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Legislative Representation in the USSR

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Introduction

The purpose of this paper is to gain a better understanding of the concept of legislative representation in the Soviet Union. In order to accomplish this, certain definitional obstacles must be overcome.

The most basic term in need of definition is the word "legislature." Nelson Polsby defined legislatures as being:

"... assemblies whose members meet, deliberate, and act collectively as formal equals. He says that legislatures are further distinguished by their standing as official rather than private bodies and by the fact that their formal enactments are binding on the population to which they are accountable and from whom their legitimacy emanates."

Michael Mezey defined a legislature as:

"a predominantly elected body of people that acts collectively and has the formal power but not necessarily the exclusive power to enact laws that are binding on all members of a specific geographic entity."

Most scholars accept the assumption that legislatures are institutions that are rooted in representation. Representation may be performed through a number of specific legislative roles that have been identified. These include: political recruitment, representing the views of constituents to nonlegislative elites in government, informing the public, bureaucratic oversight, nation-building, and political integration and legitimization.

Common to all these discussions of legislatures is the underlying acceptance of the assumption that legislatures make laws and act on behalf of their constituents. This activity of acting on behalf of a constituency can be referred to as representation.

Representation can take on several forms and may not involve precisely the same activities under all circumstances. Two of the more prominent forms of representation are Burkean representation and Liberal representation.

Edmund Burke argued that representation was too important and specialized a function to be left to the ordinary citizen. Legislative representatives were to be charged with directing society toward a normatively correct goal. This would require, according to Burke, a capacity for discernment not possessed by most citizens. Representatives had to be willing to forego short-term and local interests in exchange for long-term national interests.

The Liberal concept of representation rejected the argument that legislators must move their societies toward some morally correct goal. For the Liberal, representation was a way to serve the specific, immediate needs of a particular constituency. Since resources were always scarcer than the demand for them, conflict was bound to develop. By institutionalizing competition for these resources in the legislature, resources could be allocated without threatening the system.

Robert Weissberg applied the concepts of Burkean and Liberal
representation to the American Congressional context using the terms collective and dyadic representation. The research of Weissberg and Pitkin should make the reader aware that dyadic, Liberal representation is not the only legitimate form of representation available.

Past legislative research has tended to limit comparative study to Western political systems. Consequently, eastern European legislatures have gone largely unstudied. The discussions collected by Wahlke and Eulau and Patterson completely ignore Communist legislatures. In the past, students of Communist political systems have tended to regard legislatures as irrelevant to policymaking. There is the general assumption that these bodies are "... mere parodies of deliberative bodies ...," and are hence unworthy of study.

It is my hypothesis that legislative representation does occur in the Soviet Union. I will argue that representation in the Soviet Union is conceived of as a more Burkean process than it is in the United States. I do not wish to suggest that Soviet legislative representation is totally devoid of Liberal overtones. In fact, I will argue that representation is at least partially accomplished through constituency-service and oversight. In this paper, I will present a justification for studying the Soviet legislative system, the constitutional bases of Soviet legislative representation, and an examination of constituency-service and legislative oversight of the bureaucracy.

If a legislature is to have the capability to represent its constituents, it must be regarded as legitimate by those constituents. Without this sense of legitimacy, citizens will not be able to perceive any of the attempts made by legislators to perform the representative function.

Legislatures in Communist states have gone unstudied largely because Westerners have considered these states to be totalitarian political systems that offer their citizens few, if any, opportunities for political expression and participation. The Soviet Union attempts to portray itself as a democratic state, which should involve, at a minimum, the participation of the citizenry in the political process.

In the West, citizen participation is traditionally measured (though not exclusively measured) through the level of voter turnout during elections. I believe that there is a sufficient amount of Soviet electoral data to suggest that there are opportunities for political expression in the Soviet Union. The opportunity for political expression may suggest that the citizenry has the legitimate ability to present inputs to the larger political system. This, in turn, would suggest that decision-making and policymaking in the Soviet Union is not a monolithic process and that legislative bodies might serve some function in it.

