

RUSSIA AND THE WEST: AN EXCHANGE

IN HIS OCTOBER 2004 *Current History* article, "Re-engaging Russia: A New Agenda," Michael McFaul argues that US-Russian relations are adrift. He places the blame squarely on the shoulders of Russian President Vladimir Putin.

"Since becoming president in January 2000," writes McFaul, Putin "has seized control of all national television networks, emasculated the power of the Federation Council, tamed regional barons who once balanced Boris Yeltsin's presidential rule, arbitrarily used the law to jail or chase away political foes, removed candidates from ballots, harassed and arrested NGO leaders, and weakened Russia's independent political parties."

McFaul points to Putin's recent proposals to change the way regional governors and Duma members are chosen, suggesting these plans "move Russia even closer to autocracy." The Russian people clearly want democracy, McFaul argues, but Putin does not want to give it to them.

Yet, in his eagerness to "tilt the balance in favor of those who support freedom," McFaul oversimplifies Russia's complexity. A careful look at Putin's actual record reveals not a "grand strategy" for antidemocratic regime change in Russia, as McFaul put it in an earlier critique, but rather an effort to strike the proper balance between civil liberties and state authority in the face of increasing demands for law and order.

As president, Putin does not have the luxury of thinking of democracy in abstract terms. He must work within the limits of the institutions as they exist, even as he seeks to transform them. He is, in other words, duty-bound to make the state function as an effective expression of the people's will.

His efforts have met with mixed success, but it would be both misleading and unfair to portray them, as McFaul and others recently have, as an unmitigated slide toward authoritarianism. The record reveals a more complex reality.

- **The press.** While it is deplorably true that national television channels have been effectively placed under government supervision under Putin's watch, this is not the entire story when it comes to freedom of information in Russia today. Since Putin became president, the number of new newspapers published in Russia has actually increased by more than 7 percent annually and the number of new magazines by more than 11 percent per year. Almost all of these new publications are owned by private companies. In fact, in September 2003, of the country's 35 major media outlets, only 4 were wholly state-run. This leaves 40,000 magazines and newspapers and 200 local television stations, of which more than a third are now financially self-sufficient, compared to only 10 percent five years ago.

Even on national television critical voices have always been part of the political debate. During the December 2003 parliamentary elections, opposition leaders Irina Khakamada, Boris Nemtsov, and Grigory Yavlinsky appeared often and on numerous programs. In the aftermath of the Beslan hostage crisis, Vladimir Ryzhkov, a stalwart young parliamentary critic of Putin, has been a frequent commentator, explaining in detail why he opposes the president's proposals for reforming the government. Whether or not there is enough criticism of this sort is a subjective call, but it cannot be said that such criticism is absent from the airwaves.

- **Federal checks and balances.** The Russian federal system, which is only a little more than a decade old, is still evolving. Under President Yeltsin a system had emerged that divorced federal authority from local authority. In the absence of a strong judiciary, this allowed local governors to set up fiefdoms that flaunted federal authority and passed local laws that directly violated the constitution.

By dividing the country's 89 regions into seven federal districts and giving each district head the task of removing legislative inconsistencies, Putin accomplished the daunting task of harmonizing federal and local legislation in just over two years. Whereas in 1999 nearly a third of local laws contradicted the Russian constitution, by 2002 nearly 95 percent of local legislation had been brought into conformity with federal law.

The broader question, however, as Ira Strauss has pointed out, is whether federalism is the proper place to be looking for checks and balances. It would make sense to use federalism as the principal check on central power only if one does not want to have any effective central power. Most people do not regard Italy or the United Kingdom as less democratic for conceding significant local balances to central power. We do not chastise Poland for appointing its regional governors, or France its prefects. Is it appropriate to demand of Russia a radically decentralized form of federalism, which we would never accept ourselves?

- **The judicial system.** Under the new criminal code and code of criminal procedures passed by Putin, anyone arrested in Russia must be presented to a judge within 48 hours. The judge must then rule on the validity of the arrest. Within two weeks the accused must be formally charged with a crime or released. (This provision was amended in March 2004 to provide no more than 30 days incarceration for crimes linked to terrorism.) Contrary to conventional press accounts, neither Putin nor any other state official can arrest anyone. Arrest warrants can be issued only on the basis of a judge's order.

