



Street banner advertising voting day for the constitutional referendum in Russia. Moscow - June 21, 2020 (Source: Shutterstock)

# Winning the Referendum and Losing Legitimacy in Putin's Russia

By Oksana Antonenko

Millions of Russians voted in the hastily arranged referendum amid unprecedented uncertainty about their future, the deepest economic crisis in generations (triggered by the collapsing oil price), and declining public support for a political leader who once embodied hopes for national renewal. The vote came several years after the Russian nation started to unite around a new set of values, yet this nation-building process allowed deep divisions to come to the fore, including profound inter-generational rifts. Over 77 percent voted in favour of the question, which was as existential as it was ambiguous. In fact, its real meaning was lost on many of the voters who were voting mostly for their

personal survival amid the accelerating economic crisis, rather than for the survival of the political system which long ago lost their trust. The date of this referendum? March 17, 1991.<sup>1</sup> While this referendum mandated the continuation of the Soviet Union, it has collapsed less than a year later.

Fast-forward thirty years—from that momentous 1991 referendum to another Russian referendum, this time to approve a package of constitutional amendments. Once again, the referendum took place against the backdrop of unprecedented uncertainty and anxiety triggered (this time) by a global pandemic, deepening

economic recession, low oil prices, and growing geopolitical tensions.

Once again, over 77 percent of voters (according to official results) voted in favour of the proposed package of 206 amendments. The large number of amendments was deliberately intended to disguise their true intent: to abolish the term-limit for President Putin and to allow him to run again in 2024. Proposed amendments included acknowledging God, enshrining a minimum wage, banning same sex marriage, strengthening the powers of the State Duma, banning territorial concessions, and forbidding elected officials to hold foreign bank accounts.

Opinion polls indicate that voters (once again) were primarily motivated by their individual welfare, rather than support for a political system. Others voted for their values, but these were not the values of freedom and pluralism present in 1991. The values influencing the recent vote were deeply conservative—and several of the proposed amendments were designed to exploit profoundly divisive issues like same sex marriage. Once again, people voted for stability, knowing that the fate of the country may soon be turning in a yet unknown direction.

This striking similarity in context and numbers of the 1991 referendum is not necessarily a harbinger of contemporary Russia's future. There is no doubt that in 2020, the Russian state is in no danger of imminent collapse. Not only does Russia not face a crisis of mass poverty on the scale that its people endured 30 years ago, Putin's political system is much stronger than Gorbachev's was in 1991. Perhaps most importantly, Putin does not face a charismatic and power-hungry political rival like Boris Yeltsin. Putin's security apparatus is more loyal,

more repressive, and more effective. Today's world, marked by a declining and divided democratic West and rapidly rising China, offers no clear inspiration for many Russians, who in 1991 saw an alternative in the democratic and prosperous West.

Yet this historic comparison is nonetheless instructive. It offers a useful prism through which to assess important takeaways from the 2020 constitutional vote and illuminate its implications on at least three counts: purpose, legitimacy, and legacy.

In 1991, the referendum result was quickly overturned by history, as the Soviet Union collapsed

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less than a year after the vote. And the key question today is what the consequences of the 2020 referendum will be. Will the referendum help President Putin to realise his ambitions for himself and for Russia, or will it push the country and its political system in the opposite direction?

## Strength and weakness

Let's start with the purpose of the plebiscite. The key driver of the vote in 1991, just as now, was an attempt by a Russian leader to consolidate his power amid a rapidly changing world around him. In 1991, Gorbachev was hoping to use the referendum to fend off pressure from his main political rival, Boris Yeltsin. We now know that the referendum in fact only helped to accelerate Gorbachev's political demise.

In 2020, 205 of the constitutional “innovations” appear to serve as wrapping paper for the 206th: The opportunity to remain as lifelong leader, father of the nation, and the only figure capable of making Russia a strong power at home and abroad. Twenty-nine years after Russian people voted for change in the Gorbachev era, Russia now has a president eligible to remain in power until 2036. If he serves until that date, his term as Russia’s de-jure and de-facto leader would be 36 years, longer than any Soviet leader, including Stalin. It is long enough to fully vindicate Speaker of Parliament Volodin’s famous phrase that “there is no Russia without Putin.”

Putin’s gamble to hold the referendum in these challenging times has paid off so far. It has strengthened his grip on power after several difficult months, which clearly exposed and magnified the limitations of his “manual management” (*ruchnoye upravleniye*). This system, which relies on the decisions of one man at the expense of any independent and well-functioning institutions, has

proven to be a poor match for a global pandemic. The challenge came not only from the health and economic effects of the virus, but from the fact that several governors who led their local fights against it (often with little effective backing from the Kremlin) have in effect sown the seeds of institutional growth. Given time and resources, effective local leadership could have emerged under a less centralised system. Instead, the referendum result shows that these institutional green shoots are likely to be suffocated by the Kremlin’s paranoia. All signs indicate that their fear of challenge will continue, even now that the “lame duck” threat hanging over Putin is over. We can look forward to renewed demands for unwavering loyalty from governors, parliamentarians, and media talking heads alike.

