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PUTIN'S PROSECUTORS:  
PERSONNEL POLITICS AND BUILDING AUTHORITARIANISM IN RUSSIA

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# List of Acronyms

<b>USSR</b>	Union of Soviet Socialist Republics
<b>SSR</b>	Soviet Socialist Republic
<b>ASSR</b>	Autonomous Soviet Socialist Republics
<b>RSFS</b>	Russian Soviet Federated Socialist Republic
<b>FSB</b>	Federal Security Service
<b>MVD</b>	Ministry of Internal Affairs
<b>SK</b>	The Investigative Committee
<b>CPC</b>	Criminal Procedure Code
<b>KGB</b>	The Committee for State Security
<b>GRU</b>	Russia's Foreign Military Intelligence
<b>PGO</b>	Procuracy General Office
<b>GRP</b>	Gross Regional Product
<b>GDP</b>	Gross Domestic Product
<b>CPP</b>	Communist Party of China
<b>UR</b>	United Russia Party



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# Abstract

This dissertation examines personnel management policies within the institution of Russia's Procuracy in the first decade of Putin's presidency and how they contributed to the demise of Russia's fledgling democracy. I argue that such policies, in Russia and beyond, serve as a low-cost and subtle way to build loyal bureaucracies, which would-be autocrats use to unravel constraints on their power, remove or threaten opponents, and facilitate desired electoral outcomes. In this dissertation, I demonstrate that personnel management strategies can contribute to the stealth nature of authoritarian encroachments. By virtue of being legal, often having no paper trail, and lending themselves to the justification as measures to improve the functioning of the state, the authoritarian intentions behind personnel management strategies are difficult to detect and interpret even for experts, which gives a significant advantage to a would-be autocrat. By focusing on legal institutions that have the power to open and investigate criminal cases, this dissertation demonstrates that the legal process that happens outside of courts matters for the vulnerability of democracies to authoritarian encroachments.

# Chapter 1

## Introduction

On February 24, 2022, the world woke up to the news of the Russian troops crossing Ukrainian borders. To date, the war has already taken tens of thousands of lives. Over 8 million Ukrainians are seeking refuge from the war abroad, with millions more domestically displaced. Tens of thousands of Russians find themselves in forced and voluntary exile, afraid of prosecution or military conscription. Thousands of Russians find themselves behind bars on fake accusations serving inhumanely long sentences. The war has devastated the Ukrainian people and land, threatened the world's agricultural security, caused an ecological catastrophe, and, worst of all, there is no end to it in sight.

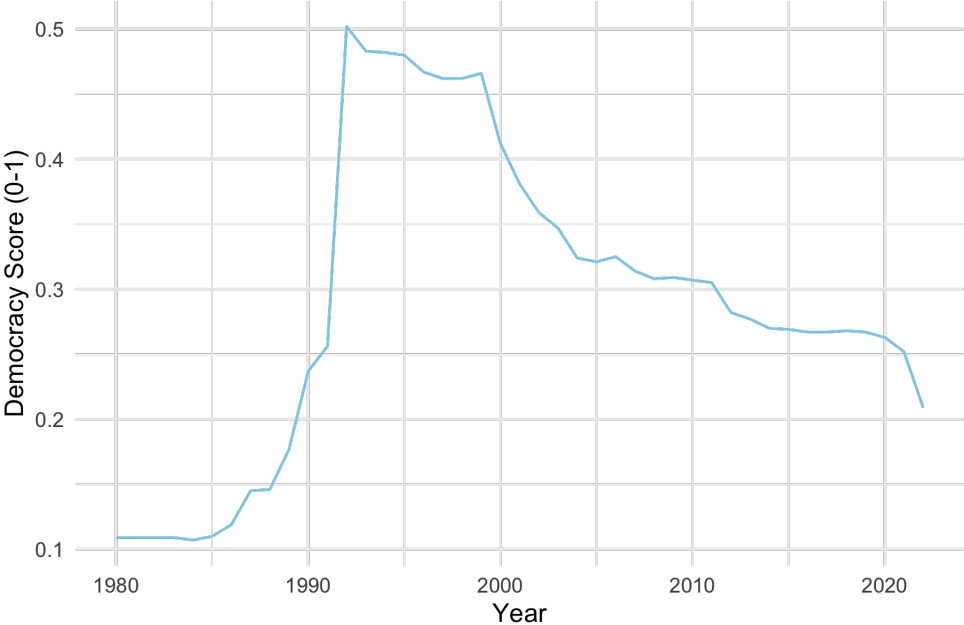
There is no question that the Ukrainian war is first and foremost rooted in the personalist dictatorship that Russia has become. Yet, Russia did not become a personalist dictatorship overnight and was a very different — more democratic, more open, and less repressive — country two or even just a decade ago. For instance, consider Figure 1.1 which plots Russia's V-Dem score of democratic qualities and demonstrates the gradual yet persistent decline of Russia's democracy.<sup>1</sup> Of note is the fact that the most dramatic fall in the V-Dem score falls on the first decade of Putin's presidency. Indeed, the constitutional changes of 2020 — which erased the separation between the executive and the judiciary, further centralized governance in the country, and ultimately allowed Vladimir Putin to remain Russia's leader indefinitely — and even the changes of 2008 that extended the presidential term, were a culmination,

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<sup>1</sup>The variable denotes the best estimate of the extent to which political leaders are elected under comprehensive suffrage in free and fair elections, and freedoms of association and expression are guaranteed" (Coppedge, Gerring, Knutsen, Lindberg, Teorell, Alizada, Altman, Bernhard, Cornell, Fish et al. 2021).

rather than the main route of Russia’s transformation. This dissertation unravels some of the deeper, state-rooted mechanisms behind Russia’s gradual yet decisive transformation from a country with democratic hope into a consolidated, repressive, and aggressive authoritarian regime.

Figure 1.1: Russia’s V-Dem Score (1980-2021)



Russia is far from being the only country that has moved towards authoritarianism in recent years; many more consolidated democracies are exhibiting similar trends. Turkey — formerly the democratic hope of the Middle East — has become much more authoritarian under its populist president Erdogan, who has recently changed the country’s constitution to empower his presidency and was yet again re-elected in 2023 (Baser & Öztürk 2017). Hungary and Poland, despite being part of the European Union, similarly have faced authoritarian encroachments upon their constitutional order (Sadurski 2018, Bánkuti, Halmai & Scheppele 2012, Nalepa 2017). And finally, what used to be the paragon of democracy — the United States — is experiencing unprecedented threats to its democratic institutions as

well (Ginsburg & Huq 2018, Levitsky & Ziblatt 2018, Lieberman, Mettler, Pepinsky, Roberts & Valelly 2019). While scholars debate whether the world, in fact, has recently experienced a major authoritarian turn, the mechanisms of erosion remain an important avenue of research (Little & Meng 2023).

## 1.1 Main Theoretical Contributions

This dissertation locates Russia in the family of countries that experienced authoritarian or democratic backsliding. I adopt a broad definition of democratic erosion that allows for the inclusion under its umbrella of any regime type: “Backsliding entails deterioration of qualities associated with democratic governance within any regime. It is a decline in the quality of democracy, when it occurs within democratic regimes, or in democratic qualities of governance in autocracies” (Lust & Waldner 2015). This dissertation project uses the Russian case to improve our understanding of the tools available to would-be autocrats to unravel democratic institutions and entrench themselves in power. Russia is an important case to consider not only because of the geopolitical consequences of its autocratization but also because it has been the case other autocrats learned from (Scheppelle 2020).