The 99.0% voter turnout level in the Soviet Union is obviously incorrect. The implications of these turnout statistics, which sometimes exceed Gilson's 99.0% average, are simply unbelievable. If they were correct, in 1975 "only 27 Turkmens out of 1,156,848 failed to vote. In Tadzhikistan the figure given is 65 out of 1.5 million and in Kirgizhia 125 out of 1,639,808." While the official figures are somewhat unbelievable, it would not be unreasonable to suggest that legitimate voter turnout statistics would be
higher in the Soviet Union than they would be in many Western states. There are almost no impediments to voting in the Soviet Union. A voter must merely meet the requirements of age and citizenship. The burden of registration is on the local soviet rather than the voter himself. Proximity to polling stations is not a problem either since voters who expect to travel on election day may simply apply for a "certificate of the right to vote in another place," which they can present in any polling place in the Soviet Union. In addition, hospitals with more than fifty voters have polling stations, as do ships with twenty or more voters, long distance trains, and major air and rail terminals.

The Soviet political system also makes extensive use of agitators who are charged with informing voters about the candidates and "getting out the vote." Additionally, "election day is declared a holiday and is scheduled for a Sunday . . . since Sunday is a general day of rest in the USSR." This serves to further reduce the degree of inconvenience that voters are expected to endure.

Soviet elections are not necessarily rubberstamp confirmations of candidates. Some voters do cast negative ballots and occasionally, local level candidates are defeated.

Since Soviet elections are very convenient to participate in, and virtually impossible to forget to participate in Gilson has suggested that those who abstain from voting are engaging in a form of negative input, since these elections are supposed to add to the regime's legitimacy.

"the system demands active involvement, participation that gives visible evidence of one's loyalty . . . (I)naction, purposeful noninvolvement, is just as dispicable as negative action."

The possibility that Soviet elections allow for some degree of political expression does exist. If traditional conclusions concerning citizen participation in the Soviet political system as a whole are incorrect, it is possible that traditional conclusions concerning subsystems, such as the legislative network, may also be incorrect.

II

The Supreme Soviet of the USSR is the preeminent legislative body in the Soviet Union. It is a bicameral body comprised of the Soviet of the Union and the Soviet of Nationalities. The Presidium of the Supreme Soviet sits at its apex and is "... elected from among the deputies and consists of the chairman, fifteen Deputy Chairmen—one from each union republic, the Secretary of the Presidium, and twenty-one members of the Presidium of the Supreme Soviet of the USSR."

An integrated system of subordinate level soviets permeates the entire nation, extending to the sublocal level. These lower level "Soviets of People's Deputies" include:

"the Supreme Soviets of the union republics; the Supreme Soviets of the autonomous republics; the territorial and provincial Soviets of People's Deputies, the
Soviets of People's Deputies of autonomous regions and autonomous areas; district, city, (district) city-district, settlement and village Soviets of People's Deputies...”

According to the Constitution of the USSR, this system of soviets represents the supreme power of the people of the USSR. The Constitution of the USSR seems to suggest that representation is conceived to be a Burkean process in the Soviet Union. Rather than making explicit reference to serving the needs of individual citizens, the Constitution states: “(t)he Communist Party of the Soviet Union is the leading and guiding force of Soviet society and the nucleus of its political system and of (all) state organizations. The CPSU exists for the people and serves the people.

Armed with Marxist-Leninist doctrine, the Communist Party determines the general perspective of the development of the domestic and foreign policy of the USSR, directs the great creative activity of the Soviet people, and imparts a planned and scientifically sound character to their struggle for the victory of Communism.”

This passage from the Soviet Constitution indicates that the government of the Soviet Union is to be directed by the CPSU to achieve a specific goal, the stage of Communism. V. I. Lenin argued in What is to be Done? that the masses were incapable of discerning their own long-range interests, and therefore required the direction of a vanguard party. Both the Constitution of the USSR and Lenin's writings appear to be more supportive of the Burkean concept of representation than the Liberal one, in that they argue in favor of a goal that is presumably considered to be objectively correct and recognize that the average citizen may not be able to recognize what must be done to attain this goal.

