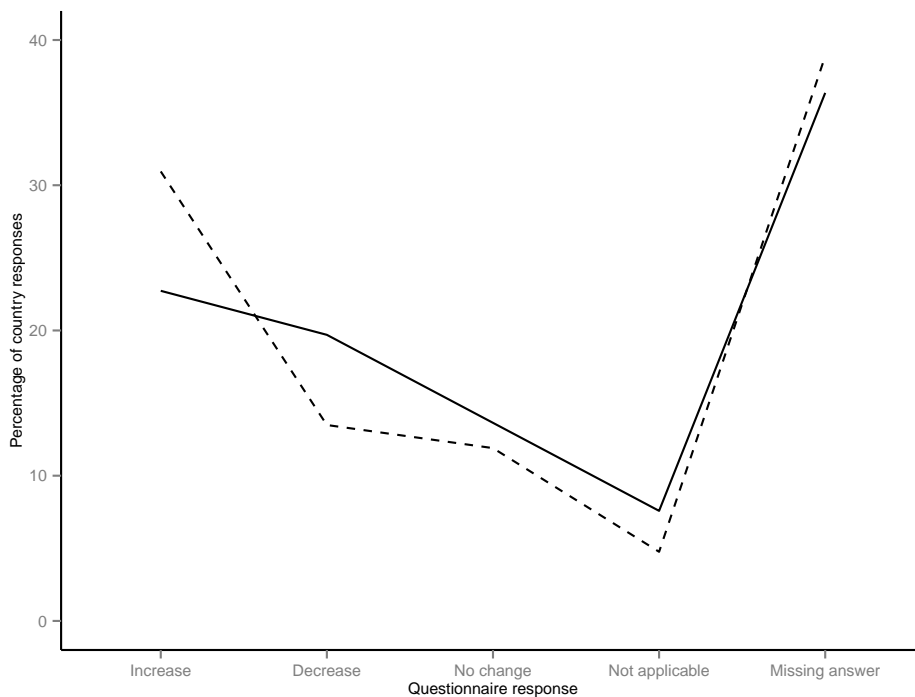
¹¹ Survey respondents were invited to record a particular percentage, as well as a general characterisation of the direction of change; the latter are used here. The possible answers are: ‘Increase in total spending’; ‘Total spending was unchanged’; ‘Decrease in total spending’; and ‘Non applicable’. No response is coded as ‘Missing answer’.

¹² Specifically, regimes are classified with reference to scores for the ‘regime1nyrobust’ variable, which is calculated as the average of Polity IV and Freedom House scores, re-scaled 0 to 10, from most authoritarian to most democratic; the democracy threshold is 7.5.

¹³ Hong Kong is excluded from analysis, as it is not a sovereign state.

change in executive-submitted budget drafts during legislative passage. In contrast, amendment levels for democracies will vary, depending on factors such as constitutional type, particular rules regulating the permissibility of spending change amendments, and the parliamentary partisan balance of power (see Wehner 2013). Figure 6.1 summarises the OECD data, presenting percentages for survey responses by regime type.

Figure 6.1: *Survey responses regarding budget bill change during parliamentary passage in democracies and non-democracies.*



Notes: The dashed line relates to democracies; the solid line to non-democracies. Responses for ‘current’ and ‘previous’ fiscal years are pooled. A comparative line graph is used instead of a bar chart for ease of interpretation.

The results are striking: in contrast to expectations drawn from conventional wisdom, the distribution of survey answers is remarkably similar for democracies and non-democracies. Indeed, the results of a Pearson’s Chi-squared test suggest we cannot

reject the null hypothesis of no difference between the distributions.¹⁴ Whereas ‘rubber stamp’ theory suggests that non-democratic states should return values of ‘No change’, the results present a different picture: for those non-democratic states that reported data on spending figure changes during parliamentary review,¹⁵ the majority of states reported changes (‘Increase in total spending’ or ‘Decrease in total spending’) rather than no change (‘Total spending was unchanged’).¹⁶

These data are, however, subject to a number of limitations. Firstly, the survey question relates only to *overall* expenditure changes — in other words, *net* changes to spending figures between budget drafts and laws. It could be, however, that the *distribution* of spending by category changes during parliamentary review, whilst total spending levels remain unchanged. Secondly, the data — at least those that are publicly available — do not reveal the *magnitude* of budgetary amendments. Thirdly, it is not clear whether selection effects affect the data — that is, the subset of democracies and non-democracies surveyed by the OECD might not be representative of their respective populations. Fourthly, it is not clear what motivated states to provide (or withhold) data — that is, the results might be distorted by reporting bias.¹⁷ Finally, there are grounds to question the data quality. The response for the Russian Federation records a decrease in total spending following parliamentary review. While this is true for *unclassified* spending figures for the relevant years, it is not true for *overall* spending — the figures relevant for the OECD response. And

¹⁴ Chi-squared = 3.27, p-value = 0.514.

¹⁵ This subset of states excludes those returning ‘Non applicable’ and ‘Missing answer’ responses.

¹⁶ For the then current fiscal year, 74 percent of non-democratic states reported expenditure changes; for the then previous fiscal year, the corresponding figure is 78 percent.

¹⁷ See below for a discussion of missing data.

yet, these OECD data — albeit imperfect — provide an unprecedented snapshot across regime types. They allow for comparison of an important feature of legislative activity — budget draft change during parliamentary review — drawing on similarly compiled data. This should help increase confidence that the conventional ‘rubber stamp’ model does not provide an accurate summary of legislative activities and outputs across a variety of non-democracies.

Although the data for non-democratic regimes present a surprisingly varied picture, including evidence of unexpected bill change in certain cases, it would be premature to claim that this is evidence of legislative influence. The next stage of analysis will explore patterns of change and the particular springs of budget change in Russia.

6.2 Russian budget bill amendments

6.2.1 From chaos to control

Existing work on the parliamentary passage dynamics of Russian federal budgets relates primarily to the 1990s.¹⁸ Contemporary dynamics, however, differ dramatically. In contrast to the ‘drawn-out, conflict-ridden budget cycle’ (Chaisty 2006: 161) in 1993, the ‘procedural breakdown and deadlock’ (Ostrow 2000: 118) apparent in 1994 and 1995, and the production in 1997 of ‘a budget that could not be implemented and which was not fulfilled until half-way through the year it was intended to

¹⁸ See, for example, Sinel’nikov, Batkibekov and Zolotareva (1999). Remington (2008b) is an exception, providing a chapter-length commentary on Russian budget politics, although this includes data from a mixed time period. For example, data on the signing date and length of budgets is presented for 1992-2002, although the chapter also includes references to dynamics in the fourth Duma convocation (2004-2007). Chaisty (2012: 97) also provides a brief overview of budgeting changes during the 2000s.

cover' (Troxel 2003: 159), the parliamentary passage of Russian budgets has become increasingly smooth. For example, whereas Russian budgets during the 1990s were often signed into law *after* the beginning of the planned fiscal year, this has not occurred since the 1999 budget. And, whereas Duma bill reading votes during the 1990s were often unpredictable, sometimes resulting in failure (see, for example, the nine separate votes on the whole 1998 budget bill),¹⁹ voting coalitions have become predictable, stable across readings, and successful. Commenting on current practices, Just Russia Deputy Aleksandr Burkov argues that 'yes, parliament votes on budget expenditures, but no real discussion takes place, and a minimal number of amendments are introduced' (cited in Diatlovskaia, 28 October 2015, *Novye izvestiia*).

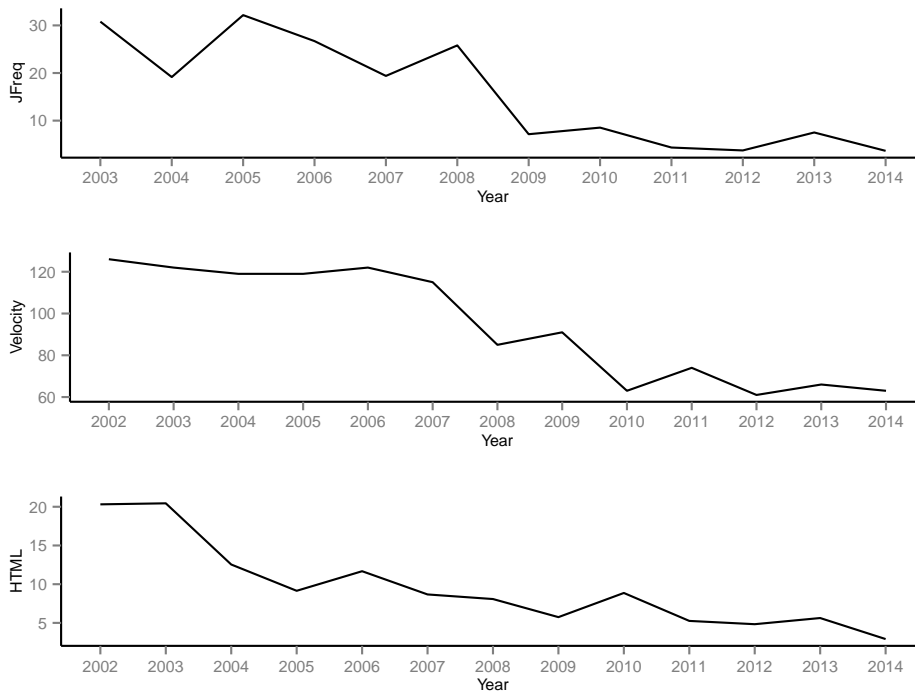
This diachronic change in budget passage dynamics can be expressed with a number of indicators. Figure 6.2 presents data from the 2002 budget to the 2014 budget.²⁰ The middle graph presents budget bill velocities — the number of days taken between Duma introduction and presidential signature.²¹ After relative stability from 2002 to 2006, the time spent by budget bills in the legislative process decreased roughly twofold by 2010. This suggests that the Duma spent less time scrutinising the Government's initiative. However, as discussed in Chapter 4, bill velocity might not capture legislature-specific scrutiny — various actors could be involved in the activities taking place during the legislative stage, and the time spent during this stage might not relate specifically to scrutiny. As such, the bottom graph presents

¹⁹ Writing of budgeting in the 1990s, for example, Ostrow (2000: 138) remarks, '[w]hen budget votes are held in the Duma, no one has any idea what the outcome will be'.

²⁰ On the reasons for this time frame, see Appendix H for a discussion of data availability. Text change data is only available from the 2003 budget, given the availability of budget bill texts.

²¹ Although this includes time *after* Duma passage, this does not affect the trend over time, as the time taken up by these latter stages of the law-making process is largely stable over time.

Figure 6.2: *Measures of budget bill scrutiny and change in the Duma, 2002-2014 budgets.*



Notes: The upper graph draws on the unique word frequency difference (UWFD) measure of text change (calculated by the JFreq programme) discussed in Chapter 4. The y-axis relates to the percentage of text change. The middle graph draws on bill velocity data scraped from budget bill ASOZD webpages. The y-axis relates to the number of days between bill introduction and presidential signature. The lower graph presents the number of HTML lines of source code (in 1000s) used for webpages containing transcripts of Duma floor discussions of budget bills for all readings (although data provided online for the 2014 budget does not include activities relating to the first bill reading). Note that, for ease of comparison, the y-axes do not begin with 0.

a measure of State Duma floor activity.²² The trend presented is congruent with the decline in bill velocity over time, although the change in floor activity is more than a twofold reduction, and the decline begins earlier. Finally, the top graph suggests a relationship between this reduced Duma activity and the extent of change experienced by budget bills: the graph presents a decline over time in the extent of text change — as captured by the UWFD measure introduced and discussed in

²² See Chapter 4 for a discussion of this floor activity proxy measure, which relates to the number of HTML source code lines composing the online transcripts of all Duma floor discussions of bills.

Chapter 4 — experienced by Government budget initiatives.²³ That is, the extent of budget bill text amendment has decreased over time.

The over-time trends displayed in these graphs are consistent with observations of increased Russian executive dominance over the legislature — also framed in terms of authoritarian backsliding — noted earlier in the dissertation, as well as in existing scholarship (see, for example: Chaisty 2012, 2013, 2014; Remington 2013; Shul'man 2013).²⁴ Importantly, the upper graph also shows that budget bills change *even under authoritarianism*. As such, the empirical story is similar to that presented in Chapter 3 regarding executive bill failure: decline over time, but persistence of the phenomenon in question in the non-democratic period.

However, congruence in the over-time trends presented by these three graphs does not, of course, constitute evidence of a causal relationship. Moreover, although these diachronic trends paint a relatively coherent picture of reduced scrutiny and change over time, it is important to note that the institutional setting was not constant: the rules relating to the legislative passage of the Russian federal budget varied. The following section will briefly outline the key changes.

6.2.2 Changing formal rules

The rules governing legislative passage of the budget are located in various documents: the Constitution of the Russian Federation; the respective standing orders

²³ Text portions of budget bills exclude all appendices and accompanying materials.

²⁴ Indeed, these finer-grained data demonstrate what can be missed from measures such as the OECD data presented above, which do not reveal anything about the *extent* of budget change.

(*reglamenty*) of the State Duma, the Federation Council, and the Government; and the Budget Code. These rules have changed over time. For example, the Budget Code — the key document for our purposes — has been amended on more than 90 separate occasions (sometimes entailing numerous changes) between 2000 and 2014.²⁵

Comparative work highlights the institutional prerogatives of executive actors in passing taxing and spending legislation. Heller (2001: 782, footnote 4), for example, notes: ‘Amendments to tax and budget laws often are circumscribed constitutionally or in parliamentary rules, with Government freer to amend than others’. This institutional imbalance in favour of the executive is also found in Russia. For example, once the total revenues and deficit figures are adopted in the initial stages of legislative review, subsequent changes are not allowed without the consent of the Government (Budget Code, article 201). The following will present a brief review of those provisions contained in section 7, chapters 21-23 of the Budget Code that changed during the period in question.

Time

The time allowed for passage of the budget through the Duma has been reduced over time. The deadline for parliamentary introduction of the budget draft has shifted from 15 August (the original edition of the Code), to 26 August (116-FZ, 2000), to 1

²⁵ See the list of amendments at <http://www.consultant.ru/popular/budget/> (accessed 12 November 2015).

October (216-FZ, 2010).²⁶ Whereas previous editions of the Budget Code specified a particular number of days allowed for each stage (readings) of draft passage, a change in 2013 (104-FZ) means that the Duma has a total of 60 days to review the draft, with no constraint on how this time is apportioned.

Readings

Amendments introduced in 2007 (by 63-FZ) constituted a significant change to the budget process: whereas previously the Duma held four readings for the draft, the reform reduced this to three readings.

Budget period

At the same time (2007), the budget moved from a one-year to a three-year cycle. Thus, whereas all budgets up to and including the 2007 budget covered only the following fiscal year, budgets from 2008 have specified tax and spending plans for the following year, as well as two further planning years.²⁷

Electoral system

Although not an institutional feature directly associated with budget passage, changes to the electoral system used to form the State Duma are important to acknowledge.

²⁶ Although outside of the period under examination, it is worth noting that this 1 October submission deadline was suspended for the 2016 budget, with an amended date of 25 October, through 273-FZ (2015).

²⁷ In response to the world financial crisis, the detailed portions of the 2010 budget covered only the following financial year, omitting detailed spending decisions for 2011 and 2012. The 2016 budget also moved back to a one-year cycle, ostensibly as a result of the difficulties of planning during a period of economic volatility (see, for example, Filipenok, 1 September 2015, *RBK Daily*).

The 2007 Duma elections were conducted using a new electoral system, shifting from a mixed model, with half of the 450 Duma seats filled by single-member district (SMD) contests and the other half by party-list proportional representation (PR), to a wholly party-list PR. Comparative scholarship suggests that the electoral system is an important factor to consider when analysing budget amendments. For example, Nichter (2014: 136) writes:

an extensive body of literature on the Brazilian context focuses on contingent rewards distributed by deputies who are elected to represent particular states. Such deputies submit thousands of budgetary amendments each year, and most researchers agree that in doing so they target specific municipalities to gain voters' electoral support.

In other words, 'candidate-centred' electoral systems tying legislators to particular geographical constituencies encourage 'pork' politics (Ames 1995: 325). By this logic, we might expect Russian legislators' attempts to amend budget bills with particularistic initiatives to decline with the removal of SMD deputies beginning with the Fifth Convocation of the Duma.

In sum

These institutional changes amounted to a restriction of the Duma's role in the budget process (Chaisty 2012: 97; Shul'man 2014: 98-102). Indeed, these changes were not the result of a consensus between all legislative actors and the executive: changes to formal rules were an expression of executive dominance over the legislature — the votes of pro-executive partisans were able to secure rule changes reducing the autonomy of the legislature (in particular, opposition deputies) in scrutinising and amending the executive's budget proposals. For example, significant changes made

to the Budget Code in 2007 by federal law 63 (bill 390549-4) were supported by UR and LDPR deputies, with KPRF and JR-Rodina deputies largely against.²⁸ The following sections will analyse in more detail the changes made to Russian budget bills.

6.2.3 Particular amendments to budgets

The longitudinal picture of bill change presented in the upper graph of figure 6.2 uses a measure of text change. Another way to capture amendatory activity is to look at formal, discrete amendments. Figure 6.3 presents a longitudinal picture of the raw number of amendments proposed and accepted for Russian budget bills. Unfortunately, these data are only available on the Duma's online archive beginning with the 2007 budget.²⁹ This means, of course, that we cannot look at change over the whole 2002-2014 period. However, this truncated period does allow us to look at

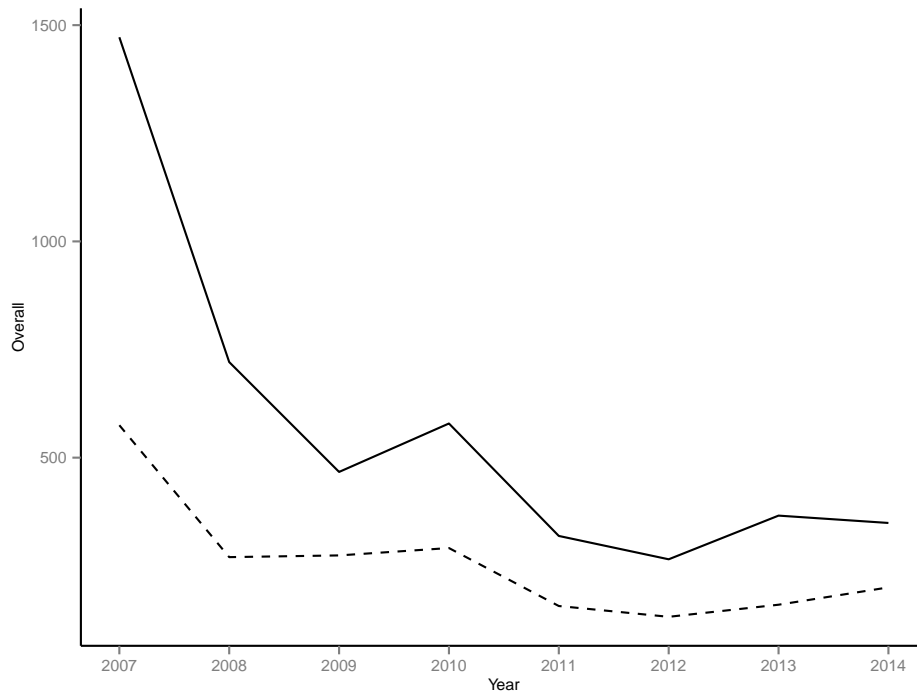
²⁸ The bill's webpage is available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=390549-4](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=390549-4) (accessed 12 November 2015); and voting results are available here: <http://vote.duma.gov.ru/vote/43452> (accessed 12 November 2015). On the need to re-frame the rational-choice study of institutions to capture the operation of power, see Moe (2005: 228-229), who argues that the existing approach

focuses on the political insiders: the legislators, interest groups, and bureaucrats who are the winners [...] Their relationships are indeed cooperative and mutually beneficial — *for them*. But they use their cooperation to impose institutions on the political losers, and indeed on everyone else in society, and these outsiders are not part of the deal.

²⁹ From 2008, these numbers relate to *all* amendments moved, including those for planning years. Note how this differs to the presentation of spending changes only for the *following* fiscal year — the restricted approach used for the data on gross change below.

change before and after the 2007 Budget Code changes, as well as across a period shift from authoritarian consolidation to authoritarianism.³⁰

Figure 6.3: *Raw number of proposed and successful amendments, 2007-2014 budgets.*



Notes: The y-axis relates to the overall raw number of proposed and accepted amendments, and does not start with 0. The solid line relates to all proposed amendments; the dashed line to the total number of successful amendments. These data are taken from amendment tables (*tablitsy popravok*) produced by the Budget Committee in preparation for budget bills' floor readings, and are available on the bills' ASOZD pages. Figures for successful amendments relate to committee decisions rather than floor results; and numbers include all entries in particular amendments tables, ignoring finer distinctions between 'adopted' and 'partially adopted' or 'considered'.

The trend is consistent with figure 6.2: a decrease over time both in the number of proposed and successful amendments. This decrease is particularly significant when noting that, from the 2008 budget, these figures relate to amendments to *all three* planned years. That is, despite the possibility of making changes to many

³⁰ In what follows, no attempt is made to disaggregate the individual effects of these two shifts — in formal rules and regime type — in large part because the former is interpreted to be an expression of the latter.

more details in the shift to the three-year budget cycle, the raw number of proposed amendments decreased, 2007 to 2008.

Formal sponsorship

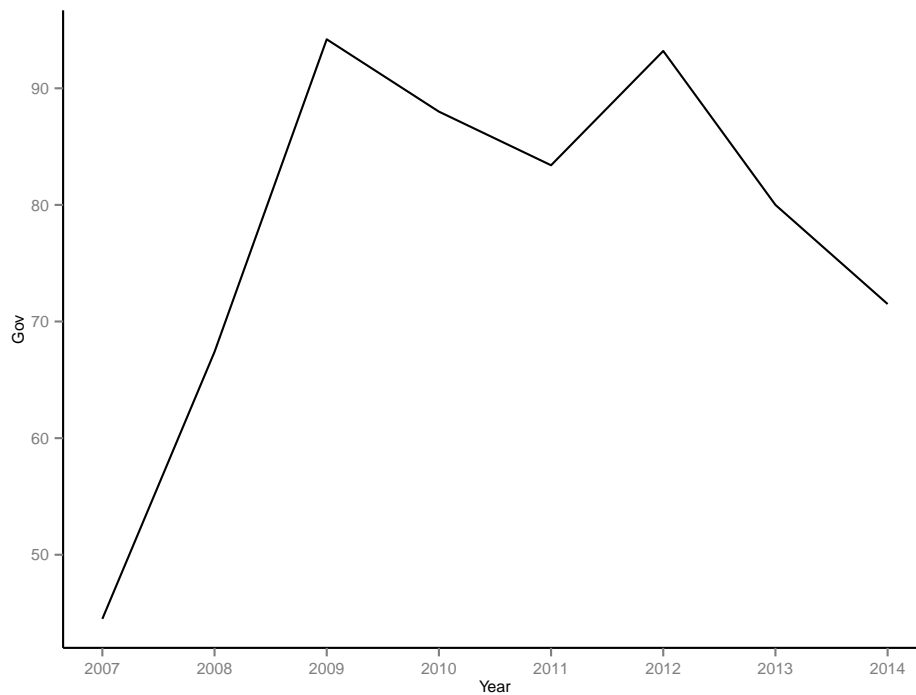
Who is responsible for these budget amendments? Of particular relevance to the executive-centred model proposed by the dissertation is the number of amendments formally sponsored by the executive itself.³¹ Figure 6.4 presents data from the same eight-year period (2007 to 2014 budgets) regarding the proportion of amendments formally sponsored by the government.

It is worth analysing this figure alongside figure 6.3. Between the 2007 and 2009 budgets, although the raw number of amendments proposed reduced significantly, *the proportion of successful amendments sponsored by the Government saw a more-than-twofold increase*. Indeed, beginning with the 2008 budget, the majority of successful amendments have been sponsored by the Government. Moreover, executive amendment success rates for the whole period — 99 percent, on average — have varied little.³² If we take this formal sponsorship information at face value, then amendatory activity in relation to Russian budgets has become dominated by the

³¹ Cross-national data show that the majority of executives have the formal authority to introduce amendments to their own budget drafts during legislative passage. Responses from 41 states surveyed in a 2003 OECD survey on budget procedures and practices reveal that 76 percent of executives have such amendment rights. This is based on responses to question 2.9.b: ‘Is the Government allowed to propose amendments to the budget being considered by the Legislature?’ This dataset has been taken down from the OECD’s website; the author retains a copy.

³² Government amendments to the 2013 budget saw the lowest success rate, with 97.8 percent (the reasons for failure are unknown); amendments proposed by the executive to five other budgets saw a 100 percent success rate.

Figure 6.4: *Proportion of successful amendments formally sponsored by the Government, 2007-2014 budgets.*



Notes: The y-axis relates to the percentage of successful amendments formally sponsored by the Government, and does not start with 0. These data are taken from amendment tables (*tablitsy popravok*) produced by the Budget Committee in preparation for budget bills' floor readings, and are available on the bills' ASOZD pages. Figures for successful amendments relate to committee decisions rather than floor results; and numbers include all entries in particular amendments tables, ignoring finer distinctions between 'adopted' and 'partially adopted' or 'considered'.

executive. Indeed, the average proportion of successful budgetary amendments, 2007-2014, formally sponsored by the Government is 77 percent.

This picture of executive dominance is not, however, dissimilar to evidence from a number of democratic regimes. Writing of budgeting in France, Huber (1996: 149) reports that amendments formally sponsored by the Government constituted 68 percent of all successful amendments in 1988, and 58 percent in 1989. And, writing of budgeting in Sweden, Wehner (2013: 559) notes that 'Government-sponsored amendments account for roughly four-fifths of the changes to total spending approved

by parliament'.³³ As such, evidence of executive pre-eminence in the amendment process is not a distinctive feature of authoritarian dominance. Indeed, executive-sponsored changes might simply reflect non-political factors. The draft might, for instance, require technical updating given revised economic data following draft introduction. In Chile, for example, Baldez and Carey (2001: 122-123) write: 'the executive proposal is originally submitted on October 1. During the next sixty days, as fourth-quarter tax receipts and economic projections take shape, the executive itself inevitably wants to make changes to fine tune its budget projections'. Similarly, Wehner (2013: 555) writes that executive amendments are sometimes the result of 'updated economic forecasts' in Sweden.

Alternatively, formal executive amendments might reflect the influence of non-executive — including legislative — actors. Extant studies attest to this: Wehner (2013: 555) finds that some executive-sponsored budgetary changes in Sweden 'responded to parliamentary demands'; Baldez and Carey (2001: 123) acknowledge the 'selective ability of the executive to sponsor spending increases desired by legislators'; and Araya (2015: 217) argues somewhat more strongly that, '[a]s the government has no incentive to amend its budget bill, the executive amendments can be considered as concessions to Congress'. This means that formal amendment

³³ Note that Wehner's (2013) figure relates to spending changes, rather than the number of successful amendments. There need not be a relationship between the two. Indeed, data on the number of formal (successful) amendments and the level of overall expenditure affected (expressed as a percentage) from a 2006 OECD survey of Latin American states suggests little evidence of a relationship: Pearson's product-moment correlation of 0.35, p-value = 0.16. The dataset is available here: <http://www.oecd.org/gov/budgeting/37848494.xls> (accessed 12 November 2015).

sponsorship information is not necessarily a clear guide to the particular source of change — a point already noted at various occasions in the dissertation.³⁴

How do these insights from the comparative literature relate to contemporary Russia?

Regarding the difference between formal and actual sponsorship, the worry in Russia — derived from the evidence presented in Chapters 3 and 5 for non-budget bills in Russia — is precisely the opposite: that formally *non-executive* amendments mask the *executive* origins of change.³⁵ As already discussed, the rationale in such cases — even for a unified executive — is that introducing changes by this method is less costly than drafting a formal Government amendment, requiring review in the Government’s Legislation Commission.³⁶ The question of reputation — that is, of the Government sponsoring non-executive changes in an attempt to retain an image of strength and control — is not, apparently, a factor, at least for non-budget bills.

For Russian budget bills, by contrast, it is plausible that the Government’s involvement is more transparently reflected in formal sponsorship information. At base, this intuition is based on the Government’s closer involvement with the legislative passage

³⁴ Huber (1996: 157-158) — analysing budget dynamics in France, 1988-1989 — provides an instructive example displaying this problem. The Center party proposed an amendment to the government’s budget draft; however, the government invoked restrictive procedures to ‘reserve’ the amendment — that is, to suspend its discussion until later in proceedings. Such an action ‘permits the government or its parliamentary group to submit a counteramendment responding to the reserved amendment’. As such, although the substance of the opposition policy proposal was included in the final law, the French government’s institutional advantages in the budget-passage process allowed it to control ‘the distribution of credit for policy outcomes’. The implication is that formal sponsorship information might provide a poor guide to the actual agents of change. Of course, use of the phrase ‘the actual agents of change’ is complicated by the fact that — in this case — the French government facilitated the inclusion of an idea, albeit drafted elsewhere; it acted, therefore, as an agent of change.

³⁵ By contrast, the cases discussed by Huber (1996), for example, point to the fact that formally *executive* initiatives mask the *non-executive* aetiology of change.

³⁶ Indeed, this dynamic is likely to vary with bill importance — and, subsequently, the level of attention devoted by the Government to bill passage — as well as the level of conflict between executive actors regarding proposed changes.

of budget bills, as well as the different requirements for approving Government budget amendments. On the latter, unlike for non-budget bills, Government amendments to budget bills are not required to go through the cumbersome review process in the Legislation Commission.³⁷ As such, the costs leading to a mismatch between formal and real amendment sponsorship for non-budget bills are not present for budget bills.³⁸

And yet, although there are reasons to believe that executive-sponsored amendments to budget bills in contemporary Russia reflect the initiatives of executive actors, these reasons are far from exhaustive. We need another way, therefore, of inferring agency and influence.

6.2.4 Conclusions

It is worth taking stock of the Russian evidence presented so far. Firstly, the time spent by the Duma scrutinising the Government's budget bills has decreased over time — an observation in line with extant impressions of increased executive

³⁷ This is reflected in the fact that Government budget bill amendments are not included in the online list of initiatives considered by the Legislation Commission, available here: <http://government.ru/activities/> (accessed 12 November 2015). Although outside the temporal scope of the bulk of this chapter, the executive's involvement with the passage of the 2016 budget is revealing. At a Government meeting on 11 November 2015, ministers discussed possible amendments to the bill to be introduced for second reading (Butrin, 12 November 2015, *Kommersant*; Zabelina, 12 November 2015, *Nezavisimaia gazeta*).

³⁸ Another indication of the possibly closer correspondence between formal and real sponsorship in the case of Russian budget bills is the observation of co-sponsored amendments — that is, successful changes sponsored jointly by Duma deputies and the Government. From the 2007 to the 2014 budgets, the number of such amendments are 9, 2, 0, 21, 1, 2, 4, and 0, respectively. These numbers are drawn from the author's own tally from committee amendment tables taken from the bills' webpages. This form of amendment suggests that both Government and non-executive actors are responsible for budget changes, sometimes joining forces to introduce change; this, in turn, should increase our confidence that the much more frequent single-sponsored changes — particularly from the Government — more accurately reflect the real sponsors of change.

dominance over the legislature. Secondly, the number of presented and accepted amendments has also decreased over time, along with the extent of bill text change. Together, these points suggest the reduced capacity of legislators to influence the executive-submitted budget text. Thirdly, however, amendments to budget bills are still made in the authoritarian period. It could be that this indicates residual legislator influence, albeit lower than in the earlier period. And yet, fourthly, the proportion of accepted amendments sponsored by the Government has increased significantly over time — and there are reasons (albeit far from conclusive) to suggest that this formal sponsorship information faithfully reflects the real agents of change. Together, these strands of evidence suggest that the legislature has been squeezed out of the amendatory process, being replaced by the executive.

So far, the evidence of change presented has not included changes to spending figures — and yet, this is arguably what is of particular interest when analysing budget bill change. Moreover, there are reasons to question the validity of formal sponsorship information as an indication of actor influence. The following sections will address these issues.

6.3 Amendments and spending figures

Have spending figures changed during Duma review? Although the upper graph in figure 6.2 shows the persistence of budget bill *text* change under authoritarianism, it could be that this change is insubstantial — either, say, technical or merely

declaratory changes. This section will present and discuss evidence of spending figure changes.

6.3.1 Net overall expenditure change

Looking only at *overall* budget expenditure figures in drafts and laws suggests there is little of interest to explain: from 2002 to 2014, these figures have changed only once during parliamentary consideration — for the 2002 budget. In other words, the net change made to annual Russian budget expenditures in the Duma, 2003-2014, has been zero. This lack of change places Russia in the minority of democratic and non-democratic cases presented in figure 6.1 above.

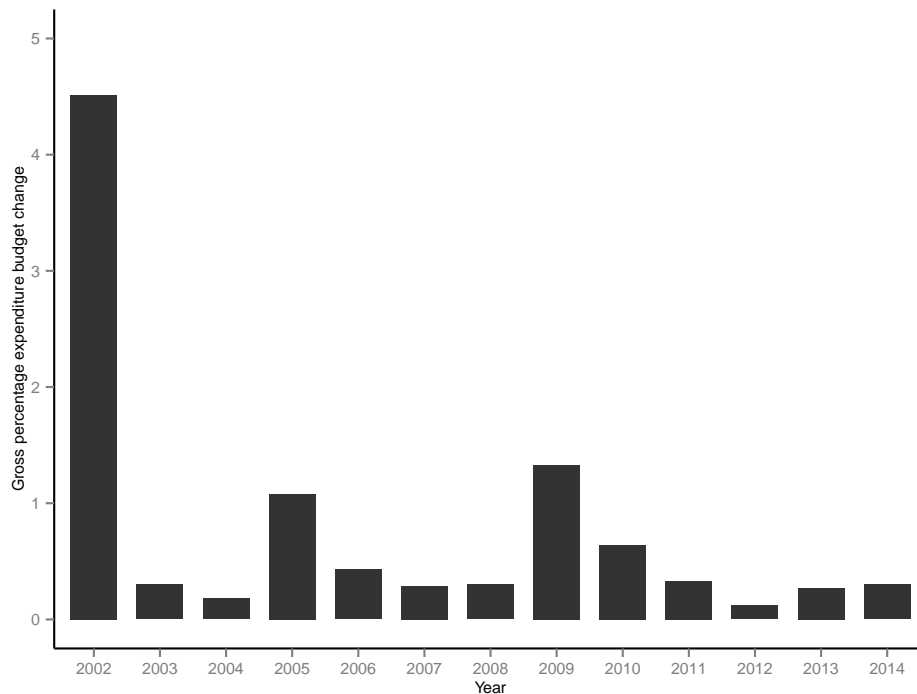
6.3.2 Gross expenditure change

Although total expenditure figures have not varied between bills and laws beginning with the 2003 budget, the *distribution* of spending across functional spending categories has often changed during legislative review. That is, whereas the headline spending totals have remained unchanged for each budget when comparing draft and final law, the spending category sub-totals have changed.³⁹ This can be captured by examining gross changes to expenditure figures. In an analysis of budget amendments in the Japanese Diet, Meyer and Naka (1998: 274) calculate ‘gross expenditure difference’ (the sum of absolute ‘budget-item-spending changes’), contending that this ‘captures the ability of the Diet to alter the spending priorities reflected in the

³⁹ This combination reflects the Russian requirement for spending changes to balance to zero.

original [executive-sponsored] budget'.⁴⁰ In effect, this measure sums the changes made to spending category figures, providing an overall statistic of amendment, but removing information on the *direction* of change. Figure 6.5 presents these data for Russia.

Figure 6.5: *Total gross spending changes, 2002-2014 budgets.*



Notes: Gross change percentages are calculated as follows: absolute values for category spending changes are summed; net overall expenditure change is then subtracted (only relevant for 2002); this figure is then divided by two, given that expenditure changes must balance to zero (and, therefore, avoiding double counting); this figure is then added to net overall expenditure change (again, only making a difference in 2002); finally, this figure is expressed as a percentage of the overall expenditure presented in the budget draft. For example, in 2004, the sum of absolute values for category spending changes comes to 9,368,283,800 rubles; there was no net overall expenditure change between the budget draft and law, so 0 is subtracted; the initial figure is divided by two; 0 is added; and the final figure — 4,684,141,900 — is expressed as a percentage of draft overall expenditure, 2,659,447,000,000, which comes to 0.176 percent.

⁴⁰ When applying this method to Russia, the raw gross difference figures should be divided in two, given the requirement for expenditure amendments to balance to zero.