Jury trials nationwide are another significant Putin accomplishment. Overall, juries already acquit 15 percent of cases, while judges acquit less than 1 percent

Continued on page 399

Continued from page 354

of the time in Russia. And these reforms are ongoing: on June 30, 2004, the Constitutional Court ruled that prosecutors were responsible for gathering evidence of innocence as well as guilt, relaxed the rules for providing alibis for those accused, and ruled that relatives of the accused could not be called as witnesses against them.

In March 2004 the Justice Ministry announced that, because of changes in the penal code, it would be reviewing the sentences of more than 450,000 inmates, more than a third of the prison population. The judicial system is still evolving, but despite occasional setbacks, there has been major progress overall.

- **Political candidates and NGOs.** The significant irregularities that continue to plague elections in the unstable Chechen region aside, one would be hard-pressed to make the case that Russian elections are not competitive. In the December elections, 12 national parties received federal campaign financing, an average of nine candidates competed for a seat in the national legislature, and 54 percent of incumbents lost their seats.

As for Putin's attitudes toward NGOs, a look at his actual initiatives in this area is quite revealing. In November 2001, Putin sponsored the Civic Forum, Russia's first national gathering of nongovernmental organizations. Earlier this year, when the Duma was considering imposing controversial restrictions on public meetings, Putin reminded deputies that Russian legislation had to be in conformity with the European Convention on Human Rights and Fundamental Freedoms.

- **Political parties and regional government.** Putin has consistently stressed the importance of parties to making the political system more accountable, and has proposed a number of legislative initiatives to strengthen their role. His latest controversial initiative to make national party lists the basis for the Duma has long been in the works. Many Russian legal scholars support it precisely because it would strengthen the role of parties in the political process, a necessary step toward true parliamentary government.

The evidence clearly does not support the one-sided claim that under Putin Russia is "breaking away from the core democratic values of the Euro-Atlantic community," as the authors—including McFaul—of an influential open letter recently asserted. Indeed, in a review of the development of civil society over the past 10 years, Andrei Kortunov of the Eurasia Foundation points out how much more stable all the Commonwealth of Independent States are today, thanks to the striking growth of both civil society and a market economy throughout the region, much of it thanks to Russia's lead.

Of course, much work remains. How could it be otherwise after the total collapse of the country's previous political, social, and economic institutions? Democratic institutions and patterns of behavior must

be reinforced, but exaggerating the difficulties and minimizing actual accomplishments cannot help. Indeed, it can only lead to mutual misunderstanding and end in the revival of hostility between Russia and the West.

There is a better way. It begins with recognizing that Putin is not moving Russia away from the West, but bringing it closer. It is Putin's deep-seated conviction that Russia must become part of the Western community that has allowed the previously unthinkable to occur—NATO's expansion into the Baltic states, Russian logistical support for US forces in Afghanistan, US bases in Uzbekistan, and US military advisers in Georgia.

Disengaging from a Russian government that is so clearly desirous of stronger ties with the West can only give support and ammunition to those inside Russia—and there are many—who argue that the West is implacably opposed to a strong Russian state. The unfortunate impression, fostered by McFaul and some other Western authors, is that Russians must choose between a strong state and democratic values. Given this Hobson's choice, Russians will of course choose a strong state, especially after the tragedy of Beslan. But this, as Putin never tires of saying, is a false choice. Russia has no other option but to simultaneously strengthen both state and civic institutions, and allow them to work together.

Western policies have indeed failed to contribute to Russian democracy. But this is not, as McFaul suggests, because we have closed our eyes to creeping authoritarianism or failed to support Russian democrats. It is because we never appreciated the magnitude of the transitions Russia faces, and ignored the vital importance of strong and effective state institutions to their resolution.

Instead of addressing Russia's emergence from communism as a problem of state-building, too often we have cheered the reduction of state capacity and treated those who opposed state institutions (rebels, recalcitrant governors, tax evaders) as heroes. We have thereby delegitimized the popularly elected government and tied our policies to those who at election time could barely muster 5 percent of the vote. Could there be a clearer recipe for disaster in the West's relationship with Russia?

A better policy begins with a more accurate portrayal of Russian society and its mixture of democratic and authoritarian features. If Russia were viewed like Mexico, Brazil, or Turkey, perhaps the sense of cold war conflict that still casts such a pall over our thinking might diminish. We could then finally stop seeing every difference of opinion as foreshadowing an irresolvable conflict over core values, and instead treat them as issues to be debated within a framework of shared aspirations.

