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Political reform under Gorbachëv: Towards the defeudalization of Soviet Politics?

by John Löwenhardt

'It is often asked whether there is political opposition to *perestroika*. Political opposition does not exist in the Soviet Union. The opposition and the brakes are in ourselves.'

Mikhail Gorbachëv, 29 September 1987

On 12 December 1987, Mikhail Gorbachëv has been Secretary-General of the CPSU for a thousand days. At this landmark he could take credit for a number of succesful initiatives in both domestic and international policy. And yet, Gorbachëv seems to have more supporters in the West than in his own country. Both he and his closest collaborators have repeatedly spoken of opposition to their policies of *glasnost* (openness) and *perestroika* (reconstruction). In 1987 Soviet newspapers, radio and TV have reported almost daily on opposition to the new policy and new thinking. The term *soprotivlenie* (resistance) has been printed in bold face over angry articles on the intrigues of local and departmental authorities trying to frustrate the Politburo's new line.¹ The literary world is in state of war, with liberal and conservative writers and editors pitted against each other. Amongst the members of the Politburo and the Central Committee, some would want Gorbachëv not to run so fast; others consider his pace too slow. And yet, in his discussions with a French delegation, Gorbachëv denied the existence of political opposition in the USSR.

His denial is, of course, no slip of the tongue. For *political* opposition is a Western concept and in his meeting with the French delegation Gorbachëv reacted to Western questions. To similar questions on the possibility of real alternatives in Soviet elections, the reply has been that 'the Soviet people have made their choice for socialism long ago'. Gorbachëv and his supporters have made it clear that the reconstruction of Soviet society is aimed at a strengthening of socialism, and definitely not at its abolition. Opposition, therefore, may be difficult to avoid if a modernizing elite undertakes the mobilization of an ossified society and feudalized political system. But such resistance is not to be translated into *political* opposition.

The ailing Soviet economy is being reconstructed and political life is the subject of 'democratization'. 'More socialism, more democracy' has become the catchword of the day. The central question of this article is what the 'democratization' of Soviet politics amounts to and at what goals it is

aimed. Can it be that the leaders of the Soviet Communist Party have mellowed and are prepared to put more trust in their citizens than before? Will they allow them a real choice in electing those who govern?

Before trying to answer these questions, it should be made clear that the Soviet concept of democracy differs from ours. The main aim of *socialist* democracy is to create the preconditions necessary for the development of socialism. It stresses the value of participation by the population in public administration but it assumes that the goals of social development and political life have been defined once and for all. It does not allow individuals or organized social groups to define their own political goals and to wage a political battle for their realization. The Western concept of democracy is not goal-oriented. It stresses the protection of the individual against the state, the dependence of governments on electorates and the creation of a framework for organized action in pursuit of a great variety of political goals.

The difference in concepts of democracy was illustrated in the Question-and-Answer session between three editors of the Italian communist newspaper *Unita* and Mikhail Gorbachëv.² *Unita* stated that democratization can mean many different things, from electoral experiments and self-management in factories to 'the creation of new legal guarantees that would protect each individual citizen against the omnipotence of the Party and State apparatus and would give him rights that up to now have not been encountered in Soviet society'. Gorbachëv disagreed, saying that the Soviet Union is not launching its democratization 'from point zero'. The October Revolution, after all, had 'opened up a new period of the affirmation of individual rights and freedoms, of equality and justice'. Of course, Gorbachëv continued, there had been 'difficulties and mistakes in our history' that had 'impeded the development of socialist democracy'; socialist legality and democratic norms had been violated. But the Soviet people had learned from this. 'Reconstruction means the deepening of socialist democracy and the development of the people's self-governement. What it involves is not the break-up of our political system but the fuller, more effective use of its possibilities.'

The question is what, if the existing political system is to be maintained, can be meant by 'the deepening of socialist democracy' and 'the more effective use of its possibilities'. And should we find an answer, the question then arises as to what all this is aimed at, i.e. what the deepening of socialist democracy is supposed to lead up to. Of course, the Soviet Party leader is right in stating that the Soviet Constitution guarantees Soviet citizens a series of rights and freedoms. But these rights are limited by the fact that the individual can claim them only insofar as he acts in the interests of the de-

velopment of socialism in the USSR. This limitation – essential in the difference between Western and Soviet concepts of democracy – indicates that civil rights in the USSR are rights of tolerance, for at any time the state can deny its citizens such rights. But in its elasticity it also indicates that the interpretation of these rights can differ from period to period. It does not have to be as restricted now as it was in the Brezhnev period, for the 'construction of socialism' *now* poses demands that differ from those of ten, twenty or thirty years ago. The demonstrations of Jews, Crimean Tatars and Balts in the Spring and Summer of 1987, the activities of a great number of informal social groups and the founding of the independent journal *Glasnost* illustrate the insecure position of social forces in Soviet society today. Caoutchouc articles in the Criminal Code allow Party and state to have undesirable behaviour prosecuted as anti-soviet agitation. Alternatively, democratization of the Soviet system might possibly lead to the Constitution and other legislation being altered in such a way that civil rights are unreservedly guaranteed and the citizen being afforded the possibility to have his rights enforced. The review of the Criminal Codes might possibly result in the first steps being made in that direction. But developments such as these are unlikely, for an independent court system would be a precondition for real civil rights.

