

Legislatures without Legislators

Parliamentary institutions as intra-executive constraints in
authoritarian post-Soviet Russia

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Abstract

Why are executive bills sometimes amended significantly in authoritarian legislatures? Bill change clashes with the conventional picture of parliaments in non-democracies as ‘rubber stamp’ bodies. Recent work challenging the ‘rubber stamp’ model suggests that cases of amendment are the result of oppositional legislator influence, or are responses to negative societal reactions to draft policies. This paper proposes an alternative argument: amendment can result from *intra-executive* policy-making processes, unresolved in the pre-legislative, cabinet-level stage. Factionalised executives can use legislative institutions to help overcome information asymmetries, as well as the commitment and monitoring problems involved in collective decision-making. This paper evaluates this alternative account using a combination of statistical and case-study analyses, drawing on both cross-national and fine-grained data from contemporary Russia. The findings contribute to our knowledge of authoritarian legislatures, policy-making processes in non-democracies, and Russian politics.

1 Introduction

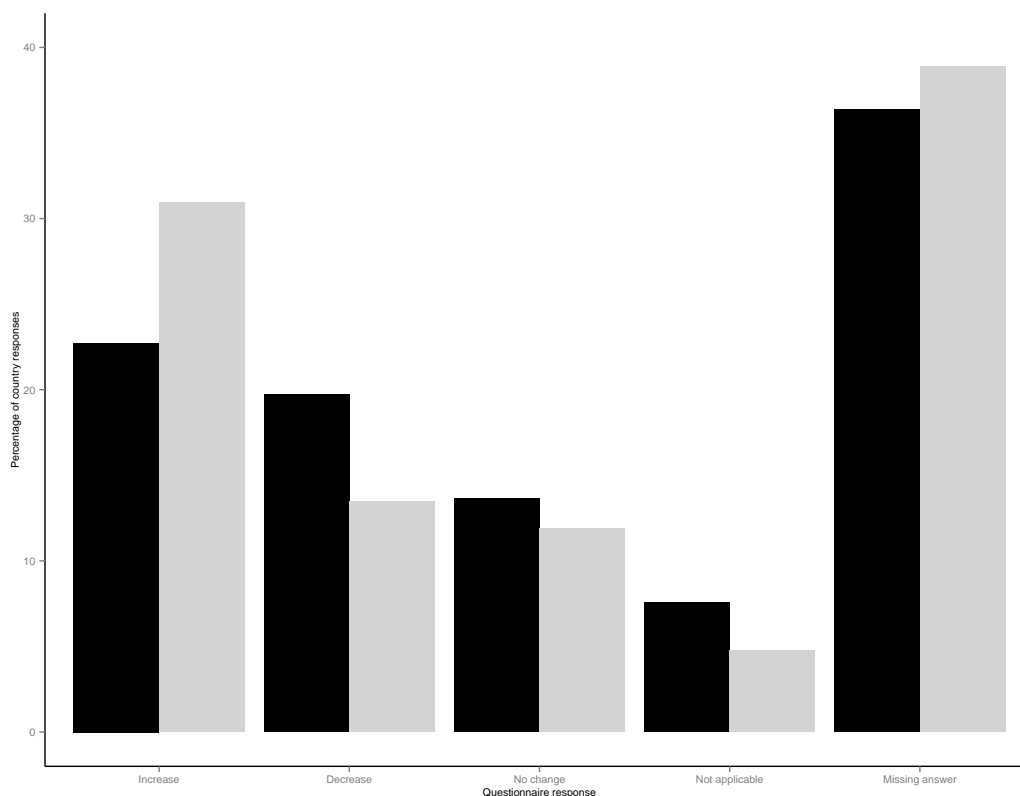
Why are executive bills sometimes amended significantly in authoritarian legislatures? According to conventional wisdom, parliaments in non-democracies are simply meant to ‘rubber stamp’ decisions, with legislative passage serving only to dress decisions in the ‘garb of constitutional legality’ (Fainsod, 1965, p. 384). The role of authoritarian parliaments is, simply put, to ‘formalize decisions already made’ (Jones, 1984, p. 168). Bill change is, therefore, unexpected in non-democratic assemblies.¹

But there is evidence of bill amendment from a broad range of non-democracies. Figure 1 presents survey data from the Organisation for Economic Co-operation and Development (OECD) on whether budget bills have been amended during legislature review, comparing the experience of 63 democracies with 33 non-democracies. The group of non-democracies includes cases of monarchical, military, one-party, and multi-party authoritarian states. Whereas ‘rubber stamp’ theory suggests that non-democratic states should return values of ‘No change’, the majority of states that supplied information reported amendments to executive budget initiatives, with spending figures both increasing and decreasing. Patterns of reported change, therefore, differ little between those democracies and non-democracies included in the OECD dataset.

What explains these puzzling observations? The prevailing explanation — consistent with ‘co-optation’ (Gandhi, 2008) and ‘information’ (Truex, 2016) theories of authoritarian institutions — is that these deviations from ‘rubber stamp’ expectations reflect *legislative* influence: bill amendments are concessions to members of the opposition with seats in parliament; or they reflect regime responses to information relayed by regime-loyal legislators regarding citizen grievances. Thus, ‘co-optation’ approaches contend that non-democratic legislatures serve as a ‘forum for regime opponents’ (Schuler & Malesky, 2014, p. 684) — a venue ‘in which the regime and opposition can announce their policy preferences and forge agreements’ in a regularised fashion (Gandhi, 2008, p. xviii). And, for ‘information’ approaches, regime elites use loyal legislators as conduits to provide information about societal conditions, without which the regime risks overlooking ‘citizen grievances’ and revolutionary potential (Truex, 2016, p. 6). Although

¹This paper uses the words ‘legislature’, ‘parliament’, and ‘assembly’ (as well as their cognates) interchangeably (cf. Kreppel, 2014, p. 84; Laver, 2006).

Figure 1: *OECD survey responses regarding budget bill change during parliamentary passage in 63 democracies and 33 non-democracies.*



Notes: The black bars relate to non-democracies; the gray bars relate to democracies. Responses for ‘current’ and ‘previous’ fiscal years are pooled. These data are drawn from the 2007/2008 OECD International Budget Database (version 2), which collates information on budget practices and procedures from both OECD member and non-member states. States are divided by regime type using Wahman, Teorell, & Hadenius (2013) regime classification scores for 2007. Specifically, regimes are classified with reference to scores for the ‘regime1nyrobust’ variable, which is calculated as the average of Polity IV and Freedom House scores, re-scaled 0 to 10, from most authoritarian to most democratic; the democracy threshold is 7.5. This set of states excludes those returning ‘Non applicable’ and ‘Missing answer’ responses. For the then current fiscal year, 74 percent of non-democratic states reported expenditure changes; for the then previous fiscal year, the corresponding figure is 78 percent.

differing in certain respects, both theories argue that *authoritarian legislatures matter because of legislators*, with these bodies serving as venues for elite-society dialogue.

This paper proposes an alternative argument: cases of amendment can result from the continuation and resolution of *intra-executive* policy-making processes, unresolved in the pre-legislative, cabinet-level stage. Like their democratic counterparts, authoritarian executives contain actors with differing policy preferences; and information asymmetries and commitment problems during the pre-legislative policy-making phase mean that initiatives formally signed off by cabinet might not, in fact, be ready for ‘rubber stamping’. Executive actors can use legislative institutions — such as mandatory bill text publicity and amendment opportunities — to help overcome the commitment and monitoring problem associated with joint decision-making. Authoritarian

legislatures can, therefore, be ‘places of action’ (Truex, 2014, p. 234), but this action is driven by intra-executive disputes over policy, rather than by restive oppositional legislators.

One key advantage of the intra-executive argument proposed by this paper is its ability to reconcile observations of bill failure and amendment with legislator subservience. Consistent with Charap’s (2007, pp. 336-337) conceptualisation of ‘executive strength’, the executive can *at the same time* be relatively powerful over the legislature and internally fragmented. In other words, this executive-centred argument is more parsimonious than extant theory, which asks us to alter widespread impressions regarding the executive-legislative balance of power in non-democracies.

