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The Supreme Soviet: Will It Be Supreme?

An Intelligence Assessment

Office of the Director of Intelligence
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July 1990

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The Supreme Soviet: Will It Be Supreme?

An Intelligence Assessment

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The Supreme Soviet: Will It Be Supreme?

Key Judgments
*Information available
as of 15 June 1990
was used in this report.*

The Supreme Soviet, the USSR's newly invigorated legislature, has the potential to radically transform the Soviet political system. One year after its creation, it has rapidly translated its popular mandate into far more independence than President Gorbachev or the more radical reformers expected. The Supreme Soviet is now a significant political force that Gorbachev must take into account:

- It has quickly become responsive to the yearning of many Soviet citizens for democracy and helped accelerate the decline in the authority of the Communist Party.
- In its first session, it rejected 10 of more than 60 nominees for top state posts and subjected others, including Defense Minister Yazov, to unprecedentedly harsh criticism. This has helped ensure greater government accountability.
- On economic reform, it has generally supported the broad thrust of Gorbachev's economic program, though it has sometimes resisted proposals that would reduce the economic and social safety net. Its reluctance to adopt Premier Ryzhkov's revised economic reform program in the spring of 1990, however, forced the government to take more specific steps toward a free market economy.
- Even though they are outnumbered by the proestablishment majority in the full Supreme Soviet, democratic reformers on the legislature's standing committees and commissions often substantially revise leadership-backed bills.

Despite the Supreme Soviet's achievements, serious obstacles must be overcome before it can become a fully professional legislature. Its structural weaknesses include:

- Inadequate staff and resources.
- Subordination to the directly elected Congress of People's Deputies.
- Insufficient authority to adequately monitor the implementation of laws. The Supreme Soviet's ability to perform this task is further weakened by its dependence for much of its budget on the ministries it is supposed to oversee.

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- A rotation rule requiring that up to one-fifth of the Supreme Soviet membership be replaced each year. When the rule goes into effect before the next Supreme Soviet session in the fall of 1990, the legislature will lose vital expertise.

The Supreme Soviet's work is also hindered by the lack of a political culture in the USSR that values highly the rule of law and by weaknesses in the new state institutions. These include:

- Deputies' inexperience in legislative work. This has led to poor drafting of some bills and the reluctance of many legislators to assert even the powers they already have.
- The absence of a viable multiparty system, which prevents the Supreme Soviet from vigorously asserting its independence.
- Resistance by the party and government bureaucracies to legislative oversight.

Gorbachev's backing of a revitalized presidency last March grew partly out of his frustration with the legislature's slow pace of work and inability to deal so far with problems such as economic decline, rising crime, and ethnic unrest. Moreover, some prominent democratic reformers who have been most responsible for helping to develop the institution into what it is today have resigned their posts out of frustration with the body's inadequacies. They prefer to focus on republic and local issues, where they believe they have a better chance of affecting the outcome.

Gorbachev so far has been generally successful in maintaining control over the political process and keeping the legislature subordinate to the president. His initial dealings with the Supreme Soviet suggest that, for now, he will use his sweeping new authority—including the decree and veto powers and presidential rule—to limit that body's independence. He has used new Supreme Soviet Chairman Anatoliy Luk'yanov, a close political ally, to try to co-opt the Supreme Soviet's work. Luk'yanov has fought for Gorbachev's program in the new legislature.

If popular pressure for further democratization continues to build, however, the Soviet voters could eventually elect a Supreme Soviet that would not hesitate to challenge the leadership. By 1994, when plans for a more democratic electoral system are scheduled to go into effect, Gorbachev could well lose his pliable majority. Some radical reformers are pressing to speed up this date to obtain what they regard as a more democratically elected group of legislators.

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A new Supreme Soviet that would begin to challenge Gorbachev more directly could force him to choose between losing control of the legislature or trying to stop democratic processes and resorting to authoritarian powers to try to maintain his control. As it gains greater independence, most critical to the Supreme Soviet's fate will be whether its members are capable of the compromising and coalition building that would be needed to address the critical political, social, and economic crises facing the USSR. Should genuine parliamentarianism take firm hold, a stronger legislature would probably give greater long-term consistency to Soviet domestic and foreign policy, continue Gorbachev's emphasis on arms control, and seek to divert defense spending to help deal with domestic priorities.

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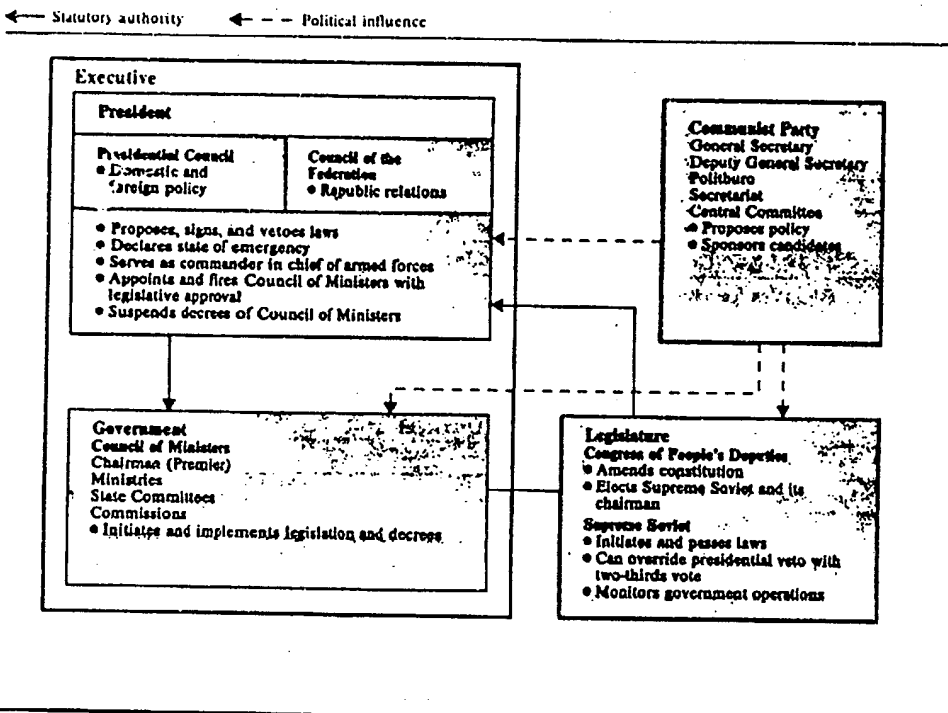
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Contents

	<i>Page</i>
Key Judgments	iii
Gorbachev's Objectives	1
Stimulating Political Activism	2
A New Kind of Politics	3
Major Accomplishments	6
The Committees' Key Role	6
Government Oversight and Increasing Accountability	8
Obstacles Remain	9
Lack of Staff	9
Deputies' Release	9
Rotation Rule	9
Poor Implementation and Oversight	10
Inadequate Budget	10
Taking Steps To Improve	10
Hastening the Party's Demise	11
Managing the Supreme Soviet's Work	11
The Supreme Soviet and the New Presidency	12
Outlook for a Parliamentary System	14
Implications for the United States	16

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Figure 1
The New Soviet Decisionmaking Structure



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The Supreme Soviet: Will It Be Supreme?

