



Event Report
BÖLL LUNCH DEBATE

The Russian Legislative Election 2016: How Much Freedom for Civil Society and Political Opposition?¹

Described by some as ‘the most boring election of 2016’, the Russian legislative election will take place on 18 September. It is long-since certain that President Vladimir Putin – also thanks to the loyal parties of the ‘system opposition’ – will receive a clear majority of deputies. In spite of this, the election electrified the political elite of the country. The Russian political leadership may act in an authoritarian way, but it appreciates a broad legitimisation by the people. The Kremlin very carefully observes whether political apathy turns into a mobilisation of the malcontents and which governor controls his district so well that he can report record results for the party in power – Putin’s ‘United Russia’ – to Moscow. The nervousness in the run-up of the election also had an impact on civil society: the biggest independent opinion research institute in Russia, the Levada Centre, was declared ‘foreign agent’ on 5 September. On the same day an investigation was opened against the office of the human rights organisation Memorial International. Politics and society seem to be firmly under control of the Kremlin. Still, spaces and niches for alternative politics and civic engagement remain. Russia’s activists have learned a long time ago how to react flexibly and ingeniously to all turns of the spiral of repression. What is the red line they should avoid to cross? Who defines these boundaries in politics and society? How can civic organisations and oppositional politicians deal with the pressure of the authorities? How do young Russians find their way between adjustment, activity and self-realisation? In spite of the dwindling civil liberties is there also reason to look optimistically to the future of Russian society and politics?

The results of the Russian parliamentary election in September 2016 were predictable in many ways: Putin’s power has been confirmed; the governmental party ‘United Russia’ once again won the majority of seats in the Duma and now has the power to alter the constitution. Everything seems to be ready for the presidential election in 2018. But is the situation as clear as it seems and what does this recent election tell us about the political situation in Russia? As the latest parliamentary election has to be seen in the light of what happened in the past years, a brief recapitulation of the situation in 2011 seems useful.

The situation preceding the 2016 election

The outcome of the 2011 parliamentary election was not surprising, as Dmitry Medvedev’s ‘United Russia’ once again won the big majority of seats. But – although the regime did not change – there certainly was a change of atmosphere. People who were dissatisfied with the result challenged the rightfulness of the clearly manipulated election. What followed was a wave of protest which came as a surprise not only for the Kremlin but in its extent also for the protestors themselves. An important factor which enabled the protests was the rise of a new constituency that can be described as the ‘educated urbanised’ or the well-educated and successful young generation. Another related factor was the rise of the Internet and of social

¹ The event took place on **28 September 2016**. **Guest speakers** were: **Dmitry Kokorin**, PhD researcher Russian Institute at King’s College, London; development director International Society Memorial; **Maria Lipman**, Editor-in-Chief of Counterpoint journal, published by the Institute for European, Russian and Eurasian Studies, George Washington University and **Aude Merlin**, lecturer in Political Science at CEVIPOL, ULB, specialised in Russian and Caucasian Studies. **Moderator** was **Johannes Voswinkel**, Director Moscow office of the Heinrich-Böll-Stiftung. The event took place under Chatham House Rule. The opinions expressed are not necessarily those of the Heinrich-Böll-Stiftung.



media, through which many young people were mobilised and became interested in politics. When the election took place, it was these people who went to the polling stations in order to observe the elections and reveal fraud, but they were brutally repressed by the regime and many were detained. This provoked a public mass protest with at first 10.000 and later up to 100.000 protestors all over the country. However, despite their fair-elections-campaign and anti-Putin slogans, the protestors failed to lend enough political weight to their actions: neither did they produce coherent demands nor did they seek a real political dialogue with the government. Thus, the protests were emotionally strong but politically weak. When faced with the intimidation policy of the Kremlin that included arrest, detainment and prosecution of the protestors as well as a catalogue of highly restrictive laws, the enthusiasm and pride of the protestors gave soon way to a sense of demoralisation.

However, even though the Kremlin succeeded in discouraging the protestors and Putin demonstrated once again that he is a leader without alternative, approval rates for Putin went down from around 80% in 2008 to over 60% in 2011, which certainly alarmed the Kremlin. But once he was reinstated after the protests, Putin's rates went up again and even reached 90% in the course of the Crimea conflict. At this point, many of the protestors joined the government and the rest of the nation in their defence of the annexation of Crimea. This partly spoils the protest movement. Since 2014, Putin's approval rates have remained as high as 80%. The goal for the election in 2016 was clearly to safeguard the majority in the Duma and avoid public protests like those in 2011. One factor, however, has changed: the Russian economy is on the decline and a return of economic growth is not expected any time soon. Aware of this new situation, the Kremlin made very careful and sophisticated preparations.

