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Questioning Control and Contestation in Late Putinite Russia

RICHARD SAKWA

THE PUTIN SYSTEM IS BASED ON CONTROL AND THE ‘manual’ management of political processes. In part this was a response to what was perceived to be the ‘anarcho-democracy’ of the 1990s, but it was also an attempt to find a way of dealing with more immediate challenges of societal and political management. The regime devised a whole series of strategies for dealing with opposition, ranging from cooptation to coercion. The ideological framework was a distinctive form of neo-Soviet depoliticisation based on an inclusive ‘centrism’. This model of political management was challenged during the 2011–2012 electoral cycle by a mass protest movement and a degree of intra-elite political contestation. This was accompanied by the radicalisation of a traditionalist counter-movement accompanied by a revanchist spirit at the heart of Putin’s centrist coalition, which spawned a range of restrictive legislation in the Sixth *Duma* from 2012.

This essay examines the classic mode of Putinite political management and the challenges it has faced since Putin’s return to the presidency in 2012. Both the Putin system and its opponents have become locked into a type of politics in which they feed off each other, reducing the potential for a breakthrough into a genuinely pluralistic and competitive system. At the same time, the very diversity of the new era of contentious politics has generated political pluralism in society, while the multifaceted regime response has combined coercion with elements of decompression. Contestation has taken place both within and between the regime and oppositional forces, creating opportunities for cross-cutting alliances and hostilities.

Control and contestation

The fall of communism was accompanied by a peculiar view of civil society as the foundation for political democratisation, if not as the only sure way of embedding constitutionalism into societal mores. This view was challenged from the first and remains a questionable proposition. Revisionist approaches re-evaluate the significance of the events of 1989–1991 in their entirety. Stephen Kotkin (2009) now argues that in most countries the communist collapse represented the implosion of an exhausted and increasingly ineffectual communist establishment (dubbed by him an ‘uncivil society’) rather than representing the

The comments of the anonymous reviewers are greatly appreciated.

victory of civil society. The anti-communist revolutions from this perspective expressed unsatisfied consumerist demands rather than the maturation of a responsible citizenry. As Ivan Krastev (2010, p. 114) puts it,

The idea of civil society has long been a magical construct, one that has somehow succeeded in simultaneously satisfying modernization theorists' belief in the historical mission of the middle class, the New Left's fascination with spontaneous activism, neoliberals' affection for antistatism, and Western donors' fondness for English-speaking NGOs. But today that construct is losing its appeal.

The debate over the role of civil society in democratisation projects is accompanied by a broader examination of the social basis for post-communist political reconstruction in its entirety.

As in Eastern Europe, the 'ideology of normality' (Krastev 2010, p. 118) was also prevalent in Russia, but it took on a distinctive inflection. 'Normality' here would not simply mean the transfer of the institutional and cultural experience of the West but was based on the attempt to find a new synthesis of Russian traditionalism with the norms of modernity. Civic mobilisation took highly antagonistic forms, even threatening civil war in the early 1990s, and thereafter was constrained and contained by regime forms of rule. Contradiction was not suppressed (as would be the case with the formal imposition of a state of emergency or martial law), and instead the whole Putinite system was predicated on the need to manage these contradictions while not allowing a genuinely pluralistic system to emerge that could give political voice to these tensions. Democratic theory suggests that by constraining contradiction to the formal rules of political competition, with political parties acting as the aggregators of social interests accompanied by the free expression of civil society, then societal tensions lose some of their system-destroying potential. By contrast, Putin appears to have been haunted by fear of systemic breakdown and the potential for democratic failure. Already in the 1990s the 'regime' intervened to prevent these contradictions taking political form, and to ensure that a force was able to stand outside of democratic proceduralism to ensure the success of the liberal revolution as a whole.

The creation of the typical panoply of democratic institutions within the framework of the constitutional order was balanced by the emergence of a parallel system that claimed certain prerogatives that transcended the rules and constraints of the constitutional state. The rules applied to the rest of society do not apply to this 'administrative regime' (*Verwaltungsstaat*). The distinction between the two wings of the 'dual state', the constitutional state and the administrative regime, is central to understanding the contradictions of the Putin system (Sakwa 2010). Political dualism is accompanied by a clash of two political orders: the forms of order associated with the constitutional state, on the one hand; and, on the other, the neo-patrimonial features of the administrative regime. Elements of the two are present in most countries, but in Russia the combination of the two constitutes a distinctive order of its own. The two types of rules interact on a daily basis, leaving observers to clutch at every small sign as evidence of the predominance of one or the other. The absence of clear boundaries between the two generates conflicting political practices and a syncretic policy process.

The tutelary claim of the regime, which in the Yel'tsin years was contingent and reactive, in the 2000s became systemic. In the 1990s the system of 'managed democracy' was still embryonic, although the gulf between the regime and the constitutional state was already

evident. In the 2000s the tutelary prerogatives were formulated more explicitly and became formalised into a mode of governance. It did so in two ways. First, the forms of political control were systemised to insulate the regime from societal and regional pressures. In crude terms, this meant the humbling of the 'robber baron' oligarchs, and then ensuring that the nascent bourgeoisie as a class was reduced to a subaltern status. This, ultimately, was what the Yukos affair was all about (Sakwa 2014a). Second, the struggle to ensure freedom of manoeuvre for the regime should not be equated with creating a power '*vertikal*', despite the rhetoric to that effect (Monaghan 2011). The Putin regime imposed itself as the arbiter in social affairs, just as Putin personally was able to do within the regime itself, but in neither case did this entail 'control' in the substantive sense of expecting orders to be implemented *a la militaire*. The Putinite political order has two mutually reinforcing para-political sub-systems.