To some of the leading figures in present-day Soviet society, a truly independent judiciary is no foreign idea. Speaking on the prosecution of corrupt Party functionaries, Fëdor Burlatskii said in a radio program that such cases were a serious lesson, but that 'time passes and lessons are forgotten'.³ Suggesting so-called 'telephone justice' (the court receives its instructions from the local powers-that-be by telephone), he added that

'... some sort of legal and institutional guarantees are needed, in addition to the ones which already exist. The first one is obvious, quite obvious: the strengthening of the independence of the courts and procuracy. As long as the court, or judge, depends to such and such an extent on the local authorities – he is a member of the relevant local party organization, and in that sense is subordinate to the grass roots of that organization and to the rayon committee, and in the Party system is to some extent under control. Until the independence of their work as judges can be completely ensured it will of course be difficult to solve the problem of fully overcoming the phenomenon of two sets of laws.'

During 1987 there have been strong impulses for legislative change. In this article I do not wish to analyze the new economic legislation or the impending changes in criminal law.⁴ Neither will I venture into a discussion of the linkage between domestic change and foreign policy. The exclusive aim of this article is to discuss the question as to what the changes in Soviet

politics – whether of a legislative nature or not – amount to and whether the term ‘democratization’ is a fitting characterization of the aims of those who have introduced these measures. The developments that I want to describe and analyze are the recent experiments in both Party and state elections; changes in the operation of the nomenklatura system and the adoption of a law on the procedure of appeal to the courts against illegal actions by officials infringing upon citizens’ rights. I will not deal with personnel changes in the higher echelons of the Party and state, the reorganization of the economic bureaucracy or changes in nationality policy. Neither will I venture into the field of *glasnost*. There is no doubt that the climate in Soviet cultural life and the media has undergone a dramatic change; the question *hic et nunc* is whether there are any *structural* changes in the make that would indicate a real democratization of Soviet political life.

Electoral reform

After a festive election day on 17 December 1950, the members of polling station number 23 in Moscow’s 90th electoral district were not really surprised when they found that Joseph Stalin had been elected a deputy of their district to Moscow’s City Soviet with a percentage of not 90, not 95, not even 99.99, but 150 percent of the registered voters. At another polling station, twice the number of registered voters had voted for Stalin.⁵ Soviet elections have always had similarities to an absurdist play. But in this case there was a simple explanation.⁶ The Soviet Union has a district system in which each district elects one single deputy to each soviet. Individuals can be deputies in more than one soviet at different levels. The electoral precincts into which the districts are divided, are small and count between two and three thousand voters. As a consequence, if and when the soviets are elected only a small percentage of the registered voters can vote for national leaders. Each of those leaders is a candidate-deputy in one district only. In 1950, quite a number of Muscovites considered it an honour to vote for Stalin, but not all of them could. Some of those who lived in the ‘wrong’ electoral districts and could only vote for a brigade leader or for one of the lesser national Gods, chose to travel to Stalin’s district and vote there.

This anecdote serves to show that absentee voting is relatively easy in the USSR. Before each election, a sizable portion of the electorate informs their precinct committee that they will be out of town on election day, and request a certificate that will allow them to vote elsewhere. Their names are then removed from the rolls of their electoral precinct, but in many ca-

ses the persons in possession of such a certificate do not present themselves at another polling station. In past decades this way of evading elections has become one of the least risky and most favoured ways of showing discontent.⁷ Other forms of dissident voting behaviour attract more attention. Although Soviet law does not compel the registered voter to present himself at a polling station, voters who have not cast their vote by late morning of election day are visited by activists who try to persuade them to cast their vote for Soviet power. Another way of evading elections is by informal proxy. Although electoral law does not allow voting by proxy, at each election many *babushki* arrive at polling station to vote for the whole family. They receive a stack of voting papers and drop them into the ballot box. Finally, the estranged voter can choose to present himself in person at the polling station, receive his voting paper, withdraw into the ballot cubicle and cross out the name of the only candidate on his paper, thereby voting against the *List of Communists and Non-Party Candidates*. This, of course, is not a very patriotic act. The small percentage of voters that perform it do not risk exile to Siberia or dismissal from their job, but many still *think* that it will have unpleasant consequences and are induced to comply with standard procedure.⁸

The voting behaviour of Soviet citizens symbolizes the attitude required of the population by the regime. Voting in the Soviet Union is not a procedure for choosing between political alternatives: ‘the Soviet people chose for socialism long ago’. In elections the Soviet people periodically express their support for the regime. All persons involved in Soviet elections are fully aware of the fact that they are taking part in a cynical sham. It is precisely this awareness that is central to the importance of elections: every few years the regime shows that its power to have its subjects join in a ludicrous game is unbroken. The power of the regime is expressed in the collective humiliation of its citizens. The Soviet voter votes by *not* using the voting cubicle and *not* crossing out the only name on his voting paper. Voting is organized in such a way that it implies that the population supports the regime. No positive choice has to be made by the citizen: that has been done *for* him by Party employees during the nomination process. The only thing that is expected of the Soviet voter is to show openly that he has no desire whatsoever to question the wisdom of the Party.

Of course this mechanism, unchanged for five decades since the Constitution of 1936, has its price: widespread cynicism and a chronically low level of political efficacy on the part of the population. In the past decades of stagnation, such feelings were not unwelcome to a regime that valued order and tranquility. Administration was the domain of professionals and the participatory rhetoric of socialist democracy was not meant to stimulate individuals to question their acts.