Two features stand out. Firstly, the 2002 budget is a clear outlier, showing a relatively high level of change. Indeed, as noted above, this was the last budget year to see a net difference between spending totals in the draft and the final law:⁴¹ whereas the version submitted by the Government to the Duma proposed a total expenditure of 1,871,871,050,000 rubles, the final law provided for 1,947,386,255,400 — a net change of 4 percent.⁴² These data are also consistent with changes in executive consultation practices with parliamentary factions. Beginning with the preparation of the 2003 budget in 2002, the Government held ‘zero readings’ — consultations between the Government and legislators *before* the budget draft submission to the Duma and readings on the floor with a view to incorporating policy preferences and constructing voting majorities (Shul’man 2014: 102-103).⁴³

⁴¹ Indeed, these data contradict a report from the OECD (Kraan, Bergvall, Hawkesworth, Kostyleva and Witt 2008: 30), which states that ‘[t]he totals of expenditures and revenues and the balance have never been changed in the final version of the budget law approved by the parliament as compared with the draft submitted to the State Duma.’

⁴² Remington (2008b: 176-177) notes — writing of Russian budgeting in the 1990s — that the ‘government always succeeded in persuading the Duma and Federation Council to pass the budget law by accepting some of Parliament’s demands for increases in spending on politically influential groups and interests’. A former senior State Duma committee official also noted that the executive bought deputy votes in order to pass budget bills in the 1990s (interview, 21 May 2013).

⁴³ See also a report (*Svobodnaia analiticheskaia shkola* 2003) on the 2002 and 2003 budgets, which argues that, whereas executive-legislative negotiations took place *after* parliamentary introduction for the 2002 budget, this reconciliation process took place *before* Duma introduction for the 2003 budget. As such, the latter draft experienced far less change during legislative passage, as concessions were incorporated in the final executive draft before parliamentary introduction. An online Russian report on corruption from 2011 (Makarov, 29 June 2011, *Novaia gazeta v Nizhnem Novgorode*) suggests the new political economy of legislator influence on the budget draft:

After United Russia established its 70 percent dictatorship in the Duma in 2004, deputies lost the possibility to enter amendments into the budget during second reading (including in the interests of their businesses): according to experts, ‘in order to lobby for a line in the budget in the interests of their business, a deputy now has “to grease the palm” of Reznik [chair of the Duma Committee on the Financial Market], in order to “put down” the sum of deputy “suggestions” in the Ministry of Finance during the “zero reading” of the budget

Secondly, although gross expenditure changes fell precipitously after 2002, change still occurred in later years, even under authoritarianism.⁴⁴ Why? Jones and Baumgartner (2005: 113) caution that ‘[t]here are a million stories in the budget’, highlighting the problems in ‘telling a convincing story about each budget observation’. The goal here, therefore, is not to provide a sufficient explanation for the variation in gross spending change over time.⁴⁵ Rather, the aim is — in the theory-building spirit of the dissertation — to explore the possibility that at least a significant portion of this change is the result of executive influence.

According to Meyer and Naka (1998), in contrast, we should view this gross change as an indicator of legislative influence. If so, what explains the variation over time, particularly the apparent spikes of the 2005 and 2009 budgets?⁴⁶ More generally, the longitudinal pattern of change does not conform to the diachronic trends presented in figures 6.2 and 6.3, which appear to represent decreasing legislator scrutiny and amendment. A legislator-centred interpretation of this distributional change in spending is also difficult to reconcile with the executive-dominated formal sponsorship picture presented and discussed above. And yet, as noted above, this formal sponsorship information might mask legislative influence. As such, we need

An alternative translation of this is found in Dawisha (2014: 14), citing a Wikileaks file — specifically, an internal Stratfor email, including the text of a BBC Monitoring translation of Makarov’s article, incorrectly dated as from 11 June 2011.

⁴⁴ Indeed, this evidence of gross spending change suggests that the OECD data analysed above most likely *underestimates* the extent of change experienced by executive budget bills during legislative passage.

⁴⁵ In the language of econometrics, the goal is not to maximise the coefficient of determination (the R-squared).

⁴⁶ If anything, we might imagine such spikes to relate to the 2004 and 2008 budgets, formulated as they were in parliamentary election years (see Wehner 2013 for an analysis of electoral budget cycles using data on bill changes during legislative review in Sweden).

another way of inferring the agency of change beyond formal sponsorship. The analysis will proceed by proposing such an approach.

6.3.3 Agency and the direction of change

Can we infer the springs of amendment from the *direction* and *substance* of spending changes? In an analysis of budgeting in the USSR Supreme Soviet, White (1982a: 153) proposes such a method. The core idea is that, with two sources of information — actor spending preferences and actual spending changes — we can work back to actor influence:

What Soviet electors would press for if their claims could freely be articulated can only be imagined. It would be surprising, however, if they diverged markedly from the changing emphasis in additional [socio-cultural] expenditure that has in fact occurred in the USSR Supreme Soviet that speaks in their name. In present circumstances we cannot hope to demonstrate that this change in emphasis occurred only and exclusively because of the influence of the Supreme Soviet towards that end. But it would be surprising if we were not dealing here with at least an embryonic form of ‘linkage politics’, with deputies increasingly concerned to direct what additional resources are available towards the categories of expenditure of most immediate and obvious benefit to their constituents and of whose importance they are most likely to have been reminded in their meetings, correspondence and other contacts with those who nominally elect them.

This basic approach can also be used to generate expected observations. On the basis of clear actor spending preferences, we can predict particular observable empirical patterns based on the *assumed* influence of different actors. If these expected patterns match actual observations, then we can work back to infer *actual* actor influence.⁴⁷

⁴⁷ This strategy is dependent on an inferential relationship between three things: actors; actor preferences; and observational evidence. Thus, for example, if we know that actors are operative and influential, and we know their preferences, we can make tentative predictions about expected observations; or, if we know that actors are operative and influential, and we have actual observations, then we can make tentative inferences about actor preferences. In short, if we

Such an approach does not, clearly, rely on formal amendment information. For post-Soviet Russia, this is particularly attractive, given the limited availability of such data over time. This method does, however, depend on the ability to track spending in particular areas in a consistent way over time. Unfortunately, the number, and topics, of budget Russian budget spending categories has changed (see Appendix I), complicating diachronic analysis.⁴⁸ As such, the following section will present and discuss changes for two categories that have both been stable over time and for which extant work appears to provide divergent assumptions regarding actor spending preferences.

‘Guns vs. butter’

Writing of year-on-year changes in budget laws in non-democracies, Miller (2015: 703) argues that ‘increases in education and social welfare spending constitute general policy concessions, whereas increases in military spending indicate greater attention to satisfying elites’. This approach is congruent with Gandhi’s (2008a: 110-115) discussion of actors and spending preferences under authoritarianism. Applying this to Russia, we can track the fate of spending figures for ‘National defence’ and ‘Social policy’ during Duma review over time.⁴⁹ If legislators are responsible for spending

know two of the three, then we can infer the third. To be sure, this model is simplistic. For example, the approach is predicated on the idea that actor behaviour is a manifestation of sincere preferences — something that, in reality, might be distorted by, say, strategic considerations.

⁴⁸ See Soroka, Wlezién and McLean (2006) for a discussion of this point in the context of expenditures in the United Kingdom.

⁴⁹ In light of Miller’s (2015: 721, footnote 11) note that ‘[t]here are some concerns that education spending may be used to target elites’, Russian education spending will not be tracked.

distribution changes, then we should see increases in social policy spending — to the detriment of defence spending — for the whole 2002-2014 period.⁵⁰

The expected observation derived from the dissertation's executive-centred approach is not the reverse — that is, it is not for increases in defence spending to the detriment of social policy spending. To understand why, it is necessary to consider two key differences between the approach taken by Miller (2015) and Gandhi (2008a), and the approach presented in this dissertation. Firstly, these other works analyse data on final budget laws, rather than changes experienced by budget bills during legislative passage. It is plausible that different dynamics are found when considering year-on-year budget changes in response, say, to election results (Miller *ibid.*) compared to changes made during legislative passage, as the actors involved in bargaining and granting concessions might differ.⁵¹ Secondly, whereas Miller and Gandhi focus on a *unified* executive choosing either to satisfy itself or to make concessions to social groups, the argument proposed by the dissertation is that intra-executive policy differences characteristic of factionalised elites both exist and play out during the parliamentary phase of policy-making. If this is the case, then *the direction of spending changes during legislative review will not map neatly onto the actor policy preferences of the whole of the elite versus the whole of society*. Some sections of the executive might prefer increased defence spending, while other sections prefer increased social policy spending. In other words, even if the modal executive

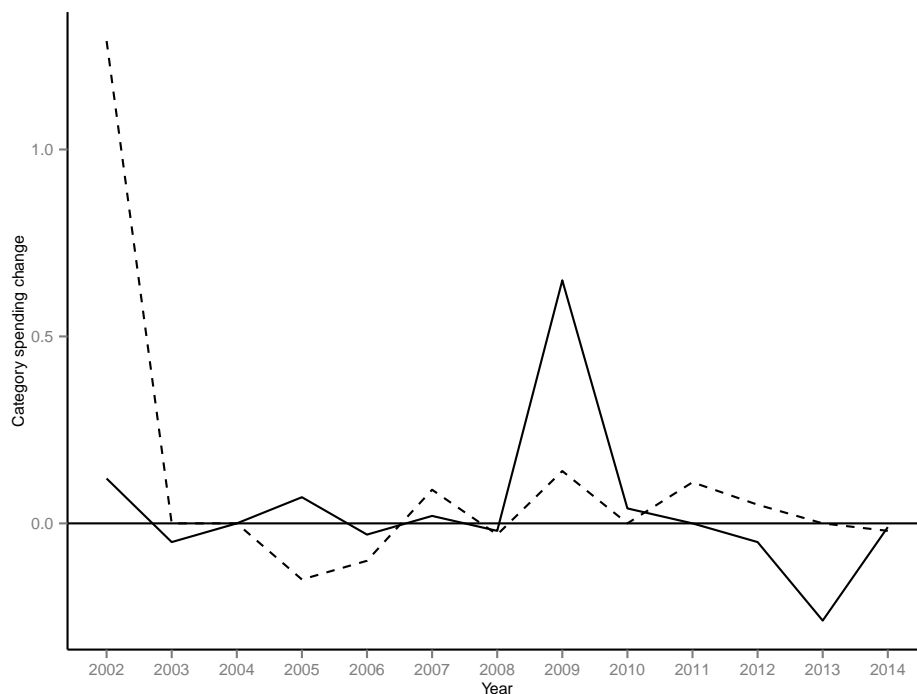
⁵⁰ This expected uniformity across putative variation in regime type stems from the fact that legislators are regarded as influential actors during legislative review in models of democratic legislative politics, as well as co-optation and information theories.

⁵¹ Indeed, this is one possible example of how, say, the co-optation and intra-executive uses of legislative institutions co-exist: whereas the former is reflected in yearly changes, the latter shows up in bill amendments during parliamentary passage.

preference is for increased defence spending relative to societal preferences, this does not preclude the possibility of intra-executive distributional conflicts across the full range of spending areas during the parliamentary stage of policy-making.

As such, the executive-centred prediction is for over-time inconsistency in spending redistribution in the authoritarian period, as shifting coalitions of executive actors jostle for increased spending allocations for their respective areas of activity or as changes in socio-economic conditions require spending adjustments. Figure 6.6 presents data on changes to ‘National defence’ and ‘Social policy’ spending figures made during Duma passage, 2002-2014, expressed as a percentage of overall spending in the respective introduced budget drafts.

Figure 6.6: *Changes to defence and social policy spending figures during Duma review, 2002-2014 budgets.*



Notes: The solid line relates to defence spending; the dashed line to social spending. These figures relate to changes in category spending figures between introduced draft bills and final budget laws, expressed as a percentage of overall spending in the respective draft budget bills.

Various features of the figure merit comment. Firstly, the 2002 budget is again an outlier, consistent with the picture of legislator influence discussed above, although social policy spending increases are not entirely to the detriment of defence spending, which saw a modest increase. Secondly, the 2003 and 2004 budgets are associated with little distributional change, at least regarding these two spending categories — an observation consistent with ‘zero reading’ practices. Thirdly, however, for the first budget passed in the first year of the Duma’s Fourth Convocation — the 2005 budget — social spending saw a decrease, whereas defence spending experienced a modest increase; yet, this pattern did not persist for the subsequent budgets in the same convocation. Budgets passed during the Fifth and Sixth Convocations experienced more distributional volatility — again, at least for these two expenditure areas.

This diachronic pattern provides little insight into the springs of spending changes. This reflects a number of limitations with the data and the approach. Most importantly, the relationship between defence and social policy spending is not zero-sum. If this were the case, then the two lines in figure 6 would mirror each other. This shows (unsurprisingly) that spending commitments were moved from and to expenditure categories other than defence and social policy — movement that is difficult to capture, given shifting spending categorisations over time. In addition, although increases in social spending are congruent with the influence of deputies, *it is also congruent with the influence of executive actors with the same policy preference*. That is, the fact that this observation is not unique to one actor’s preferences means that we cannot confidently attribute agency. In short, this approach is not sufficiently particular and sensitive to capture the ‘fingerprints’ of actor influence. As such, we

need to examine an area of change associated with more ‘certain and unique’ (Beach and Pedersen 2013: 110) expectations regarding actor preferences.

6.4 Secrecy

Rather than looking at changes in particular *substantive* areas of spending, we can look at a particular *form* of spending: classified (secret) expenditures. There are good reasons to suppose that changes made to these figures during Duma passage more clearly reflect the influence of particular agents in the amendment process.

6.4.1 Actors and transparency preferences

What influences information disclosure? Hollyer et al. (2011: 1196-1197) propose that executives in all regime types have ‘a natural tendency towards obfuscation — this permits questionable policies to be blamed on others; rent redistributions to be only weakly observed or not [at] all; and even outright corruption that flies under the radar.’ In contrast to this executive preference for opacity, information transparency is regarded as a ‘public good’ in itself (Bueno de Mesquita and Smith 2010: 936), as well as a multiplier for ‘social welfare’ (Hollyer et al. *ibid.*: 1195). As such, citizens prefer more transparency.⁵² Wehner and Renzio (2013: 101) build on this by examining the role of ‘political competition’, working from the hypothesis that ‘[g]overnments that face strong political competition provide more and better fiscal information than those with low competition, *ceteris paribus*’.

⁵² Transparency can be defined, generally, as ‘the full flow of information within a polity’ (Hollyer et al. 2014: 413), although this encompasses a broad array of ‘forms of information transmission’.

Using a measure of partisan fragmentation, they find that competition ‘has a highly significant and large effect on fiscal transparency in democracies [...] while it has no effect in non-democracies’ (Wehner and Renzio *ibid.*: 105). In other words, legislators in democracies — particularly in competitive regimes — are portrayed as agents of increased transparency, whereas they do not perform the same role under authoritarianism.⁵³

So far, this work on information transparency has not looked at changes to budget bills during legislative review. However, it seems plausible to transpose the logic derived from these cross-national studies. Moreover, we can combine these insights with expectations drawn from recent theories of authoritarian legislatures. Although not explicitly addressed in existing works, both co-optation and information theories suggest that legislators in non-democracies should also — like their democratic counterparts — push for increased transparency. As discussed in Chapter 2, the two theories portray legislatures as mechanisms facilitating elite-society linkages. In particular, for co-optation, Gandhi (2008a: 115) argues that co-opted legislators act so as to ‘benefit the wider citizenry’. Regarding information theory, Truex (2014b: 26) argues that authoritarian legislators represent the views of the population without providing a concomitant channel for accountability or the opportunity to voice demands for political reform. If citizens prefer more transparency, then, *ceteris paribus*, legislators should — according to these two recent theories — display a preference for greater information transparency.

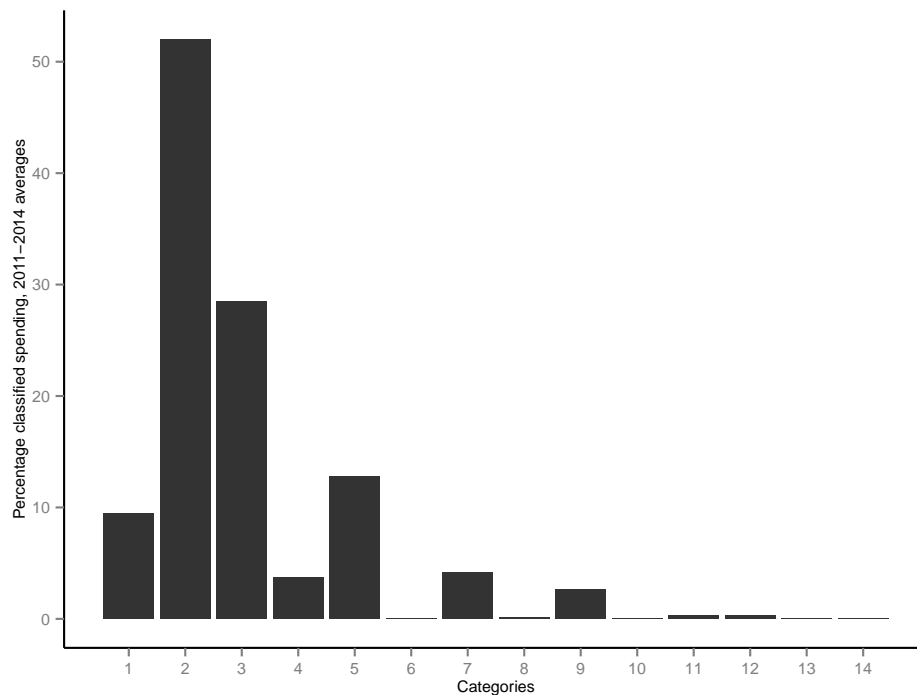
⁵³ Indeed, writing about Russian budgeting in the 1990s, Ostrow (2000: 163) notes the ‘issue that all legislatures press — the level of detail in budget items, particularly spending items’.

The executive-centred approach proposed by this dissertation leads to a very different expectation. Rather than providing an opportunity for incorporating the policy preferences of extra-elite actors, legislative passage serves as an opportunity for executive actors to finalise their policy proposals. Moreover, the executive's preference for opacity is unchecked by the transparency-increasing effects of electoral and party competition. Note that, unlike the possible different preferences within the executive regarding defence and spending preferences noted above, the *entire* executive shares a preference for increased spending opacity. And most Russian spending categories contain at least some classified spending — figure 6.7 demonstrates the surprising level of spending classification for all 14 spending categories from the final 2011 to 2014 budget laws. Only three spending categories — ‘Environment’, ‘Servicing state and municipal debt’, and ‘Inter-budget transfers’ — do not include classified expenditures.

In short, increased budget opacity from drafts to laws during non-democratic periods is an ‘auxiliary outcome’ (Mahoney 2010: 127) pointing to the executive roots of amendments made during legislative passage.⁵⁴

⁵⁴ One particular worry, however, is that classified spending constitutes a form of rent distribution to legislators in their capacity as individuals or as representatives of extra-parliamentary groups. Indeed, a desire by the regime elite to hide these rent flows might be satisfied by classifying their details. As such, increases in budget bill opacity during legislative review might constitute legislator influence. Miller (2015: 703) suggests that we can dismiss this, arguing that ‘the payoffs most often employed by ruling parties are unlikely to go on the books as’ budget spending items.

Figure 6.7: *Percentages of spending category totals that are classified, 2011-2014 budgets (pooled means).*



Notes: These figures are taken from final budget laws, 2011-2014. See Appendix I for a list of spending category names.

6.4.2 Evidence

How has Russian budget bill opacity changed during Duma passage over time? There is no extant impression.⁵⁵ Building on the above insights, we can propose a diachronic pattern of budget bill opacity change in Russia from the 2002 to the 2014 budgets. The data available covers three regime periods: the end of the democratic period in post-Soviet Russia (2002-2004 budgets); the authoritarian consolidation period (2005-2008 budgets); and authoritarianism (2009-2014 budgets).⁵⁶ Budgets should

⁵⁵ This lacuna is understandable for two reasons. Firstly, no such study of opacity change during legislative passage has been carried out in democracies, never mind non-democracies or Russia. Secondly, the ‘rubber stamp’ heuristic dissuades such fine-grained analysis — the assumption is that *nothing* changes during parliamentary consideration of the budget.

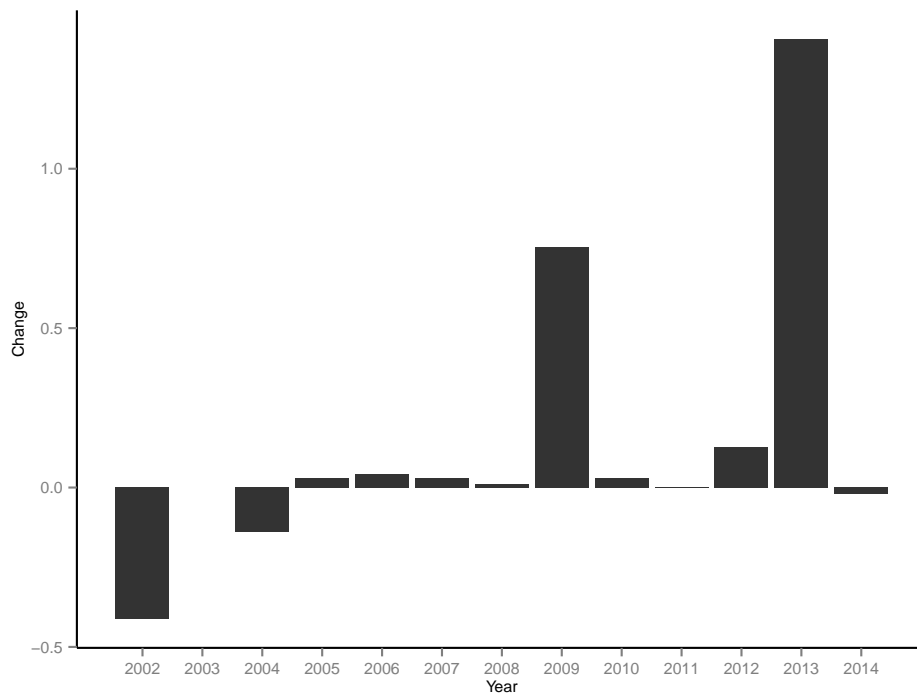
⁵⁶ See Chapter 1 for a justification of this periodisation.

become less opaque under democracy and more opaque under authoritarianism; expectations for the interim consolidation period are not clear. Note that the ‘rubber stamp’ approach would produce an expectation of no opacity change during legislative review in the non-democratic period, as executive policy negotiations are concluded *before* legislative introduction and legislators have no influence on policy-making according to this model.

Classified expenditures are calculated as the difference between overall and unclassified expenditures. By calculating the proportion of classified spending in both the budget draft and law for a particular year, we can work out changes to classification (transparency) experienced during Duma passage — calculated, specifically, as the classified proportion in the final law minus the classified proportion in the initial draft. This gives a measure of the extent to which the budget becomes more or less opaque.⁵⁷ Figure 6.8 presents data on the extent of observed opacity change during Duma review.

⁵⁷ Classified spending items are not open to scrutiny and amendment by all Duma deputies. Article 209 of the Budget Code (1998) states: ‘1. Secret articles of the federal budget are reviewed in closed sessions of the chambers of the Federal Assembly of the Russian Federation. Materials relating to secret articles of the federal budget are reviewed exclusively by the chairs of the chambers of the Federal Assembly of the Russian Federation and special commissions of the chamber.’ Such special commissions have been formed in the Duma, bringing together deputies from different committees. For example, since the beginning of 2008, this has taken the form of a specialised Duma Commission, originally named the Commission for the Review of Expenditures of the Federal Budget Aimed at Supporting Defence and State Security — see the founding Duma *postanovlenie* here: <http://is.gd/WC94DV> (accessed 12 November 2015) — and becoming the Commission for the Review of Expenditures of the Federal Budget Aimed at Supporting National Defence, National Security and Law-Enforcement Activities in 2012 — see the relevant Duma *postanovlenie*’s webpage here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=17867-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=17867-6) (accessed 12 November 2015). The Commission brings together members from three parliamentary committees: Budget and Taxes; Defence; and Security and Anti-Corruption. The body is tasked — according to the founding *postanovlenie* — with ‘scrutinising and adopting decisions on amendments to secret articles and secret appendices of the draft of the federal law on the federal budget’.

Figure 6.8: *Change in overall budget opacity between introduced draft and final law, 2002-2014 budgets.*



Notes: The y-axis relates to the percentage change in spending opacity. These figures are calculated by subtracting the percentage of classified spending in the draft bill from the percentage of classified spending in the final law. Data for 2003 is unavailable (see Appendix H).

The observed pattern is largely congruent with the expected pattern: Russian budget bills became less opaque under democracy and more opaque under authoritarianism. Interestingly, budgets passed during the interim, authoritarian consolidation period consistently became more opaque. Inferring agency from the direction of change, we can conclude that legislators were responsible for at least a portion of budget bill change under democracy, whereas executive actors were responsible for at least a portion of budget bill change under authoritarianism, as well as the interim period.

The change over time, however, is not monotonic — that is, the direction of change is not consistent over time. Thus, for example, whereas the 2009 budget became more opaque by 0.753 percent, the following year saw an increase of only 0.030

percent. This suggests that there is no direct causal relationship between regime type and the level of opacity change made during legislative passage. Indeed, this is underlined by the most anomalous result: the *reduced* opacity observed for the 2014 budget. An account from the following year intimates a plausible explanation. During preparation of the 2015 budget, and in light of economic troubles associated with Western-imposed sanctions, the Government reduced classified expenditures through an amendment in second reading in order to free up 712.5 million roubles for other areas, such as increasing salaries for employees of the Audit Chamber and local officials in the regions, as well as preparations for the 2018 FIFA World Cup (Netreba, Miliukova, Bocharova, Dorokhov and Sobolev, 10 November 2014, *RBK Daily*). Although this intervention provides additional evidence of the Government's control over secret expenditures, it also suggests that the executive's preference for more secrecy is dependent on a stable, favourable economic environment — a scope condition to be tested in future research. We can, however, marshal available additional evidence to explore the causal structure of the patterns observed.

6.4.3 Additional evidence

The data presented above infers agency from assumptions regarding actor preferences and evidence of particular budget amendments. As such, the reliability of the findings rests largely on our assumptions regarding actor preferences. One way to strengthen our inferences is to analyse finer-grained data relating to actor motivations and actions.

Statements from Duma floor budget debates provide a plausible source of such information. A search for the Russian word for ‘declassify’ (*rassekrechivat*) and its cognates in budget debates (all readings), 2002-2014, reveals that the word was mentioned in 2002, 2003, and 2004.⁵⁸ Furthermore, for these years, more detailed analysis suggests that — at least rhetorically — declassification was linked to deputy pressure for increased transparency. When summing up the Duma’s scrutiny and amendment of the 2002 budget in fourth reading on 14 December 2001, Aleksandr Zhukov — then Chairman of the Budget and Taxes Committee — stated that, ‘on the initiative of deputy Arbatov, and with the agreement of the Government, a number of expenditures in the ‘Defence’ spending category were declassified.’ In addition, in the first reading of the 2003 budget on 25 September 2002, Finance Minister Aleksei Kudrin noted the following in his presentation of the Government’s bill:

At the request of a number of parliamentary committees and factions, above all the ‘Union of Right Forces,’ the Government sent a letter for today’s meeting, in which is stipulated the possibility of declassifying 90 percent of budget articles on national defence in second and third readings.

Similarly, when presenting the 2004 draft budget in first reading on 19 September 2003, Kudrin stated:

Today we also set the task of raising the transparency of expenditures of law enforcement structures. Over the past few years, we provided for sufficient

⁵⁸ We might expect to find the word also used in years when declassification did not, in fact, take place; this might signify *failed* legislator attempts to increase transparency. However, there is no evidence of this taking place. Transcripts for Duma floor discussions of these budget bills are available here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=125501-3](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=125501-3) (accessed 12 November 2015); [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=235269-3](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=235269-3) (accessed 12 November 2015); [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=362797-3](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=362797-3) (accessed 12 November 2015).

openness of the military budget. This year, we presented a draft budget, which envisages no less openness than last year. However, a number of factions have raised the question of increasing openness, of declassifying further articles. I think that the Government will continue work in this direction. For second and third readings we may reach further decisions.

This evidence provides preliminary support — albeit based simply on actor statements — for the hypothesis that increased transparency during democratic periods was the result of legislator influence.⁵⁹ Although data availability prevents us from taking the empirical picture of opacity change back into the 1990s, there is evidence from this earlier period of legislative pressure for increased spending transparency. Ostrow (2000: 165) discusses successful attempts by legislators to increase Government openness regarding national defence expenditures for the 1994 and 1995 budgets, attributing this success in increased transparency to ‘close cooperation between the Defence Committee, the Defence Ministry, and the defence industrial sector in a Defence Budget Working Group formed during debate on the 1994 Budget.’ Similarly, Chaisty (2006: 171) — writing of the passage of the 1993 budget in the Supreme Soviet — notes the ‘persistent demands from legislators that such [classified] information be made available’, citing Ruslan Khasbulatov — the Chairman of the Supreme Soviet — as arguing ‘such government secrecy was proof of corruption within executive circles’.

This supplementary evidence above relates to the legislative springs of change during the democratic period. Unfortunately, gathering data on authoritarian periods is complicated by the very problem of opacity under investigation. However, an

⁵⁹ Although there was a minor overall reduction in opacity between the 2014 draft budget and the final law, the Duma floor transcripts reveal no reference to successful — or even failed — deputy attempts to declassify information.

episode from the preparation of the 2015 budget is suggestive. During the draft's anti-corruption review — a phase when the budget draft is hosted on the website <http://regulation.gov.ru> after leaving cabinet and before being introduced for parliamentary discussion — the level of secret expenditures increased by 289 billion roubles (Russian Academy of National Economy and State Service and the Gaidar Institute of Economic Policy 2014: 7).⁶⁰ This demonstrates that the executive draft signed off in cabinet was not the final version; in other years, such executive-driven changes might have taken place during parliamentary review. Indeed, the following section will lay out evidence regarding the pre-parliamentary discussion of budget bills.

6.4.4 In sum

The purpose of this section has been to determine whether the picture of executive preponderance painted by formal amendment sponsorship information (summarised in figure 6.4) in fact reflects executive-centred motivations to change the budget bill, rather than providing an executive veneer hiding legislative influence. The evidence presented in this section suggests that the actors responsible for changes to classified spending during Duma passage have changed over time. Whereas legislators successfully pushed for greater transparency under democracy, executive actors increased opacity under authoritarianism. This provides support for the 'executive development' approach proposed by the dissertation, although there is insufficient

⁶⁰ The irony of this increase made during the formal stage of anti-corruption review is that many commentators regard classified expenditures as particularly subject to corruption (see, for example, Tregubova, 14 October 2013, *Argumenty i fakty*).

data to discriminate between the four types of policy development postulated in Chapter 2.

Even if we have established that executive actors have been responsible for at least a subset⁶¹ of Russian budget bill changes under authoritarianism, it is not yet clear *why* these actors would want to change the bill as signed off by cabinet before legislative introduction. This is the question to which we will now turn.

6.5 Pre-parliamentary policy-making

The data analysed above relates to activities during the legislative stage of policy-making. However, the discussion in Chapter 2 suggested that we might find evidence of executive-centred amendment dynamics *before* legislative review during cabinet discussions. Fortunately, partial transcripts of cabinet discussions relating to budget texts are available. This section will draw on evidence from the pre-parliamentary policy-making stage to explore the reasons for executive-sponsored changes to executive-submitted budget bills.

6.5.1 Unfinished business

Federal budget bills signed off by the Russian Government are not finalised documents.

This fact is openly acknowledged in transcripts of Government meetings.⁶² The

⁶¹ Note that the findings from this focus on a subset of budget spending — classified expenditure — are not necessarily generalisable to all expenditures. Rather, classified expenditures were chosen as an area for which distinct actors have distinct preferences making the task of attributing the springs of change easier.

⁶² Unfortunately, the selection criteria for which portions of Government meetings are made public — and whether these are a faithful record of actual discussions — are not clear.

following section will present such evidence from the pre-parliamentary discussion of budget bills, 2009-2014.⁶³

At a meeting on 20 September 2012, members of the Government formally signed off on the draft 2013 federal budget, allowing the text to be introduced into the State Duma. In spite of the apparent finality of this decision, comments made by Prime Minister Dmitrii Medvedev at the end of the public portion of the meeting suggested the budget draft did not reflect the final, unified position of the Government:

Certain disagreements, about which were mentioned here, I ordered to remove this morning. I hope that in the next two days the necessary corrections to the budget — agreements on corrections to the budget — will be achieved. [...] We will, of course, continue to work on the state budget bill within the boundaries of the budget rule with all interested political forces. The Government is ready for dialogue on this question and very much counts on constructive collaboration [...] Particular interpretations, about which we spoke here, will be discussed finally and introduced into the State Duma by the agreed time.⁶⁴

This extract reveals a number of points. Firstly, Medvedev's comments note the existence of disagreements (*raznoglasiiia*) up to the bill's discussion in cabinet. Secondly, the prime minister merely 'hopes' that these differences will be finalised before legislative introduction. And thirdly, Medvedev makes clear that the budget bill will change during passage through the State Duma, ostensibly in collaboration with other actors — although the identity of these actors is not made explicit.

⁶³ As noted previously, discussion of these budget bills took place in the *preceding* calendar years, 2008-2013. These years are determined by: data availability regarding the start year (partial Government meeting transcripts or meeting decisions are not publicly available before 2008); and the cut-off year relates to the final year of analysis. Analysis of data from these budget years allows us to explore dynamics under authoritarianism. However, they do not — clearly — allow us to compare these dynamics with earlier, more democratic periods.

⁶⁴ Partial transcripts of the Government meeting are available here: <http://archive.government.ru/stens/20823/> (accessed 12 November 2015).

These dynamics were not particular to the 2013 budget. In the formal decisions (*priniatye resheniia*)⁶⁵ made by the Government on submitting the 2014 budget bill to the legislature, the Minister of Finance Anton Siluanov and the Minister of Economic Development Aleksei Uliukaev were instructed — along with ‘interested federal organs of the executive’ — to revise the draft bill to include the decisions reached during the Government sign-off meeting. This revised draft was then to be presented again to the Government on 23 September (albeit without a further sign-off meeting) for subsequent introduction to the State Duma. Again, this demonstrates a similar approach to the 2013 budget: despite signing off on the bill, particular ministries were instructed to revise the text before Duma introduction — and without providing an opportunity for other executive agencies to sign off again on these revisions. This latter point is crucial: it provides a clear example of the limits of pre-parliamentary policy-making by executive actors discussed in Chapter 2. If executive actors other than the Finance and Economics ministries did not agree with the changes made after Government sign-off, then it is possible that these actors used Duma passage as an opportunity for contestation and revision. Indeed, in addition to the planned draft revisions *before* Duma introduction, comments made by Medvedev at the end of the 19 September 2013 meeting suggested anticipation of further development *during* Duma passage:

After adopting these decisions, I once again draw attention to the need for consolidated work on the corresponding [budget] bill in the State Duma in the

⁶⁵ Details of these decisions are available here: <http://government.ru/meetings/5830/decisions/> (accessed 12 November 2015).

way described at the meeting of the Commission on [Budget] Projections and no other.⁶⁶

The prime minister's call for 'consolidated work' is suggestive: the implication is, clearly, that there is a tendency for 'unconsolidated' work — perhaps in the form of ministries attempting to amend the budget in line with their own preferences and against the preferences of other executive bodies.⁶⁷

In the formal results (*itogi*) of the 23 September 2010 Government meeting, during which the 2011 budget was signed off for Duma introduction, the need to make certain revisions was noted.⁶⁸ Specifically, the Ministry of Finance and the Ministry of Health and Social Development were tasked with revising the bill in line with the cabinet discussion in relation to 'new directions of the priority national project "Health"'. These actors were instructed to present the amended text to the Government in a day, before Duma submission. In addition, the two same ministries, along with *Rosleskhoz* (the Federal Forestry Agency), were instructed to develop the text relating to inter-budgetary transfers regarding reforestation, as well as the movement of spending in relation to institutions of medical higher education. These developments were to be presented to the Government at the same time as other Government amendments prepared for the budget's second reading in the Duma. Finally, the Ministry of

⁶⁶ Partial transcripts of the Government meeting are available here: <http://government.ru/meetings/5830/stenograms/> (accessed 12 November 2015).

⁶⁷ At the meeting of the Commission on Budget Projections in question, Medvedev remarked: 'We will now discuss various remaining questions, if there are any, in order that tomorrow, at the meeting of the Government, a final version [of the budget bill] will be presented' — partial transcripts of the meeting are available here: <http://government.ru/news/5827/> (accessed 12 November 2015). Clearly, this goal was not achieved.

