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On January 11, 1994, newly elected legislators convened in Moscow to open the first sessions of a new pair of legislative institutions—the Duma and Council of the Federation—that constituted the two houses of the Federal Assembly of the Russian Federation. The Federal Assembly replaced the Supreme Soviet and Congress of People's Deputies that were dissolved by presidential decree in September, 1993. The members of the Federal Assembly, who as in the past are called deputies, were elected in December, 1993, when the new constitution was ratified as well. The Duma is composed of 450 deputies, half selected on the basis of proportional representation and half elected in single-member districts (SMDs). The 178-seat Council of the Federation comprises two deputies elected from each of the 89 constituent regions of the Russian Federation (known as subjects of the federation—i.e., the republics, oblasts, and krais into which Russia is divided).

In this paper we provide an account of the legislative process as it emerged in the first six months of the new Russian Federal Assembly. Our purpose is primarily descriptive. We review the constitutional and electoral context of the new parliament, outline the organizational structure and procedure of the two houses, and describe the major steps in processing legislation. But we begin and end with observations about the factors that shape the legislative process. The new constitution and elections produced a weaker parliament, at least in terms of formal powers, with stronger parliamentary parties, than the old Supreme Soviet. Both characteristics have greatly influenced the creation of a decision-making process within the parliament.

Theoretical Perspectives on Legislative Institutions

Two theoretical approaches—often called organization theory and social-choice theory—order most analysis of legislative institutions. Although they are usually called theories, neither perspective has generated a single dominant, specific theory of legislative institutions.
so they are best labelled perspectives or approaches. Organization theory focuses on organizational or institutional adaptation to change in tasks and environmental conditions. Social-choice theory concerns the way in which goals or policy preferences, as well as existing rules, shape collective choices about policy and institutional arrangements. We view these perspectives as entirely compatible and see the factors emphasized by both perspectives as essential to understanding recent developments in Russian legislative institutions.

Nearly all of the factors identified by Olson and Norton (volume forthcoming) as critical to shaping the role and organization of parliaments can be categorized under the broad headings of organization and social-choice theory. Some, such as the character of the policy issues confronting a parliament, define the tasks and environments of a parliament. Others, such as the external electoral and party systems, define rules and shape the distribution of goals and preferences that influence the politics of a parliament.

To make our task manageable, we do not attempt to weigh the influence of the full set of factors that might influence the Russian parliament. After all, even on a cross-national basis, an assessment of the independent effects of the full range of factors is impossible. We try to gain some leverage on the subject by focusing on institutional change. Specifically, we concentrate on the differences in the internal structures and procedures of the old Supreme Soviet and the new Federal Assembly, with special attention given to parliamentary leadership, parties, and committees. By doing so, we can narrow our focus to those factors that appear to be critical to the evolution of Russian parliamentary practice between 1990 and mid-1994.

A span of four years may seem to be an unreasonably short period for assessing the factors underlying change in the Russian parliament. A conclusive answer may require the passage of some time, but we believe that changes in parliamentary practice have already occurred that are so critical that they will figure prominently in future accounts of the evolution of a democratic parliament in Russia.

In our view, two forces suggested by these two general approaches explain much of the similarity and difference in Supreme Soviet and Federal Assembly parliamentary practice. First, substantial continuity in policy-making responsibilities, work load, and societal turmoil lead us to expect continuity in the way the two parliaments organized themselves to process legislation. As organization theory suggests, similar tasks and environment produce similar organizational forms. In the case of the Russian parliaments, this means continuity in the system of committees and working groups that serve as the primary means of evaluating and drafting legislation.

Second, the new constitution and electoral law created new rules for policy making and elections and produced a parliament with a substantially different mix of policy preferences.
The social-choice perspective leads us to expect that changes in basic rules and preferences will produce changes in strategies and preferences about procedures. The most obvious consequence was that the role of parties or party-like factions was greatly enhanced in one house, the Duma, but not the other. The result is that parliamentary parties and committees form a decision-making process in the Duma that is quite different than the decision-making process in the Council of the Federation.

We proceed by first reviewing the changes in the constitutional and electoral context that had important consequences for the operation of the two houses of the Federal Assembly. We close that section with more specific predictions suggested by those changes. Then we turn to the details of the structure and procedure of the two houses to determine whether the predictions were borne out in the first six months of the Federal Assembly's first session. In our conclusion, we offer some observations about the near future.

**The Changing Context**

The breadth and depth of change in Russian politics in recent years rule out tidy explanations of the development of Russian legislative institutions. Many features of the tasks, environment, political alignments, rules, and strategic context of legislators have been in flux throughout the period since 1989, when Soviet President Michail Gorbachev initiated reforms of legislative institutions at the union level. These reforms were followed by remodeling of the legislative institutions in the republics of the U.S.S.R., including the Russian republic, which adopted its new legislative structure in 1990. When the U.S.S.R dissolved in late 1991, Russia was left to govern itself. We begin with a brief outline of the changes that have occurred since 1990 and a summary of the changes in the conditions identified by the organizational and social-choice perspectives.

**Parliamentary Institutions, 1990-1993**

A transitional period in Russian legislative institutions began in 1990 with the creation of a new Supreme Soviet and Congress of People's Deputies. These transitional bodies had been created by amending the 1979 Russian constitution. Deputies of the Russian Federation

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were selected by direct popular election in March, 1990, from two types of districts: 900 geographically-compact "territorial" districts of equal size and 168 "national-territorial" districts which provided more representation to minority ethnic groups living in ethnic-administrative territories. All deputies were to serve a five-year term. The 1068 deputies convened in Congresses of People's Deputies, which met nine times between the first, in May-June 1990, and the last, in March, 1993.4

A 252-member Supreme Soviet, selected from the deputies of the Congress, was the working legislature. The Supreme Soviet was bicameral, with 126 deputies in each chamber. The Congress could reverse or direct the decisions of the smaller Supreme Soviet but the Congress met for only a few days each year and seldom delved into the details of everyday legislation, concentrating rather on constitutional and other major policy issues.

The Supreme Soviet was not bicameral in the usual sense. In fact, it might best be described as "collapsed bicameralism." Most of the Supreme Soviet's work was done in joint session and most of the details of legislation were devised in joint committees. The two houses were led by a single presidium, or executive committee, which was headed by a chairman who was known informally as the "speaker." The presidium, comprising the committee chairs, devised the floor agenda, assigned legislation to committees, hired the staff of a large central apparat, and made a number of decisions in the name of the Supreme Soviet--sometimes overlapping the Supreme Soviet's legislative mandate. The chairman presided over both the Congress and the Supreme Soviet as well as chairing the presidium. Succeeding Boris Yeltsin as chairman after Yeltsin's election to the state presidency, Ruslan Khasbulatov eventually came to use the resources of the chairmanship to centralize power within the Supreme Soviet and use that power on behalf of the conservative bloc of communists and agrarians. Party organizations did not materialize, although political factions and blocs were given certain formal rights by the rules.

The old constitution was amended further in 1991 to provide for a separate, directly elected president. Boris Yeltsin was elected president in June of that year. But the Constitution left quite ambiguous the distribution of government power between Congress and the president. Although the new constitutional provisions explicitly declared a separation-of-powers system, they also left in place the traditional soviet-era precept that the legislature could decide any matter under the jurisdiction of the Russian Federation. The mixed provisions of the amended constitution, combined with the opposition majority that materialized

4 After Yeltsin dissolved this legislative system in September, 1993, the parliamentary leadership sought to convene a tenth congress in the besieged Russian White House but failed to gather a quorum.
after the demise of the Soviet Union, gave Yeltsin's opponents a means to block the president on any issue. Many of Yeltsin's supporters also concluded, in retrospect, that the single-member district system allowed the old-regime forces that still controlled local politics to dominate the 1990 elections.

In this transitional period, the Russian Supreme Soviet had a genuine policy-making role and a sizable agenda, particularly after Russia claimed sovereignty over the republic's resources and policy. Even before the attempted coup against Gorbachev in August, 1991, and the subsequent decree banning the communist party, the party's control over the elected, Yeltsin-led legislature was weak. After the dissolution of the Soviet Union in the fall of 1991, the Russian republic's legislative institutions gained responsibilities associated with statehood, including those in the foreign and defense policy arenas. The large, multi-faceted, and highly salient agenda of governance and reform that has remained since then.