This paper develops and provides a preliminary exploration of this theory using policy-making data from one contemporary, high-profile authoritarian regime: Russia. The research design combines fine-grained analysis of qualitative data for bill amendment case studies and quantitative text analysis for all cases of executive bill amendment, 2008-2013. This mixed-methods approach combines, therefore, the strengths of process-tracing’s focus on causal mechanisms and sensitivity to equifinality, and the population-wide view afforded by exhaustive data on bill changes over six years.

The paper contributes directly to three research areas. The first area is the policy-making process in non-democracies. As Remington (2016) notes, recent work on authoritarianism has largely neglected questions of policy-making, preferring to focus on broader issues of regime durability and economic performance — see, for example, Svoboda (2012), and Jensen, Malesky, & Weymouth (2014). This paper, therefore, joins a nascent body of work calling to ‘bring policy back in’.² The second area is the debate concerning the role that legislatures play in authoritarian politics. An influential strand of existing work has conceptualised legislatures as constraints on dictatorial (or executive) action. Non-democratic legislatures are regarded as mechanisms to ‘bind the grabbing hand’ — ‘credible commitments’ that constrain the autocrat’s power to expropriate (North & Weingast, 1989; Wright, 2008, p. 327; cf. Jensen, Malesky, & Weymouth, 2014, p. 680). Whereas co-optation theory (Gandhi, 2008, p. xviii) posits that it is the ‘potential opposition within society’ that (imperfectly) constrains the elite through legislative institutions, power-sharing theory (Boix & Svoboda, 2013; Gehlbach & Keefer, 2012;

²See, for example, Petrov, Lipman, & Hale (2014), Remington (2016), Steinberg & Shih (2012), and Taylor (2014) for recent works examining the policy process in contemporary non-democracies.

Svolik, 2012) contends that authoritarian institutions serve to ameliorate commitment and monitoring problems *between elite* actors. As such, the former theory relates to elite-society relations, whereas the latter relates to intra-elite relations. And yet, for power-sharing theory, little work has been done to extend this intra-elite logic to *policy-making*, as well as specifying how legislative institutions *in particular* might figure in high-level negotiations. This paper addresses these issues, and, in doing so, constitutes the first detailed analysis of bill amendment in a non-democratic legislature. The third area of knowledge to which the paper contributes is contemporary Russian politics. Even if executive actors are loyal to Vladimir Putin, this does not prevent bitter policy disputes from raging between executive actors and — as this paper demonstrates — animating the legislative stage of policy-making.

2 Theory

Authoritarian political executives, like their democratic counterparts, contain actors with differing policy preferences. Given limitations of time, resources, and policy expertise in the policy-making process, policy drafting is delegated to particular executive bodies. As a result, this delegation from executive principals — whether a dictator, cabinet leadership, or ministers in plenary — to ministry agents runs the risk of ‘agency loss’. That is, ministers face the temptation of producing policies closer to their own party’s, or ministry’s, ideal point, rather than being an honest reflection of the coalition compromise, the executive median, or the dictator’s wishes — a phenomenon Martin and Vanberg (2011, p. 25) label ‘ministerial drift’. Cabinet review is meant to provide an opportunity for executive actors to monitor for such ‘drifting’ initiatives, as well as to challenge and modify their content, before compromise policy proposals can be stamped with the collegiate government’s imprimatur and then sent off for legislative review. Laver (2006, pp. 125-126) summarizes this basic, two-stage policy-making sequence, which is likely common to both democracies and non-democracies:

[T]he government is not a unitary actor and does not draft legislation at the cabinet table. Rather, division of labor and responsibility between cabinet ministers means that most draft legislation originates in a particular government department, under the jurisdiction of a particular cabinet minister [...] What gets debated in the legislature is thus the outcome of a two-stage agenda-setting process, whereby a designated department under a particular cabinet minister first presents draft legislation for approval by cabinet. What emerges from this process as government policy then sets the legislative agenda.

In contrast to democracies, however, conventional wisdom suggests that, in non-democracies, the second stage in this two-stage process is simply ceremonial. The legislative stage of policy-making is purely for show: the government sets the legislative agenda, writes the script for parliamentary ‘debate’, and all initiatives are swiftly signed into law with no amendments. Although policy conflicts might rage in the pre-parliamentary stage, the extant expectation is that these disputes are settled *before* legislative introduction, with norms of ‘collective cabinet responsibility’ or ‘democratic centralism’ invoked to ensure executive unity following cabinet sign-off.

2.1 Legislative institutions as intra-executive constraints

Intra-executive policy disputes might not, however, be resolved before legislative introduction. ‘Ministerial drift’ might not be comprehensively caught and corrected during the pre-legislative stage of policy-making. Although ‘Decision-Rules’ might spell out the framework for policy-drafting negotiations between executive actors in the pre-parliamentary stages of policy-making, various factors work against such discussions being “‘properly” concluded’ (Eckstein & Gurr, 1975, p. 121). Limitations of time, resources, inclusion, and expertise hamper the ability of executive actors to monitor for, scrutinise, challenge, and amend ‘hostile’ policy proposals from other executive actors. As Martin and Vanberg (2011, p. 33) suggest, ‘[t]he very workload and need for specialisation in the cabinet that makes delegation necessary in the first place makes it difficult to use these [cabinet-level] institutions as “routine” checking mechanisms’.

Bills with the nominal support of the entire executive can, therefore, progress to parliament without, in fact, enjoying the support of all executive actors. Drawing on data from West European parliamentary systems with coalition governments, Martin & Vanberg (2004; 2005; 2011) argue that coalition partners can compensate for these cabinet-level deficiencies by using legislative institutions — and their co-partisan legislators — to monitor for, scrutinise, challenge, and amend ‘hostile’ policy proposals *after* cabinet sign-off.

The core proposition of this paper is that executive actors in non-democracies can also use legislative institutions to overcome the commitment and monitoring problems of cabinet decision-making. Although this paper draws on the insights of Martin & Vanberg’s work regarding the conditions of pre-parliamentary policy-making, as well as the claim that intra-executive policy

disputes can be resolved during the legislative stage of policy-making, the particular actors and the precise *mechanisms* of this resolution are different. Whereas Martin & Vanberg conceptualise executive factionalism in terms of discrete coalition party partners, in non-democracies, we can think of formal bodies, such as ministries and government departments, as the actors of interest. This conceptual shift from factions as parties to ministries is not as drastic as it might at first seem in non-democratic settings. Huskey (1996a, p. 369) notes, for example, that ‘ministries not only govern Russia, they represent it — or at least its most powerful interests [...] Whereas in democratic countries political parties are the primary mediating institutions between the state and society, ministries perform that function in Russia.’

2.1.1 Multiple pathways to amendment

Authoritarian executive actors can use the legislative stage of policy-making in different ways. Two amendments pathways are particularly worthy of attention. Firstly, executive actors are motivated to finalise decision-making at the latest possible stage in the policy-making process, given the difficulties of enforcing commitment to negotiated positions. At the same time, the executive’s expectation of legislator subservience removes executive actors’ fear of agency loss, as parliamentarians can be relied upon to approve revised executive decisions. Safe in the knowledge that legislators will not autonomously modify bills against the executive’s wishes, executive disputes can spill over into the nominally legislative stage of policy-making. Put differently, although executive actors are fully aware that policy disputes between them have not been resolved, they can introduce a bill into the legislature anyway, knowing that policy discussions can continue in the privacy of executive rooms, but during the nominally legislative stage of policy-making; the final outcome of intra-executive negotiations can then be ratified as amendments to bills made in parliament at the instruction of the executive. This seemingly premature move of a bill from cabinet to parliament might occur, for example, if there are time pressures associated with the policy change proposed. We can call this pathway to amendment ‘spillover’.