In a time of mobilization, however, such lack of political efficacy hampers the realization of the regime's goals. Amongst the workers, farmers and intellectuals of today one hears differing views on Gorbachëv's policies—rejection, fear, disbelief, hope and admiration. Many intellectuals see his line as their country's last chance to become a civilized nation. They support Gorbachëv and hope for the best. Conservative communists and bureaucrats warn that the new freedoms will result in anarchy. Workers and employees are aware that the measures will hit them in their purse and may undermine their social position. Some of them will allow Gorbachëv the benefit of the doubt, expecting that he will do away with want and social injustice. But in this wide range of views there is no conviction, no trust that Gorbachëv will succeed in a fundamental overhaul of Soviet society. Lacking this conviction, the Soviet citizen will have little confidence in the political efficacy of his own acts. This is the situation that the modernizing leadership has found itself in. One way or another it will have to raise political efficacy, for a lack of trust on the part of the population in its capacity to alter social arrangements will have all the elements of a self-fulfilling prophecy. But it will have to steer clear of both the Scylla of acquiescence and the Charybdis of uncontrolled spontaneity; the *apprenti sorcier*, if left on his own, could damage stability beyond repair.

One of the instruments that Gorbachëv has introduced to this end is the 'democratization' of both state and Party elections. It is an instrument that both fulfills the need for seemingly dramatic developments and could contribute to the transfer of power at lower levels and the broadening of Gorbachëv's political base. The 'democratization' of nomination procedures in the elections of soviets and of intra-Party elections allows those individuals who are prepared to take risks, to outmanoeuvre and depose local leaders. It can be used to break up local power cliques that frustrate Moscow's policy and to provide the central Party bureaucracy in Moscow with signals on promising new leaders.

It would be wrong to assume that all the developments of 1987 have been orchestrated by one rational actor. Since January, the Soviet media have witnessed conflicting trends, suggesting disagreement and conflict in the political top. On the one hand, millions of Soviet citizens will have been surprised when in the months preceding election day (21 June) they could read over and over again that the voting cubicle was supposed to be used and that in a few 'multi-deputy districts' an experiment was to take place, involving more candidates than the number of seats to be filled. A journal published by the Supreme Soviet for the benefit of local deputies and administrators went so far as to give detailed instructions on the layout of polling stations; on 21 June voters would have to pass through the

cubicle on their way to the ballot box, even though almost everywhere they would not have to change anything on their voting paper in order to cast a valid vote for the Bloc of Communists and Non-Party candidates.⁹ At the same time, however, there were suggestions that all this was not to be taken too seriously. The uncertainty of the situation was adequately illustrated when on election day radio Moscow broadcast an interview with Valentin Timunin, a high official of the RSFSR Supreme Soviet. Timunin said that '... all conditions have been created this time to ensure secret voting. Incidentally, this has probably been noticed by those electors who have already cast their votes so far', whereupon his interlocutor, somewhat surprised, remarked: '... you speak of secret voting, but surely this is written in our Constitution, that elections are held with secret voting. Why are we now stressing this?' In his reply, the Supreme Soviet official seemed somewhat embarrassed:

'Now? This is not something new, but simply an old way that has been forgotten, that the voter should go into a voting booth and carry out his civic duty. Especially in multi-candidate constituencies, he *really* must go into a booth and leave on the voting slip those candidates for whom he is voting, striking out the others.'¹⁰

Ironically, in spite of what Timunin had to say about multi-deputy constituencies, even in the relevant few districts and towns voters who made no change on their voting paper still cast a valid vote. The fact is that where, for example, four candidates had been nominated for three seats the voter had the options of striking out either no names (not entering the ballot cubicle) or between one and four names. In either case the vote was valid. In contrast to the Hungarian electoral law of 1983, Soviet electoral legislation did not *force* the Soviet voter to use the booth. This ingenious solution combined a minimal risk for the regime with a maximal propagandistic value and had the extra advantage that by-elections had to be held less often than used to be the case. If in a multi-deputy electoral district a member of a soviet dies, a reserve-candidate simply takes his place.

The communications on the forthcoming experiment, in combination with the public stress on the need to use the voting cubicle, created the expectation that in the experimental districts many voters would for the first time in their life use their right to a secret vote. But shortly before 21 June, and on election day, the necessity of making a choice was played down with the remark that there was 'enough work for everybody', implying that it was not really necessary to cross out one of the names on the voting paper.¹¹

Voters' behaviour on 21 June showed distinct regional differences. In

the experimental districts of both Estonia and Lithuania only one in 582 and 1, 198 candidates respectively were voted out, i.e. received less than 50 percent of the vote. In Latvia, however, no less than ten out of 882 candidates were rejected. Possibly this was the Latvian way of taking revenge for Gorbachëv's broken promises. On 19 February 1987, during his tour of the republic, Gorbachëv had said that the Latvian republic's first Party secretary had suggested that not one district only, but the whole republic take part in the experiments, i.e. that *all* voters receive a chance to make a choice. Gorbachëv's enthusiasm was reported in the national press.¹² But his enthusiasm was somewhat guarded, for he said that the proposal would be evaluated. When on 25 June the electoral results were published, it transpired that Latvia had had only one experimental district after all. The results showed that in that district ten candidates were voted out, many times more than elsewhere in the country.