I recall Mayakovskiy, defining poetry as being like mining radium: a gram of metal needs a year's work. So then I think that the birth of a law is just as difficult a matter. A gram of metal. Sometimes for the sake of one single word, thousands of tons of verbal ore are consumed to precisely express the law.

—Vice President A. I. Luk'yahov
29 November 1985

Gorbachev's Objectives

President Gorbachev's revitalization of the previously rubberstamp Supreme Soviet, the USSR's standing legislature, is a key part of his *perestroika* campaign. Since he first proposed a radically restructured legislature at the 19th Party Conference in 1988, Gorbachev has hailed the new body as a major step forward in the democratization of the Soviet Union. He intended the new, 542-member Supreme Soviet to serve four goals:

- To act as a political counterweight to the Communist Party (CPSU) bureaucracy, which he viewed as an obstacle to the implementation of reform.
- To strengthen the reform drive and make the political system more responsive by opening it up to greater popular participation.
- To be an institutional check on the exercise of arbitrary power by the state and party apparatus.
- To strengthen his position by giving him a political base outside the party.

The leadership structured the new Supreme Soviet to enable it to achieve these objectives. The legislature has the power to pass laws and confirm members of the Council of Ministers and other state officials and to review their acts—responsibilities traditionally dominated by the party and government bureaucracies. The Supreme Soviet's commissions and committees are designed to have a major influence on the content of proposed laws, thereby undercutting the

The Supreme Soviet's Rubberstamp Legacy

The old Supreme Soviet, a bicameral body comprising 1,500 members, was created by Stalin in 1936 to give the totalitarian USSR the appearance of having a representative parliament. It traditionally met for only a few days each year and functioned as little more than a rubberstamp for Communist Party decisions. The party leadership tightly controlled the selection of deputies—usually according to informal quotas for groups that reflected their representation in the society at large. On average, 85 percent of the CPSU Central Committee, including most full and candidate Politburo members, were Supreme Soviet members.

policy role of the party apparatus and central government ministries. The establishment of a Council of Nationalities—a body that deals primarily with inter-ethnic matters—as one of two Supreme Soviet chambers is a visible symbol of the high priority Gorbachev gave to issues in the non-Russian republics. The Supreme Soviet Chairman—who has responsibilities similar to those of the US Speaker of the House—manages the work of the new legislature.

Despite the Supreme Soviet's structural resemblance to Western-style parliaments (see figure 2 on page 4), the leadership placed limits on it to try to ensure its pliability. The Supreme Soviet was subordinated to a 2,250-member Congress of People's Deputies, which reviews Supreme Soviet acts, decides constitutional questions, and sets general policy guidelines during its one or two meetings each year. (See insets on pages 2 and 3.) The chances that the Supreme Soviet would have a proestablishment majority were virtually guaranteed by the selection process: the Supreme Soviet's 542 deputies were not directly elected, but chosen by the

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Congress from its ranks, where one-third of the 2,250 seats, rather than being popularly elected, were set aside for deputies from social organizations such as the Communist Party and Komsomol. These organizations were unlikely to show much independence from the leadership's positions.

Stimulating Political Activism

The first sign that the new Supreme Soviet would be significantly different from the old, rubberstamp national parliament came during voting for the new Congress in March 1989, the USSR's first free election since 1918. In a dramatic vote of no confidence in the entrenched party bureaucracy, voters in the three Slavic republics rejected 31 of 102 obkom first secretaries, while 55 others, fearful of losing, gained election in safe districts outside their home cities. In the Baltic republics, independent political groups challenging the party establishment were even more successful. In many urban constituencies, voters backed many independent-minded candidates, often middle-class professionals, who were new to politics.

At the first session of the Congress of People's Deputies in the spring of 1989, many of these newcomers quickly made their presence felt. Almost every Soviet institution came under fire in sharp debate. Despite the debate's reformist, activist cast, however, the Congress appeared to select a relatively compliant Supreme Soviet—radical deputy Yuriy Afanaysev predicted it would be dominated by an "aggressively obedient" majority.

Powers of the Congress of People's Deputies

According to the USSR Constitution, the Congress of People's Deputies is the "supreme organ" of state power. It may examine and decide any question within the jurisdiction of the USSR.

Powers within the exclusive jurisdiction of the Congress include:

- *Adopting and amending the Constitution.*
- *Resolving issues related to the national-republic structure of the union.*
- *Defining the national borders and ratifying border changes between republics.*
- *Defining the basic guidelines of domestic and foreign policy.*
- *Ratifying long-term plans for social and economic development.*
- *Electing the Supreme Soviet.*
- *Electing the Supreme Soviet Chairman.*
- *Ratifying the Chairman of the Council of Ministers.*
- *Ratifying other national offices.*
- *Electing the Constitutional Oversight Committee.*
- *Repealing acts adopted by the Supreme Soviet.*
- *Holding nationwide referendums*

Acts of the Congress of People's Deputies enter into force 10 days after their publication

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Powers of the Supreme Soviet

The new Supreme Soviet is the standing legislative, administrative, and monitoring organ of state power. Its responsibilities include:

- *Passing laws.*
- *Initiating laws.*
- *Submitting questions to the president, Council of Ministers, and leaders of other state organs.*
- *Scheduling elections of people's deputies.*
- *Convening the Congress of People's Deputies.*
- *Appointing the chairman of the Council of Ministers on the submission of the president.*
- *Ratifying the composition of the Council of Ministers and changes in it on the submission of the chairman of the Council of Ministers.*
- *Forming and disbanding ministries and state committees on the proposal of the Council of Ministers.*
- *Overriding a presidential veto with two-thirds vote in each chamber.*
- *Ratifying presidential declarations of war in cases of attack on the USSR.*
- *Impeaching the president, taking into account the findings of the Constitutional Oversight Committee.*
- *Hearing reports by organs or officials it appoints.*
- *Implementing laws regulating property, the management of the national economy, cultural and social issues, budget and finance, salaries, prices, taxes, environmental protection, natural resources, and civil rights.*
- *Laying down the principles of local and republic state power and the legal status of social organizations.*
- *Submitting for ratification by the Congress of People's Deputies long-term national plans, as well as those important for economic and social development; ratifying and amending national plans for economic and social development and the national budget; monitoring implementation of the state plan and budget; ratifying reports on their performance.*
- *Ratifying international treaties.*
- *Overseeing the granting of foreign aid and negotiating foreign loans.*
- *Determining basic measures for national security, including declaring war, mobilizing troops, and meeting international treaty obligations.*

Supreme Soviet acts enter into force after signature by the president and publication.