Secondly, the publicity entailed by legislative introduction allows executive actors to monitor for potentially ‘hostile’ initiatives from other members of the executive. In other words, the mandatory publication of bill drafts at the point of legislative introduction alters the infor-

mational relationship between executive actors, allowing them to capture potentially negative proposed changes to the policy status quo. At one end of the spectrum, this will be beneficial to actors that lacked the time to review policies in detail in cabinet; at the other end of the spectrum, this will allow actors excluded from policy negotiations the first opportunity to respond to proposals. We can call this pathway to amendment ‘discovery’.

These are two of four basic pathways to executive bill amendment during legislative review. Table 1 presents these four types, which relate to whether: legislative bills and amendments are the object of intra-executive contestation; and whether the need for amendment is acknowledged by executive actors *before* parliamentary review. Importantly, all of these four pathways are consistent with the fact that we might observe non-‘rubber stamping’ behaviour in authoritarian legislatures, *even when legislators remain perfectly subservient to their executive principals*. This paper will focus, however, on ‘spillover’ and ‘discovery’.³

Table 1: *Four pathways to executive bill amendment.*

		Intra-elite policy conflict?	
		<i>Yes</i>	<i>No</i>
Policy debate concluded before legislative introduction?	<i>Yes</i>	Discovery	Fiat
	<i>No</i>	Spillover	Deferral

2.1.2 Summary and alternative explanations

Rather than pre-parliamentary cabinet-level discussions constituting the ‘storm before the calm’ of legislative passage, intra-executive conflict can rage during the legislative stage of policy-making. Indeed, rather than an unintended consequence of imperfect conflict resolution in the pre-parliamentary stage, executive actors can *consciously use* the opportunities afforded by legislative passage to alter the content of bills with the nominal imprimatur of the collegiate executive.

³‘Fiat’ refers to non-conflictual cases when a unified elite modifies their policy initiative submitted to parliament to reflect changed preferences of the whole executive or changed socio-economic conditions. ‘Deferral’ refers to cases when the detail of a non-contentious policy initiative are not finalised before legislative introduction, with the executive anticipating to finalise details during legislative passage.

Does this account underplay the costs associated by elites with the airing of ‘dirty laundry’? Executives of all stripes are wary of the reputational costs resulting from public displays of internal discord. Why would authoritarian executives choose to resolve policy-making disputes in the relative publicity of the legislative stage, rather than the relative privacy of cabinet? There are two basic responses to this. Firstly, the idea of executives ‘choosing’ in this regard is problematic, since it implies a level of homogeneity and competent, centralised, core executive control that is called into question by this paper. And, secondly, we should not overstate the publicity associated with legislative review. Although executives might clash, this most likely takes place well away from the relative publicity of the legislative floor.⁴

What is distinctive about legislative institutions in particular, rather than other institutions, such as parties, in helping executive actors to confront the challenges of collective decision-making? An alternative account could be that executive actors prefer the relative privacy of party venues for the resolution of policy conflicts. Although certainly plausible, the distinctive elements of legislative institutions and the legislative stage of policy-making are the very *publicity* entailed by initiative introduction, as well as the formal procedures for initiative amendment in the *final* phase of policy-making. In contrast, party-level negotiations could still exclude certain executive actors; they might lack clear procedures for initiative challenging and change; and they will likely take place *before* parliamentary review. Insofar as there is an advantage in proposing amendments later in the policy process (Heller, 2001), then there are grounds to believe that party-level discussions will spill over, or be deferred, until legislative review — and in a way consistent with the scenario proposed here. To be sure, the argument is not that authoritarian elites *design* legislatures in order to carry out this function. Rather, once in existence, executive actors can use legislative institutions in order to monitor and challenge the policy-making projects of other, ‘hostile’ executive actors.

What alternative explanations might also explain observations of executive bill failure and amendment? Recent work from the literature on authoritarian institutions suggests that the legislative stage of policy-making can be more consequential insofar as legislators — as representatives of the political opposition — can influence the content of bills (in exchange for regime fealty), or as regime-loyal deputies relay negative social reactions to proposed changes.

⁴Indeed, as Malesky & Schuler (2010, p. 493, footnote 1) note, there is a difference between information being ‘publicly available’ and it being actively ‘publicised’.

Put differently, *non-executive actors* influence the content of executive policy initiatives during parliamentary passage. Executive bill amendment is, according to these accounts, the residue of elite-society dialogue.

3 Research design

This paper explores the plausibility of the executive-centred account through a detailed analysis of policy-making processes and outputs in one contemporary authoritarian state: Russia.⁵ This country-case is chosen as a crucial, least-likely case (Gerring, 2007, pp. 115-119) for three reasons. Firstly, there are suggestions that the contemporary Russian political elite is a relatively unified group, constituting difficult conditions for an account centred on executive policy factionalism. For example, when referring to President Putin’s inner circle, Babayan (2016) writes of the Russian ruler’s ‘specific and rather homogeneous entourage — Russia’s siloviki, who come into politics from long careers in the security and military services’, seeing this as indicative of ‘personalist regimes such as Russia, where one person largely makes all major domestic and foreign policy decisions.’⁶ Indeed, Schleiter (2013) presents evidence that, with Russia’s post-Soviet authoritarian turn, ministers have increasingly been selected according to loyalty to the president, rather than for their technocratic expertise or party ties, suggesting that these actors will comply with policy diktats from the chief executive (see also Egorov & Sonin, 2011). Whereas we might expect to observe executive factionalism in other post-Soviet regimes — such as Ukraine under Kravchuk (Way, 2015, p. 53), Russia under Yeltsin (Chaisty, 2006, pp. 128-131), and Moldova under the Alliance for European Integration (Way, 2015, pp. 111-112) — Russia under Putin is not an obvious candidate. Secondly, existing work from Russia specialists suggests that significant bill amendment simply does not occur. Commenting on changes in policy-making dynamics in the transition from the third to the fourth Duma convocations, for example, Remington (2008, p. 975) notes: ‘[it is] striking that, in contrast

⁵Scholars have differed — sometimes markedly so — in classifying post-Soviet Russia’s regime type. However, more recently, as Gel’man (2015, p. 2) writes, ‘almost everybody agrees that the political regime in present-day Russia is genuinely nondemocratic (although for various reasons some observers, until very recently, hesitated to label it “authoritarian”).’ This paper follows recent works examining Russian politics in using Freedom House and/or Polity IV scores to classify the country’s regime type (see, for example, Chaisty, Cheeseman, & Power, 2014; Schleiter, 2013; Schleiter & Morgan-Jones, 2008).

⁶To be sure, this siloviki-centred picture of post-Soviet Russian politics has its critics — see, for example, Renz (2006).

to the bargaining that accompanied tax bills in the past, there were almost no changes to the government's initial version while the bill was going through the Duma'. And, thirdly, the bulk of extant scholarship has argued that legislative institutions facilitate elite *co-optation* of opposition actors (see, for example, Reuter and Robertson, 2015). In short, contemporary Russia constitutes a trying preliminary testing ground for the alternative, executive-centred account of bill amendment proposed by this paper. At the same time, information is available for this country-case regarding the development of executive bills during legislative review.

The empirical analysis contains two distinct stages. The first stage consists of bill case studies — episodes that exemplify the proposed causal pathways from intra-executive policy dispute to bill amendment during legislative review. The second stage assesses the representativeness of these cases through a statistical analysis of amendments made to all executive-sponsored bills signed into law between 2008 and 2013 (inclusive).⁷ Given the distinct difficulties in collecting population-wide data on intra-executive factionalism, the main strategy of this second, statistical stage is to *discount alternatives to the executive-centred account*, which should increase our confidence that the executive-centred dynamics presented in the case studies are generalisable to the population of interest.

Although this analysis does not provide a definitive test of the executive-centred account of bill amendment, it moves knowledge forward in four ways. Firstly, it provides by far the most extensive, detailed evidence yet of bill amendment in an authoritarian legislature. Secondly, it provides preliminary evidence regarding the drivers of bill change. Thirdly, the combination of process-tracing and quantitative text analysis constitutes a complementary approach, particularly for a political setting in which data access issues limit our ability to observe directly the processes of interest. And finally, the case studies help theory building, both with respect to intra-executive relations, as well as their implications for legislative politics.

