

The April 25, 1993, Referendum in Russia Moscow, Ivangorod and Environs, and Narva, Estonia



1993

**A Report Prepared by the Staff of the
Commission on Security and Cooperation in Europe**

ABOUT THE ORGANIZATION (OSCE)

The Conference on Security and Cooperation in Europe, also known as the Helsinki process, traces its origin to the signing of the Helsinki Final Act in Finland on August 1, 1975, by the leaders of 33 European countries, the United States and Canada. Since then, its membership has expanded to 55, reflecting the breakup of the Soviet Union, Czechoslovakia, and Yugoslavia. (The Federal Republic of Yugoslavia, Serbia and Montenegro, has been suspended since 1992, leaving the number of countries fully participating at 54.) As of January 1, 1995, the formal name of the Helsinki process was changed to the Organization for Security and Cooperation in Europe (OSCE).

The OSCE is engaged in standard setting in fields including military security, economic and environmental cooperation, and human rights and humanitarian concerns. In addition, it undertakes a variety of preventive diplomacy initiatives designed to prevent, manage and resolve conflict within and among the participating States.

The OSCE has its main office in Vienna, Austria, where weekly meetings of permanent representatives are held. In addition, specialized seminars and meetings are convened in various locations and periodic consultations among Senior Officials, Ministers and Heads of State or Government are held.

ABOUT THE COMMISSION (CSCE)

The Commission on Security and Cooperation in Europe (CSCE), also known as the Helsinki Commission, is a U.S. Government agency created in 1976 to monitor and encourage compliance with the agreements of the OSCE.

The Commission consists of nine members from the U.S. House of Representatives, nine members from the U.S. Senate, and one member each from the Departments of State, Defense and Commerce. The positions of Chair and Co-Chair are shared by the House and Senate and rotate every two years, when a new Congress convenes. A professional staff assists the Commissioners in their work.

To fulfill its mandate, the Commission gathers and disseminates information on Helsinki-related topics both to the U.S. Congress and the public by convening hearings, issuing reports reflecting the views of the Commission and/or its staff, and providing information about the activities of the Helsinki process and events in OSCE participating States.

At the same time, the Commission contributes its views to the general formulation of U.S. policy on the OSCE and takes part in its execution, including through Member and staff participation on U.S. Delegations to OSCE meetings as well as on certain OSCE bodies. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from OSCE participating States.

THE APRIL 25, 1993, REFERENDUM IN RUSSIA Moscow, Ivangorod and Environs, and Narva, Estonia

This report is based a Helsinki Commission staff delegation to Russia from April 22 - 27, 1993. The Helsinki Commission was invited to observe the referendum by Sergei Kovalev, Chairman of the Human Rights Committee of the Russian Supreme Soviet. The Commission would like to thank Chairman Kovalev for the invitation and for meeting with the staff delegation in Moscow. As a result of that meeting, Chairman Kovalev facilitated the issuance of official accreditation to observers from foreign governments, who had not previously received such credentials from the Russian Supreme Soviet.

The Helsinki Commission has been observing elections and referendums in the USSR and the Soviet successor states since 1988. Since its adoption in June 1990, the Copenhagen Document has provided for international monitoring of such exercises in popular sovereignty among CSCE participating states. Given the importance of the April 25 referendum, its role in the political struggle between President Boris Yeltsin and the forces opposing him, and the request of pro-reform groups both inside and outside the Russian government and parliament for foreign observers, the Helsinki Commission placed special emphasis on the April 25 referendum.

Commission staff on April 25 observed voting in polling stations in and around Moscow and in several cities in Leningradskaya oblast, such as Ivangorod. In all these locations, voting sites included villages, sovkhozes [state farms], and institutions. Staff also visited a polling place set up for Russians abroad, in Narva (Estonia).

SUMMARY

- On April 25, Russia held a referendum on support for President Boris Yeltsin and for his socio-economic policies, as well as for pre-term presidential and parliamentary elections. Despite predictions of widespread apathy, turnout in Russia's first vote since the June 1991 presidential election was high: 64.5 percent. Voters gave Yeltsin a strong show of backing (58.7 percent) and surprisingly high support for his programs (53 percent).
- Russia's Constitutional Court had previously ruled that Yeltsin needed only 50 percent of participating voters for a "win" on the first two issues. The results gave Yeltsin a moral and political victory, though, strictly speaking, without juridical consequence. On the desirability of pre-term elections, however, the Court set a requirement of half of all eligible voters. Yeltsin did not garner the necessary number to claim a legal mandate for early parliamentary elections, as 67.2 percent of voters (but only 43.1 percent of the electorate) responded affirmatively.
- The referendum was the latest stage in the ongoing struggle between competing branches of power and visions of Russia's future. Boris Yeltsin is the proponent and symbol of a strong executive branch, accelerated free market reform and privatization. Speaker Ruslan Khasbulatov and the Congress of People's Deputies represent the prerogatives of the legislative branch, and claim to favor a slower, state-controlled transition to the market. The battle between them has dominated Russia's political arena for almost a year, paralyzing economic reform and creating a politics of continual crisis that occasionally threatens civil war and/or military intervention.