First, the regime is based on a constant process of negotiation with society, with the regime retreating when it encounters social resistance, as during the monetisation of social benefits crisis in early 2005, a move that provoked widespread mobilisation. Through endless opinion monitoring and policy 'triangulation' of the Clintonesque sort, the regime tries to avert political crises. In the Russian context, triangulation operates within a type of corporative consultative regime in which key stakeholders are kept within the ruling consensus. Thus business interests represented by the Russian Union of Industrialists and Entrepreneurs, the residual tripartite mechanisms that encompass the trade unions, as well as the soft data on popular views are all fed into the policy process. Equally, within the regime, Putin is the master of factional management, ensuring that no group can capture the whole spectre of policy options. All of the factions get something some of the time, but none gets everything all of the time, while everyone 'gets rich'. Even the putatively all-powerful *siloviki* are constantly challenged, and have certainly failed to become hegemonic. The liberals remain in control of macroeconomic policy, although the *siloviki* traditionally shaped energy policy and gained the state corporations that they so fervently desired. This means that policy-making is deeply syncretic, reflecting the various factional contests.

There is endless intra-systemic contestation, while the regime as a whole exerts maximum effort in averting public challenges to its tutelary role. This double balancing act constrains intra-elite factionalism while ensuring that regime–society contradictions do not take structured political forms. It renders the notion of a power '*vertical*' redundant, and also reveals Putin's 'power' to be situational and contingent, although reinforced by the consolidation of elements of charismatic personalistic rule (Monaghan 2011). The regime does retain enormous mobilisational potential, but rather than working through '*vertical*' mechanisms of the traditional command and obey type, regime power is operationalised through extensive 'soft power' mechanisms of propaganda and other campaigns, reinforced by a suite of disciplinary mechanisms exerted against officialdom and society at large.

Second, the ideational level is crucial to understanding the dynamics of control and contestation in the Putinite order. Although the regime applies 'emergency' procedures to trump the normal operation of the constitutional state, including at the institutional level through the creation of para-constitutional bodies like the State Council and the Public Chamber, it does not formally rule through a state of emergency. Instead, the whole system is one of controlled contestation, formally committed to a developmental agenda that seeks to make Russia a competitive economy and a great power at the global level. However, in the era of so-called 'globalisation', developmentalism has no ready-made ideological

repertoire to draw on, and indeed, runs counter to the emphasis on unconstrained market forces.

The Putinite system represents managed modernisation in a period where the collapse of the communist system was accompanied by the exhaustion of original ideas for social renewal in their entirety. Thus Putin devised a synthesis of his own, drawing on parts of the Soviet debris but also improvising some original solutions to Russia's distinctive developmental challenges. The terrain in which he operated encompassed not just the ruins of state socialism, but also one in which the great ameliorative projects of modernity, of both the right and the left, had run into the ground, and thus all that was left was the attempt to revive a centrist ideology and a pragmatic and incremental political project. There were echoes of classical 'third way' thinking in all of this, but instead of a capitulation to neo-liberal market ideology that characterised, for example, New Labour's 'third way' approach in Britain after 1997, Putin's mix included a healthy dose of state-led developmentalism, traditional statist paternalism, elements of mercantilism to temper the drive for international economic integration, accompanied by a critique of the sovereignty-eroding tropes of globalisation theory and a growing cultural critique of Western modernity.

Post-communist reconstruction involved institution-building in the political and economic spheres, including adopting a constitution, creating a parliament, developing parties, and sustaining business corporations, markets and property rights. However, there was another crucial sphere, that of culture and civilisation, embracing 'the soft tissue of society, the intangible assumptions, premises, understandings, rules, and values', which de Tocqueville had described as habits of the heart. Sztompka (1996, pp. 117–18) argues that 'The relationship between the institutional and the cultural levels must be treated as two-sided and reciprocal. Institutions are one of the most important forces *shaping prevailing culture*'; but equally, 'the internalization of certain cultural codes is the *pre-requisite for their meaningful actions* within institutions' (italics in original). Elsewhere Sztompka (1993) described this combination as 'civilisational competence'. He gives the example of civic culture and political participation, arguing that 'a minimum awareness of citizen's rights and duties is necessary for participating in elections. Such internalization by the plurality of individuals is a prerequisite for the viability and continued existence of the institution of political representation' (Sztompka 1996, pp. 117–18). The same applies to entrepreneurial culture. The cultural–civilisation approach combines with institutional analysis of post-communist development, to provide a formula of 'civilisational competence'. He dismisses the post-communist experience as the 'return' to Europe, to the West, or to 'normality' or whatever, but instead it 'started the construction of a new social order from a strange mixture of components of various origins' (Sztompka 1996, p. 120).

This is nowhere truer than in Russia, where a number of cultures contend for primacy. The traditional tsarist–patrimonial view is in part supplanted by Soviet progressivism, and this in turn is challenged by a Westernising project based on markets, democracy and international integration. The internal clash of civilisations entails very different representations, for example, of the role of private enterprise and property rights, the scope for legitimate contestation, and equally, about Russia's place in the world. The lack of a hegemonic 'normality' allowed Putinist eclecticism and centrism to triumph. This is accompanied by multiple stalemates—sociological, economic, political and ideological—which assume a cultural and civilisational dimension (Sakwa 2014b). Various projects of

modernity jostle to dominate but none enjoys that peculiar combination of class, ideology and institutional resources to enjoy a hegemonic position, and instead a number of partial projects combine to create an explicitly self-referential social order exposed to attack from all sides. None of its constituent elements can enjoy the fruits of victory, but by the same token none is definitively defeated. This renders the boundaries between regime and opposition—regime and society, and equally control and contestation—adaptive and fungible. While coercion and cooptation certainly operate, they are equally constrained by the porosity of the regime as a whole.

Contesting contestations

On 24 September 2011 the ‘castling’ (*rokirovka*) plan was announced to a shocked nation: Putin would return to the presidency for a third term, while Dmitry Medvedev, president since 2008, would become prime minister. The move in itself was not a surprise, since Putin’s return had clearly long been on the cards, although Medvedev had increasingly indicated that he wished a second term. The negative reaction was provoked by the claim that the deal had long been agreed (when in fact it had not), and the contempt for the Russian electorate that the move implied. Although couched in the appropriate constitutional language, everyone knew that in the era of ‘managed democracy’ the regime would get the result it wanted.