The New Constitutional Framework

In 1992 and 1993, a political deadlock developed between the opposition bloc of deputies who gained control of the parliament and the reformist group loyal to Yeltsin. The impasse prevented agreement on a new constitutional framework and eventually motivated Yeltsin to convene a constitutional assembly in June, 1993, in order to devise a constitution that he hoped would be approved by the old parliament under the terms of the old constitution. After giving the parliament an opportunity to move on the new constitution, Yeltsin dissolved the parliament by decree in September, 1993. He then made additional modifications to the constitutional draft that was under development and, by decree, ordered a referendum for the constitution for December. He also ordered simultaneous elections of deputies to the new Federal Assembly, which itself was to be created by the Constitution that he hoped would be ratified. With the December elections and referendum, the Constitution was declared ratified and the deputies to the parliament's two chambers duly elected.5

The new constitution can be viewed as the work of the Yeltsin camp. It clarifies the responsibilities of the president, the government, and the legislature. It provides for a dual

5Soon after the election, serious doubts about the validity of the reported results were raised in the Russian press by a team of political analysts headed by Alexander Sobyanin and were subsequently given wide publicity by a variety of political groups. The Duma officially approved the formation of a commission to investigate the validity of the charges. If Sobyanin's charges are correct, actual turnout was only 46 percent, not enough to carry the new constitution. It is very difficult for outside observers to judge the validity of the charges because the central electoral commission has so far refused to allow independent observers access to the vote results or to publish a full tally of the results. A summary of Sobyanin's charges was published in an interview in the newspaper Izvestia (Vyzhutovich, 1994).
executive (president and prime minister) and a bicameral Federal Assembly with a strong lower and weak upper chamber. The combination of separation-of-powers and dual executive is patterned after the constitution of the French Fifth Republic, about which Yeltsin had done some reading at the urging of advisers. The bicameral legislature with a different means of election for the two houses—with a stronger lower house and an upper house representing the units of the federation—resembles Germany, although the relations and powers for the two houses of Russia's Federal Assembly are quite unique.

Both the president and the government have the right to submit legislation to the parliament. The president appoints the prime minister (although not other ministers) subject to the approval of the Duma. If the Duma rejects the president's nominees for prime minister three times, the president appoints a prime minister, dissolves the Duma, and calls for new Duma elections. The president may be removed from office by the Council of the Federation after charges are filed by the Duma finding, upon a two-thirds vote, that the president has committed treason or another grave crime. A critical difference between the Russian system and the French system, reflecting the political advantage of President Yeltsin during the fall of 1993, is that the Russian president may issue decrees (ukazy, sometimes also translated as edicts) that carry the force of law until legislation is enacted that supplants the decree. To date, Yeltsin's decrees have been more limited that they might have been and have been issued with an invitation to the Federal Assembly to pursue substitute legislation. Nevertheless, the arrangement gives the Russian president a source of leverage that his French counterparts have lacked. Not surprisingly, Yeltsin's decree-making power has been questioned by critics who charge that the president may not use the power to override existing law. The interpretation of the power awaits action by Russia's constitutional court, the formation of which awaits the enactment of legislation at this writing. If the president's interpretation of the power stands, the Russian president will be able to modify the policy status quo without action by the parliament and then use the veto power to resist a legislative response, should the two houses be able to formulate one.

The government may be subjected to a vote of confidence in the Duma. If the Duma votes no confidence in the government, the president may choose to ignore the first such vote but must either dismiss the government or dissolve the Duma if the Duma votes no confidence a second time within three months. The prime minister may submit a motion of confidence to

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Before the Council of the Federation acts on the Duma's charges, the Supreme Court must confirm that the president's actions contain the elements of a crime and the Constitutional Court must confirm that the proper procedure for filing the charge has been observed.
the Duma, which, if denied by the Duma, leads the president to decide whether to dismiss the 
government or dissolve the Duma.

The Constitution assigns certain jurisdictions to the Council of the Federation but not to 
the Duma:

- approval of alterations in the boundaries of the constituent regions of the Russian 
  Federation,
- approval of a presidential decree providing for martial law or a state of 
  emergency,
- approval of the use of Russian military forces outside of the Russian Federation,
- setting the date of presidential elections,
- confirmation of presidential appointees to high courts, and
- confirmation of the president's nominee or removal of the general procurator.

In addition to confidence votes, the unique jurisdiction of the Duma includes

- confirmation of the president's selection of the prime minister,
- appointment and removal of the chairman of the comptroller's office, and the 
  commissioner for human rights, and
- amnesty declarations.

Legislation, with the exception of legislation falling in the unique jurisdictions of the two 
houses, originates in the Duma and, if adopted by the Duma, is then sent to the Council of the 
Federation. The Constitution obligates the Council of the Federation to act on Duma-passed 
legislation concerning budget, taxes, financial policy, treaties, customs, and war. If the 
Council of the Federation approves the legislation or fails to examine it within 14 days, the 
legislation is deemed enacted, subject to the president's signature. In both houses, legislation 
is approved by a majority of the total number of deputies in that house. If the Council of the 
Federation rejects the legislation, the two houses may form a conciliation commission to 
resolve differences. Any compromise legislation must be approved by the Duma. With or 
without a conciliation commission, the Duma may enact legislation after Federal Council 
rejection with a two-thirds majority vote. Vote outcomes on normal legislation, with the 
extinction of veto overrides, are determined by a majority of the total number of deputies (not 
a majority of those deputies present and voting).

Within five days of final action by the Federal Assembly, legislation is sent to the 
president, who then has 14 days to sign or veto the legislation. The Constitution does not 
provide for a situation in which the president fails to sign or veto the legislation. A veto can
be overridden only by a two-thirds majority vote in both chambers (two-thirds of the total number of deputies in each chamber).

In sum, the new Russian constitutional framework has some of the key features of a separation-of-powers, bicameral system with multiple-veto points. Indeed, on the surface, the Russian system looks much like the modern French system. Yet, presidential decree-making power puts the Federal Assembly at a much greater disadvantage than legislatures in other separation-of-powers systems.

Electoral System

The new constitution provides for a four-year term for the president and deputies of the Duma. However, the December, 1993, referendum on the Constitution included provision for a two-year term for the first Duma and Council of the Federation. The Constitution does not fix a term for Council of the Federation deputies, who are described as "one each from the representative and executive organs of state power" from each of the 89 regions of the Russian Federation. Presidents are limited to two terms. No term limit for deputies is established.

The new constitution provides that the electoral system will be established by law. However, the electoral system used in the December, 1993, elections was established by presidential decree. For the Duma, the presidential decree provided for a mixed system of proportional representation and single-member districts. Half of the 450 seats were allocated proportionately to registered parties that received at least five percent of the vote. The other half were elected in a single-stage plurality election in single-member districts. Individuals could be both party list and single-member district candidates, but were seated as single-member districts deputies if selected by both means, allowing the party to advance lower-ranking candidates on its list.

The electoral system for the Duma looks like the German system of mixed proportional representation and single-member districts. A critical difference is that proportional representation in Russia is based on nation-wide voting rather than within regional units, as in Germany. This appears to have reflected a deliberate decision by Yeltsin's strategists to reduce to the influence of regional elites on the outcomes. Nevertheless, as happened in the 1993 elections, the process encourages the election of many party groups to the lower house of the parliament and reduces the likelihood that any one party or bloc will muster a majority. The balance of proportional representation and single-member districts remains an issue among Duma deputies in their discussion of an electoral law for the next election.

Oddly, the electoral decree did not adhere to the constitutional draft on the selection of deputies of the Council of the Federation. The Constitution requires that the two deputies
from each region be selected from the legislative and executive branches of regional
governments. Instead, the decree provided for the election of Council of the Federation
depuies with a one-stage, two-winner plurality election in each of the regions. Future
selection of Council of the Federation deputies is to be selected by regional governments under
the constitutional constraint, although this remains a matter of controversy. There is serious
discussion, particularly among Yeltsin supporters, about amending the Constitution to provide
for direct election of deputies in the Council of the Federation.

In the party-list voting for the Duma (see Table 1), parties opposing government policies
polled about 43 percent of the vote. Half of the opposition vote went to the Liberal-
Democratic Party of Russia, led by Vladimir Zhirinovsky. Pro-reform parties garnered about
30 percent of the party-list vote, with about half of that going to Russia’s Choice, the party led
by former prime minister Egor Gaidar. The actual balance of forces in the Duma was affected
by the outcomes in the single-member district races, which offset, to some degree, the strong
showing of the opposition groups in the party-list voting. There was great uncertainty,
however, about the actual balance of political forces in the Duma following the election,
because deputies from single member districts were free to affiliate themselves with any
fraction or group and many changed their political affiliations between the elections and the
first days of the parliament’s session.

The partisan implications of the 1993 elections for the Council of the Federation were
even more difficult to assess than those for the Duma. Only 68 of the 171 winners of the 1993
elections were endorsed by a party and some of them were endorsed by more than one party.
Of the 68, 40 were supported by Russia’s Choice and the rest were distributed among other
parties. The Liberal-Democratic Party of Zhirinovsky did not endorse anyone for the upper
house. However, the largest share of members in the upper chamber were chiefs of

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7 Here and elsewhere, we use the term party to simplify an already complicated set of distinctions between types
of political organizations. The electoral law provided that registered "electoral associations" (izbiratel’noe
ob’edinenie) that met a certain threshold of signatures could both nominate candidates in single-member districts
and run candidates on party lists. Some of the electoral associations that ran candidates in the 1993 elections did
constitute themselves as parties, while others, such as Yabloko, constituted themselves as "blocs," and still others
as "movements." For simplicity, we shall refer to all electoral associations as parties.
8 Elections were not held in Tartarstan and Chechenia in December, 1993, and a lower than 50 percent turnout
invalidated the Council of the Federation election in Cheliabinsk. Consequently, a total of 444 seats in the Duma
and 171 seats of the Council of the Federation were filled when the Federal Assembly convened in January.
Tartarstan held its elections in March, 1994, and the Cheliabinsk held its second election in May, 1994, to fill its
seats in the Council of the Federation. The Central Electoral Commission refused to publish a full tally of election
results, providing a list only of what it declared were the elected deputies, so the exact vote totals for party
candidates in single-member district races remain unknown, at least officially.
9 Grigorii Belonuchkin, comp., "Federal’noe sobranie: Spravochnik" (Moscow: Panorama, April 18, 1994).
administration appointed by President Yeltsin and a substantial number held other regional-level offices or were directors of large (formerly state-owned) firms. The vast majority kept their positions, serving in the upper house on a part-time basis.