- Yeltsin had wanted a referendum on a new constitution for Russia, which would end the wrangling over division of powers and create a strong presidency. The Congress, after failing to impeach Yeltsin, agreed to a referendum on a vote of confidence in the president, hoping that strong public disapproval of his socio-economic policies would undercut his personal mandate. If Yeltsin did not get the referendum questions he wanted, the Congress did not get the outcome it had sought. But Yeltsin got more out of a compromise referendum that was fully satisfactory to neither side.
- Yeltsin has acted to exploit his strong showing by announcing his intention to convene a Constitutional Assembly to debate his draft constitution, essentially bypassing the Congress. His goal is to move the struggle with the Congress from the juridical to the moral/political plane by arguing that the people of Russia, not the Congress, are the highest power in the land and the repository of sovereignty. This directly contradicts the Brezhnev Constitution, which means that Yeltsin cannot consolidate his power and proceed with political and economic reforms without technically breaking the law under which Russia is still ruled.
- The most surprising, and for Yeltsin, encouraging outcome of the voting was the support for Yeltsin's economic reforms, despite skyrocketing prices and plunging living standards. Public support for — or at least willingness to endure — market reforms and privatization provide grounds to assume eventual common governmental and legislative backing for accelerated reform after new parliamentary elections. Yeltsin on May 6 moved in this direction by claiming that the outcome of the referendum gives him the mandate to call for new parliamentary elections, which he plans to hold in the fall.
- Though Yeltsin did better on April 25 than his foes had feared or his supporters had hoped, his battle with the Congress is far from over. Speaker Khasbulatov and the Congress, not surprisingly, insist that the referendum changed nothing, that the Congress remains paramount, and are proceeding with plans to present their own version of a constitution to the public. Russia's political struggle — which has thus far proceeded almost bloodlessly — may also take nastier turns as it continues. The May Day violence in Moscow indicates that Yeltsin's fiercest opponents are prepared to extend the struggle from the Congress to the streets.

BACKGROUND

After Boris Yeltsin led the successful resistance to the coup plotters of August 1991, he was at the peak of his power and popularity. In hindsight, many commentators observe today, he should have exploited the moment to call for new parliamentary elections to replace the deputies to the Congress elected in March 1990 in multi-candidate, but not multi-party contests. Most of them represented the Communist Party, large state enterprises and collectivized agriculture, and were unlikely backers of the sort of economic reforms that Yeltsin advocated. But he did not move against the parliament, which, at the Fifth Congress in October-November 1991, gave Yeltsin extraordinary powers for 1 year to launch economic reform. This reform began in January 1992 under Prime Minister Yegor Gaidar, with the freeing of prices on many commodities.

But over the course of 1992, relations between Yeltsin and the legislature deteriorated. By spring, grumbling in the Congress about the effects of the price hikes had intensified, and legislators were mounting opposition to Yeltsin. Ruslan Khasbulatov, originally Yeltsin's ally and his hand-picked choice as Speaker, increasingly began to defend the Congress' prerogatives and to warn about the authoritarian nature of Yeltsin's presidency. By December 1992, at the Ninth Congress, the battle lines were clear. Khasbulatov, with growing support from Vice President Alexander Rutskoi, led the movement to clip Yeltsin's wings and undercut his reform program by marshalling the vocal and hyper-nationalist, staunchly anti-reform factions in the parliament, as well as the more centrist Civic Union, which represents large state industries. Congress stripped Yeltsin of his extraordinary powers and forced him to abandon Gaidar, who was succeeded by Viktor Chernomyrdin as prime minister.

With the Congress poised to whittle away his powers even farther, eventually leaving him a figurehead president, Yeltsin sought a way out of this logjam by calling for a referendum on whether Russia should be a presidential republic, whether a Constituent Assembly should adopt a new constitution, and whether land could be bought and sold. By now, Russian politics was lurching from crisis to crisis, with the Constitutional Court under its Chief Justice Valery Zorkin frequently acting as mediator between an increasing hamstrung and frustrated Yeltsin and an ever more self-assertive Congress and Khasbulatov. The Congress — which is alone empowered under law to call a referendum — agreed to an April 11 referendum on Russia's constitution. But relations between the executive and legislative branches continued to worsen, and they could not agree on the wording of the question(s). In March 1993, at an extraordinary session, Congress canceled the agreed-upon April referendum and stripped Yeltsin of more of his powers.