The Medvedev interregnum is now customarily dismissed as little more than a place-holding exercise to allow Putin to maintain the constitutional niceties of a successive two-term limit on the presidential incumbent, but in fact the more liberal interpretation of tutelary politics during his presidency between 2008 and 2012 demonstrated the adaptability of the system and the potential for an evolutionary transition to a strengthened constitutional state. Medvedevism, if we may call it that, is one potential pathway for the Putin system to transcend its own limitations; namely, the gradual strengthening of the rule of law, greater media freedoms, and more political pluralism, inclusion and rule-based electoral contestation. By the same token, this would have meant limiting the power of the partisans of the administrative regime, notably the so-called *siloviki* and various hard-liners. They perceived Medvedev as a threat to their privileges and prerogatives, as well as creating the potential for the chaos of a second *perestroika* while capitulating to the Western powers in foreign policy; hence they successfully blocked his return for a second term.

Putin’s planned return provoked a ground-surge of resistance to more years of the stifling tutelary regime. This was catalysed by the flawed parliamentary elections of 4 December into mass protests, although the movement built on longer term concerns about social policy, environmental degradation, exploitative building and transport development, and other threats to the quality of life (Robertson 2010, 2013). The protest repertoire on this occasion was largely limited to mass demonstrations: a 100,000-strong meeting in Bolotnaya Square on 10 December and much the same on Sakharov Prospect on 24 December, and rather smaller demonstrations in Bolotnaya on 4 February and 6 May 2012—the latter accompanied by police-provoked disturbances that led to the arrest of 28 individuals and some high profile court cases (White 2013). The poor turnout for the ‘March of Millions’ on 15 June 2012 revealed the degree to which the protest wave had declined. The two marches in March and April 2014 protesting against Putin’s policy on Ukraine and the annexation of Crimea each gathered no more than 50,000, while the addition of two

more regions to Russia and Putin's tough stance *vis-à-vis* the West drove his popularity up to levels not seen since his golden years in the mid-2000s (Sakwa 2015, p. 213).

Despite the regime's attempts to characterise the anti-regime protest movement as funded and directed from abroad, this was not believed by the Russian population. A Pew Global Attitudes survey in Spring 2012 found that 58% of Russians believed that the election protests were domestically generated, with only 25% believing that Western governments sponsored the protests. A substantial 56% supported the demonstrations for free elections, and 64% agreed that demonstrations were an important way for people to express their views. The substantial gulf between what people wanted and what they had was once again confirmed. This is the argument advanced by Carnaghan (2007) who stressed that people were well aware of the existence of this gap. Fully 71% wished to live in a country where the courts treated everyone equally, but only 17% thought that this described the state of affairs in Russia. Equally, 52% said that it was important to live in a country with honest elections, but only 16% thought that this was the case in Russia. Typically, the survey superficially showed ambivalence about democracy, with a 25% margin in favour of a strong leader, as opposed to a democratic government, as best equipped to deal with Russia's problems. An impressive 72% had a favourable opinion of Putin as he resumed the presidency. Interestingly, despite Putin's scabrous comments about Western interference in Russian affairs, his views were not shared by the population, with 52% expressing positive sentiments about America, although they did not like 'political exports' from there, with only 26% liking American ideas about democracy. Thus Russians insisted that the country's political future should be decided in Russia (Bell 2012).

Although critique and contestation returned with a vengeance to Russian politics after September 2011, the opposition was trapped by many of the same dilemmas faced by the regime itself, notably a fragmented ideational alternative. The 'political imaginary' of the mainstream protest movement was no longer able to offer radical solutions, such as the renationalisation of the means of production, or a radical wealth tax on the elite. The Communist Party of the Russian Federation (*Kommunisticheskaya Partiya Rossiiskoi Federatsiya*—KPRF) continued to peddle its radical anti-market ideology, with some of these themes taken up by Sergei Udaltsov and his left-wing radicals, and even by the radical nationalist Eduard Limonov, but these were not central demands of the protest organisers. It is for this reason that the KPRF was marginalised by this new wave of popular mobilisation. Instead, the protests expressed the concerns of dissatisfied consumers rather than the exercise by self-confident citizens of their political rights (Panyushkin 2012). This is hardly surprising, since unlike the advanced neo-liberal states of the West that had successfully largely excluded issues of social welfare from the basis of their legitimacy with their citizens, Putin's social populism meant that these concerns were central to the legitimacy of his regime. Thus the regime was vulnerable to both consumerist and civic demands.

One of the surprising features of the anti-Putin protest movement is the relatively marginal role played by the official parties, in particular those represented in parliament. The quiescence of the official parties exposed the rather artificial character of the Russian party system. The gulf between what is known as the 'systemic' opposition, the four parties represented in parliament and effectively co-opted into the power system, and the 'non-system' opposition was never wider. One would have expected the KPRF to have played a major part in attacking the regime, given its long-standard critique of its allegedly venal and

traitorous character and its vigorous condemnation of electoral malpractices that allegedly consistently deprived the party of its real vote. In the event, the KPRF was on the margins of the resistance to Putin's return and the abuses with which it was accompanied. The Liberal Democratic Party of Russia (*Liberal'no Demokraticheskaya Partiya Rossii*—LDPR) was once again shown to lack a sustained oppositional position, and at all key points colluded with the regime. In the Sixth *Duma* the LDPR was one of the reactionary voices in support of repressive legislation. Although the three 'opposition' parties, the KPRF, the LDPR and Just Russia (*Spravedlivaya Rossiya*), did articulate a strong critique of the ruling regime, they were unable to translate this into effective political campaigning.