Implications of the New Context

The violent end to the previous parliament had a traumatic impact on Russia's political life. Neither parliamentarians nor president could be sure of public support—Yeltsin had been condemned by some of his supporters for his heavy-handed actions against the defenders of the White House, while the public had shown little sympathy for Khasbulatov and the other parliamentary figures who had led the armed uprising against the government. Turnout in the December voting was extremely low, even by official figures. Both opposition and pro-Yeltsin forces, therefore, had reason to avoid confrontation and polarization and to abide by the constitutional arrangements set in place by the December referendum.

And yet stalemate between the parliament and president over legislative action might be expected to resume because groups clearly opposed to the president and his policies won the largest share of seats in the Duma. If it was Yeltsin's intention to break the political deadlock between the branches that had reached a climax in September and October through a victory for pro-government forces in the parliamentary elections, these hopes were not realized. The powerful presidential office created under the new constitution instead made new confrontation likely after the initial honeymoon period was over, particularly if Yeltsin sought to use his decree power in defiance of parliamentary opposition. For their part, the opposition groups would be expected to seek to strengthen the power of the Duma in order to block the president's policies.

The new constitutional framework and the outcome of the December elections and referendum lead us to several expectations about the organization of the Federal Assembly. First, and most obvious, we would expect the lower house, the Duma, to be party-oriented, although we expect greater policy cohesiveness among party-list deputies than among SMD deputies. In fact, during the fall many observers assumed that the Duma was going to be dominated by parties—or, more properly, factions, as the legislative groups associated with parties are called—that had run national lists. At the same time, because no single party or coalition on either the left or the right held a majority in the Duma, we would not expect strongly majoritarian rules. Instead, we would expect a decision-making process that protected the procedural rights of all factions. Thus, the Duma is expected to have cohesive factions whose procedural rights are carefully preserved.
Second, we would expect the Council of the Federation to be far less party-oriented than the Duma and to have a far more regional emphasis. Council deputies were not elected on party lists and generally held positions of responsibility in regional governments. Consequently, Council deputies would not be expected to be closely tied to party leaders or even to each other. If anything, we would expect the policy views of the members of the Council of the Federation to be tilted in favor of regional interests. In the absence of clear partisan affiliations, the political leanings of most of the members were uncertain and the political balance of the chamber was difficult to gauge. Nor was it clear whether the members would seek to assert their power as a body over national policy in view of the provision that the chamber was intended for part-time service. One might only expect that the members would be advocates for regional as opposed to central interests. And this would be no small consideration because the distribution of responsibilities and taxing authority between the central government and regional governments remained quite uncertain at the end of 1993.

Third, we would expect both chambers to be reliant on a system of committees with substantial powers. The new parliament’s agenda is just as large as the agenda of the transitional parliament, which had operated largely through a system of committees and joint commissions. Moreover, the absence of a cohesive majority bloc meant that there was no central party leadership that can require compliant behavior from a majority of any committee’s members. However, the high salience of, and sharp divisions on, most issues meant that little deference to committee recommendations could be expected.

But fourth, we would expect some differences between the chambers in the organization of their decision-making processes. The constitutional arrangement that requires the Duma to act before the Council of the Federation on most legislation places a heavier legislative burden on the Duma. And the nearly full-time responsibilities of the regional officials who comprise a large proportion of the Council’s membership means that their attention would be diverted from Moscow affairs. We would expect the Council of the Federation to have fewer sessions and committee meetings and to be more reliant on a few deputies and the staff to carry the legislative burden than the Duma.

Fifth, the newly elected deputies would be expected to alter those features of the previous parliament for which a consensus among parties existed for change, eliminating arrangements that they thought interfered with their political and legislative interests. Because a general consensus had existed among nearly all political groups that the future parliament should prevent a powerful and manipulative chairman from abusing the powers of the presidium, it was evident that the presidium would be replaced by another kind of steering
mechanism. On the other hand, several central features of the transition Russian Supreme Soviet, most of which were copied from the Supreme Soviet of the Soviet Union, that were subject to no criticism could be predicted to be retained: multiple readings of draft laws, reliance on informal working groups and commissions to draft legislation, and seeking the approval of draft legislation from a wide circle of affected interests.

Organizing the Federal Assembly

The first several days of the new parliament’s work provided an early test of these expectations as the two houses debated their internal organization, standing rules, and leadership. The Constitution specifies only a few features of legislative organization and procedure for the two houses of the Federal Assembly. It provides for chairmen and deputy chairmen for the two houses, but does not specify either the number of deputy chairmen or method of selecting chairmen and deputy chairmen. The Constitution authorizes the two houses to form committees and commissions, which may conduct hearings. And it provides for a comptroller’s office to monitor the implementation of the federal budget. Otherwise, the Constitution authorizes the two houses to adopt their own rules of procedure. In both houses, the choices about standing rules reflected the changed political context within and outside the chambers, as well as the alignment of political preferences of the members.

Preparations for the new Federal Assembly began before the ratification of the constitution. After the dissolution of parliament, President Yeltsin appointed a number of friendly deputies from the old parliament to a commission charged with preparing the rules and legislative agenda of the new parliament. Headed by Mikhail Mitiukov, the commission presented the new Federal Assembly with drafts of new standing rules (Reglament) for each of the two chambers. Guided by the draft constitution and the electoral decree, the commission proposed draft rules for the two houses that differed substantially between one another and from the past rules with respect to the role of party factions (in Russian, fraktsiia, or fraction). For the Duma, they proposed an organizational structure giving significant powers to the factions to govern proceedings. Factions were not recognized in the rules of the Council of the Federation. Although the commission’s draft rules were further modified before adoption in each chamber, the final versions retained the principles of a faction-dominated lower chamber and an upper chamber without factions.

The president’s commission was strongly influenced by their reaction to the transitional Supreme Soviet and Congress, particularly the domination of the institution by its chairman.
who exercised his power through the presidium. This system, believed many politicians of all ideological stripes, had contributed to the confrontation between parliament and president resulting in the violent and tragic events of September and October, 1993. In the new parliament, the proposed rules provided that the chairman's powers would be severely restricted, and there would be no presidium in either chamber. Members of the commission envisioned the new governing structures of the Duma as being "horizontal"—based on agreements among the party factions—rather than "vertical"—exercised through the chairman, the presidium, and the committees. Consequently, they initially proposed that the steering body for the Duma be a council comprising the leaders of the factions without the participation of committee chairs. In the final draft, however, committee chairs were given the right of participation, although without a vote.

The Duma adopted a set of provisional rules in the first few days of the session, but passage of the final draft took nearly three months. Opposition factions, which played no part in the presidential commission planning for the new parliament, deferred little to the commission's recommendations. Indeed, the Duma's new chairman, Ivan Rybkin, had been a leader of the communist faction in the old Supreme Soviet. In contrast, the Council of the Federation, which was filled with many of Yeltsin's appointees to regional government and elected Yeltsin's favored candidate, Vladimir Shumeiko, to the chairmanship, agreed quickly to a set of standing rules, adopting them in less than a month after first convening.

Organizing the Duma

By the end of its first six months of operation, the Duma developed both a strongly party-oriented system for leadership and coordination and strongly committee-oriented system for the drafting of legislative details. On balance, particularly in contrast to the Council of the Federation, the party-related elements—factions and the Council of the Duma—seem to dominate the committee-oriented elements of the decision-making process. But, with so few pieces of legislation moving through the Duma in its early months, it is difficult to generalize. Its decision-making patterns are obviously far from settled and signs of tension between party- and committee-oriented features of the process can be seen.

Factions and the Package Deal in the Duma

Party factions began asserting claims to leadership positions in the Duma even before the first session opened on January 11. Faction leaders were able to assert these claims on behalf of deputies because they had substantially more influence over members than had parliamentary
factions in the past. Half of the deputies had been elected on the national party lists, and a majority of those elected from single-member districts had been nominated by parties. On the opening day, deputies confirmed the official status of registered party factions and adopted the rule, proposed by the president’s preparatory commission, that the principal governing body of the Duma be a Council of the Duma comprising only the heads of the party factions.

With just a couple of exceptions, deputies elected on party lists joined a corresponding faction early in the session. Nearly all other Duma deputies, those elected from districts, either registered with one of the eight party factions that had elected party-list deputies or formed their own "independent" factions. Ultimately, three independent groups arose: New Regional Policy, with a heavy representation of state enterprise directors; Russia’s Way, a group with a strongly nationalist and communist bent; and the Union of December 12. The last had a predominantly reformist outlook and was close to Russia’s Choice on substantive policy questions, but sought to establish a separate political identity for its members, most of whom were young (25-35 years of age), professional, and concerned with maintaining strong district ties. As of the time of writing, only seven deputies remain independent of any formal affiliation.