III

Part II of this paper indicates that the concept of representation is not foreign to Soviet political thought. While the Soviet understanding of representation may be different from the American understanding of representation, the concept itself is legitimate.

Despite the Burkean nature of representation as it is presented in the Constitution of the USSR and in the writings of Lenin, representative activity does take place in the Liberal sense of the word as well.

Constituency service does occur at the local level of Soviet government and is an activity that is encouraged by the higher echelons of the government. Table 1 indicates the extent to which constituency service is considered important by the deputies of local soviets.
In response to the question “Which area of your activities as a deputy do you consider the most fruitful?” samples taken of local deputies in both 1969 and 1971 indicated that considering the complaints and proposals of the voters was consistently ranked either first or second by all the categories of deputies listed. In the same time period, all categories of deputies ranked working with the mandate of the voters as either second or third in its degree of usefulness. While it is difficult to determine what exactly is meant by the term “mandate of the voters”, it does appear to be similar to considering the views of the voters.

One might raise the question of the validity of a survey undertaken in the Soviet Union, given the potentially coercive role of the government. While such a concern is legitimate, there does not appear to be any reason to believe that the answers provided by the respondents of this survey were given simply to please individuals at higher levels of the governmental and Party structure. In fact, the low scores given to the usefulness of agitation and propaganda work for virtually every category of respondent suggests that the survey may indeed be legitimate.

As Friedgut noted, there appears to be a fair degree of reliance by the government on agitators in election campaigns. Evidently, the government considers such activity to be desirable, and if this survey were intended to provide support for official positions one would expect scores for the usefulness of agitation and propaganda work to be higher.

There is also some theoretical basis that would support the legitimacy of this survey. Merle Fainsod found that during the 1930s in Smolensk Province, citizens routinely utilized the services of their provincial soviets in order to have demands satisfied.

James Oliver found that in the cities of Leningrad and Moscow, citizens inundated the raion (borough) level soviets with demands. These demands, like casework demands placed on American legislators, are of a personal or individual nature and do not usually relate to matters of overall government policy.
Table 2 also supports the hypothesis that constituency service is an important aspect of legislative representation in the USSR at the local level. Table 2 indicates that with the exception of deputies who held the social position of Employee in 1971 an overload in basic work was either the first or second most frequently mentioned difficulty mentioned by deputies across social positions in 1969 or 1971. In fact, with the exception of 1971 workers and employees, it was the most frequently mentioned complaint. While “overload in basic work” is not a clearly defined term, I would argue that a substantial amount of this basic work is probably concerned with constituent service. Oliver noted that when demands are not responded to at one of the local levels, citizens often submit them to higher levels, which in turn place pressure on the lower level to respond to the citizen demand. According to Oliver, 40% of the raion level complaints are handled after being submitted to a higher level.33

The satisfaction of these demands would indicate that the Soviet government approves of citizens making demands on the government. Indeed, this may be one way in which citizen participation is encouraged. Satisfaction of such personal demands would serve the Liberal system maintaining function of institutionalizing citizen dissatisfaction and distributing small quantities of resources in order to maintain the systemic status quo without complaint.

IV

Legislative representation may also take place through legislative oversight of the bureaucracy. The Soviet Constitution makes reference to an
oversight function for the Supreme Soviet.

“The Soviet of the Union and the Soviet of Nationalities elect from among the deputies standing commissions for the preliminary consideration and preparation of questions within the jurisdiction of the Supreme Soviet of the USSR and its Presidium, and the supervision of the activities of the state organs and organizations.” 34

“The Supreme Soviet of the USSR supervises the activities to all state organs accountable to it.” 35

Lower level soviets are also given powers of oversight. These powers are specifically spelled out in Chapters 12 and 15 of the Constitution of the USSR. In these chapters, the operation of the soviets and the functions of their deputies are stated. 36

While an oversight function may exist in theory, there is no guarantee that this is the case in reality. I believe that there is some evidence that theory and reality do converge on the issue of oversight.