⁶⁸ Details of the results are available here: <http://archive.government.ru/docs/13619/> (accessed 12 November 2015).

Finance and the Federal Fishing Agency (*Rosrybolovstvo*) were instructed to work on the issue of financing research on fisheries.

Similar instructions were made regarding the 2009 budget bill. A meeting of the Government praesidium on 21 August 2008 signed off on the bill with the following caveats: the Ministries of Finance, Economic Development, and Health and Social Development were ordered to make a number of revisions to the bill (within 24 hours) relating to financing health spending for 2010 and 2011, the distribution of budget allocations for capital construction investments, and allotting budget allocations for agricultural development.⁶⁹

In sum

Not all executive budget spending decisions are finalised before Duma introduction. In presenting data on the ‘unfinished’ quality of Government-submitted budget bills to the Duma, the evidence is biased towards the ‘spillover’ and ‘deferral’ dynamics discussed in Chapter 2; the possible types of amendment covered by ‘discovery’ and ‘fiat’ are not considered. Furthermore, within this partial approach, it is not clear whether evidence from transcripts reveals the full extent of intra-executive differences present before Duma introduction. In addition, data availability prohibits taking the empirical picture back for the whole 2002-2014 period, although the six years available do provide an insight into the whole authoritarian period.

⁶⁹ Details of the Government’s decisions are available her: <http://archive.government.ru/docs/7525/> (accessed 12 November 2015).

Despite these limitations, this pre-parliamentary information does two key things: firstly, it provides more support for the contention that executive actors are indeed responsible for some of the changes made to budget bills during legislative passage; and, secondly, it provides a clear picture of why executives would want, or need, to change these documents after cabinet sign-off — a picture, moreover, that is consistent with the theoretical approach presented in Chapter 2.

6.6 Conclusion

Challenging both the ‘rubber stamp’ expectation of no bill change, as well as recent claims that amendments are the result of non-executive influence, this chapter has defended an executive-centred account of budget bill change during legislative review, drawing on both comparative evidence, as well as fine-grained information on Russian budgeting, 2002-2014. Russian budgets have changed in the Duma under authoritarianism; at least some of this change is the result of executive action; and one apparent reason for this executive-centred change during legislative passage is the need to reconcile spending differences (unresolved in cabinet before Duma introduction) during the legislative stage of policy-making. If politics is ‘who gets what, when, and how’ (Lasswell 1936), then the parliamentary passage dynamics of budget bills in Russia underscore impressions of executive dominance, but also the importance of *intra-executive* policy conflict. The OECD data reveal that budget bill change is not a phenomenon restricted to Russia, although further research is needed to explore the springs of change in these other cases.

This chapter does not claim that *all* budget amendments in Russia — never mind under authoritarianism more generally — are the result of executive agency. Indeed, figure 6.4 demonstrates that, even though amendments formally sponsored by the executive have made up the majority of successful changes since the 2008 budget, *amendments formally sponsored by non-executive actors have also been successful*. For example, a successful amendment to the 2013 budget sponsored by United Russia deputy Stanislav Govorukhin — a renowned Russian actor and director — introduced a change relating to Lenfil'm, one of the foremost film studios in Russia.⁷⁰ And a change to the 2014 budget sponsored by senators Evgenii Bushmin, Sergei Riabukhin, and Aleksandr Torshin provided funding for the Federation Council's television channel.⁷¹ There is also evidence of success for opposition-sponsored amendments — for example, an amendment to the 2014 budget sponsored by KPRF deputies Gennadii Ziuganov, Nikolai Kolomeitsev, and Oleg Kulikov increased healthcare spending.⁷² The chapter has not engaged, however, with the question of whether these are, in fact, evidence of non-executive influence. It could be, for instance, that they are policy concessions granted in exchange for regime fealty; or, alternatively, they could be yet another expression of intra-executive dynamics, with executive agents masking their influence behind formally non-executive-sponsored amendments.

⁷⁰ See the amendment details in the committee amendment table here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&C9F279539EDBCC0143257AB6007EE8FF](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&C9F279539EDBCC0143257AB6007EE8FF) (accessed 12 November 2015).

⁷¹ See the amendment details in the committee amendment table here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&58B022C1862D4DE943257C2800033140](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&58B022C1862D4DE943257C2800033140) (accessed 12 November 2015).

⁷² See the amendment details in the committee amendment table here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&work/dz.nsf/ByID&1723B39E90B8551143257C280002FC32](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&work/dz.nsf/ByID&1723B39E90B8551143257C280002FC32) (accessed 12 November 2015).

The chapter's goal has been much more focussed: to demonstrate the efficacy of an executive-centred approach in explaining at least a portion of budget amendments in one authoritarian regime over a relatively short period of time with a view to the broader aim of theory-building. And yet, this does not mean that the insights from this limited study have no comparative implications. Indeed, the executive-centred picture of budgetary amendments proposed in this chapter is consistent with accounts from other authoritarian regimes. Writing of non-democratic Venezuela, Curristine and Bas (2007: 8) write that 'the majority of the amendments are actually proposed by the executive, reflecting its need to revise its original budget submission.' And, writing of the USSR, Hough and Fainsod (1979: 378) note: 'it is very probable that the preparatory committees [of the Supreme Soviet] are the place where final inter-agency agreement on the details of the plan and the budget are hammered out.' Rather than simply, or exclusively, serving as a means to regulate elite-society relations, legislative institutions can, therefore, be 'critical to the *internal* politics' of government (Martin and Vanberg 2011: 53) in both democracies and non-democracies.

Conclusion

Legislative politics under authoritarianism is not necessarily simple, smooth, or scripted. Executive bills can languish in parliaments, undergo significant amendment, or even fail to become laws. And yet, contrary to traditional models of legislative politics in democracies, as well as recent work on authoritarian legislatures, legislative actors are not necessarily the source of this policy-making viscosity. Rather, *executive* actors can be responsible for the development of executive bills during the legislative stage of policy-making. Drawing on evidence from contemporary Russia, as well as comparative data, the dissertation has shown how executive actors with divergent policy preferences use legislative institutions to monitor, challenge, and amend each others' legislative initiatives, overcoming the limitations of pre-parliamentary decision-making. In addition, the dissertation has shown how unified executives can update their initiatives during the legislative stage in response to shifting socio-economic circumstances. Contrary to the claims made in much extant work, therefore, this dissertation demonstrates a novel way in which legislatures can 'matter' in the policy-making process in non-democracies.

This concluding chapter consists of four sections. Section 1 summarises the main findings presented in the dissertation. Section 2 draws out the key contributions made by the analysis for understanding authoritarian politics. Section 3 then turns to the particular insights gained regarding contemporary Russian politics, including how the ‘executive development’ framework can shed light on an extant puzzle: the precipitous growth in the number of laws produced. Finally, section 4 suggests future directions for research.

7.1 Summarising the findings

This section will provide an overview of the dissertation, summarising the findings in the order presented in the preceding chapters. In adopting this format, the aim is to draw out the cumulative nature of the chapter findings, showing how each section of the dissertation builds on the preceding analysis.

7.1.1 ‘Executive development’

The ‘rubber stamp’ model contains two basic features: that executives dominate subservient legislatures; and that — as a result — executive bills neither change during legislative review nor do they ever fail to become laws. The dissertation’s first contribution was to underscore that — like in democratic systems — there are various possible causal pathways resulting in bill failure and amendment in non-democracies, only one pathway of which is influence by oppositional legislators. In light of this equifinality, we can neither robustly infer impaired executive dominance,

and legislative autonomy, from the mere observation of bill failure and amendment; nor can we expect a lack of policy development on the basis of perfect executive dominance and legislative subservience. If multiple actors can be responsible for policy development in legislatures, then it is also plausible that executive actors are consequential in authoritarian settings.

Building on this conceptual possibility, the dissertation proceeded to provide a positive account of *why* authoritarian executives would want — or need — to develop their own bills during parliamentary passage. The core, intuitive claim is that executive policy preferences can change following bill sign-off from cabinet, either in response to new information or as the result of a shifting balance of power between executive coalitions with different policy preferences. Indeed, the executive's ability to update its policy initiatives during parliamentary review is improved by its possession of a compliant body of legislators, who can 'rubber stamp' changes to original drafts, as well as kill off unwanted bills.

On the basis of this executive-centred picture of policy development in the legislature, Chapter 2 postulated four types of executive development. These four possibilities were derived by combining two binary variables relating to: the presence (or not) of intra-executive policy conflict; and whether executive policy discussions are considered finalised before bill introduction into the legislature (or not). The resulting types — 'spillover', 'deferral', 'discovery', and 'fiat' — entail different roles for legislative institutions. Of particular interest is the role played by these institutions in 'discovery', when factionalised executives use legislative passage to help overcome the policy-

making constraints faced in the cabinet stage of policy-making by scrutinising, challenging, and amending proposals from other executive actors.

This ‘executive development’ approach suggests, therefore, that legislatures can still ‘matter’ in non-democracies, even when legislators are perfectly slavish subalterns. The parliamentary phase of decision-making simply becomes another opportunity for the development of executive initiatives. This contrasts with co-optation and information theories of authoritarian legislatures, which maintain that these bodies matter insofar as legislators can serve as representatives of opposition groups or as information channels for citizen grievances. These different approaches formed the basis for different expectations regarding the policy-making process and its outputs analysed in subsequent chapters.

7.1.2 Executive bill failure

Contrary to the ‘rubber stamp’ model, there is evidence of bill failure in contemporary Russia, as well as other non-democratic regimes. Chapter 3 analysed all cases of Russian executive bill failure, 2008-2013, as well as providing a picture of executive bill success rates from 1996. Beginning by challenging the idea that executive bill failure is necessarily bill *defeat* at the hands of autonomous legislators, this chapter found that failure has rarely, in fact, been defeat in contemporary Russia.¹ Rather, bills have most often failed because of redundancy, with their main provisions

¹ In the one case of bill defeat, this was not because of opposition from co-opted members of the opposition, but, rather, because of the intervention of an otherwise loyal, influential committee chair, and member of United Russia. Moreover, the executive was not defeated on the *substance* of its policy proposal.

realised in *other*, ultimately successful bills — a finding inconsistent with co-optation and information approaches to non-democratic parliaments. As such, although the original vehicles (bills) for policy initiatives might die, the policy *ideas* contained within these bills can go on to live. This finding reflects the fact that executive policy plans can change following cabinet sign-off, with amendments to these plans being made in the legislative stage, but not reflecting legislator influence. In other cases, bill failure resulted from intra-executive policy conflict, with executive actors blocking the progress of proposals sponsored by other executive actors. And, in other cases, Duma committees have demonstrated limited policy influence on technical points of legislation — a finding that points to the insufficiency of the ‘executive development’ approach to account for *all* types of legislative activity. In the main, however, executive bill failure resulted not from misplaced executive certainty regarding legislator policy preferences and voting intentions — as existing work suggests — but because executive policy preferences changed following cabinet sign-off. The findings from this chapter also provided insights into the subject of the following empirical chapters: executive bill amendment.

7.1.3 Executive bill amendment

Analysis of executive bill amendments was spread over three chapters, with each chapter providing distinct insights into amendment activity.

Patterns

Existing impressions of executive bill amendment in Russia present two contradictory pictures: one of little (and reduced over-time) change; the other of sometimes significant change. In order to assess the merits of these claims, the chapter proposed a text-based measure of bill change before presenting information drawn from a new dataset of all executive bills, 1996-2013, as well as a new database of executive-sponsored bill and law texts, 2003-2013. This analysis revealed that, rather than a *deviation* from usual practice, executive bill amendment has been the norm in post-Soviet Russia. In addition, the average level of text change experienced by executive bills during legislative passage *increased* across the regime transition from democracy to authoritarianism. Furthermore, closer attention to the changing *distribution* of bill amendments helped account for the seemingly contradictory pictures in existing Russian commentary: although the proportion of small changes has increased over time, so has the size and frequency of large changes to executive bills. In short, it is possible to combine both pictures of change.

What accounts for these patterns? If change were the result of legislative influence — as expected by co-optation and information theories, as well as traditional models of bill amendment in democracies — then the level of legislative activity should help explain varying levels of bill amendment. In contrast, the ‘executive development’ approach suggests legislator activity should be largely orthogonal to the level of bill change. After proposing a measure of Duma floor activity — the number of HTML lines required to produce webpages containing transcripts of the Duma floor

activities related to particular bills — the chapter first presented a descriptive picture of *declining* floor activity over time. Combining this with the diachronic picture of *increased* executive bill amendment, these preliminary data intimated that something other than legislative influence might be driving bill change. To examine this further, the chapter presented results from multivariate negative binomial regression models, comparing the explanatory power of the legislative activity measure with regard to the level of executive bill amendment in the authoritarian period (2008-2013) with the earlier period (2003-2007). Whereas the legislator activity measure was significant in the earlier period, it lost significance under authoritarianism. These results suggest that the level of executive bill amendment has, over time, become disassociated from legislative scrutiny (at least as captured by the Duma floor activity measure) — a finding that is inconsistent with co-optation and information theories, but consistent with the ‘executive development’ approach.

This statistical analysis, however, only achieved so much. With current data availability, it was not possible to disaggregate the various possible causal mechanisms in operation. For example, it could be that legislators are still responsible for change, but that they are influential in venues other than the legislature’s floor. As such, finer-grained data on the specific actors involved in bill development was needed.

Cases

Chapter 5 drilled down into particular cases of executive bill amendment. The chapter began by setting out evidence of the sometimes *conflictual* roots of bill change in contemporary Russia, with executive actors attempting to circumvent the

pre-parliamentary *soglasovanie* process. The chapter argued, moreover, that recent attempts to remedy this problem — in particular, the introduction of regulatory impact assessment procedures — might have worsened the problem, since executive actors have found other means to evade the scrutiny of their proposals.

Process-tracing case studies of ‘spillover’, ‘deferral’, ‘discovery’, and ‘fiat’ were then presented. In light of the theory-building goal of the dissertation, these cases were not selected by random sampling, but, rather, for their ability to provide illustrative examples of the four types of executive bill amendment postulated in Chapter 2. The goal was not, therefore, to present a representative sample, but, rather, to demonstrate that these types are more than mere conceptual constructs.² These cases also served to provide a fine-grained picture of current policy-making practices in Russia, in order to evaluate co-optation and information theory expectations against those of the ‘executive development’ approach.

Budgets

The final empirical chapter, Chapter 6, analysed changes to budget bills. This set of bills was selected for a number of reasons, including that: budget initiatives were not included in previous analyses of bill change; that there is an intuitive and basic measure of the extent of change (regarding spending figures); and that budgets form a manifestly important subset of initiatives. Following a comparison of OECD data on the changes made (or not) to budget bills across democracies and non-democracies

² In the language of predicate logic, the aim was to provide evidence in support of an existential claim — that there is at least one case of each of the four postulated types. (This can be formally expressed as ‘ $\exists x$ ’, where ‘ x ’ stands for one of the four types.)

— which demonstrated a surprising similarity across regime types, including evidence of budget change in non-democracies — the chapter presented and analysed various measures of both budget scrutiny and change over time in Russia, including measures of budget text change, Duma floor discussion time, and the velocity of budget bills. This demonstrated a decline over time, consistent with impressions of reduced Duma influence over the budget-passage process.

Data on changes to *spending* figures did not, however, present a similarly clear, covariant trend. Coupled with diachronic information on formal amendment sponsorship — which showed a marked rise in the number of changes proposed by the executive — the chapter suggested that this provided preliminary evidence that budget changes made during legislative review resulted from the influence of executive actors, rather than legislators. And yet, the chapter also noted the difficulties in inferring ‘real’ agency from these formal sponsorship data. As such, the chapter proposed a method of inferring the agency of change from the substance and direction of spending changes made during Duma passage. Dismissing changes to defence and social spending as too vague, the chapter argued that a focus on *classified* spending was more likely to help differentiate between executive and non-executive actors. Consistent with expectations, the evidence pointed to different actor influence across regime periods, with the increased spending observed under authoritarianism reflecting the executive roots of change. These patterns were supported by supplementary evidence taken from Duma floor transcripts.

But why would the executive need to change its budget initiatives in the Duma?

The final chapter section presented evidence that the budget drafts sent from cabinet

to the Duma were not finalised documents — something consistent with ‘spillover’ and ‘deferral’ amendment types. In short, legislative passage of budget bills has been used, in part, to finalise intra-executive spending conflicts.

In sum

Authoritarian legislatures can, indeed, be ‘places of action’ (Truex 2014a: 235). In contrast to co-optation and information approaches — which point to *legislators* as the source of this activity — this dissertation has pointed to *executive* actors as the most consequential players, responsible for the development of executive bills during the legislative stage of policy-making. As such — and in line with one feature of the conventional ‘rubber stamp’ model — the ‘executive development’ approach proposed by this dissertation incorporates an expectation of legislative subservience. In contrast to the ‘rubber stamp’ model, however, the ‘executive development’ approach suggests that changes to executive policy preferences — resulting from, for example, new information or the resolution of intra-executive policy conflicts — can result in executive policy development during the legislative stage of policy-making.

Winston Churchill allegedly compared observing Russian executive politics to watching bulldogs fight under a carpet: ‘An outsider only hears the growling, and when he sees the bones fly out from beneath it is obvious who won.’³ This dissertation has shown not only how the analysis of policy-making processes during the legislative stage can help provide peaks under the carpet, but also how executive actors themselves use legislative institutions in their conflicts. Put differently, it is not simply

³ Cited in Barry, 8 May 2011, *The New York Times*.

that the legislative stage of policy-making provides a window into the often-hidden world of intra-executive relations; rather, executive actors themselves use legislative institutions to help overcome the commitment and monitoring problem associated with joint decision-making.

Although existing work on Russian legislative politics has noted the resolution of executive policy discussions in the Duma (see, for example, Chaisty 2006; and Remington 2008a), this dissertation has contributed to these insights by demonstrating the scale and frequency of this practice; by demonstrating its persistence into the authoritarian period; and by delineating different types of executive policy development, reflecting the different ways in which executive actors use legislative institutions to craft policy.

Although the dissertation has focussed on the executive springs of development, it also noted evidence not covered by the ‘executive development’ approach. Indeed, from the outset, this approach was not proposed as a sufficient explanatory framework; legislative activity in authoritarian legislatures can be driven by a variety of factors. However — for the Russian case, at least — there are various indications that executive dynamics are, on balance, the most consequential: from the cases of bill failure discussed in Chapter 3, to the regression results presented in Chapter 4, to the budget amendment sponsorship data in Chapter 6.

7.2 Insights and implications

This dissertation does more than dance on the grave of the tired ‘rubber stamp’ metaphor. The clearest, most generalisable claim made by the dissertation is

that legislatures are not necessarily orthogonal to the policy-making process in authoritarian regimes. In particular, the dissertation has proposed a particular account within this general claim: that factionalised executives in non-democracies can use legislative institutions to help overcome commitment and monitoring problems in the policy-making process. This section will review these claims.

7.2.1 Legislatures and policy-making in non-democracies

Existing work has been too swift to discount the place of legislatures in the policy-making process in non-democracies. Although the insights gained by scholars analysing issues *beyond* policy-making have proved valuable, it is time to return to serious and detailed study of how legislative institutions feature in the decision-making process in non-democracies. Blondel's (1973: 10) observation — cited in Chapter 2 — seems as apposite as ever: 'in Western countries, in Communist countries, and in a somewhat less clear-cut fashion in the Third World, the rubber-stamp character of legislatures may not be as widespread and uniform as has been suggested by some commentators'.

This dissertation has provided a particular, executive-centred account of how authoritarian legislatures can 'matter'. This contrasts with most other approaches, which have framed legislative importance in terms of legislator *autonomy*. Indeed, Blondel (1973: 10) goes on to write that 'a renewed interest in the activities of legislatures has come to indicate that it is feasible, though within somewhat narrow limits, for legislatures to act with independence and effectiveness.' This claim, however, has not resulted in a robust research programme; rather, assumptions and impressions of

legislative subservience have remained, reinforcing expectations that the legislative stage of policy-making is uneventful. By showing how policy development in the legislature need not result from deputy autonomy, this dissertation has provided a corrective to the near-ubiquitous ‘rubber stamp’ model. In so doing, the analysis makes clear the gains from thinking separately about legislatures, legislators, legislative institutions, legislative venues, and the legislative stage of policy-making.

Legislative institutions and intra-executive constraints

Scholarship on non-democratic institutions has faced the familiar problem of endogeneity — that is, that institutions are shaped by the actors that they putatively constrain, and, thus, might be purely epiphenomenal (Przeworski 2004). And yet, the authoritarianism literature is peppered with references to the ability of legislatures to act as some form of *constraint* on executive action (see, for example, Wilson and Wright 2015). Reviewing the recent scholarship on authoritarian institutions, Pepinsky (2014a: 631) summarises the problem:

Elites in authoritarian regimes use political institutions to structure political order. But these institutions are fundamentally vulnerable to strategic manipulation by the elites. This is the central dilemma confronting the new literature on institutions in authoritarian regimes.

How can authoritarian elites be meaningfully constrained by institutions — including legislatures — that are subject to manipulation by these same elites?⁴ Møller (2014:

⁴ Manipulation might relate both to elite interference with electoral processes to engineer a subservient body of legislators (see Levitsky and Way 2010: 63) and moves to abolish legislatures (see Gandhi 2008a: 187).

956) writes that, ‘[t]o be genuine stabilizers of authoritarianism, institutions cannot be mere window dressing; they must have some autonomy.’

The argument presented by the dissertation suggests how authoritarian legislative institutions can be more than ‘mere window dressing’, whilst legislators, at the same time, lack autonomy from the executive.⁵ Specifically, the dissertation has highlighted the *intra-executive* constraints imposed by legislative institutions. Contemporary Russian policy-making practices demonstrate how certain rules associated with the legislative stage of policy-making can be used for the *internal* policing of factionalised executives. The publicity entailed by bill introduction allows all executive actors — including those excluded from pre-parliamentary decision-making and those with divergent policy preferences — to review executive initiatives; in turn, the opportunities available for bill amendment and failure allow these same actors to attempt to bring initiatives closer to their ideal points. To be sure, the argument is *not* that authoritarian elites design legislatures in order to carry out this function. Rather, once in existence, executive actors can use legislative institutions to help constrain the policy-making goals of other, rival executive actors.

Although the dissertation’s research design privileged internal over external validity, these insights from the Russian country-case might travel to other non-democracies, insofar as law-making involves a period of parliamentary review; this period involves bill publication; and there are opportunities to modify initiatives.⁶

⁵ The relationship between the executive-centred account of policy-making provided in this dissertation and regime stability awaits further research.

⁶ As this formulation suggests, a significant feature of the approach is to think of the legislature (as an organisation containing legislators) and the legislative *stage* of policy-making separately.

7.3 Contemporary Russian politics

What can the dissertation's findings tell us about the nature of authoritarianism and the state of politics in contemporary Russia? This section suggests a number of contributions.

7.3.1 Executive actors, decision-making, and institutions

Although inter-branch, executive-legislative relations have moved from a transactional to a hierarchical mode in Russia,⁷ *intra-branch*, *intra-executive* relations have not experienced a similar 'rationalisation'. Indeed, Holmes (2015: 41) goes so far as to argue that the current political regime in Russia has failed to consolidate, pointing to 'the incoherence of the deep state [...] [which is] amplified and exacerbated by fragmentation among governmental institutions and agencies'. As such, the situation has improved little since Chaisty (2006: 199) remarked that, '[w]hile pro-Kremlin majorities in both houses [of parliament] provide an important resource with which to strengthen Russia's horizontal state capacity, Putin has still to address the arguably more difficult task of bringing the executive itself to heel'.⁸ Whereas changes in the partisan composition of the Duma, as well as institutional reforms, have removed many of the negative implications of the 'unlinked dual-channel' structures noted by Ostrow (2000, 2001, 2002), the Russian executive has not undergone a similar transformation. For all of the talk of the power *vertikal'*, intra-elite relations

⁷ See Shugart (2008) for a discussion of 'hierarchical' and 'transactional' executive-legislative relations.

⁸ Indeed, we need more work on how regime shifts relate to executive and bureaucratic politics.

continue to be marked by inter-factional squabbling, compromising the ability of the executive to pursue a consistent policy programme.⁹ This accords with findings from other authoritarian regimes, such as Teichman's (1988: 103) describes the 'intense intrabureaucratic infighting' over the petroleum production ceiling and resulting policy 'incoherence' in Mexico under the Institutional Revolutionary party (PRI). Although the dissertation's account explicitly built on prior work on executive factionalism in Russia, the findings presented in the preceding chapters underscore just how difficult it sometimes is for executive actors to conduct joint decision-making.

Different experiences of inter-branch and intra-branch relations in Russia intimate a more general point about sources of competition and pluralism in non-democratic regimes. Levitsky and Way's (2010) concept of 'competitive authoritarianism' relates primarily to the level of *electoral* competition.¹⁰ However, as Gel'man (2015: 6) notes, 'political competition might flourish in authoritarian regimes in nonelectoral forms (ranging from hidden struggles among ruling cliques to brutal and violent coups)'. As a result, an exclusive focus on the legislative representation of differing political positions can ignore an important source of competition — that is, *within* the executive. Although this latter form of interest politics might be harder to observe, as well as being less responsive to citizen concerns, it is, nevertheless, an important factor to consider when trying to understand why non-democratic regimes behave the way they do. It is unclear, however, whether, or to what extent, the

⁹ See also Monaghan (2012) for a critique of the concept of the power *vertikal'*, as well as its implementation.

¹⁰ Similarly, Schedler (2013: 106) draws attention to 'party-systemic competitiveness'.

policy disputes evinced in this dissertation indicate fractures in the *political* or *ruling* coalition in Russia.

Policy-making practices and responsibilities also raise the question of Russia's *constitutional* regime type. Ever since its promulgation at the end of 1993, debate has revolved around whether the system is semi-presidential or 'super-presidential', or something else (see, for example, Colton, 1995; Holmes 1993; and Schleiter and Morgan-Jones 2008). Goode (2010: 1060), for example, has criticised the semi-presidential label, arguing that all, in fact, depends on 'the personal authority' of Putin. Although this certainly speaks to the high unlikelihood of cohabitation, the formal bifurcation of the Russian executive is, to a large degree, reflected in the division of policy-making responsibilities in both theory and practice. Indeed, as demonstrated in this dissertation, these divisions can lead to the discovery and resolution of policy-making conflicts between the cabinet and the Kremlin during Duma review.¹¹ As such, although there are certainly grounds for approaching the study of formal institutions (including constitutions) with scepticism — as well as imagining how they might be consequential in non-obvious ways (Hale 2011) — we should not ignore how they can structure other, lower-level activities, including policy-making.

Although policy-making in contemporary Russia might be delegated somewhat in line with formal rules, recent practice has also demonstrated Putin's role in arbitrating between conflicting sides in policy disputes. As certain episodes discussed in this dissertation have demonstrated, policy development is often stalled until Putin has

¹¹ See also Protsyk (2006) on intra-executive conflict in dual executive systems.

picked a side or a compromise — see, for example, the capital amnesty bill analysed in Chapter 5. As Fortescue (2015: 6) rightly notes, this is not necessarily an indication of presidential megalomania, but, rather, reflects the incapacity of current decision-making procedures — including the *soglasovanie* process — to handle all types of intra-executive dispute. Thus, for example, in light of the difficulties faced in composing the 2016 budget, Putin announced his intention to oversee negotiations with an unprecedented level of control (Kriuchkova and Butrin, 24 July 2015, *Kommersant*). Direct involvement — or *ruchnoe upravlenie* (‘hands-on management’, Fortescue *ibid.*: 7) — has its own hazards, however. Whereas a formal separation in policy-making competencies — particularly the Government’s responsibility for economic policy — has arguably allowed the Presidential Administration to deflect criticism and social grievances towards the cabinet, the viability of this strategy will inevitably be reduced with a a more visible and direct presidential role in setting budgetary policy.

Current Russian executive power is predicated, in part, on its control over the Federal Assembly.¹² Whereas much of the recent work on authoritarian parliaments has treated these bodies as opportunities for gathering information and widening the actors in the policy-making process, a number of single-country studies have noted the importance of legislative control as a *source* of strength. For example, regarding non-democratic Taiwan, Cheng and Haggard (2001: 194) argue that ‘the apparent strength of the executive *ultimately rested on the capacity of the party to maintain ruling majorities in the National Assembly and particularly in the Legislative Yuan*’

¹² Thus, for example, Shevchenko and Golosov (2011: 2010) note that particular ‘institutional provisions [...] [in the Duma’s standing orders] can only be advantageous to the government if the executive has strong parliamentary backing’.

(emphasis in original). The experience of Mexico in the transition from PRI dominance also demonstrates the centrality of congressional control for regime strength. These comparative experiences suggest that, with the upcoming 2016 federal parliamentary elections in Russia, the Russian executive will be especially conscious of the need to retain control over Duma seats, particularly in light of the controversy surrounding the 2011 elections, as well as the return of a mixed electoral system.

However, the Russian executive has to worry about, and rely on, institutions beyond the State Duma in its quest for regime stability. This discussion will now turn to these additional areas.

7.3.2 Balancing control, co-optation, and information

Although authoritarian elites might be tempted to use legislatures to co-opt members of the opposition, or to gain information about citizen grievances, this is tempered by the concomitant worry that these bodies could easily turn into sources of liability for the regime. That is, by including members of the opposition in policy discussion, and by allowing the airing of social frustrations, assemblies can become elite-challenging rather than elite-supporting institutions. Indeed, the contemporary Chinese elite's delicate balancing act in this regard has motivated Truex's (2014b) proposed theory of 'representation within bounds' — the National People's Congress is allowed to function as a venue for citizen representation, although excluding questions of political reform.

A similar tension is clear in modern-day Russia. For example, Putin himself has both criticised parliamentary subservience and applauded the legislature's disciplined support of the executive's policy plans. In October 2011, the then Russian prime minister argued: 'We need an effectively operating State Duma. Not one that obediently rubber stamps any proposal as in Soviet times, but one that thinks' (n.a., 28 October 2011, *RIA Novosti*). Earlier in the month, however, Putin warned against the 'Ukrainization' (*ukrainizatsiia*) of the Russian parliament — something he equated to policy-making gridlock (n.a., 18 October 2011, *Ukrainskaia pravda*). The tension present in Putin's statements demonstrates the concomitant desire for the Duma to provide information for the policy-making process, whilst at the same time providing guaranteed support for executive initiatives. The institutional scholarship on democratic presidencies tell us, however, that combining decisiveness and a separation of power (and purpose) is deeply problematic (Haggard and McCubbins 2001; Cox and McCubbins 2001).

Although the dissertation has questioned the ability of co-optation and information approaches to explain cases of bill failure and amendment in contemporary Russia, this is not to say that their insights are wholly without merit. The roles putatively performed by legislatures according to these accounts might be performed by *other* institutions, including 'para-constitutional' (Sakwa 2011: 243), quasi-parliamentary bodies, such as the Public Chamber in Russia — an institution created in 2005 ostensibly to increase the representation of societal interests in the policy-making process (see Richter 2009).¹³ Indeed, similar bodies are found in other non-democracies,

¹³ Remington (2013: 48) calls this and other bodies 'parallel parliaments' — 'structures that the president can consult or ignore at his pleasure'.

such as the Chinese People's Political Consultative Conference¹⁴ and the Assembly of the People of Kazakhstan.¹⁵

In addition, both Russia and Kazakhstan have recently developed mechanisms for the institutionalised representation of certain political parties *without* legislative seats. In Russia, following the disputed parliamentary elections in December 2011, the Council of Non-parliamentary Parties was created in 2012 for this purpose.¹⁶ And in Kazakhstan, following the 2007 parliamentary elections, in which the 'party of power' — Nur Otan — won all available seats, a similar body was founded — the Public Chamber of the Mazhilis (see Rasov, 12 November 2010, *Respublika*). Whether, in practice, these bodies serve to provide meaningful inclusion for opposition parties, valuable information for the elite, or simply a veneer of representation is unclear.¹⁷

Exploring the consequences of quasi-parliamentary bodies is one possible avenue for future research. Before discussing other such avenues, we can explore the efficacy of the executive-centred account proposed by the dissertation in explaining the dramatic rise in the number of federal laws produced each year in Russia.

¹⁴ Information on the body is available here: <http://www.cppcc.gov.cn/zxww/zxyw/home/> (accessed 12 November 2015).

¹⁵ Information on the body is available here: <http://assembly.kz/> (accessed 12 November 2015).

¹⁶ Information on the Council is available here: http://www.duma.gov.ru/representative/council_np/ (accessed 12 November 2015); and here <http://sovety.duma.gov.ru/node/61> (accessed 12 November 2015).

¹⁷ Other related measures introduced in Russia include the 'Open Government' (*Otkrytoe pravitel'stvo*) initiative, as well as 'societal councils' (*Obshchestvennyye sovety*) linked to Russian ministries. See <http://open.gov.ru/>.

7.3.3 Legislative productivity

I will never forget how a former chairman of the State Duma said with pride that 632 new laws were adopted in a session. For me, that is nothing to be proud of — it is a catastrophe!

Mikhail Barshchevskii, Russian Government representative to the high courts¹⁸

The yearly volume of Russian federal legislation has more than doubled from 2005 to 2013. Whereas ‘the overall volume of lawmaking [...] remained relatively constant’ (Haspel et al. 2006: 273) from 1995 to 2005, with an average of around 193 produced each year, 2013 saw the promulgation of 446 federal laws.¹⁹ Figure 7.1 presents these diachronic data. What explains this rapid change in legislative output?²⁰

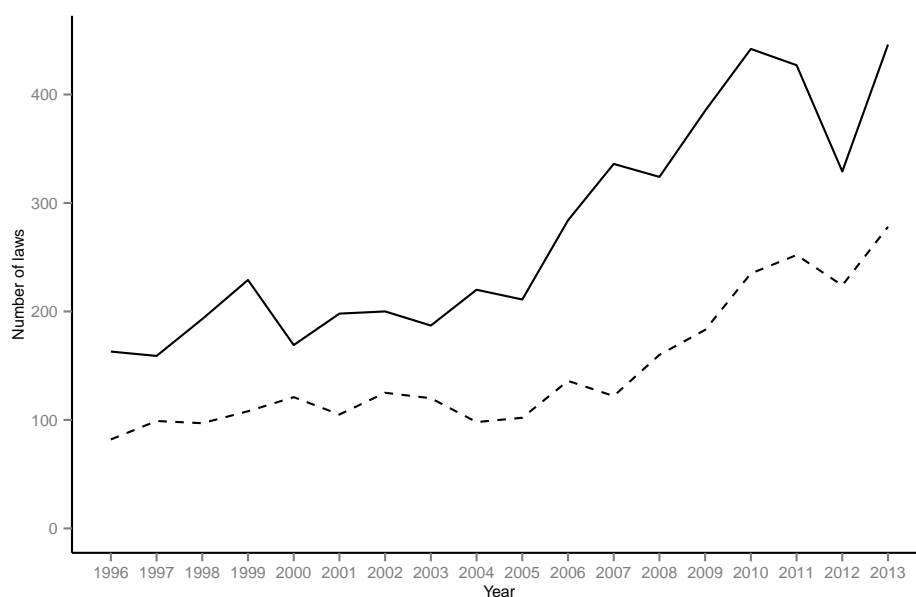
One simple and intuitive explanation for this change in productivity is the reduction in the number of veto players able to block policy proposals. According to this explanation, executive dominance over the Federal Assembly has removed a previously consequential source of viscosity in the policy-making process; the construction of

¹⁸ Quoted in Kharat’ian (2 July 2013, *Vedomosti*).

¹⁹ In a comparison of law-making patterns across post-communist and post-Soviet states, Primakov, Dmitrieva and Volkov (2010) find that Russia produces the largest number of laws of all those post-communist and post-Soviet states examined.

²⁰ Answering this question is important, given the putatively negative effects of legislative inflation: according to Sergei Maksimov — head of the department of criminal law, criminology and problems of justice at the Institute of State and Law — the ‘low effectiveness of state management is a direct result of the chaos of the legislative sphere’ (quoted in Kamakin, 28 September 2015, *Moskovskii komsomolets*). See also Kenyon and Naoi (2010), which analyses the sources and effects of policy uncertainty in hybrid regimes.