With Yeltsin speaking openly about being forced to take extraordinary measures — usually understood as disbanding the Congress and declaring presidential rule — and counter-threats in Congress of impeachment, the stage was set for a dramatic denouement. On March 20, Yeltsin announced in a television address the imposition of a "special regime" permitting him to rule by decree until April 25, when a referendum on a constitution, a vote of confidence in him, and on a law on new parliamentary elections would be held. The furious Congress appealed to the Constitutional Court, which on March 23 ruled Yeltsin's decree unconstitutional, without ever having seen the text, released by Yeltsin only the next day. The published decree called only for a "vote of confidence," not a referendum, which requires Congress' authorization, and omitted any mention of a presidential rule, which undercut calls for his ouster. But a special session of the Congress nevertheless convened 2 days later to debate Yeltsin's impeachment. The March 28 vote — which Yeltsin vowed to ignore if it passed — lost by only 72 votes.

On March 29, the Congress agreed to an April 25 referendum, but not on the terms Yeltsin had wanted. Khasbulatov apparently sought to undercut whatever mandate the still popular president might get by polling the populace on Yeltsin's socio-economic reforms. Counting on widespread reports of discontent and disillusionment over inflation, unaffordable basic necessities and outrage over the growing disparity between the beneficiaries and victims of the reforms, the Congress insisted on asking Russia's electorate whether they were "better off than they were before" the Yeltsin-Gaidar reforms. And while willing to give Yeltsin a question on pre-term parliamentary elections, Congress added a question on pre-term presidential elections. Finally, to make Yeltsin's task virtually impossible, the Congress stipulated that 50 percent of all registered voters would have to vote in the affirmative on all four questions.

Ultimately, the four questions put before Russia's electorate were as follows:

- Do you trust the President of the Russian Federation, Boris Nikolaevich Yeltsin?
- Do you approve the socio-economic policies implemented by the President of the Russian Federation and the government of the Russian Federation since 1992?
- Do you consider it essential to hold pre-term elections for the presidency of the Russian Federation?
- Do you consider it essential to hold pre-term elections for the People's Deputies of the Russian Federation?

At first, Yeltsin reportedly considered ignoring these questions and holding a parallel plebiscite, with questions of his own choosing. Eventually, he agreed to the questions selected by the Congress, but asked the Constitutional Court to rule on the counting rules imposed by the Congress.

On April 21, the Constitutional Court decided that the first two questions did not require constitutional changes, and therefore required only 50 percent of participating voters to pass. The latter two questions, however, would involve constitutional changes, and therefore required 50 percent of all eligible voters. Moreover, the first two questions had no legal consequences, i.e., nothing would necessarily change whether they passed or not. But if enough voters called for pre-term elections for the Congress or president, such elections would have to be held.

As the referendum approached, tensions between Yeltsin and his opponents rose, with both sides trading accusations and warning of the direst consequences if the other side won. Hardline pro-communist and militantly nationalist political organizations and publications charged Yeltsin with treason, kowtowing to the West, abandonment of Russians in other former Soviet republics and of traditional Russian allies, such as Serbia, as well as corruption. Yeltsin and his supporters, in turn, depicted the opposition as unregenerate communists determined to restore the Soviet system in all its ruinous ignominy. Throughout this period, Western leaders expressed their support for Boris Yeltsin. U.S. President Clinton openly associated himself with Russia's president, whom he called the best hope of reforms that would benefit Russia and the entire international community.

In a demonstration of support for the process of democratization, President Clinton held a summit with President Yeltsin on April 3-4 in Vancouver, where, among other things, an aid program was announced. Yeltsin pointed to the aid as a sign of Western support for him personally, for his policies, and as a sign of solicitude for Russia. His opposition castigated Yeltsin for begging aid from a Western world that wanted to weaken Russia.

At the Summit, Yeltsin repeated to President Clinton what he had told Russia's electorate: if he lost the referendum, he would resign. But he also expressed confidence in a certain victory.

REFERENDUM RULES

The Central Election Commission: Overall management and supervision of the referendum was in the hands of the Central Referendum Commission (CEC), chaired by Vassiliy Kozakov. The CEC was responsible to the Supreme Soviet.

On the district level, referendum commissions were created by the Supreme Soviets of Russia's republics, territories, regions, autonomous areas and regions, and Moscow and St. Petersburg (which have special status), for a total of 89. Regional, city and district soviets, in turn, created local referendum commissions (polling stations) of which there were over 96,000 throughout Russia. These local commissions compiled the voter lists, and administered the voting for a maximum number of 3,000 voters per polling stations.

The Yeltsin administration also established its own, executive branch commission to deal with the referendum. Nominally headed by Prime Minister Chernomyrdin, it was mostly run by First Deputy Prime Minister Vladimir Shumeiko. According to Kozakov of the CEC, this executive branch commission dealt primarily with logistical and technical matters, such as ensuring premises for voting, transportation, communication and equipment.