Election 2016: the new authoritarianism

The Russian form of government can be characterised as 'new authoritarianism'. These regimes, unlike earlier authoritarian regimes, do not rely on a high level of repression or mass prosecution but instead they utilise a broad array of mechanisms in order to stifle opposition like intimidation techniques, cooptation, marginalisation and neutralisation of perceived enemies. This shows a high level of sophistication by the regime and was clearly visible in the Russian preparations for the 2016 election: although all of the measures taken by the Kremlin clearly served to manipulate the election in its favour, they cannot really be classified as fraud. The first step was to reschedule the election to an earlier date from originally December to middle of September, where expectations did not yet have a chance to rise too high and people are generally in a better mood. Another measure taken by the Kremlin was gerrymandering. In order to neutralise the critical urban voters, urban vote districts were merged with much larger rural sectors, where people are generally less educated, less critical and more easily disciplined. Additionally, the election system itself was changed once again from an all-proportional to a mixed system where half of the 450 members of the Duma were elected according to proportionality and half via majority principle. In order to improve the image of the election beforehand, the former head of the election commission, Vladimir Churov, who back in 2011 was accused by the protestors to be the 'mastermind' of the election fraud, was replaced by Ella Pamfilova, a woman with a solid human rights background and a generally good reputation among the population. Finally, there were various legislative restrictions on election monitoring and media coverage.

One of the main goals of all these measures was to demobilise the unwanted critical voters and to keep them from participating in the election in the first place. And Putin succeeded: both the voting turnouts and the election results varied dramatically across Russia. Whereas the turnout in urban centres was especially low (about 30%), in some of the rural ethnic sectors almost 80



to 90% went to the polls. The support for 'United Russia' was much stronger in these rural areas with a high voting turn-out than in the urban centres. The result of the election thus served as a demonstration of power by the Kremlin and served to reinstate the legitimacy of the legislature. This sent a strong message to the opposition: the Kremlin is invincible; there is no point in voting differently or challenging the regime, because it has the approval of the majority and is immune to protest. Accordingly, civil society does not desire to challenge the election like it did in 2011, although there have been various reports about fraud. This time Putin succeeded in preventing a repeat of the scandal five years ago.

In view of the next presidential election in 2018, the question is: what will the future bring? Putin has been a leader without an alternative for almost 17 years now by switching between the offices of Prime Minister and President of the Russian Federation. He will most certainly continue his leadership in 2018. However, as the Russian economy is on decline or at least stuck in a crisis, it is extremely important to maintain legitimacy and consolidate control. Any measure the government takes to address the economic problems, like cuts in public spending or a rise of taxes will be very unpopular among the population. In the past, Putin was very reluctant to take such measures and it is unlikely that he will do so before the 2018 election. Experts already predict that the presidential election like the parliamentary election will be rescheduled to an earlier date. If not, Putin will have to face some difficulties in the parliament regarding budgetary cuts as many of its members are from single mandate districts and possess great lobbying power due to their local constituencies. If the current Duma will have to approve the new budget, there will be a lot of interesting bargaining before the next election.

Opportunities for civil society:

Russian NGOs did not have high expectations for the election and they were proven right. The atmosphere for Russian NGO remains dangerous and is not expected to improve in the near future. Even if some opposition members made it into the parliament at some point, Putin would find a way to restrict them. The Kremlin needs to keep civil society under pressure which means that civil society actors face a lot of potential risks in their work. During the last years the Kremlin took various measures in order to deter people from getting involved in politics: new restrictive laws were introduced on so-called foreign agents and undesired organisations which have seriously restricted the work of NGOs. Currently more than 100 organisations are labelled as 'foreign agents', the human rights group Memorial being the next candidate on the list¹. This would have major consequences for their relations with the local community and severely disrupt its communication, which is so vital for their work. Moreover, the funding situation for Russian NGOs is very bad and they slowly run out of resources. Last but not least, the Kremlin has made it very hard for NGOs to communicate with different levels of government, which is crucial if they want to influence policy-making.

Nonetheless, the time to give up hope has not come yet. During the election, groups of civil society observed the election process. These groups were organised like NGOs. Some are still active but under severe pressure by the regime. Under these restrictive conditions, the dialogue with politicians has found another dimension in the form of organising discussions and writing letters to municipalities. However desperate these actions may seem, any kind of political activity becomes crucial in such a system. The recruitment of young people is vital for the NGOs. Although they are well aware of the risks connected with engaging in human rights, there are still many young, well-educated Russians that want to participate. It seems paradoxical: while spaces for protest are shrinking, even more people are willing to be active and create new, small islands of protest. It is now the responsibility of the West to keep in contact with Russian civil society and keep them from getting isolated from the international



community. The cooperation with Russian universities and other institutions should be maintained and common activities should proceed.

¹ Memorial was put on the list of organisations labeled as 'foreign agents' on 9 November 2016.