They were, as Luke March (2012) argues, constrained by the informal 'rules of the game' that allowed them to give limited public voice to their criticisms but not to do anything that could entail a change of system. These were at best semi-opposition parties, exposing the structural absence of a formalised role for an opposition within the tutelary system, where by definition politics is the prerogative of the regime and everything else is marginalised. When it comes to the KPRF there is the further paradox that it opposes popular mobilisation, and viewed the protest movement from 2011 as an outbreak of the worst sort of ideas of Orange Revolution, threatening to destabilise not just the regime but the country as a whole. In other words, the 'systemic' opposition had internalised much of the discourse of the regime itself; or put another, both the regime and the systemic opposition worked within a convergent ideational framework. The hegemonic strategies pursued by the regime were congruent with the belief systems of the formal opposition, and indeed with a large part of society. This is what allows the dualism of the dual state to survive, inhibiting the establishment of all-out coercive rule, but at the same time blocking evolution towards strengthened constitutionalism and a more competitive pluralistic politics.

The social liberal *Yabloko* party challenges the distinction between systemic parties and the non-systemic opposition. The party had last had MPs in 2003, and took the lead in condemning electoral fraud. By the time of the 15 June 2012 demonstration it had removed itself from active participation in the protest movement on the grounds that it did not wish to be associated with extreme right-wing and left-wing elements. According to *Yabloko*'s chairman, Sergei Mitrokhin, Aleksei Naval'nyi was little more than 'an oligarch project'.¹ It took no part in attempts to bring the opposition together, notably through the creation of the Coordinating Council of the Opposition (*Koordinatsionnyi sovet rossiisko oppozitsii*—CCO), elected in an internet poll in Autumn 2012. The CCO consisted of 45 members, 30 of whom were elected from a 'general list' and another 15 from three separate streams: liberal, left-wing and nationalist. Some 80,000 participated in the vote, which although impressive, was no more than a tiny sample of Russia's population. Naval'nyi came top of the poll, and he was joined by the writer Dmitry Bykov, the chess player Garry Kasparov, the TV presenter Ksenia Sobchak (the daughter of Putin's former sponsor and St Petersburg mayor, Anatoly Sobchak), Ilya Yashin, the leader of Solidarity (*Solidarnost'*) and head of the Moscow branch of the People's Freedom Party (*Partiya Narodnoi Svobody*), and Udaltsov. One surprising outcome was the relatively low proportion of the vote cast for the left-wing and nationalists. With the exception of a few celebrity figures and some elite mediators (notably Aleksei Kudrin and Mikhail Prokhorov), the protests in the end were unable to

¹'Navalny "Oligarch Project"—Yabloko Leader', *Interfax*, 14 December 2013, available at: <http://russia.list.org/interfax-navalny-oligarchic-project-yabloko-leader/>, accessed 15 December 2014.

mobilise powerful new constituencies but instead created new links between existing long-standing networks (Greene 2013). The enormous diversity of protestors impeded the adoption of coherent actions, and gradually their numbers ultimately fell away. In other words, the protest movement of 2011–2012 was unable to consolidate itself into a coherent oppositional movement. The boundary between resistance, acquiescence and cooperation with the regime remained blurred.

One of Just Russia's leading activists, Gennady Gudkov, in September 2012 was stripped of his parliamentary seat for allegedly combining business activities with legislative activities, but the political motives for his expulsion were clear.² He first entered parliament in 2001, and had been loyal to Putin although in the end his independent spirit turned him into a thorn in the regime's side. He was expelled without a court order and on the evidence of a copy of a document whose provenance was dubious. Shortly afterwards some United Russia (*Edinaya Rossiya*—UR) deputies fell foul of this rule, so the regime could claim that the norms were being applied objectively. Later, members of Just Russia elected to the Consultative Council were forced to choose between party membership and participation in anti-systemic activities. In October 2012 Sergei Mironov threatened members of the party who cooperated with the opposition with expulsion from the party: 'In such circumstances, playing revolution and provoking the authorities to further tighten the screws is either infantilism, or even worse, a dangerous and wilful provocation aimed at attaining one's own egoistic goals at all costs' (Stanovaya 2013).

The liberal part of the demonstrators once again revived the belief that Russia could become 'a normal European country', based on fair elections, the rule of law, democratic freedoms and good relations with the West and its neighbours. This republican vision of free and equal citizens was at the core of the project of 1991, and although overshadowed by the chaos of the 1990s and the semi-authoritarian restoration of the 2000s, did not disappear. Many different political traditions coalesced in 1991 (notably liberals and national patriots), but at its core was a rejection of the revolutionary socialist tradition that culminated in the Bolshevik seizure of power in October 1917 and which faded out in 1991. It draws its strength from the Decembrists of 1825, various projects for political reform in the nineteenth century, the Russian revolutionary tradition that culminated in the February Revolution in 1917, the dissident tradition in the Soviet Union and the continuing republican resistance to the consolidation of the administrative regime in post-communist Russia. It repudiated the bureaucratic-Tsarist ethos of a 'well-managed police state', which in different guises was reincorporated into the Communist system of rule, and which reconstituted itself after 1991. In the end the *perestroika*-era democratic movement splintered into its constituent elements, condemned by neo-Bolsheviks on the side and radical nationalists on the other, but the spirit of 1991 lives on.

Regime responses and rebalancing

Putin's statecraft is characterised by elusive qualities that negate the very borders that it rhetorically seeks to establish. One of the fundamental paradoxes of the Putin system is the constant structuring of binaries, between loyalists and those 'hanging around like jackals' at the gates of foreign embassies; between those who defend Russia and those ready to sell

²For his views, see Gudkov (2013).

themselves to the highest Western bidder, accompanied by the constant collapse of the categories themselves. Putin himself in late 2011 appeared affronted that his many achievements were not recognised and given due respect. Since he was so personally associated with the structures of power, it would be hard to criticise the system and not the man. He took popular mobilisation as a personal insult, and thus rendered himself a caricature of the aged despot, whose word is final and infallible. In the event, he came out fighting and waged a vigorous campaign that ensured his first round victory in March 2012. His core programme remained centrist, yet made all sorts of rhetorical concessions to the traditionalists, but was careful not to alienate the liberals, although Medvedevite talk of a new *perestroika* and ‘modernisation’ was jettisoned.