What can Russia tell us about how democracies die?<sup>2</sup> The dissertation provides a two-fold answer to this question. First, I argue that the *state* and the *state bureaucrats* matter for democratic erosion. As the very people carrying out the would-be autocrat’s agenda, the loyalty of bureaucrats and the institutions and practices that structure their behavior are of the utmost importance to understanding whether a would-be autocrat succeeds. Existing literature on backsliding has largely overlooked the importance of the state and the very people making it run. Yet, as this dissertation demonstrates, winning over the state and its agents can come parallel or even prior to the typical red flags of backsliding

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<sup>2</sup>“How democracies die?” is a reference to the book by Steven Levitsky and Daniel Ziblatt, which is a comparative study of how elected leaders can take steps to gradually subvert the democratic process and expand their power (Levitsky & Ziblatt 2018).

such as constitutional changes that we tend to look out for. When it comes to the loyalty of bureaucrats, the existing literature has focused on how autocrats win over the state by creating an “authoritarian middle class” (Rosenfeld 2020). While economic incentives are crucial in understanding how state bureaucracies loyal to an autocrat are created, this dissertation examines another powerful tool in an autocrat’s toolkit: personnel or bureaucratic management strategies.<sup>3</sup> I demonstrate how something that seems as innocuous as strategic appointments and the shuffling of bureaucrats, as well as career incentives, is a powerful way in which bureaucratic loyalty can be ensured.

Second, the Russian case shows that democracies die in confusion. The fact that autocrats frequently try to sell their efforts to erode democracy as efforts to improve it is not something new (Levitsky & Ziblatt 2018). Modern autocrats tend to backslide in a “stealthy” or gradual way, with subtle actions being the dominant mode of backsliding (Luo & Przeworski 2019a, Guriev & Treisman 2020). Existing literature has examined the idea that citizens could be supporting closet autocrats while holding democratic because they are unaware of their true intentions (Chiopris, Nalepa & Vanberg 2021). Moreover, it is precisely the new “legalistic” bread of a modern (would-be) autocrat that makes it so hard to recognize the erosion of democratic institutions for what it is (Scheppelle 2020). The dissertation builds on this literature and adds new dimensions to our understanding of stealth. The stealthy nature of backsliding is rooted in the fact that some of the powerful tools available to the autocrat — such as the strategic management of bureaucrats that help ensure the loyalty of the state — can be informal policies that leave no paper trail and are hard to detect. When detected, however, as I will show, their true goal is difficult to discern, by citizens, experts, and observers alike. This is especially true under the conditions of weak state capacity, like those that Russia found itself in following the democratic transition in 1991. The issues of stealth are aggravated when steps taken by an autocrat to unravel democratic constraints can be justified by the legitimate need to build a functional state.

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<sup>3</sup>Throughout the dissertation, I use the two terms interchangeably.

In addition to contributing to the literature on democratic backsliding, this dissertation engages with and contributes to the existing work on bureaucratic management in authoritarian regimes (Hassan 2020). Mai Hassan’s recent work focuses on the role that bureaucratic management plays in helping autocrats exert social control, especially in countries and societies that have clear ethnic and geographically concentrated cleavages. This dissertation focuses on legal institutions and examines the role of bureaucratic management techniques in helping a would-be autocrat remove and co-opt opponents — i.e., address the horizontal threats — and relaxes the scope conditions of the ethnically divided societies.

I contribute to these literatures by an examination of the management strategies of Russia’s key law enforcement institution (Russia’s *Prokuratura* or Procuracy) and its agents — prosecutors who are the heads of Procuracy’s regional branches (prosecutors of the Subjects of the Federation) — in the period of 2000-2011. Procuracy is the key law enforcement institution in Russia, with an exceptionally broad range of powers that during the period of this dissertation’s focus included the general supervision of legality, and, more importantly, the power to open, close, and conduct criminal investigations of serious crimes including corruption. I focus specifically on Procuracy, as opposed to courts, because prosecutors are the “gatekeepers of the judiciary” (Rios-Figueroa 2006). While the focus in the literature has been largely on courts (Ginsburg & Moustafa 2008, Moustafa 2007, Magaloni 2008, Shen-Bayh 2018), the necessary cog in the repressive machines of autocrats — especially those who maintain a legal facade — are the institutions that precede the courts and work to put together a case that looks plausible and legitimate to the outside world. In Russia in particular, the focus on Procuracy is especially justified because weak courts and strong Procuracy is an important Soviet legacy inherited by almost all post-Soviet states (Solomon Jr 2015, Pomeranz 2018).

I focus on the period from 2000-2011 for two reasons. First, I show the mechanisms through which Putin won the state apparatus and put it to use to unravel constraints on his power even *prior* to what we typically consider the key red flags of Russia’s authoritarian



turn, such as the constitutional reforms or Putin's return to power in 2012. I also focus on this period because the Procuracy was greatly weakened and lost the ability to initiate and conduct a criminal investigation in 2011 from the separation of its investigative department into an independent rivaling organization (the Investigative Committee), which I examine in detail in Chapter 3.

## 1.2 Data

I evaluate the argument empirically using the combination of original interviews and micro-level quantitative personnel data. With the help of the Carnegie/Harriman dissertation research award, I have collected biographical data on all of the heads of Russia's subnational procuracies spanning 30 years of Russia's post-Soviet history (from 1990-2020). This data was collected using open-source information predominately from the websites of regional procuracies and accompanying and cross-checking it with information from news databases. The data I collected is particularly valuable as the regional procuracies' websites and the historical information they featured are no longer available as Procuracy has recently switched to a centralized website system, featuring limited biographical information for the current prosecutor only. I combine this data with another original dataset of the prosecutions of Russian regional politicians — governors and vice governors — that I compiled using news databases.

I collected the interview data during my fieldwork in Russia between October 2021-February 2022. I originally envisioned a nine to twelve-month-long fieldwork, which was first postponed due to COVID-19 and later cut short to five months due to Russia's invasion of Ukraine. It was easiest to get interviews from people who had previously worked in Procuracy but no longer did for various reasons (parental leave, retirement, career switch, etc.). However, my interviews also include some current employees. Unfortunately, some of the most interesting leads and scheduled interviews, including with retired prosecutors of

the Subjects of the Federation had to be canceled after the beginning of the war as people were too afraid to talk. Even prior to the war, people were very reluctant to talk to me.

My non-response rate was very high. I was shocked to receive rejections even from people I personally knew or who knew someone who could vouch for me. For instance, someone who was helping me find an interviewee in Ulan-Ude city got the following response on my behalf: "As a person who has worked in this system for 25 years, I am confident that no one will talk to her, you should tell her that... Have you ever heard about omertà?<sup>4</sup> Same thing here." A friend of a close friend once a judge now turned IT worker said that he would have loved to talk to me but since his parents still work in the judiciary he "could not afford to take a risk." Someone I know personally who works at the Procuracy said that he was unable to talk to me about anything due to the fear of being fired. Several people told me that there is no point in our conversation and that I just needed to "read the law." During one of my interviews, my interlocutor requested that I disclose no details about him whatsoever because "these are the times we are in," and if something happened to him who would take care of his sick wife? Despite these hurdles, as a result of my fieldwork, I collected 16 interviews that provide valuable insights into the personnel politics within the Procuracy.<sup>5</sup>

### 1.3 Main Arguments

With the help of the quantitative and interview data, I argue that personnel management strategies in Russia's Procuracy at the regional level, specifically, the practice of the appointment of outsiders, shorter tenures, horizontal shuffling, and career incentives helped Putin achieve several goals. By shortening prosecutors' time horizons in Russia's regions, breaking the ties with local elites, and encouraging the prosecution of local elites with career incentives, Putin was able to avoid the costly strategy of indiscriminate purges and built a loyal

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<sup>4</sup>Code of silence in mafia-type of organizations originated in Southern Italy.