Figure 7.1: *Number of laws produced each year (overall and sponsored by the executive), 1996-2013.*



Notes: The solid line relates to the overall number of federal laws produced each year (according to the highest number reached in each year according to the formal Russian law numbering system, which is re-set at the beginning of each calendar year); and the dashed line relates to those laws, the respective bills of which were sponsored by the Government or the president (data taken from the original dataset of executive bills compiled by the author). Figures exclude federal constitutional laws, but include ratifications.

the power *vertikal'* has allowed the Russian executive to realise its policy plans unimpeded, resulting in increased legislative productivity.²¹

However intuitive this explanation might be, it runs against a prominent hypothesis in comparative legislative politics positing an *inverse* relationship between executive control of the legislature's agenda and the number of laws produced. Thus, Döring

²¹ Comparative research has also pointed to a relationship between legislative autonomy and legislative stability. Albeit operationalising the concept of legislative stability without an explicit link to legislative productivity, Pereira et al. (2011: 80) argue — on the basis of data from presidential systems in Latin America — that ‘strong legislatures act as stabilisers in the policymaking process. If the legislature effectively challenges the executive, policymaking will be a high-cost endeavor for the executive, thus increasing the stability of the status quo.’ Conversely, ‘if there is an extreme unity of purpose, that is, the president can count on a fully disciplined partisan majority in the legislature, then presidentialism can be highly decisive [...] Moreover, if there is an extreme unity of purpose, the potential for capricious policy change is great’ (Shugart and Haggard 2001: 65). As such, successful governance is predicated on a ‘delicate balance between resoluteness and adaptability’ (Pereira, Singh and Mueller 2011: 59).

(1995: 46) argues that we should observe an ‘inverse correlation of government control of the agenda and total legislative output’, since centralised executive agenda control of the legislative agenda removes sources of ‘legislative inflation’ — ‘the proliferation of many small and incoherent pieces of legislation’.²² This argument has also been expressed in the language of veto players: Tsebelis (2002: 182) claims that the number of veto players correlates ‘positively with the number of all laws, and negatively with the number of significant laws’.²³ In short, the expectation is that centralised executive control over the agenda, or the presence of a smaller number of veto players in the policy-making process, will lead to a reduction in the overall number of laws produced, but an increase in the number of significant initiatives produced.

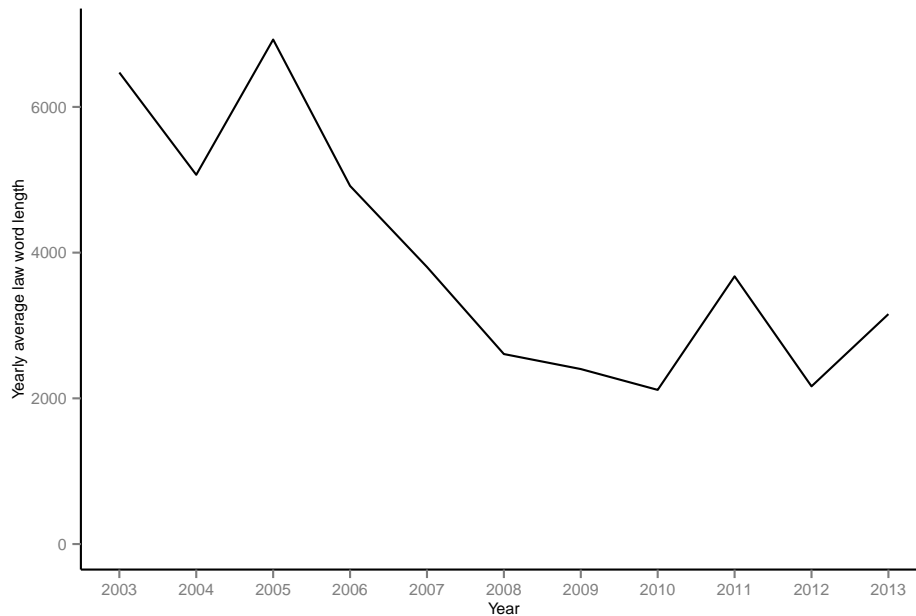
The Russian data are clearly not congruent with Döring and Tsebelis’ hypothesis regarding the overall number of laws produced. A period associated with a reduction in the number of veto players and a putative centralisation of agenda powers in the executive has seen a *rise* in the number of laws produced per year. What about legislative significance? Although a poor proxy for policy importance, it might be instructive to look at how the *length* of Russian laws has varied over this period (cf.

²² See Henning (1995) for a formal elaboration of this argument. Note that Key (1949) also posits a relationship between intra-party, factional veto players and the proliferation of particularistic legislation in the American southern states.

²³ Similarly, in their analysis of the US Congress, Cox and McCubbins (2001: 28) link ‘private-regardedness’ (particularistic policy) and ‘balkanization’ (‘the pursuit of inconsistent policies by different “sub-governments”’) to the ‘constitutional separation of power and electorally driven separations of purpose’ — or, in other words, a higher number of veto players.

Tsebelis 2002: 166).²⁴ Figure 7.2 presents mean word lengths of executive-sponsored laws by year, 2003-2013.

Figure 7.2: *Mean word lengths of executive-sponsored laws by year, 2003-2013.*



Notes: Averages are calculated for the set of successful executive bills presented in Chapter 4. As such, the sample excludes, *inter alia*, federal constitutional laws and ratifications of international agreements.

Whereas the overall number of executive-sponsored laws has increased over time in Russia — especially since 2005 — the average length of these laws has *decreased*. As such, Russian law-making has, in a sense, become more *fragmented* over time.²⁵ Insofar as the length of law texts can serve as an indicator of legislative significance, then these data also do not conform to Döring and Tsebelis' expectation.

²⁴ Legal significance is a notoriously difficult concept to operationalise — see, for example, Kelly (1993), Maltzman and Shipan (2008), Mayhew (1991), and Ragusa (2010). Chaisty and Schleiter (2002) collect and analyse data on significant Russian laws, with Chaisty (2014) updating this for a study of bill velocity; however, these data extend only to 2007.

²⁵ Writing of changes over time in policy-making dynamics, Pleshanova (29 June 2015, *Kommersant* "Vlast") reports that the 'centralisation of law-making in the Government [...] did not give the expected result: instead of well-developed, adjusted and quality bills, we have seen an unending avalanche of amendments to existing laws, referred to as legislative inflation and the mad printer.'

What explains Russian legislative inflation? There are, no doubt, a plethora of factors at play. However, three different dynamics stand out.²⁶ Firstly, contemporary policy-making in Russia lacks *programmatic coherence*. As such, individual executive departments often develop policy initiatives hastily and reactively, in response to changing conditions and without involving other executive actors (never mind societal groups); and, given the hasty adoption of decisions by a narrow group of actors, policies frequently have to be corrected after promulgation in light of mistakes or unintended consequences (Khmelnitskaya 2010). When he was Chair of the Federation Council, Sergei Mironov noted this root of inflation:

The fact that executive bodies play a key role in the legislative process leads to the instability of legislation, to its subordination to momentary needs, interests, and even simply to the convenience of executive departments. This is an entirely abnormal state of affairs. It is difficult to talk of the supremacy of law if, in fact, it is changed or repealed every time that something disturbs the Government.²⁷

²⁶ Other hypotheses proffered include a Russian ‘normative fetish’ (Taylor 2014: 237); inevitable adjustments to laws following transition from Soviet rule (interview with senior Government lawyer, 11 April 2012); and the legal responses required in the face of economic crises (interview with senior State Duma committee official, 13 June 2013).

²⁷ This quotation is taken from Chaisty (2006: 199), who provides a different translation from the original Russian. Mironov made these comments on the Federation Council floor on 25 February 2005. Transcripts including his comments are available here: <http://council.gov.ru/media/files/41d44e65cc412daa28b3.doc> (accessed 12 November 2015). This picture of departments legislating almost independently, with an absence of core executive control enforcing a coherent policy programme, accords with findings from Goetz and Zubek (2007: 534-535) regarding policy-making in post-communist Poland:

legislative output may depend on the degree of centralisation of policy-making within government. The argument here is that governments that allow their ministers and departments to ‘go it alone’ in drafting legislation can be expected to produce more legislation than governments with strong core executive coordination. The reason is that the limited coordination requirement lowers the costs of cooperation; departments may, thus, allocate more resources to producing new legislation.

As such, the argument shares with Döring (1995) a focus on agenda-setting powers, but the *venue* of these powers relates to the executive, rather than the legislature.

Secondly, legislative inflation can reflect the shifting fortunes of executive actors or coalitions.²⁸ Take, for example, the case of recent criminal law reforms in Russia. On 13 July 2012, the Russian State Duma approved a bill to re-criminalise defamation (*kleveta*). The offence had, however, only been *de-criminalised* the previous year, on 7 December 2011.²⁹ This policy U-turn is just one example of the ‘de-Medvedevization’ carried out following the transfer of the presidency from Medvedev back to Vladimir Putin (Barry, 20 September 2012, *The New York Times*). In spite of this ‘anti-liberalisation’, another ‘wave of criminal legislation humanisation’ was on the agenda in September 2015 (Volkov and Chetverikova, 16 September 2015, *Vedomosti*). This forms merely the latest stage in the cyclical development of Russian criminal legislation, including Vladimir Putin’s own ‘humanisation’ reforms in 2003 to the Criminal Code. Rather than reflecting the rational development of policy, this case appears to reflect the instability of executive actor influence.³⁰

Thirdly, legislative inflation can result from the difficulties of intra-executive decision-making. There is evidence that executive-sponsored bills are sometimes *broken up* into smaller bills both before and during legislative passage as a result of the

²⁸ For an account of institutional change viewed through the prism of coalition dynamics, see Hall (2010: 214). Regarding non-democratic policy-making, Jensen, Malesky and Weymouth (2010: 29) report:

numerous measures of authoritarian legislatures are associated with increases in policy uncertainty. Our main conjecture is [that] the co-option of groups, while institutionalised, could shift over time. Thus authoritarian leaders may maintain power by co-opting new groups, requiring frequent shifts in policy. We leave an exploration of this topic for future research.

²⁹ The bill’s webpage is available here: [http://asozd.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=106999-6](http://asozd.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=106999-6) (accessed 12 November 2015).

³⁰ On policy ‘cycling’ with respect to criminal law, see Katz (2006). See Roeder (1993) on the relationship between leadership cycling, coalitions, and policy-making outcomes in the USSR.

inability of executive actors to agree on original, more ambitious initiatives. For example, writing of President Medvedev's criminal justice humanisation project, Solomon (2013: 106) writes: 'It became clear that some of the suggested changes [...] encountered resistance from other agencies. As a result, in September [2010], the Minister of Justice Alexander Konovalov decided to divide the proposed reforms into two separate packages'. Regarding initiative break-up during Duma review, the clearest example relates to recent reforms to the Civil Code. Introduced at the very end of the Medvedev presidency as a presidential bill, bill 47538-6 — 'On the introduction of changes to Parts One, Two, Three and Four of the Civil Code of the Russian Federation, as well as other legislative acts of the Russian Federation' — was subsequently broken up into nine separate initiatives (see Pushkarskaia, 22 April 2013, *Kommersant*).³¹ Similarly, following resistance exhibited by the Ministry of Economic Development regarding a Government-sponsored bill on tour agencies, Deputy Prime Minister Ol'ga Golodets suggested breaking the bill up into two portions — one containing uncontested provisions, and the other containing disputed provisions (Bocharova, Sobolev, Koptiubenko, 7 August 2015, *RBK Daily*).

In sum

According to existing scholarship, legislative inflation is 'deviant' in contexts of executive dominance. By acknowledging the *factionalised* nature of the executive, however, the production of a higher number of less significant laws becomes less

³¹ The webpage of the original bill, as well as the subsequent nine initiatives, is here: [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=47538-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=47538-6) (accessed 12 November 2015).

puzzling: it is rival executive actors — rather than legislative actors — who complicate the ability to pass fewer, more coherent, more significant policies. As such, executive factionalism has observable effects beyond bill failure and amendment.³² Following this particular examination of legislative productivity, we can now turn to other avenues for future research.

7.4 Future directions

This section will briefly suggest ways in which the dissertation’s research might be expanded, focusing on how the study of the Russian case might be expanded and deepened, as well as how the claims of the ‘executive development’ approach might be tested beyond Russia.

7.4.1 Russian data

From cabinet to the Duma

Data availability regarding the policy-making process in contemporary Russia is much greater for the *legislative* stage in comparison to the *executive* stage.³³ Indeed, it is for this reason that media reports provided such an important source of information regarding the often hidden pre-parliamentary stage of the decision-making process, as well as subsequent executive involvement during the legislative stage.

³² Indeed, another way to frame these findings is to interpret legislative inflation as an ‘auxiliary outcome’ (Mahoney 2010: 127) consistent with the features of executive factionalism incorporated in the ‘executive development’ approach, even though this approach relates specifically to policy development during the legislative stage of policy-making.

³³ This information asymmetry is, no doubt, a feature of all political systems, in light of the manifestly more public nature of legislative activities.

One basic hurdle to unifying analysis of the *whole* policy-making process in post-Soviet Russia is that there is no consistent identification system used for policy initiatives in both stages.³⁴ It is possible, however, to link initiatives between the cabinet and the Duma systematically given the common titles used for bills in both stages. Although data availability for the pre-parliamentary stage has improved considerably in recent years, with information posted on the Government's website, this source of information begins only from the middle of 2008 in the archived version of the site, with more comprehensive coverage from the middle of 2012.³⁵ A preliminary version of this dataset has already been used in the dissertation — specifically, for the data presented in section 1.3 of Chapter 5 regarding the notes attached to cabinet decisions to submit initiatives to the Duma. This version was put together manually; the next stage is to automatise the process, also adding information from earlier stages in the pre-parliamentary phase of policy-making accessible via <http://regulation.gov.ru>. These data will give a more systematic and richer picture of the wider policy-making process in Russia. Specifically, this dataset will allow us to ask questions such as whether there is a relationship between the level of pre-parliamentary scrutiny and the extent of bill change experienced during Duma review.

³⁴ Thus, whereas bills are assigned a number on Duma introduction, there is no similar system for initiatives in the pre-parliamentary stage, never mind a common identification system.

³⁵ Indeed, this information has been used throughout the dissertation when referring to the departmental drafters of particular executive bills.

The flow of policy ideas

The evidence presented in Chapter 3 produced a picture of policy ideas *moving* between bills under consideration in the State Duma. As acknowledged in the chapter, the method used for tracing this text re-use was traditional, low-tech, and time-intensive — that is, manually tracing whether provisions from failed bills were realised in separate legislation. However, as works such as Wilkerson et al. (2015) demonstrate, there is great promise in *automated*, machine learning techniques. The text database of Russian executive draft bills and final laws already collected for this dissertation provides the basic material for such analysis.

Non-executive bills

As noted in Chapter 1, this dissertation has focused on *executive* bills in post-Soviet Russia, excluding an in-depth analysis of non-executive policy-making. However, evidence presented through the dissertation points to the fact that executive actors have been the ‘real’ authors of initiatives formally sponsored by non-executive actors. As such, a plausible extension of the research is to include these non-executive bills into the existing executive-centred dataset of bill features and the database of bill and law texts. This will also provide a wider basis for tracing the flow of policy ideas during legislative review in the Duma.

7.4.2 Beyond Russia

Scope conditions

The dissertation has not attempted to hypothesise and test the validity of *scope conditions* relating to the ‘executive development’ approach. As such, it does not provide answers to when we might expect this approach to outperform ‘rubber stamp’, co-optation and information models. Neither has the dissertation provided a fully developed account of when we should observe the four different types of executive policy development posited in Chapter 2, nor the particular expected levels of change or frequency of failure. However, the theoretical discussion and case studies intimate the importance of certain conditions. Future work could both develop the dissertation’s typological analysis into a richer theoretical model of authoritarian legislative politics, as well as collecting and analysing data relating to putative conditions — one example of which might be intra-executive conflict.

Authoritarian variety

The set of non-democratic regimes is a varied group. As Geddes (1999: 121) argues, ‘different kinds of authoritarianism differ from each other as much as they differ from democracy’. With particular reference to non-democratic parliaments, Reuter and Robertson (2015: 237) rightly note that ‘variation among authoritarian legislatures may be just as important as variation between dictatorships with and without legislatures.’ In light of this variation — and to place the Russian case into a

wider perspective — this dissertation has, when possible, nested Russian data in comparative data on outcomes of interest.

However, in order to increase the generalisability of the ‘executive development’ approach, we must analyse data from a broader set of non-democracies. As noted in Chapter 2, certain works on Chinese politics have pointed to dynamics consistent with this approach (see, for example, Paler 2005). Similar to the ‘departmentalism’ observed in Russia, Chao and Chang (2015: 8) report that ‘department protectionism has dominated the lawmaking process in China’; and Lü, Liu, and Li (2015) find that bill sponsorship patterns regarding education policy initiatives reflect the coalition-building activities of State Council bodies — that is, legislative activities are driven by intra-executive dynamics. However, as Lü, Liu, and Li (*ibid.*) also note, data availability for policy-making processes and outputs in China are restricted, meaning that — although there are intimations of ‘executive development’ dynamics — it is difficult at the moment to explore the explanatory power of this approach systematically.

In contrast, policy-making data is readily available for Kazakhstan. Indeed, there is evidence of executive bills failing in the Mazhilis — the lower house of the federal parliament. For example, on 30 June 2014, the Kazakh Government issued a resolution (*postanovlenie*) to remove (*otozvat*) one of its bills from consideration.³⁶

Fortunately, the Kazakh authorities maintain an online information portal and

³⁶ The bill in question — ‘On the introduction of changes and additions to various legislative acts of the Republic of Kazakhstan on questions of improving juvenile justice’ — was entered into the legislature almost two years before, on 29 September 2012. The text of the resolution is available here: http://tengrinews.kz/zakon/pravitelstvo_respubliki_kazahstan_premier_ministr_rk/sud/id-P1400000751/ (accessed 12 November 2015).

archive containing the needed information to analyse executive success rates over time.³⁷ Furthermore, evidence from Kazakhstan reveals the sometimes significant changes made to budget spending figures during parliamentary passage. (Figure J.1 in Appendix J presents net percentage changes (between introduced budget draft and final budget law) to expenditures by budget year.)

What is responsible for bill failure and budget bill amendment in Kazakhstan? In contrast to China — for which there are intimations of an executive-centre explanation — there are no such existing impressions for Kazakhstan.³⁸ As such, these two non-democratic country-cases present interesting — albeit different — avenues for future research.³⁹

As our detailed, theory-driven knowledge of legislative practices expands across a wider set of non-democratic regimes, we should remain sensitive to the possibility — and likelihood — of *variety*. Pepinsky (2012: n.p.) is right to be ‘sceptical that there is a single coherent logic, structure, or function of authoritarian legislatures that is applicable across modern authoritarian regimes’. This, of course, is not a disavowal of comparative theory. Rather, it suggests that future research should explore the *scope conditions* relating to existing claims, as well as possible new ways in which

³⁷ This is the website’s address: <http://adilet.zan.kz/rus>.

³⁸ There are, however, plausible hypotheses for some of the observations. For example, the significant reduction in spending levels for the 2009 budget — passed in autumn 2008 — is consistent with expenditure reductions in response to the emerging financial crisis.

³⁹ In addition, existing work from parliamentary politics in Egypt under Hosni Mubarak (Weipert-Fenner 2014) and in Mexico under the PRI (Nacif-Hernández 1995) suggests that data is available for a process-level evaluation of the ‘executive development’ approach in a varied group of non-democracies. Moreover, comparative data on executive bill failure presented by Saiegh (2011: 83), as well as the evidence of budgetary amendments across a variety of non-democracies drawing on OECD data and presented in Chapter 6, suggests there are numerous possible cases for future research.

legislatures feature in authoritarian politics. This dissertation has proposed one such new approach, drawing on — and contributing to — scholarship on Russian politics, and integrating these insights with recent comparative scholarship on non-democratic institutions. Only by the constant iteration between fine-grained data and general claims can we build meaningful theory regarding the logics of authoritarian rule.

Appendices

Appendix A

Executive bill failure and success rates

Table A.1 contains information on the overall number of executive bills (both from the president and the Government) sent to the Duma and their fates, with resulting convocation success rates. Specifically, the number of bills actually registered⁴⁰ by the president and Government in the State Duma is compared with the number of bills signed into law within the same convocation; success rates for bills carried over convocations are calculated separately (see below).⁴¹ The figures presented are divided into two groups: the first (under the sub-column heading ‘All’) includes all bills submitted by the executive to the legislature, excluding co-authored bills; the second group of figures (under the sub-column heading ‘Select’) does not include bills proposing to ratify international treaties, conventions, and accessions.⁴²

⁴⁰ That is, not the *possible* legislative programmes — an approach taken by, for example, Ames (2001). See Cheibub (2007: 88, footnote 10) for an overview of the competing positions on this question. Note also that these numbers relate to all bills sent to the Duma, not simply those formally *introduced* — article 108, section three of the Duma’s standing orders (*Reglament Gosudarstvennoi Dumy*) states that bills returned to initiators during preliminary consideration are not considered introduced into the Duma.

⁴¹ Although legislative initiatives do not automatically fail at the end of parliamentary convocations in Russia, success rates are calculated for bills finalised and completed in the same convocation in order to help control for variation in political dynamics.

⁴² Although parliamentary ratifications of international treaties and conventions are technically legislative initiatives, expected passage dynamics for the two groups of bills are sufficiently different to warrant presenting the numbers separately.

Table A.1: *Executive bill fates by Duma convocation, 1996-2011.*

		Duma convocation									
		2nd		3rd		4th		5th			
		All	Select	All	Select	All	Select	All	Select	All	Select
President	Overall	93	23	115	64	114	53	213	114		
	Signed	80	10	109	58	113	52	213	114		
	Failed	13	13	6	6	1	1	0	0		
	% success	86.02	43.48	95.78	90.63	99.12	98.11	100	100		
Government	Overall	451	344	267	207	325	247	587	424		
	Signed	259	153	240	182	315	237	578	415		
	Failed	192	191	27	25	10	10	9	9		
	% success	57.43	44.48	89.89	87.92	96.92	95.95	98.47	97.88		

Presidential bills finalised in later convocations

Table A.2: *Presidential bills finalised in later convocations.*

		Duma finalisation convocation					
		3rd		4th		5th	
		All	Select	All	Select	All	Select
President (2nd)	Overall	46	19	6	2	1	1
	Signed	29	6	1	0	0	0
	Failed	17	13	5	2	1	1
	% success	63.04	31.58	16.67	0	0	0
President (3rd)	Overall	-	-	14	6	5	5
	Signed	-	-	12	4	0	0
	Failed	-	-	2	2	5	5
	% success	-	-	85.71	66.67	0	0
President (4th)	Overall	-	-	-	-	7	2
	Signed	-	-	-	-	7	2
	Failed	-	-	-	-	0	0
	% success	-	-	-	-	100	100

Government bills finalised in later convocations

Table A.3: *Government bills finalised in later convocations.*

		Duma finalisation convocation					
		3rd		4th		5th	
		All	Select	All	Select	All	Select
Government (2nd)	Overall	209	172	13	7	6	0
	Signed	96	67	7	1	0	0
	Failed	113	105	6	6	6	0
	% success	45.93	38.95	53.85	14.29	0	0
Government (3rd)	Overall	-	-	54	50	12	8
	Signed	-	-	32	28	3	2
	Failed	-	-	22	22	9	6
	% success	-	-	59.26	56.0	25.0	25.0
Government (4th)	Overall	-	-	-	-	62	58
	Signed	-	-	-	-	47	43
	Failed	-	-	-	-	15	15
	% success	-	-	-	-	75.81	74.14

There are two basic ways to cut the data longitudinally. The first is to look at the success rates from a particular introduction convocation over time. Looking at rates for bills excluding treaties and accessions, all success rates decrease the further the finalisation convocation is in time from the registration convocation. This suggests

a rising hazard rate over time (Box-Steffensmeier and Jones 2004): bills are more likely to fail the longer the time elapsed between introduction and finalisation. This finding is consistent with different causal stories: for example, bills might remain under consideration for a long time before failing due to either protracted policy contestation or because legislative agents do not immediately remove hopeless bills.

The second approach is to look at the variation in success rates for bills finalised in the convocation directly following the introduction convocation. For both the president and the Government, success rates improve over time. This suggests that improved executive control over the legislative process evinced in table A.1 also applies to bills finalised in later convocations. These findings are novel. They suggest that measures, which, in effect, treat bills carried over legislative sessions, terms, or convocations as failed, likely provide a distorted view of executive efficiency.

Appendix B — failure case details

Bill number	Bill name	Initiator	Drafting ministry / body	Committee(s) involved	Introduction date	Finalisation date	Introduction / finalisation convocation	Finalisation stage and form
217039-5	<i>O vnesenii izmeneniia v stat'iu 1501 chasti chetvertoi Grazhdanskogo kodeksa Rossiiskoi Federatsii (ob ivelichenii srokov, svyazannykh s provedeniem ekspertizy zadatki na tovarnyi znak)</i>	Government	Education and Science	Civil, criminal, arbitration, and procedural legislation	17.06.2009	06.11.2009	5/5	1st reading - reject
304692-5	<i>O vnesenii izmeneniia v stat'iu 3 Federal'nogo zakona "O banke razvitiia"</i>	Government	Economic Development	Financial market; Science and scientific technology	23.12.2009	03.06.2010	5/5	1st reading - withdraw
233010-5	<i>O vnesenii izmenenii v nekotorye zakonodatel'nye akty Rossiiskoi Federatsii v chasti predstavleniia biudzhernym uchrezhdeniim polnomochii po zakliucheniiu dogovorov finansovoi arendy (lizinga)</i>	Government	Finance	Budget and taxes; Civil, criminal, arbitration, and procedural legislation; Financial market	17.07.2009	29.06.2010	5/5	1st reading - withdraw
94401-5	<i>O vnesenii izmenenii v otde'l'nye zakonodatel'nye akty Rossiiskoi Federatsii po voprosam sudoustroistva (o poriadke obzhalovaniia reshenii kvalifikatsionnykh kollegii sudet)</i>	Government	Justice	Constitutional legislation and state construction	22.08.2008	08.12.2010	5/5	3rd reading - reject
201473-5	<i>O vnesenii izmeneniia v stat'iu 13 Federal'nogo zakona "O pravovom polozenii inostrannykh grazhdan v Rossiiskoi Federatsii" (v chasti itocheniia kategorii inostrannykh grazhdan i lits bez grazhdanstva, priglasennykh v Rossiiskuiu Federatsiu v kachestve prepodavatelei dlia provedeniia zaniatii v obrazovatel'nykh uchrezhdeniakh, i imeiushchikh v sviatzi s etim pravo na osushchestvlenie trudovoi delatel'nosti v Rossiiskoi Federatsii bez polucheniia razresheniia na rabotu)</i>	Government	Education and Science	Constitutional legislation and state construction; Education	14.05.2009	21.03.2011	5/5	1st reading - withdraw
336526-5	<i>O vnesenii izmeneniia v stat'iu 582 chasti vtoroi Grazhdanskogo kodeksa Rossiiskoi Federatsii (o priznanii bezvotzvednykh rabot i uslug dareniem v forme pozherbovaniia)</i>	Government	Economic Development	Civil, criminal, arbitration, and procedural legislation	02.03.2010	21.03.2011	5/5	1st reading - withdraw
410771-5	<i>O prispособlenii deiatel'naia p'unyia 3 stat'ii 14 Federal'nogo zakona «Ob ob'ekтах kul'turnogo nasledia (pamyatnikakh istorii i kul'tury) narodov Rossiiskoi Federatsii»</i>	Government	Culture	Culture	23.07.2010	21.03.2011	5/5	1st reading - withdraw
186832-5	<i>O vnesenii izmenenii v otde'l'nye zakonodatel'nye akty Rossiiskoi Federatsii (v chasti vvedeniia mekhanizma likvidatsionnogo nettinga)</i>	Government	Federal Service for Financial Markets	Financial market	13.04.2009	06.04.2011	5/5	2nd reading - reject

Bill number	Bill name	Initiator	Drafting ministry / body	Committee(s) involved	Introduction date	Finalisation date	Introduction / finalisation convocation	Finalisation stage and form
548475-5	<i>O vnesenii izmeneniia v stat'iu 18 Federal'nogo zakona "O statuse voennosluzhashchikh" (o ezhemiasichnykh vyplatakh voennosluzhashchym i chlenam ikh semei v schet vozmeshcheniia vreda zhizni i zdorov'iu voennosluzhashchikh)</i>	Government	Defence	Defence	18.05.2011	01.11.2011	5/5	2nd reading - reject
556701-5	<i>O vnesenii izmeneniia v stat'iu 342 chasti vtoroi Nalogovogo kodeksa Rossiiskoi Federatsii</i> <i>O vnesenii izmeneniia v stat'iu 26-3</i>	Government	Finance	Budget and taxes	01.06.2011	23.01.2012	5/6	Preparatory - return
628683-5	<i>Federal'nogo zakona "O vvedenii v deistvie chasti vtoroi Nalogovogo kodeksa Rossiiskoi Federatsii i vnesenii izmenenii v nekotorye zakonodatel'nye akty Rossiiskoi Federatsii o nalogakh"</i>	Government	Finance	Budget and taxes	12.11.2011	23.01.2012	5/6	Preparatory - return
381210-5	<i>O vnesenii izmeneniia v stat'iu 150 chasti vtoroi Nalogovogo kodeksa Rossiiskoi Federatsii (ob utocnenii poriadka osvobodeniia ot nalogooblozheniia nalogom na dobavleniuiu stoimost' vvoza na tamozhennuiu territoriiu Rossiiskoi Federatsii tovarov, peremeshaemykh cherez tamozhennuiu granitsu Rossiiskoi Federatsii dlia ikh ispol'zovaniia v tseliakh provedeniia XXII Olimpijskikh zimnikh igr i XI Paralimpijskikh zimnikh igr 2014 goda v gorode Sochi)</i>	Government	Finance	Budget and taxes	26.05.2010	07.02.2012	5/6	2nd reading - reject
472058-5	<i>O vnesenii izmeneniia v stat'iu 342 chasti vtoroi Nalogovogo kodeksa Rossiiskoi Federatsii (ob ustanovlenii stavki po nalogu na dobychu poleznykh iskopaemykh 0% pri dobyche rud olova na territorii Dal'nevostochnogo federal'nogo okruga)</i>	Government	Finance	Budget and taxes; Natural resources, nature management and ecology	14.12.2010	07.02.2012	5/6	2nd reading - reject
484128-5	<i>O vnesenii izmenenii v stat'iu 342 chasti vtoroi Nalogovogo kodeksa Rossiiskoi Federatsii (o vvedenii ponizhaishego koefitsienta k stavke NDPI pri dobyche nefi iz mal'nykh mestorozhdenii)</i>	Government	Finance	Budget and taxes; Natural resources, nature management and ecology	11.01.2011	07.02.2012	5/6	2nd reading - reject
484894-5	<i>O vnesenii izmenenii v stat'iu 342 chasti vtoroi Nalogovogo kodeksa Rossiiskoi Federatsii i priznanii urativshimi silu otdel'nykh polozenii zakonodatel'nykh aktov Rossiiskoi Federatsii (o rasprostranenii stavki NDPI v razmere 0% na nefi, dobytiuiu na mestorozhdeniakh Ianao)</i>	Government	Finance	Budget and taxes; Energy; Natural resources, nature management and ecology	12.01.2011	07.02.2012	5/6	2nd reading - reject

Bill number	Bill name	Initiator	Drafting ministry / body	Committee(s) involved	Introduction date	Finalisation date	Introduction / finalisation convocation	Finalisation stage and form
532793-5	<i>O vnesenii izmenenii v punkt 3 star'i 35 Federal'nogo zakona "Ob aktsionernykh obshchestvakh" i v punkt 3 star'i 20 Federal'nogo zakona "Ob obshchestvakh s ogranichennoi ovetsivnost'iu" (v chasti utocneniia poriadka rascheta stoimosti chistsykh aktivov)</i>	Government	Finance	Property; Financial market	18.04.2011	12.03.2012	5/6	1st reading - withdraw
571664-5	<i>O vnesenii izmenenii v Zakon Rossiiskoi Federatsii "O zaniatosti naseleniia v Rossiiskoi Federatsii" i star'iu 11 Federal'nogo zakona "O trudovykh pensiiakh v Rossiiskoi Federatsii" (o podderzhke bezrabotnykh grazhdan pri pereзде i pereselenii v druguiu mestnost' dlia trudoustroistva)</i>	Government	Health and Social Development	Labour, social policy and veteran affairs	30.06.2011	12.03.2012	5/6	1st reading - withdraw
594838-5	<i>O vnesenii izmenenii v star'iu 165 chasti vtoroi Nalogovogo kodeksa Rossiiskoi Federatsii (v chasti utocneniia poriadka primeneniia nalogovoi stavki 0 protsentov po nalogu na dobavleniuiu stoimost')</i>	Government	Rosrybhozsvstva	Budget and taxes	19.08.2011	12.03.2012	5/6	1st reading - withdraw
596284-5	<i>O vnesenii izmenenii v chast' vtoruiu Nalogovogo kodeksa Rossiiskoi Federatsii (o rasshirenii nalogovykh preferentsii po nalogu na pribyl' organizatsii, predstavliaemykh rezidentami tekhniko-vnedrencheskikh osobnykh ekonomicheskikh zon)</i>	Government	Finance	Budget and taxes	25.08.2011	12.03.2012	5/6	1st reading - withdraw
596296-5	<i>O vnesenii izmenenii v star'i 264 i 272 chasti vtoroi Nalogovogo kodeksa Rossiiskoi Federatsii (v chasti ucheta v isletakh nalogooblozheniia pribyli raskhodov na provedenie rabot po razrabotke natsional'nykh i regional'nykh standartov)</i>	Government	Finance	Budget and taxes	25.08.2011	12.03.2012	5/6	1st reading - withdraw
610370-5	<i>O vnesenii izmenenii v otdel'nye zakonodatel'nye akty Rossiiskoi Federatsii v svyazi s sovershenstvovaniem razgraniicheniia polnomochii (o peredache organam ispolnitel'noi vlasti sub'ektov Rossiiskoi Federatsii polnomochii Rossiiskoi Federatsii v oblasti sodeistviia zaniatosti i nekotorykh drugih voprosov sotsial'noi politiki)</i>	Government	Regional Development	Labour, social policy and veteran affairs; Family, women and children; Federal organisation and questions of local self-government	07.10.2011	12.03.2012	5/6	1st reading - withdraw
452418-5	<i>O vnesenii izmenenii v Federal'nyi zakon "O Muzeinom fonde Rossiiskoi Federatsii i muzeitakh v Rossiiskoi Federatsii" (v chasti utocneniia prosedur formirovaniia Muzeinogo fonda Rossiiskoi Federatsii i uslovii dostupa k informatsii o muzeinykh predmetakh i muzeinykh kolektsiitakh)</i>	Government	Culture	Culture	09.11.2010	10.09.2012	5/6	1st reading - withdraw

Bill number	Bill name	Initiator	Drafting ministry / body	Committee(s) involved	Introduction date	Finalisation date	Introduction / finalisation convocation	Finalisation stage and form
465731-5	<i>O vnesenii izmenenii v otдел'nye zakonodatел'nye akty Rossiiskoi Federatsii v chasti usileniia onetsivnosti za narasheniia, svyazannye s ogranicheniiami roznichnoi prodazhi alkogol'noi produktii i piva nesovershennoletnim</i>	Government	<i>Rosalkogol'regularizatsionnoye</i>	Civil, criminal, arbitration, and procedural legislation	03.12.2010	13.09.2012	5/6	Preparatory - withdraw
282757-5	<i>Tekhnicheskii reglament o bezopasnosti obrabotvaniia, robotatushchego pod izbytochnym davleniem</i>	Government	<i>Rostekhnadzor</i>	Economic policy and enterprise, Industry	13.11.2009	21.09.2012	5/6	2nd reading - reject
587268-5	<i>O vnesenii izmenenii v stat'iu 13 Federal'nogo zakona "O soglasieniakh o razdele produktii", stat'i 35 i 37 Zakona Rossiiskoi Federatsii "O tamozhennom tarife" i priznanii utrativshimi silu otdel'nykh polozenii zakonodatел'nykh aktov Rossiiskoi Federatsii</i> <i>(ob osobom poriadke ischisleniia i uplaty nalogov, sborov i innykh obiazatel'nykh plachezhei pri vypolnenii soglasieniia o razdele produktii)</i> <i>O vnesenii izmenenii v Federal'nyi zakon "O pravovom polozenii inostrannykh grazhdan v Rossiiskoi Federatsii" i stat'iu 25-6 Federal'nogo zakona "O poriadke vyezda iz Rossiiskoi Federatsii i v'ezda v Rossiiskuiu Federatsiiu" v chasti sovershensvovaniia pravovogo polozenii inostrannykh grazhdan, obuchaiushchikhsia v Rossiiskoi Federatsii (o nerazreshitel'nom poriadke dopuska k trudovoi deiatel'nosti v Rossiiskoi Federatsii obuchaiushchikhsia v Rossiiskoi Federatsii v obrazovatel'nykh uchrezhdeniiakh vysshego professional'nogo obrazovaniia, i ob obespechenii nepreryvnoi obucheniia v rossiiskikh obrazovatel'nykh uchrezhdeniiakh inostrannykh grazhdan v sluchae smeny imi obrazovatel'nogo uchrezhdeniia, a takzhe o vozmozhnosti obucheniia v Rossiiskoi Federatsii inostrannykh grazhdan, prebyvaiushchikh v Rossiiskoi Federatsii na osnovanii obyknovnoy rabochey vizey)</i>	Government	Energy	Budget and taxes	01.08.2011	22.11.2012	5/6	1st reading - withdraw
58373-6	<i>O vnesenii izmenenii v Federal'nyi zakon "O statuse chlena Soveta Federatsii i statuse deputata Gosudarstvennoi Dumy Federal'nogo Sobranii Rossiiskoi Federatsii" (o sovershensvovanii sotsial'nykh garantii chlenov Soveta Federatsii i deputatov Gosudarstvennoi Dumy)</i>	Government	Education and Science	Constitutional legislation and state construction; Education	18.04.2012	22.11.2012	6/6	1st reading - withdraw
394026-5	<i>O vnesenii izmenenii v Federal'nyi zakon "O statuse chlena Soveta Federatsii i statuse deputata Gosudarstvennoi Dumy Federal'nogo Sobranii Rossiiskoi Federatsii" (o sovershensvovanii sotsial'nykh garantii chlenov Soveta Federatsii i deputatov Gosudarstvennoi Dumy)</i>	Government	Health and Social Development	Constitutional legislation and state construction; Standing orders and the organisation of the work of the State Duma; Budget and taxes; Labour, social policy and veteran affairs	22.06.2010	10.12.2012	5/6	1st reading - withdraw