Look closely at the events taking place in the country. The revolution controlled from above, begun on the initiative of M. S. Gorbachev and the party circles supporting him, generated an uncontrolled revolution from below by approximately the middle of last year.

—*Professor A. Mishin, Doctor of Juridical Sciences and political scientist*
 Komsomol'skaya pravda
 24 February 1990

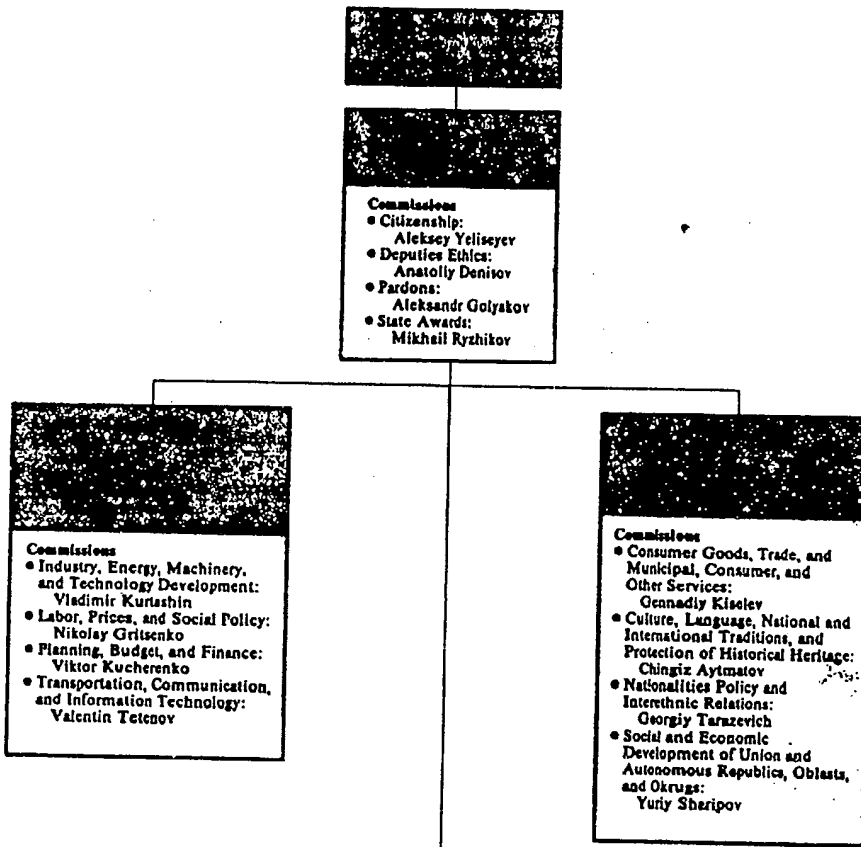
A New Kind of Politics

The Supreme Soviet has turned out to be less compliant than many democratic reformers feared and Gorbachev intended. Armed with greater, though still indirect, popular accountability than its rubberstamp predecessor, the new legislature quickly moved to champion the interests of its constituents. In June Chairman Luk'yanov said that in the first half of 1990 deputies received 400,000 letters from their constituents

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Figure 2
USSR: Supreme Soviet



Joint Committees

- Agrarian and Food: Arkadiy Veprev
- Construction and Architecture: Yuriy Komarov
- Defense and State Security: Leonid Sharin
- Ecology and the Rational Use of Natural Resources: Kakimbek Salykov
- Economic Reform: Valentin Vologzhin
- *Glasnost* and Citizens' Rights and Appeals: Vladimir Foteyev
- International Affairs: Aleksandr Dzasokhov
- Health: Yuriy Borodin
- Internationalist Servicemen's Affairs: Pavel Shetko
- Law and Order and Battle Against Crime: Yuriy Golik

- Legislation and Legality: Yuriy Kalmykov
- Science, Education, Culture, and Upbringing: Yuriy Ryzhov
- Soviet of People's Deputies and Management and Self-Management Development: Nikolay Pivovarov
- Veteran and Invalid Affairs: Nikolay Bosenko
- Women's Affairs and Family, Mother, and Child Protection: Valentina Matviyenko
- Youth Affairs: Valeriy Tsybukh

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Table 1
Social and Professional Composition of the Congress of People's Deputies and the Supreme Soviet

	<i>Percent</i>
Members of the CPSU	
Congress of People's Deputies	87.6
Council of the Union	88.5
Council of Nationalities	87.4
Deputies elected by the CPSU Central Committee	
Congress of People's Deputies	4.4
Council of the Union	4.4
Council of Nationalities	5.1
Deputies elected from territorial or national-territorial okrugs (that is, not elected by public or professional organizations)	
Congress of People's Deputies	66.6
Council of the Union	65.6
Council of Nationalities	81.1
Women	
Congress of People's Deputies	17.0
Council of the Union	16.2
Council of Nationalities	20.2

The new legislature also rapidly evolved into a forum where distinct interest groups (see tables 1 and 2) could seek redress for their grievances. According to Luk'yanov, about 600,000 appeals were received by deputies in the first half of 1990. The committee working on a criminal rights bill received more than 1,000 suggestions from lawyers, academics, and even criminals. On the property bill, 10,000 proposals and remarks were submitted to the Supreme Soviet—most favoring expanding its private-property provisions. In the summer of 1989, striking miners looked to the Supreme Soviet to settle their complaints—not to the established trade unions or to party functionaries. Supreme Soviet deputies and committee members personally met 2,000 constituents during that period. So heavy has been the press of business that some deputies have been complaining that the proliferation of lobbyists is diverting them from spending enough time on their legislative duties.