<sup>5</sup>A reference table for all the interviews can be found in the Appendix to Chapter 1. I use the same reference guide throughout the whole dissertation.

and competent bureaucracy. With the help of these loyal agents, he was able to establish a threat of credible coercion of criminal prosecution over some powerful local political actors — Russia’s governors — and directly remove others, such as Russia’s popularly elected mayors. I argue that this contributed to democratic erosion since at the time, regional actors posed important formal and informal constraints on Russia’s presidency and threatened Putin’s grip on power.

By showing that outsiders were posed in the regions where the party supporting Vladimir Putin — United Russia — performed worse in the Parliamentary elections and where governors were not party members, I also provide suggestive evidence that these personnel strategies in Procuracy contributed to the creation and the success of Russia’s authoritarian party, which has dominated the Russian politics since. Finally, I make the case that these strategies were so hard to detect as contributing to authoritarian backsliding because they were perceived by both the bureaucrats and experts alike as addressing a problem of weak state capacity and excessive power of Russian regional leaders that characterized Russian politics at the time. I argue that in Russia, the processes of authoritarian backsliding and state-building were tightly intertwined, and frequently the latter masked and enabled the former, which is precisely what contributed to the stealth nature of Putin’s authoritarian encroachment.

## 1.4 Looking Ahead

The dissertation consists of an introduction, five substantive chapters written as stand-alone pieces, and a conclusion.

**Chapter 2** of the dissertation is an edited version of the solo-authored chapter “The Pendulum of Central-Regional Relations in Russia” published in *Russian Politics Today: Stability and Fragility* (Wengle 2022). The chapter focuses on the recent history of central-regional relations in Russia and provides a context for the rest of the dissertation, which

focuses on the events and actors rooted in the complex history of the central-regional dimension of Russian politics: Russian governors, heads of regional procuracies, and mayors. By analyzing Russia's recent history through existing literature on the topic, the chapter shows that while the rapid decentralization that Russia had experienced following the collapse of the Soviet Union posed a legitimate threat to Russian statehood, it also provided a democratic promise since the levers of power were for once not fully concentrated in Moscow. I show how Putin's re-centralization reforms, while successfully addressing some of the most acute problems of Russian statehood, directly contributed to the erosion of Russia's fledgling democracy and to the strengthening of Putin's personal hold on power.

**Chapter 3** zooms in on the institution of Procuracy, which is one of the oldest and most powerful law enforcement institutions in Russia due to the broad range of powers that combined the power of the general supervision of legality with the dominating role in all of the stages of the criminal process. The first part of the chapter provides a brief history of the institution and shows that Procuracy was allotted such broad powers and was able to maintain them since the tsarists' times because of the role it played in helping ensure compliance with federal-level laws and decrees at the local level. The problem of corruption and non-compliance with laws and decrees by regional actors has always plagued Russian politics and Procuracy, as the "eye of the tsar," has been historically tasked with addressing it.

The chapter then examines the recent history of Procuracy under Yeltsin and Putin. It details how upon using powerful Procuracy to remove his key opponents — Russia's oligarchs — Putin went on to weaken and subjugate the institution to himself. I show that he did so by first removing and allocating Procuracy's investigative powers to a separate institution (the Investigative Committee) with its own leader directly subordinated to the president and then by strengthening the presidential role in the appointment process of the top figures within Procuracy. I also make a case that the fragmentation of this coercive institution has had negative impacts on the quality of justice in Russia.

Finally, to set the scene for examining how personnel strategies in Procuracy helped Putin address another major constraint and threat to his power rooted in regional leaders such as governors and mayors, the chapter introduces a novel biographical dataset of Russia's prosecutors of the Subjects of the Federation. Prosecutors of the Subjects of the Federation are second in the prosecutorial hierarchy and are tasked with leading Procuracy's regional offices. In the rest of the dissertation, I rely on this dataset to track the changes in how these bureaucrats were managed at the level of Russia's subnational units or regions.

**Chapter 4** addresses the following question: how do autocrats and would-be autocrats build loyal bureaucracies that they frequently inherit from previous more democratic regimes? And how do they do so when the expertise of bureaucrats is valuable and they cannot be purged indiscriminately? This chapter makes the case that bureaucratic management techniques — such as agent shuffling, the appointment of outsiders, and career incentives — can be a powerful tool for an autocrat to both identify loyal subordinates and cultivate loyalty within the institution. Empirically, the chapter relies on the biographical data of Russia's regional prosecutors in combination with the original data on the criminal prosecutions of local political elites — governors and vice governors — and shows how management techniques helped Putin identify and reward loyal bureaucrats, without unnecessarily sacrificing their competence.

In particular, I show that prosecutors, regardless of whether they are locally embedded or not, who demonstrated loyalty by turning against local elites are kept in the institution or even rewarded with promotions. I also show that contrary to intuition, prosecutors with local ties are *more* likely to prosecute vice governors. This, I argue, is because, in the absence of the need to remove governors directly, it is the career logic that defines the patterns of criminal charges. Local prosecutors, who are suspected of collusion with local elites the most, are also the ones most interested in proving their loyalty to the center, which they do by turning against top figures in the region. The fact that the agents that are least expected to be loyal are eager to prove loyalty suggests that a credible threat of coercion by

means of criminal prosecution was in fact established with the help of personnel management techniques in Procuracy.

**Chapter 5** brings together the literature on democratic backsliding and state-building and uses the case of Russia to argue that the steps taken by closet autocrats are particularly hard to detect when they appear to address the issues of governance. The chapter focuses on the introduction of personnel management practices within Russia's Procuracy, specifically, the practice of the appointment of outsiders to the regions. I show that while being a reasonable anti-corruption practice aimed at improving the coercive capacity of this law enforcement agency at the local level — in fact, this practice is frequently found outside of authoritarian context — it was used strategically to enable Putin's authoritarian encroachments.

In particular, the chapter demonstrates that issues threatening the capacity of the Russian federal state, such as corruption at the local level or local authoritarianism, do not determine the appointment of outsiders. Instead, outsider appointments are determined by the strength and partisanship of local executive leaders — local governors — as well as by how United Russia performed in the region. This stands in sharp contrast to the evidence I obtain with interview data, which demonstrates that prosecutors and experts themselves perceive this personnel practice as a justified policy to strengthen the state, uphold the centralized nature of Procuracy as is required by law, and curb corruption. The contrast between what the personnel policy actually did (strengthened authoritarianism) and what it was perceived to do (strengthen state capacity) that the chapter sheds light on, helps us understand how authoritarian intentions are especially easy to misinterpret where objective issues with governance are present.

**Chapter 6** is a coauthored chapter, which examines how personnel management strategies, in particular, the practice of appointment of outsiders within law enforcement (the prosecutors) and local executive (the governors) help explain the variation in corruption prosecution of Russia's mayors. The chapter makes two contributions. First, it demon-

strates how personnel strategies, especially the practice of the appointment of outsiders for shorter tenures in Russia's regions, enabled the regime to apply coercion against local, democratically elected, leaders, further undermining existing democratic institutions in the country. Second, this chapter engages with and contributes to the literature on ant-elite repression and anti-corruption campaigns. When trying to understand who gets repressed and prosecuted and why, the literature has focused on the *targets* of corruption charges and theorized who is able to avoid being prosecuted and why. By focusing on prosecutors and governors who frequently have conflicts with mayors, the chapter argues that the properties of actors behind the prosecutions, such as elite rivals and bureaucrats working in law enforcement, also matter in explaining patterns of repression.