⁷The paper will treat as authoritarian those years for which *both* Freedom House and Polity IV measures code Russia as not free or non-democratic. As Polity IV scores relate to the regime in place on 31 December of the observation year — and given the start of the State Duma's fifth convocation at the beginning of 2008 — a start year of 2008 is chosen.

4 Bill amendment case studies

The two bill cases presented below are selected for their ability to illustrate two of the hypothesised pathways from intra-executive conflict to bill amendment during legislative review. This is an appropriate approach in light of the theory-building goal of the paper. These cases were discovered through a close reading of the Russian domestic press, beginning in June 2012.⁸

4.1 ‘Spillover’

There is extensive evidence that the Russian Government signs off on the introduction of bills into the State Duma, whilst at the same time acknowledging that intra-executive discussions have not finished and disputes have not been resolved. In his final meeting on 2 May 2012 as chair of the cabinet of ministers before returning to the presidency, then Prime Minister Vladimir Putin made an apparently frank statement: ‘I know that, unfortunately, it was not possible to agree points fully between departments, *but this is the normal working process*’ (emphasis added, Government meeting, 2012a). Moreover, according to a report from the Centre of Strategic Research, the inter-agency sign-off (*soglasovanie*) process lacks systematisation, with each executive structure acting according to its own logic (see Prokopenko, 2017). This results in the Russian cabinet of ministers not being able to present an internally agreed-upon point of view when introducing bills into the Duma (see, for example, Gorbachev & Rodin, 2017).

One illustration of the ‘spillover’ of intra-executive debate from cabinet to the legislative stage of policy-making is provided by bill 102334-6 — ‘On the introduction of changes to the Budget Code of the Russian Federation and certain legislative acts of the Russian Federation regarding the use of the oil and gas revenues of the federal budget’ (Bill 102334-6, 2012). Drafted by the Ministry of Finance, this bill proposed to introduce a ‘budget rule’ specifying the use of oil and gas revenues included in the federal budget. In his 2012 budget address (*biudzhethnoe poslanie*), President Putin called for the re-introduction of a ‘budget rule’, suspended during the recent

⁸The author consulted the following publications each business day to search for accounts of executive bill amendment and inter-ministerial policy conflict: *Kommersant*”, *Rossiiskaya gazeta*, *Nezavisimaya gazeta*, *Izvestiya*, *Vedomosti*, *RBK Daily*, *Novaya gazeta*, *Novye izvestiya*, and *Moskovskii komsomolets*. This set covers a range of publications, from business-focused papers critical of the regime, to regime-loyal publications and tabloids.

world economic crisis. This rule would provide statutory limits on the use of revenues from oil and gas, motivated by a desire for an anti-cyclical budget policy.

The specifics of the budget rule were fought over by executive actors, with differences especially apparent between the Ministry of Finance and the Ministry of Economic Development. In particular, the two ministries disagreed over the number of years used to calculate the base (average) oil price, with the former backing 10 years and the latter suggesting three. In practice, the Ministry of Finance's proposal would result in a lower base oil price, leading to more conservative spending figures. In the end, a compromise decision was reached, with an initial period of five years chosen, increasing by an additional year each year up to 10 years (Smirnov, 2012; *RIA Novosti*, 2012a; Butrin, 2012; Netreba, 2012; Visloguzov, 2012a).

These differences seemed, however, to be resolved, given the tabling of the bill for consideration at a Government meeting on 28 June 2012. Following an outline of the main features of the rule given by Minister of Finance Anton Siluanov, Prime Minister Dmitrii Medvedev's call for comments from other members of Government was qualified by the suggestion that there was, in fact, no need for further discussion, as 'we already discussed the budget rule with the President' (Government meeting, 2012b). Possibly to the Prime Minister's surprise, Minister of Economic Development Andrei Belousov asked to make a 'brief comment':

We [the Ministry of Economic Development] signed off on this bill with one small remark [*zamechanie*] which is, it would seem, technical in nature [...] [to wit, that] when calculating the base oil price [...] [we should] take into account an indicator of global inflation.

Belousov continued: 'We are proposing now, of course, not to hold up the law [...] but to take this amendment into account during the preparation of Government amendments for second reading [in the State Duma].' The minister was, therefore, proposing during a meeting of the cabinet to make a supposedly technical change to a Government initiative during the nominally legislative stage of the law-making process.

Finance Minister Siluanov's response was resolutely negative: he made it clear that he thought the proposed change was not merely technical, but would have a significant impact on the calculated base oil price. Other members of cabinet, however, came out in support of Belousov's inflation proposal: Deputy Prime Minister Arkadii Dvorkovich argued that 'the basic rules of economic and mathematical logic speak of the need to take inflation into account', stating that

‘it is necessary to factor in this amendment during consideration of the law at second reading’; and First Deputy Prime Minister Igor’ Shuvalov noted that the idea of incorporating inflation had been discussed at a meeting with Medvedev, with ‘the majority of participants of the meeting [*soveshchanie*] supporting the position of the Ministry of Economics’.

These differences are revealing. If Shuvalov was correct when arguing that a majority of *soveshchanie* participants backed the Ministry of Economics — and if Belousov was correct when arguing that the same ministry signed off on the bill on the condition that its amendment regarding inflation was taken into account — then it appears that the Ministry of Finance was renegeing on an earlier Government decision. As such, this example appears to be a clear manifestation of ‘ministerial drift’. Dmitrii Medvedev condoned the continuation of intra-executive policy debate into the legislature: ‘Of course, we will enter the law [into the State Duma], but we will return to this question’ of its particular content during legislative review. In short, *intra-executive policy conflict spilled over from cabinet into the legislative stage of policy-making*. In spite of the Prime Minister’s belief that the matter had been settled — in particular, following discussion with President Putin — executive actors continued to debate policy substance.

Following Duma introduction, the bill was comfortably adopted in first reading with 66.2 percent of votes in favour of the initiative (Bill 102334-6 first reading vote, 2012). In preparation for second reading, a deadline of 29 August was set for the presentation of amendments to the lead committee. However, on 27 September, the period for the proposal of bill changes was extended to 13 October (Duma Council, 2012a); and consideration of the bill was again delayed on 22 October ‘to a later date’ (*na bolee pozdnii srok*) (Duma Council, 2012b). What explains this delay?

The amendment-proposal period was changed, it seems, due to continued intra-executive disagreement. September 2012 saw the finalisation of the Ministry of Finance’s draft budget for the 2013-2015 period. This initiative received heavy criticism from President Putin, arguing that it did not take into account important electoral promises he had made — for example, in relation to development projects in the Far East (*RIA Novosti*, 2012b; Tovkailo & Liutova, 2012). In addition to these broader concerns — and possibly capitalising on Putin’s displeasure with the Finance Ministry — Minister Belousov proposed to amend the ‘budget rule’ bill, revising down

the threshold of the Reserve Fund (after which oil and gas revenues would flow to the National Welfare Fund) from seven to five percent (Kuvshinova & Tovkailo, 2012).

Understandably, Prime Minister Medvedev did not react well to this continued intra-Governmental dispute, stating that ‘[t]he decisions have been adopted, and I consider it necessary to end their discussion, including in Government circles.’ However, it took presidential intervention to settle the dispute: although deputies submitted an amendment in second reading proposing to change the threshold from seven to five percent on behalf of the Ministry of Economics, Putin

at the last moment took the Ministry of Finance’s side, and United Russia deputies had to change their minds quickly — the Budget Committee (in a rare event) rejected the five percent amendment, introduced by the committee’s chair, Andrei Makarov, and the first deputy speaker of the State Duma, Aleksandr Zhukov⁹

Overall, 23 amendments were proposed. Of these, 17 were recommended by the Budget Committee for adoption by the Duma — and of these successful amendments, nine were formally sponsored by the Government; most of the other eight successful changes were formally sponsored by Andrei Makarov, the committee chair (Committee amendment table, 2012a; Committee amendment table, 2012b). None of these amendments related to inflation adjustments. The bill was considered for second and third readings on 14 December, garnering 240 and 238 yes votes, respectively (Bill 102334-6 second reading vote, 2012; Bill 102334-6 third reading vote, 2012). The law faced no apparent resistance during passage through the Federation Council, being reviewed positively by two committees and being adopted with 83 percent of votes in favour and none against (Committee report, 2012a; Committee report, 2012b; Federation Council plenary transcript, 2012).