Table 2
Professional Composition of the USSR Supreme Soviet, 1984 and 1989, and the Congress of People's Deputies, 1989

	<i>Supreme Soviet 1984</i>	<i>Congress of People's Deputies 1989</i>	<i>Supreme Soviet 1989</i>
Top political leadership	1.5	0.7	0.2
Top and middle-level managerial personnel	40.0	39.8	32.8
Low-level managerial personnel	6.6	25.3	35.3
Workers, collective farmers, and nonprofessional official employees	45.9	22.1	18.3
Intelligentsia	6.0	10.2	12.5
Military	3.7	4.0	1.8
KGB	1.1	0.4	0.2
Pensioners	NA	1.6	0.9
Clergy	0	0.3	0

Note: Percentages for the military and KGB were calculated and added to official Soviet data; for this reason, the columns do not total 100 percent. Although there is no specific total for pensioners in 1984, there were some pensioners in the Supreme Soviet at that time.

The new blood brought into the political system by the 1989 election has fueled the rapid proliferation of factions in the Supreme Soviet, largely reflecting the political, geographic, and occupational divisions in Soviet society. Among these are groups of deputies representing scientists and engineers, academicians, rural areas, teachers, younger constituents, and reformist military officers—some formed with Gorbachev's direction. The most influential factions include:

- The Interregional Deputies Group, comprising about 90 Supreme Soviet members—and 400 in the entire Congress—which has actively lobbied for more rapid political and economic reform than usually favored by the leadership.
- The Rossiya or "Russia Club," a group of about 100 deputies promoting the interests of Russian workers and opposing private economic activities and the free market.

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- The Baltic deputies group, a small minority that used its cohesiveness and political skills to have a significant impact on several bills before the group withdrew this spring from formal participation in the legislature's work.

These groups have had an immediate effect on the Supreme Soviet. They helped broaden the range of policy alternatives before the body by advocating their own draft bills on many issues. The draft law on the press currently under consideration was the product of eight other drafts submitted by various Supreme Soviet factions. The land law, which passed in February 1990, underwent 42 revisions by Supreme Soviet committee:

In the republics, the Supreme Soviet's rapid development has encouraged popular pressure for more democratization than regional and local leaderships initially favored. Pressure from activist grassroots reformers, spurred by the independent example set by many in the legislature, forced several republics to adopt liberal laws on language, elections, property, and citizenship even before the USSR Supreme Soviet addressed these issues. This activism has often been encouraged by Supreme Soviet deputies who have forged links with independent political groups in their constituencies. Moreover, several legislators have used their positions in the Supreme Soviet as springboards to the elections for republic and local soviets. The local elections in the spring of 1990 gave control of the Moscow and Leningrad soviets to radical reformers, some of whom already held seats in the national legislature

Major Accomplishments

The Supreme Soviet quickly translated its popular mandate into far more independence than even the more radical reformers expected. With the glare of media coverage on them and unprecedented access to information about the state of the country, many lawmakers showed from the start that they would not automatically back the leadership. In its first session, which ran from late June to early August 1989, the Supreme Soviet took steps toward making the ineffi-

cient government ministries more accountable when it rejected 10 of more than 60 nominees for government posts and grilled Defense Minister Yazov and KGB Chairman Kryuchkov during their confirmation hearings.

In its fall 1989 and spring 1990 sessions, the Supreme Soviet set itself more firmly on a course that could establish it eventually as a genuinely independent legislature. In addressing 29 of the 34 items on its fall 1989 agenda, the legislature forced revisions in several leadership-backed initiatives and recommended to the Congress of People's Deputies, over the argument of Deputy Chairman Luk'yanov, the elimination of guaranteed Congress seats for the CPSU and other largely proestablishment social organizations. It also gave a plurality of votes—but not the two-thirds majority required for passage—to a proposal to put on the Congress's December 1989 agenda debate on repealing Article 6 of the USSR Constitution, which guaranteed the CPSU the leading role in society. In addition, although it soon acquiesced, the Supreme Soviet in February 1990 refused to give immediate approval to Gorbachev's plan for a strengthened presidency.

I am surely not alone in agonizing over why many correct and good decisions of the legislative and executive organs of power centrally and locally are so difficult to implement or remain on paper. . . . It all concerns the system of party-state administrative mechanism built up over 50 years.

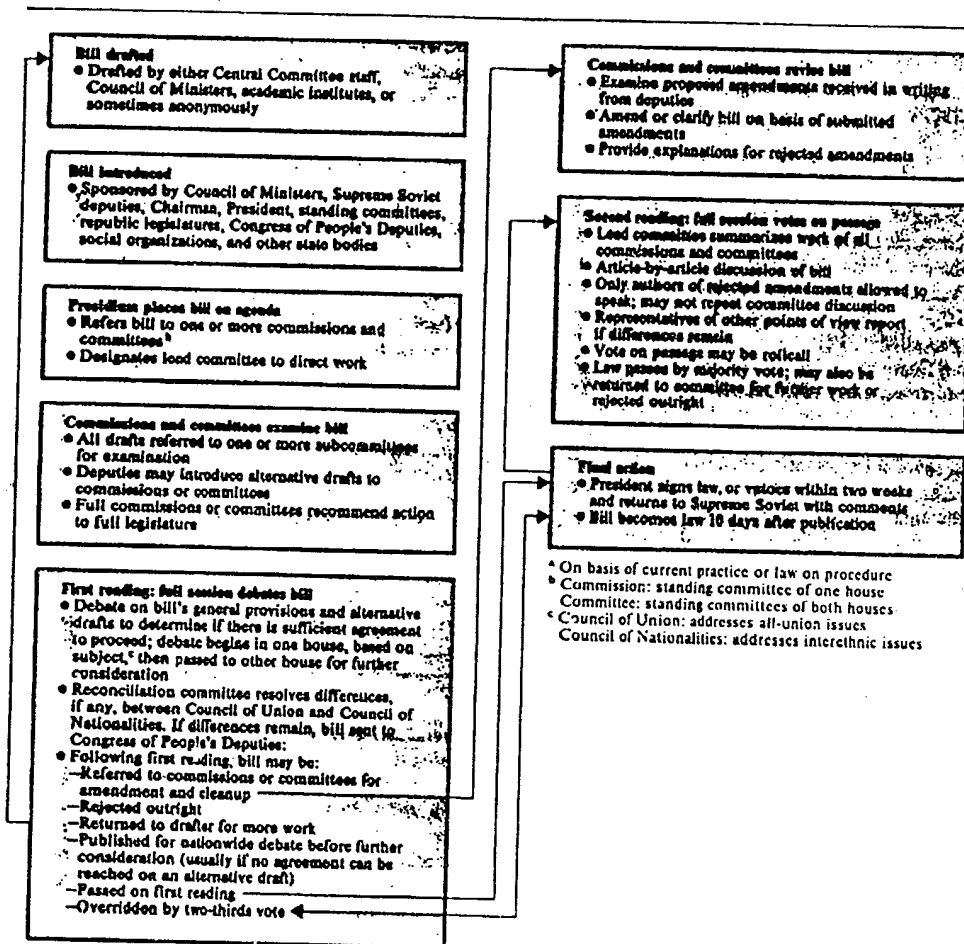
—Premier N. Ryzhkov
7 February 1990

The Committees' Key Role

Much of the independence shown by the Supreme Soviet is due to the rapid emergence of many of its 22 standing committees and commissions as important centers of political power. Although the expertise and experience of the committees vary greatly, many quickly learned to gather information, sift alternatives, refine legislation, and ultimately shape—though not determine—what gets to the floor. (See figure 3.)