The provisional rules provided that any electoral association which had elected deputies on a national party list could form a faction of deputies in the Duma, no matter how few members it had. Accordingly, the smallest, the Democratic Party of Russia (also often known as the Travkin party after its leader, Nikolai Travkin), which had elected 14 members from its party list and only one from a district, enjoyed the same formal status as did Russia’s Choice, the largest, which had elected 40 from its party list and another 27 in districts.

A number of organizational questions immediately arose: How would factions be represented on the new steering body, the Council of the Duma--in proportion to their strength in the chamber, or on a parity basis? A second question concerned the deputies organizing "independent" groups: What threshold would be required to register and gain the same rights and privileges, including a seat on the Council of the Duma, as the party factions? A third was whether the rules should give party factions additional powers over their members by sanctioning the expulsion of one of their members from his or her seat for violation of party discipline. A fourth was how leadership positions, the chairmanship and deputy chairs of the chamber, and committee chairs and deputy chairs, were to be distributed among factions.

Complicating these crucial decisions was the provocative style of Vladimir Zhirinovsky, leader of the Liberal-Democratic Party of Russia, who repeatedly took the floor to pose extreme demands and issue a stream of threats and pronouncements. "The voters sent us here to speak," he declared to the assembled deputies early in the session, "and you simply to
breathe." He relented after being prevailed upon to issue a partial retraction and debate resumed. Zhirinovsky’s demagogic approach affected the deputies by reinforcing their interest in ensuring equality of rights for members and factions and not permitting excessive centralization of power in parliament.

Perhaps the Zhirinovsky factor helps to explain the relative ease with which the chamber agreed that the Council of the Duma would comprise factions on a parity rather than proportional basis, even though this rule tended to disadvantage the opposition forces comprised of the communist, agrarian, and LDPR factions. By the same token, it gave a strategic advantage to the representatives of the small parties in ensuring a hearing for their preferred issues. For this reason, one deputy called the council "Travkin’s political club." On the other hand, the imbalance of forces in the Council of the Duma would always be offset by the distribution of votes the floor, which had the final say on any agenda or policy decision that the Council of the Duma proposed. Our interviews indicated that there are some problems with the Council of the Duma’s decision-making capacity, sometimes as a result of a misjudgment about the likelihood of the chamber to agree to a legislative act the Council agreed to put before it. In general, one committee chair told us, if a matter has a difficult time in the council, it has a difficult time on the floor. Therefore, the council’s agenda-setting powers do not appear to give it as much control over floor action as would a steering body reflecting a cohesive and predictable majority of members.

The second issue, the minimum size of membership required for a group to register, presented a thornier problem. In general, larger factions tended to prefer a higher threshold for registration, so as to keep the privileges associated with official status restricted to a smaller circle of factions. As everyone anticipated, these privileges proved to be quite significant. A registered group has a representative on the Council of the Duma, and therefore the opportunity to propose agenda items for the floor. An unregistered group interested in pressing for a particular decision must either work through sympathetic registered factions or committees or offer motions on the floor. A second important advantage of registration is the privileged access to recognition enjoyed by registered groups in floor debate. As in the old Supreme Soviet and Congress, faction representatives, when speaking for their faction, can demand recognition ahead of deputies without faction affiliation. Thus, unaffiliated deputies usually have a difficulty gaining recognition on the floor to offer motions. A third advantage for registered factions is that only registered factions were able to claim committee

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10 Moshe Haspel, "Bicycles and Mercedes: The Russian Election Law and the Strong vs. Weak Parties Debate," Emory University, mimeo (undated).
chairmanships and other leadership positions in the grand bargain over the distribution of these posts in the first week of the session. Finally, certain material benefits are granted to registered factions—space, funding to hire staff, and office expenses.

Even in the first days of the session, then, it was evident to the deputies outside the regular parties that faction registration was a critical step to influence within the Duma. As larger factions fought to restrict it to fewer groups, independent deputies pushed to lower the threshold. A series of recorded votes was taken until a compromise figure of 35 was set between the high of 50 demanded by Zhirinovsky and the low of 15 demanded by some independents. Only one of the three independent groups met this threshold, the New Regional Policy group, which soon attracted over 60 members. Each of the other two, Russia’s Way and the Union of December 12, attempted to persuade the party factions they were most closely aligned with (the communists in the first case, and Russia’s Choice in the second) to “lend” some members for the purpose of meeting the 35-person threshold, but both groups initially were unsuccessful. By May, however, as a result of some defections from other factions and registration of independents, the Union of December 12 had grown enough in membership to meet the threshold and was duly registered.11

The third issue concerned the status of party-list deputies—an issue that became known as the "imperative mandate." Proponents of the imperative mandate argued that party-list deputies had an obligation to adhere to the policy positions established by their factions. In fact, as the term implies, proponents believed that support for the faction was a necessary condition for continuing membership in the Duma. In their view, party-list deputies would undermine the purpose of party-list elections if they failed to vote with their parliamentary faction.

In the early stages of discussion of this issue, the leaders of Russia’s Choice favored the imperative mandate so as to increase party discipline. The position of Russia’s Choice leaders may have reflected their experience during the transitional years when many early supporters

11Defectors included six members of the LDPR who later joined the Union of December 12. The group’s registration remained in force even after the same six later left the group, citing irreconcilable ideological differences with it. Only Zhirinovsky’s faction demanded the retraction of the registration. On June 15, the Organization Committee declared that it had rescinded the registration of the group on the grounds that at least two of the signatures of the members had been falsified. The Council of the Duma took the matter under advisement after heated protests by the December 12 group to the effect that the Russia’s Choice faction—and particularly the chairman of the Organization Committee, Vladimir Bauer—were in effect allying themselves with Zhirinovsky against the group by illegally denying it recognition. In this, the group’s members declared, the Russia’s Choice faction was joining in the general denial of rights to members from single-member districts in favor of party list deputies.
of Yeltsin and reform drifted to opposition positions. In any case, the imperative mandate also
was endorsed by LDPR, communists, agrarians, and the Democratic Party of Russia. The
concept was translated into a proposed rule that would have allowed party factions to remove
from office any party-list deputy who violated party discipline. The expelled deputy’s seat
would then be filled by the next candidate on the list. The imperative mandate, which was
proposed as an amendment both to the standing rules and to the Law on the Status of the
Deputy, was finally rejected on a close vote.12

However, individual factions have adopted their own formal rules on voting discipline,
producing a diversity of practices. Some factions use a "solidarity vote" procedure, with either
two-thirds or simple majority vote within the faction needed to impose the expectation of a
party-line vote faction members. Some participants claim that the LDPR is distinctive in its
application of the "fuhrer principle"—that Zhirinovsky can order compliant voting behavior
from LDPR deputies on his own authority.13 Most factions seem to tolerate defections on
matters subject to a solidarity vote with stipulation that members carefully explain their
position and that they not directly and actively oppose the faction. Non-voting is often a
convenient option for deputies in such cases. Members of nearly all factions claim that
solidarity votes pertain only to "matters of principle." Some factions appear to have adopted a
solidarity-vote rule as a defensive response to solidarity-vote rules adopted by other factions.
Fearing that they would be disadvantaged in competition with more cohesive factions, some
factions have backed into solidarity-vote rule that might not have otherwise done so.

The fourth issue was the allocation of leadership positions among factions. The positions
included committee chairmanships, deputy chairmanships, deputy chairmanships of the Duma
itself, the chair of the comptroller’s office, and the chairmanship of the human rights
commission. Even before the final results of the December elections were known, faction
leaders began negotiating over these positions, based on the assumption that no faction or bloc
had a majority in the Duma. Because the factions had somewhat different substantive interests,
faction leaders quickly discovered a grand compromise might be possible, although negotiations
over details of the package deal continued for a week after the Duma’s session opened.

12The rule’s most ardent defender was Zhirinovsky, who clearly intended it to use it to strengthen his personal
control over his party in the face of strains and defections among his followers. Interviews indicated that many
deputies who were initially favorable to the rule were persuaded by Zhirinovsky’s behavior at the founding congress
of his party—when he was elected “leader for life” and the party agreed not to hold another congress for ten
years—that the imperative mandate would give Zhirinovsky a disproportionate advantage in building a personal
power base.

13 One interviewed member of the LDPR denies this.
The most important component of the package deal was the distribution of committee leadership positions. To accommodate the factions' demands, the faction leaders agreed to expand the number of committees from nine, as initially proposed in the rules developed by the president's preparatory commission, to twenty-three. This created more chairmanships and deputy chairmanships to spread among the factions and assured factions with special policy interests that a committee would address their concerns. However, the resulting array of committees produced overlapping and usually ill-defined jurisdictions. For example, three committees have direct responsibility for economic policy: the Committee on Budget, Taxes, Banks, and Finances, the Committee on Economic Policy, and the Committee on Property, Privatization and Economic Activity, which are chaired by deputies from different factions.