But can this strength be sustained in the long run? In 1991, Gorbachev’s victory in the referendum marked the beginning of the end of his power. It provided him a false sense of security. The secondary question of that referendum (the



Vladimir Putin addressed State Duma deputies, Federation Council members, heads of Russian regions and civil society representatives in the Kremlin. photo courtesy of kremlin.ru

introduction of the directly elected post of the President of the Russian SSSR) proved to have a far greater impact than the main question of preserving the Soviet Union.

Could the same happen again? The new constitutional changes do grant Putin the opportunity to run again in 2024. They also set in motion the most significant redistribution of power between different branches of government, all while introducing new economic and geopolitical pressures on the government. Perhaps most importantly, they clearly expose Putin's ambitions for all to see, including to the new generation of Russians who have grown up in the internet age and have known no other leader. Many provisions of the Constitution remain too vague to analyse but are difficult to ignore. What will be the role and powers of the State Council? How will the "federal territories" affect the already tense center-regional relations? Have the new amendments just expanded the number of contenders for a piece of Russia's rapidly shrinking economic pie? All these factors make the outcome of the 2024 election much less certain than the referendum backers might wish to believe.

### The question of legitimacy

The second takeaway from the referendum is the issue of legitimacy conferred by the vote. In 1991, over 77 percent voted in favour of the renewed Soviet Union—but that did not help to strengthen its legitimacy. Instead, the referendum strengthened the legitimacy of the process whereby people decide in a direct vote the fate of their country and its leadership. The resulting election of the first Russian President proved to be the first – and so

far the last – free, fair and competitive election in Russian history. It was this process that became the key factor that eventually helped break the Soviet system of intimidation, half-truths, and fear.

What does this lesson mean for 2020? Can this year's referendum play a similar legitimacy trick on the Kremlin? Can the process of the referendum turn out to be more consequential than its outcome? In contrast to 1991, when Soviet authorities allowed honest voting to take place (it was managed by two electoral commissions, USSR and RSFR, which exercised oversight over each other's actions), no credible oversight was allowed in 2020. The unprecedented and undisguised level of voter manipulation, unabashed lack of transparency, and rampant vote buying (with lottery tickets and other perks to voters) by the Kremlin have in fact undermined the legitimacy not only of this vote, but of the political system itself.

In the absence of truly competitive elections, public trust is the key indicator for measuring the legitimacy of an authoritarian leader. Why should a confident and trusted leader resort to such machinations to secure citizens' support for him to continue governing? The answer is obvious: not only has the Kremlin lost faith in its ability to secure people's consent through a free and fair vote, but the citizens themselves are rapidly losing trust in Kremlin's ability to steer the country in the right direction. According to independent polls conducted in April 2020, half as many Russians have included President Putin among the most trusted politicians, then in 2017.<sup>2</sup> The referendum will do little to reverse this trend.

Very few people trust the official results (77.92 percent), which appear to be arbitrarily chosen to



Moscow, Russia. Rally against the results of the results of the constitutional referendum. Inscription on the woman's mask reads "No! No! No!," and on her hand "Putin - thief." shutterstock.com

surpass the results of both the 1993 constitutional referendum (58.43 percent) and 2018 Presidential elections (76.69 percent). But numbers alone do not confer legitimacy—only trust in those numbers can. The 2020 results are not trusted, not even by those who do not see themselves in active opposition. This is bound to have consequences, if not immediately, then in years yet to come.

Going forward, the biggest mistake that the Kremlin can make would be to infer from its “successful” referendum manipulation that the same unaccountable process can be safely applied to future votes. While the opposition in Russia decided not to mobilise its supporters against the referendum, and COVID-19 restrictions made any mass protests impossible, Russia’s still vibrant social media buzzed with people’s disgust over the obvious vote manipulation. The widely perceived illegitimacy of the process—even if some people do genuinely liked some of the amendments—could mobilize

more people to ensure that the same process is not repeated when the real choice comes in 2024. Recent polls indicate that many formerly loyal or apolitical Russians have lost trust in the current system and are looking for a change.<sup>3</sup>

Another major mistake is to interpret Kremlin’s ability to ensure that the Russian society acquiesces with referendum irregularities as evidence that society will acquiesce with a new crackdown against potential opponents and competitors. Since the referendum, the authorities have detained prominent journalists, activists, and even the Governor of Khabarovsk region. Mr. Furgal, a member of the nationalist opposition party, defeated pro-Kremlin candidate in 2018. While he demonstrated good results in fighting COVID in his region, he also delivered one of the lowest number of votes in favour of Constitutional amendments in his region. Thousands of Khabarovsk residents have protested his arrest in one of the largest protests in Russia.

These protests are important because in September, Russians will elect governors in 11 regions, and critically important Duma elections will take place in 2021. The Duma elections are important: not because the new constitutional amendments might transform the State Duma into a real check on the executive branch, but because it will be a precursor for the 2024 presidential vote and a barometer of changes in public mood after the current crisis. With real incomes declining further and unemployment on the rise, political grievances

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are likely to come to the fore. These factors, not the recent referendum, will shape the environment in which President Putin will have to win a real public confidence vote in 2024.