Bill number	Bill name	Initiator	Drafting ministry / body	Committee(s) involved	Introduction date	Finalisation date	Introduction / finalisation convocation	Finalisation stage and form
92982-5	<i>O vnesenii izmenenii v odel'nye zakonodatel'nye akty Rossiiskoi Federatsii po voprosu zameny litsenzirovaniia obiazatel'nym strakhovaniem grazhdanskoi otvetstvennosti</i>	Government	Economic Development	Financial market; Property; Transport; Security; Economic policy and enterprise	14.08.2008	11.12.2012	5/6	2nd reading - reject
305782-5	<i>O vnesenii izmenenii v glavu 25 chasti vtoroi Nalogoogo kodeksa Rossiiskoi Federatsii v chasti sovershenstvovaniia poriadka osushchestvleniia raskhodov investirov na stroitel'stvo i (ili) rekonstruktsiiu ob'ektov transportnoi, inzhenernoi, sotsial'noi i kommunal'no-bytovoi infrastruktury</i>	Government	Finance	Construction and land relations; Federal organisation and questions of local self-government; Budget and taxes	25.12.2009	11.12.2012	5/6	2nd reading - reject
21870-6	<i>O vyborah deputatov Gosudarstvennoi Dniy Federal'nogo Sobraniia Rossiiskoi Federatsii</i>	President	[NA]	Constitutional legislation and state construction; Public associations and religious organisations	16.02.2012	11.03.2013	6/6	1st reading - withdraw
68593-6	<i>O vnesenii izmenenii v stat'iu 16 Zakona Rossiiskoi Federatsii "Ob obrazovanii" i stat'iu 11 Federal'nogo zakona "O vysshem i poslevuzovskom professional'nom obrazovanii" v chasti sovershenstvovaniia protsedura priema v obrazovatel'nye uchrezhdeniia srednego professional'nogo i vysshego professional'nogo obrazovaniia (v chasti sovershenstvovaniia protsedur priema v obrazovatel'nye uchrezhdeniia srednego professional'nogo i vysshego professional'nogo obrazovaniia)</i>	Government	Education and Science	Education	05.05.2012	10.04.2013	6/6	2nd reading - reject
116815-6	<i>O vnesenii izmenenii v Zakon Rossiiskoi Federatsii "Ob obrazovanii" i Federal'nyi zakon "O vysshem i poslevuzovskom professional'nom obrazovanii" v chasti sovershenstvovaniia formirovaniia gosudarstvennogo zadaniia na podgotovku lits s vysshim professional'nym obrazovaniem za schet sredstv federal'nogo biudzheta"</i>	Government	Education and Science	Education	25.07.2012	10.04.2013	6/6	1st reading - reject
501289-5	<i>O vnesenii izmenenii v odel'nye zakonodatel'nye akty Rossiiskoi Federatsii (v chasti isklucheniia polozhenii, ustanavlivaiushchikh zapret na predostavlenie, peredachu khoz'raiskovym obshestvom tret'im litsam prava na ispol'zovanie rezul'tatov intellektual'noi detatel'nosti)</i>	Government	Education and Science	Science and scientific technology; Education	14.02.2011	03.07.2013	5/6	3rd reading - reject
294300-5	<i>O vnesenii izmenenii v stat'iu 368 chasti pervoi Grazhdanskogo kodeksa Rossiiskoi Federatsii (ob utocnenii kruga lits, imeiushchikh pravo vydavat' bankovskie garantii)</i>	Government	Finance	Finance; Civil, Criminal, Arbitration and Procedural	04.12.2009	11.10.2013	5/6	2 nd reading - reject

Bill number	Bill name	Initiator	Drafting ministry / body	Committee(s) involved	Introduction date	Finalisation date	Introduction / finalisation convocation	Finalisation stage and form
294302-5	<i>O vnesenii izmeneniia v Zakon Rossiiskoi Federatsii "Ob organizatsii strakhovogo dela v Rossiiskoi Federatsii" (ob iskluchении polnomochiia organa strakhovogo regulirovaniia ustanavlivaia' trebovaniia k vydache strakhovymi organizatsiiami bankovskikh garantii)</i>	Government	Finance	Financial market	04.12.2009	11.10.2013	5/6	2 nd reading – reject
241591-6	<i>O vnesenii izmenenii v Federal'nyi zakon "O pravovom polozenii inostrannykh grazhdan v Rossiiskoi Federatsii"; nye zakonodatel'nye akty Rossiiskoi Federatsii i priznanii utrativshimi silu otdel'nykh polozenii zakonodatel'nykh aktov Rossiiskoi Federatsii (v chasti sovershenstvovaniia mekhanizma postanovki na ucheta v nalogovykh organakh inostrannykh grazhdan i lits bez grazhdanstva, imeiushchikh namerenie osushchestvliat' v Rossiiskoi Federatsii trudovuiu deiatel'nost' na osnovanii razresheniia na rabotu ili patenta, a takzhe v isliakh optimizatsii protsedur i portadka obmena sootvetstvuiushchimi svedeniami mezhdu organami Federal'noi migratsionnoi sluzhby i nalogovymi organami Rossiiskoi Federatsii)</i>	Government	Federal Migration Service	Constitutional legislation and state construction; Budget and taxes	18.03.2013	18.10.2013	6/6	2 nd reading - reject
255712-6	<i>O vnesenii izmeneniia v stat'iu 6 Federal'nogo zakona "O nauke i gosudarstvennoi nauchno-tekhnicheskoi politike" (v chasti, utocniaiushchei reestry federal'nogo imushchestva, peredavaemogo gosudarstvennym akademiiam nauk, uverzhdaemogo Pravitel'stvom Rossiiskoi Federatsii)</i>	Government	Economy	Science and scientific technology; Property	10.04.2013	13.11.2013	6/6	2 nd reading – reject
137443-6	<i>O vnesenii izmenenii v Buzhennyi kodeks Rossiiskoi Federatsii i ustanovlenii trebovaniia k rabotnikam spetsializirovannoi finansovoi organizatsii, uchrezhdaemoi Pravitel'stvom Rossiiskoi Federatsii</i>	Government	Finance	Budget and taxes; Financial market	12.09.2012	22.11.2013	6/6	2 nd reading – reject
222788-6	<i>O priznanii utrativshiei silu chasti semnadtsatoi stat'ii 11 Federal'nogo zakona "O bankakh i bankovskoi deiatel'nosti" (v chasti otmeny ogranichenii dlia sobstvennikov banka)</i>	Government	Finance	Financial market	14.02.2013	11.12.2013	6/6	2 nd reading – reject

Appendix C

These figures — taken from Nacif-Hernández (1995) — relate to executive success rates (percentages), as well as the raw number of initiatives introduced by the executive, for Congressional terms in Mexico.

Table C.1: *Executive bill success rates in Mexico, 1982-2000.*

	Congressional term					
	1982-1985	1985-1988	1988-1991	1991-1994	1994-1997	1997-2000
Executive (%)	97	99	96	98	98	86
Introduced	155	188	85	84	56	37

Appendix D

Collecting fine-grained data on parliamentary practices is difficult enough in consolidated Western democracies. These challenges are sometimes amplified, sometimes of a different type in non-democratic systems. This appendix sets out the data-collection procedure for the data cited in the preceding chapters, laying out the broad steps taken, challenges encountered, and solutions chosen.⁴³

Creating a list of successful executive bills

The first step was to create a list of Russian bills originally introduced into the State Duma by the executive (Government and president), which eventually became laws. The State Duma maintains an online information portal — *Avtomatizirovannaiia sistema obespecheniia zakonodatel'noi deiatel'nosti* (ASOZD).⁴⁴ This site contains, *inter alia*, legislative bill histories, including information on bill sponsorship, chronologies and fates, texts at various stages of the legislative review process, committee reports, committee amendment tables, floor reading dates, explanatory notes, Government conclusions, legal reports, and Public Chamber conclusions. These data can be obtained via a manual search, or by using the Duma's application programming interface (API), *Zakonoproekt*.⁴⁵ Unfortunately, these bill records only go back to

⁴³ Performing all of these steps manually is possible, but would take prohibitively long. Many thanks to Sebastian Rahtz for invaluable help in automatising the processes involved with the help of the R programming language and shell scripting.

⁴⁴ This is the site's address: <http://asozd2.duma.gov.ru>.

⁴⁵ This is the site's address: <http://api.duma.gov.ru>. Many thanks to Marsel' Salikhov for help navigating this system.

the beginning of the Duma's second convocation, starting in 1996.⁴⁶ By downloading summary information for all bills introduced to the Duma, 1996-2013, it is straightforward to create a list of unique bill IDs (using ASOZD's own identification system, e.g., bill 12345-5), filtering by bill initiator and bill fate.

Creating a list of executive-sponsored laws

Once laws are promulgated, there is no reference to the sponsor of the respective bill. As such, we need to work from the list of successful executive bills to create a list (in the format needed for latter steps) of executive-sponsored laws. Russian laws are assigned a number of the format '123-FZ', where the number signifies the order of promulgation in a year — these numbers start from 1 at the beginning of each calendar year; and FZ stands for *federal'nyi zakon* (federal law). There is no existing list linking bill ID numbers with respective law ID numbers. Fortunately, bill ASOZD web pages contain law ID numbers. A 'table of correspondence' was created by parsing these law ID numbers and pairing them with their respective bill ID numbers.

Creating a database of executive bill texts

Bill ASOZD pages currently host links to bill texts in their introduced form. Unfortunately, bill texts are not available for the majority of bills passed in the years up to, and including, 2002. As such, the dataset examined in the chapter starts for bills

⁴⁶ Records for bills from the first Duma convocation (1994-1995) are only included in ASOZD if they were considered in later convocations.

introduced in 2003 — the first year for which original bill texts are available for the majority of cases. These documents were downloaded and converted (from various formats) into .txt files.

Creating a database of executive-initiated laws

Law texts are hosted in their original form — as well as with subsequent amendments, if needed — in the online digital legal database *Zakonodatel'stvo Rossii* (Legislation of Russia),⁴⁷ maintained by the Federal Protection Service (*Federal'naia sluzhba okhrany*). These documents were downloaded and converted (from rich text files) into .txt files.

Excluding certain types of bills

The set of all Russian executive laws contains a diverse group of types: new primary legislation; amending laws; budget bills; ratifications of international treaties; and so on. As in other countries, the parliamentary procedures relating to these bills vary. For example, budget bills are often subject to special rules regarding amendment and consideration time (Döring 2001: 148). In line with the approach taken by Martin and Vanberg (2011: 58-59) and Pedrazzani and Zucchini (2013: 708), constitutional laws, budget laws,⁴⁸ and laws relating to international treaties and agreements are

⁴⁷ This is the site's address: http://pravo.gov.ru/proxy/ips/?start_search&fattrib=1 — this is part of *Ofitsial'nyi internet-portal pravovoi informatsii* (Official internet portal of legal information), available at <http://pravo.gov.ru>.

⁴⁸ This includes: main budget bills; main budget bills for federal funds; amendments to both of these main bill types; bills relating to the implementation of these budgets; and 'consequential' bills — those suspending provisions in other legislation. See Chapter 6 for an analysis of budget bills.

excluded from analysis. Some bills were dropped because of the incomparability of drafts and laws, either because of the absence of the relevant texts, problems in reading their contents, or because the bills were split into separate bills during legislative review. (See figure E.1 below for a visual summary of these excluded types of bills.)

Verifying texts and linkages

Although the time taken to complete the above steps was significantly reduced with the aid of computer programming, the results were checked manually. For example, were bill-law dyads appropriately linked? Were the documents encoded correctly? Did the documents include incomparable information — for example, appendices not present in both bill and law texts? This involved manually inspecting all .txt files.

Ensuring comparability

Once this manual check was complete, further tweaking was necessary to ensure the comparability of texts. As a rule, bills use the figure ‘№’ when referring to existing laws, whereas laws use the figure ‘N’. Leaving this difference could lead to inflated change values, particularly for bills amending frequently-changed legal codes, such as the Code of Administrative Violations. As such, all occurrences of ‘№’ were changed to ‘N’ using Perl.

Calculating unique word frequency difference (UWFD) figures

Unique word frequency differences were calculated with the aid of JFreq — a basic content analysis programme.⁴⁹ The programme compared the texts of bill-law pairs, creating an Excel file, with the frequencies of unique words in each document. UWFD figures were then calculated (automatically, with the use of R) according to the formula proposed by Pedrazzani and Zucchini (2013), and outlined in chapter 4.

⁴⁹ The programme is available here: <http://conjugateprior.org/software/jfreq/> (accessed 12 November 2015).

Appendix E

Summary statistics

Table E.1: *Variable summary statistics.*

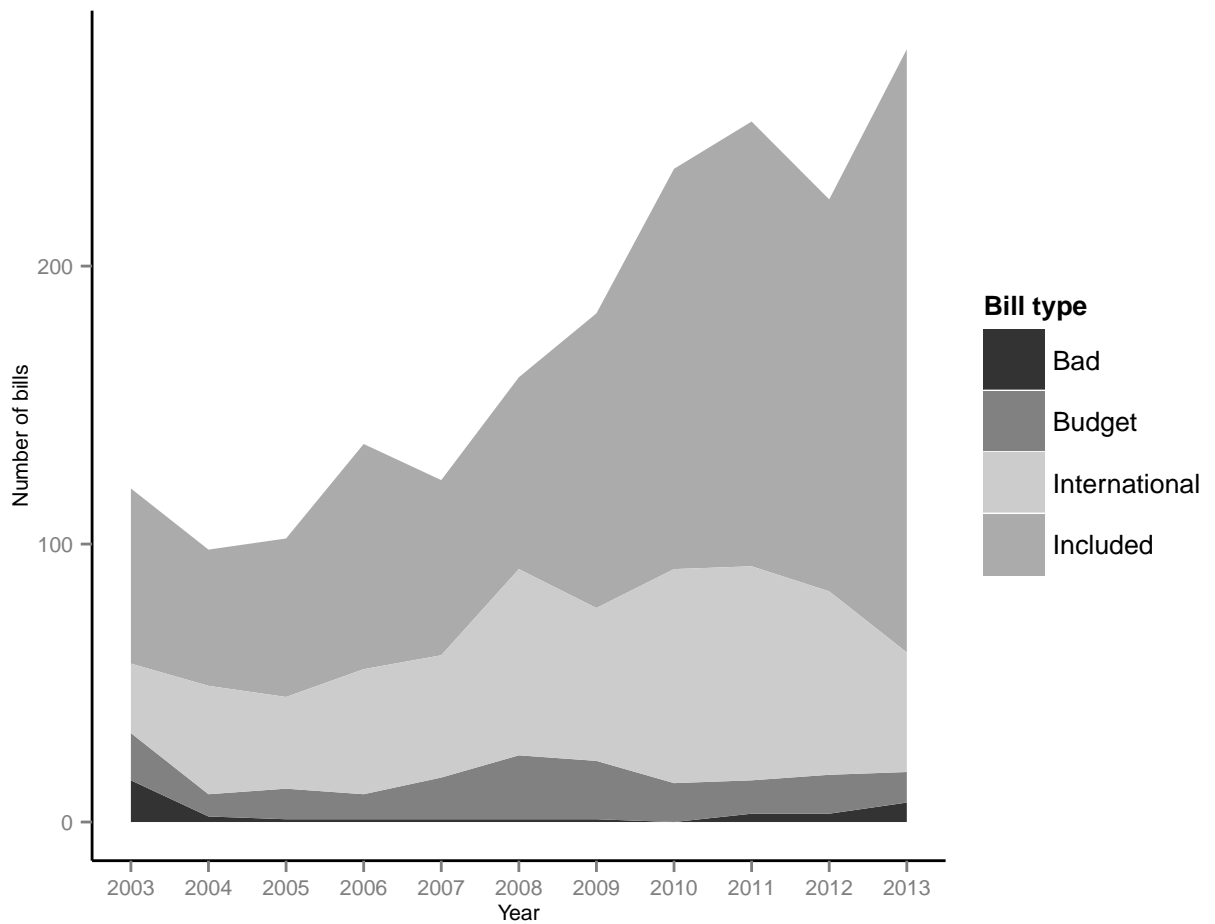
Variable	N	Mean	St. Dev.	Min	Max
Draft	1,150	2,450.070	8,106.755	36	147,127
Draft (log)	1,150	2.838	0.638	1.556	5.168
Law	1,150	3,483.395	10,433.600	65	160,287
UWFD	1,150	1,372.296	5,638.300	24	158,190
Percentage change	1,150	68.998	244.377	-92.685	4,050.000
HTML	1,150	845.177	886.131	56	15,416
Velocity	1,150	233.339	286.757	8	3,626
Policy area	1,070	-	-	1	6

Population and subset

Figure E.1 presents a diachronic summary of the overall dataset of 1,910 bills (the population of executive initiatives passed into law, 2003-2013), dividing the bills into four types: 1,150 bills included in the chapter's analysis; 571 bills relating to international agreements (excluded); 155 bills relating to federal budgets (excluded); and 34 bills, for which there is insufficient data for analysis (excluded). As mentioned above, the start year is 2003, as a majority of cases in all previous years have insufficient information for analysis — for example, due to missing draft texts. 2008

is the only year for which a minority of all bill cases are included for analysis, a majority being excluded for one of the three reasons noted above.

Figure E.1: *Types of bills, 2003-2013.*

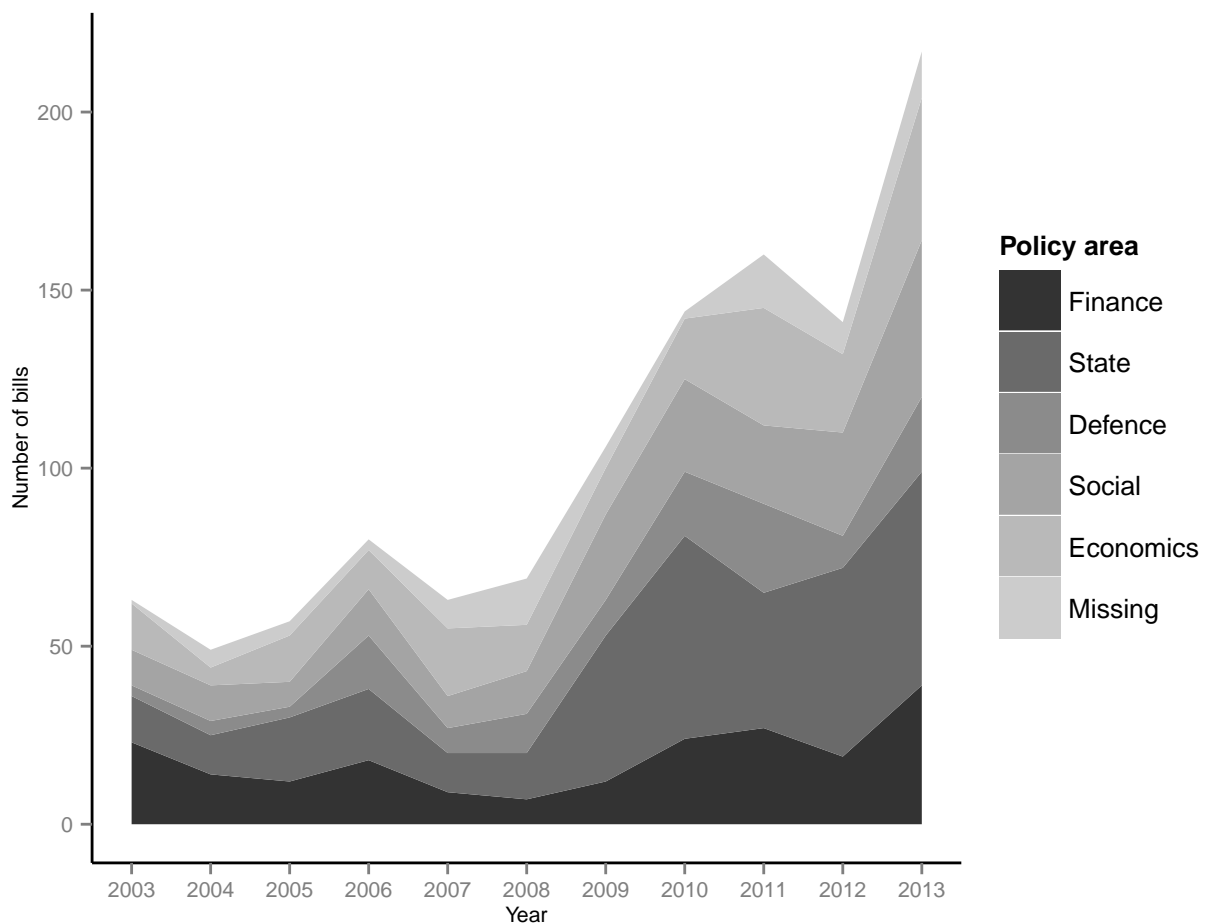


Policy areas

Of those bills composing the 1,150 subset used for analysis in the chapter, we can divide these by substantive policy area using the State Duma's own classification

system (*tematicheskii blok zakonoproektov*).⁵⁰ There are six groups: 1. Budget, tax, and finance legislation; 2. State construction and the constitutional rights of citizens; 3. Defence and security; 4. Ratification of international agreements of the Russian Federation; 5. Social policy; and 6. Economic policy. Figure E.2 shows the breakdown by year of bills by these policy areas, excluding the fourth group (for which there are no cases, given the selection strategy noted above), and including an NA group for cases without policy area information.

Figure E.2: *Bill policy areas, 2003-2013.*



⁵⁰ This list of policy areas is available here: <http://asozd2.duma.gov.ru/main.nsf/UniversalForm?OpenForm&ParentUNID=FB1B2E1A67C0D56A43257E73006C84BA&Form=Block> (accessed 12 November 2015).

Appendix F

Table F.1: *Additional negative binomial regression models.*

	<i>Dependent variable:</i>					
	UWFD					
	(1)	(2)	(3)	(4)	(5)	(6)
	2003-2007	2008-2013	2003-2007	2008-2013	2003-2007	2008-2013
	All	All	Crop	Crop	Crop	Crop
Draft (log)	1.909*** (0.084)	1.713*** (0.072)	1.890*** (0.081)	2.092*** (0.060)	1.909*** (0.084)	1.996*** (0.066)
Velocity	0.0005*** (0.0002)	0.002*** (0.0001)	0.001*** (0.0002)	0.001*** (0.0001)	0.0005*** (0.0002)	0.001*** (0.0001)
HTML	0.0003*** (0.00004)	0.0001 (0.0001)	0.0002*** (0.00004)	0.0001 (0.0001)	0.0003*** (0.00004)	0.0001 (0.0001)
State	-0.730*** (0.137)	-1.169*** (0.115)			-0.730*** (0.137)	-0.657*** (0.104)
Defence	-0.680*** (0.176)	-1.292*** (0.145)			-0.680*** (0.176)	-0.697*** (0.131)
Social	-0.809*** (0.153)	-0.775*** (0.128)			-0.809*** (0.153)	-0.338*** (0.116)
Economic	-0.244* (0.146)	-0.491*** (0.129)			-0.244* (0.146)	0.098 (0.118)
Constant	0.687*** (0.242)	1.678*** (0.213)	0.349 (0.223)	-0.238 (0.154)	0.687*** (0.242)	0.445** (0.193)
Observations	291	779	311	816	291	769
θ	1.459*** (0.111)	0.906*** (0.040)	1.352*** (0.099)	1.221*** (0.054)	1.459*** (0.111)	1.133*** (0.052)

*p<0.1; **p<0.05; ***p<0.01

In models 1, 2, 5, and 6, the reference policy area category is ‘Budget, tax, and finance legislation’.

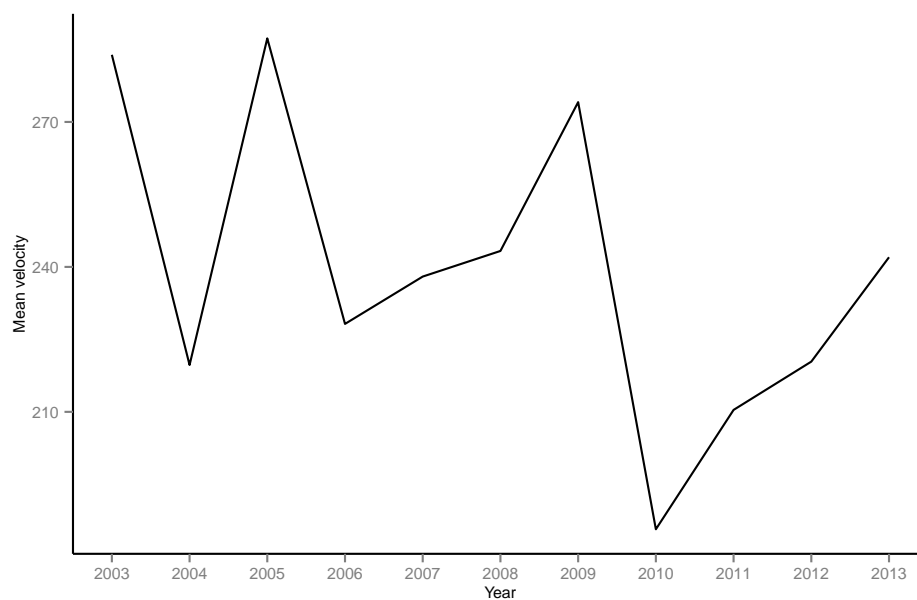
Although no expectations were developed regarding differences in the levels and determinants of bill amendment across policy areas, it is possible to tell a plausible *post hoc* explanation for the patterns presented in models one, two, five, and six in table F.1. The ‘budget, tax, and finance legislation’ bills,⁵¹ as well as the ‘economy policy’ bills, were, *ceteris paribus*, amended more than bills in other policy areas. Insofar as these more heavily amended types of bills can be regarded as ‘distributive’

⁵¹ Note that these do not include the budget bills excluded from the dataset — see Appendix D.

bills (cf. Huber 1996: 82), then one might plausibly expect such bills to be the object of more intensive amendatory activity. And yet, the level of change by policy area tells us nothing in itself about the *agents* responsible for change — such bills might be the focus of executive or non-executive concerns.

Appendix G

Figure G.1: *Yearly mean figures of executive bill velocities, 2003-2013.*



Notes: The y-axis does not start at 0. The y-axis scale relates to the number of days between bill entry into the Duma and law publication.

Appendix H

This appendix provides details on sources for Russian budget drafts and laws, as well as information-collection issues.

Relevant information

Three document types form the basic source of primary data cited in the chapter: firstly, the budget texts (for both drafts and laws);⁵² secondly, overall spending category figures (for both drafts and laws);⁵³ and, thirdly, unclassified spending category figures (for both drafts and laws).⁵⁴ (See Appendix I for information on spending categories and changes over time.) These three sets of information allow us to track change effected during Duma passage, as well as to calculate additional figures of interest, including the level of classified spending (and, in turn, how this has changed between draft introduction and passage into law).⁵⁵

⁵² Budget texts provide an overview of the budget, including general information, such as overall revenues and expenditures.

⁵³ The relevant appendix is called *Raspredelenie raskhodov federal'nogo biudzheta po razdelam i podrazdelam funktsional'noi klassifikatsii raskhodov biudzheta Rossiiskoi Federatsii* (Distribution of expenditures of the federal budget by sections and subsections of the functional spending classification of budgets of the Russian Federation) — a breakdown of total spending (unclassified and classified combined) by functional spending category. (The wording varies slightly across years.)

⁵⁴ The relevant appendix is called *Raspredelenie assignovaniï iz federal'nogo biudzheta po razdelam i podrazdelam, tselevym stat'iam i vidam raskhodov funktsional'noi klassifikatsii raskhodov biudzheta Rossiiskoi Federatsii* (Distribution of allocated spending from the federal budget by sections and subsections, targeted articles and types of expenditures of the functional spending classification of budgets of the Russian Federation) — a detailed breakdown of unclassified spending. (The wording varies slightly across years.)

⁵⁵ Budget bill webpages, 2002-2014: 2002 ([http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=125501-3](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=125501-3)) (accessed 12 November 2015); 2003 ([http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=235269-3](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=235269-3)) (accessed 12 November 2015); 2004 ([http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=362797-3](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=362797-3)) (accessed 12 November 2015); 2005 ([http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=86859-4](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=86859-4)) (accessed 12 November 2015); 2006 ([http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=125501-3](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=125501-3)) (accessed 12 November 2015).

Budget bills

Bil texts

Budget bill texts are available on the the Duma's legislative information website, ASOZD, beginning with the 2003 budget. Unfortunately, digital versions of bill texts are not available before this budget year.

Draft overall category spending

For 2002-2004, draft overall category spending figures have been collated from reports compiled by the Russian Audit Chamber on budget drafts.⁵⁶ The relevant appendix is available on budget bill ASOZD webpages from the 2005 to the 2007 budgets. Beginning with the 2008 budget, the Government ceased making the relevant appendix public (see Cooper 2007).⁵⁷ Fortunately, however, approximate (or,

?OpenAgent&RN=211446-4) (accessed 12 November 2015); 2007 ([http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=335233-4](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=335233-4)) (accessed 12 November 2015); 2008 ([http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=425229-4](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=425229-4)) (accessed 12 November 2015); 2009 ([http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=94777-5](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=94777-5)) (accessed 12 November 2015); 2010 ([http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=258591-5](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=258591-5)) (accessed 12 November 2015); 2011 ([http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=433091-5](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=433091-5)) (accessed 12 November 2015); 2012 ([http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=607158-5](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=607158-5)) (accessed 12 November 2015); 2013 ([http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=143344-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=143344-6)) (accessed 12 November 2015); 2014 ([http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=348499-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=348499-6)) (accessed 12 November 2015).

⁵⁶ These documents are hosted here http://www.budgetrf.ru/Publications/Schpalata/Zakluchenia/schpalzakluch_index.htm (accessed 12 November 2015).

⁵⁷ Cooper (2007: 2) argues that, '[b]y dropping the usual appendix providing a functional breakdown of total budget expenditure, an unprecedented degree of classification of the budget has been achieved, in addition to the traditional practice of declaring some appendix secret'.

rather, rounded-up) overall category spending figures are included in the Ministry of Finance's explanatory notes to the introduced budget bill.⁵⁸

Draft unclassified category spending

Draft unclassified spending figures for 2002 and 2004 are taken from hard copies stored in the State Duma Library.⁵⁹ Unfortunately, data for 2003 regarding unclassified spending is unavailable. (The document in the Duma Library appears to be a copy of the *final* figures contained in the budget law, rather than a draft version.) Figures from 2005-2014 are available on budget bill webpages.

⁵⁸ These documents are available on the budget bills' ASOZD pages. Because these figures are 'rough', more detailed figures from other sources for the same budget year need to be rounded to the same level of detail for consistency when analysing change during Duma review.

⁵⁹ The author thanks Ekaterina Shul'man for her invaluable help in locating and scanning these documents. Without her assistance, this analysis would not have been possible.

Budget laws

Final texts

Original versions of budget law texts — that is, versions not amended by the passage of later laws — are available from a number of online sources, including *Konsul'tantPlus* (a commercial website, with free access during specified periods)⁶⁰ and the legal information portal *Zakonodatel'stvo Rossii* (an official resource curated by the Federal Protection Service, *Federal'naia sluzhba okhrany*).⁶¹

Final overall category spending

From the 2002 budget to the 2007 budget, appendices outlining final overall spending category figures are available as appendices to the main budget text. These appendices are available from the same sources as the budget texts (noted above). However, as with budget drafts, these same figures have not been made public beginning with the 2008 budget. We need, therefore, another source for these overall figures.⁶² Both Cooper (2013: 31) and Zatsepin (2014: 91) cite budget implementation reports (monthly, quarterly, and yearly) produced by the Federal Exchequer (*Federal'noe kaznacheistvo*) as a source of information on final expenditure levels. These reports provide the needed information for 2012, 2013, and 2014.⁶³ Figures cited for the

⁶⁰ The website address: <http://consultant.ru>.

⁶¹ The website address: <http://pravo.gov.ru>.

⁶² As Cooper (2007: 3) writes: 'If the Russian authorities choose to revert to Soviet-type practices, then analysts have little choice but to resort to the well-tried methods of 'Sovietology'.'

⁶³ The reports are available here: <http://www.roskazna.ru/ispolnenie-byudzhetrov/> (accessed 12 November 2015).

2008, 2009, 2010, and 2011 budgets, however, relate only to unclassified spending and / or provide figures which include subsequent amendments. Fortunately, the Audit Chamber produces a report — *Zakliuchenie Schetnoi palaty Rossiiskoi Federatsii na proekt federal'nogo zakona* — on supplementary budget bills,⁶⁴ as well as a report on the implementation of the budget — *Zakliuchenie Schetnoi palaty Rossiiskoi Federatsii na otchet ob ispolnenii federal'nogo biudzheta*. These reports contain information on expenditure category totals from the original, unamended budget laws for the 2008, 2009, and 2011 budgets.⁶⁵ For 2010, the Federation Council's Budget Committee fortunately included final overall category spending figures in its report (*zakliuchenie*).⁶⁶ (It is not clear why either the Audit Chamber or the Federation Council are able to make these figures public when it appears that the Government has gone to some lengths to prevent the publication of these spending data.)

Final unclassified category spending

Unclassified category spending figures from budget laws are available 2002-2014 in appendices attached to the main budget law.

⁶⁴ These are bills which amend the main budget law.

⁶⁵ The former reports are available on the following webpages, relating to the main supplementary budget bills for particular budget years: 2008 ([http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=67230-5](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=67230-5)) (accessed 12 November 2015); 2009 ([http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=181653-5](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=181653-5)) (accessed 12 November 2015); 2011 ([http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=542807-5](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=542807-5)) (accessed 12 November 2015). The latter reports are available here: <http://audit.gov.ru/activities/audit-of-the-federal-budget/> (accessed 12 November 2015).

⁶⁶ The report is available here: [http://asozd2.duma.gov.ru/main.nsf/\(ViewDoc\)?OpenAgent&arhiv/a_dz_5.nsf/ByID&4ABCC02BC3655D37C325767B002FD086](http://asozd2.duma.gov.ru/main.nsf/(ViewDoc)?OpenAgent&arhiv/a_dz_5.nsf/ByID&4ABCC02BC3655D37C325767B002FD086) (accessed 12 November 2015).

Appendix I

This appendix provides information on Russian budget spending categories, which have varied over time.