In the **Conclusion**, I discuss the generalizability of my arguments within and beyond Russia. I discuss the personnel strategies, especially the horizontal rotations, in the context of the Ukrainian territories recently annexed by Russia during the ongoing war and discuss how serving on these territories has become a loyalty test and a career lift for bureaucrats in today's Russia. This is in line with this dissertation's theory that personnel management strategies are an effective way to help identify loyal subordinates. Finally, I make a case for a much-needed comparative framework for the study of legal institutions outside of courts, such as Procuracy, around the globe.

# Chapter 2

## The Pendulum of Central-Regional Relations in Russia

### 2.1 Introduction

This chapter is an edited version of “The Pendulum of Central-Regional Relations in Russia” published in *Russian Politics Today: Stability and Fragility*, which focuses on the recent history of the central-regional relations in Russia (Olimpieva 2022). The first goal of this chapter is to provide a context for the rest of the dissertation, which focuses on the events and actors rooted in the complex history of the central-regional dimension of Russian politics. Understanding the history of central-regional relations is important because the nature of Russia’s political system has long been heavily influenced by the relationship between the Kremlin and Russia’s diverse territories. It is particularly important for the focus of this dissertation, Russia’s Procuracy. As the next chapter will demonstrate, Russia’s Procuracy has always been a major actor in central-regional relations and the fact that it maintained its powers through the entirety of its existence can be explained, in part, by the governance challenges, especially the challenges related to the governance of distant territories, that Russia has historically faced.

The second goal is to provide historical evidence for how tightly the processes of re-centralization and authoritarian regime building in Russia were intertwined. The chapter will demonstrate how the highly centralized administrative structures of the Soviet state and



of Putin's Russia have in part been a response to objective challenges faced by the country for decades if not centuries. The Russian state has to contend with a large territorial expanse, extreme subnational inequality, a long history of centrally planned development, political opportunism of local elites, and separatist threats. At the same time, while the significance of these structural conditions is undeniably important, the reconstruction of a centralized state under Putin today has directly contributed to the withering of Russia's democracy and to the strengthening of a personalist and entrenched authoritarian regime.

This chapter provides historical evidence for the type of stealth authoritarianism that, I argue, Russia experienced: autocratization intertwined with state building. The chapter makes a case that the re-centralization processes unleashed by Putin were hard to detect as authoritarian precisely because the processes of state capacity and bolstering authoritarian power can be so tightly intertwined. While this chapter provides a historical context for the rest of the dissertation, it is especially relevant for Chapter 3, in which, by focusing empirically on Russia's Procuracy, I further develop an argument that the intertwined nature of autocratization and state-building contributes to stealth authoritarianism.

The chapter consists of four parts. The first part considers Soviet legacies and political events that characterized Russia's transition from the Soviet Union. The second part looks at Yeltsin's presidency, which was characterized by empowerment of Russian subnational units, the promises of federalism and democracy, but also extreme weakness of the federal state and threats to Russian statehood. The third part focuses on re-centralization dynamics that characterized central-regional relations under Putin during his first two terms as a president. The final part considers increasing powers gained by the president in recent years vis-à-vis the regions against the background of persistent issues of regional governance that the regime has been unable to solve.

## **2.2 Soviet Legacies of Ethnic Diversities, Inequalities, and Governance**

As the former linchpin of the Soviet Union and the largest of the fifteen Republics, the Russian Federation (RF) is the Union's most direct descendant. It inherited many of the powers and struggles of its Soviet predecessor. This section will consider two key Soviet legacies consequential for Russia's central-regional relations: the country's ethnically defined and multi-tier administrative system and the deep-rooted intra-regional inequalities.

### **2.2.1 Administrative Divisions of USSR and Russia**

Governing Russia has always been a challenge due to the country's sheer size and geographic diversity. The country's struggle to control and govern its far-flung territories goes back centuries to Russia's predecessor states: the Kiyevan Rus', the Russian Empire and the USSR. These states were formed in part as the result of an "internal colonization," a process in which an expansive state is both the subject and the object of colonization, as it pushed its own frontier to explore evermore distant territories and native populations (Etkind 2013). In Russian history, the colonized territories were frequently less economically developed than the heartland and sparsely populated. They were also home to diverse populations.

In fact, Russia's most immediate predecessor, the USSR, was not only the largest country in the world but also one of the most diverse with over 100 nationalities residing on its vast territories. Russia inherited its administrative structure directly from the Soviet Union, which was designed in part to accommodate the country's ethnic diversity. Special territorial divisions were created that corresponded to the major ethnicities residing in the area, often referred to as "titular nationalities." In particular, the USSR incorporated two types of Republics. The top-tier administrative level consisted of the fifteen Soviet Socialist Republics (SSRs) or Union Republics, with Russia being one of the fifteen as Russian Soviet Feder-

ated Socialist Republic (RSFSR). Within the Union Republics, smaller Autonomous Soviet Socialist Republics (ASSRs) were located, which accommodated and represented smaller nationalities. These units are particularly important for the story of Russian central-regional relations and will be referred to in this chapter as autonomous republics.

Even smaller ethnicities were administratively represented by Autonomous Areas or Okrugs and one Autonomous Region or Oblast'. Unlike the Autonomous Republics, these areas were typically very small and scarcely populated, which is still true today. Sometimes, the ethnic identity endowed upon a territory was more of a feature of Soviet state building rather than a translation of genuine ethnic identity into an administrative structure (Hale 2003). Even in the ethnic administrative units, the proportion of the titular nationality rarely exceeded the ethnically Russian population.

In addition to containing smaller ethnically rooted administrative divisions, Union Republics were also divided into administrative units that were not ethnically defined. These administrative borders were either inherited from the Russian Empire (the former *gubernii*) or later created for the convenience of governance. Hence, administratively, the Soviet Union had a two-tier system and RSFSR was essentially a federation within a federation. This matryoshka or Russian nested doll-like administrative structure will be consequential for the events that unfolded during the dissolution of the USSR and the conception of Russia as an independent state.

Contemporary Russia inherited the administrative divisions from its Soviet predecessors. According to the constitution, the Russian Federation is composed of 85 units, frequently referred to as “regions,” which are officially titled the Federal Subjects. Russia’s administrative structure can be confusing as there are six different types of subnational administrative units that are all considered federal subjects. The most common way to conceptualize subnational units of Russia is to understand them as falling within three main categories: ethnic “states,” ethnic territories, and regular administrative territories.

The exact number of regions has changed over the last twenty years. Some subnational

units were merged as part of the re-centralization agenda of the Putin era, considered below. Two new regions were added after the annexation of the Crimean Peninsula: Crimea and the City of Sevastopol. These territories are recognized as annexed by the international community, yet they were swiftly written into the Russian constitution in 2014 as Subjects of the Russian Federation. Crimea received a status of a republic and Sevastopol, a city of federal importance. Table 2.1 lists in parentheses the number of regions that takes into account the annexed Crimea and Sevastopol.

Table 2.1: Russia’s Administrative Structure

Ethnic “states”	Ethnic territories	Administrative territories
<ul style="list-style-type: none"> <li>• 21(22) ethnically defined Republics (<i>Respublika</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• 4 Autonomous Areas (<i>avtonomnyi okrug or AO</i>)</li> <li>• 1 Autonomous Region (<i>avtonomnaya oblast’</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• 9 territories (<i>krai</i>)</li> <li>• 46 regions (<i>krai</i>)</li> <li>• 2(3) cities of federal importance (<i>gorod federal’nogo znacheniya</i>)</li> </ul>

Russia’s regions are also shaped by significant intra-regional inequalities in part as the result of eight decades of Soviet economic planning. Soviet regions varied widely in the size of the population, territorial expanse, resource endowment, and industrialization and can be divided into three larger areas: the developed industrial regions of the European parts of Ural, resource-rich Far East and Northern Siberia, and less developed areas of Northern Caucasus and South of Siberia (Zubarevich 2020).