Financing: The Supreme Soviet allocated 24.5 billion rubles to organize the referendum. In Russia's capital, the Moscow city government advanced 606 million rubles to finance the referendum, producing posters and invitations to voters. Work collectives, political parties and individuals could take part in campaigning, and

use their own funds for this purpose. Consequently, as the chairman of the CEC observed at a press conference, there might be more posters or placards for one side than another, as some groups had complained, but that was not a matter the CEC could resolve.

Voting: All citizens of Russia at least 18 years old were eligible to vote. The law on citizenship made citizens of all those people legally residing in Russia when the law came into effect. According to the chairman of the CEC, in other former Soviet republics, there are about 300,000 Russian citizens, of whom the Foreign Ministry expected about 110,000 to vote. Russian citizens outside the former USSR could vote in Russian consulates and embassies, which set up polling stations and sent in the ballots through diplomatic pouch. According to the Foreign Ministry, 300 such polling booths were set up in 126 countries to accommodate an estimated 60,000 Russian citizens living abroad.

The unstable situation in various former Soviet republics has created a large number of refugees in Russia. Their status and ability to vote were problematic; according to an official of the CEC, people with official status as refugees would present their identity card to election commissions, and if they lived in the region, they could vote. But local election commissions, in fact, were empowered to deal on a case-by-case basis with people who had not yet acquired Russian citizenship but had lived in Moscow or a Russian city for a long time. The same rule applied to homeless people.

Soldiers stationed on the territory of the Russian Federation could vote at polling stations set up in their units, though they could also, for the first time ever, vote at regular nearby polling stations. The right to vote of soldiers serving outside Russia was a matter of contention between Yeltsin and the Congress. The Congress, after hearing reports by Defense Ministry on the difficulties of organizing voting in, for instance, the Black Sea Fleet (over which Russia and Ukraine are still struggling), decided not to let such soldiers to vote. But a few days before the referendum, Yeltsin issued a decree allowing them to do so.

Voting actually began before April 25, for instance, on vessels at sea. The law also permitted people to vote early if they were planning to be outside the Russian Federation, by leaving their ballot in a sealed envelope at the polling station. Voters who could not make advance arrangements to vote outside their home district were supposed to receive from their local election commission a certificate allowing them to vote elsewhere, after being crossed off their local voting rolls.

In sum, there were 105,539,421 voters in Russia (not counting the 600,000 voters of Chechnya, which had declared independence). The chairman of the CEC expected this number to be increased by about 1.5 million to be added onto existing lists because of voters' change of locations, marriage, etc. The single largest voter pool was in Moscow, with over 7 million people; the smallest was the Evenk district, with only some 13,000. District soviets sent or delivered official invitations to voters, reminding them of the date of the balloting and informing them where they could cast their votes.

Added Questions: The Supreme Soviet's March 29 authorization of the referendum barred extra questions, but that did not deter some local authorities, who added to the four referendum questions others reflecting local concerns. Examples included St. Petersburg's decision to include a question on convening a Constituent Assembly to adopt a new constitution, and on upgrading the city's status to a republic, a question also asked in Sverdlovsk and Chelyabinsk. The CEC considered some of these questions, such as this latter one, illegal, and they were challenged by the Prosecutor. Added questions involving matters like renaming of cities did not elicit any legal challenge. Bashkortostan and the Komi Republic asked voters questions on economic independence.

CAMPAIGNING

The Chairman of Russia's Central Election Commission said at a press conference on April 22 that the March 29 decision of the Congress to hold a referendum on April 25 had left little time for preparations. In fact, people had been expecting for months a referendum on April 11, which Yeltsin had announced the previous December. The U.S. Embassy told Commission staff that its officers, traveling around Russia in advance of the voting, had found local electoral commissions well prepared for the voting. In fact, the primary complaint voiced by local election officials was not a lack of time, but having to incur large expenses, which they doubted would ever be reimbursed by the central authorities in Moscow.

For his part, Boris Yeltsin took advantage of the month's interlude to seek popular support. After returning from the April 3-4 Vancouver Summit with President Clinton, Yeltsin launched a campaign swing across the country. While Western reporters recounted that the campaigning at these stops was often lackluster, Yeltsin's supporters went into action, plastering Moscow and other cities with posters loudly advising voters to vote "Da, Da, Nyet, Da" [Yes, Yes, No, Yes]. Yeltsin's opponents produced posters urging voters instead to vote "Nyet, Nyet, Da, Nyet" [No, No, Yes, No].