Spending categories, 2011-2014:

- | | |
|--|--|
| 1. General state issues | 8. Culture and cinema |
| 2. National defence | 9. Healthcare |
| 3. National security and law enforcement | 10. Social policy |
| 4. National economy | 11. Physical culture and sport |
| 5. Housing | 12. Mass media |
| 6. Environment | 13. Servicing state and municipal debt |
| 7. Education | 14. Inter-budget transfers |

Spending categories, 2005-2010:

- | | |
|--|---|
| 1. General state issues | 7. Education |
| 2. National defence | 8. Culture, cinema and mass media |
| 3. National security and law enforcement | 9. Healthcare, physical culture and sport |
| 4. National economy | 10. Social policy |
| 5. Housing | 11. Inter-budgetary transfers |
| 6. Environment | |

Spending categories, 2004:

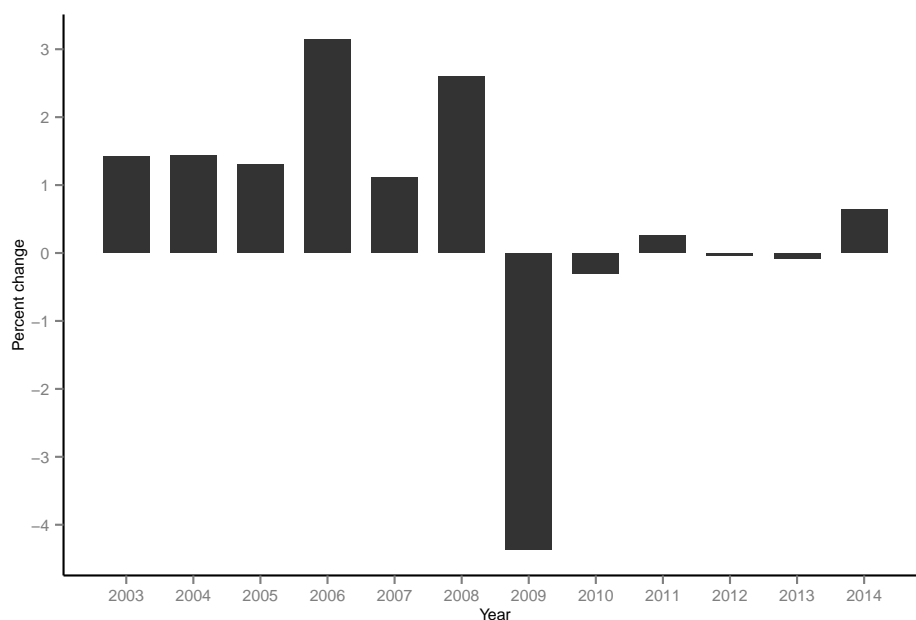
1. State management and local self-government
2. Judiciary
3. International activities
4. National defence
5. Law-enforcement activities and securing the security of the state
6. Basic research and promotion of scientific-technical progress
7. Industry, energy, and construction
8. Agriculture and fishing
9. Protection of the environment and natural resources, hydro-meteorology, cartography, and geodesy
10. Transport, communications, and informatics
11. Notification and liquidation of the consequences of emergencies and natural disasters
12. Education
13. Culture, art, and cinema
14. Media
15. Healthcare and physical culture
16. Social policy
17. Servicing state and municipal debt
18. Replenishing state supplies and reserves
19. Financial assistance for other budgets of the budget system
20. Use and liquidation of weapons, including the implementation of international agreements
21. Mobilisation preparation of the economy
22. Research and use of space
23. Military reform
24. Road management
25. Other expenditures
26. Targeted budgetary funds

Spending categories, 2002-2003:

1. State management and local self-government
2. Judiciary
3. International activities
4. National defence
5. Law-enforcement activities and securing the security of the state
6. Basic research and promotion of scientific-technical progress
7. Industry, energy, and construction
8. Agriculture and fishing
9. Protection of the environment and natural resources, hydro-meteorology, cartography, and geodesy
10. Transport, communications, and informatics
11. Development of market infrastructure
12. Notification and liquidation of the consequences of emergencies and natural disasters
13. Education
14. Culture, art, and cinema
15. Media
16. Healthcare and physical culture
17. Social policy
18. Servicing state and municipal debt
19. Replenishing state supplies and reserves
20. Financial assistance for budgets of other levels
21. Use and liquidation of weapons, including the implementation of international agreements
22. Mobilisation preparation of the economy
23. Research and use of space
24. Military reform
25. Road management
26. Other expenditures
27. Targeted budgetary funds

Appendix J

Figure J.1 *Kazakh budget overall spending figure changes (percentages) between bills and laws, 2003-2014 budgets.*



Notes: The years relate to the financial year, rather than the year of budget bill passage. These data are taken from <http://adilet.zan.kz/rus>. Note that this differs from figure 6.5 presented in Chapter 6, which presents *gross* spending figure changes in Russia. In a sense, therefore, the budget amendment data from Kazakhstan points to more important spending changes, since overall spending figures have been changed, rather than simply *distributional* shifts between functional spending categories, as experienced in Russia.

References

Academic literature

- Acemoglu, D., G. Egorov, and K. Sonin. 2008. 'Coalition formation in non-democracies.' *The Review of Economic Studies*, 75(4): 987-1009.
- Acemoglu, D., G. Egorov, and K. Sonin. 2009. 'Do juntas lead to personal rule?' *The American Economic Review*, 99(2): 298-303.
- Acemoglu, D., and J. Robinson. 2006. *Economic origins of dictatorship and democracy*. New York, NY: Cambridge University Press.
- Adler, E., and J. Wilkerson. 2012. *Congress and the politics of problem solving*. New York, NY: Cambridge University Press.
- Albert, R. 2009. 'The fusion of presidentialism and parliamentarism.' *The American Journal of Comparative Law*, 57(3): 531-577.
- Alesina, A., and H. Rosenthal. 1995. *Partisan politics, divided government, and the economy*. New York, NY: Cambridge University Press.
- Aleskerov, F., N. Blagoveshchenskii, G. Satarov, A. Sokolova, and V. Iakuba. 2003. 'Otsenka vliianiia grupp i fraktsii v rossiiskom parlamente.' *Ekonomicheskii zhurnal VShE*, 7(4): 496-512, http://library.hse.ru/e-resources/HSE_economic_journal/articles/07_04_04.pdf (accessed 1 October 2015).
- Allison, G. 1971. *Essence of decision: Explaining the Cuban missile crisis*. Boston, MA: Little, Brown.
- Allison, G., and P. Zelikow. 1999. *Essence of decision: Explaining the Cuban missile crisis*. New York, NY: Longman.
- Ames, B. 1995. 'Electoral rules, constituency pressures, and pork barrel: Bases of voting in the Brazilian Congress.' *The Journal of Politics*, 57(2): 324-343.
- Ames, B. 2001. *The deadlock of democracy in Brazil*. Ann Arbor, MI: University of Michigan Press.
- Ames, B. 2002. 'Party discipline in the chamber of deputies.' In S. Morgenstern and B. Nacif (eds), *Legislative politics in Latin America*. Cambridge; New York, NY: Cambridge University Press.
- Amorim Neto, O., G. Cox, and M. McCubbins. 2003. 'Agenda power in Brazil's Câmara dos Deputados, 1989-1998.' *World Politics*, 55(4): 550-578.

- Andeweg, R., and L. Nijzink. 1995. 'Beyond the two-body image: Relations between ministers and MPs.' In H. Döring (ed.), *Parliaments and majority rule in western Europe*. Frankfurt; New York, NY: St Martin's Press.
- Araya, I. 2015. 'Budgetary negotiations: How the Chilean Congress overcomes its constitutional limitations.' *The Journal of Legislative Studies*, 21(2): 213-231.
- Archer, R., and M. Shugart. 1997. 'The unrealized potential of presidential dominance in Colombia.' In S. Mainwaring and M. Shugart (eds), *Presidentialism and democracy in Latin America*. Cambridge; New York, NY; Melbourne: Cambridge University Press.
- Armstrong, J. 1978. *Ideology, politics and government in the Soviet Union*. New York, NY: Praeger.
- Art, D. 2012. 'What do we know about authoritarianism after ten years?' *Comparative Politics*, 44(3): 351-373.
- Arter, D. 2006a. 'Introduction: Comparing the legislative performance of legislatures.' *The Journal of Legislative Studies*, 12(3-4): 245-257.
- Arter, D. 2006b. 'Conclusion: Questioning the 'Mezey Question': An interrogatory framework for the comparative study of legislatures.' *The Journal of Legislative Studies*, 12(3-4): 462-482.
- Atkinson, A., and A. Brandolini. 2009. 'On data: A case study of the evolution of income inequality across time and across countries.' *Cambridge Journal of Economics*, 33(3): 381-404.
- Baaklini, A., G. Denooux, and R. Springborg. 1999. *Legislative politics in the Arab world: The resurgence of democratic institutions*. Boulder, CO; London: Lynne Rienner.
- Bagashka, T. 2008. 'Invisible politics: Institutional incentives and legislative alignments in the Russian Duma, 1996-99.' *Legislative Studies Quarterly*, 33(3): 415-444.
- Bagashka, T. 2012. 'Presidentialism and the development of party systems in hybrid regimes: Russia 2000-2003.' *Europe-Asia Studies*, 64(1): 91-113.
- Baldez, L., and J. Carey. 2001. 'Budget procedure and fiscal restraint in posttransition Chile.' In S. Haggard and M. McCubbins (eds), *Presidents, parliaments, and policy*. Cambridge: Cambridge University Press.
- Baldwin, N. 2004. 'Concluding observations: Legislative weakness, scrutinising strength?' *The Journal of Legislative Studies*, 10(2-3): 295-302.
- Baron, D., and J. Ferejohn. 1989. 'Bargaining in legislatures.' *American Political Science Review*, 83(4): 1181-1206.

- Barros, R. 2011. 'On the outside looking in: Secrecy and the study of authoritarian regimes.' Unpublished paper. <http://www.udesa.edu.ar/files/UAHumanidades/EVENTOS/PaperBarros31111.pdf> (accessed 1 October 2015).
- Baumgartner, F., P. Bishtawi, M. Carammia, D. Epp, B. Noble, B. Rey, and T. Yildirim. 2015. 'Budgeting in authoritarian and democratic regimes.' Paper presented at the Comparative Agenda Project's annual meeting, Lisbon, June.
- Beach, D., and R. Pedersen. 2013. *Process-tracing methods: Foundations and guidelines*. Ann Arbor, MI: University of Michigan Press.
- Becker, R., and T. Saalfeld. 2004. 'The life and times of bills.' In H. Döring and M. Hallerberg (eds), *Patterns of parliamentary behaviour: Passage of legislation across western Europe*. Aldershot; Burlington, VT: Ashgate.
- Bennett, A., and J. Checkel (eds). 2014. *Process tracing: From metaphor to analytic tool*. Cambridge: Cambridge University Press.
- Benoit, K., and M. Laver. 2006. *Party policy in modern democracies*. London: Routledge.
- Blidook, K. 2012. Book review. *Perspectives on Politics*, 10(4): 1022-1024.
- Blondel, J. 1970. 'Legislative behaviour: Some steps towards a cross-national measurement.' *Government and Opposition*, 5(1): 67-85.
- Blondel, J. 1973. *Comparative legislatures*. Englewood Cliffs: Prentice-Hall.
- Boix, C., and M. Svoboda. 2013. 'The foundations of limited authoritarian government: Institutions, commitment, and power-sharing in dictatorships.' *The Journal of Politics*, 75(2): 300-316.
- Borghetto, E., and M. Giuliani. 'A long way to Tipperary: Time in the Italian legislative process, 1987-2008.' *South European Society and Politics*, 17(1): 23-44.
- Boucek, F. 2009. 'Rethinking factionalism: Typologies, intra-party dynamics and three faces of factionalism.' *Party Politics*, 15(4): 455-485.
- Boucek, F. 2012. *Factional politics: How dominant parties implode or stabilize*. Basingstoke; New York, NY: Palgrave Macmillan.
- Box-Steffensmeier, J., and B. Jones. 2004. *Event history modelling: A guide for social scientists*. Cambridge; New York, NY: Cambridge University Press.
- Boynton, G., and C. Kim. 1975. *Legislative systems in developing countries*. Durham, NB: Duke University Press.

- Brady, H., and D. Collier (eds). 2010. *Rethinking social inquiry: Diverse tools, shared standards*. Lanham, MD; Oxford: Rowman and Littlefield.
- Brancati, D. 2014. 'Democratic authoritarianism: Origins and effects.' *Annual Review of Political Science*, 17: 313-326.
- Bräuninger, T., and M. Debus. 2009. 'Legislative agenda-setting in parliamentary democracies.' *European Journal of Political Research*, 48(6): 804-839.
- Breunig, C., and C. Koski. 2006. 'Punctuated equilibria and budgets in the American states.' *Policy Studies Journal*, 34(3): 363-379.
- Brown, A. 1983. 'Pluralism, power and the Soviet political system: A comparative perspective.' In S. Solomon (ed.), *Pluralism in the Soviet Union*. London; Basingstoke: Macmillan.
- Brownlee, J. 2007. *Authoritarianism in an age of democratization*. Cambridge; New York, NY: Cambridge University Press.
- Brzezinski, Z., and S. Huntington. 1964. *Political power: USA/USSR*. New York, NY: Viking Press.
- Buchanan, J., and G. Tullock. 1962. *The calculus of consent: Logical foundations of constitutional democracy*. Ann Arbor, MI: University of Michigan Press.
- Bueno de Mesquita, B., and A. Smith. 2010. 'Leader survival, revolutions, and the nature of government finance.' *American Journal of Political Science*, 54(4): 936-950.
- Bueno de Mesquita, B., A. Smith, R. Siverson, and J. Morrow. 2003. *The logic of political survival*. Cambridge, MA; London: MIT Press.
- Buisseret, P. 2013. 'A political economy of the separation of electoral origin.' Unpublished paper, Princeton University.
- Bunce, V., M. McFaul, and K. Stoner-Weiss. 2010. *Democracy and authoritarianism in the postcommunist world*. Cambridge: Cambridge University Press.
- Bunce, V., and S. Wolchik. 2010. 'Defeating dictators: Electoral change and stability in competitive authoritarian regimes.' *World Politics*, 62(1): 43-86.
- Calvo, E. 2007. 'The responsive legislature: Public opinion and law making in a highly disciplined legislature.' *British Journal of Political Science*, 37(2): 263-280.
- Capano, G., and R. Vignati. 2008. 'Casting light on the black hole of the amendatory process in Italy.' *South European Society and Politics*, 13(1): 35-59.

- Carey, J. 2009. *Legislative voting and accountability*. New York, NY: Cambridge University Press.
- Carey, J., F. Formanek, and E. Karpowicz. 1999. 'Legislative autonomy in new regimes: The Czech and Polish cases.' *Legislative Studies Quarterly*, 24(4): 569-603.
- Carothers, T. 2002. 'The end of the transition paradigm.' *Journal of Democracy*, 13(1): 5-21.
- Carroll, R., and G. Cox. 2012. 'Shadowing ministers: Monitoring partners in coalition governments.' *Comparative Political Studies*, 45(2): 220-236.
- Casar, M. 2002. 'Executive-legislative relations: The case of Mexico (1946-1997).' In S. Morgenstern and B. Nacif (eds), *Legislative politics in Latin America*. Cambridge; New York, NY: Cambridge University Press.
- Chaisty, P. 2003. 'Defending the institutional status quo: Communist leadership of the second Russian State Duma, 1996-1999.' *Legislative Studies Quarterly*, 28(1): 5-28.
- Chaisty, P. 2005a. 'Majority control and executive dominance: Parliament-president relations in Putin's Russia.' In A. Pravda (ed.), *Leading Russia: Putin in Perspective*. Oxford: Oxford University Press.
- Chaisty, P. 2005b. 'Party cohesion and policy-making in Russia', *Party Politics*, 11(3): 299-318.
- Chaisty, P. 2006. *Legislative politics and economic power in Russia*. Basingstoke; New York, NY: Palgrave Macmillan.
- Chaisty, P. 2008. 'The legislative effects of presidential partisan powers in post-communist Russia.' *Government and Opposition*, 43(3): 424-453.
- Chaisty, P. 2009. 'The determinants of legislative decisiveness in Russia: The Yeltsin and Putin presidencies compared.' Paper presented at the Political Studies Association's annual conference, Manchester, April.
- Chaisty, P. 2012. 'The Federal Assembly and the power vertical.' In G. Gill and J. Young (eds), *Routledge handbook of Russian politics and society*. Abingdon; New York, NY: Routledge.
- Chaisty, P. 2013. 'The preponderance and effects of sectoral ties in the State Duma.' *Europe-Asia Studies*, 65(4): 717-736.
- Chaisty, P. 2014. 'Presidential dynamics and legislative velocity in Russia, 1994-2007.' *East European Politics*, 30(4): 588-601.

- Chaisty, P., N. Cheeseman, and T. Power. 2014. 'Rethinking the 'presidentialism debate': Conceptualizing coalitional politics in cross-regional perspective.' *Democratization*, 21(1): 72-94.
- Chaisty, P., and P. Schleiter. 2002. 'Productive but not valued: The Russian State Duma, 1994-2001.' *Europe-Asia Studies*, 54(5): 701-724.
- Chan, K., and S. Zhao. 2015. 'Punctuated equilibrium and the information disadvantage of authoritarianism: Evidence from the People's Republic of China.' *Policy Studies Journal*, doi:10.1111/psj.12138.
- Charap, S. 2007. 'Inside out: Domestic political change and foreign policy in Vladimir Putin's first term.' *Demokratizatsiya*, 15(3): 335-352.
- Checkel, J. 2006. 'Tracing causal mechanisms.' *International Studies Review*, 8(2): 362-370.
- Cheibub, J. 2007. *Presidentialism, parliamentarism, and democracy*. New York, NY: Cambridge University Press.
- Cheibub, J., Z. Elkins, and T. Ginsburg. 2014. 'Beyond presidentialism and parliamentarism.' *British Journal of Political Science*, 44(3): 515-544.
- Cheibub, J., J. Gandhi, and J. Vreeland. 2010. 'Democracy and dictatorship revisited.' *Public Choice*, 143(1-2): 67-101.
- Cheibub, J., A. Przeworski, and S. Saiegh. 2004. 'Government coalitions and legislative success under presidentialism and parliamentarism.' *British Journal of Political Science*, 34(4): 565-587.
- Cheng, T., and S. Haggard. 2001. 'Democracy and deficits in Taiwan: The politics of fiscal policy 1986-1996.' In S. Haggard and M. McCubbins (eds), *Presidents, parliaments, and policy*. Cambridge: Cambridge University Press.
- Chkhikvadze, V. 1969. *The Soviet state and law*. Moscow: Progress Publishers.
- Cho, Y. 2002. 'From "rubber stamps" to "iron stamps": The emergence of Chinese local people's congresses as supervisory powerhouses.' *The China Quarterly*, 171: 724-740.
- Clarke, W. 1998. 'Divided government and budget conflict in the US states.' *Legislative Studies Quarterly*, 23(1): 5-22.
- Collier, D., J. LaPorte, and J. Seawright. 2012. 'Putting typologies to work: Concept formation, measurement, and analytic rigor.' *Political Research Quarterly*, 65(1): 217-232.

- Collier, D., J. Mahoney, and J. Seawright. 'Claiming too much: Warnings about selection bias.' In H. Brady and D. Collier (eds), *Rethinking social inquiry: Diverse tools, shared standards*. Lanham, MD; Oxford: Rowman and Littlefield.
- Colomer, J., and G. Negretto. 'Can presidentialism work like parliamentarism?' *Government and Opposition*, 40(1): 60-89.
- Colton, T. 1995. 'Superpresidentialism and Russia's backward state.' *Post-Soviet Affairs*, 11(2): 144-148.
- Conrad, C. 2011. 'Constrained concessions: Beneficent dictatorial responses to the domestic political opposition.' *International Studies Quarterly*, 55(4): 1167-1187.
- Cooper, J. 2007. 'Military expenditure in the three-year federal budget of the Russian Federation, 2008-10.' Working paper, http://www.sipri.org/research/armaments/milex/publications/unpubl_milex/unpubl_milex_default/cooper2007 (accessed 1 October 2015).
- Cooper, J. 2013. 'Russian military expenditure: Data, analysis and issues.' FOI (Swedish Defence Research Agency) Report, FOI-R-3688-SE, http://www.foi.se/Documents/foir_3688.pdf (accessed 1 October 2015).
- Copeland, G., and S. Patterson. 1994. *Parliaments in the modern world: Changing institutions*. Ann Arbor, MI: University of Michigan Press.
- Cox, G., and M. McCubbins. 2001. 'The institutional determinants of economic policy.' In S. Haggard and M. McCubbins (eds), *Presidents, parliaments, and policy*. Cambridge: Cambridge University Press.
- Cox, G., and S. Morgenstern. 2001. 'Latin America's reactive assemblies and proactive presidents.' *Comparative Politics*, 33(2): 171-189.
- Crisp, B., S. Desposato, and K. Kanthak. 2011. 'Legislative pivots, presidential powers, and policy stability.' *Journal of Law, Economics, and Organization*, 27(2): 426-452.
- Croissant, A., and S. Wurster. 2013. 'Performance and persistence of autocracies in comparison: Introducing issues and perspectives.' *Contemporary Politics*, 19(1): 1-18.
- Curristine, T., and M. Bas. 2007. 'Budgeting in Latin America.' *OECD Journal on Budgeting*, 7(1): 1-37.
- Dankov, A. 2004. '“Statsionarnaia” trgovlia golosami v predstavitel'nom organe vlasti: Situatsiia v III i IV Gosudarstvennykh Dumakh FS RF.' Working paper.

- Dawisha, K. 2014. *Putin's kleptocracy: Who owns Russia?* New York, NY: Simon and Schuster.
- Desposato, S. 2001. 'Legislative politics in authoritarian Brazil.' *Legislative Studies Quarterly*, 26(2): 287-317.
- Diamond, L. 2002. 'Thinking about hybrid regimes.' *Journal of Democracy*, 13(2): 21-35.
- Diamond, L., J. Linz, and S. Lipset. 1989. *Democracy in developing countries: Latin America*. Boulder, CO: Lynne Rienner.
- Diermeier, D., and R. Vlaicu. 2011. 'Executive control and legislative success.' *The Review of Economic Studies*, 78(3): 846-871.
- Döring, H. 1995. 'Is government control of the agenda likely to keep "legislative inflation" at bay?' In H. Döring (ed.), *Parliaments and majority rule in western Europe*. Frankfurt, New York, NY: St Martin's Press.
- Döring, H. (ed.). 1995. *Parliaments and majority rule in western Europe*. Frankfurt, New York, NY: St Martin's Press.
- Döring, H. 2001. 'Parliamentary agenda control and legislative outcomes in western Europe.' *Legislative Studies Quarterly*, 26(1): 145-165.
- Döring, H., and M. Hallerberg (eds). 2004. *Patterns of parliamentary behaviour: Passage of legislation across western Europe*. Aldershot; Burlington, VT: Ashgate.
- Downs, A. 1957. *An economic theory of democracy*. New York, NY: Harper and Row.
- Duhamel, O., and J. Parodi. 1988. 'A l'épreuve de la cohabitation.' In O. Duhamel and F. Parodi (eds), *La Constitution de la Cinquième République*. Paris: Presses de la Fondation nationale des sciences politiques.
- Elster, J. 2007. *Explaining social behaviour: More nuts and bolts for the social sciences*. Cambridge: Cambridge University Press.
- Er, L. 2013. 'Parliaments in East Asia.' In Z. Yongnian, L. Fook, and W. Hofmeister (eds), *Parliaments in Asia: Institution building and political development*. Abingdon; New York, NY: Routledge.
- Escribà-Folch, A. 2009. 'Do authoritarian institutions mobilize economic cooperation?' *Constitutional Political Economy*, 20(1): 71-93.
- Fainsod, M. 1965. *How Russia is ruled*. Cambridge, MA: Harvard University Press.

- Figueiredo, A., and F. Limongi. 2000. 'Presidential power, legislative organization, and party behaviour in Brazil.' *Comparative Politics*, 32(2): 151-170.
- Fish, S. 2005. *Democracy derailed in Russia*. Cambridge: Cambridge University Press.
- Fish, S. 2006. 'Stronger legislatures, stronger democracies.' *Journal of Democracy*, 17(1): 5-20.
- Fortescue, S. 2009. 'The Russian law on subsurface resources: A policy marathon.' *Post-Soviet Affairs*, 25(2): 160-184.
- Fortescue, S. 2010. 'Institutionalisation and personalism in the policy-making process of the Soviet Union and post-Soviet Russia.' In S. Fortescue (ed.), *Russian politics from Lenin to Putin*. Basingstoke: Palgrave Macmillan.
- Fortescue, S. 2012. 'The policymaking process in Putin's prime ministership.' In L. Jonson and S. White (eds), *Waiting for reform under Putin and Medvedev*. Basingstoke: Palgrave Macmillan.
- Fortescue, S. 2015. 'Russia's "turn to the east": A study in policy making.' *Post-Soviet Affairs*, doi:10.1080/1060586X.2015.1051750.
- Fortescue, S. N.d. 'The Ministry of Industry and Trade: A branch ministry in the contemporary Russian policy process.' Unpublished paper, University of New South Wales.
- Franchino, F., and B. Høyland. 2009. 'Legislative involvement in parliamentary systems: Opportunities, conflict, and institutional constraints.' *American Political Science Review*, 103(4): 607-621.
- Frantz, E., and N. Ezrow. 2011. *The politics of dictatorship: Institutions and outcomes in authoritarian regimes*. Boulder, CO: Lynne Rienner Publishers.
- Friedrich, C., and Z. Brzezinski. 1961. *Totalitarian dictatorship and autocracy*. New York, NY: Praeger.
- Gamm, G., and J. Huber. 2002. 'Legislatures as political institutions: Beyond the contemporary congress.' In I. Katznelson and H. Milner (eds), *Political science: State of the discipline*. London; New York, NY: Norton.
- Gamm, G., and T. Kousser. 2010. 'Broad bills or particularistic policy? Historical patterns in American state legislatures.' *American Political Science Review*, 104(1): 151-170.
- Gandhi, J. 2008a. *Political institutions under dictatorship*. New York, NY: Cambridge University Press.

- Gandhi, J. 2008b. 'Dictatorial Institutions and their impact on economic growth.' *European Journal of Sociology*, 49(1): 3-30.
- Gandhi, J., J. Gochal, and S. Saiegh. 2003. 'Governments' legislative defeats under dictatorship.' Paper presented at the Midwest Political Science Association's annual conference, Chicago, March.
- Gandhi, J., and A. Przeworski. 2006. 'Cooperation, co-optation, and rebellion under dictatorships.' *Economics and Politics*, 18(1): 1-26.
- Gandhi, J., and A. Przeworski. 2007. 'Authoritarian institutions and the survival of autocrats.' *Comparative Political Studies*, 40(11): 1279-1301.
- Ganley, M. 2001. 'Select committees and their role in keeping parliament relevant: Do New Zealand committees make a difference?' *Australasian Parliamentary Review: Journal of the Australasian Study of Parliament Group*, 16(2): 81-90.
- Geddes, B. 1999. 'What do we know about democratization after twenty years?' *Annual Review of Political Science*, 2: 115-144.
- Geddes, B. 2008. 'Party creation as an autocratic survival strategy.' Unpublished paper, <http://www.princeton.edu/~piirs/Dictatorships042508/Geddes.doc> (accessed 1 October 2015).
- Geddes, B., J. Wright, and E. Frantz. 2014. 'Autocratic breakdown and regime transitions.' *Perspectives on Politics*, 12(1): 313-331.
- Gehlbach, S., and P. Keefer. 2011. 'Investment without democracy: Ruling-party institutionalization and credible commitment in autocracies.' *Journal of Comparative Economics*, 39(2): 123-139.
- Gehlbach, S., and P. Keefer. 2012. 'Private investment and the institutionalization of collective action in autocracies: Ruling parties and legislatures.' *The Journal of Politics*, 72(2): 621-635.
- Gel'man, V. *Authoritarian Russia: Analyzing post-Soviet regime changes*. Pittsburgh, PA: University of Pittsburgh Press.
- George, A., and A. Bennett. 2005. *Case studies and theory development in the social sciences*. Cambridge, MA: MIT Press.
- Gerring, J. 2007. *Case study research: Principles and practices*. Cambridge: Cambridge University Press.
- Ginsburg, T., and A. Simpser. 2014. 'Introduction: Constitutions in authoritarian regimes.' In T. Ginsburg and A. Simpser (eds), *Constitutions in authoritarian regimes*. New York, NY: Cambridge University Press.
- Graves, M. 2001. *The parliaments of early modern Europe*. Harlow: Longman.

- Griffith, J. 1974. *Parliamentary scrutiny of government bills*. London: Allen and Unwin.
- Goetz, K., and R. Zubek. 2007. 'Government, parliament and law-making in Poland.' *The Journal of Legislative Studies*, 13(4): 517-538.
- Goldstein, K. 2002. 'Getting in the door: Sampling and completing elite interviews.' *Political Science and Politics*, 35(4): 669-672.
- Goode, J. 2010. 'Redefining Russia: Hybrid regimes, fieldwork, and Russian politics.' *Perspectives on Politics*, 8(4): 1055-1075.
- Greene, K. 2007. *Why dominant parties lose: Mexico's democratization in comparative perspective*. New York, NY; Cambridge: Cambridge University Press.
- Groseclose, T., and N. McCarty. 2001. 'The politics of blame: Bargaining before an audience.' *American Journal of Political Science*, 45(1): 100-119.
- Groseclose, T., and J. Snyder. 1996. 'Buying supermajorities.' *American Political Science Review*, 90(2): 303-315.
- Gunitsky, S. 2015. 'Lost in the gray zone: Competing measures of democracy in the former Soviet republics.' In A. Cooley and J. Snyder (eds), *Ranking the world: Grading states as a tool of global governance*. New York, NY: Cambridge University Press.
- Haggard, S., and R. Kaufman. 2012. 'Inequality and regime change: Democratic transitions and the stability of democratic rule.' *American Political Science Review*, 106(3): 495-516.
- Haggard, S., and M. McCubbins. 2001. 'Introduction: Political institutions and the determinants of public policy.' In S. Haggard and M. McCubbins (eds), *Presidents, parliaments, and policy*. Cambridge: Cambridge University Press.
- Hale, H. 2011. 'Formal constitutions in informal politics: Institutions and democratization in post-Soviet Eurasia.' *World Politics*, 63(4): 581-617.
- Hale, H. 2014. *Patronal politics: Eurasian regime dynamics in comparative perspective*. Cambridge: Cambridge University Press.
- Hall, P. 2003. 'Aligning ontology and methodology in comparative politics.' In J. Mahoney and D. Rueschmeyer (eds), *Comparative historical analysis in the social sciences*. New York, NY: Cambridge University Press.
- Hall, P. 2008. 'Systematic process analysis: When and how to use it.' *European Political Science*, 7(3): 304-317.

- Hammond, T., and C. Butler. 2003. 'Some complex answers to the simple question 'Do institutions matter?'' Policy choice and policy change in presidential and parliamentary systems.' *Journal of Theoretical Politics*, 15(2): 145-200.
- Heller, W. 2001. 'Making policy stick: Why the government gets what it wants in multiparty parliaments.' *American Journal of Political Science*, 45(4): 780-798.
- Henning, C. 1995. 'A formal model of law production by government as a natural monopoly.' In H. Döring (ed.), *Parliaments and majority rule in western Europe*. Frankfurt, New York, NY: St Martin's Press.
- Hertog, S. 2011. *Princes, brokers, and bureaucrats: Oil and the state in Saudi Arabia*. Ithaca, NY: Cornell University Press.
- Hilbe, J. 2011. *Negative binomial regression*. Cambridge: Cambridge University Press.
- Hollyer, J., B. Rosendorff, and J. Vreeland. 2011. 'Democracy and transparency.' *The Journal of Politics*, 73(4): 1191-1205.
- Hollyer, J., B. Rosendorff, and J. Vreeland. 2014. 'Measuring transparency.' *Political Analysis*, 22(4): 413-434.
- Holmes, S. 1993. 'Superpresidentialism and its problems.' *East European Constitutional Review*, 2: 123-126.
- Holmes, S. 2015. 'Imitating democracy, feigning capacity.' In A. Przeworski (ed.), *Democracy in a Russian mirror*. New York, NY: Cambridge University Press.
- Hou, Y. 2015. 'Private entrepreneurs, legislatures, and property protection in China.' Paper presented at the Midwest Political Science Association's annual conference, Chicago, 16-19 April.
- Hough, J. 1975. 'The legislature in the Soviet Union.' Paper presented at the Conference on Legislatures in Contemporary Societies, Albany, January.
- Hough, J. 1977. *The Soviet Union and social science theory*. Cambridge, MA; London: Harvard University Press.
- Hough, J., and M. Fainsod. 1979. *How the Soviet Union is governed*. Cambridge, MA: Harvard University Press.
- Hough, J. 1983. 'Pluralism, corporatism and the Soviet Union.' In S. Solomon (ed.), *Pluralism in the Soviet Union*. London; Basingstoke: Macmillan.
- Huber, J. 1996. *Rationalizing parliament: Legislative institutions and party politics in France*. Cambridge: Cambridge University Press.

- Huber, J., and C. Shipan. 2002. *Deliberate discretion? The institutional foundations of bureaucratic autonomy*. Cambridge: Cambridge University Press.
- Hurka, S. 2013. 'Changing the output: The logic of amendment success in the European Parliament's ENVI Committee.' *European Union Politics*, 14(2): 273-296.
- Huskey, E. 1996a. 'The making of economic policy in Russia: Changing relations between presidency and government.' *Review of Central and East European Law*, 22(4): 365-387.
- Huskey, E. 1996b. 'Democracy and institutional design in Russia.' *Demokratizatsiya*, 4(4): 453-473.
- Huskey, E., and D. Rowney. 'Conclusion.' In D. Rowney and E. Huskey (eds), *Russian bureaucracy and the state: Officialdom from Alexander III to Vladimir Putin*. Basingstoke: Palgrave Macmillan.
- Jensen, N., E. Malesky, and S. Weymouth. 2010. 'Binding the grabbing hand? Legislatures and expropriation risk in authoritarian regimes.' Paper presented at the Midwest Political Science Association's annual meeting, Chicago, April.
- Jensen, N., E. Malesky, and S. Weymouth. 2014. 'Unbundling the relationship between authoritarian legislatures and political risk.' *British Journal of Political Science*, 44(3): 655-684.
- Joesten, J. 1958. *Eastern Germany in 1958: The political and administrative setup*. <https://books.google.co.uk/books?id=Xw0jAQAAMAAJ> (accessed 1 October 2015).
- Jones, B., and F. Baumgartner. 2005. *The politics of attention: How government prioritizes problems*. Chicago, IL; London: University of Chicago Press.
- Jones, B., and F. Baumgartner. 2012. 'From there to here: Punctuated equilibrium to the general punctuation thesis to a theory of government information processing.' *Policy Studies Journal*, 40(1): 1-20.
- Jones, B., F. Baumgartner, C. Breunig, C. Wlezien, S. Soroka, M. Foucault, A. François, C. Green-Pedersen, C. Koski, P. John, P. Mortensen, F. Varone, and S. Walgrave. 2009. 'A general empirical law of public budgets: A comparative analysis.' *American Journal of Political Science*, 53(4): 855-873.
- Jones, B., F. Baumgartner, and J. Wilkerson. 2011. 'Comparative studies of policy dynamics.' *Comparative Political Studies*, 44(8): 947-972.
- Jones, M. 2001. 'Political institutions and public policy in Argentina: An overview of the formation and execution of the national budget.' In S. Haggard and M. McCubbins (eds), *Presidents, parliaments, and policy*. Cambridge: Cambridge University Press.

- Juviler, P. 1960. *Functions of a deputy in the Supreme Soviet of the USSR, 1938-1959*. PhD dissertation, Columbia University.
- Kalitowski, S. 2008. 'Rubber stamp or cockpit? The impact of parliament on government legislation.' *Parliamentary Affairs*, 61(4): 694-708.
- Katz, L. 2006. 'Choice, consent, and cycling: The hidden limitations of consent.' *Michigan Law Review*, 104: 627-670.
- Kelly, A. 1993. 'Divided we govern? A reassessment.' *Polity*, 25(3): 475-484.
- Kenyon, T., and M. Naoi. 2010. 'Policy uncertainty in hybrid regimes: Evidence from firm-level surveys.' *Comparative Political Studies*, 43(4): 486-510.
- Key, V. 1949. *Southern politics: In state and nation*. New York, NY: Vintage Books.
- Khmelnitskaya, M. 2010. 'Learning through rejection: The process of social learning on example of Russian housing reform from the late Soviet period to the present.' Paper presented at the Political Studies Association's annual conference, Edinburgh, March–April.
- Kiewiet, D., G. Loewenberg, and P. Squire. 2002. 'The implications of the study of the US Congress for comparative legislative research.' In D. Kiewiet, G. Loewenberg, and P. Squire (eds), *Legislatures: Comparative perspectives on representative assemblies*. Ann Arbor, MI: University of Michigan Press.
- Kim, D., and G. Loewenberg. 2005. 'The role of parliamentary committees in coalition governments: Keeping tabs on coalition partners in the German Bundestag.' *Comparative Political Studies*, 38(9): 1104-1129.
- King, A. 1976. 'Modes of executive-legislative relations: Great Britain, France, and West Germany.' *Legislative Studies Quarterly*, 1(1): 11-36.
- King, G., R. Keohane, and S. Verba. 1994. *Designing social inquiry: Scientific inference in qualitative research*. Princeton, NJ: Princeton University Press.
- Kopecký, P. 2004. 'Power to the executive! The changing executive-legislative relations in eastern Europe.' *The Journal of Legislative Studies*, 10(2-3): 142-153.
- Kornberg, A., and L. Musolf (eds). 1970. *Legislatures in developmental perspective*. Durham, NC: Duke University Press.
- Kraan, D., D. Bergvall, I. Hawkesworth, V. Kostyleva, and M. Witt. 2008. 'Budgeting in Russia.' *OECD Journal on Budgeting*, 8(2): 1-58.
- Kreppel, A. 2002. 'Moving beyond procedure: An empirical analysis of European Parliament legislative influence.' *Comparative Political Studies*, 35(7): 784-813.