In short, this case provides an example of intra-executive dispute — on display in the pre-parliamentary phase of policy-making — spilling over into the formally legislative stage of law-making, and resulting in executive bill amendment. Executive actors appeared reluctant to conclude their dispute, attempting at various stages to revise the putatively final decision. Indeed, Prime Minister Medvedev appeared powerless to prevent such ongoing policy conflict. Moreover, there was no suggestion that the bill was delayed or amended due to bargaining with deputies.

⁹Visloguzov (2012b).

4.2 ‘Discovery’

[W]e will do everything to impede the [presidential] initiative in the Duma.

Senior official in the Ministry of Economic Development¹⁰

Bill 357559-6 — ‘On repealing various provisions of legislative acts of the Russian Federation’ — was introduced into the Duma by President Putin on 11 October 2013 (Bill 357559-6, 2013). The resulting law — ‘On the introduction of changes to the Criminal Procedure Code of the Russian Federation’ — was signed by Putin on 22 October 2014. Rather than reflecting successful opposition legislator influence, or an elite response to popular misgivings about the proposal, bill amendments resulted from intra-executive policy dispute, with disputed initiative proposals discovered thanks to mandatory bill publicity.

The presidential bill concerned the initiation of criminal cases relating to alleged tax crimes. This area of criminal justice has been particularly controversial in post-Soviet Russia, given the practice of law enforcement officials initiating criminal proceedings for offences such as tax evasion, not with a view to realising justice, but to exert pressure on businesses in order to extract rents (Khamraev, 2013a). In 2011, then President Medvedev introduced a liberalisation to Russian criminal law removing the right of investigators to launch criminal cases alone, with the hope that this would limit the law’s abuse by law enforcement officials. In line with the reform, criminal cases could only now be initiated on the basis of a report compiled by the Federal Tax Service (*Federal’naia nalogovaia sluzhba*, FNS) — an organisation considered by reformers to be un-marred by the pathologies of extortion. Liberalisers pointed to the fall in the number of cases launched following the legal change as a sign that the reform had worked — that is, they claimed that this decline demonstrated that many cases previously had been launched simply for the purposes of rent extraction; fewer businesspeople would now be subject to interference from law enforcement officials (Titov, 2014). However, others saw it differently: according to law enforcement officials, the fall in the number of cases initiated constituted a dangerous collapse both in the prosecution of tax crimes and the legitimate tax-extraction capacity of the state (Papchenkova, 2014a; Aleksandr Bastrykin, quoted in Pavlova, 2014).

¹⁰Quoted in Papchenkova & Tovkailo (2013).

The Investigative Committee (*Sledstvennyi komitet*, SK) — Russia’s chief federal investigating body — drafted a bill proposing to reverse the Medvedev-era reform. In accordance with formal procedures to gain the assent of executive actors, the SK introduced its proposal for intra-Governmental sign-off. The proposal was, however, rejected (Parfenova, 2013). In other words, Government departments did not consent to the proposal being introduced into the State Duma with the Government’s imprimatur. In response to this setback, the SK took its bill to the Presidential Administration, which also has the authority to submit bills to the legislature. In contrast to Government-submitted bills, however, presidential legislative initiatives are not subject to the formal sign-off process with other executive actors. As a result, Government bodies — such as federal ministries — are not necessarily aware of proposals in the pipeline, nor do they have an opportunity to amend or block such initiatives.

President Putin gave his blessing for the SK bill to be sent to the State Duma. This move caught Government actors by surprise: when the bill was registered in the Duma, commentators noted that it had been introduced ‘over the heads of Government officials — its introduction was a shock to many of them’ (Papchenkova & Tovkailo, 2013). As the quotation at the beginning of this section reveals, Government actors were openly opposed to the bill.¹¹ In a rare display of apparent autonomy, even Prime Minister Medvedev publicly criticised the presidential bill in a speech on 12 November. Putin’s response to this public display of intra-executive disagreement is instructive:

there is a specified practice for resolving questions before they appear in the media. It is well known that if somebody does not agree with this practice, as [former Minister of Finance] Kudrin did in his time, then he moves to the expert community [and out of cabinet] [...] We have a long-established practice, according to which we carry out discussions either in the Government or in the Presidential Administration. We do this collectively and sufficiently democratically. We all, of course, want to appear, as they now say, white and fluffy, and liberal. But this is not our task. We are not actors of an artistic genre, of artistic words. In making decisions of this kind, we must find balanced decisions, which ensure the interests of all groups of society — of the business community and the rest of society.¹²

¹¹There is evidence, however, that the Government was not itself united in its opposition: whereas the Ministry of Economics sent a letter to the Cabinet of Ministers, in which it outlined its opposition to the initiative, certain sections of the Ministry of Finance welcomed the move, noting the possibility of increased tax revenues (Papchenkova & Tovkailo, 2013).

¹²Quoted in *RIA Novosti* (2013). The reference to Aleksei Kudrin relates to an episode during Medvedev’s presidency, when the then Minister of Finance Kudrin was dismissed from his post in 2011 by Medvedev for publicly undermining him.

In effect, this constituted a thinly veiled threat of firing those officials — including Medvedev — who provided a window on the reality of intra-executive conflict. Moreover, the president appeared to criticise the expression — even behind closed doors — of a plurality of views.

The bill also spooked the business community. Influential individuals, such as Boris Titov (Presidential Commissioner for Entrepreneurial Rights) and Mikhail Prokhorov (billionaire and founder of the party, Civic Platform), as well as peak organisations (such as the Russian Union of Industrialists and Entrepreneurs (RUIE), *Delovaia Rossiia*, the Commercial and Industrial Chamber, and *Opora Rossii*) were vocal in their criticism of the proposal (Parfenova, 2013; Khamraev, 2013b; Petrov & Evstigneeva, 2013). They feared that its passage into law would re-empower law enforcement agents to interfere with businesses without legal grounds.

Despite this opposition, there was never any sense that the presidential initiative would be defeated in the legislature or that the president would remove it from consideration. However, in a meeting held on 11 November 2013 by presidential aide Andrei Belousov, it became clear that there was a consensus amongst stakeholders that the bill could not progress without amendment (Papchenkova & Tovkailo, 2013). Putin's willingness to soften the bill was made clear during a meeting with the head of the FNS, Mikhail Mishustin, on 25 November 2013, during which the president suggested that law enforcement agencies be required to consult the FNS when initiating criminal tax cases (Latukhina, 2013). Around this time, the Government and the RUIE were developing their own amendments to the presidential bill, which were discussed in a Kremlin working group, including the SK and the FNS (Agamalova, 2013).

The bill was adopted by the Duma in first reading on 10 December 2013. Although some parliamentarians criticised the bill — particularly in light of the fact that they had been asked to pass precisely the *opposite* measure two years previously — the proposal was supported by 86 percent of Duma deputies (Bill 357559-6 first reading vote, 2013). However, the debate on the floor also made clear that a compromise between the SK and the FNS had not yet been reached (Visloguzov, 2013). The deadline for presenting amendments to the lead committee before second reading was set for 30 days following first reading. However, on 20 January 2014, the Duma Council postponed the bill's further consideration, presumably because a compromise solution had not yet been reached (Duma Council, 2014). Meanwhile, the bill's progression

simply to first reading was seen as one of the worst tax developments for Russian business in 2013 (Visloguzov, 2014).