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Figure 3
How the Supreme Soviet Passes Laws*



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In recent months the committees also have held hearings on health care, unemployment, unlawful privileges, human rights, nationalities policy, defense conversion, organized crime, KGB oversight, and border security; the draft emigration bill approved in principle by the full Supreme Soviet in November 1989 was made substantially less restrictive during committee cleanup before its final passage in April 1990.

The high proportion of radical reformers on the committees, where they can shape legislation even though they are outnumbered in the full legislature, is the major factor behind the committees' rapid development. Although it controls only three chairmanships, the reformist Interregional Deputies Group (IDG) is represented on the committees far out of proportion to the numbers of its members in either the full Supreme Soviet or Congress of People's Deputies. Moreover, many IDG members are heavily represented on key committees—especially Economic Reform, Legislation, and *Glasnost*—which play a critical role in shaping important bills on political and economic reform. The IDG's influence also is strengthened by the high level of expertise many of its committee members have in the relevant policy areas. By contrast, those committees with the smallest IDG contingents—including Veterans, Consumer Goods, and Health—are among the committees that have played the least influential roles.

The leadership's selection rules help ensure that deputies representing minorities or unpopular viewpoints are represented on key committees. Although the rules, which reserve half of all committee seats for Congress deputies not elected to the Supreme Soviet, were intended to give legislative experience to the largest possible number of deputies, they also guarantee that many democratic reformers would play important roles in the legislature's work. (See inset.) Many reformist deputies also have legal or other backgrounds that allow them to play key roles in committee work—prominent deputy Anatoliy Sobchak, for example, is the head of the Law Faculty at Leningrad State University, while Sergey Stankevich, an influential member of the Legislation Committee, wrote a doctoral dissertation on the US Congress.

A "Stalinist-Brezhnevite" Majority?

The overwhelming Supreme Soviet majority that President Gorbachev commands on most issues usually includes approximately 80 percent of the 542 deputies—including 200 to 300 middle-of-the-road deputies who generally back Gorbachev's reform program despite disagreements about specific issues. It also includes about 100 traditionalists who, despite misgivings about perestroika, back Gorbachev out of opposition to the radicals' more extreme alternatives. Among the Gorbachev supporters also are deputies—often from Central Asia—who back almost every leadership position, apparently out of a belief that it is their duty as legislators.

Gorbachev's majority, usually strong on economic reform questions, is shakier on political issues, when many moderate deputies often break with him and vote with the 90 or so Interregional Group members who support expanding democratization more quickly than what he favors. Bills that appear to target the party apparatus also are likely to garner substantial support from the moderates. In recent months, however, the Interregional Group has been split by disagreement over strategy and tactics, which is likely to weaken their voting strength in future Supreme Soviet sessions. The refusal of many Baltic deputies to actively participate in Supreme Soviet work has further diluted Interregional Group strength

Government Oversight and Increasing Accountability

During the first Supreme Soviet session, the harsh grilling given Premier Ryzhkov's nominees for top government posts set a precedent for holding government officials to high standards of accountability. In succeeding sessions, the Supreme Soviet has continued this work by aggressively taking the first steps toward exercising its oversight responsibilities. A primary tool for accomplishing this has been the deputies' power to issue inquiries to officials about government activity, which must be answered within three days. In the first three months under the new system, 862 deputies sent 1,500 inquiries to the USSR Council of Ministers. In March 1990 the Supreme Soviet expanded this practice by beginning monthly question-and-answer sessions with ministers

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Supreme Soviet oversight has worked best so far in those areas where the government bodies have voluntarily cooperated. The KGB and Ministry of Foreign Affairs (MFA), most notably, have enthusiastically worked with the committees responsible for overseeing their operations. Gorbachev and Foreign Minister Shevardnadze have already begun to address the Supreme Soviet on major foreign policy issues. In April 1990 the International Affairs Committee considered the nominations of 10 ambassadorial appointments, including the new envoy to Washington, Aleksandr Bessmertnykh. This marked the first time the parliament has reviewed such appointments. The MFA also has established a liaison department to deal with the Supreme Soviet

Obstacles Remain

Despite its achievements, the Supreme Soviet remains handicapped because of structural shortcomings in its operations and developmental weaknesses in the Soviet political system. These problems may hinder the Supreme Soviet's development into a professional legislature.

Lack of Staff

Poor staffing for the new body imposes harsh demands on many legislators—some deputies are serving on as many as six committees. To bolster the expertise of the Supreme Soviet staff, the Academy of Sciences and the Ministries of Defense and Foreign Affairs reportedly have formally detailed personnel, whose primary loyalties may be to their own organizations rather than to the Supreme Soviet or its committees. Moreover, despite Gorbachev's goal of taking the party bureaucracy out of policymaking, the CPSU Central Committee staff reportedly has drafted several bills because the Supreme Soviet did not have the staff to do the job.

Deputies' Release

Although draft laws in 1988 provided for the release of deputies from other jobs while attending Supreme Soviet sessions or working for one of its standing commissions, the final law said only that deputies "may be released." As a result, many deputies serve in the legislature while on leave from their usual occupation. This requirement imposes a hardship on

Financial Rewards for Being a People's Deputy: By the Numbers

- Monthly salary of a member of the Congress of People's Deputies: 200 rubles.
 - Monthly salary of a chairman, Supreme Soviet commission or committee: 800 rubles.
 - Monthly salary of a deputy chairman, Supreme Soviet commission or committee: 650 rubles.
 - Monthly salary of the chairman of Councils of Union or Nationalities: 1,000 rubles.
 - Additional monthly salary of a Supreme Soviet deputy: 500 rubles.
 - Per diem allowance for a deputy living in the Moskva Hotel during a session of the Congress of People's Deputies or Supreme Soviet: 6 rubles. (If the deputy lives in an official apartment, he or she does not receive this sum and must pay for apartment utilities out of pocket.) A deputy receives an additional stipend if accompanied by his or her spouse during the session.
 - Monthly expense allotment for secretary or staff assistants: 300 rubles
-

many—especially on those from outside Moscow—and encourages absenteeism. About one-third of the deputies are usually absent from plenary sessions.