Party elections

Turning from state elections to elections within the Communist Party, a review of the past may be instructive as well. After all, the procedure for election of Party secretaries and members of bureaux of Party committees in the provinces, districts, and towns has been the subject of a 'democratization' in the past. This took place in the ugly year of 1937, when at the February-March plenum of the Central Committee, in the midst of the reign of Terror, Party Secretary Zhdanov delivered the sort of speech that could have been delivered today. He criticized the drawing-up behind closed doors of lists of candidates for Party positions and the subsequent public 'voting' on such lists by a show of hands. These undemocratic procedures should be abolished once and for all, Zhdanov said half a century ago. After all, since December 1936 the Soviet Union had a fully 'democratic' constitution and the Party of the vanguard could not lag behind democratic procedures in the state.

As a consequence, in March 1937 instructions on election procedures within the Communist Party were published. They prohibited the drawing-up of lists of candidates on the eve of Party meetings; they guaranteed the right of committee members to nominate candidates at such meetings and decreed that voting on candidates should be secret. Apparently, these measures were of a temporary-instrumental nature and were never meant to be a permanent measure. One after the other, they were revoked during the 1938-1941 period. Khrushchëv's maximum periods for most Party functionaries, included in the Instructions in 1962, were

quickly undone by his successors Brezhnev and Kosygin, representing a Party apparat thoroughly disgusted by Khrushchëv's attempt to stimulate turn-over. The results are there for everyone to see. In the 1980s the vanguard of the Soviet people is being administrated and led by a mass of employees glued to their seats. Their main activity consists of defending their posts and privileges.

The *Instruction on the Election of Leading Party Organs* says in Art. 16b that secretaries and bureau members of Party committees (i.e. the power elite at local, regional, republican and national level) are elected by these committees in an *open* vote. In actual 'elections' the procedure is that a representative of the next higher Party committee bureau, present at the election meeting, nominates candidates and the committee members subsequently elect these nominees by a show of hands. The person or persons eligible for nomination are those that are at the top of the so-called 'promotion-reserve' for the position(s) in question. This promotion reserve (a file of promising leaders in the economy and society) is kept and administrated at the local Party secretariat. In this way Party offices in consultation with the next higher Party offices decide which persons are to be promoted, either to elective or appointive positions.

At the Central Committee Plenum in January 1987, Mikhail Gorbachëv spoke of the 'need to consider' changes in this procedure. He added that 'comrades had proposed' to have real, secret elections. With this, the Central Committee might have changed its *Instruction on the Election of Leading Party Organs* that underwent its last change in 1973. It did not do so. If such a change has been proposed, it has apparently met with strong opposition. The Plenum's Final Resolution said that the Central Committee supported the Politburo in its fundamental position on the need to broaden internal Party democracy and to improve the electoral mechanism for Party organs at all levels 'in the direction of its further democratization'.¹³ It is clear that the time was not considered appropriate for a change in the *Instructions*; possibly the evaluation of electoral experiments and a change in the Instructions will be on the agenda of the 19th Party Conference to be opened in Moscow on 28 June 1988.

In the meantime, the Moscow Party central must have given off signals that initiatives by local Party officials would be welcome. The first such initiative was taken by Nikolai Ermakov, the then dying First Secretary of Kemerovo province.¹⁴ Ermakov was suffering from cancer and shortly before his death on 28 March 1987 told journalists how he had developed the idea of having contested elections when in February the First Secretary of a district had to be replaced. He decided not to force one single candidate on the district committee, the usual procedure up to that moment, but

to have the district committee elect one out of two candidates nominated by him. These candidates were the chairman of the district soviet executive committee, i.e. the district's highest administrator, and the director of a state farm located in the district. Both candidates were at the top of the nomenklatura-list for promotion, the promotion reserve of the district. Ermakov made sure that the candidates he had in mind agreed to take part in this 'daring' procedure; 'daring' because, as was admitted in several instances, public employees in the Soviet Union are not used to elections that result in winners and losers. During the Spring of 1987 the Soviet press repeatedly stressed that there should be a definite end to stealthy appointments of elective officials; at the same time, officials had great difficulty in getting used to the idea that the outcome of election meetings would be open. In his Latvian speech, Gorbachëv, a few days after the election in the Izhmorskii district of Kemerovo province praised Ermakov's example. In the *Pravda* issue of 1 March the Estonian First Party Secretary referred to the 'Kemerovo example' as one that deserved to be followed in his own republic. Ermakov's innovation was presented as an example to all regional Party leaders.

The first cases of contested Party elections during the Spring and Summer of 1987 showed secret voting on more than one candidate, but there have been no essential changes in relationship between higher and lower Party organs. As before, the candidates are persons on the promotion reserve, although the committee members now have a choice between the top two or three people on that reserve, i.e. between pre-selected candidates.¹⁵ In addition, it should be noted that for the time being this election procedure is seen to be an experiment; not everywhere and not at all levels are Party leaders elected in the new way. Apparently Moscow has drawn the line above the district level, even though at the January Plenum Gorbachëv ventured the opinion that in the end even Politburo members and Central Committee secretaries would be elected in a secret vote. Reports on the 'election' of new province first secretaries in Bashkiria, Pskov and Kherson in June, 1987, showed no signs of change; they were in fact appointed by the Secretariat in Moscow. First secretaries of provinces often are or will become members of the Central Committee. They are on the nomenklatura of the Central Committee and transfers, dismissals and nominations are discussed in the Central Committee Secretariat and possibly in the Politburo. The position of province First Secretary is much too sensitive for provincial and republican authorities to be left to initiate contested elections. Moreover, such elections of potential Central Committee members might have counter-productive effects by allowing regional cliques to promote their own candidates.