Negotiations continued throughout winter, with a compromise only being reached in spring (Papchenkova, 2014a; Petrov & Evstigneeva, 2013; *RBK Daily*, 2014; Sterkin & Papchenkova, 2014). Some actors doubted the meaningfulness of the deal reached — the RUIE, for example, called it simply the ‘appearance of compromise’; and even the chair of the Duma committee responsible for the bill, Pavel Krashenninikov, stated ‘I am [still] afraid of [the initiation of] false criminal cases’ (quoted in Papchenkova, 2014b). However, 70 percent of deputies voted in favour of the presidential initiative in second reading on 26 September 2014 (Bill 357559-6 second reading vote, 2014), followed by 85 percent in third reading on 10 October (Bill 357559-6 third reading vote, 2014).

What can we learn from this case? Most importantly, the obligatory publication of draft legislation allowed members of the Government to discover a policy proposal from the presidency, which they did not support — indeed, they thought they had vetoed it during inter-agency review. The publicity entailed by legislative introduction allowed for intra-executive monitoring. Moreover, although the bill spent a year in the Federal Assembly, it was discussed very little on the Duma floor; transcripts of these floor debates reveal little evidence of parallel, influential Duma committee discussion. Therefore, although the development of the bill took place during the nominally legislative stage of policy-making, executive actors and venues proved the most important. And, although the amendments introduced during legislative review were drafted by extra-parliamentary actors, bill changes were formally sponsored by Duma deputies. Without the wider contextual detail, we might mistakenly attribute these amendments to deputy influence.

4.3 Case study summary and evidence

These case-study findings are novel. The scenarios leading to executive bill amendment jar significantly with expectations concerning the drivers of change from recent prominent theories of authoritarian legislative politics. Table 2 summarises the features of these cases, relating them to existing theories and the expectations of the alternative, executive-centred story proposed by this paper. Although the case studies only relate specifically to two executive bills, they flesh out

two hypothesised causal pathways leading from intra-executive conflict to bill amendment during legislative review, thus helping to push forward theory-building in the field of authoritarian legislative — and executive — politics.

The very possibility of tracing the processes of particular cases is, in part, a reflection of the very dynamics hypothesised — that is, executive actors sometimes use the strategic leaking of information in policy-making battles with other executive actors. For the Russian case, Huskey (1996b, p.464), for examples, writes that ‘individual departments within the executive, most notably those responsible for defence, agriculture, and social spending, have publicised intra-executive conflict as a means of mobilising support for their positions in parliament, the executive, and the nation’.

Table 2: *Congruence between theoretical expectations and bill case studies.*

	Spillover		Discovery	
	<i>Expectation</i>	<i>Bill 102334-6</i>	<i>Expectation</i>	<i>Bill 357559-6</i>
Executive-centred explanation				
Intra-executive, pre-legislative dispute?	Yes	Yes	Yes	Yes
Dispute apparently resolved before Duma bill entry?	No	No	Yes	Yes
Pre-legislative decision-making time pressures?	Yes	Yes	No	No
Executive actor surprise at Duma introduction?	No	No	Yes	Yes
Alternative explanations				
Deputy influence / concessions to opposition?	No	No	No	No
Placating citizen grievances?	No	No	No	No
Duma served as venue for discussion?	No	No	No	No

How do these two cases relate to the population of interest? Although these cases are interesting episodes, they might be exceptional, unrepresentative of general amendment dynamics. The second empirical stage of the paper will address this issue. Given the pronounced difficulty of developing, and collecting data on, a proxy for intra-executive conflict — in contrast to the relative accessibility of information on legislator activities and the use of legislative institutions — the statistical analysis will focus on a more modest task: to discount alternative explanations for executive bill change — that is, that amendments stem from the intervention of oppositional parliamentarians or reflect the incorporation of elements addressing citizen grievances.

5 Population analysis of bill amendment

5.1 Data

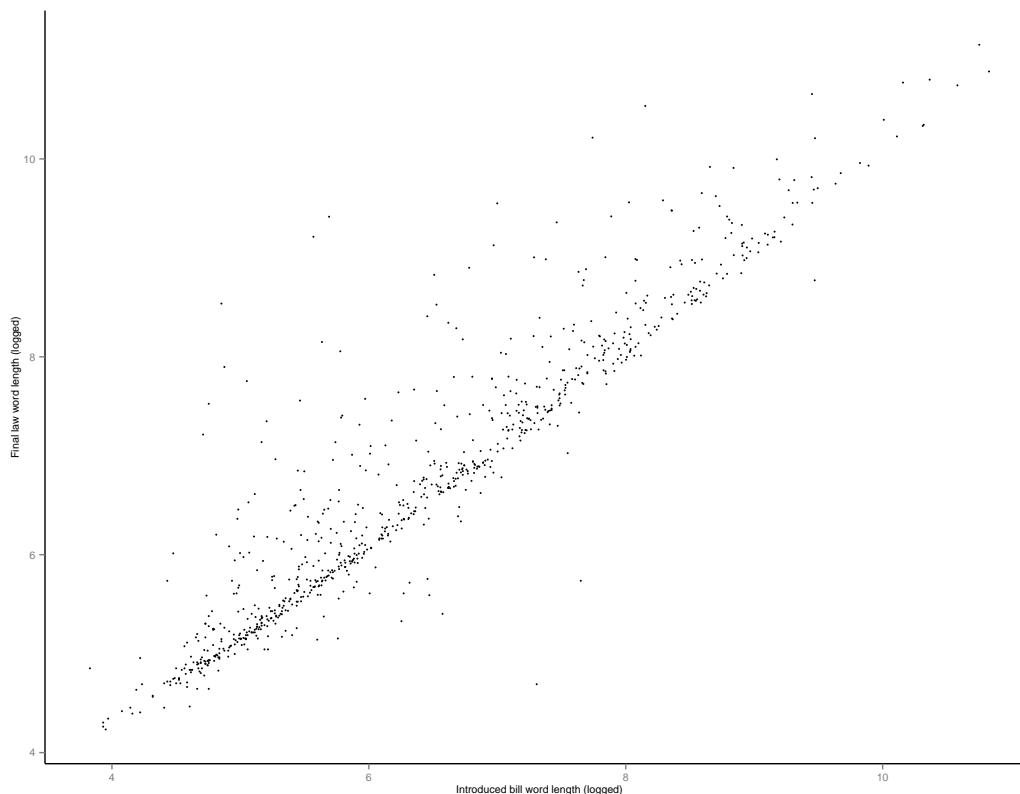
From a population of 1,332 executive bills, introduced and finalised between 2008 and 2013, 837 bills are included in the analysis. This excludes cases of international agreement ratifications (385 bills), budget initiatives and related legislation (95 bills), and 15 initiatives for which the relevant amendment information could not be collected.¹³ Texts of introduced bills and final laws were scraped from the Federal Assembly’s online law-making database, *ASOZD*, and the online legal database, *Zakonodatel’stvo Rossii* (Legislation of Russia). (See the online Appendix for a fuller discussion of data collection.)

Figure 2 plots bill word lengths (logged) against law word lengths (logged) for the 837 bill-law dyads. The ‘rubber stamp’ expectation would, of course, be a straight line, demonstrating no change between introduced bills and final laws. Although a large proportion of cases cluster around the line of parity, many cases clearly do not, with the majority of these cases demonstrating *increases* in initiative word length from bills to laws. Although figure 2 demonstrates that the mere fact of executive bill amendment is not exceptional — bill change is the *norm*, not deviant — these crude amendment data do not speak to the *drivers* of change. The first step

¹³The exclusion of budget laws and international ratifications is in line with Martin and Vanberg (2011, pp. 58-59) and Pedrazzani and Zucchini (2013, p. 708), and is motivated by the fact that both the formal rules governing the legislative passage of these types of bills, as well as amendatory dynamics relating to them, are sufficiently different from the consideration of other bills to warrant their exclusion.

in addressing this issue involves developing a defensible measure of bill amendment on which possible determinants of change can be regressed.

Figure 2: *Scatter plot of submitted bill word lengths (logged) against final law word lengths (logged).*



Notes: The x and y axes do not start at 0.