Resistance to electoral fraud and the tutelary claims of the regime was fragmented and unable to agree on a single programme, yet it reflected an appeal to the principles of civic equality and political inclusion. On the other hand, there was counter-mobilisation, symbolised by the 140,000-strong gathering on 4 February on Poklonnaya Hill in support of Putin and the perpetuation of the old order. This sort of rally mobilised voter support in favour of Putin, but the degree to which it represented genuine or ‘constructed’ support remains contested (Smith *et al.* 2013). Many participants were paid or coerced into attending, but a solid bedrock of enthusiastic Putinites also attended. Putin’s supporters were far from united, and covered a spectrum from constitutional conservatives to radical reactionaries, who exploited Putin’s return to push through a slew of repressive legislation to shape their vision of a neo-Muscovite social order, isolated from the degeneration of the West, morally conservative and reaching deep into the roots of Russian exceptionalism.

The Putinism that was restored in 2012 differed from the glory days of 2008–2012. It endured the most sustained challenge, and was forced to adapt to the new circumstances. The response was a classic Putinite combination of ‘repressive tolerance’, of the sort practised in the advanced capitalist democracies, and the ‘selective intolerance’ of hybrid authoritarian regimes (Levitsky & Way 2010). The protests revealed the potential instability in regime–society relations and exacerbated intra-systemic conflicts. The Putin regime does not have equilibrium, defined as some sort of optimal balance as described in classical economics, but is in a constant process of evolution in the context of the broader stalemate and factional conflict. Nevertheless, Rogov is right to point out that the events of 2011–2012 upset what he calls ‘the state of equilibrium’, by which he means the hitherto existing balance of forces that allowed the Putinite stabilisation, forcing the regime to change its mode of operation (Rogov 2013). This was not just the search for new sources of support, but another adaptation to changes in the balance of forces. The regime’s response went through three, partially overlapping, phases—liberalisation, coercion and deconcentration.

The period of liberalisation saw the implementation of the measures announced by Medvedev in his last presidential address (*poslanie*) to the Federal Assembly on 22 December 2011. Medvedev argued that ‘we treat any criticism of state institutions and individual officials with the utmost attention and respect’, and proposed, in the light of ‘the new stage of the nation’s development . . . a comprehensive reform of our political system’ (Medvedev 2011). The measures included the return to direct regional elections for the heads of Russian constituent entities; the introduction of simplified procedure for the registration of political parties; the abolition of the requirement to collect signatures for elections to the State *Duma* and regional legislatures; a change in the system of elections to the State *Duma*, which in the end took the form of the restoration of single-mandate

constituencies; a reduction in the number of voter signatures needed to participate in the presidential elections to 300,000, and for candidates from non-parliamentary parties to 100,000; changes in the procedure for forming central and regional election commissions; and new decentralisation measures to favour regions and municipalities (Medvedev 2011). Other measures included the right of winning parties in regional legislatures to submit their nominations for governorships, an annual report by the government to the *Duma*, parliamentary parties to gain the right to equal coverage of their activities on state media, new procedures to form the Federation Council whereby only those who had won federal, state or municipal elections could stand, and the electoral threshold in State *Duma* elections to return to 5% (starting only from 2016).

The second response was coercion, a type of 'punitive Putinism' that was combined with constraints. Coercion against the unprecedented challenge to his leadership took numerous forms. The Russian members of the international review of the second Khodorkovsky trial, commissioned by Medvedev's Presidential Council for Civil Society and Human Rights, came under attack shortly after Putin's return to the Kremlin. On 9 June 2012 a new law was adopted sharply tightening the legislation on rallies and raising fines for participating in unsanctioned rallies to a punitive R300,000 (\$9,000) and for organising an unsanctioned meeting to R1,000,000. In effect this was an emergency law that suspended the operation of Article 31 of the constitution. On 11 June the police raided the homes of a dozen leading protest activists, allegedly part of the investigation into the clashes between protesters and police at the 6 May demonstration. Coming a day before the scheduled 'March of Millions', the aim was clearly intimidatory.

On 17 August 2012 the Khamovniki court imposed two-year sentences for 'hooliganism motivated by religious hatred' on the Pussy Riot activists Nadezhda Tolokonnikova, Maria Alekhina and Ekaterina Samutsevich. On 21 February 2012 five members of the feminist art collective Pussy Riot, formed in October 2011 in response to Putin's announced return, had performed a 41-second 'punk prayer' in the Cathedral of Christ the Saviour, entitled 'Mother of God, drive Putin out of Russia!'. They had been arrested and held without bail. Samutsevich was released later that year with a suspended sentence (Gessen 2014). The harsh outcome provoked an international uproar, which only confirmed the prejudice of Russian conservatives that the West was losing its moral compass. The 'Bolotnaya case' applied Putin's favoured method of 'fictitious legalism' to crush his opponents, accompanied by the use of *kompromat*. In the end, 28 defendants were charged with organising and participating in the 'mass riot' of 6 May. The anti-corruption activist Aleksei Naval'nyi was charged with economic crimes, and on 18 July 2013 he was sentenced to five years, although the following day he was released on bail pending his appeal.

As for constraints, after the humiliations endured in the succession campaign the mood of many UR *Duma* deputies was vengeful. The idea that the Washington '*obkom*' (regional committee) was managing Russian affairs became something of an obsession for radical traditionalists, with their paranoia stimulated by an equally aggressive mood in certain circles in Washington. Some of the punitive proposals were too much even for the regime, and the idea of banning journalists who hold foreign citizenship from working on state television if they criticised Russia, and the plan to stop government employees from marrying foreigners (reminiscent of Stalin's similar prohibition in 1947), were not adopted. This reflected the legislative bacchanalia reigning in the *Duma*, with 56 laws adopted in one go at the end of the summer session in 2013, many of them ill-thought out and contradictory.