Rotation Rule

The professionalization of the Supreme Soviet would have been further hindered if, as originally planned, the constitutional requirement that 20 percent of Supreme Soviet deputies be annually replaced had gone into effect this year. However, in December 1989 the leadership backed away from a strict interpretation of that requirement, saying that only "up to" 20 percent be rotated each year, and it exempted committee and commission chairmen. The rotation is now scheduled to take place at the fall 1990 Congress.

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The Supreme Soviet's effort to ensure effective oversight of the USSR's ministries has lagged behind its ability to pass laws. This was explicitly recognized in the instructions to the second Congress of People's Deputies at the March-April 1990 Supreme Soviet session, which exhorted the parliament to devote "particular attention" to correcting that problem. The determination of some ministers to disregard the legislature was illustrated by the government's introduction of economic measures in December 1989 that contained provisions contradicting the environmental protection measures passed by the Supreme Soviet the previous month. Although most examples of official disregard of Supreme Soviet acts are less flagrant, noncompliance is widespread; nor has the legislature acted vigorously to make sure its decisions are obeyed. Oversight problems are exacerbated because many deputies—especially those from working-class and rural districts, who occupy almost half of the Supreme Soviet seats—reportedly are reluctant to use their authority to challenge the leadership.

Effective oversight also is impeded by the weak implementation and enforcement provisions of many bills. Because of a lack of drafting experience on the part of many Supreme Soviet members, as well as inadequate staffing, many bills are short on practical detail and/or contain internal contradictions. Without clear implementation language, many government and party bureaucrats, accustomed to implementing vague political directives and developing their own regulations, will be able to subvert the intent of even the most ambitious reform legislation. The USSR also lacks a strong judicial and administrative law system where noncompliance disputes can be settled.

The Supreme Soviet's oversight of ministry budgets, an area where Western legislatures play a major role, has been especially weak. Even though the leadership in the fall of 1989 reportedly shifted significant authority over ministry spending from the CPSU Central Committee to the Supreme Soviet, the deputies' inexperience, as well as understaffing, has hampered its ability to assume this authority. There is no established appropriations process, and the Supreme Soviet has, so far, not approved budgets line by line.

[] recently explained his committee's passivity by saying it was still looking for "levers" to pull on budget questions. Oversight is further complicated because ministries are reluctant to release budget information, and there are often no reliable statistics on the operations of many ministries.

Inadequate Budget

The legislature's own budget is insufficient to allow it to fully do its job. The Congress of People's Deputies and the Supreme Soviet are funded out of the general state budget—though at far higher rates than in the past—rather than having independent allocations of their own. The Supreme Soviet's political leverage over the ministries it is supposed to oversee is diminished by the way these funds are acquired: money for the legislature's work must be requested from the Supreme Soviet Secretariat, the legislature's administrative staff, which then consults with the ministries to obtain needed money.

Taking Steps To Improve

Despite the Supreme Soviet's growing pains, several remedies are under discussion that may address some of its shortcomings:

- Constitutional amendments passed by the Congress of People's Deputies in March 1990, as well as a status-of-deputies law passed in the spring 1990 session, will strengthen deputies' prerogatives. These measures guarantee deputies' freedom of speech, spell out their power to question government officials, investigate official wrongdoing and bureaucratic inefficiency, and specify penalties for officials who fail to cooperate with deputies performing their duties. The status-of-deputies law also gives the Supreme Soviet the power to vote "no confidence" in government officials—a censure that could lead to their removal.
- The Interregional Deputies Group reportedly has prepared a plan for a step-by-step takeover of the budget process by the Supreme Soviet. This pro-

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gram reportedly will involve new legislation creating a support framework similar to that of the US General Accounting Office. An independent research service along the lines of the US Congressional Research Service was created in early 1990.

- A special academy, set up recently to train lawmakers, may eventually help them push their prerogatives more aggressively. Radical deputy Fedor Burlatskiy is trying to form a deputies' club that will help train a professional cadre of legislators

Hastening the Party's Demise

The Supreme Soviet has used its greater responsibilities to build up its authority directly at the expense of the Communist Party and its main organs, especially the Politburo and Central Committee. Deputies have used *glasnost* to blame the party apparatus for past mistakes and shortcomings and have singled out the party bureaucracy for dragging its feet on reform, failing to reverse the country's declining living standards and enjoying privileges unavailable to ordinary citizens. Even Politburo directives that are passed to party members in the Supreme Soviet are often disregarded.

September 1989, Moscow resident [] In [] were far more interested in the Supreme Soviet's discussion of key economic reform legislation than in the concurrent CPSU Central Committee plenum that announced major changes in Politburo membership.

The party apparatus has been fighting a rear-guard action to frustrate the legislature's development. Many CPSU officials are afraid that the new state institutions will strip them of their prerogatives.

[] said that, even though the Supreme Soviet's power is still limited, the legislature has forced many traditionalist Central Committee members to moderate their views to appear more progressive. Nevertheless, the CPSU apparatus re-

mains a powerful political institution, and it is resisting the Supreme Soviet's attempts to assert its authority

Managing the Supreme Soviet's Work

The Supreme Soviet's quick assertion of its independence apparently surprised the leadership. Comments by top Soviet officials during the first session suggest that Gorbachev originally intended to make some key decisions without significant input by the legislature.

The leadership quickly adjusted, however, to the Supreme Soviet's unexpected activism. Although Gorbachev and Luk'yanov have not fully resolved the tension between trying to enlist the Supreme Soviet's support for their positions on the one hand and strengthening the legislature on the other, the leadership has usually tried to secure support for its positions without undercutting the parliament's legitimacy:

- Gorbachev has publicly welcomed the strengthened commitment to parliamentarianism. Until he became president in March 1990, he chaired many sessions and used the legislature to trumpet new reform legislation. On the infrequent occasions when a vote went against him, Gorbachev has accepted the outcome or tried to broker compromises in advance.
- The leadership apparently has invoked party discipline infrequently and has couched party policies only as proposals for the Supreme Soviet and Congress of People's Deputies to consider.
- Deputies also have been encouraged to borrow from the experience of other legislatures by supporting active exchanges with Western parliaments.