The faction leaders agreed on a system of weights and bidding rights. Each position was assigned a weight—for example, a committee chairmanship was worth more than a deputy chairmanship—and each faction was given "chips" in proportion to the number of seats it commanded in Duma. Faction leaders could spend their chips to bid on positions; higher positions cost more chips than lower positions. The typical result for a committee was a chair and deputy chairs from different factions.14

The Agrarians' tactics are worth special note. The Agrarians, who most observers agree operate more as a single-issue lobby than as a party, concentrated their chips on the agricultural committee, over which it acquired overwhelming control (the chairman, first deputy chairman, and 19 more of the 26 members are from the Agrarian faction). Consequently, few other leadership positions in the Duma were acquired by Agrarian Party members, consistent with its strategy of focusing almost exclusively on its first priority issue. Indeed, a member of the party who chairs a different committee commented in an interview that the faction not only does not influence his committee activity, it does not even understand it.

The package deal also balanced faction representation in the four deputy chairmanships of the full Duma. After the Agrarian Rybkin was elected to the chairmanship of the Duma, the post of first deputy chairmanship was assigned as part of the package agreement to Russia's Choice deputy Mikhail Mitukov. Three other deputy chairmanships went to members of the

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14In the bidding process, factions checked each other's excesses by naming more or less radical deputies to the committee posts. If one of the reformist factions proposed a relatively radical figure as their choice for a particular committee, the opposition factions would propose a similarly hard-line figure for one of their preferred committees, and when the reformers proposed a moderate, so did the opposition camp.
communist, Women of Russia, and LDPR factions. A fourth position, however, remained vacant until June 10, when it was filled with a New Regional Policy member.\textsuperscript{15}

The package agreement was approved by an overwhelming majority on January 17, and settled nearly all of the outstanding problems of matching faction demands with committee and leadership positions. The major exception were the demands of Zhirinovsky, who insisted that he chair and control either the defense committee or international affairs committee. Eventually, other faction leaders finally agreed to create a new committee, called the Committee on Matters of Geopolitics, which the LDPR was able to dominate--its members occupied the chairmanship and one of three deputy chairmanships, and comprised eight out of eleven of its members.\textsuperscript{16}

Only two of the committees of the Duma are clearly dominated by one faction--Agriculture by the Agrarians and Geopolitics by the LDPR (see Table 2). Elsewhere, the package agreement succeeded in achieving a rough proportionality in faction strength in committees. Unregistered groups and deputies outside any organized group were awarded no prizes in the game. Some of their members, nonetheless, were elected to subcommittee chairmanships in some committees, and all were given committee assignments, as the rules require, largely by self selection.

Plainly, then, factions are a central feature of Duma organization. They are far more important than their predecessors in the Supreme Soviet and Congress of People's Deputies during the transitional period. The Council of the Duma provides for faction meetings in its regular schedule. Typically, factions meet twice a week, usually for two or more hours each time, and often hold special meetings. Deputies report that most factions conduct their meetings so as to allow open, wide-ranging discussion on all important policy and political matters of concern to their members.

The Duma Chairmanship, Council, and Committee on Organization

The election and power of the Duma's chairman had great significance for deputies. Ruslan Khasbulatov, Yeltsin's successor as chairman of the transitional Russian Supreme Soviet, had turned the chairmanship into a base for great personal power, which he exercised ruthlessly over deputies at times. Duma factions agreed that the temperament and character of the chairman would be important. But the election of the chairman inevitably also tested the

\textsuperscript{15}Zhirinovsky had demanded that he be given the fourth deputy chairmanship. Other factions, including the communists and agrarians resisted his demand, but had not been able to agree on an alternative candidate until June.

\textsuperscript{16}As of February 17, when three new members joined the committee.
balance of political forces. The democratic forces' failure to elect one of their members revealed their comparative weakness. The better organized opposition bloc could not win either without support from a number of centrist deputies.

After a series of "rating" votes (basically, straw polls to determine the relative strength of each of a series of nominees), Ivan Rybkin polled the largest number and eventually won the absolute majority required by a margin of one vote. Rybkin’s voting record in the previous parliament, where he was a leader of the communist faction, placed him solidly as a communist loyalist. But he had run on the Agrarian Party’s national list rather than that of the communists, and he had built a reputation among political insiders as a straightforward, pragmatic and fair-minded politician.

The Duma’s rules check the power of the chairman by requiring the chairman to work through the Council of the Duma to refer legislation to committee and set the chamber’s agenda, by requiring the daily agenda to be approved by the full Duma, and by allocating jurisdiction over the staff and operations of the Duma to a Committee on Organization. The Committee on Organization, chairmanship of which was given to a Russia’s Choice deputy, also controls the material benefits granted to deputies—who gets which dacha and other perquisites of office—which had been used flagrantly by Khasbulatov to reward his friends and punish his enemies. "Our task," the committee’s chairman said in an interview, "is to ensure that the apparat serves the deputies, and not the deputies the apparat."

While the Council of the Duma is dominated by faction leaders, the rules specify that committee chairs participate without voting power and any deputy may attend its meetings. Nevertheless, all participants agree that decisions of the council are made by faction leaders by vote. Many committee chairs, who do not sit at the conference table with the faction leaders, do not attend council meetings on a regular basis because they have little voice in its deliberations.

The Duma Committee System

The size of the Duma's 23 standing committees range from 43 on the Budget Committee to just seven on the Nationalities Committee (see Table 3). With the exception of faction leaders, all members are required to take one, but only one, committee assignment. In addition to the chair of each committee, all committees have three or four deputy chairs and many committees of subcommittees and thus subcommittee chairs as well. The relationships among chairs, deputy chairs, and subcommittee chairs vary widely across committees and probably are not well settled anywhere. In all cases, committees have adopted the common
practice of Soviet- and transitional-era parliaments of using working groups to devise preliminary drafts of legislation.

The relationships of committees and their chairs to factions vary across committees and factions and are a source of some tension. Some committee chairs consider themselves rather independent of faction in matters falling under their committees’ jurisdictions. In some cases, the chair’s independence to the product of the deference faction members give him on the basis of his political stature or professional qualifications. But because their ability to report a bill out of committee requires that they accommodate differences within their committees, some committee chairs go to some length to distinguish their committee work from their duty to faction.

Generally, at least as far as we could determine, factions do not dictate the behavior of their members in committee. In fact, deputies from across the ideological spectrum described the relationship between committees and factions to us by distinguishing the political aspects of the legislative process from the process of drafting good laws. Some deputies and committee chairs said that faction politics was supposed to be and to a large extent was held separate from committee deliberation on bills, while political decisions, such as whether and when a controversial piece of legislation should be reported and what the shape of a compromise should be, were decided by the faction leaders in the Council of the Duma. Some committee chairs feel at a disadvantage because they do not have a vote on these questions in the Council, while others seem to accept the division between the political decisions of the Council and the professional policy work of the committees. In any event, the "political" role of faction leaders and the Council of the Duma and the "professional" sphere of the standing committees seems to be widely recognized.

The place of subcommittees and their chairs varies as well. In some cases, no subcommittees have been created and all work is reserved for the full committee and working groups. Where subcommittees have been created, deputy committee chairs, who gained their posts as a part of the early package deal, sometimes serve as subcommittee chairs. In other cases, subcommittee chairs were elected by the full committee membership. Currently, subcommittees do not seem to enjoy much autonomy. Full committee chairs control all committee staff and, where subcommittees have had a chance to develop legislation, their work has been scrutinized by the full committee.

On balance, committee chairs have somewhat greater independence from the chamber’s chair than in previous parliaments. By the time of the demise of the union Supreme Soviet, its committees were beginning to have assigned to them permanent specialized sectors and departments of the central apparat. When the Russian Supreme Soviet formed in 1990, it
inherited only a small professional apparatus (as compared with the large and highly skilled
staff that the new USSR Supreme Soviet took over in 1989). Committees created their own
staff sectors, but the staff remained formally subordinate to the central apparat, which
eventually was controlled by the heavy hand of the chairman of the presidium, Ruslan
Khasbulatov.

In contrast, the designers of the Duma wished to deny its chair similar control over the
staff. There is no central staff for both houses, as there was in the transitional period.
Moreover, the chairman’s staff was to be restricted in size and the Council of the Duma was
given no staff. Instead, responsibility for supervising the central staff is vested in the
Organization Committee, which does not have direct line authority in the processing of most
legislation. Each committee (and faction) is formally authorized to hire staff experts, although
these staffs remain quite small in comparison with other national legislatures with powerful
committee systems. As a result, committee chairs have great discretion hire committee
specialists, although in practice some chairs share hiring decisions with deputy or
subcommittee chairs.

In some respects, decision-making processes within committees have changed little from
the process typical of the transitional years. As in the old Supreme Soviet, committees hold
parliamentary hearings, although they must have the consent of the Council of the Duma.
Hearings help individual members to be policy entrepreneurs, focusing attention on problems
and building support for legislative action in areas in which they are interested.