5.1.1 Measuring amendment

There are various ways of measuring bill amendment. This paper follows Pedrazzani and Zucchini (2013) in measuring the extent of bill *text* amendment by calculating total unique word frequency differences (UWFD) between introduced bills and final laws — a ‘bag-of-words’ approach, with scores bounded on the left from 0 and unbounded above. This UWFD measure of bill amendments is the dependent variable. Calculating the level of bill change requires complete texts for both introduced bills and final laws — thus, 1,674 documents in all. One clear downside of this measure are that it cannot capture the substantive *importance* of particular amendments. The advantages of the text-based approach to measuring amendment, however, are that the change statistic is easy to compute; it does not require fine-grained information on

discrete amendments moved; and it does not require subjective judgements about amendment significance.¹⁴

Figure 3: *Histogram of unique word frequency differences.*

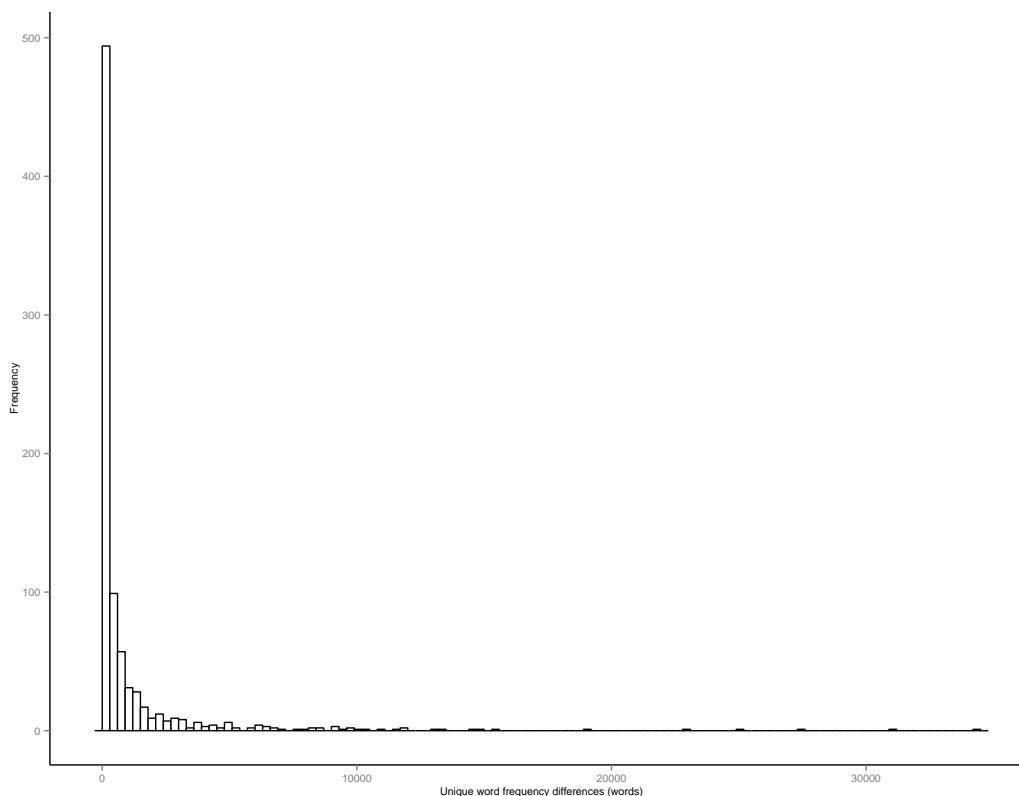


Figure 3 is a histogram of unique word frequency difference scores for the bill-law dyads. The distribution has a notable right tail, given cases of remarkable text change between introduced bill and final law. The mean level of change is 1,116 words, although the median is 197, consistent with the skewed distribution. Using this measure of bill change, the text of bill 102334-6 (the ‘spillover’ case study) changed by 28 percent during passage through the State Duma. For bill 357559-6 (the ‘discovery’ case study), the respective change figure is 522 percent.

5.1.2 Independent and control variables

What drives variation in unique word frequency differences between introduced bills and final laws? The two primary alternative explanations for bill amendment — co-optation and informa-

¹⁴Will Lowe’s JFreq programme (<http://conjugateprior.org/software/jfreq/>) is used to compute UWFD statistics.

tion theories — contend that change is driven by legislator activity. Two measures of legislator scrutiny are used. The first is a proxy for the length of time a particular bill is considered on the State Duma’s floor. Specifically, the *HTML* variable is the number of HTML lines used to compose the web page of the floor transcripts for a particular bill.¹⁵ By searching for a particular bill, all discussions and voting activity relating to that bill are summarised on a single page. As such, the data contained within this page provides a comprehensive record of Duma floor activities in relation to each individual bill. The number of HTML lines constituting each bill’s transcript record page can be taken as a proxy for the floor activity associated with each bill — the longer a bill is discussed on the Duma floor, the more HTML lines are required to compose a webpage of the transcripts of these discussions. This HTML-line measure of legislative floor activity should, therefore, provide a closer proxy for legislator scrutiny than the traditional bill velocity measure, which captures an ambiguous mix of activities carried out by a variety of actors, including debates between executive actors.

One criticism of the *HTML* variable might be that it does not take account of legislative *committee* discussions. Although this is an intuitive concern, Shevchenko & Golosov (2011, p. 211) argue that ‘policy making that takes place in Duma committees is tightly controllable [sic] by the executive’, suggesting that these bodies might not serve as autonomous sources of legislator influence (in contemporary Russia, at least). Rather than assuming committee impotence, however, the second measure of legislator scrutiny (*Committees*) is the (logged) number of legislative committees formally involved in the review of each executive bill — a variable that has been used in previous research (Martin & Vanberg 2005, 2011; Pedrazzani & Zucchini 2013; and Zubek, 2008). Both of these variables should be insignificant in explaining executive bill amendment according to the intra-executive policy conflict model proposed by this paper, whereas the major alternative explanations for bill amendment in non-democratic legislatures suggests they should be significant predictors.

According to the executive-centred account of bill change, the time taken for bill passage through the legislature will be driven by factors beyond legislator scrutiny. Most importantly, this measure (*Velocity*) — the number of days between bill introduction and official law publication — will capture the time taken by intra-executive negotiation. As a result, this variable should

¹⁵The website <http://transcript.duma.gov.ru> hosts transcripts of Duma floor proceedings.

remain a significant predictor of bill amendment, even when controlling for measures of legislator scrutiny.

A key control to include in the model is the length of the submitted bill (*Bill word length*), measured as the number of words (logged) forming the introduced draft. It is a plausible assumption that longer drafts are susceptible to more changes than shorter texts. Indeed, this control variable has been found to be a substantive and statistically significant correlate of bill change in extant scholarship (see, for example, Martin and Vanberg, 2011, p. 114; Pedrazzani & Zucchini, 2013, p. 702; Zubek, 2008, p. 157). (Appendix 1 presents summary statistics for these variables.)

5.2 Results and discussion

Table 1 present the results of five negative binomial regression models. As the dependent variable is a count measure characterised by overdispersion, negative binomial regression is used for modelling in preference over a Poisson model (Hilbe, 2011, p. 141).¹⁶ The main figures are negative binomial coefficients, with standard errors in parentheses.

These results suggest that prominent theories of authoritarian legislative politics cannot account for executive bill change — in contemporary Russia, 2008-2013, at least. Both variables relating to the level of legislator scrutiny — the length of time bills are discussed on the Duma floor (*HTML*) and the number of committees involved in the scrutiny of particular bills (*Committees*) — are insignificant in models 3-5 and 4-5, respectively. By contrast, in results not reported here, the HTML measure of floor attention for bills is both substantively and statistically significant for the nominally democratic period, 2003-2007. This is consistent with the idea that Duma deputy scrutiny effort — as captured by the length of time a bill was discussed on the floor of the lower chamber, at least — influenced the level of bill change in this more democratic period, but did not in the authoritarian, 2008-2013 period. Although the HTML-line measure of Duma deputy scrutiny effort does not help explain variation in bill change, the more general velocity measure, which captures the time taken up by a large variety of factors, including intra-executive debate, is highly statistically significant in models 2-5. A one standard deviation increase in

¹⁶The theta parameter indicates the presence of over-dispersion in the count, supporting the use of a negative binomial, over a poisson, model.