In November 2012 Putin signed into law provisions that required NGOs in receipt of funding from abroad to register as 'foreign agents' or face fines of up to R500,000 (\$16,000). The term in Russian unequivocally suggests working in the interests of foreign powers (in other words, a 'spy'), and evoked an intense reaction among Russia's NGO community. Earlier, on 11 September 2012, the Kremlin ordered the US Agency for International Development (USAID) to close by 1 October. The Ministry of Foreign Affairs bluntly accused USAID of meddling in domestic politics and deviating from its stated goals (Lukashevich 2012). These directly political laws were reinforced by a range of socially repressive legislation. On 11 June 2013 the *Duma* adopted an 'anti-gay propaganda' law, intended ostensibly to protect children against 'The spread of information directed at minors in the form of non-traditional sexual arrangements, the attraction of non-traditional sexual relations, the distorted perception of social equivalency between traditional and non-traditional sexual relations' (Sakwa 2014b, p. 170). The law did not define what was meant by 'non-traditional', providing broad latitude for the authorities to define it as they saw fit. On the same day a 'blasphemy law' was adopted, extending Article 148 of the Criminal Code, designed to defend the feelings of believers by banning 'Public actions which convey clear disrespect toward society and absolute in their purpose to offend the religious feelings of believers' (Sakwa 2014b, p. 170). The bill had been introduced following Pussy Riot's 'punk prayer', a performance that infuriated traditionalists and provoked a slew of conservative legislation. The spirit of anti-cosmopolitanism was clear, and represented an extension of Putinite 'order' into the personal sphere, an arena into which it had not previously ventured in such a prescriptive manner.

Putin relied increasingly on an inner guard of loyal subordinates while appealing to a conservative majority in the country. Constraints were imposed on officials, a policy that became known as the 'nationalisation of the elites', and reflected Putin's de-offshorisation programme announced in his *poslanie* of December 2012. On 19 May 2013 legislation came into effect banning state officials, their spouses and under-age children from holding bank accounts abroad or foreign-issued stock or bonds. Laws on income and spending declarations were also tightened, accompanied by a push to prevent *Duma* deputies combining their parliamentary status with business activities. The Kremlin feared that if officials kept their money abroad, they would become vulnerable to foreign pressure. The 'nationalisation of the elites' was part of a broader reconfiguration of the power system. Political and property insecurity in Russia encouraged the elite to keep their wealth abroad, creating what Ryzhkov called an 'offshore aristocracy', with much of the money not earned through entrepreneurship but through kickbacks and bribes. The elite treated 'the motherland as a type of colony' (Ryzhkov 2005). The ban effectively deprived key political figures and the bureaucracy of independence, since their assets in Russia were always vulnerable to the depredations of the regime and thus their loyalty could now be enforced. The measure signalled the broader 'conservative revolution' and a return to Russia's patrimonial tradition. Framed as part of an anti-corruption drive, the initiative sought to ensure that the elite remained in line.

The leadership understood that it was in danger of becoming the object of popular hostility, hence its attempt to be seen disciplining its own officials, while removing a safety hatch for them to bail out if events in Russia took an unpredictable or dangerous turn. There were three elements to the new strategy. First, the regime understood that perceptions of corruption within the regime threatened the stability of the system in its entirety. For this

reason Anatoly Serdyukov, the former minister of defence, was jettisoned and a sustained anti-corruption campaign launched within the bureaucracy. Second, the dominant party was subjected to the sharpest purge, in a pattern that other authoritarian systems had long practised of cleansing its own ranks. Third, the purge encompassed the old generation of leaders, and in the centre and regions a new cadre of loyal Putinists was forged. With the ban on foreign holdings and bank accounts, Putin sought to 'nationalise' the elites to avoid the threat of defection. This was accompanied by some significant changes in the constellation of power, with some major shifts in the relative standing of some top officials. All this suggests that a new type of Putinism was taking shape (Sakwa 2014b, pp. 159–89).

The third response was a regime reset, a process of controlled deconcentration. This was not the same as the earlier liberalisation, since the 'thaw' represented new forms of regime control, rather than concessions that would allow elements of independence and genuine pluralism. In the end, deconcentration could lead to liberalisation, but this was clearly not the intention. Medvedev was a much diminished figure and his credibility as the leader of the liberal trend in Russian politics was minimal. Indeed, the regime reset was accompanied by a sustained programme of 'demedvedisation', with some of the reforms of his presidency reversed.

Vyacheslav Volodin, who in December 2011 replaced Vladislav Surkov at the head of the Kremlin's domestic policy administration, was at the heart of managing the political reset. His approach of 'managed competition' potentially created space for more competitive electoral politics. The systemic demonopolisation allowed 54 of the newly-registered parties to participate in the 26 September 2013 regional elections, and as a result 31 parties were represented in regional and municipal legislatures. As I observed, at the Valdai Club on 18 September 2013 Volodin insisted that 'The move towards fair elections will intensify, and there will be greater political competition in the future'.³ This strategy was not just for public display, and Kremlin insiders confirmed that this was the line pursued in the corridors of power. Permitting Naval'nyi to run in the Moscow mayoral election in September 2013 and the opposition victories elsewhere demonstrated that the regime was willing to experiment with electoral competition.