Due to the harsh climate characteristic to so many territories of Russia, the country’s regions also varied in the extent of attractiveness for human settlement. Yet, the Soviet practice of state-led development encouraged the development of remote areas that had been challenging spaces for modern urban life. In the Soviet era, inequalities in terms of income, development, and habitability were ameliorated through a panoply of equalizing policies and distributive mechanisms. A centralized political system redistributed resources between the regions, and the planned economy equalized wages and social services across the country, as well as prices for food and consumer goods, transport subsidies, and many

more features of social and economic life.

The Soviet Union thereby addressed inequalities built into the country's geography and maintained towns across the country's large territory through these various redistributive policies. At the same time, years of Soviet state-led development also created a situation where some Russian towns and villages were heavily supported by state subsidies in ways that proved extremely costly and ultimately unsustainable in a market economy. With the dissolution of the USSR and central planning, the state's ameliorating hand vanished and exacerbated inequalities across Russia.

## **2.3 Nationalist Movements and Regional Empowerment**

Every year on June 12, Russians celebrate Independence Day, which marks the day Russia acquired its sovereignty. A reasonable question to ask is: sovereignty and independence from whom? For a colonial state that Russia has always been, celebrating independence, i.e., the loss of its colonies, presents a historical paradox (Shevtsova 2014). Yet, for many Russians, the collapse of the Soviet Union in 1991 and the attainment of sovereignty meant the long-wanted independence from the old Soviet elites and was welcomed as the dawn of a new era. However, the young Russian Federation faced many old problems. The decentralization processes unleashed during the last years of the USSR's existence, especially the political struggle between Gorbachev and Russia's new leader Boris Yeltsin, provided conditions for the creation of Russia's federalism but also left the country struggling to govern incalcitrant and newly empowered and highly unequal subnational units.

### **2.3.1 From Decentralization to Dissolution of the USSR**

The Soviet Union embodied in its name and its constitution a federal ideal. In reality, however, the Soviet state was highly centralized and delegated few real authorities to the Socialist Republics. Centralized economic planning and governance of such a vast and un-

equal country contributed to the economic stagnation that began under Leonid Brezhnev in the 1960s. Debates about whether and how to decentralize planning and governance started in the 1970s, as the *nomenklatura* (key Soviet administrators) considered that some degree of decentralization might facilitate economic recovery. However, it was not until Mikhail Gorbachev launched his sweeping reform agenda of perestroika (reconstruction) that major steps to devolve meaningful economic and political authority to lower levels of government were taken (Starodubtsev 2018, 36).

In the process of *perestroika*, the sovereign rights of Union Republics were formally expanded. Union-level political elites took many of these formal changes as empty slogans because in practice the government of the USSR could invalidate any of the Republican laws (Kahn 2002, 92). Gorbachev seemed to want to decentralize but stopped short of introducing genuine federalism, which would have entailed the simultaneous weakening of the central government structures as well as the Communist Party organs that still centered in Moscow. The Republics were not satisfied with these partial measures and pushed for more sovereignty and independence. Starting with the Baltic states, the Republics began to announce their sovereignties and established the primacy of the republican over the Union laws. This is known as the Parade of Sovereignties: the avalanche of sovereignty and independence claims of the Union Republics that unfolded from 1988 to 1990. By 1990, all Union Republics declared sovereignty, and some even full-fledged independence from the Soviet Union.

The Soviet government headed by Gorbachev was unwilling to turn to force to stop these processes. A combination of denouncement of Stalin's methods thanks to the reforms of Khrushchev's Thaw and Gorbachev's personal convictions played a role in this (Shevtsova 2011). For this, he is considered a "traitor" by some in Russia. Gorbachev fought to maintain the Soviet Union but in the end, was unable to control the centrifugal forces he had unleashed. These processes, fueled by an attempted coup in the August of 1991 by Soviet hardliners who opposed Gorbachev's reforms, culminated in the *raspad* or the dissolution of the Soviet Union. The country ceased to exist on December 8, 1991, as the result of the signing of the

Belovezha Accords by the leaders of Russia, Ukraine, and Belarus.

### **2.3.2 The “War of Laws” Between Yeltsin and Gorbachev**

The events that led to the dissolution of the USSR had important and direct consequences for the future of Russia and its relationship with its own subnational units. Not only did the country emerge from this period as an independent state, but it also emerged struggling to maintain its unity and statehood. The disintegration processes that unfolded in the USSR, unleashed similar processes on the territory of Russia. The development of sovereignty and independence aspirations of Russia’s regions was a direct, yet unintended consequence of Mikhail Gorbachev’s desire to save the unity of the USSR in combination with his conflict with Boris Yeltsin, who at the time was growing in popularity as the leader of RSFSR (Starodubtsev 2018, 40).

Both Gorbachev and Yeltsin exploited the two-tier administrative system of the Soviet state described in the previous section and tried to buy off the loyalty of Russia’s subnational units and encouraged independence movements in regions that previously expressed no sovereignty claims. The two leaders competed in the extent of sovereignty they were willing to offer to regions in exchange for their loyalty, which period is now remembered as the War of Laws. As part of this struggle, Gorbachev pushed for more sovereignty of republics located within the territory of RSFSR to weaken Yeltsin (Herrera 2005, 144). In particular, he passed a law that provided sovereignty not only to the first-tier members of the Union (SSRs) but also to the second-tier units — most importantly, the ethnic republics on the territory of Russia, such as Tatarstan and Bashkortostan. The law essentially implied that the second-level autonomous republics on the territory of Russia acquired the same weight in the Soviet Union as Russia or RSFSR itself!

This was a big blow to the status of RSFSR and Yeltsin’s own personal ambitions, as it reduced Russia’s weight in the Union and essentially amounted to the loss of de jure control

of its territories. In response, on June 12, 1990, the Supreme Council of RSFSR, chaired by Yeltsin at the time, declared the country's sovereignty. As part of this Declaration, Yeltsin not only established the supremacy of Russia's laws over the USSR's laws (like other Republics that participated in the Parade of Sovereignties) but promised sovereignty to *all* subnational units of Russia, equating in status regular regions, ethnic republics, and autonomous okrugs.

By equalizing the status of regular and ethnic regions, Yeltsin ensured their support to the Russian government and hoped for their loyalty himself personally. To regain the support of the ethnic regions, he traveled around Russia's famously encouraging them to "take as much sovereignty as you can swallow" as members of the Russian state. Following the Declaration and Yeltsin's tour, the avalanche of sovereignty claims followed. While hesitant at first, regional elites quickly saw a political opportunity in taking the leadership role in sovereignty claims (Kahn 2002, 107).

Gorbachev's attempts to keep the Soviet Union together and his struggle to undermine Yeltsin had unexpected consequences that paved the way for further and deeper decentralization of not only the Union but also Russia itself. Since Yeltsin, as he later explained himself, decided to "fight fire with fire" and offered more sovereignty to Russia's regions to keep them as part of the country, they were encouraged and legitimized to demand more sovereignty and independence. On the one hand, this created conditions for the birth of Russia's federalism. On the other, the competition between two power centers that existed in parallel — the old Union center headed by Gorbachev and the RSFSR government headed by Yeltsin — delegitimized the law-making authority of both. This undermined the norms of obedience to not just the Soviet but to any central or federal legislation, setting a dangerous precedent for the future of Russia.