- Kreppel, A. 2014. 'Typologies and classifications.' In S. Martin, T. Saalfeld, and K. Strøm (eds), *The Oxford Handbook of Legislative Studies*. Oxford: Oxford University Press.
- Krutz, G. 2001. 'Tactical maneuvering on omnibus bills in Congress.' *American Journal of Political Science*, 45(1): 210-223.
- Kunicova, J., and T. Remington. 2008. 'Mandates, parties and dissent: Effect of electoral rules on parliamentary party cohesion in the Russian State Duma, 1994-2003.' *Party Politics*, 14(5), 555-574.
- Lai, B., and D. Slater. 2006. 'Institutions of the offensive: Domestic sources of dispute initiation in authoritarian regimes, 1950-1992.' *American Journal of Political Science*, 50(1): 113-126.
- Lam, W., and K. Chan. 2015. 'How authoritarianism intensifies punctuated equilibrium: The dynamics of policy attention in Hong Kong.' *Governance*, 28(4): 549-570.
- LaPalombara, J. 1974. *Politics within nations*. Englewood Cliffs, NJ: Prentice-Hall.
- Lasswell, H. 1936. *Politics: Who gets what, when, how*. New York, NY: Whittlesey House.
- Laver, M. 1999. 'Divided parties, divided government.' *Legislative Studies Quarterly*, 24(1): 5-29.
- Laver, M. 2006. 'Legislatures and parliaments in comparative context.' In D. Wittman and B. Weingast (eds), *The Oxford Handbook of Political Economy*. Oxford: Oxford University Press.
- Laver, M., and W. Hunt. 1992. *Policy and party competition*. New York, NY: Routledge.
- Laver, M., and K. Shepsle. 1990. 'Coalitions and cabinet government.' *American Political Science Review*, 84(3): 873-890.
- Laver, M., and K. Shepsle. 1994. *Cabinet ministers and parliamentary government*. Cambridge: Cambridge University Press.
- Levitsky, S., and L. Way. 2010. *Competitive authoritarianism: Hybrid regimes after the Cold War*. New York, NY: Cambridge University Press.
- Levy, J. 2008. 'Case studies: Types, designs, and logics of inference.' *Conflict Management and Peace Studies*, 25(1): 1-18.
- Lieberman, E. 2005. 'Nested analysis as a mixed-method strategy for comparative research.' *American Political Science Review*, 99(3): 435-452.

- Lieberthal, K. 1992. 'Introduction: The "fragmented authoritarianism" model and its limitations.' In K. Lieberthal and D. Lampton (eds), *Bureaucracy, politics, and decision making in post-Mao China*. Berkeley, CA; Los Angeles, CA; Oxford: University of California Press.
- Lijphart, A. 2012. *Patterns of democracy: Government forms and performance in thirty-six countries*. New Haven, CT: Yale University Press.
- Linz, J., and A. Stepan. 1996. *Problems of democratic transition and consolidation: Southern Europe, South America, and post-communist Europe*. London; Baltimore, MD: Johns Hopkins University Press.
- Lipsmeyer, C., and H. Pierce. 2011. 'The eyes that bind: Junior ministers as oversight mechanisms in coalition governments.' *The Journal of Politics*, 73(4): 1152-1164.
- Little, D. 1972. 'Soviet parliamentary committees after Khrushchev: Obstacles and opportunities.' *Europe-Asia Studies*, 24(1): 41-60.
- Loewenberg, G. 1971. 'The influence of parliamentary behaviour on regime stability: Some conceptual clarifications.' *Comparative Politics*, 3(2): 177-200.
- Loewenberg, G., and S. Patterson. 1979. *Comparing legislatures*. Boston, MA; Toronto: Little, Brown and Company.
- Loewenberg, G., S. Patterson, and M. Jewell (eds). 1985. *Handbook of legislative research*. Cambridge, MA: Harvard University Press.
- Lü, X., and M. Liu. 2015. 'Elite mobilization and social policymaking in an authoritarian regime: Evidence from China's national assemblies (1983-2007).' Paper presented at the Midwest Political Science Association's annual conference, Chicago, April.
- Lü, X., M. Liu, and F. Li. 2015. 'Elite mobilization and social policymaking in an authoritarian regime: Evidence from China's national assemblies (1983-2007).' Paper presented at the American Political Science Association's annual meeting, San Francisco, September.
- Magaloni, B. 2006. *Voting for autocracy: Hegemonic party survival and its demise in Mexico*. New York, NY: Cambridge University Press.
- Magaloni, B. 2008. 'Credible power-sharing and the longevity of authoritarian rule.' *Comparative Political Studies*, 41(4-5): 715-741.
- Mahoney, J. 2010. 'After KKV: The new methodology of qualitative research.' *World Politics*, 62(1): 120-147.

- Malesky, E., and P. Schuler. 2010. 'Nodding or needling: Analyzing delegate responsiveness in an authoritarian parliament.' *American Political Science Review*, 104(3): 482-502.
- Maltzman, F., and C. Shipan. 2008. 'Change, continuity, and the evolution of the law.' *American Journal of Political Science*, 52(2): 252-267.
- Manion, M. 2013. 'Authoritarian parochialism: Local congressional representation in China.' *CDDRL Working Paper*, no. 128.
- Martin, L. 2004. 'The government agenda in parliamentary democracies.' *American Journal of Political Science*, 48(3): 445-461.
- Martin, L., and G. Vanberg. 2004. 'Policing the bargain: Coalition government and parliamentary scrutiny.' *American Journal of Political Science*, 48(1): 13-27.
- Martin, L., and G. Vanberg. 2005. 'Coalition policymaking and legislative review.' *American Political Science Review*, 99(1): 93-106.
- Martin, L., and G. Vanberg. 2011. *Parliaments and coalitions: The role of legislative institutions in multiparty governance*. Oxford: Oxford University Press.
- Martin, L., and G. Vanberg. 2014. 'Parties and policymaking in multiparty governments: The legislative median, ministerial autonomy, and the coalition compromise.' *American Journal of Political Science*, 58(4): 979-996.
- Mayhew, D. 1974. *Congress: The electoral connection*. New Haven, CT: Yale University Press.
- Mayhew, D. 1991. *Divided we govern: Party control, lawmaking, and investigations, 1946-1990*. New Haven, CT; London: Yale University Press.
- McCubbins, M., and G. Noble. 1995. 'The appearance of power: legislators, bureaucrats, and the budget process in the United States and Japan.' In P. Cowhey and M. McCubbins (eds), *Structure and policy in Japan and the United States*. Cambridge: Cambridge University Press.
- McFaul, M., and K. Stoner-Weiss. 2008. 'The myth of the authoritarian model: How Putin's crackdown holds Russia back.' *Foreign Affairs*, 87: 68-84.
- Mertha, A. 2009. '“Fragmented authoritarianism 2.0”: Political pluralization in the Chinese policy process.' *The China Quarterly*, 200: 995-1012.
- Meyer, S., and S. Naka. 1998. 'Legislative influences in Japanese budgetary politics.' *Public Choice*, 94(3): 267-288.
- Mezey, M. 1979. *Comparative legislatures*. Durham, NC: Duke University Press.

- Mezey, M. 1983. 'The functions of legislatures in the third world.' *Legislative Studies Quarterly*, 8(4): 511-550.
- Miller, M. 2015. 'Elections, information, and policy responsiveness in autocratic regimes.' *Comparative Political Studies*, 48(6): 691-727.
- Minagawa, S. 1975. 'The functions of the Supreme Soviet organs, and problems of their institutional development.' *Soviet Studies*, 27(1): 46-70.
- Moe, T. 2005. 'Power and political institutions.' *Perspectives on Politics*, 3(2): 215-233.
- Møller, J. 2014. 'Book review: *The politics of uncertainty: Sustaining and subverting electoral authoritarianism*.' *Perspectives on Politics*, 12(4): 956-957.
- Monaghan, A. 2012. 'The *vertikal*: Power and authority in Russia.' *International Affairs*, 88(1): 1-16.
- Morse, Y. 2012. 'The Era of Electoral Authoritarianism.' *World Politics*, 64(1): 161-198.
- Müller, W., and K. Strøm (eds). 2003. *Coalition governments in western Europe*. Oxford: Oxford University Press.
- Müller, W., K. Strøm, and T. Bergman (eds). 2008. *Cabinets and coalition bargaining: The democratic life cycle in western Europe*. Oxford: Oxford University Press.
- Myerson, R. 2008. 'The autocrat's credibility problem and foundations of the constitutional state.' *American Political Science Review*, 102(1): 125-139.
- Nacif-Hernández, B. 1995. *The Mexican Chamber of Deputies: The political significance of non-consecutive re-election*. DPhil dissertation, University of Oxford.
- Nelson, D. 1982. 'Communist legislatures and communist politics.' In D. Nelson and S. White (eds), *Communist legislatures in comparative perspective*. Albany, NY: State University of New York Press.
- Nichter, S. 2014. 'Political clientelism and social policy in Brazil.' In D. Brun and L. Diamond (eds), *Clientelism, social policy, and the quality of democracy*. Baltimore, MD: Johns Hopkins University Press.
- North, D. 1990. 'A transaction cost theory of politics.' *Journal of Theoretical Politics*, 2(4): 355-367.
- Norton, P. 1984. 'Parliament and policy in Britain: The House of Commons as a policy influencer.' *Teaching Politics*, 13(2): 198-221.
- Nove, A. 1977. *The Soviet Economic System*. London: G. Allen and Unwin.

- Olson, D. 1990. *The legislative process: A comparative approach*. New York, NY: Harper and Row.
- Olson, D., and P. Norton. 1996. 'Legislatures in democratic transition.' *The Journal of Legislative Studies*, 2(1): 1-15.
- Olson, D., and M. Simon. 1982. 'The institutional development of a minimal parliament: The case of the Polish Sejm.' In D. Nelson and S. White (eds), *Communist legislatures in comparative perspective*. Albany, NY: State University of New York Press.
- Ortmann, S. 2012. 'Policy advocacy in a competitive authoritarian regime: The growth of civil society and agenda setting in Singapore.' *Administration and Society*, 44(6): 13-25.
- Ostrow, J. 2000. *Comparing post-Soviet legislatures: A theory of institutional design and political conflict*. Columbus, OH: Ohio State University Press.
- Ostrow, J. 2001. 'Chaos in Russian budgeting as a product of institutional design: The failure of unlinked dual-channel institutions.' *Journal of Public Budgeting, Accounting and Financial Management*, 13(4): 624-652.
- Ostrow, J. 2002. 'Conflict-management in Russia's federal institutions', *Post-Soviet Affairs*, 18(1): 49-70.
- Owens, J., and B. Loomis. 2006. 'Qualified exceptionalism: The US Congress in comparative perspective.' *The Journal of Legislative Studies*, 12(3-4): 258-290.
- Packenhams, R. 1970. 'Legislatures and political development.' In A. Kornberg and L. Musolf (eds), *Legislatures in developmental perspective*. Durham, NC: Duke University Press.
- Paler, L. 2005. 'China's legislation law and the making of a more orderly and representative legislation system.' *The China Quarterly*, 182: 301-318.
- Peceny, M., C. Beer, and S. Sanchez-Terry. 2002. 'Dictatorial peace?' *American Political Science Review*, 96(1): 15-26.
- Pedersen, H., A. Binderkrantz, and P. Christiansen. 2014. 'Lobbying across arenas: Interest group involvement in the legislative process in Denmark.' *Legislative Studies Quarterly*, 39(2): 199-226.
- Pedrazzani, A., and F. Zucchini. 2013. 'Horses and hippos: Why Italian government bills change in the legislative arena, 1987-2006.' *European Journal of Political Research*, 52(5): 687-714.
- Pepinsky, T. 2014a. 'The institutional turn in comparative authoritarianism.' *British Journal of Political Science*, 44(3): 631-653.

- Pepinsky, T. 2014b. 'Authoritarianism: Logics and institutions.' *APSA Comparative Politics Newsletter*, 24(1): 1-4.
- Pereira, C., S. Singh, and B. Mueller. 2011. 'Political institutions, policymaking, and policy stability in Latin America.' *Latin American Politics and Society*, 53(1): 59-89.
- Petrov, N., M. Lipman, and H. Hale. 'Three dilemmas of hybrid regime governance: Russia from Putin to Putin.' *Post-Soviet Affairs*, 30(1): 1-26.
- Pierson, P. 2004. *Politics in time: History, institutions, and social analysis*. Princeton, NJ: Princeton University Press.
- Polsby, N. 1975. 'Legislatures.' In F. Greenstein and N. Polsby (eds), *Handbook of political science*. Reading, MA: Addison Wesley.
- Pomiguyev, I. 2015. 'Sovet Gosudarstvennoi Dumy: Real'nyi veto-igrok ili tekhnicheskii ispolnitel'?' Working paper.
- Popper, K. 1959. *The logic of scientific discovery*. London: Hutchinson.
- Portes, A. 'Legislatures under authoritarian regimes: Case of Mexico.' *Journal of Political and Military Sociology*, 5(2): 185-201.
- Primakov, D., A. Dmitrieva, and V. Volkov. 2010. 'Zakonodatel'naia aktivnost', stabil'nost' zakonodatel'stva i kachestvo pravavoi sredy: Sravnitel'nyi analiz postsotsialisticheskikh stran.' Research report from The Institute for the Rule of Law, the European University at St Petersburg, May.
- Przeworski, A. 2004. 'Institutions matter?' *Government and Opposition*, 39(4): 527-540.
- Przeworski, A., M. Alvarez, A. Cheibub, and F. Limongi. 2000. *Democracy and development: Political institutions and well-being in the world, 1950-1990*. Cambridge: Cambridge University Press.
- Ragusa, J. 2010. 'The lifecycle of public policy: An event history analysis of repeals to landmark legislative enactments, 1951-2006.' *American Politics Research*, 38(6): 1015-1051.
- Remington, T. 2001. *The Russian parliament: Institutional evolution in a transitional regime, 1989-1999*. New Haven, CT; London: Yale University Press.
- Remington, T. 2006. 'Presidential support in the Russian State Duma.' *Legislative Studies Quarterly*, 31(1): 5-32.
- Remington, T. 2007. 'The Russian Federal Assembly, 1994-2004.' *The Journal of Legislative Studies*, 13(1): 121-141.

- Remington, T. 2008a. 'Patronage and the party of power: President-parliament relations under Vladimir Putin.' *Europe-Asia Studies*, 60(6): 959-987.
- Remington, T. 2008b. 'Separation of powers and legislative oversight in Russia.' In R. Stapenhurst, R. Pelizzo, D. Olson, and L. von Trapp (eds), *Legislative oversight and budgeting: A world perspective*. Washington, DC: The World Bank.
- Remington, T. 2013. 'Parliament and the dominant party regime.' In S. Wegren (ed.), *Return to Putin's Russia: Past imperfect, future uncertain*. Plymouth; Lanham, MD: Rowman and Littlefield.
- Remington, T. 2014. *Presidential decrees in Russia: A comparative perspective*. New York, NY: Cambridge University Press.
- Reuter, O., and G. Robertson. 2015. 'Legislatures, cooptation, and social protest in contemporary authoritarian regimes.' *The Journal of Politics*, 77(1): 235-248.
- Richter, J. 2009. 'Putin and the Public Chamber.' *Post-Soviet Affairs*, 25(1): 39-65.
- Riker, W. 1962. *The theory of political coalitions*. New Haven, CT: Yale University Press.
- Robertson, G. 2011. *The politics of protest in hybrid regimes: Managing dissent in post-communist Russia*. Cambridge: Cambridge University Press.
- Roeder, P. 1993. *Red sunset: The failure of Soviet politics*. Princeton, NJ: Princeton University Press.
- Roller, E. 2013. 'Comparing the performance of autocracies: Issues in measuring types of autocratic regimes and performance.' *Contemporary Politics*, 19(1): 35-54.
- Rose, R., W. Mishler, and N. Munro. 2011. *Popular support for an undemocratic regime: The changing views of Russians*. Cambridge: Cambridge University Press.
- Ross, M. 2006. 'Is democracy good for the poor?' *American Journal of Political Science*, 50(4): 860-874.
- Ross, C., and R. Turovsky. 2013. 'The representation of political and economic elites in the Russian Federation Council.' *Demokratizatsiya: The Journal of Post-Soviet Democratization*, 21(1): 59-88.
- Rüland, J., C. Jürgenmeyer, M. Nelson, and P. Ziegenhain. 2005. *Parliaments and political change in Southeast Asia: A comparative study of India, Indonesia, the Philippines, South Korea and Thailand*. Singapore: Institute of Southeast Asian Studies.

- Russell, M., M. Benton, D. Gover, and K. Wollter. 2012. 'A measurable difference: Assessing the Westminster Parliament's impact on government legislation, 2005-2010.' Paper presented at the European Consortium of Political Research's parliaments and legislatures conference, Dublin, June.
- Russell, M., and P. Cowley. 2015. 'The policy power of the Westminster Parliament: The "parliamentary state" and the empirical evidence.' *Governance*, doi.org/10.1111/gove.12149.
- Russell, M., D. Gover, and K. Wollter. 2015. 'Does the executive dominate the Westminster legislative process? Six reasons for doubt.' *Parliamentary Affairs*, doi.org/10.1093/pa/gsv016.
- Ryan, J., A. Sokhey, G. Wilkenfeld, and S. Wojcik. 2013. 'Tracing the legislative process: A network approach.' Paper presented at the Legislative Networks in Transatlantic Perspective Workshop, Madison, April.
- Saiegh, S. 2009. 'Political prowess or "lady luck"? Evaluating chief executives' legislative success rates.' *The Journal of Politics*, 71(4): 1342-1356.
- Saiegh, S. 2011. *Ruling by statute: How uncertainty and vote buying shape lawmaking*. New York, NY: Cambridge University Press.
- Sakwa, R. 2011. *The crisis of Russian democracy: The dual state, factionalism and the Medvedev succession*. Cambridge: Cambridge University Press.
- Schedler, A. (ed.). 2006. *Electoral authoritarianism: The dynamics of unfree competition*. Boulder, CO: Lynne Rienner.
- Schedler, A. 2012. 'The measurer's dilemma: Coordination failures in cross-national political data collection.' *Comparative Political Studies*, 45(2): 237-266.
- Schedler, A. 2013. *The politics of uncertainty: Sustaining and subverting electoral authoritarianism*. New York, NY: Oxford University Press.
- Schleiter, P. 2013. 'Democracy, authoritarianism, and ministerial selection in Russia: How presidential preferences shape technocratic cabinets.' *Post-Soviet Affairs*, 29(1): 31-55.
- Schleiter, P., and E. Morgan-Jones, 2008. 'Russia: The benefits and perils of presidential leadership.' In R. Elgie and S. Moestrup (eds), *Semi-Presidentialism in Central and Eastern Europe*. Manchester: Manchester University Press.
- Schuler, P. 2014. 'The perils of public power-sharing: Patterns of elite dissent in an authoritarian legislature.' Paper presented at the American Political Science Association annual meeting, Washington, DC, August.

- Schuler, P. 2015. 'Critics, professionals, and yes-men: Rationalizing authoritarian "rule by law" through legislative professionalization.' Paper presented at the Midwest Political Science Association's annual conference, Chicago, April.
- Schuler, P., and E. Malesky. 2014. 'Authoritarian legislatures.' In S. Martin, T. Saalfeld, and K. Strøm (eds), *The Oxford Handbook of Legislative Studies*. Oxford: Oxford University Press.
- Shephard, M., and P. Cairney. 2005. 'The impact of the Scottish Parliament in amending executive legislation.' *Political Studies*, 53(2): 303-319.
- Shepsle, K. 2006. 'Old questions and new answers about institutions: The Riker objection revisited.' In B. Weingast and D. Wittman (eds), *The Oxford Handbook of Political Economy*. Oxford: Oxford University Press.
- Shepsle, K., and M. Bonchek. 1997. *Analyzing politics*. New York, NY: Norton.
- Shepsle, K., and B. Weingast. 1987. 'The institutional foundations of committee power.' *American Political Science Review*, 81(1): 85-104.
- Shih, V. 2015. 'Research in authoritarian regimes: Transparency tradeoffs and solutions.' *Newsletter of the APSA Organized Section for Qualitative and Multi-method Research*, 13(1): 20-22.
- Shevchenko, Iu., and G. Golosov. 2001. 'Legislative activism of Russian Duma deputies, 1996-1999.' *Europe-Asia Studies*, 53(2): 239-261.
- Shevchenko, Iu., and G. Golosov. 2011. 'Russia: The executive in a leading role.' In B. Rasch and G. Tsebelis (eds), *The role of governments in legislative agenda setting*. London; New York, NY: Routledge.
- Shugart, M. 2008. 'Comparative executive-legislative relations.' In S. Binder, R. Rhodes, and B. Rockman (eds), *The Oxford Handbook of Political Institutions*. Oxford: Oxford University Press.
- Shugart, M., and J. Carey. 1992. *Presidents and assemblies: Constitutional design and electoral dynamics*. Cambridge; New York, NY: Cambridge University Press.
- Shugart, M., and S. Haggard. 2001. 'Institutions and public policy in presidential systems.' In S. Haggard and M. McCubbins (eds), *Presidents, parliaments, and policy*. Cambridge: Cambridge University Press.
- Shul'man, E. 2013. *Politicheskie usloviia i faktory transformatsii zakonotvorcheskogo protsessa v sovremennoi Rossii*. PhD dissertation, Russian Academy of National Economy and State Service, Moscow.
- Shul'man, E. 2014. *Zakonotvorchestvo kak politicheskii protsess*. Moscow: Moskovskaia shkola grazhdanskogo prosveshcheniia.

- Shuvalov, I. 2004. 'Zakonotvorcheskaia deiatel'nost' Pravitel'stva Rossii: Soderzhanie i priority.' *Zhurnal rossiiskogo prava*, 4 (April).
- Siavelis, P. 2002. 'Exaggerated presidentialism and moderate presidents: Executive-legislative relations in Chile.' In S. Morgenstern and B. Nacif (eds), *Legislative politics in Latin America*. Cambridge; New York, NY: Cambridge University Press.
- Sinel'nikov, S., S. Batkibekov, and A. Zolotareva. 1999. 'Zakonodatel'nye i politicheskie aspekty biudzhetnoi politiki v postsovetskoii Rossii.' Working paper, <http://www.iep.ru/files/persona/sinelnikov/budpol.pdf> (accessed 11 November 2015).
- Skilling, G. 1966. 'Interest groups and communist politics.' *World Politics*, 18(3): 435-451.
- Skilling, G. 1971a. 'Interest groups and communist politics: An introduction.' In G. Skilling and F. Griffiths (eds), *Interest groups in Soviet politics*. Princeton, NJ: Princeton University Press.
- Skilling, G. 1971b. 'Groups in Soviet politics: Some hypotheses.' In G. Skilling and F. Griffiths (eds), *Interest groups in Soviet politics*. Princeton, NJ: Princeton University Press.
- Slater, D. 2010a. 'Altering authoritarianism: Institutional complexity and autocratic agency in Indonesia.' In J. Mahoney and K. Thelen (eds), *Explaining institutional change: Ambiguity, agency, and power*. New York, NY: Cambridge University Press.
- Slater, D. 2010b. *Ordering power: Contentious politics and authoritarian leviathans in Southeast Asia*. New York, NY: Cambridge University Press.
- Solinger, D. 1982. 'The Fifth National People's Congress and the process of policy making: Reform, readjustment, and the opposition.' *Asian Survey*, 22(12): 1238-1275.
- Solomon, P. 2013. 'Criminalisation, decriminalisation and post-communist transition: The case of the Russian Federation.' In K. Goodall, M. Malloch and B. Munro (eds), *Building justice in post-transition Europe? Processes of criminalisation within Central and Eastern European societies*. London; New York, NY: Routledge.
- Soroka, S., C. Wlezien, and I. McLean. 2006. 'Public expenditure in the UK: How measures matter.' *Journal of the Royal Statistical Society: Series A*, 169(2): 255-271.
- Spector, R. 2008. 'Securing property in contemporary Kyrgyzstan.' *Post-Soviet Affairs*, 42(2): 149-176.

- Steinberg, D., and V. Shih. 2012. 'Interest group influence in authoritarian states: The political determinants of Chinese exchange rate policy.' *Comparative Political Studies*, 45(11): 1405-1434.
- Strøm, K. 1990. *Minority government and majority rule*. Cambridge; New York, NY; Melbourne: Cambridge University Press.
- Strøm, K., W. Müller, and T. Bergman (eds). 2008. *Cabinets and coalition bargaining: The democratic life cycle in western Europe*. Oxford; New York, NYC: Oxford University Press.
- Svolik, M. 2009. 'Power sharing and leadership dynamics in authoritarian regimes.' *American Journal of Political Science*, 53(2): 477-494.
- Svolik, M. 2012a. *The politics of authoritarian rule*. Cambridge: Cambridge University Press.
- Svolik, M. 2013. 'Incentives, institutions, and the challenges to research on authoritarian politics.' *APSA Comparative Democratization Newsletter*, 11(2): 1, 7-11.
- Tanner, M. 1999. *The politics of lawmaking in post-Mao China: Institutions, processes, and democratic prospects*. Oxford: Clarendon Press.
- Taylor, B. 2014. 'Police reform in Russia: The policy process in a hybrid regime.' *Post-Soviet Affairs*, 30(2-3): 226-255.
- Taylor-Robinson, M., and C. Diaz. 1999. 'Who gets legislation passed in a marginal legislature and is the label *marginal legislature* still appropriate?' *Comparative Political Studies*, 32(5): 589-625.
- Teichman, J. 1988. *Policymaking in Mexico: From boom to crisis*. Boston, MA; London: Allen and Unwin.
- Thames, F. 2007. 'Discipline and party institutionalization in post-soviet legislatures.' *Party Politics*, 13(4): 456-477.
- Thies, M. 2001. 'Keeping tabs on partners: The logic of delegation in coalition governments.' *American Journal of Political Science*, 45(3): 580-598.
- Tolstykh, P. 2006. *Praktika lobbizma v Gosudarstvennoi Dume Federal'nogo Sobraniia Rossiiskoi Federatsii*. Moscow: Kanon+.
- Tolstykh, P. 2007. *GR: Praktikum po lobbizmu v Rossii*. Moscow: Al'pina Biznes Buks.
- Trochev, A. 2008. *Judging Russia: Constitutional Court in Russian Politics, 1990-2006*. New York, NY: Cambridge University Press.

- Troxel, T. 2003. *Parliamentary power in Russia, 1994-2001: President vs. parliament*. Basingstoke; New York, NY: Palgrave Macmillan.
- Truex, R. 2014a. 'The returns to office in a "rubber stamp" parliament.' *American Political Science Review*, 108(2): 235-251.
- Truex, R. 2014b. *Representation within bounds*. PhD dissertation, Yale University.
- Tsebelis, G. 2002. *Veto players: How political institutions work*. Princeton, NJ: Princeton University Press.
- Tsebelis, G., C. Jensen, A. Kalandrakis, and A. Kreppel. 2001. 'Legislative procedures in the European Union: An empirical analysis.' *British Journal of Political Science*, 31(4): 573-599.
- Tsebelis, G., and B. Rasch. 2011. 'Governments and legislative agenda setting: An introduction.' In B. Rasch and G. Tsebelis (eds), *The role of governments in legislative agenda setting*. London; New York, NY: Routledge.
- Vanneman, P. 1977. *The Supreme Soviet: Politics and the legislative process in the Soviet political system*. Durham, NC: Duke University Press.
- Wahman, M., J. Teorell., and A. Hadenius. 2013. 'Authoritarian regime types revisited: Updated data in comparative perspective.' *Contemporary Politics*, 19(1): 19-34.
- Wang, Y., and F. Keller. 2015. 'Power struggle and elite removal in single-party authoritarian regimes.' Paper presented at a research seminar on political economy at the Higher School of Economics, Moscow, May.
- Way, L. 2010. 'The new authoritarianism in the former Soviet Union.' *Communist and Post-Communist Studies*, 43(4): 335-337.
- Weeks, J. 2008. 'Autocratic audience costs: Regime type and signalling resolve.' *International Organization*, 62(1): 35-64.
- Wehner, J. 2006. 'Assessing the power of the purse: An index of legislative budget institutions.' *Political Studies*, 54(4): 767-785.
- Wehner, J. 2010. *Legislatures and the budget process: The myth of fiscal control*. Basingstoke; New York, NY: Palgrave Macmillan.
- Wehner, J. 2013. 'Electoral budget cycles in legislatures.' *Legislative Studies Quarterly*, 38(4): 545-570.
- Wehner, J., and P. Renzio. 2013. 'Citizens, legislators, and executive disclosure: The political determinants of fiscal transparency.' *World Development*, 41: 96-108.

- Weipert-Fenner, I. 2014. 'Making the crisis visible: A reassessment of the parliament in the Mubarak regime.' In L. Sadiki (ed.), *Routledge handbook of the Arab Spring*. London; New York, NY: Routledge.
- Weldon, J. 1997. 'Political sources of *presidencialismo* in Mexico.' In S. Mainwaring and M. Shugart (eds), *Presidentialism and democracy in Latin America*. Cambridge; New York, NY; Melbourne: Cambridge University Press.
- Weldon, J. 2002. 'The legal and partisan framework of the legislative delegation of the budget in Mexico.' In S. Morgenstern and B. Nacif (eds), *Legislative politics in Latin America*. Cambridge; New York, NY: Cambridge University Press.
- White, S. 1982a. 'The USSR Supreme Soviet: A developmental perspective.' In D. Nelson and S. White (eds), *Communist legislatures in comparative perspective*. Albany, NY: State University of New York Press.
- White, S. 1982b. 'Some Conclusions.' In D. Nelson and S. White (eds), *Communist legislatures in comparative perspective*. Albany, NY: State University of New York Press.
- White, S. 2011. 'Elections Russian-style.' *Europe-Asia Studies*, 63(4): 531-556.
- Whitefield, S. 1993. *Industrial power and the Soviet state*. Oxford: Clarendon Press.
- Wilkerson, J., D. Smith, and N. Stramp. 2015. 'Tracing the flow of policy ideas in legislatures: A text reuse approach.' *American Journal of Political Science*, doi:10.1111/ajps.12175.
- Wilkerson, J., D. Smith, N. Stramp, and J. Dashiell. 2013. 'Tracing the flow of policy ideas in legislatures: A computational approach.' Paper presented at the Comparative Agenda Project's annual meeting, Antwerp, June.
- Wilson, M., and J. Wright. 2015. 'Autocratic legislatures and expropriation risk.' *British Journal of Political Science*, doi:10.1017/S0007123415000149.
- Wintrobe, R. 1998. *The political economy of dictatorship*. Cambridge; New York, NY: Cambridge University Press.
- Wright, J. 2008. 'Do authoritarian institutions constrain? How legislatures affect economic growth and investment.' *American Journal of Political Science*, 52(2): 322-343.
- Wright, J., and A. Escribà-Folch. 2012. 'Authoritarian institutions and regime survival: Transitions to democracy and subsequent autocracy.' *British Journal of Political Science*, 42(2): 283-309.

- Xia, M. 1999. 'China's National People's Congress: Institutional transformation in the process of regime transition (1978-98).' In P. Norton and N. Ahmed (eds), *Parliaments in Asia*. London: Frank Cass.
- Zatsepin, V. 2014. 'Laws, secrecy and statistics: Recent developments in Russian defence budgeting.' Paper presented at the Forum for Economists International conference, Amsterdam, May–June, http://www.iep.ru/files/news/zatsepin_text_01.06.14.pdf (accessed 1 October 2015).
- Zimmerman, W., and G. Palmer. 1983. 'Words and deeds in Soviet foreign policy: The case of Soviet military expenditures.' *American Political Science Review*, 77(2): 358-367.
- Zubek, R. 2008. 'Parties, rules and government legislative control in Central Europe: The case of Poland.' *Communist and Post-Communist Studies*, 41(2): 147-161.
- Zubek, R. 2011. 'Negative agenda control and executive-legislative relations in east central Europe, 1997-2008.' *The Journal of Legislative Studies*, 17(2): 172-192.
- Zucco, C., and B. Lauderdale. 2011. 'Distinguishing between influences on Brazilian legislative behaviour.' *Legislative Studies Quarterly*, 36(3): 363-396.

Russian-language journalism

- Agamalova, A. 25 November 2013, *Vedomosti*, ‘Putin poshel na kompromiss po nalogovym prestupleniiam’, <http://www.vedomosti.ru/politics/articles/2013/11/25/putin-hochet-obyazat-sk-zaprashivat-materialy-fns-pri> (accessed 1 October 2015).
- Astapovich, A., and S. Samokhina. 23 October 2012, *Kommersant*, ‘Gosduma na strazhe natsional’noi bezopasnosti’, <http://kommersant.ru/doc/2051237> (accessed 1 October 2015).
- Barsukov, Iu. 16 March 2015, *Kommersant*, ‘Manevry bez finansovogo rezul’tata’, <http://kommersant.ru/doc/2687522> (accessed 1 October 2015).
- Belousov, A. 28 January 2015, *Vedomosti*, ‘Sut’ dela: Strategicheskie dokumenty ne rabotaiut’, <http://www.vedomosti.ru/newspaper/articles/2015/01/28/strategicheskie-dokumenty-ne-rabotayut> (accessed 1 October 2015).
- Berseneva, T. 22 May 2015, *Pravo.ru*, ‘UK mozhnet na vremia lishit’sia stat’i o “predprinimatel’skom moshennichestve”’, <http://pravo.ru/review/view/118796/> (accessed 1 October 2015).
- Biriukova, L. 12 September 2012, *Vedomosti*, ‘Bunt deputatov’, http://www.vedomosti.ru/politics/articles/2012/09/12/bunt_deputatov (accessed 1 October 2015).
- Biriukova, L., and M. Papchenkova. 20 November 2013, *Vedomosti*, ‘Pravitel’stvo pravit Putina’, <http://www.vedomosti.ru/newspaper/articles/2013/11/20/pravitelstvo-pravit-putina> (accessed 1 October 2015).
- Biriukova, L., M. Papchenkova, and M. Tovkailo. 13 November 2013, *Vedomosti*, ‘Medvedev: “Navozbuzhdat’ mozhno vse, chto ugodno”’, <http://www.vedomosti.ru/politics/articles/2013/11/13/medvedev-navozbuzhdat-mozhno-vse-chto-ugodno> (accessed 1 October 2015).
- Bocharova, S. 22 March 2013, *Lenta.ru*, ‘Kak zhe vy besite’, <http://lenta.ru/articles/2013/03/22/printer/> (accessed 1 October 2015).
- Bocharova, S. 22 November 2013, *Vedomosti*, ‘Vremia otzyvat’’, <http://www.vedomosti.ru/newspaper/articles/2013/11/22/vremya-otzyvat> (accessed 1 October 2015).
- Bocharova, S. 8 July 2015, *RBK Daily*, ‘Mesto dlia diskusii’, <http://www.rbcdaily.ru/politics/562949995982386> (accessed 1 October 2015).
- Bocharova, S. 11 September 2015, *RBK Daily*, ‘Deputatov reshili ogranichit’ v prave meniat’ zakonoproekty pravitel’stva’, <http://top.rbc.ru/politics/11/09/2015/55f1c05c9a79475098a9fb85> (accessed 1 October 2015).