Experiments were only allowed in districts and cities, but even then not everywhere. On 23 June 1987 Alma-Ata, the rebellious capital of Kazakhstan, got a new First Party Secretary. He was selected in Moscow, sent to Alma-Ata and 'elected' by the City Party Committee. And when on 11 November Moscow's First Party Secretary Boris Eltsin was summarily dismissed there was not even a hint of a democratic procedure or of the contested election of his successor, Politburo member and Central Committee Secretary Lev Zaikov.¹⁶ The non-committal character of these developments was underlined by the fact that the *Instruction* on elections was not changed and that this was explicitly noted by Ain Soidla, Chief of the Party Organizational Department of the Estonian Central Committee.¹⁷ In response to questions from *Pravda* correspondents, he said that

'we are acting in violation of the Instruction on election in Party organizations. Paragraph 16 clearly says that secretaries of city and district Party committees are elected in an open vote. But then, that's what it is an experiment for.'

In a number of cases the experimental democratization of elections has resulted in the breaking-up of established power cliques in cities and districts all over the Soviet Union. Local administrations were replaced by new, enterprising managers, ready to implement Gorbachëv's policy at the local level. These instrumental capabilities of democratization, its use as a tool for the removal of Party leaders and administrators, had been recommended quite explicitly by Edvard Shevardnadze in his speech at the 26th Party Congress in 1981. Shevardnadze, who took credit for cleaning out the Georgian Party and state apparatus from corrupt and conservative officials, referred to one Georgian leader who had lamented that 'This democratization of yours will end in me being fired'. 'And so it happened', Shevardnadze continued, 'There is nothing to be done; democratic power, the power of the people, and the people are just and severe'.¹⁸

But democratization does not always have the desired results. The Soviet press has reported cases in which the local population or Party committee members preferred 'easy' new administrators, afraid of the consequences of perestroika if implemented in their towns and villages.

The nomenklatura system

The bureaucratic system governing such elections and appointments at all levels and in all sectors of Soviet politics and society, is the nomenklatura system. It revolves around lists or databases held and administered at all

Party bureaux, from the districts up to the Central Committee in Moscow. These lists contain all responsible positions and individuals under the 'jurisdiction' of the Party bureau in question. In case of mutations in such positions, the Party bureau concerned will either select a new incumbent or has the power of veto against appointment by others. The nomenklatura system concerns both elective and appointive offices. Consent of the Party bureau is necessary both for appointment/election and for transfer or dismissal.¹⁹

Through the nomenklatura system the Party is supposed to control cadres selection in the whole of the USSR. But 'the Party' is not a single, unified unit, optimally controlled from Moscow. Local, regional and sectoral interests coalesce and shield themselves from central interference. The powerful instruments of the nomenklatura system are often used to promote the interests of local cliques against those of the central leadership in Moscow. During the past decades the complaint has repeatedly been heard that the functioning of the nomenklatura system leaves much to be desired and that in its present form it stimulates the election and appointment of incompetent and corrupt cadres.²⁰ In the late 1920's 'nomenklatura personnel', i.e. the power elite of the USSR, has been set aside in labour law and has received a special position. In case of labour disputes – in particular of course in cases of transfer or dismissal – the Soviet Union's Labour Dispute Regulations deny nomenklatura personnel access to the courts. They can fight decisions of their superiors only in an administrative procedure. This special position in labour law contributes to the continuation of local and regional cliques. No doubt the introduction of experiments in the selection of deputies to the soviets, Party leaders and managers is aimed at correcting the nomenklatura system without changing its central characteristics. But many in the Soviet Union are aware that providing local populations and regional Party committees with a real choice may work the wrong way, i.e. may promote the selection of personnel that support Gorbachëv's policy in words but obstruct him in practice. Many people are afraid to take responsibility or make use of their rights, others are against the election of factory directors and managers, introduced by legislation adopted in 1987, because they think that only careerists will take part in such exercises and that competent personnel will shy away.²¹ An opinion poll on Fëdor Burlatskii's play which pitted the old-style, Brezhnev-like Party leader Strezhnëv against a new-style leader named Shirokov showed that most people preferred the old-style leader.²²

The fact that the shielding of nomenklatura personnel from the courts is detrimental to the mobilization of society and the breaking up of local cliques has been recognized time and again. Hundreds of cases of corruption

and power abuse by nomenklatura personnel have been documented. Organizations and jurists have campaigned for the introduction of consistent legislative changes. But up to 1987 no corrective measures were implemented.

A first, potentially far-reaching measure was announced in a joint decision of five top organs of Soviet politics and administration: the Party's Central Committee, the Presidium of the Supreme Soviet, the Council of Ministers, the Central Trade Union Council and the Komsomol's Central Committee.²³ The decision applied the system of periodic evaluation of employees (*attestatsiia*), existing up to that moment for personnel in education and in the economy, to *all* responsible personnel in the bureaucracies of the soviets and the social organizations. All leading personnel in elective organs will have to undergo *attestatsiia* shortly before each election, whereas leading personnel in appointive offices will be called before the attestation commission immediately following the elections. When formulating its recommendation on each individual, the attestation commission can choose from three alternatives, the most severe being that the performance of the person in question is unsatisfactory – an invitation to transfer or dismissal. In applying the weapon of attestation on a massive scale, directing it at almost the whole bureaucracy of the USSR, the Party has provided itself with one more instrument for cleansing and purging the bureaucracies of the soviets and the social organizations. The likely scenario will be that before the next elections 'conservatives' in elective offices will receive negative attestation recommendations and will not be nominated for re-election, whereupon a 'progressive' new majority will use the attestation commission to purge conservative elements in appointive offices.