## 2.4 Yeltsin’s Federalism “By Default”

Similar to the Soviet Union, the young Russian Federation pronounced itself a federal state. It could be argued that Russia’s central-regional relations never came close to being genuinely federal as none of the formal documents that governed the country allocated sufficiently exclusive powers to the subnational units. Yet, Russia in the 1990s poses a striking difference to a unitary centralized Soviet state. Russia in the 1990s was a federal state “by default” due to the vast amounts of *de facto* power possessed by its subnational units vis-à-vis the federal center (Petrov 2004). On the one hand, these processes threatened Russia’s statehood and deepened the issue of Russia’s intra-regional inequalities. On the other hand, they contained a democratic promise as for a brief moment in Russian history, the federal center was constrained in its decision-making and forced to negotiate with subnational units about their priorities and how they wanted to be governed.

### 2.4.1 The Rise of Governors

One of the outcomes of decentralization that unfolded in Russia was the rise of new powerful actors — Russia’s regional leaders. These leaders are usually referred to as governors, even though the official title varies from one region to another. Importantly for symbolism, governors in the republics were titled as presidents to highlight even footing with the president of Russia (even though their powers were never comparable). Originally appointed by the center as heads of local administration, governors became elected leaders under Yeltsin. While regions received the right to elect their own leaders for the first time in 1991, the practice was put on hiatus until 1995 due to Yeltsin’s fear that former communist bosses would be elected.

Regional leaders had a lot of power thanks to their political machines — institutional conditions and informal networks that facilitate clientelism or the practice of exchange of

material benefits for votes. Since the privatization of the Soviet economy had been relegated to the governors, they found themselves in the position of control over large economic assets and their political machines frequently included newly emerged business elites (Orttung 2004, Chebankova 2010). Access to political machines was not a guarantee as building and maintaining them required political talent and savviness. Many former communist leaders failed to become competitive politicians (Hale 2003).

In addition to networks and institutional legacies, governors frequently had control over the electoral commissions and media outlets and were able to influence local branches of the federal state institutions such as tax police, security services, judges, and prosecutors. Finally, governors also held a powerful formal channel of influence as members of the Federation Council, which is the upper chamber of Russia's parliament. This allowed them to directly impact federal politics and protect their interests and the interests of their regions by vetoing laws passed in the Duma (Remington 2007).

The excessive power of governors was unpopular among Russians and in many ways problematic. Russian economy suffered from governors' collusion with powerful businesses and the promotion of protective policies that were detrimental to economic growth. Economic reforms designed at the center were frequently ignored in the regions, interregional trade barriers were a common practice and powerful regional governors helped local businesses avoid federal tax bills (Berkowitz & DeJong 1999, Gehlbach 2008, Wengle 2015, Ponomareva & Zhuravskaya 2004). The inability to access tax revenue had dramatic consequences undermining the Russian state's capacity to perform its basic functions such as fulfilling its obligations to pensioners, paying state employees, maintaining its army, and the security of the vast Soviet chemical and nuclear arsenal the country inherited.

Yet, the governors' ability to check the federal executive was particularly important in the context of the 1993 constitution adopted by Yeltsin, which maximized presidential powers (Gel'man 2015, 55). The constitution contributed to the creation of a system of superpresidentialism in Russia characterized by excessive powers of the president in terms of

access to resources and control over the expenditures, ability to govern by decree, subordinate judiciary and limited parliamentary checks and balances (Fish 2000). In the absence of horizontal constitutional constraints, the vertical constraints imposed by regional leaders became even more important for Russia's future as a democracy.

## 2.4.2 Recalcitrant Regions and Asymmetric Federalism

The federal center headed by president Yeltsin entered the democratic period of Russia's history weak vis-à-vis the newly empowered and emboldened subnational units. The norms of obedience to the federal agenda were replaced with the new practice of central-regional bargaining. Economically rich autonomous republics were positioned especially well for this new setup as they combined ethnically-rooted legitimacy and the capacity to credibly threaten Russia's integrity and the functioning of its economy.

Now that Russia was no longer part of the Soviet Union, new rules of the central-regional relations needed to be established. The first attempt to establish such rules was the creation and signing of the *Federativniy Dogovor* or the Treaty of Federation. All regions could sign the treaty, but not on the same terms. In fact, the Treaty provided huge privileges to the ethnic republics, establishing what is often referred to as asymmetric federalism, which implies that uneven rights and privileges are provided for different types of subnational units. Despite the privileges allotted to the ethnic republics, the Treaty was not signed by Tatarstan and Chechnya.

To appease Tatarstan, a special appendix to the Treaty was added to accommodate Tatarstan's demands. Yet, the region proceeded to hold a referendum on its independence from Russia, which was later deemed unconstitutional by Russia's Constitutional Court (Shapiro 1992). Over 60 % of residents of Tatarstan voted for independence, but the region remained part of Russia. The referendum was a way for the leaders of Tatarstan to gain leverage against the Kremlin. The events unfolded more bitterly in the Chechnya region that

fought for complete independence from Russia. In 1994, the Russian army entered the region marking the beginning of the first of the two bloody Chechen wars that took thousands of lives.

Yeltsin's constitution adopted in 1993 replaced the dysfunctional Treaty and created a new, formally symmetrical system of central-regional relations, which was once again resisted and boycotted by some of Russia's regions. Yet, the 1993 Constitution established the modern administrative system where regular regions have the same status as ethnic republics, territories, and cities of federal significance as federal subjects. While the Constitution adopted in 1993 made subnational units of Russia equal on paper, the asymmetry in privileges and differential treatment continued to exist in an ad-hock aconstitutional manner, in part as a way to address the internal threats of destabilization.

### **2.4.3 Bilateral Agreements and Fiscal Decentralization**

Despite the adoption of the new constitution, Yeltsin continued to accommodate regions through so-called bilateral agreements. In the period between 1994–1998, forty-six bilateral treaties were signed (Cameron Ross 2005), which granted special political and economic conditions for the signatories. At times, agreements endowed regions with extraordinary rights that violated the Constitution. For example, the bilateral agreement signed with Tatarstan in 1994 granted it the right to establish a national bank and conduct relations with foreign states independently of Russia! While in the beginning, the bilateral agreements were only signed with ethnic republics, eventually, this practice spread over to regular regions as well. Bilateral agreements deepened the asymmetry and divided the country into regions that lived by the rules written in the constitution and those that had special privileges.

Bilateral agreements were a symptom of rapid and chaotic decentralization. With the central state gone, the regions were left with new responsibilities that frequently exceeded their financial means. Left to fend for themselves and newly accountable to the public,

richer regions in particular were protective of their resources. By 1993, up to 30 of them refused to pay taxes waging a “tax war.” At the same time, most of the regions depended on some extent of federal support. Bilateral agreements were first and foremost a way to find a compromise about the authority over taxes, federal benefits, grants, and other financial transfers although they covered many other issues as well.

Governing a country which is as economically unequal as Russia is impossible without some extent of economic redistribution. Yet, in the 1990s, the matters of taxation and redistribution were not determined by the objective need for public provision. On the one hand, the central government’s willingness to sign bilateral agreements aimed to stabilize the country and prevent further political disintegration. As a consequence of this, richer and more powerful regions — the same regions that could both threaten and lobby Moscow — received major tax cuts (Treisman 1996). But the public good provision was also politically motivated and aimed to buy support for Yeltsin personally. Regions that voted in a pro-center way and supported Yeltsin in the presidential elections were favored by the fiscal flows (Popov 2004).