During this period, Yeltsin also tried to sweeten the pot by offering all sorts of economic incentives to favored groups. For instance, he ordered better working conditions for miners in Kemerovo, raised stipends for students and pensions for pensioners, and promised to hold down price hikes on fuel. In an election-eve appeal for support from the military, Yeltsin also announced plans to give retired officers plots of land, which they would be free to sell, and vowed to restore respect for the army and the officer corps.

Television carried frequent programs on the referendum, offering round table discussions and instructions about voting, some of which were produced by American non-governmental organizations. Khasbulatov and his supporters accused the media of blatant pro-Yeltsin favoritism, occasionally using the term "media terrorism." For instance, a few days before the voting, central television aired a special on Yeltsin at home with his family, evidently to portray Russia's president as a "regular guy." Pro-Yeltsin forces formed a coalition of 88 groups and parties around Democratic Russia (DemRossiia), and broadcast slickly produced, Western-style commercials, urging voters to support the president. By contrast, Vice President Rutskoi failed to gain air time to elaborate on his last-minute allegations of corruption by Defense Minister Grachev, and other members of Yeltsin's cabinet. A representative of DemRossiia offered some confirmation of this charge at a seminar of the National Democratic Institute in Washington on May 12, where he claimed that the mass media was pro-Yeltsin. He added, however, that this was hardly surprising, considering the behavior of Khasbulatov and the Congress [Khasbulatov has long been trying to gain parliamentary control of the mass media, especially of the newspaper Izvestiia].

Less partisan observers, such as Radio Liberty analysts, also had the impression that the media were pro-Yeltsin. Still, a few nights before the referendum, Commission staff in Moscow saw on television several roundtables that presented both sides of the issue, urging voters to vote for and against Yeltsin, and offering reasons. One of the most interesting justifications given for voting against Yeltsin in one such program was that "people who have already emigrated" were pressing everybody to vote for Yeltsin, and they were planning to come back when democracy and prosperity were already established in Russia.

Newspapers also devoted much space to the referendum, usually in the openly partisan manner characteristic of Russian newspapers. On the eve of the voting, for example, Moskovsky Komsomolets printed a full page picture of Yeltsin over the word "Da" [yes]. Pravda and Sovetskaya Rossiia, both fiercely anti-Yeltsin, exhorted the electorate to vote against him.

OBSERVERS

Deputies (elected officials) of all ranks could monitor the voting and vote count. The law also authorized local observers from work collectives, political parties and the media to monitor the voting and vote count. They needed only to present to chairmen of district election commissions a certificate identifying them as authorized observers of a social organization or political party. Many political parties and organizations did, in fact, make clear their intention to send monitors to polling stations. Local journalists could also gain access to polling stations and watch the proceedings, though they could not enter restricted stations in military units.

The situation for foreign observers was more problematic. As CEC Chairman Kozakov repeatedly explained, Russia's referendum law contains no provisions on foreign observers. Consequently, there was neither any official basis on which to invite or bar them. Most of the Western non-governmental organizations which sent observer missions to Russia, such the Washington-based International Republican Institute and the AFL-CIO, and the New-York based Freedom House, received invitations from the leadership of DemRossiia, which, together with other political parties and organizations, banded together to invite foreign monitors and also prepared for them a list of cities and regions where foreign observers could help ensure a fair vote. Russia's central referendum authorities knew about this relationship between Western non-governmental organizations and of their connection to DemRossiia, and encouraged it, suggesting to foreign groups that they rely on their Russian sponsors.

On April 22 — after the ruling of the Constitutional Court that Yeltsin needed only 50 percent of participating voters on questions one and two — the Russian Foreign Ministry invited observers from the CSCE's Office of Democratic Institutions and Human Rights (ODIHR), based in Warsaw. The ODIHR sent a representative to coordinate the monitoring activities of various delegations from CSCE countries, including a group of Italian parliamentarians who arrived in Moscow.

On April 23, Helsinki Commission staff met with Sergei Kovalev, Chairman of the Human Rights Committee of Russia's Supreme Soviet, who had invited the Commission to observe the referendum. Commission staff raised the matter of official accreditation for international observers, which had not yet been forthcoming. Kovalev thereupon contacted the Russian Foreign Ministry, which managed to arrange such accreditation for observer delegations of foreign governments.

VOTING DAY OBSERVATIONS

Polling stations opened at 7 a.m. and remained open until 10 p.m. Voters presented their identification (almost always a passport), signed for the four ballots, took them into a booth, or contemplated them leaning against the wall or conferring with others, made their choices and deposited the ballots in the ballot box.

Generally speaking, though Commission staff observed many technical violations of international norms for voting, there were no violations that appeared to be motivated by a desire to commit fraud. The sorts of violations most often noted involved entire families voting together in the same voting booth — a practice common throughout the former USSR, as frequently seen by Commission observer missions since 1988. In fact, Vice-President Rutskoi and his wife were shown on television standing in the same booth.