The protests and UR's poor showing in the 2011 State *Duma* elections prompted changes to the political system, including the return to direct gubernatorial elections, relaxing party registration procedures, the return of the mixed electoral system, prohibitions on the elite holding bank accounts abroad, restructuring the presidential Human Rights Council, accompanied by restrictions on the not-for-profit sector. At a meeting with experts and political analysts on 9 July 2013 Volodin explicitly linked these changes to the 'regime reset', designed to create a system that did not need manual management and reliance on administrative levers while preserving 'stability and predictability' (Nagornikh 2013, p. 2). The regime shifted to a new mode of operation, based on disciplining its own elites, incorporating the part of the opposition ready to engage in electoral politics, the absorption into the regime's rhetoric of nationalist concerns and increases in social payments to wean the socially-motivated part of the protest movement from the opposition. The amnesty to mark the twentieth anniversary of the adoption of the constitution in December 2013 saw some of the Bolotnaya defendants and the Pussy Riot prisoners released. Above all, on 20 December Mikhail Khodorkovsky, after 10 years in jail, was freed. The regime could

³ Author's personal notes from the meeting.

now claim to be keen on the development of ‘a new strong opposition’ in contrast to the ‘capricious narcissists’ who had hitherto led the opposition (Kiselev 2013).

At the same time, the municipal filter remained in gubernatorial elections, spoiler parties proliferated, criminal prosecutions were launched against successful local government leaders, Naval’nyi’s freedom was severely constrained and limits were placed on the freedom of the internet. These repressive measures were intensified in the wake of the overthrow of President Viktor Yanukovich in February 2014. The Ukrainian ‘revolution’ was not provoked by the theft of an election but by anticipation that the country would join the club of ‘presidents for life’. It was less a colour revolution than a revolt against a particular type of tutelary and kleptocratic rule, and thus represented an enormous challenge to the Russian system. The Putinite hard-liners intensified efforts to interdict what they perceived to be Western-supported democracy promotion activities, and thus Putin’s preventative counter-revolution once again stymied the liberalisation measures (Horvath 2013).

The crisis of Putinism

The protest movement revealed the vulnerability and insecurities of the regime. As Naval’nyi put it,

There is no evil Putin machine, and if you push hard enough it will collapse ... it’s all a fiction. That is, they can destroy a single person, like Magnitsky or me or Khodorkovsky. But, if they try to do anything systematically against a huge number of people, there’s no machine. It’s a ragtag group of crooks unified under the portrait of Putin. (Ioffe 2013)

There was no all-encompassing ‘*sistema*’, and in Naval’nyi’s view, it would take no more than ‘ten businessmen [to speak] up directly and openly [and] we’d live in a different country’ (Ioffe 2013). It would take no more than a handful of courageous judges and renegade officials to change the country or, at least, to change the regime; since a ‘revolution’ would do no more than swap one set of elites for another. To change the country would mean strengthening the constitutional state to push back on the Soviet and Putinite legacy of *podmena*, where the regime substituted for the impartiality and regularity of constitutional institutions. The demand for a ‘Russia without Putin’ was meaningless unless accompanied by a positive idea of how the country would be run instead.

The old Putinite model of statecraft now entered a crisis. This may appear to be a counter-intuitive conclusion. After all, Putin had once again weathered a succession operation and achieved his goal, with relatively little collateral damage, and with no real ‘colour revolution’ in prospect. Yet his system of rule, if not the system itself, showed signs of exhaustion. Putin’s return destabilised the system that he had so assiduously created, although in formal terms matters continued much as before. The regime reset had been prompted by intra-elite splits and pressure from below. A powerful ‘*civiliki*’ (civilian) coalition for change remained at the heart of the Putinite system. People like German Gref, Anatoly Chubais, Alexei Kudrin, Elvira Nabyullina, and of course the prime minister, Medvedev, and a whole group of cabinet ministers, all defended liberal economic policies and a degree of political liberalisation. Their aspirations to strengthen the constitutional state were constrained by the continued power of the tutelary administrative regime,

defended notably by the statist and *siloviki*. This gave rise to the situation we have described of stalemate and policy drift. Putinism is an amorphous and relatively capacious political project, and the struggle between its various manifestations continued, mostly subterranean but with occasional outbursts in public. What had formally been the 'non-systemic' opposition was now systematised and brought in from the cold, as long as it conformed to the Putinite rules of the game.

The popular mobilisation and the counter-movement represented an immediate challenge to the regime, but it also indicated a deeper crisis of Putinite methods of control. First, the unity of the elite showed signs of fragmenting. In this respect, 28 September 2010, the day that Moscow mayor Yuri Luzhkov was summarily dismissed by Medvedev, is as important a date as 24 September 2011, the announcement of the *rokirovka* (castling move between Putin and Medvedev). Luzhkov's ouster followed a prolonged media campaign that sought to blacken his character. Although Luzhkov had never been a trusted Putinite, he had certainly been willing to work within the system, joining the governing council of UR. Some of the other long-standing regional heavyweights were purged at this time (notably, in Tatarstan and Bashkortostan), suggesting a coordinated attempt at elite renewal. However, the brutal and incoherent manner in which Luzhkov was dismissed prefigured the castling move a year later, and demonstrated how even a senior political figure in the establishment could be treated. Luzhkov emerged as a leading critic of the regime, and even appealed to the Gorbachevian spirit that 'It is impossible to live like this' (Luzhkov 2012). In Krasnoyarsk and other venues, Kudrin, the veteran minister of finance, called for the forthcoming elections to be free and fair. The sad episode of Mikhail Prokhorov's short-lived leadership of the Right Cause party (*Pravoe delo*) in mid-2011 further revealed that traditional forms of political management were becoming less effective. Both Prokhorov and Kudrin emerged as winners of the 'regime reset', ready to work within the confines of deconcentration but pressing for further liberalisation.

Second, with Putin's return the regime lost its best chance of a gradual evolution to some different form of political authority, without threatening the property and power settlement of the Putin years. Medvedev's hopes of a second run at the presidency exposed some of the fissures within the regime. He had successfully gained a political identity of his own, aligning himself with gradual political liberalisation, partnership with the Western powers and less statist economic policies. What he had failed to do was gain political autonomy. Faction management remained Putin's responsibility. The Medvedev presidency and its liberalising acolytes represented no more than just another faction, and not the most powerful one at that. In other words, the attempt to provide an evolutionary option from within the Putin system was defeated by the character of the system itself. A faction could not overcome the logic of factionalism. This faction was dealt a stunning, although not unexpected blow, in September 2011, from which it has not yet recovered.