The period of the 1990s was a tumultuous time defined by a tug of war between the federal center and Russia’s regions, or more specifically, between president Boris Yeltsin and Russia’s powerful regional governors. While the regions fought for the sovereignty that had been promised to them by Yeltsin during the transition, they also undermined the capacity of the Russian state and stood in the way of economic reform. The inability of the federal state to fulfill its basic financial obligations threatened the country’s statehood and, importantly, disillusioned many Russians with the democratic project. Yet, the 1990s was also a period of democratic hope. Governors posed a real constraint on federal power and in many ways tied the hands of the president of Russia. For a brief moment in the history of Russia, the central-regional relations resembled federalism. This complicated period in Russia’s history ended in 1999 when Boris Yeltsin resigned from his presidential seat and appointed Vladimir Putin in his place. Putin will go on to win the presidential elections in 2000 and will take

decisive steps to rebuild the hierarchical structure of the Russian state, undoing constraints that the regions and their leaders imposed upon the federal center and the president of Russia.

## 2.5 Putin's Re-Centralization Efforts

Central-regional relations became Putin's central agenda after coming to office in 2000. Emboldened by his victory in the presidential elections in 2000 and with Duma's support as the result of the victory of the Unity party (the predecessor of United Russia) he had backed in the 1999 parliamentary elections, Putin begins to push for "federal reforms." These reforms were in reality anti-federal and marked an important turning point in center-region relations toward centralization. They involved decisive steps that reduced the influence of Russian governors, empowered the federal center vis-à-vis the regions, and ultimately re-centralized Russia's political and administrative systems. Within a very short time span, Russian federalism was significantly curtailed and governors were transformed from representatives of the regions at the federal level to representatives of the federal center in the regions. The effect of Putin's reforms was contradictory. On the one hand, they put an end to the political chaos of the Yeltsin era and brought about more predictability and manageability to the Russian political processes. On the other, challenges of regional development and inequalities remained and new threats to Russia's fledgling democracy were created.

### 2.5.1 Federation Council Reform

During Yeltsin's presidency, governors successfully defended their interests in the Federation Council, Russia's upper chamber, and vetoed presidential decrees and laws adopted by Duma (the lower chamber). Since 1995, governors sat on the Council *ex officio*, meaning that they were granted a seat by virtue of taking the governor's office. However, this appointment procedure was not written into the constitution and in August 2000 Putin passed the law

that changed how Federation Council was formed. From then on, the upper chamber was comprised of permanent full-time appointees nominated by the regions' local executive and legislative bodies.

The appointees were not directly accountable to the electorate and constantly resided in Moscow, which made them more vulnerable to the influence of the Kremlin elites. Losing the seat in the Federation Council also made governors generally more vulnerable to coercion as it stripped them of the immunity to criminal investigation (Ross 2004). To appease the governors, Putin established another organ, the State Council, which is an advisory body to the president. Having a seat on the State Council, in theory, granted governors an ability to directly influence federal politics. However, since the State Council is directly subordinated to the executive branch and is merely a consultative organ, its members have little actual power.

As the result of Putin's reform of the Federation Council, the real power of regional influence over the federal politics was eliminated and Council seized to be a body representative of the interests of regional elites, let alone regional communities. The newly created State Council failed to become an organ representing regional interests in place of the Federation Council. Lack of genuine regional representation diminished the ability of the federal center to make effective regional policy (Turovsky 2007).

### **2.5.2 Eliminating the Governor's Popular Mandate**

Governors presented a threat to Putin not only as members of the Federation Council but also as ambitious and popular politicians. Re-introduction of popular elections of governors in 1996 led to increased popularity and national recognition of many regional leaders, which was worrisome to Putin who always paid close attention to his own approval ratings and the ratings of his potential opponents. In general, governorship was considered a highly powerful and desirable position that required a lot of political skill and was perceived as a

path towards the presidency.

Boris Nemtsov is an example of a politician who gained national recognition as a successful governor. In the 1990s, Nemtsov and his team turned Nizhny Novgorod Oblast' into a pioneer region in terms of privatization of state assets and attraction of foreign investment, which contributed to his popularity (Mommen 2016). In 1997, Nemtsov transitioned into federal politics and was appointed by Yeltsin as the first deputy prime minister of Russia. Nemtsov was considered as a possible presidential candidate and Yeltsin's successor. Yet, with the election of Vladimir Putin, Nemtsov moved into opposition and became one of Putin's most significant critics, mobilizing popular protests and criticizing Russia's intervention into Crimea. As he was working on the report on Russia's involvement in Ukraine in 2014, he was tragically shot near the Kremlin. Nemtsov presents an example of how regions can produce nationally popular politicians potentially threatening to a personalist ruler like Putin.

To address the issue of threats stemming from governors, in 2001, Putin introduced a law that allowed the president to fire a governor for legal violations. The law served as a potential deterrent that could be used against non-compliant governors. But this was only the first step. In 2004, capitalizing on the hostage situation in the city of Beslan in the region of North Ossetia — one of the worst terrorist attacks in Russian history — Putin blamed Russia's decentralized system for the tragedy and passed a set of sweeping centralization and securitization reforms. Most importantly, a law was passed that canceled popular elections of governors. From now on, the governors would be confirmed in their post by regional legislatures after being proposed by the president. This move changed the incentive structure of governors and reoriented their loyalties from the local electorate to the president (Sharafutdinova 2010), which reduced their political status. Even when reappointed, the weight of the governor post was no longer the same. From powerful politicians, governors were turned into federal managers and administrators.

Turning the governors from political figures to appointed administrators had conse-



quences for regional economic development. Putin's re-centralization agenda sent a signal to local executives that loyalty was more important than economic performance. Since the survival of Putin's regime hinged on the delivery of votes (as electoral authoritarian regimes usually do), the Kremlin prioritized electoral over economic performance in the regions. Governors' first and foremost task was (and still is today) to deliver election results in the presidential and national and regional parliamentary elections. Unlike in China, in Russia economic development did not matter for the re-appointment of local executives (Rochlitz 2016, Reuter & Robertson 2012). In fact, some of the worst performing governors were reappointed in 2005, even those known for their criminal activities (Gel'man 2008, Zhuravskaya 2010). In general, economic development mattered for promotions of higher level bureaucrats only in regions where electoral victory was guaranteed and there were no local political threats were present (Buckley & Reuter 2019).

### **2.5.3 Administrative Re-Centralization**

Even before the direct attack on governors, Putin introduced a full-scale federal reform, which goal was to strengthen governmental agencies and their territorial departments in the regions. Unlike in the US, federal bureaucracies such as the tax police, the judiciary, the Procuracy, and central electoral commissions are built into a single federal hierarchy. Yet, in the 1990s, the governors had ways of influencing these agencies. They often had a say in the appointments and incorporated personnel of these institutions into their informal networks. At times, security agencies informally protected governors' business interests (Volkov 2016) and collaborated with them in corporate takeovers (Rochlitz 2014). The tight relationship that governors had with territorial branches of federal institutions and institutions of law and order in particular, made it difficult and almost impossible for the federal government to implement its policies in the regions. Many of the laws and decrees were ignored since the center had neither the monitoring nor the coercive capacity in the regions.