The four questions on the referendum were supposed to be on different-colored ballots, but Commission staff saw no polling stations with such paper, which is expensive and hard to obtain. Another surprise concerned the highly publicized referendum rule mandating that all ballots had to be signed by two members of local election

commissions, in order to prevent fraud. But shortly before April 25, after election commissions complained that it would take a great deal of time and effort to sign so many ballots, the authorities decided that ballots could instead be stamped with a seal. Commission staff observed that voters fairly often asked why the ballots were not signed. Most voters were mollified and satisfied with the explanation given by the election commission members, but others insisted on having their ballots signed, which commission members generally did without complaint.

Under the Da and Nyet on each of the four the ballots, voters were advised *nenuzhnoe zacherknut'* — "cross out what is not necessary." Underneath those instructions was a sentence indicating that crossing out both or neither the "yes" and "no" box would invalidate the ballot.

Narva, Ivangorod and nearby cities: Commission staff observed voting in Narva, Estonia, where about 10,000 thousand Russians have acquired Russian citizenship and were eligible to vote on April 25. In the polling place — the second-floor apartment of the Russian consul — voting was orderly, though conditions were, naturally, crowded. (Russian citizens could also have traveled to Tallinn to vote at the Russian Embassy). Commission staff heard from local referendum officials that the general mood among Russians was anti-Yeltsin, because of discontent with the social-economic situation in northeast Estonia.

The Baltic Independent (April 30-May 6) reported that turnout among Russian citizens was generally light, and most of the vote was not supportive of Yeltsin. Of the 1.5 million ethnic Russians in the Baltic states, only about 50,000 were eligible to vote, i.e., Russian citizens.

Across the border in Russia's Leningradskaya oblast, Commission staff encountered varying reactions to the presence of international observers. In Slantsy, the chairmen of two local election commissions insisted that staff obtain permission from the City Soviet. In Ivangorod and other cities, staff was welcomed and invited to return for the vote count. All polling stations visited appeared to be prepared for the voting, which proceeded in an orderly manner.

Commission staff also visited polling stations in Moscow and environs, including Krasnogorsk (a formerly closed military production center) and Shakhovskoe, which is best known for an advanced experiment in privatization under the leadership of Nikolai Travkin, chairman of the Democratic Party of Russia.

Commission staff observed no incidents of local election commission members allowing people to vote for their relatives, a very common practice in previous Soviet elections. But despite all the information disseminated through television on the referendum, the wording of the questions seemed confusing to many voters. Voters often asked election commission members, or each other, for explanations. Local election commission members were not supposed to explain, but they generally did.

Most of the polling stations visited in the Moscow region had observers, or reported that observers had been there and would return. In one polling station where Commission staff watched the vote count, observers from DemRossiia and the Communist Party sat together at one table watching the proceedings. These representatives of opposing political organizations testified that the voting had been orderly, without any untoward incidents, and that they had no complaints. In more rural areas, it was much less common to find an observer from a political party, though the local soviet might send someone around. Nevertheless, DemRossiia dispatched monitors to the countryside. The president of the election commission in Denkovo, a chicken-producing hamlet with 500 registered voters, explained the absence of local political activists by remarking that "the only move-

ment around here is from home to work and back." In rural areas, such as sovkhozes, local election commission workers rarely bothered to ask voters for identification, as everybody knew everybody else in these small communities. In such places, moreover, it was far less likely to find election commission members representing political parties, as opposed to work collectives and social organizations. In Moscow, observers from DemRossiia, the Communist Party and the communist-nationalist National Salvation Front were often in evidence.

COUNTING

Before opening all the ballot boxes and dumping their contents on a table, local commission officials counted (by hand) the unused ballots, noting their number on a protocol. The commission then determined the number of people who had received ballots, and having created four separate stacks for the ballots, counted how many people had participated, the totals for each question, and the number of void ballots. When the counting was completed, the results were indicated on a signed protocol, which was then delivered to the regional commission on the referendum. These regional commissions then delivered these protocols and results to the CEC.

RESULTS

On May 5, the CEC announced the final results. Overall turnout was 64.5 percent of Russia's electorate of 107 million. Of participating voters, 58.7 percent voiced support for Yeltsin and 53 percent backed his policies. 49.5 percent wanted new presidential elections (31.7 percent of the electorate) and 67.2 percent called for new parliamentary elections (43.1 percent of eligible voters).

Yeltsin did particularly well in big cities, such as Moscow and St. Petersburg, in the Far East, the Far North, and generally, in regions where economic reforms are most advanced. He fared poorly in the North Caucasus, except in North Ossetia, which is grateful to Moscow for support in its battle over a disputed territory with the Ingush; the latter, not surprisingly, voted overwhelmingly against Yeltsin. Voting results in the ethnic-territorial republics were mixed, with almost half not expressing confidence in Yeltsin.