Third, although the protests worked to this group's advantage, with the package of liberal reforms announced at the end of December 2011 in part a response to mass mobilisation, the 'modernising' part of the elite feared calling on society for support. This would have been one way for the faction to have become a party, and for politics in general to have become 'normalised', but the risks would have been high. There is no evidence that the Medvedev modernisers seriously contemplated appealing to the people for support, and thus probably lost their historical opportunity. Equally, it is far from sure that there was enough popular support for their liberal strategy. Part of the protest movement supports the long-term

aspirations of the Medvedev ‘modernisers’, but despite much rhetoric about the growth of the middle class, this remains a decidedly minority constituency. Medvedev’s personal prestige suffered irreversible damage, despite his stated ambition to make another attempt at the presidency. The old factional constellation changed, with the democratic statist around Surkov losing whatever residual coherent identity they ever had. The modernisers grouped around Medvedev in the government clung on to their positions, but were overshadowed by the parallel administration focused on the presidency in the Kremlin.

The emergence of what looked increasingly like ‘mismanaged democracy’ took the form of the declining coherence of legislative and policy initiatives in the sphere of political management. Some of the repressive legislation emerging from the Sixth *Duma* bore signs of *ad hoc* independent political entrepreneurship by UR and its allies. The Putin system still sought to maintain factional balance, and for that it needed the liberals, however demoralised, to balance the hard-line statist group around Igor Sechin. The division now began to take on overtly political forms, with regime-sponsored ideational programmes giving way to more openly ideological conflict over development strategies and modernisation plans. Politicisation of elite competition would deal a death blow to the Putinite technocratic system of political management. Putin had returned, but the country and the political system had evolved. New forms of political statecraft were called for but were not forthcoming. The tightening of the screws represented a political defeat of the system itself, shifting towards overt coercion and losing whatever remained of the inner resources of dynamism and renewal. This played into the hands of the many voices predicting the decay and fall of the regime. Nevertheless, the regime reset, taking the form of deconcentration, illustrated the potential for regime evolution. This was far from enough to achieve the constitutionalisation of the regime (that is, its subordination to the constitutional state), but it did represent a new synthesis of the Putinite order.

Conclusion: limits of control and contestation

Protest took the form not only of demonstrations and marches, but also ‘spectacles’ such as the activism of Pussy Riot. From Guy Debord’s perspective, such dramatic acts as the invasion of holy spaces paradoxically only reinforces the ‘society of the spectacle’ rather than restoring the centrality of an individual’s physical and moral worth. It strengthens the Putinite externalisation of responsibility and the contingency of conscience. Even the body becomes little more than an instrument of politics; and the power of words, rationality and reasoned debate is trumped by the spectacular gesture. In terms of the monological character of the event, they have something in common. As the politics editor of *The Moscow News* Anna Arutunyan argues, Pussy Riot only superficially tapped into the old Orthodox tradition of the holy fool, and instead owed the success of its stunt to the repressions that followed: ‘The punishment draws attention to the authoritarian order, but also ultimately makes authoritarianism more resilient’ (Arutunyan 2013). It also reinforced the sacramental character of politics rather than the model of informed citizenship.⁴ This was foolish fanaticism rather than holy foolery. It replayed the monological tropes of the resistance to Tsarism that had done so much to prepare the ground for Bolshevik dictatorship. This critique applies more broadly to elements of the protest movement as a whole. Its genuine

⁴See Prozorov (2014).

republican and civic aspirations, based fundamentally on the right to free and fair elections, in the end dissolved into a welter of incommensurable particularistic aspirations, many of which were potentially more authoritarian and exclusive than Putinite centrism. This applies in particular to a large part of the nationalist opposition, but also some leftist movements were still not reconciled to market democracy.

In other words, much of the protest against the Putinite system was axiological in character—depoliticised, mute and gestural—indicating the deep social roots of the present system. Vladimir Pastukhov (2012) has recently argued that Putinism as a historical phenomenon is much larger than Putin the man, and reflects the traditional estrangement in Russia between the state and society. From this perspective, removing Putin would hardly change the structures of power and the fundamental relationship between social actors. This is a powerful argument, but has two possible logical corollaries. The first is the encouragement of political passivity, since ‘getting rid of one lot of scoundrels’ runs the risk only of opening the door to another eager to satiate their hunger, and thus there would be another frenzy of ‘redistribution of property’. The second is the precise opposite, the attempt to root out these deep behavioural and cultural attributes, and thus encourage new forms of revolutionary radicalism, a new cultural revolution to destroy the foundations of bureaucratic power. This would include lustration and recrimination, of the sort that was avoided in the early 1990s and became the foundation of Russia’s ‘unfinished revolution’ (McFaul 2001).

Hence the dilemma outlined by Kotkin (2009) and Krastev (2010) remains. Protest is not inherently ‘democratic’, and the mobilisation of civil society is as politically multivalent as society itself. As in the *perestroika* years, radical nationalists contest with xenophobes, national liberals oppose national statistes, a social democratic left seeks to establish itself while new forms of leftist fundamentalism struggle against systemic Communists, while the liberals fight among themselves. A solid part of the protest movement draws on the ideals of the liberal intelligentsia, hoping finally to see the restoration of the aspirations of the *perestroika*-era vision of a free and democratic Russia, and for whom the tricolour flag remains a symbol of a radical republicanism built on the foundations of free and equal citizens. The re-emergence of contentious politics demonstrated that only a common commitment to the universalistic principles of the constitutional state could ensure that regime change would strengthen the rule of law and enlarge the sphere of freedom. On this, Putinite controllers and democratic protesters could one day find themselves on the same side of the barricades.

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