But the most important similarity with past practice is dependence on working groups
and expert commissions for drafting the details of legislation. Some of these are formed to
develop a draft law on a particular subject where the committee would like to initiate
legislation. Others, by far more common, are expert groups which study legislation initiated
by others (most commonly, the president, government, or a deputy) in order to reach
consensus on revisions. The working groups are usually composed of executive branch
officials, deputies, organization representatives, and academic experts. As in the past, working
groups help committees compensate for their lack of sizable permanent staffs and the absence
of a substantial library or research service. The groups commonly include deputies from the
relevant committees of both houses, which facilitates coordination of the work of the two
houses. Committee chairs are instrumental in determining which deputies and outside experts
are appointed to working groups. Although these expert groups have wide autonomy to revise
the language of a bill, the committee retains final control over the bill because it must approve
the bill before circulating it to other committees and the Council of the Duma.
Organizing the Council of the Federation

The Council of the Federation had little difficulty establishing standing rules. No clear party-based divisions, formal or otherwise, developed over rules. On the whole, deputies of the Council of the Federation seemed less intensely interested in the rules than deputies of the Duma. A decision-making process quite different from the Duma's process emerged. In the Council of the Federation, factions played no role in selecting committee chairs and members. No central executive committee exists. And the Council of the Federation meets infrequently, only a few days each month, leaving the day-to-day work to a few full-time deputies and the staff. But the Council of the Federation's processes are not only different from the Duma's, they are probably less fully developed as well. Because the Duma has been slow to move legislation, the Council of the Federation has not had much legislation to consider under the 14-day limit provided in the constitution. As a result, pressures to elaborate on its committee system or resolve procedural ambiguities were low during its early months.

Many, if not most, of the deputies of the upper chamber were either not endorsed by a party during the electoral campaign. A few were endorsed by more than one political party or association. As a result, there was little basis for party or faction organization when the deputies arrived in Moscow in January. To be sure, like-minded deputies of the Council of the Federation do recognize each other, often have a history of working with each other, and sometimes coordinate their activity, as they did in the election of a chair for the chamber. And some deputies openly associate with Duma factions and external political parties or associations. However, formal parties or factions have not formed, no partisan leaders are publicly recognized, and parties and factions are not mentioned in the chamber's rules.

Like the Duma, the Council of the Federation did not seriously consider replicating the old presidium. But unlike the Duma, the Council of the Federation chose not to create any executive committee. Instead, responsibility for bill referral, agenda, and supervision of the central staff is placed in the hands of an elected chair. The chair's powers are not checked by or shared with any committee. In fact, the chair's power appears to be enhanced by the vacuum created by the part-time status of most deputies in the chamber. Shumeiko, in fact, has been subject of some criticism for his creation of a large central staff and for his allocation of resources to committees and deputies. The infrequent sessions of the Council of the Federation have permitted Shumeiko to travel a good deal since his election as chairman. The paucity of legislation to be considered on the floor of the chamber leaves open the question of how willing the deputies will be to challenge the agenda recommended by Shumeiko.
Committee chairs and deputy chairs, as the rules provide, were elected by the memberships of their committees, with the chairs ratified by the full chamber. Committee chairs appear to have greater discretion than their Duma counterparts because of the need to act on some matters in the absence of many of their colleagues. But committee chairs suffer from the difficulty of mustering quorums to conduct business, not having assistance to drafting legislation from other members, and being less certain that their own handiwork will be supported on the floor. Committee chairs are authorized by the standing rules to hire staff, although budget allocations are a subject of tension between some of them and the chairman of the Council.

The Council of the Federation has created fewer committees, just 13, than the Duma (see Table 3). This appears to reflect two influences. First, partisan bartering over leadership posts was not associated with the creation of committees in the Council of the Federation, as it was in the Duma. Second, fewer demands for more committees were heard in the Council of the Federation because of the smaller size of the Council and the part-time status of its deputies.

Like committees of the Duma, the committees of the Council of the Federation conduct hearings, although they have conducted far fewer. Moreover, Council committees work with working groups, usually shared with Duma committees, to draft the details or revisions of legislation. But no subcommittees have been created by the standing committees of the Council of the Federation. Participants report that attendance problems preclude active subcommittees and that little interest in subcommittees has been expressed. Besides, many deputies in the upper chamber appear to be so preoccupied with their responsibilities in regional government that they take little interest in committee business.

A large question about the upper chamber remains alive. Will the Council of the Federation become a full partner with the Duma in the making of public policy? The early signs are mixed.

Some members of the Council of the Federation are determined to make their chamber more than a reactive chamber whose agenda is set by the Duma. In the case of the 1994 budget, the upper chamber asserted itself by approving a version of the budget before the Duma finished its work on the measure. Its action had no authoritative consequence, but it indicated that many Council of the Federation deputies wanted the Duma to know that they would influence the policy choices to be made. Earlier, the chamber successively asserted, against initial Duma resistance, its right to recommend changes in Duma-passed legislation even though the Council of the Federation cannot formerly alter the legislation. The Duma has recognized the upper chamber’s recommendations in its own rules. Furthermore, deputies of
the Council of the Federation have exercised their constitutional powers a few times. The
chamber frustrated Yeltsin by refusing to confirm his nomination for General Procurator.
And, on its first vote on the issue, the Council of the Federation turned down Yeltsin's request
for approval to send Russian troops to keep peace in North Ossetia. Only after intensive
lobbying by the government did the upper chamber approve the use of troops.

In addition, many Council of the Federation deputies have involved themselves in
legislation before the Duma finishes it work by joining working groups, holding hearings, and,
in just a few cases, working on draft legislation. Some members say that they want the
Council of the Federation to be a chamber of "senators" rather than of "governors"--reflecting
the fact that they give higher priority to their parliamentary duties than their duties in regional
government. Many of them have sought and gained floor votes on issues other than those
concerning legislation directly before them, which reflects their eagerness to influence national
public policy.¹⁷

Yet, the Council of the Federation and its members have not taken much advantage of
their constitutional right to introduce legislation in the Duma. Rather, they have waited on the
Duma before taking formal action in nearly all areas of public policy. And the deputies who
actively participate in working groups and hearings appear to be a minority of their chamber.
It is not clear that incentives will be sufficient for them to continue their activity if they are not
actively supported by their chamber.

The ambiguous status of the Council of the Federation has fed continuing discussion
about the manner in which its deputies are elected. Some participants have an interest in
further specifying how or who the legislative and executive branches of regional government
select deputies. Others, found mainly in the Duma, are interested in a constitutional
amendment that would provide for direct election of upper-chamber.

The Legislative Process

The legislative process, especially in the Duma, is remarkably similar to the process
developed in the union-level and Russian parliaments just before and during the transition
years. As in the past, the process reflects an emphasis on the resolution of conflicts before

¹⁷ Members have also increased their autonomy of the executive branch by passing an amendment to the Law
on Status of the Deputy under which no deputy of the Council of the Federation can be removed from his job
without the consent of the chamber. Since the largest share of members are chiefs of regional administrations in
the subjects of the federation, most of them appointed by the president, this provision reduces their personal
dependence on Yeltsin and thus reduces his leverage over them.
legislation is considered on the floor. The process is outlined in Figure 1. The major difference between the two chambers is that the chairman of the Council of the Federation assumes most of the duties that are handled in the Duma by the Council of Duma. But the Duma elaborated on this process for budget bills. Because of the importance of budget policy for the power of the Duma relative to the president and government, we give the Duma’s budget process separate treatment.

The Standard Process

The right to initiate legislation (that is, to introduce legislation in the Duma) is granted by the Constitution to the president, the government, the legislative bodies of the regions, and the Council of the Federation and its members, as well as members of the Duma. At this writing, only the president, the government, and Duma deputies have exercised this right. Once introduced, the legislation is given a first reading and, in the case of the Duma, the Council of the Duma refers the legislation to one or more committees. If more than one committee is involved, the Council identifies a lead committee that is responsible for working with the other committee or committees.

It is important to note that deputies submit their proposed amendments immediately following the first reading. This allows the committee or committees handling the legislation to consider and report views on all amendments that the Duma will consider. Because amendments are disclosed at this early point in the process, bill opponents’ options are more limited than they are in many legislatures.

After preparing a report on the legislation, the committee in charge of the legislation brings the bill back to the Council of the Duma, which decides whether the legislation is ready to be scheduled for floor action. The Council may choose to send the bill back to committee or to proceed to place it on the floor agenda for a second reading. The likelihood of majority support for the legislation appears to be the most important factor influencing Council members. Nevertheless, the Council sometimes engenders the resentment of a committee chair in performing this agenda-setting function—recall that faction leaders but not committee chairs are voting members of the Council. If the Council decides to bring the measure to the floor, it also decides what amendments will be considered on the floor.

Any agenda proposed by the Council of the Duma is subject to amendment and vote on the floor. Debates over the agenda begin each day’s session and they often are the occasion for complaints about what is and is not brought to the floor. Members may offer amendments to the agenda, such as amendment that provides for a vote on a bill at first reading or one that
adds an amendment to the list of amendments to be considered. Once the agenda is approved, debate on the legislation proceeds under rules established in the chamber's Reglament.

Consideration of amendments is stacked in favor of the committee's position under the rules. Before voting on individual amendments, the Duma first decides on one vote whether the committee's recommendation to reject certain amendments should be accepted. Only if this motion is defeated are the individual amendments opposed by the committee subject to a vote.

The Duma operates under a rule that a majority of elected deputies (226 votes if all seats are filled) is required to adopt a motion. The Council of the Federation adopted a rule favored by Yeltsin (who wanted to make it difficult for parliament to act): a majority of the total number of seats in the chamber, 90 of 178, are required for a motion to pass. Because majorities in neither chamber are based on the number of deputies actually voting, a great deal of non-voting occurs among deputies who are present and would otherwise vote against a motion. (Establishing a high participation rating does not interest Russian deputies.)