Table 3
The USSR Supreme Soviet: Standing Commissions, 1954-1979

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Legislative proposals (1938)</td>
<td>2</td>
<td>7</td>
<td>5</td>
<td>7</td>
<td>15</td>
<td>8</td>
</tr>
<tr>
<td>International affairs (1938)</td>
<td>5</td>
<td>0</td>
<td>5</td>
<td>7</td>
<td>9</td>
<td>10</td>
</tr>
<tr>
<td>Planning-budget (1938)*</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>7</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Mandates (1938)</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>7</td>
<td>7</td>
<td>9</td>
</tr>
<tr>
<td>Economic (Council of Nats)</td>
<td>2</td>
<td>5</td>
<td>3</td>
<td>—</td>
<td>—</td>
<td>—</td>
</tr>
<tr>
<td>Industry (1966)*</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>4</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Transport and Communications (1966)*</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>3</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>Construction and building materials industry (1966)</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>3</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>Agriculture (1966)</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>5</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Communal economy and services (1966)</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Health and social security (1966)</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>6</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Education, science and technology (1966)*</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Youth (1968)</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>4</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Conservation of nature and rational use of natural resources (1970)</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Consumer goods (1974)</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>6</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Women’s work and social conditions (1976)</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Joint sessions</td>
<td>0</td>
<td>2</td>
<td>4</td>
<td>15</td>
<td>19</td>
<td>21</td>
</tr>
<tr>
<td>Total</td>
<td>18</td>
<td>22</td>
<td>25</td>
<td>65</td>
<td>83</td>
<td>98</td>
</tr>
</tbody>
</table>

Table 3 indicates that two interesting phenomena have occurred since 1954. First, the number of standing commissions has increased dramatically, particularly since 1966. Second, the number of meetings that these commissions have held has also increased. Those commissions that have existed since 1954 have met with more frequency particularly since 1966. 37

If these commissions were merely rubber-stamps with no real oversight authority, there would be no reason to increase either their numbers or the frequency with which they meet. If these commissions performed nothing
more than symbolic duties within the Supreme Soviet, there would be no need to maintain them at anything above a symbolic level. The number of functions that a standing commission could be expected to engage in is rather limited. Two of the more obvious activities are legislative initiative and oversight. There is no evidence to suggest that these commissions engage in the formulation of legislation.

Table 4
The USSR Supreme Soviet: Characteristics of Deputies, 1937-1979
(in percentages)

<table>
<thead>
<tr>
<th>Convocation</th>
<th>Women and Candidates</th>
<th>Age</th>
<th>Education</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>To 30</td>
<td>31-40</td>
<td>41-50</td>
</tr>
<tr>
<td>1st (1937-46)</td>
<td>16.5</td>
<td>76.1</td>
<td>24.9</td>
</tr>
<tr>
<td>2nd (1946-50)</td>
<td>20.7</td>
<td>81.0</td>
<td>10.1</td>
</tr>
<tr>
<td>3rd (1950-54)</td>
<td>21.3</td>
<td>83.5</td>
<td>6.5</td>
</tr>
<tr>
<td>4th (1954-58)</td>
<td>25.8</td>
<td>78.0</td>
<td>8.2</td>
</tr>
<tr>
<td>5th (1958-62)</td>
<td>26.6</td>
<td>76.1</td>
<td>7.7</td>
</tr>
<tr>
<td>6th (1962-66)</td>
<td>27.0</td>
<td>75.8</td>
<td>14.5</td>
</tr>
<tr>
<td>7th (1966-70)</td>
<td>28.0</td>
<td>75.2</td>
<td>12.0</td>
</tr>
<tr>
<td>8th (1970-74)</td>
<td>30.5</td>
<td>72.2</td>
<td>18.5</td>
</tr>
<tr>
<td>9th (1974-90)</td>
<td>31.3</td>
<td>72.2</td>
<td>18.4</td>
</tr>
</tbody>
</table>

Sources: Verkhovnyi Sovet SSSR devyatogo sozyva (statisticheskii sbornik), pp. 46-51; Vedomosti Verkhovnogo Soveta SSSR, no. 11 (14 March, 1979), p. 171.