Despite Gorbachev's efforts to build up the legislature's independence, until his assumption of the presidency he actively used the chairmanship to ensure that his views would prevail:

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- On 27 February Gorbachev denied several prominent deputies the right to speak on his proposal for a strengthened presidency or have their alternative proposals put to a vote, even though he almost certainly knew he already had the majority he needed.
- Gorbachev sometimes set the legislature's daily agenda without regard for the pace of committee work.
- In October 1989, Gorbachev's direct pressure on deputies who favored passing a state of emergency law to deal with labor unrest was widely credited with help to derail the bill before it came to full debate.
- While serving as chairman, Gorbachev ignored many deputies' inquiries, despite procedural rules mandating that the Supreme Soviet chairman must respond.
- Gorbachev uses the KGB to keep him abreast of the activities of the democratic opposition

The leadership also uses less formal tactics to ensure that its positions prevail. It tries to offset the influence of especially activist committees by allowing pliable committees with little direct responsibility over the subject of a draft bill to have a say on its fate. The draft law on the press, for example, was submitted to the Committee on *Glasnost*, as well as to three committees with little responsibility for the issue, including the Committee on Women's Affairs

Until the creation of the new presidency, the Supreme Soviet Presidium—which included Gorbachev, Luk'yanov, the chairmen of the two legislative chambers, and the 22 committee and commission chairmen—was the major institution managing the Supreme Soviet's work. Although it usually focused on setting the legislature's agenda, Gorbachev sometimes aired controversial issues in the Presidium before sending them on for discussion before the full body. For example, apparently fearing in January 1990 that opposition from non-Russian deputies in the legisla-

ture might be strong and action delayed, the Supreme Soviet Presidium declared a state of emergency in Nagorno-Karabakh in advance of full debate and held unconstitutional several republic laws.

The Supreme Soviet and the New Presidency

Gorbachev's plan for a new, stronger presidency, passed by the Congress of People's Deputies in March 1990, is intended to address some of these Supreme Soviet weaknesses—especially its slowness and "incompetence" on economic policy. Gorbachev also hopes the new post will allow him to better control the legislature's work and enhance his personal power should it continue to gain independence

The new presidency combines the legislative and executive powers formerly held by the Supreme Soviet Presidium, including the right to declare republic laws unconstitutional, confer military ranks and pardons, declare martial law and states of emergency, veto legislation, dissolve the parliament, and nominate government ministers. The new responsibilities will dramatically augment Gorbachev's authority to respond quickly to crises and take other potentially controversial initiatives to deal with domestic and foreign issues. In assuming his new office, Gorbachev gave up responsibility for chairing Supreme Soviet sessions. This responsibility has been assumed by his ally Luk'yanov.

As part of Gorbachev's compromise with radical deputies to ensure the plan's approval, the Supreme Soviet and Congress of People's Deputies were given checks on the executive. The Supreme Soviet can override the president's veto and impeach him. It also may submit questions to the president to which he is legally obligated to reply. Although the Supreme Soviet's current weaknesses probably will prevent those checks from being strong limits on the President's power over the short term, they could become significant checks on presidential power should the Supreme Soviet develop into a genuinely independent legislature

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~~Secret~~The Powers of the Soviet Presidency

Of the powers now assigned to the president, some belonged to the chairman of the Supreme Soviet (and thus were already exercised by Gorbachev), some previously belonged to the Supreme Soviet or to its Presidium, and some are new powers.

The president:

- Represents the USSR inside the country and in international relations.
- Reports annually to the Congress and briefs the Supreme Soviet on the situation in the country and on the most important domestic and foreign policy questions.
- Nominates to the Supreme Soviet and to the Congress the chairman of the Council of Ministers, the chairman of the Supreme Soviet, and other top state posts.
- Signs laws.
- Conducts negotiations and signs international treaties.
- Proposes, at his option, the convening of extraordinary sessions of the Supreme Soviet or Congress of People's Deputies.

Powers acquired from the Supreme Soviet Presidium include:

- Declaring war in the event of an attack on the USSR, with immediate referral of the question to the Supreme Soviet.
- Declaring general or partial mobilization.
- Declaring martial law under terms to be defined by law.
- Declaring a state of emergency in particular locales at the request of the relevant republic; if republic consent is absent, the president can introduce a state of emergency, with mandatory approval by the two-thirds majority needed in the Supreme Soviet.

- Deciding questions of citizenship and granting pardons.
- Accrediting and recalling ambassadors.

Powers the president acquired from the Supreme Soviet include:

- Appointing and removing members of the military high command.
- Suspending, at his option, decrees of the Council of Ministers.

The president's new powers include:

- Proposing the resignation of the premier and other top state officials to the Supreme Soviet and the Congress.
- Releasing and appointing members of the government, by agreement with the premier and subject to Supreme Soviet confirmation.
- Vetoing a bill, at his option, within two weeks, and returning it to the Supreme Soviet, but the Supreme Soviet may override the veto by a two-thirds majority in each chamber.
- Proposing to the Congress the election of a new Supreme Soviet in the event of an irreconcilable disagreement between the two Supreme Soviet chambers.
- Taking the "necessary measures" to protect the union and union republics and to implement the principles of the national-republic structure in the USSR.
- Coordinating the activities of the national security apparatus and acting as commander in chief of the armed forces.
- Introducing presidential rule, subject to restriction by the Supreme Soviet.
- Issuing decrees that bind the whole country.
- Convening, at his option, extraordinary sessions of the Congress of People's Deputies.

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The Supreme Soviet's initial dealings with President Gorbachev suggest it will play a subordinate role to the executive in the immediate future. The state of emergency law passed on 3 April 1990 requires Supreme Soviet approval of some of the president's emergency decrees; presidential rule—a sweeping power not yet clearly defined—was also limited. However, Supreme Soviet deputies trying to organize a group to work out a compromise on the Lithuania crisis complained that Gorbachev preferred not to involve them, and Luk'yanov refused to put the issue on the agenda. Supreme Soviet Chairman Luk'yanov's participation in the initial meetings of the Presidential Council and the Council of the Federation—both nominally executive bodies—indicates Gorbachev is using Luk'yanov to manage the legislature's work.

Everyone is well aware that whoever can effectively resolve questions connected with developing the economy and social sphere and satisfying people's vital everyday needs has real power.

—V. M. Mesyats, First Secretary,
Moscow Obkomi
5 February 1990

Outlook for a Parliamentary System

In a country lacking a parliamentary tradition and a democratic political culture, the Supreme Soviet's rapid progress has been a major step forward in the democratization of Soviet society. In the future, the party apparatus probably will have less strength to oppose democratic reformers running for office. Given the increased independence of the Supreme Soviet, it is likely that the next legislature will be much more difficult for the leadership to control and could even challenge it to set the policy agenda. With the elimination of Congress seats set aside for the CPSU and other proestablishment organizations, the election of deputies with views widely differing from the president's and from each other's is much more likely. If elections are moved up from 1994 to 1990 or 1991, as advocated by some reformers, there could be a challenge even sooner. Grassroots pressure for further

democratization or the development of a multiparty system also could lead the legislature to more vigorously push its prerogatives.