Third reading is generally considered a pro forma action, although the 1994 budget was rejected at third reading on the first attempt. After adoption at third reading, a measure goes to the Council of the Federation. The legislative process of the Council of the Federation is similar to the Duma's process, so we will not describe it here.

Methods of resolving differences between the two houses are not much different from those in other bicameral systems. If the Council of the Federation rejects a Duma-passed measure, the chambers may form a conciliation commission to work on compromise legislation. The work of the conciliation commission must be approved by both houses. However, if the Duma accepts the Council of the Federation's recommendations for changing a measure that the Duma passed originally, the Duma's actions are reviewed by the appropriate committee of the Council of the Federation and, if it finds the Duma's actions wholly consistent with the Council's recommendations, may so report to the chairman of the Council of the Federation and the legislation is considered approved by the Council.

The Budget Process

In the spring of 1994, the Duma adopted a resolution providing for a more elaborate procedure for considering the government budget than is provided in the Constitution and the chamber's Reglament. The special budget procedures, which were not copied by the Council of the Federation, were designed to expedite consideration and avoid unnecessary delays in bringing the budget proposal to a vote, while also preserving enough time for adequate study.
and revision of the government's proposal. Figure 2 is an adaptation of a diagram devised by the Duma's Budget Committee to describe the special procedures.

The Duma's budget process has several key features. First, the process is designed to move from a decision about aggregate budget numbers (the basic characteristics--total revenues, revenues from each of the subjects of the Federation, total spending, spending in broad categories) at the first reading to decisions on budget details at the second reading. Second, the Budget Committee takes the lead in setting the basic characteristics, while the committees with relevant jurisdictions take the lead in devising the details of the individual articles comprising the final document. Third, the Budget Committee and the Council of the Duma share coordinating responsibilities--the Budget Committee on the substance of the budget and amendments and the Council of the Duma on scheduling. And fourth, the full Duma checks the recommendations of the committees at three separate stages in the process. The Duma may reject the government's initial proposal as a basis for further action, the basic characteristics recommended by the Budget Committee, or the detailed articles and force changes in the document at that point.

In practice, the Council of the Duma proved more pivotal to the 1994 budget process than the outline of the process suggests. At a few key points, the ability of Chairman Rybkin to bring together faction leaders in the Council of the Duma appeared to prevent stalemate over the budget. A few of the details illustrate our point.

The government's proposed budget encountered heavy opposition on both sides of the chamber. Reform-oriented factions such as Russia's Choice and Yabloko opposed it for spending too little on such social needs as science and education and too much on agriculture and defense, while other groups demanded huge increases in defense spending. Russia's Choice also argued that the planned deficit, at 9.6 percent, would fuel inflation, particularly given that planned revenues were certainly far too high. The bill was also subject to a turf battle between the Budget Committee and the Economic Policy Committee, which favored greatly increased military spending. Although the Budget Committee succeeded in protecting its control of the bill and winning passage of a special resolution on the procedure for handling the budget bill, the committee's chairman, a member of the Yabloko faction, publicly opposed the bill even as he attempted to protect it against heavy lobbying to reject or gut it.

Given the widespread opposition to the government's budget, its passage required a good deal of maneuvering by the Duma's leadership. At several points, the Council of the Duma and the chairman were able to devise crucial compromises and construct majorities for the bill. Although only a few details of the story are known, it is clear that the Council of the Duma's ability to win passage of the budget was seriously hindered by deep divisions within several
factions that made it difficult for their leaders to deliver their members. Nevertheless, it is probable that without the Council's intervention, the bill could not have passed.

The first point where the Council devised a compromise occurred on April 15 when the Duma voted to accept the government's draft as a basis for further work. Its resolution to this effect was worked out after a lengthy meeting of the Council of the Duma, where Chairman Rybkin mediated a compromise between the faction leaders and the government. The Duma agreed to accept the government's draft as a basis for amendments rather than to send it back to the government for redrafting.

The Council of the Duma also made possible the surprising outcome of the vote on the second reading of the bill, when the Duma voted to accept the budget committee's proposed bill without opening it to debate and amendments from the floor. In the weeks since the government submitted its budget proposal, about 300 amendments had been submitted by deputies and considered by the committee. In principle, sponsors of each of these amendments could have demanded that they be debated and voted on by the floor. On June 8, the day scheduled for the second reading, Chairman Rybkin called a recess after some preliminary floor skirmishing so that he could meet with the faction leaders. When the session resumed, he entertained a motion to pass the bill in the form recommended by the Budget Committee, retaining the same overall spending and deficit limits as in the first reading and the motion passed was adopted by a one-vote margin.

On that key vote, few factions were entirely cohesive, as they had been on many other issues. Three-fourths of the communists and virtually all of the agrarian deputies supported it, while nearly all deputies of the Russia's Choice and Yabloko factions opposed it. The outcome was a surprise because of the intensity of lobbying by defense interests for increased defense spending and the assertion of many deputies that they understood at first reading that amendments would be considered at second reading. It is likely that in meeting with Rybkin, some of the faction leaders agreed to support the bill as a package rather than allow it to be opened to a stream of unpredictable votes on amendments. Some of the deputies were also persuaded by the argument that they would lose all control over the budget if they did not pass the bill. After all, the year was nearly half over and the government could be expected to conduct its business without the detailed constraints that an enacted budget would provide for the rest of the year.

The final instance of a coordinated effort by the leadership to win passage for the bill came on the vote in the third and final reading. Under the rules, the third reading is held without opening the floor to amendments, and is held to approve any final technical changes in a bill made by the Legal Department of the staff. Low attendance and the high threshold
requirement, however, made it impossible to find a majority for the bill in the third reading on
the first, second, and third attempts when the bill came up on June 22. During the lunch
recess, the Council of the Duma met and agreed to invite the acting finance minister of the
government to speak in behalf of the bill, who, as expected, threatened that without a budget,
the government might find itself obliged to cut off the financing of certain politically crucial
activities. And Chairman Rybkin demanded that all deputies cancel any trips and return to
vote on the bill. Two days later, under pressure from Rybkin and with the new help of
Russia's Choice, which changed its position and agreed to support the bill on the grounds that
any alternative bill was likely to be worse, the measure was adopted by a 52-vote margin. The
budget bill passed the Council of the Federation the same day—without detailed committee
consideration or votes on amendments—by a vote of 100 to 19.

Conclusion

In most respects, the houses of the Federal Assembly have developed structures and
procedures consistent with our expectations. The difference in the electoral systems used for
electing deputies to the two houses, along with the distribution of partisans and policy
preferences that emerged from the election, had large and direct effects on the character of the
parliamentary parties or factions and their role in the policy-making process. As expected, the
Duma has become a far more party-oriented legislative body than the Council of the
Federation. Yet, both houses, under the continuing pressures of an unstable political
environment and heavy work load, adopted systems of committees and working groups, with
some notable and predictable differences, that continue the practices of the past. And the two
houses dropped the long-established Russian parliamentary institution of the presidium,
although they found different substitute mechanisms. The Duma created a party-based
executive committee to handle agenda-setting and coordination functions and handed control
over the administrative operations of the body to a separate committee. The Council of the
Federation simply turned these responsibilities over to an elected chair.

The Federal Assembly's policy-making record in its first six months was surely
disappointing for proponents of an effective, independent parliament. To be sure, the Duma,
under the direction of the Council of the Duma, was able to moderate conflict and find a basis
for agreement on a few divisive, complex issues. And the president was willing to accept
these decisions even when he was clearly opposed to the result. But the existence of numerous
veto points in the legislative process, together with the deep political divisions among deputies,
impeded the Duma's ability to act on the severe social and economic problems facing the
country. Moreover, the inattention of many members of the Council of the Federation to its work undermined confidence in its prospects as a full partner in policy making. Perhaps most important, the Federal Assembly's slowness to act gave the president an excuse to promulgate new decrees, some representing radical reform measures that stimulated loud protests from opposition deputies.

Nevertheless, the new Russian parliament appears to have overcome some of the problems that plagued its predecessor. So far, all parties have demonstrated a willingness to operate under the terms of the Constitution and the standing rules of the two houses of parliament. Indeed, civil and even cooperative behavior among deputies of opposite factions can be found on many committees and working groups. And many of the structural and procedural choices of the two houses appear to have established a good foundation for a development of an effective policy-making role for the Federal Assembly.
Table 1. Results of the Duma Elections, December 11-12, 1993.