(From White, 251)

Table 4 indicates that there has been a steady drop in the percentage of Supreme Soviet deputies holding only primary educations. There also seems to have been an attempt to maintain the Supreme Soviet membership at approximately 50% above the secondary education level. While this tells us nothing about oversight in and of itself, it is reasonable to conclude that oversight could not effectively take place without legislators who are competent to understand technically complex information.

Table 5
Re-election by Education

<table>
<thead>
<tr>
<th>Level of education</th>
<th>1966 Soviet</th>
<th>Re-elected</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(11)</td>
<td>(11)</td>
</tr>
<tr>
<td>Primary only</td>
<td>82</td>
<td>12</td>
</tr>
<tr>
<td>Secondary*</td>
<td>600</td>
<td>130</td>
</tr>
<tr>
<td>Higher†</td>
<td>831</td>
<td>481</td>
</tr>
</tbody>
</table>

*Including incomplete secondary
†Including incomplete higher.

(From Hill, 1972;52)

Table 5 indicates that between 1966 and 1972, the least frequently reelecled group of deputies held only primary educations. Those with post-secondary educations on the other hand were the most frequently reelected members of the Supreme Soviet. While this does not provide enough information to determine long-term trends, it may indicate some support for the hypothesis that educational credentials are becoming more important within the Supreme Soviet.

The reelection of those members of the Supreme Soviet who have better educations may be further indicative of the oversight role played by the Supreme Soviet. It is difficult to learn the informal rules of any organization. In the legislative context, mastering these rules can be crucial to one's
success. Those who serve in the Supreme Soviet for only one term are less likely to have the opportunity to learn how to perform their jobs effectively. By preventing the reelection of those with only primary educations, the Soviet political system widens the gap of relative effectiveness between the well educated and the poorly educated.

I believe that the oversight function has been sanctioned by the Soviet political system, and has not become more prominent merely as the result of better educated deputies seeking to use their skills. The CPSU decides which individuals will appear on the ballot on election day, and hence must approve those individuals with higher levels of education. If these deputies were found to be a difficulty for the system, people of their background would not be sought after.

**Conclusion**

In this paper, I have attempted to demonstrate that legislative representation is a legitimate activity in the USSR and that it is accomplished, at least partially, through constituency-service and oversight of the bureaucracy.

While the information available is probably not sufficient to provide conclusive evidence for the above hypothesis, it is strongly supportive of it. While the circumstances under which survey data was collected cannot be examined for methodological rigor, the information available from these surveys seems to support the hypotheses of this paper.

The existence of an oversight function is more reliant on inferential data than is the argument concerning the existence of a constituency service function at the local level. However, I believe that the argument presented in support of the Supreme Soviet's oversight function is plausible. In order for this element of the Soviet legislative process to be better understood, researchers must devise a method for determining what occurs qualitatively in the standing commissions. The conclusions that have been reached thus far have made the functionalist assumption that if the number of standing commissions and their meetings are increasing, something must be being accomplished. Such a conclusion is inferential rather than direct, and not necessarily definitive.
FOOTNOTES

2Ibid, p. 6.
4Mezey, Comparative Legislatures, p. 4.
7Ibid., pp. 190-193.
10John C. Wahlke and Heinz Eulau, Legislative Behavior, passim. Samuel C. Patterson and John C. Wahlke, ed., Comparative Legislative Behavior, Passim.
12Blondel, Comparative Legislatures, p. 6
15Ibid., p. 110.
16Ibid., pp. 114-115.
17Ibid., p. 109.
19Ibid., p. 814.
20Ibid., p. 817.
22Ibid., Ch. 15, Art. 120.
23Ibid., Ch. 15, Art. 89.
24Ibid., Ch. 1, Art. 89.
25Ibid., Ch. 1, Art. 6.
28Friedgut, Political Participation in the USSR, 1/2 1/2 / 114-115.
30Ibid., 267.
33Constitution of the USSR, Ch. 15, Art. 125.
34Ibid., Ch. 15, Art. 126.
35See Ibid., Ch. 12, Art. 92-93 and Ch. 15, Art. 105.