An even more potent medicine for curing some of the ills of the nomenklatura system would be the abrogation of special labour law for leading officials. Each and every employee in the nomenklatura would have to have the opportunity to complain in court against transfer or dismissal by superiors. In many cases subordinates in nomenklatura positions have tried to expose the fraud, corruption and abuse of power of their superiors and have found themselves dismissed in response, lacking the legal means to fight their dismissal in court.²⁴ For many years, jurists and the Soviet Procuracy have campaigned against this situation and have demanded that the discrimination against nomenklatura personnel in labour law be undone in order to improve the nomenklatura system. The introduction of article 58-2 in the Soviet Constitution of 1977 promised such change, but was not implemented. At the January 1987 Central Committee Plenum Gorbachëv announced that a draft law implementing this constitutional article

would soon be ready and introduced in the Supreme Soviet. In March 1987, Academician Kudriavtsev, Director of the Academy of Sciences' Institute of State and Law stressed the importance of the new law: whereas up to then it was only possible to complain against transfer or dismissal in an administrative procedure and have the complaint adjudicated by the person or institution against whose interests it was directed, access to the courts would guarantee a more effective procedure.²⁵ In August 1987 the Institute's journal *Soviet State and Law* published an article on 'The Discipline of Perestroika: opponents and supporters' in which A. B. Vengerov wrote that the existing legal system protects the opponents of reform, the administrators who stand to lose their privileges and jobs.²⁶ Vengerov wrote that 'List No. 1', i.e. the Appendix to the Labour Dispute Regulations denying nomenklatura officials access to the courts,

'deprives the majority of the leaders and specialists of court protection and fixes their dependence on 'ruling circles', freeing the latter from responsibility towards their subordinates. Although few administrators and economists are familiar with this provision, it is central to the juridical mechanism, facilitates bureaucratic high-handedness and protects nomenklatura cliques.'

On 30 June 1987 the Supreme Soviet adopted the law implementing article 58-2 of the Constitution, but its content was utterly disappointing to specialists favouring legal change aimed at a consistent cure for the nomenklatura system. The draft law had been discussed and approved at the Politburo's session of 2 April, but had not been published. As one of the leading specialists in labour law wrote angrily in *Izvestiia*, it was prepared 'without any consideration for the proclaimed principles of glasnost'.²⁷ There is little doubt that deep controversy and conflict behind the scenes was masked by the curious procedure followed in adopting this law. After severe criticism in Supreme Soviet commissions and at the plenary meeting, Party Secretary Razumovskii on 30 June proposed unamended adoption of the law and the installation of a commission to investigate the criticism. The law as adopted by the Supreme Soviet that day was to enter into force on the first day of 1988.²⁸ It provided that a citizen can only complain in court against unlawful actions of officials in cases in which no procedure yet exists, and since a procedure does exist for nomenklatura personnel on List No. 1, i.e. the administrative procedure, as far as they are concerned the new law makes no change whatsoever.

At the Supreme Soviet session of 19 and 20 October 1987, Razumovskii reported the results of the commission's deliberations and proposed a law amending the law adopted on 30 June.²⁹ In two respects of lesser importance, the October amendment met some of the demands raised by depu-

ty I. T. Taranov at the June 30 session.³⁰ The provision that complaints could be presented in court only after they had been heard in an administrative procedure, was dropped and it was now left to the citizen to decide whether or not to present his case in court immediately. In addition, appeal against a court verdict under the June 30 law was now made possible. In this curious way a law adopted after a ten-year delay was marginally changed within four months, two months before that same law was to enter into force. Fundamental objections, raised by constitutional jurists who wanted the law to provide a cure for the ailing nomenklatura system, were not met. The Soviet Party felt too insecure to adopt consistent measures that could lead to fundamental changes in the political system. Instead, Razumovskii probably expressed the hesitancy of some and the fear of many when he spoke defensively of the 'need to accumulate experiences with the application of the law in practice, to watch, so to speak, the law in action, and subsequently, should the necessity arise, to apply different changes in the law'.³¹

Conclusion

In an interview in the Summer of 1987 Tatiana Zaslavskaja, one of the Soviet Union's most outspoken and influential proponents of social change, said that 'as regards agriculture, there is no hope for the existing economic system if there is no change'.³² In these words, she gave expression to the widely-held view, both outside the country and among Soviet economists, that the Soviet Union has lost its leading position in the world and will soon be one of the front-runners of Third World. With these words she illustrated the view of some of the country's top leaders that, after three decades of inconsistent economic experiments, time is running out.

The economic reforms announced at the 27th Party congress and implemented in the following two years have not been dealt with in this paper. Yet, there is no doubt that perestroika, the introduction of a new economic mechanism, is the strategic goal at which the measures of Gorbachëv's first thousand days have been aimed. Political reform, 'the deepening of socialist democracy', would appear to be no more than a means towards that end, an instrument used to improve the chances of success of economic reform. Soviet leaders are fully aware of the political risks of economic reform, a reform that will mean raising prices for basic consumer goods, increasing wage differentials and transferring or dismissing hundreds of thousands of unproductive workers and employees. The accumulated experience of over three decades of East European restiveness

has taught them that careless economic reform may have grave political consequences.