<table>
<thead>
<tr>
<th>Party-List Vote Percentage</th>
<th>Party-List Seat Number</th>
<th>SMD Seat Number</th>
<th>Total Seats'</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Reform-Oriented Parties</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Russia’s Choice</td>
<td>15.51</td>
<td>40</td>
<td>27</td>
</tr>
<tr>
<td>PRES^2</td>
<td>6.73</td>
<td>18</td>
<td>1</td>
</tr>
<tr>
<td>Yabloko^3</td>
<td>7.86</td>
<td>20</td>
<td>2</td>
</tr>
<tr>
<td><strong>Centrist Parties</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Democratic Party of Russia</td>
<td>5.52</td>
<td>14</td>
<td>1</td>
</tr>
<tr>
<td>Women of Russia</td>
<td>8.13</td>
<td>21</td>
<td>2</td>
</tr>
<tr>
<td><strong>Opposition Parties</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agrarian Party of Russia</td>
<td>7.99</td>
<td>21</td>
<td>12</td>
</tr>
<tr>
<td>Communist Party of the Russian Federation</td>
<td>12.40</td>
<td>32</td>
<td>15</td>
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<tr>
<td>Liberal-Democratic Party of Russia</td>
<td>22.92</td>
<td>59</td>
<td>5</td>
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<tr>
<td><strong>Parties That Failed to Reach the 5 Percent Threshold</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Civic Union^4</td>
<td>1.93</td>
<td>0</td>
<td>10^6</td>
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<tr>
<td>Future of Russia/New Names</td>
<td>1.25</td>
<td>0</td>
<td>2^6</td>
</tr>
<tr>
<td>Dignity and Charity</td>
<td>.70</td>
<td>0</td>
<td>3^6</td>
</tr>
<tr>
<td>Kedr (Cedar)^5</td>
<td>.76</td>
<td>0</td>
<td>1^6</td>
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<tr>
<td>Russian Movement for Democratic Reforms</td>
<td>4.08</td>
<td>0</td>
<td>5^*</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>225</td>
<td>86</td>
</tr>
</tbody>
</table>
Some candidates nominated by parties that had failed to clear the five percent threshold for party lists were elected in single-member district races. Those deputies then chose between another party's fraction, joining a fraction not associated with a party that exceeded the party-list threshold, or remaining independent.

PRES is an acronym for the Russian name for the Party of Russian Unity and Concord.

Yabloko is the acronym formed from the names of the three top leaders of the group—Grigorii Yavlinskii, Vladimir Lukin, and Yuri Boldyrev.

The full name of Civic Union is Civic Union in the Name of Stability, Justice and Progress.

Kedr, which means cedar, is an acronym formed from the words Constructive-Ecological Movement of Russia.

Total seats won on party list and in single-member districts in which the winning candidate had been nominated by the given group.

Source: Grigorii Belonuchkin, comp., "Federal'noe sobranie: Spravochnik (Moscow: Panorama, April 18, 1994)."
Table 2. Committees in the Duma, by Faction Membership (as of January 19, 1994).

<table>
<thead>
<tr>
<th>Committee</th>
<th>Agrar.</th>
<th>CPRF</th>
<th>LDPR</th>
<th>NRP</th>
<th>RC</th>
<th>none</th>
<th>WR</th>
<th>PRES</th>
<th>Yabl.</th>
<th>DPR</th>
<th>Total</th>
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<td>2</td>
<td>3</td>
<td>0</td>
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<td>0</td>
<td>28</td>
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<td>1</td>
<td>2</td>
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<td>5</td>
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<td>1</td>
<td>2</td>
<td>1</td>
<td>18</td>
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<td>4</td>
<td>9</td>
<td>5</td>
<td>5</td>
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<td>43</td>
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<td>Economic Policy</td>
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<td>2</td>
<td>2</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>22</td>
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<td>6</td>
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<td>2</td>
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<td>0</td>
<td>1</td>
<td>13</td>
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<td>Fed. &amp; Reg. Policy</td>
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<td>1</td>
<td>1</td>
<td>4</td>
<td>3</td>
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<td>2</td>
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<td>1</td>
<td>1</td>
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<td>Geopolitics</td>
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<td>8</td>
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<td>1</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Inf. Policy &amp; Commun.</td>
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<td>1</td>
<td>4</td>
<td>2</td>
<td>1</td>
<td>4</td>
<td>0</td>
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<td>3</td>
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<td>3</td>
<td>8</td>
<td>7</td>
<td>3</td>
<td>1</td>
<td>1</td>
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<td>1</td>
<td>28</td>
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<td>Property</td>
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<td>3</td>
<td>3</td>
<td>2</td>
<td>7</td>
<td>3</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>24</td>
</tr>
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<td>CIS and Nationals</td>
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<td>2</td>
<td>1</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>3</td>
<td>2</td>
<td>12</td>
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<tr>
<td>Labor and Social Defense</td>
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<td>3</td>
<td>2</td>
<td>2</td>
<td>3</td>
<td>1</td>
<td>1</td>
<td>0</td>
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<tr>
<td>Legislation</td>
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<td>4</td>
<td>4</td>
<td>4</td>
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<td>2</td>
<td>2</td>
<td>21</td>
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<tr>
<td>Health</td>
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<td>0</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>8</td>
</tr>
<tr>
<td>Total</td>
<td>425</td>
<td>43</td>
<td>43</td>
<td>62</td>
<td>65</td>
<td>74</td>
<td>47</td>
<td>22</td>
<td>27</td>
<td>27</td>
<td>425</td>
</tr>
</tbody>
</table>

1See Table 1 for the full faction names.

2See Table 3 for complete committee names.
Table 3. The Committees of the Duma and Council of the Federation (Number of Subcommittees in Parentheses).

**Duma Committees**

Committee on Legislation and Judicial-Legal Reform (4)
Committee on Labor and Social Defense (7)
Committee on Protecting Health (4)
Committee on Ecology (5)
Committee on Education, Culture, and Science (2)
Committee on Affairs of Women, Family and Youth (0)
Committee on Budget, Taxes, Banks and Finances (7)
Committee on Economic Policy (4)
Committee on Property, Privatization, and Economic Activity (0)
Committee on Agrarian Questions (8)
Committee on Industry, Construction, Transport and Energy (7)
Committee on Natural Resources and Use of Nature (3)
Committee on Defense (3)
Committee on Security (0)
Committee on International Affairs (5)
Committee on Affairs of the Commonwealth of Independent States and Ties with Fellow Nationals Abroad (3)
Committee on Nationality Affairs (3)
Committee on Affairs of the Federation and Regional Policy (5)
Committee on Questions of Local Self-Government (0)
Committee on Affairs of Public Associations and Religious Organizations (0)
Committee on Organization of the Work of the State Duma (0)
Committee on Information Policy and Communications (3)
Committee on Questions of Geo-Politics
Credential Commission

(71 subcommittees)

**Council of the Federation Committees** (no subcommittees)

Committee on Affairs of the Federation, the Federal Treaty, and Regional Policy
Committee on Constitutional Legislation and Judicial-Legal Questions
Committee on Budget, Financial, Currency and Credit Regulation, Money Emission, Tax Policy, and Customs Regulation
Committee on Questions of Economic Reform, Property and Property Relations
Committee on Affairs of the Commonwealth of Independent States
Committee on International Affairs
Committee on Questions of Security and Defense
Committee on Social Policy
Committee on Agrarian Policy
Committee on Questions of Science, Culture, and Education

Committee on Affairs of the North and Non-Numerous Peoples
Commission on the Standing Rules and Parliamentary Procedure
Credentials Commission

Figure 1. The Standard Legislative Process in the Duma.

<table>
<thead>
<tr>
<th>Initiation and Consideration By The Council of the Duma</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Reading: Bill Approved as Basis For Further Work</td>
</tr>
<tr>
<td>Amendments Introduced and Council of the Duma Refers the Bill and Amendments to Committee</td>
</tr>
<tr>
<td>Committee Considers Legislation and Amendments, Writes Report</td>
</tr>
<tr>
<td>Committee Report Sent to President and Government for Their Views</td>
</tr>
<tr>
<td>Council of the Duma Schedules Bill for Second Reading</td>
</tr>
<tr>
<td>Second Reading: Debate and Votes on Amendments and Bill</td>
</tr>
<tr>
<td>Legal Staff Prepares Bill and Copy Is Sent to the Council of the Federation</td>
</tr>
<tr>
<td>Council of the Duma Schedules Third Reading</td>
</tr>
<tr>
<td>Third Reading: Vote on Bill, As Amended</td>
</tr>
<tr>
<td>Bill Sent to the Council of the Federation</td>
</tr>
</tbody>
</table>

Source: Duma Reglament and the authors' interviews.
Figure 2. The 1994 Budget Process in the Duma.

Initiation and Consideration by the Council of the Duma (1 Day)

Budget Committee Prepares List of Committees to Examine Articles of the Budget (1 Day)

Examination by Committees; Preparation of Proposal on Basic Characteristics (7 Days)

Budget Committee Hearings and Report on Amendments to Basic Characteristics (10 Days)

Report Sent to Government for Its Views

Council of the Duma Schedules Floor Action on Budget Committee Report

First Reading, Step 1: Approval of Government Budget Proposal as Basis For Further Action

First Reading, Step 2: Approval of Basic Characteristics

If Not Approved, Government Refines Its Budget Proposal

Examination of Articles and Amendments By Committees (10 Days)

Budget Committee Preparation of Amendments to Be Considered on the Floor

Council of the Duma Schedules Second Reading

Second Reading: Votes on Individual Articles and Entire Package

If All Articles Are Not Approved, a Conciliation Commission Works on Changes (5 Days)

Legal Staff Review

Third Reading

Council of the Federation

If Not Approved, a Conciliation Commission Works on Changes (5 Days)

President