This challenge could advance the Supreme Soviet's authority. Confronted with a more assertive legislature, Gorbachev could use his presidential powers—especially his right to veto legislation and rule by decree—to try to maintain his control. However, he would be more likely to forge political coalitions with deputies of different views to get support for his programs. Given the deputies' greater leverage over policy issues, this bargaining is likely to involve significant presidential concessions to Supreme Soviet prerogatives, as well as moves to strengthen the body.

These moves could include the following steps:

- Raising deputies' salaries and the budget for support staff and requiring all deputies to work as full-time legislators.
- Opening, to an even greater degree, Supreme Soviet proceedings, especially the deputies' votes; making public committee and commission deliberations, including publication of committee votes; and publishing draft bills under committee consideration.
- Limiting the role of the party and government bureaucracies by requiring that all submitted bills have specific deputies named as authors.
- Abolishing the Congress of People's Deputies and making the Supreme Soviet directly elected.
- Expanding the Supreme Soviet's support staff and budget.
- Requiring the Supreme Soviet Presidium to observe clear rules for assigning bills to commissions and committees.
- Restricting drastically or repealing outright the 20-percent rotation rule.

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- Requiring *all* Supreme Soviet deputies to give up their previous jobs. The March 1990 Congress of People's Deputies took a step in this direction when it approved a constitutional amendment stating that deputies are "entitled" to be relieved of their other jobs. However, this change does not appear to require release in all cases.

Gorbachev's successful manipulation of the Supreme Soviet so far, however, does not bode well for the legislature's efforts to strengthen its independence in the near future. The establishment of the new presidency in a political system where alternative parties have not yet developed and the tradition of judicial independence is still weak could lead to the emergence of a system of strong personal power. The development of a truly independent legislature is also hampered by the absence of a political culture in the USSR that values highly the rule of law.

More important to the legislature's development will be the Supreme Soviet's ability to demonstrate that it has the capacity to deal effectively with the nation's economic and social problems and represent the interests of its constituents. The most frequently voiced popular criticism of the legislature so far is that it cannot point to a single accomplishment that has improved the average citizen's welfare. Overcoming this perception in the coming months will be a key test of the Supreme Soviet's ability to further establish its viability; failure to do so will inevitably reduce its standing and prestige in the eyes of the public. (See table 3.)

The elections to republic and local supreme soviets, already completed in most areas, have delivered additional blows to the prestige and authority of the party apparatus and resulted in democratic city council majorities in Moscow, Leningrad, and several other major cities. These legislatures—which in most instances have additional political clout because they obtained their mandate through direct elections—have already begun to undermine the development of the national legislature, a process that will be especially felt if more of the influential democratic reformers there resign to focus on local and regional issues in republic and local soviets. []

The Congress of People's Deputies: Outliving Its Usefulness?

The special second session of the Congress of People's Deputies, which met on 12-24 December 1989, approved a controversial government economic plan and several constitutional amendments that further political democratization. However, without the novelty of sharp public debate—which made the first Congress unprecedented and historic—this body's unwieldy size, the power of Gorbachev to manage its proceedings, and the dominance of the compliance-oriented majority led to significant popular criticism of the session. At the March 1990 special Congress session, radical reformers forced Gorbachev to accept significant checks on presidential power, but on most other issues the majority carried the day by large margins. The Congress is now widely faulted for its inability to consider constructive alternatives to the leadership's proposals.

Although the Congress will continue to serve as a useful forum in the near term for expressing popular views on the basic direction of the country—it is required to set the guidelines for referendums on critical issues—without a constitutional mandate to draft legislation or carry out a permanent administrative role, much of the Congress's authority is likely to shift to the Supreme Soviet. Some radical reformers have called for the Congress to be abolished in the new USSR constitution, due to be finished early in 1991. Even if the Congress is retained in that document, popular pressure for democratization probably will force abolition of this body before the next national elections in 1994.

[] regional and local issues are currently of more concern to most voters than are national questions. Faced with the opportunity to advance political reform in the republics and localities beyond what is possible in the proestablishment USSR Supreme Soviet, several prominent democratic reformers in the national legislature indicated they

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are considering resigning out of frustration with Gorbachev's continued manipulation of that body. This would strengthen the control of the proestablishment majority, already bolstered by the refusal of many deputies from the Baltic republics to actively participate in USSR Supreme Soviet work after those republics moved toward declaring their independence in early 1990.

Implications for the United States

A strong Supreme Soviet, ultimately accountable to the voters, would be in the US interest because it would be able to counterbalance the concentration of power in a single leader or party and would promote political pluralism. A strong legislature also would reflect the development of a democratic culture in the Soviet Union. If the Supreme Soviet can carve out a significant foreign policy role, it probably will press for policies that focus on domestic priorities rather than on an aggressive foreign policy or an arms buildup. Many committee members favor strengthening human rights legislation, settling regional conflicts, and gaining greater international cooperation to resolve global problems like ecology. Moreover, a strong Supreme Soviet would give greater long-term consistency to Soviet policy, since it would not be dependent on one leader and sudden policy shifts would be less likely.

The Supreme Soviet—especially its International Affairs and Defense and State Security Committees—is likely to play an increasing role in major foreign policy decisions. It is sure to give any arms control treaties close scrutiny during the treaty ratification

Table 3
Soviet Public Confidence in National Institutions*

Institution	Percentage of Those Polled Expressing Full Confidence in It				
	Mar 1989	Aug 1989	Dec 1989	Jan 1990	Mar 1990
USSR Supreme Soviet	43	32	45	39	34
USSR Council of Ministers	28	14	34	31	23
Local soviet	18	16	16	19	14
CPSU	38	22	27	19	16
Army			44	40	35
KGB			38	35	32
Law-enforcement bodies	15	100	22	21	18
Religious organizations	13	22	30	35	37
News media	39	30	36	42	37

* Results of Aleksey Grazhdankin's "Whom Do We Trust? Opinion Poll by All-Union Centre for the Study of Public Opinion."

process. Gorbachev and other Soviet leaders have already said they are conducting the negotiations with an eye toward getting eventual Supreme Soviet approval. High on the legislature's priority during ratification is likely to be ensuring that an agreement's provisions are equitable for all sides—there are some signs that even radical deputies have this concern.

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