The term fitting the measures of the past two years is the de-feudalization of Soviet politics. It is a policy aimed at regaining centralized power and breaking-up local fiefs. In the period of 'stagnation', local power cliques both in the non-Russian republics and in the districts and provinces of Russia proper have again prospered. Their survival is threatened by a new leadership demanding performance and innovation. Experiments in the democratization of elections and the perfection of cadre selection processes are used to break-up such cliques and to stimulate people to take risks in unmasking the many representatives of the old order who obstruct change. Using a technique developed by Joseph Stalin, Gorbachëv is recruiting a new Party of leaders who are prepared to take risks in pursuit of power.

The democratization of elections, introduced by Stalin and Zhdanov in 1936-1937 at the height of the Great Terror, was a resourceful instrument for purging cadres from 'undesirable elements' and for the establishment of docility. Supported by the reign of Terror, it made use of anti-intellectual and anti-bureaucratic sentiments among the population, of pent-up feelings about privileges, corruption and power abuse. It was, in the words of a Dutch student of Stalinism, a royal way of establishing an autocracy.³³

There are, of course, significant differences between the Soviet Union in 1937 and half a century later. In the 1980's, terror is no longer possible. The general level of education of the population has increased to a considerable extent. Western influences have had their impact on Soviet youth. But most important of all, the population at large is conservative and wary of another experiment in mobilization. It remains doubtful whether in such a changed situation the Stalinist recipe of democratization, genuine as it may sound today, will work.

Notes

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1. See a.o. A. Grachev in *Pravda*, 23 June 1987.

2. *Pravda*, 20 May 1987. English translation, see *The Current Digest of the Soviet Press*, Vol. XXXIX, No. 20 (17 June 1987), p. 15-17.

3. BBC Summary of World Broadcasts (SWB) SU/8593/B/8, 13 June 1987.

4. See the collection of documents *O korennoi perestroike upravleniia ekonomikoi: Sbornik dokumentov*, Moscow 1987; and *Sovetskoe gosudarstvo i Pravo* 1987, No. 5, p. 65-71; No. 6, p. 89-92; No. 8, p. 131-135; *Izvestiia*, 27 August 1987.

5. *Izvestiia*, 19 December 1950.

6. See George Barr Carson, Jr., *Electoral Practices in the USSR*, New York (Praeger) 1955, p. 84.

7. See Victor Zaslavsky and Robert J. Brym, 'The Function of Elections in the USSR', *Soviet Studies* Vol. XXX, No. 3 (July 1978), p. 362-371; Konstantin Simis in *Radio Liberty Research Bulletin* RL 70/79 (1979); Maksudov, 'My vsë "za"' (We're all For), *Poiski i razmyshleniia*, Vyp. 1 (1980), p. 9-12; and 'Das Wahlsystem in der UdSSR und die moralisch-politische Einheit der sowjetischen Gesellschaft', *Kontinent* 11. Jhrg., No. 32 (1985: 1), p. 80-84.

8. Nevertheless, in isolated cases candidates for the soviets have been rejected by the voters. Their average number was 100 in the 1939-1955 period (0.008% of the vote), 209 in the 1957-1965 period (0.011%), 137 in 1967-1969 (0.007%) and 78 in 1971-1985 (0.004%).

9. *Sovety narodnykh deputatov*, 1987, No. 5, p. 40.

10. BBC SWB SU/8601/B/4-5, 23 June 1987; Valentin Timunin is Chief of the Department on Local Soviets of the RSFSR Supreme Soviet.

11. See the editorial comment on *Pravda's* front page, 21 June 1987, and the letter from G. Muratov, a kolkhoz brigadeer from Uzbekistan, in *Pravda*, 22 June.

12. *Izvestiia*, 20 February 1987.

13. *Kommunist*, 1987, No. 3, p. 56. *Der Spiegel* of 5 October 1987, p. 169, claims (not referring to any particular source) that after Gorbachëv spoke, 70 Central Committee members planned an intervention on this subject and invited Ligachëv to speak on their behalf. Ligachëv is said to have rejected this invitation.

14. *Pravda* 7 January, 10 February, 1 and 30 March 1987; *Izvestiia*, 20 February 1987; *Sovetskaia Rossiia*, 10 July 1987.

15. A.o. the first secretaries of the Narva and Serpukhov city Party committees; the Leninskii district Party committee in the city of Tallin; the Sovetskii district Party committee (Tiumen province) and the Uiskii district Party committee (Cheliabinsk province).

16. *Kazakhstanskaia Pravda*, 24 June 1987; BBC SWB SU/8622/B/9, 17 July 1987; *Pravda*, 12 November 1987.

17. *Pravda*, 1 March 1987.

18. 'Rech tovarishcha E.A. Shevardnadze', *XXVI s"ezd Kommunisticheskoi partii Sovetskogo Soiuza; Stenograficheskii Otchët*. 1 (Moscow 1981), p. 193-198.

19. See my article 'Nomenklatura and the Soviet Constitution', *Review of Socialist Law*, Vol. 10, No. 1 (1984), p. 35-55.