POLITICAL IMPLICATIONS

Though all sides were, naturally, quick to put their own spin on the outcome, Boris Yeltsin clearly got a major boost from the referendum. He had vowed to ignore earlier threats of impeachment by the Congress, but he had publicly promised to resign if he lost the referendum. True, some of his supporters stressed before the referendum that questions one and two had no legal significance, allowing themselves a loophole just in case; nevertheless, he had a great deal to lose. Considering what was at stake, the returns were a major victory for Russia's first democratically elected leader, who once again placed his fate in the hands of the people and, for now at least, retains the confidence of most of them.

The show of support for him personally, despite his widely publicized falling popularity, demonstrated that Boris Yeltsin remains the number one politician in Russia, even if the vote reflected only the absence in the public mind of a viable alternative. The outcome might have been different were he running against an individual rival, as opposed to an institution — the Congress — which, along with its most visible symbol, Ruslan Khasbulatov — is quite unpopular with the Russian public.

As important as showing that he can still rally the public, Yeltsin also demonstrated that the public can still be rallied. Though Russians are disillusioned with politics and battered by market reforms, the referendum gave the lie to widespread predictions of low turnout from an apathetic electorate.

Having done better than expected, Yeltsin can exploit the moral aspects of his victory, since the letter of the law, i.e., the Brezhnev Constitution, vests primary authority and sovereignty in the Congress. For that reason, Yeltsin from the beginning could only stake his hopes on a political, as opposed to juridical, victory. The strategy dictated by his strong public support now involves an attempt to alter the terms of reference of power struggles in Russia, abandoning juridical for political considerations and changing the basis and nature of sovereignty. Flouting the Brezhnev Constitution, Yeltsin now argues that the people are the ultimate repository of sovereignty, and their will — which he identifies with support for him — overrides parliamentary decisions. This shift prepares the ground for the adoption of a new constitution.

On question three, pre-term presidential elections, the low affirmative response indicated support for Yeltsin that confirmed the vote in question one. During his campaign swing, Yeltsin had actually advised voters to vote Yes on all four questions, to simplify matters for voters confused by trying to remember the Da, Da, Nyet, Da mantra, or because he was fully prepared to risk a presidential contest to force elections on the parliament. Yeltsin's supporters, however, had urged voters to reject the call for pre-term presidential elections.

Though Yeltsin did not get the necessary number of votes on question four, a large percentage of the electorate nevertheless demanded new parliamentary elections. This public distrust in the parliament undercuts its power and influence further, strengthening Yeltsin's claims of its illegitimacy. The vote allows Yeltsin to paint an unresponsive parliament as unrepresentative of the people, concerned only about its own perks and unworthy of serious attention as the president and his public together go about implementing radical reforms, including new parliamentary elections.

The most surprising — and for Yeltsin — promising result was the show of support for his economic programs. Commentators had expected that a populace buffeted by the transition to a market would reject the reform and its sponsors, a calculation that most directly motivated Khasbulatov and the Congress. The public's surprise 53 percent approval bolstered Yeltsin's current position, undercut his opponents, and most important, offered prospects of an eventual reconciliation between the executive and legislative branches, and the chance to formulate a unified government policy on reform. Both Russian and Western commentators had voiced the concern that the parliament, though deeply unpopular, nevertheless reflected the public's discontent about economic reform. If so, Yeltsin would have few options if the democratic parliamentary elections he demanded yielded a body of legislators as opposed to his economic reforms as the current parliament. The accusation of illegitimacy he leveled at a Congress that refused to back his program — a charge he would not likely have made if the Congress were supportive — would not apply to a future parliament. By voicing more support than expected for market reforms, the electorate gave Yeltsin the grounds to paint the parliament as divorced from its constituents, opposed to change, and to proceed with greater confidence on economic reform.

Another important aspect of the referendum and its outcome is the relationship between Moscow and Russia's ethnic-territorial republics. Many commentators in Russia and the West had forecast that the republics would exploit the referendum as the former Soviet republics used Mikhail Gorbachev's March 1991 referendum on maintaining the USSR — by adding their own questions to accentuate their control of their own resources or their freedom from Moscow's control, leading to Russia's eventual disintegration. Ultimately, as mentioned above,

only a few places put additional questions on the ballot. In the two most independence-minded republics, the referendum went as anticipated: Chechnya boycotted, and Tatarstan, which has not declared independence but has been negotiating with Russia for a year on a bilateral relationship, largely ignored the voting.