- Bocharova, S., and I. Iuzbekova. 12 May 2015, *RBK Daily*, ‘Minkomsviazi korrektriruet spornyi zakon o pochte v obkhod pravitel’sstva’, <http://www.rbcdaily.ru/politics/562949995138826> (accessed 1 October 2015).
- Bocharova, S., S. Sobolev, and D. Koptiubenko. 7 August 2015, *RBK Daily*, ‘Otvetstvennyi otpusk’, <http://rbcdaily.ru/politics/562949996482414> (accessed 1 October 2015).
- Butrin, D. 9 April 2012, *Kommersant*”, ‘Mnogo deneg malo ne byvaet’, <http://kommersant.ru/doc/1911717> (accessed 1 October 2015).
- Butrin, D. 12 November 2015, *Kommersant*”, ‘Biudzhnet ustoychiv v pervom chtenii’, <http://kommersant.ru/doc/2851524> (accessed 13 November 2015).
- Chernykh, A. 18 June 2015, *Kommersant*”, ‘Nakazanie neispravimo’, <http://kommersant.ru/doc/2748650> (accessed 1 October 2015).
- Dement’eva, K. 30 August 2013, *Kommersant*”, ‘Pravila igry’, <http://www.kommersant.ru/doc/2266692> (accessed 1 October 2015).
- Diatlovskaia, E. 28 October 2015, *Novye izvestiia*, ‘A sud’i kto?’, <http://www.newizv.ru/politics/2015-10-28/229683-a-sudi-kto.html#.VjDA98Gm1kA> (accessed 28 October 2015).
- Dmitrienko, D. 21 September 2012, *Vedomosti*, ‘FSB provela cherez Gosdumu zablockirovannye prezidentom Medvedevym predlozheniia pravitel’sstva Putina’, http://www.vedomosti.ru/politics/articles/2012/09/21/gosduma_edinoglasno_odobrila_popravki_fsb_v_statyu_o (accessed 1 October 2015).
- Editorial. 24 November 2011, *Vedomosti*, ‘Ot redaktsii: Prazdnik poslushaniia’, http://www.vedomosti.ru/opinion/articles/2011/11/24/prazdnik_poslushaniya (accessed 1 October 2015).
- Editorial. 12 July 2012, *Vedomosti*, ‘Ot redaktsii: Trebuetsia agent’, http://www.vedomosti.ru/opinion/articles/2012/07/12/trebuetsya_agent (accessed 1 October 2015).
- Editorial. 17 June 2013, *Vedomosti*, ‘Ot redaktsii: Pora razbit’ kopilku’, http://www.vedomosti.ru/opinion/articles/2013/06/17/pora_razbit_kopilku (accessed 1 October 2015).
- Editorial. 25 December 2014, *Nezavisimaia gazeta*, ‘Printer Gosdumy i kseroks Sovfeda’, http://www.ng.ru/editorial/2014-12-25/2_red.html (accessed 1 October 2015).
- Editorial. 7 July 2015, *Gazeta.ru*, ‘Ne mesto dlia raboty’, http://www.gazeta.ru/comments/2015/07/07_e_7597253.shtml (accessed 1 October 2015).

- Eppele, N. 26 March 2015, *Vedomosti*, ‘V Rossii vse bol’she shpionov’, <http://www.vedomosti.ru/opinion/articles/2015/03/27/v-rossii-vse-bolshe-shpionov> (accessed 1 October 2015).
- Epifanova, M. 5 July 2014, *Novaia gazeta*, ‘Vzbesivshiisia printer v roli gaechnogo kliucha’, <http://www.novayagazeta.ru/politics/64299.html> (accessed 1 October 2015).
- Filina, S. 1 November 2013, *Pravo.ru*, ‘“83 malen’kikh serdtsa ne mogut rabotat’ v odnom ritme”’, <http://pravo.ru/review/view/90252/> (accessed 1 October 2015).
- Filipenok, A. 1 September 2015, *RBK Daily*, ‘Pravitel’stvo namereno otkazat’sia ot “biudzheta dolgosrochnoi ustoiчивosti”’, <http://top.rbc.ru/economics/01/09/2015/55e511299a7947b32688d438> (accessed 1 October 2015).
- Glikin, M., L. Biriukova, and I. Novikova. 17 April 2013, *Vedomosti*, ‘Pravitel’stvo zavernut’, http://www.vedomosti.ru/newspaper/articles/2013/04/17/pravitelstvo_zavernut (accessed 1 October 2015).
- Gordeev, V. 8 December 2014, *RBK Daily*, ‘Pravitel’stvo izbavit malyi biznes ot nakazaniia za kartel’nye sbory’, <http://top.rbc.ru/business/08/12/2014/54854e2dcbb20f1d5806e898> (accessed 1 October 2015).
- Gorodetskaia, N., and V. Khamraev. 26 November 2013, *Kommersant*, ‘“Zakroites’, kak Stalin delal, na dache na mesiats i napishite zakon!”’, <http://www.kommersant.ru/doc/2352428> (accessed 1 October 2015).
- Gorodetskaia, N., I. Nagornykh, and M. Ivanov. 19 September 2012, *Kommersant*, ‘V SF vstupilis’ za zarubezhnoe imushchestvo’, <http://www.kommersant.ru/doc/2025630> (accessed 4 November 2015).
- Ivanov, M. 19 October 2012, *Kommersant*, ‘Gosduma pomozhet lovit’ izmennikov i shpionov’, <http://kommersant.ru/doc/2047770> (accessed 1 October 2015).
- Ivanov, M. 9 February 2013, *Kommersant*, ‘Sleduiushchuiu Dumu smeshaiut kak sleduet’, <http://kommersant.ru/doc/2101500> (accessed 1 October 2015).
- Ivanov, M. 29 January 2014, *Kommersant*, ‘Pravitel’stvo eshche nedorabotalo s nulevym chteniam’, <http://kommersant.ru/doc/2394464> (accessed 1 October 2015).
- Kaliukov, E. 23 June 2014, *RBK Daily*, ‘Glava FAS prosit dat’ ego sluzhbe pravo rassledovat’ prestupleniia’, <http://top.rbc.ru/economics/23/06/2014/931991.shtml> (accessed 1 October 2015).
- Kamakin, A. 28 September 2015, *Moskovskii komsomolets*, ‘Beshenstvo printera: Gosduma stala prinimat’ v tri raza bol’she zakonov’, <http://www.mk.ru/politics/2015/09/28/beshenstvo-printera->

- gosduma-stala-prinimat-v-tri-raza-bolshe-zakonov.html (accessed 1 October 2015).
- Kashevarova, A. 20 March 2015, *Izvestiia*, ‘Velikobritaniia protiv vozvrata rossiiskogo biznesa iz ofshorov’, <http://izvestia.ru/news/584281> (accessed 1 October 2015).
- Khamraev, V. 15 October 2013, *Kommersant*”, ‘Nalogovym delam povysiat vozbuздаemost’’, <http://www.kommersant.ru/doc/2320065> (accessed 1 October 2015).
- Khamraev, V. 15 November 2013, *Kommersant*”, ‘Mikhail Prokhorov snova sobiraet podpisi’’, <http://www.kommersant.ru/doc/2343740> (accessed 1 October 2015).
- Kharat’ian, K. 2 July 2013, *Vedomosti*, ‘Tsitata nedeli’’, <http://www.vedomosti.ru/newspaper/articles/2013/07/02/citata-nedeli> (accessed 1 October 2015).
- Kornia, A. 12 January 2015, *Vedomosti*, ‘Miniust nauchit Gosdumu prinimat’ zakony’’, <http://www.vedomosti.ru/politics/articles/2015/01/12/zakon-o-zakonah> (accessed 1 October 2015).
- Kornia, A. 27 January 2015, *Vedomosti*, ‘“Zakon o zakonakh” pomozhet umerit’ skorost’ dumskogo “printera” ’’, <http://www.vedomosti.ru/politics/articles/2015/01/27/dolgozhdannyj-no-neudachnyj> (accessed 1 October 2015).
- Kozlov, P. 12 February 2013, *Izvestiia*, ‘Vybornyi zakon Medvedeva meshaet novomu zakonu Putina’’, <http://izvestia.ru/news/544751> (accessed 1 October 2015).
- Kriuchkova, E., and D. Butrin. 24 July 2015, *Kommersant*”, ‘Prezidentu nashli mesto v biudzhetnom protsesse’’, <http://kommersant.ru/doc/2774333> (accessed 1 October 2015).
- Kuvshinova, O. 28 March 2012, *Vedomosti*, ‘Vsemirnyi bank prizyvaet Rossiiu k biudzhetnoi distsipline’’, http://www.vedomosti.ru/finance/articles/2012/03/28/pora_kopit (accessed 1 October 2015).
- Kuvshinova, O., and M. Tovkailo. 21 September 2012, *Vedomosti*, ‘Ministry ekonomiki i finansov rasoshlis’ v biudzhetnykh prioritetakh’’, http://www.vedomosti.ru/finance/articles/2012/09/21/spory_o_buduschem (accessed 1 October 2015).
- Latukhina, K. 26 November 2013, *Rossiiskaia gazeta*, ‘Chto skazhut eksperty’’, <http://www.rg.ru/2013/11/25/nalogi-site.html> (accessed 1 October 2015).

- Makarov, S. 29 June 2011. *Novaia gazeta v Nizhnem Novgorode*, ‘Reiting korrumpirovannosti ministerstv i vedomstv Rossii’, <http://novayagazeta-nn.ru/2011/191/reiting-korrumpirovannosti-ministerstv-i-vedomstv-rossii-ot-novoi-gazety.html> (accessed 1 October 2015).
- Malysheva, E. 24 June 2014, *RBK Daily*, ‘FAS khochet poluchit’ pravo samostiatel’no rassledovat’ prestupleniia’, <http://rbcdaily.ru/economy/562949991772972> (accessed 1 October 2015).
- Malysheva, E. 4 August 2014, *RBK Daily*, ‘Pravitel’stvu predlozhili razdat’ polnomochiia FAS drugim vedomstvam’, <http://top.rbc.ru/economics/04/08/2014/940849.shtml> (accessed 1 October 2015).
- Miliukova, Ia., and T. Dziadko. 20 March 2015, *RBK Daily*, ‘Proshchenie kapitala’, <http://rbcdaily.ru/economy/562949994417227> (accessed 1 October 2015).
- N.a. 18 October 2011, *Ukrainskaia pravda*, ‘Putin ne khochet “ukrainizatsii” Gosdumy’, <http://www.prawda.com.ua/rus/news/2011/10/18/6680385/?attempt=1> (accessed 1 October 2015).
- N.a. 28 October 2011, *RIA Novosti*, ‘Putin: Rossii ne nuzhna Gosduma, kotoraiia “poslushno shtampuet” zakony’, <http://ria.ru/politics/20111028/473755833.html> (accessed 1 October 2015).
- N.a. 4 April 2012, *RIA Novosti*, ‘Dvorkovich: biudzhethnye pravila budut soglasovany v techenie dvukh mesiatsev’, <http://ria.ru/economy/20120404/617820129.html> (accessed 1 October 2015).
- N.a. 21 September 2012, *RIA Novosti*, ‘Zhestkoe biudzhethnoe pravilo budet strogo ispolniat’sia, zaiavil Medvedev’, <http://ria.ru/economy/20120921/755654728.html> (accessed 1 October 2015).
- N.a. 31 October 2012, *Vedomosti* from *RIA Novosti*, ‘Senatory edinoglasno podderzhali zakonoproekt o gosizmene’, http://www.vedomosti.ru/politics/news/2012/10/31/senatory_edinoglasno_podderzhali_zakonoproekt_o_gosizmene (accessed 1 October 2015).
- N.a. 28 August 2013, *Polit.ru*, ‘Osobennosti natsional’nogo zakonotvorchestva’, <http://polit.ru/article/2013/08/28/zakon/> (accessed 1 October 2015).
- N.a. 5 March 2013, BBC *Russkaia sluzhba*, ‘Gosduma: “vzbeshiisia printer” ili Rossiia v miniatiure?’, http://www.bbc.com/russian/russia/2013/03/130303_duma_crazy_printer (accessed 1 October 2015).
- N.a. 14 November 2013, *RIA Novosti*, ‘Putin prizval chinovnikov sobliudat’ protsedury ili uiti, kak Kudrin’, <http://wap.ria.ru/politics/20131114/976926063.html> (accessed 1 October 2015).

- N.a. 15 January 2014, *RBK Daily*, ‘Medvedev o prave SK vzbuzhdat’ nalogovye dela: “Eta model’ mozhnet rabotat”’, <http://www.rbcdaily.ru/society/562949990247096> (accessed 1 October 2015).
- N.a. 2 February 2015, *Pravo.ru*, ‘Gosduma perepisala stat’iu 178 UK i ne podпустиła FAS k operativnym rasrabortkam’, <http://pravo.ru/news/view/115256/> (accessed 1 October 2015).
- Netreba, P. 18 April 2012, *Kommersant*”, ‘Vladimir Putin ni v chem drugim ne otkazyval’’, <http://kommersant.ru/doc/1918203> (accessed 1 October 2015).
- Netreba, P., Ia., Miliukova, S. Bocharova, R. Dorokhov, and S. Sobolev. 10 November 2014, *RBK Daily*, ‘Pravitel’stvo nashlo dopolnitel’nye den’gi na Schetnuiu palatu i ChM-2018’, <http://top.rbc.ru/economics/10/11/2014/545cd636cbb20f112dfcb197> (accessed 1 October 2015).
- Nikol’skaia, P., and E. Surnacheva. 26 January 2015, *Kommersant” Vlast*’, ‘Zakonodatel’naia retseptura’, <http://www.kommersant.ru/doc/2644727> (accessed 1 October 2015).
- Novikova, I. 23 January 2013, *Vedomosti*, ‘Pravitel’stvo Dumu ne slyshit’, http://www.vedomosti.ru/newspaper/articles/2013/01/23/pravitelstvo_dumu_ne_slyshit (accessed 1 October 2015).
- Papchenkova, M. 21 February 2014, *Vedomosti*, ‘Siloviki atakuiut’, <http://www.vedomosti.ru/newspaper/articles/2014/02/21/siloviki-atakuyut> (accessed 1 October 2015).
- Papchenkova, M. 29 September 2014, *Vedomosti*, ‘Novyi poriadok dlia Putina’, <http://www.vedomosti.ru/newspaper/articles/2014/09/29/novyyj-poryadok-dlya-putina> (accessed 1 October 2015).
- Papchenkova, M. 9 October 2014, *Vedomosti*, ‘Dela ne zhdut’, <http://www.vedomosti.ru/newspaper/articles/2014/10/09/dela-ne-zhdut> (accessed 1 October 2015).
- Papchenkova, M. 4 February 2015, *Vedomosti*, ‘V neftianoj otrasli gotovitsia ocherednaia nalogovaia reforma’, <http://www.vedomosti.ru/finance/articles/2015/02/04/eksperimentalnye-dohody-byudzheta> (accessed 1 October 2015).
- Papchenkova, M. 25 March 2015, *Vedomosti*, ‘Nebesplatnoe, no vseproshchenie’, <http://www.vedomosti.ru/newspaper/articles/2015/03/25/nebesplatnoe-no-vseproshchenie> (accessed 1 October 2015).
- Papchenkova, M. 27 March 2015, *Vedomosti*, ‘Novyi zakonoproekt ob amnistii daet sil’nye garantii kapitalu’, <http://www.vedomosti.ru/economics/articles/2015/03/27/novii-zakonoproekt-ob-amnistii-daet-silnie-garantii-kapitalu> (accessed 1 October 2015).

- Papchenkova, M. 29 March 2015, *Vedomosti*, ‘FATF potrebuuet izmenit’ zakonoproekt ob amnistii kapitalov’, <http://www.vedomosti.ru/newspaper/articles/2015/03/29/rossiiskaya-amnistiya-idet-na-printsipi> (accessed 1 October 2015).
- Papchenkova, M. 27 May 2015, *Vedomosti*, ‘Biznes prosit u prezidenta za-shchity ot tvorchestva zakonodatelei’, <http://www.vedomosti.ru/economics/articles/2015/05/27/593812-biznes-mozhet-poluchit-novie-vozmozhnosti-vliyat-na-zakonoproekti> (accessed 1 October 2015).
- Papchenkova, M. 25 June 2015, *Vedomosti*, ‘Segodnia prem’er Dmitrii Medvedev reshil sud’bu NFR’, <http://www.vedomosti.ru/economics/articles/2015/06/26/598093-segodnya-premer-dmitrii-medvedev-reshit-sudbu-nfr> (accessed 1 October 2015).
- Papchenkova, M., and M. Tovkailo. 6 September 2012, *Vedomosti*, ‘V Rossii mozhet poiavit’sia Rosfinagentstvo’, http://www.vedomosti.ru/politics/articles/2012/09/06/v_rossii_mozhet_poyavitsya (accessed 1 October 2015).
- Papchenkova, M., and M. Tovkailo. 12 November 2013, *Vedomosti*, ‘Minfin za silovikov’, <http://www.vedomosti.ru/newspaper/articles/2013/11/12/minfin-za-silovikov> (accessed 1 October 2015).
- Parfenova, A. 7 November 2013, *Kommersant*, ‘“Nuzhno dumat’ o komfortnoi srede obitaniia dlia predprinimatelei”’, <http://www.kommersant.ru/doc/2337966> (accessed 1 October 2015).
- Pavlova, M. 14 January 2014, *Rossiiskaia gazeta*, ‘Bastrykin: SK nado vernut’ pravo vozbuzhdat’ nalogovye dela’, <http://rg.ru/2014/01/14/bastrikin-site.html> (accessed 1 October 2015).
- Petrov, I. 26 November 2013, *RBK Daily*, ‘Deputatskie korrektyvy v zakonoproekty vozmutili Valentinu Matvienko’, <http://www.rbcdaily.ru/politics/562949989726514> (accessed 1 October 2015).
- Petrov, I. 31 January 2014, *RBK Daily*, ‘Sud’iam predlozhat ne polagat’sia na pozitsii prokurorov i advokatov’, <http://www.rbcdaily.ru/society/562949990413884> (accessed 1 October 2015).
- Petrov, I., and A. Evstigneeva. 13 December 2013, *RBK Daily*, ‘Biznes nashel, chto otvetit’ Aleksandru Bastrykinu’, <http://www.rbcdaily.ru/economy/562949989954470> (accessed 1 October 2015).
- Pleshanova, O. 29 June 2015, *Kommersant*’ *Vlast*’, ‘Popravlennomu verit’’, <http://www.kommersant.ru/doc/2753305> (accessed 1 October 2015).

- Polukhin, A. 30 January 2013, *Novaya gazeta*, ‘Beshenyi printer poperkhnuksia trillionami’, <http://www.novayagazeta.ru/economy/56481.html> (accessed 1 October 2015).
- Pushkarskaia, A. 22 April 2013, *Kommersant*”, ‘Gosduma ne smogla predolet’ porok “nesvobodnogo folosovaniia”’, <http://kommersant.ru/doc/2176154>, (accessed 1 October 2015).
- Puzyrevskii, S. 4 February 2014, *Rossiiskaia gazeta*, ‘Kartel’noe delo’, <http://www.rg.ru/2014/02/04/fas.html> (accessed 1 October 2015).
- Rasov, S. 12 November 2010, *Respublika*, ‘Uma palata’, <http://www.respublika-kaz.info/news/politics/11700/> (accessed 1 October 2015).
- Rodin, I. 29 December 2014, *Nezavisimaia gazeta*, ‘Miniust popravil Konstitutsiiu’, http://www.ng.ru/politics/2014-12-29/3_mijust.html (accessed 1 October 2015).
- Rubnikovich, O. 24 June 2014, *Kommersant*”, ‘FAS proiavila tiagu k doznaniuu’, <http://kommersant.ru/doc/2497880> (accessed 1 October 2015).
- Rudenko, P., E. Tofaniuk, and N. Ivanitskaia. 13 June 2013, *Forbes.ru*, ‘Strakh aresta: pochemu Putin otmenil sozдание Rosfinagentstva’, <http://forbes.ru/sobytiya/ekonomika/240597-strah-aresta-pochemu-putin-otmenil-sozдание-rosfinagentstva> (accessed 1 October 2015).
- Saigonov, I. 2 July 2013, *Gazeta.ru*, ‘“Zakonoproekt ochen’ syroi i neprorabotannyi” ’’, http://www.gazeta.ru/science/2013/07/02_a_5409005.shtml (accessed 1 October 2015).
- Shkliaruk, M. 16 October 2014, *RBK Daily*, ‘Nalogovye prestupleniia: pochemu biznes proigral?’, www.rbcdaily.ru/industry/562949992659681 (accessed 1 October 2015).
- Shtykina, A. 9 June 2014, *RBK Daily*, ‘Pravitel’stvo khochet chitat’ zakonoproekty pered vtorym chteniem’, <http://rbcdaily.ru/economy/562949991681431> (accessed 1 October 2015).
- Shtykina, A., M. Makutina, and D. Koptiubenko. 7 October 2014, *RBK Daily*, ‘Biznesu dadut poblazhku pri vzbuzhdenii ugovovnykh del’, <http://top.rbc.ru/economics/07/10/2014/5433da21cbb20ff3e9804942> (accessed 1 October 2015).
- Shtykina, A., Ia. Miliukova, and S. Bocharova. 22 October 2014, *RBK Daily*, ‘Minfin provedet deofshorizatsiiu rukami deputatov Gosdumy’, <http://top.rbc.ru/economics/22/10/2014/5447a471cbb20f7a59d958da> (accessed 1 October 2015).

- Shul'man, E. July 2015, *Novoe vremia*, 'Benefitsiary mrakobesii', <http://www.newtimes.ru/articles/detail/100161> (accessed 1 October 2015).
- Siniaeva, Iu. 25 February 2013, *Kommersant*, 'Rosfinagentstvo poteriaet formu', <http://www.rbcdaily.ru/economy/562949985871714> (accessed 1 October 2015).
- Siniaeva, Iu., and I. Petrov. 13 February 2013, *RBK Daily*, 'FAS poluchit dostup k materialam MVD', <http://www.rbcdaily.ru/economy/562949985714934> (accessed 1 October 2015).
- Smirnov, S. 23 March 2012, *Vedomosti*, 'Rossiia vernetsia k biudzhetnomu pravilu', http://www.vedomosti.ru/politics/articles/2012/03/23/vlasti_rf_prinyali_principalnoe_reshenie_o_vozvrate_k (accessed 1 October 2015).
- Sokolovskaia, E. 4 December 2013, *Vedomosti*, 'Tendentsii: Sovet zaniat'sia analizom', <http://www.vedomosti.ru/newspaper/articles/2013/12/04/sovets-zanyatsya-analizom> (accessed 1 October 2015).
- Stanovaia, T. 21 December 2009, *Politcom.ru*, 'Zakon o trgovle: politika i lob-bizm', <http://www.politcom.ru/article.php?id=9334> (accessed 1 October 2015).
- Sterkin, F., and M. Papchenkova. 20 June 2014, *Vedomosti*, 'Sledovateli dobilis' vozvrata nalogov', <http://www.vedomosti.ru/newspaper/articles/2014/06/20/sledovateli-dobilis-vozvrata-nalogov> (accessed 1 October 2015).
- Surnacheva, E., and P. Nikol'skaia. 22 June 2015, *Kommersant* "Vlast", 'Proshlis' po stat'e', <http://kommersant.ru/doc/2745897> (accessed 1 October 2015).
- Tagaeva, L. 19 November 2013, *Slon.ru*, 'Glavnaia politicheskaja tsel' – pravo vozbuzhdat' ugovnyye dela', https://slon.ru/russia/glavnaya_politicheskaya_tsel_pravo_vozbuzhdat_ugovnyye_dela-1021898.xhtml (accessed 1 October 2015).
- Titov, B. 25 February 2014, *Gazeta.ru*, 'Kodeksom po biznesu', http://www.gazeta.ru/comments/2014/02/21_x_5920553.shtml (accessed 1 October 2015).
- Titov, S. 20 November 2014, *Vedomosti*, 'FAS predlagaet liuboi kartel'nyi sgovor schitat' ugovnym prestupleniem', <http://www.vedomosti.ru/newspaper/article/795281/v-tyurmu-za-kartel> (accessed 1 October 2015).
- Titov, S., and A. Nikol'skii. 31 January 2014, *Vedomosti*, 'Silovoi bunt', <http://www.vedomosti.ru/newspaper/articles/2014/01/31/silovoj-bunt> (accessed 1 October 2015).

- Titov, S., and A. Nikol'skii. 24 June 2014, *Vedomosti*, 'Okhotniki za karteliami', <http://www.vedomosti.ru/newspaper/articles/2014/06/24/ohotniki-za-kartelyami> (accessed 1 October 2015).
- Titov, S., and M. Papchenkova. 8 October 2013, *Vedomosti*, 'Siloviki khotiat sami zanimat'sia karteliami', <http://www.vedomosti.ru/newspaper/articles/2013/10/08/siloviki-hotyat-sami-zanimatsya-kartelyami> (accessed 1 October 2015).
- Tovkailo, M. 29 January 2013, *Vedomosti*, 'Rosfinagentstvo stanet nepublichnoi korporatsiei', http://www.vedomosti.ru/politics/articles/2013/01/29/forma_ujdet_v_soderzhanie (accessed 1 October 2015).
- Tovkailo, M., and M. Liutova. 21 September 2012, *Vedomosti*, 'Pravitel'stvo nashlo sposob finansirovat' predvybornye obeshchaniia Putina', http://www.vedomosti.ru/politics/articles/2012/09/21/sechin_bez_energii (accessed 1 October 2015).
- Tregubova, E. 14 October 2013, *Argumenty i fakty*, 'Pod grifom "sekretno". Vlasti ubelichat zakrytie raskhody biudzheta na 9.7 trln', <http://www.aif.ru/money/economy/946831> (accessed 1 October 2015).
- Trifonov, A., and E. Pis'mennaia. 17 August 2012, *Vedomosti*, 'Sovet direktorov Rosfinagentstva mozhet vozglavit' eks-glava Deutsche Bank', http://www.vedomosti.ru/management/articles/2012/08/17/razmah_na_trilliony (accessed 1 October 2015).
- Ukolov, R. 2 December 2014, *Lenta.ru*, 'Pravila zhizni deputatov v Rossii', <http://lenta.ru/articles/2014/12/02/oniskazalipravdu/> (accessed 1 October 2015).
- Ul'ianov, A. 19 April 2013, *Forbes.ru*, '“Treshechka” dlia kazhdogo: kak bor'ba s karteliami doshla do absurda', <http://www.forbes.ru/mneniya-column/konkurenciya/238007-treshechka-dlya-kazhdogo-kak-borba-s-kartelyami-doshla-do-absurd> (accessed 1 October 2015).
- Vinokurova, E. 28 September 2012, *Gazeta.ru*, 'Dumu smeshat' i blokirovat', http://www.gazeta.ru/politics/2012/09/27_a_4791453.shtml (accessed 1 October 2015).
- Visloguzov, V. 22 June 2012, *Kommersant*, 'Biudzhethnoe pravilo podstroili pod raskhody', <http://kommersant.ru/doc/1963740> (accessed 1 October 2015).
- Visloguzov, V. 17 December 2012, *Kommersant*, 'Minfin otstoial svoi dva protsenta', <http://kommersant.ru/doc/2092073> (accessed 1 October 2015).
- Visloguzov, V. 25 February 2013, *Kommersant*, 'Zakonoproekt surov, no eto zakonoproekt', <http://www.kommersant.ru/doc/2134298> (accessed 1 October 2015).

- Visloguzov, V. 23 November 2013, *Kommersant*”, ‘Rosfinagentstvo pochilo v Dume’, <http://kommersant.ru/doc/2351437> (accessed 1 October 2015).
- Visloguzov, V. 11 December 2013, *Kommersant*”, ‘Gosduma vernula uklonistov sledovateliam’, <http://kommersant.ru/doc/2365031> (accessed 1 October 2015).
- Visloguzov, V. 12 February 2014, *Kommersant*”, ‘Bez suda, no so sledstviem’, <http://www.kommersant.ru/doc/2406059> (accessed 1 October 2015).
- Visloguzov, V. 30 January 2015, *Kommersant*”, ‘Boris Titov prosit proshcheniia za vsekh’, <http://kommersant.ru/doc/2656319> (accessed 1 October 2015).
- Visloguzov, V. 26 March 2015, *Kommersant*”, ‘Biznes poluchil dva mesiatsa uslovno’, <http://kommersant.ru/doc/2694377> (accessed 1 October 2015).
- Visloguzov, V. 29 April 2015, *Kommersant*”, ‘Amnistiiu podvedut pod stat’iu’, <http://kommersant.ru/doc/2720209> (accessed 1 October 2015).
- Visloguzov, V., and E. Kriuchkova. 8 September 2015, *Kommersant*”, ‘Barrel’ sygral protiv pravil’, <http://kommersant.ru/doc/2805121> (accessed 1 October 2015).
- Volkov, V., and I. Chetverikova. 16 September 2015, *Vedomosti*, ‘Gumanizatsiia dlia vsekh’, <http://www.vedomosti.ru/opinion/articles/2015/09/17/609059-gumanizatsiya-dlya-vseh> (accessed 1 October 2015).
- Zabelina, N. 12 November 2015, *Nezavisimaia gazeta*, ‘Dokhody ne skhodiatsia s raskhodami pri nyneshnem kurse rublia’, http://www.ng.ru/economics/2015-11-12/4_budget.html (accessed 13 November 2015).
- Zotova, N. 5 July 2015, *Novaia gazeta*, ‘Ostanovit’ “beshenyi printer”’, <http://www.novayagazeta.ru/politics/69092.html> (accessed 1 October 2015).

English-language journalism

- Barry, E. 8 May 2011, *The New York Times*, 'Bulldogs under the rug? Signs of a Putin-Medvedev rift', http://www.nytimes.com/2011/05/09/world/europe/09kremlin.html?_r=2 (accessed 22 March 2016).
- Barry, E. 20 September 2012, *The New York Times*, 'Putin's Russia hits the 'clear' button on the Medvedev era', <http://www.nytimes.com/2012/09/21/world/europe/medvedevs-handiwork-is-erased-in-putins-russia.html?ref=world> (accessed 1 October 2015).
- Galeotti, M. 6 August 2015, *The Guardian*, 'Leaks over Nemtsov murder signal both dissent and democracy in Russia', <http://www.theguardian.com/world/2015/aug/06/russia-nemtsov-chechnya-kadyrov> (accessed 1 October 2015).
- Grove, T. 21 September 2012, *Reuters*, 'Russia's Medvedev offers rare criticism of Putin', <http://www.reuters.com/article/2012/09/21/russia-medvedev-putin-idUSL5E8KLPZ20120921> (accessed 1 October 2015).
- Holmes, S. 2012. 'Fragments of a Defunct State.' *London Review of Books*, 34(1): 23-25, <http://www.lrb.co.uk/v34/n01/stephen-holmes/fragments-of-a-defunct-state> (accessed 28 March 2016).
- Houlder, V. 24 July 2015, *The Financial Times*, 'HMRC move to prise open secret accounts falls flat', <http://www.ft.com/cms/s/0/a7b68302-3159-11e5-8873-775ba7c2ea3d.html#axzz3ghKr0A2R> (accessed 1 October 2015).
- N.a. 5 March 2012, *The Economist*, 'What makes a rubber stamp?', <http://www.economist.com/blogs/analects/2012/03/national-peoples-congress> (accessed 1 October 2015).
- N.a. 30 November 2012, *Spiegel Online*, 'Squabbling in the Bundestag: German Parliament Rubber Stamps Aid for Greece', <http://www.spiegel.de/international/germany/german-parliament-votes-to-approve-new-greece-aid-package-a-870259.html> (accessed 4 November 2015).
- Owen, P., and M. Tran. 3 April 2014, *The Guardian*, 'Every coalition U-turn: The list in full', <http://www.theguardian.com/politics/2013/nov/28/coalition-u-turn-list-full> (accessed 1 October 2015).
- Schulmann, C. 24 April 2014, *The Washington Post*, 'Thou shalt not covet thy neighbor's approval ratings', <http://www.washingtonpost.com/blogs/monkey-cage/wp/2014/04/24/thou-shalt-not-covet-thy-neighbors-approval-ratings/> (accessed 1 October 2015).

Steinglass, M. 21 June 2010, *The Financial Times*, 'Vietnam assembly derails high-speed rail link', http://www.ft.com/cms/s/0/65255d72-7d6f-11df-a0f5-00144feabdc0.html?ft_site=falcon&desktop=true#axzz3lhLYrP3p (accessed 1 October 2015).

Interviews

Anonymous — former senior official in a State Duma committee. 21 May 2013, Moscow.

Anonymous — senior official in a State Duma committee. 28 February 2013, Moscow.

Anonymous — senior official in a State Duma committee. 6 June 2013a, Moscow.

Anonymous — senior official in a State Duma committee. 6 June 2013b, Moscow.

Anonymous — senior official in a State Duma committee. 13 June 2013, Moscow.

Anonymous — senior Government lawyer. 11 April 2012, Moscow.

Anonymous — senior Government lawyer. 25 February 2013, Moscow.

Anonymous — State Duma deputy. 4 June 2013, Moscow.

Dmitrieva, Arina — researcher at The Institute for the Rule of Law, European University at St Petersburg. 15 May 2013, St Petersburg.

Primakov, Denis — lawyer at Transparency International Russia; former State Duma deputy's assistant. 9 May 2013, Moscow.

Schwartz, Olga — legal consultant at the World Bank, Moscow office. 30 May 2013, Moscow.

Shul'man, Ekaterina — former State Duma deputy's assistant and expert in the Analytic Department of the central apparatus of the State Duma. 14 June 2013, Moscow.

Official Russian documents

Biudzhetni kodeks Rossiiskoi Federatsii, <http://www.consultant.ru/popular/budget/> (accessed 1 October 2015).

Konstitutsiia Rossiiskoi Federatsii, <http://www.constitution.ru/index.htm> (accessed 1 October 2015).

Reglament Gosudarstvennoi Dumy Rossiiskoi Federatsii, <http://www.consultant.ru/law/review/lawmaking/reglduma/> (accessed 1 October 2015).

Reglament Pravitel'stva Rossiiskoi Federatsii, http://www.consultant.ru/document/cons_doc_LAW_47927/ (accessed 1 October 2015).

Reglament Sovet Federatsii Rossiiskoi Federatsii, <http://www.consultant.ru/law/review/lawmaking/reglsovet/> (accessed 1 October 2015).

Miscellaneous Russian-language material

- Levada Centre. 2012. *Russian public opinion, 2012-2013*. Moscow: Levada Centre. <http://www.levada.ru/books/obshchestvennoe-mnenie-2012-eng> (accessed 1 October 2015).
- Moskovkin, L. 8 July 2015, *Livejournal*, ‘Senatory legli pod Minfin i ubili plody poslednogo podviga deputata Makarova — zakon otklonen’, <http://leo-mosk.livejournal.com/2694846.html> (accessed 1 October 2015).
- Tolstykh, P. 2010. *Luchshie lobbisty Gosudarstvennoi Dumy FS RF V sozyva*. Tsentr po izucheniiu problem vzaimodeistviia biznesa i vlasti, Moscow.
- Russian Academy of National Economy and State Service and the Gaidar Institute of Economic Policy. 2014. *Zakliuchenie na proekt federal'nogo biudzheta na 2015 g. i na planovyi period 2016 i 2017 gg.* http://old.ranepa.ru/news/item/download/4210_e35a8cf84d99d42dfb9e8c1fcd319af0.html (accessed 25 October 2015).
- Svobodnaia analiticheskaia shkola*. 2003. *Kommentarii k federal'nomu biudzhetu 2002-2003*. Moscow, http://www.budgetrf.ru/Publications/Analysis/sash/an_sash_08092003/an_sash_08092003020.htm (accessed 1 October 2015).

Miscellaneous English-language material

- Geddes, B. 2012. ‘The role of legislatures in dictatorships.’ Contribution to blog post by N. Jensen, 12 December, ‘What do legislatures in authoritarian regimes do?’, <http://www.natemjensen.com/2014/09/09/blog-by-nate-archives-what-do-legislatures-in-authoritarian-regimes-do-dec-12-2012/> (accessed 1 October 2015).
- House of Lords. 2009. ‘Fast-track legislation: Constitutional implications and safeguards.’ <http://www.publications.parliament.uk/pa/ld200809/ldselect/ldconst/116/9042913.htm> (accessed 10 November 2015).
- Pepinsky, T. 2012. ‘Indonesia and Malaysia.’ Contribution to blog post by N. Jensen, 12 December, ‘What do legislatures in authoritarian regimes do?’, <http://www.natemjensen.com/2014/09/09/blog-by-nate-archives-what-do-legislatures-in-authoritarian-regimes-do-dec-12-2012/> (accessed 1 October 2015).
- Politkovskaya, A. 2008. *A Russian diary*. London: Vintage.

Svolik, M. 2012b. 'Cross-National.' Contribution to blog post by N. Jensen, 12 December, 'What do legislatures in authoritarian regimes do?', <http://www.natemjensen.com/2014/09/09/blog-by-nate-archives-what-do-legislatures-in-authoritarian-regimes-do-dec-12-2012/> (accessed 1 October 2015).