Table 3: *Negative binomial regression model results.*

	<i>Dependent variable:</i>				
	Unique Word Frequency Differences				
	(1)	(2)	(3)	(4)	(5)
Bill word length (log)	0.820*** (0.029)	0.786*** (0.028)	0.776*** (0.032)	0.777*** (0.033)	0.738*** (0.033)
Velocity		0.002*** (0.0001)	0.002*** (0.0001)	0.002*** (0.0001)	0.002*** (0.0001)
HTML			0.0001 (0.0001)	0.0001 (0.0001)	0.0001 (0.0001)
Committees (log)				-0.004 (0.113)	0.055 (0.111)
State					-1.171*** (0.115)
Defence					-1.297*** (0.145)
Social					-0.783*** (0.129)
Economic					-0.504*** (0.130)
Constant	1.039*** (0.193)	0.817*** (0.184)	0.835*** (0.188)	0.836*** (0.192)	1.670*** (0.216)
Observations	837	837	837	837	779
θ	0.720*** (0.030)	0.795*** (0.034)	0.796*** (0.034)	0.796*** (0.034)	0.906*** (0.040)

Note: ***p<0.01

bill velocity (around 274 days) is associated with a 53 percent increase in text change. These findings are also robust to the exclusion of very high values, which might disproportionately influence the results.¹⁷

In line with findings from existing studies of bill amendment in democracies, the (logged) number of words in submitted bills is a substantively and statistically significant predictor of the level of amendment experienced by executive initiatives during passage through the State Duma — a finding that holds across all five models. Longer bills are amended more than shorter bills.

Model 5 also includes information on executive bill policy area.¹⁸ Bills in the reference category — ‘budget, tax, and financial legislation’ — undergo the most text change during legislative passage, followed in descending order by bills relating to ‘economic policy’, ‘social policy’, ‘state construction and constitutional rights’, and ‘defence and security’. Although interpreting these findings can only be tentative, the pattern evinced suggests a *distributional* logic, with bills relating to the division of scarce resources undergoing more amendment, in contrast to bills relating to core state concerns, including changes to political institutions and maintaining order. Future work should generate and test expectations in this area.

Although these results do not allow us to tease apart the relative balance of different amendment pathways associated with the executive-centred account proposed above, they cast significant doubt on the leading explanations of bill change in the extant literature, as well as providing population-wide context for the bill case studies provided above.

6 Conclusion

There is persistent incredulity regarding the possibility of policy change during parliamentary review in non-democracies. In a study on Mubarak-era Egyptian politics, Blaydes (2011, p. 23, p.15) states that ‘legislative institutions have little influence on policy’: ‘Although the Egyptian legislature enjoys broad policy-making authority in principle, in practice, the president controls

¹⁷The statistical and substantive significance of the coefficients are largely unaltered after removing observations displaying greater than 1,000 percent text change (results not reported here).

¹⁸The Duma classifies introduced bills into one of six policy areas: 1) ‘budget, tax, and financial legislation’; 2) ‘state construction and constitutional rights’; 3) ‘defence and security’; 4) ‘ratification of international agreements’; 5) ‘social policy’; and 6) ‘economic policy’.

a docile majority in parliament, which generally renders his legislature [sic] prerogatives into formal laws.’ Similarly, Truex (2014, p. 235) argues that the ‘returns to office’ for members of China’s National People’s Congress come in the form of a ‘reputation boost’, rather than ‘formal policy influence’. And Reuter and Robertson (2015, p. 247) argue that ‘concessions are more about sharing private access to rents than about granting influence over policymaking’ for deputies in Russia’s regional legislatures. In spite of this general picture of legislator impotence and the associated expectation of no, or limited, bill change during passage through non-democratic parliaments, this paper has presented evidence of bill change in one authoritarian legislative body, the contemporary Russian State Duma, as well as comparative data. What explains these ‘deviant’ observations?

This paper argues that executive bill amendment in authoritarian legislatures can result from the resolution of *intra-executive* policy disputes. Bill changes stem from the fact that legislative institutions are used by authoritarian executive actors to constrain each other in the policy-making process. The legislative *stage* of law-making, and the rules and opportunities associated with it, can be used by *non-legislative* actors to confront information asymmetries, as well as commitment and monitoring problems in the policy-making process. Writing of the ‘executive constraints’ variable included in the Polity IV dataset, Marshall, Gurr and Jagers (2016, p. 24) state that this relates to

the extent of institutionalized constraints on the decision-making powers of chief executives, whether individuals or collectivities. Such limitations may be imposed by any “accountability groups.” In Western democracies these are usually legislatures. Other kinds of accountability groups are the ruling party in a one-party state; councils of nobles or powerful advisors in monarchies; the military in coup-prone polities; and in many states a strong, independent judiciary. The concern is therefore with the checks and balances between the various parts of the decision-making process.

This paper argues that the “accountability groups” active during the *legislative* stage of policy-making can include *executive* actors, constraining the policy-making efforts of other executive actors. Inter-ministerial disputes are not necessarily neatly contained in the pre-parliamentary stage of policy-making because of both cabinet-level limitations and legislative-stage possibilities.

There is anecdotal evidence in support of the executive-centred account proposed by the paper beyond current-day Russia. Writing of the Chinese NPC, Paler (2005, p. 308) reports that

NPC officials sought to eliminate the frequent occasions on which State Council ministries, forced to compromise on draft legislation, have re-opened the debate when it comes before the NPC, inevitably prolonging disagreement on legislation through the unlimited opportunities for opponents to block progress.

And, writing of the Supreme Soviet in the Soviet Union, Hough & Fainsod (1979, p. 378) note that ‘it is very probable that the preparatory committees are the place where final inter-agency agreement on the details of the plan and the budget are hammered out.’ Future work should explore how well this executive-centred account of bill amendments can travel to other authoritarian settings.

At the same time, the model proposed by this paper is not meant as a sufficient explanation for legislative politics in all legislatures in non-democratic regimes across space and time. As Barbara Geddes has noted, ‘[a]utocratic legislatures play different roles and serve different functions in different dictatorships’ (contribution to Jensen, 2012). Indeed, Reuter and Robertson (2015, p. 237) note that ‘variation among authoritarian legislatures may be just as important as variation between dictatorships with and without legislatures.’ As figure 1 demonstrates, both democracies and non-democracies exhibit variation regarding budget bill amendment. Moreover, the *same* assembly will likely exhibit different practices at the *same time*. Thus, co-optation of the elite might take place at the same time as ministers squabble over the content of bills at the same time as elites learn of citizen misgivings about proposed policy changes. Future research should explore the relative balance of these different practices over time and space.

This paper does not engage with broader questions discussed in the recent flourishing of work on authoritarian political institutions, such as regime survival and economic growth. It does, however, constitute an important micro account of how intra-executive relations can animate the legislative stage of policy-making, allowing us to account for a key ‘deviant’ observation — executive bill amendment. Decision-making in general, and law-making in particular, can be distinctly *messy* in authoritarian regimes. In contrast to popular images of ruthless dictatorial efficiency, policy squabbling, mistakes, false starts, and u-turns can proliferate in non-democracies. Non-democratic parliaments can matter, not as a venue for elite-society, executive-opposition dialogue, but as a mechanism for the resolution of intra-executive factionalism. Legislatures can matter, even if legislators do not.

Appendix 1

Table 4: *Summary statistics.*

Statistic	N	Mean	St. Dev.	Min	Max
Bill word length	837	1,870.599	4,251.575	46	50,420
Bill word length (log)	837	6.443	1.396	3.829	10.830
UWFD	837	1,116.192	2,996.355	24	34,333
HTML	837	741.520	619.292	56	6,797
Velocity	837	226.806	273.612	8	3,051
Committees	837	2.944	1.508	1	15
Committees (log)	837	0.994	0.381	0.000	2.708
Policy area	779	–	–	–	–

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