In general, the dynamics of the republics' relations with Moscow are complex; in some cases, especially where the former Communist Party nomenklatura remains strongly entrenched, the driving factor is reluctance to carry out Yeltsin's economic reform; elsewhere, Yeltsin's tendency to assert executive powers frightens republic leaders now seeking to consolidate their gains vis-a-vis Moscow, yet they also fear that Yeltsin may well be more inclined to grant them autonomy and local control than anyone else who might come to power in Moscow. Yeltsin has been wooing the heads of the republics for some time, offering concessions and reassuring them about his intentions. Given the certainty of continued power struggles between Yeltsin and the Congress, the republic leaders will be courted by both, and will likely play a key role in Yeltsin's plans to adopt a new constitution.

PROSPECTS

Yeltsin moved soon after the referendum to present the public with his plans and the Congress with a fait accompli. On April 29, he released the draft of his constitution and announced his intention of convening a Constitutional Assembly, composed of two representatives from Russia's 89 republics and regions, to discuss his draft constitution and then prepare its adoption. Two days before the referendum, he had released some details of his draft, which features a presidential system, the replacement of the Congress of People's Deputies with a bi-cameral legislature, and guarantees for private property, including the right to buy and sell land. Yeltsin's constitution also abolishes the post of vice president, and gives the president the right unilaterally to dissolve parliament, as well as to nominate all ministers, except the prime minister, without consulting parliament. In the same spirit, Yeltsin announced on May 6 that the referendum had given him a mandate to call for new parliamentary elections by the fall of 1993. He added that a new electoral law for the bi-cameral parliament he envisions is already being drafted.

Khasbulatov and the Congress, meanwhile, steadfastly maintain that the referendum changed nothing; the first two questions, they argue, had no juridical consequence, and Yeltsin failed to get the needed number of votes to force pre-term elections. The Congress, accordingly, is proceeding with its own version of a new constitution. This draft also replaces the Congress with a bicameral legislature, but gives more power to the latter, which cannot be dissolved by the president, and keeps the post of vice president.

Reportedly, Yeltsin's plans involve offering the parliament a chance to consider the final version of his draft, but if parliament refuses to acquiesce in its own demise, he will adopt his constitution by decree, have it adopted by a Constituent Assembly or schedule another referendum. In all cases, Yeltsin would essentially bypass the Congress, with a view toward consigning it to irrelevance and eventually oblivion.

Congress' response to Yeltsin's strategy is unpredictable. The results of the referendum may chasten its members and move them towards greater pliancy and a compromise on political and economic reforms, a constitution and new elections. But Yeltsin seems more inclined to confront the Congress than to seek a deal; on May 12, he told a gathering of leaders of Russia's regions and republics that they would in future constitute one chamber of Russia's new parliament, and that they, "and not someone else," should work on the constitution and adopt it.

If the Congress resists Yeltsin's plans, he can proceed only by breaking the law of the land. As a pro-Yeltsin commentator wrote in *Moscow News* (April 23), Yeltsin would "ignore the letter of the law, but sustain the spirit of democracy." In that case, Yeltsin may also have to confront rulings of unconstitutional conduct by the Constitutional Court, unless the referendum results make the Court more supportive of the president. It would be harder for him to ignore the Court than to bypass the Congress, which a large percentage of the electorate distrusts. Though Yeltsin's backers accuse the Court and its Chief Justice Zorkin of being politicized and affiliated with Khasbulatov, there has been no strong public expression of dissatisfaction with the Court, which represents Russia's best hope to date of a third branch of power.

One possible inducement Yeltsin could offer Congress is to hold both presidential and parliamentary elections. Should he do so, he would certainly have to face competition. Vice President Rutskoi — in whom Yeltsin has said publicly that he has no confidence and whom he wants to resign, having already stripped him of many responsibilities and perks — has declared that he would seek the presidency in future elections. Meanwhile, he stated that he will not resign, and Yeltsin has no established procedure to get rid of him. More interesting, perhaps, is the announcement by Grigory Yavlinsky, the radical economist best known for his market reforms under Mikhail Gorbachev, that he, too, will seek the presidency. Facing a reformist rival who does not frighten the pro-democratic and pro-reform forces will demonstrate how much support Yeltsin really has.

It appears, therefore, that the summer and early fall in Russia will witness continued struggle between a strengthened Yeltsin and a still defiant Congress, while Yeltsin tries to prepare for new elections and getting his constitution approved. In the upcoming campaign, the expensive campaign promises he made before the referendum may yet come back to haunt him. If implemented, they would strain an already overextended budget and Yeltsin therefore risks either being seen as a "promise them anything" politician, or exacerbating Russia's hyperinflation further.

In sum, the April 25 referendum was certainly not the final round in the standoff between the President and the Congress. That struggle is sure to continue, and with the stakes growing ever higher, the chance of violence — of which there has been little so far — rises as well. The May Day clashes in Moscow between police and an anti-Yeltsin coalition of pro-communists and nationalists may signal a possible spread of the battle from the White House and the Kremlin to the streets, and, in the worst case scenario, the barracks.