20. See note 19.

21. Gorbachëv in his celebration speech 'Oktiabr' i perestroika: Revoliutsiia

prodolzhaetsia', *Literaturnaia Gazeta*, 4 November 1987, p. 3; *Zhurnalist* 1987, No. 8; see also *RL* 382/87, p. 2.

22. BBC SWB SU/8595/B/6 16 June 1987.

23. Postanovlenie Tsentralnogo Komiteta KPSS, Prezidiuma Verkhovnogo Soveta SSSR, Soveta Ministrov SSSR, Vsesoiuznogo Tsentralnogo Soveta Professionalnykh Soiuzov i Tsentralnogo Komiteta VLKSM 'O vvedenii attestatsii otvetstvennykh rabotnikov apparata sovetskikh i obshchestvennykh organov', 5 March 1987. *Vedomosti Verkhovnogo Soveta SSSR* No. 12 (2398), p. 147-153. A decision implementing this resolution for the administration of the soviets was taken on 4 May by the Supreme Soviet Presidium and the Council of Ministers: 'O poriadke provedeniia attestatsii otvetstvennykh rabotnikov apparata sovetskikh organov', *Vedomosti Verkhovnogo Soveta SSSR* No. 19 (2405), p. 287-291.

24. See note 19.

25. *Moscow News*, 22 March 1987.

26. A. B. Vengerov, 'Distsiplina perestroiki: protivniki i storonniki', *Sovetskoe gosudarstvo i pravo* 1987, No. 8, p. 3-12.

27. R. Livshits, 'O sudebnoi zashchite', *Izvestiia*, 29 September 1987.

28. Party Secretary G. P. Razumovskii in the Supreme Soviet, *Izvestiia*, 1 July 1987. The law was finally published in *Izvestiia*, 2 July 1987: 'O poriadke obzhalovaniia v sud nepravomernykh deistvii dolzhnostnykh lits, ushchemliaiushchikh prava grazhdan'.

29. 'O rezultatakh rassmotreniia predlozhenii deputatov, vyskazannykh v khode obsuzhdeniia na sedmoi sessii Verkhovnogo Soveta SSSR proekta zakona SSSR "O poriadke obzhalovaniia v sud nepravomernykh deistvii dolzhnostnykh lits, ushchemliaiushchikh prava grazhdan"', and 'Zakon SSSR o vnesenii izmenenii v zakon SSSR "O poriadke obzhalovaniia v sud nepravomernykh deistvii dolzhnostnykh lits, ushchemliaiushchikh prava grazhdan"', *Izvestiia*, 21 October 1987.

30. Rech deputata I. T. Taranova, *Izvestiia*, 2 July 1987. Taranov was appointed Chairman of the Stavropolskii Kraiispolkom in 1973 when Gorbachëv was First Party Secretary of the same region.

31. *Izvestiia*, 21 October 1987.

32. *Radio Liberty Research Bulletin*, RL 365/87, p. 15.

33. Erik van Ree, *Iosif Stalin en de democratie*, Mededelingen van de Subfaculteit der Algemene Politieke en Sociale Wetenschappen, No. 38, Amsterdam (1984), p. 35.

'Selectieve krimp en groei' en de politicologie in Nederland

De in september 1986 door de minister van Onderwijs en Wetenschappen in gang gezette operatie 'Selectieve krimp en groei' zal, zo veel is nu wel duidelijk, ingrijpende gevolgen hebben voor de wijze waarop in de toekomst de politicologie aan de Nederlandse universiteiten zal worden beoefend. Bij de voorgenomen sluiting van de politicologieopleiding aan de Erasmus Universiteit te Rotterdam is het niet gebleven. Ook elders worden nu meer of minder verstrekende reorganisaties voorbereid.

Zeker ook met het oog op wellicht nog in de toekomst te verwachten operaties van gelijke strekking is het van belang de wijze waarop het beleid is gevormd en uitgevoerd, aan nader onderzoek te onderwerpen. In het beleidsproces heeft de 'Visitatiecommissie sociologie, politicologie en bestuurskunde' een belangrijke rol gespeeld. Daarom is het ook dat de redactie van Acta Politica in dit nummer een wetenschappelijke rechtvaardiging van de door de Visitatiecommissie gehanteerde sterkte/zwakteanalyse, zoals opgesteld door Stokman c.s., publiceert. De redactie doet deze rechtvaardiging vergezeld gaan van een viertal commentaren. Ten slotte volgt dan een repliek van Stokman c.s.

Sterkte/zwakteanalyse sociologie, politicologie en bestuurskunde

door P. J. J. M. van Loon, F. N. Stokman, C. van der Hucht en P. Moorer

1. Inleiding

Op 23 september 1986 presenteerde de minister van Onderwijs en Wetenschappen de 'concept-beleidsvoornemens groei en krimp universiteiten en academische ziekenhuizen 1987-1991'. Tegelijk met het uitbrengen van de concept-beleidsvoornemens vroeg de minister advies van externe deskundigen. Voor de sociale wetenschappen vroeg hij dit aan prof. dr. D. J. van de Kaa. Op 30 oktober 1986 adviseerde Van de Kaa onder meer de beleidsvoornemens met betrekking tot de sociologie en politicologie, deze laatste vooral in relatie tot de bestuurskunde, aan het oordeel van een landelijke snelwerkende, onafhankelijke visitatiecommissie te toetsen. Dit resulteerde in de instelling van de Visitatiecommissie sociologie, politicologie en bestuurskunde op 28 november 1986.¹ De commissie werd