### **(Not so) Great Expectations**

The third takeaway relates to the legacy of the referendum. The 1991 referendum has been mostly forgotten. It is barely taught in schools or mentioned in political speeches. For those who did not live through it, it resembles a straw fence that was blown away by the wind of change. Yet it has left a legacy, which remains controversial even 30 years later.

Proponents of the Soviet Union's demise see that referendum as a building block of national self-determination. The various republics were allowed to add their national ambitions to the vote, yet the six republics where separatist aspirations

were the strongest—Armenia, Estonia, Georgia, Latvia, Lithuania, and Moldavia (Moldova)—opted to boycott the referendum all together, galvanizing their cause. Supporters of the Soviet Union, on the contrary, argue that the referendum result (even absent the separatist vote) proves that the absolute majority of Soviet citizens wanted to preserve the Union, and that the Belovezh Agreements, (which later that year dissolved the Soviet Union) were and remain illegitimate or even illegal.

How will history interpret the 2020 referendum? Will it be the same straw fence standing against historic winds, or will it become the first stone in the foundation of a different Russia? Will it remain controversial, and if so, where will the dividing lines run in assessing its legacy?

It is clearly too early to judge, given that a lot will depend on how Russia's political system survives 2024 and beyond. But if there is one certainty, it is that history books will record "a referendum in the year of the pandemic," rather than "a pandemic during the year of the referendum." COVID-19 is set to have a more significant and lasting impact on Russia than any of the constitutional changes, including Putin's term reset clause. The pandemic will not only reshape Russia's growth model by accelerating global energy transition and the onset of permanently lower commodity prices, it will reshape global geopolitics (and Russia's place in it)—not to mention Russian society (as well as others).

One assumption, therefore, is that the referendum will pose several real challenges for Russia. Constitutional amendments will not strengthen Russia's resilience against impending internal and external shocks. On the contrary, such shocks are likely to further accelerate Russia's drift towards

isolationism. Russia will find it harder to build cooperative relationships with the EU (based on values-based amendments), Japan (with new ban on territorial concession likely to delay the resolution of their territorial dispute), and other democracies. Enshrining the dominance of the constitution over international law will make it harder for many Russians who are fighting to defend their rights in international courts, like ECHR, to seek justice. This attitude towards international law will raise questions about the rule of law itself inside Russia, which is the key prerequisite for a country to build its global competitiveness. At a time of global re-wiring of supply chains, Russia will not be a preferred investment destination, even from China. Nor will it emerge as a technological hub, which requires less centralised eco-systems and a flourishing private sector. Meaningful structural reforms appear more remote than before the referendum, as the prospects of any political transformation have been diminished.

Another argument, voiced inside and outside of Russia, is that the referendum will have no major impact on the country. It has exposed very little new about contemporary Russia. It has simply reaffirmed that the Kremlin is determined to use all its resources to hold on to power, that political opposition remains divided and weak, that people are prepared to sacrifice their rights and freedoms for the promise of better earnings (even if it comes after 5 years of declining real incomes), and that Russian authorities no longer care what the rest of the world thinks about their political machinations. In other words, 2020 will not be a watershed, but represents instead a logical progression of the existing political system. Moreover, the system has so far proven to be more robust than many have expected – surviving several recessions,

international sanctions, and now the pandemic.

Only time will tell whether the proponents of gloom or the status quo are correct. What is telling, however, that very few independent analysts expect that the referendum will propel Russia towards a better future. Recent trusted surveys of younger Russians have identified a trend of their increasing political apathy and disdain of politics.<sup>4</sup> This referendum has done very little to change the attitude of tomorrow's voters.

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The opinions expressed in this article are those solely of the author.

## Endnotes

1. The Soviet Union held a referendum on March 17, 1991 asking voters to approve the question “Do you consider necessary the preservation of the Union of Soviet Socialist Republics as a renewed federation of equal sovereign republics, in which the rights and freedoms of an individual of any nationality will be fully guaranteed?” 77.8 percent voted in favour. Less than a year later, the Soviet Union ceased to exist.
2. According to an open poll conducted by Levada Centre, 59 percent of Russians included Putin among top 5 most trusted politicians and only 28 percent did so in April 2020 (<https://www.levada.ru/2020/05/06/odobrenie-institutov-vlasti-i-doverie-politikam/>)
3. Artyom Zemtsov, “We do not want the current government to do something for us, we want a different government.” *Mneniya*, June 5, 2020. (<https://republic.ru/posts/96885>)
4. “Values, Orientations and Participation in the Political Life of the Russian Young Generation.” Levada Center, June 30, 2020. (<https://www.levada.ru/2020/06/30/tsennosti-orientatsii-i-uchastie-v-politicheskoy-zhizni-rossijskogo-molodogo-pokoleniya/>)









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