The evidence shows that such aspirations not only exist but have been given a new lease on life under Putin. Yet the task of forging a new relationship cannot be Russia's alone. It requires Western partners who are willing to listen to all of Russian society and not

just certain segments of it, willing to reevaluate their stereotypes about Russian political culture, and, ultimately, willing to embrace Russia as a necessary and vital part of the West.

Nicolai N. Petro
University of Rhode Island

Michael McFaul responds:

I thank Professor Petro for his thoughtful response to my essay. I disagree with his analysis of both my article and Russia.

In response to his interpretation of my discussion of US-Russian relations, he is right to say that I believe Russia's autocratic drift will hurt the bilateral relationship in the long run. But my article also placed much of the blame for soured relations on US policy makers. Rather than just continue the blame game, I offered several concrete steps to help establish a real agenda of cooperation, much of which would have to come from Washington as well as Moscow, including the removal of cold-war-era trade restrictions, a new effort at reducing nuclear arsenals in both countries, and a genuinely bilateral and multilateral approach to resolving frozen conflicts in the former Soviet Union. More generally, my article never called for disengaging either the Russian state or Russian society: the title was, after all, "Reengaging Russia."

With respect to Russian democracy, Petro's letter is both contradictory and misleading. It is contradictory because he first suggests that Russians must be willing to trade some rollback of civil liberties to obtain order, but then argues that Putin is not rolling back democracy. Both cannot be true.

Petro makes the same false assumption that Putin does about the relationship between state capacity and regime type. More autocracy does not equal more law and order. Nor does democracy equal state weakness. Angola has a strong autocratic regime, but a very weak state that provides little order or security. Norway has a very democratic regime that governs a very capacious state.

Petro is right to highlight some positive features of Putin's political reforms, including the new criminal code and the jury trial system (though we still do not know how these reforms will actually be implemented). But the overall trajectory has been negative; a few anecdotes to the contrary do not change the overall picture. Every major organization that tracks democratization and its components agrees with that negative assessment.

Some of Petro's claims are misleading. On the press: yes, there has been a proliferation of private newspapers and Internet news services, but more than 90 percent of the Russian people get their political news from the national television stations, which are all controlled by the Kremlin. Most new publications on the Russian scene deliberately avoid cover-

ing politics. Petro trumpets critical press coverage of the October 2002 terrorist attack and the September 2004 Beslan school tragedy without mentioning that the general director of the television station that provided critical coverage in 2002 (NTV) was fired as a result. So too was the editor of *Izvestia* for his coverage of Beslan. One independent journalist who tried to travel to Beslan to cover the story, Anna Politkovskaya, was poisoned, while another, Andrei Babitsky, was detained.

Petro's discussion of federal checks and balances is bizarre. A system in which the chief executive appoints the regional leaders is no longer a federation—it is a unitary state. If Putin succeeds with this reform, he will also have to change the name of the country!

Petro is right to say that the 2003 and 2004 elections were competitive, but they were also the least competitive in Russia's postcommunist history. Many incumbents lost because they were beaten by candidates backed by the Kremlin, funded by oligarchs loyal to the Kremlin (the state-owned energy giant Gazprom backed more than 100 candidates), and supported by the Kremlin's loyal governors and the national media controlled by the Kremlin. Putin's victory in 2004 was so inevitable that none of the party leaders bothered to participate. Putin's administration does support the development of parties, but only those loyal to the Kremlin.

While it is true that Russian civil society exists, it is also the case that Russian civil society is under siege. The Civic Forum that Petro cites as good news for civil society development was seen by most Russian human rights organizations as a state attempt to control civil society. The only good news from this initiative is that it has been ineffective and corrupt. To deny the growing negative environment within which Russian civil society now works is an insult to those struggling on the ground to preserve Russian democracy.

Finally, I could not agree more with Petro when he writes that we in the West need to "reevaluate [our] stereotypes about Russian political culture." But, rather than undermining these stereotypes, Petro's letter reaffirms them. Implicit in his analysis is the argument that Putin needs to deny Russian citizens democratic rights, which we Americans take for granted, because of Russia's unique challenges. President George W. Bush would face a social revolution in the United States if he announced that he was going to appoint governors as a means to fight terror, yet somehow it is all right for Putin to take this step, even when opinion polls show unequivocally that the majority of the Russian people do not support this "reform."

Why is it deemed permissible for Russians to be denied rights that Americans or Europeans take for granted? The answer is always: because they are "Russian." This sounds like an ethnic stereotype and double standard to me. ■