To address these issues, Putin created a supra-regional level of federal bureaucracy by organizing all of the country's regions into seven Federal Districts, each of which was headed by a *polpred* (presidential representative or envoy). The envoys served as means for the new president to intercept power from Yeltsin-era local elites and to establish control over the regional governors. Restoring the coercive capacities of the federal state was the primary purpose of this additional bureaucratic level. This can be seen by looking at the backgrounds of people appointed as *polpreds*. Five of the seven appointees had backgrounds in security services and the military (Taylor 2011, 131).

Rather than giving envoys the power over the governors directly, which would have made them too powerful, they were made responsible for the vetting and replacement of the heads of local branches of the federal institutions of coercion. Moreover, the introduction of Federal Districts headed by presidential appointees, allowed employees to rotate into presidential bureaucracy and back into regional politics, which affected their professional incentives and made president an important player in career advancement (Goode 2014, 57). The envoys not only monitored people working in the federal institutions, they also monitored governors themselves. In particular, they were tasked with collecting compromising information about governors' activities.

#### **2.5.4 Legal and Fiscal Recentralization**

One of the main aims and outcomes of Putin's early reforms was the unification of Russia's legal sphere and the removal of special privileges acquired by the regions under Yeltsin. Governors and local legislatures were threatened with removal in case legal acts violated the constitution and "the unity of legal and economic space" of the Russian Federation. Swift and decisive centralization reforms on multiple fronts at once made this threat credible. As a result, the majority of bilateral agreements were rapidly canceled, and the local legislation was edited to be in line with the constitution. By 2003, the era of bilateral treaties was

largely over, as most of them were either annulled or lost power.

With bilateral agreements gone, a more unified system of taxation was introduced. In general, the taxation system was reformed in a way that led to the centralization of financial resources. The new Kremlin's policies redistributed resources away from the regions. As a result, regional budgets relied less and less on financial flows that stemmed from regional sources and more on federal redistribution. The number of federal transfers also increased, in part due to the sudden flow of oil money that refilled Russia's federal coffers and in part due to more efficient tax collection practices. Reliance on federal transfers led to the dependence of regions on the federal center and justified the need for increased federal monitoring. As a result, most regions, wealthy or poor, but especially poor, found themselves in a state of dependence on the federal center. Yet, from the perspective of political control, it was a convenient strategy. While federal transfers helped ameliorate intra-regional inequality that resulted from the transition to a market economy in the 1990s, the issue of the lack of fiscal autonomy of many regions of Russia remained unresolved (De Silva, Kurlyandskaya, Andreeva & Golovanova 2009, 46).

The centralization reforms of the first two presidential terms of Vladimir Putin were contradictory. On the one hand, the reforms were systematic steps taken to improve the governability or "manageability" of the Russian state. Indeed, the state's capacity to implement policy across the country's broad territories was revived in important ways. Putin's reforms solved some of the most glaring problems of the Yeltsin era that had been impediments to economic development. The dramatic fiscal asymmetries and inequalities in central-regional relations were evened out. Legal order was established and a formal relationship between the center and Russia's regions was introduced in place of the chaotic bargaining that defined Yeltsin's era. Yet, the sole focus on the re-establishment of federal control led to a failure to create a system that prioritized economic development. It is also hard to separate the administrative logic of the reforms from their political effects. Putin's reforms created new threats to Russia's fledgling democracy as the constraints on federal

power and the power of Putin personally were removed, creating the dangers of executive overreach and authoritarian backsliding.

## **2.6 Putin’s Return and Hyper-Centralization**

The years since Putin’s return to power in 2012, following the hiatus of Dmitrii Medvedev’s presidency, have been marked by the continuation and intensification of the same centralization trends described in previous sections. Policies adopted by the federal center after 2012 have been particularly anti-regional. While the elections of governors were returned as a compromise to political opposition, they did not improve the mechanisms of regional representation. The governor’s title was stripped of its political representative functions and further turned into that of a regional manager. In this period, the most anti-regional policy of appointment was implemented since Russia’s conception as an independent state. Russia’s central regional relations can now be characterized as hyper-centralized and hyper-presidentialized, as control of regional politics is concentrated in the federal executive. Yet, where the presence of the federal state is needed, such as in Chechnya for the protection of human rights, the Kremlin is absent.

### **2.6.1 Anti-Regional Appointees**

Popular elections of governors were returned by Dmitrii Medvedev in January 2012 in response to the popular uprisings of 2011 against fraudulent elections and Putin’s return to power. The elections were returned in part to transfer dissatisfaction and the popular demand for representation to the local level (Smyth & Turovsky 2018). To maintain control of political dynamics in Russia’s regions, the Kremlin had to ensure that only loyal candidates could be elected. This meant that the return of the gubernatorial elections was accompanied by serious barriers to entry (Ross 2018). By controlling names on ballots in the regional gubernatorial elections, the Kremlin was able to preclude a return to genuine popular rep-

resentation in the regions. Although elected on paper, regional governors remain essentially appointed by Putin, with elections serving as a kind of confirmation of the appointment at the center.

An important anti-regional practice characteristic of this epoch is the more frequent appointment of so-called outsiders or *varyagi*. Outsiders are people without regional ties who have not lived in the region long enough to have made connections there and to know its particularities. Local ties of a federal representative, which is what governors have become under Putin, was one of the few remaining channels of influence and lobbying for local interests. The more foreign to the region an appointee is, the more focused she is on the federal center. Local elites representing business and regional interests are less able to influence or lobby such representatives directly.

The practice of appointment of outsiders started as early as 2000 when Putin first came to power. While in the period from 2012-2015 about half of the appointees were outsiders, by 2018 appointment of outsiders became a regular practice marking the peak of anti-regional politics (Kynev 2020). The governors have now been relabeled by the Kremlin into “managers” (*menedzhery*) and “technocrats” (*tehnokraty*) which is meant to highlight the allegedly new business or corporate approach to governance and the Kremlin’s message that people sent by the center are more efficient in leading local economies precisely because of their apolitical character.

The typical image of a new governor is a relatively young, politically unambitious technocrat from Moscow, without any knowledge of or connections with the region. Similar to *polpredy*, the pool of governors in recent years has been increasingly dominated by *siloviki*, literally “wielders of force” or people who served in the defense, security, and law enforcement institutions. Moreover, almost all new governors owe their careers to Vladimir Putin personally (Institute 2018). There are a handful of old-timers who have been in their posts for over a decade. Yet, they also owe the permission to stay in power to Vladimir Putin as it were the 2020 amendments to the Constitutional “annulling” (*obnuleniye*) of governors’

terms (originally limited to two) that permitted them to stay in power. Career dependency on the president is one example of the “presidentialization” of central-regional relations characteristic of this time.

### **2.6.2 All Power to the President**

The administrative reform of the early Putin years contributed to the strengthening and centralization of the Russian state. When Putin returns after the hiatus of Medvedev’s presidency, centralization continues but this time through “presidentialization,” i.e., the rapidly increased importance of presidential decision-making. The 2020 amendments to the Russian Constitution regarding the Procuracy (Russia’s key law and order institution) and Constitutional Court are examples of further institutional weakening of the regions vis-à-vis the president.

In the 1990s, Russia’s Procuracy had a significant amount of decision-making power in terms of the appointment of heads of its regional branches. The Prosecutor General — the highest-ranking bureaucrat in the institution of Procuracy — would appoint prosecutors at the top of regional branches following prior consultation with the region about the candidate. Starting in 2014, the law was changed and the candidates were to be merely proposed by the Prosecutor General while the president himself made the appointments. As a result of the constitutional amendments of 2020, the procedure of consultation with the regions as well as the role of the General Prosecutor in the appointment process were removed completely. Now the president appoints regional prosecutors in consultation with the Federal Assembly (the institution that does little to represent the regions as we saw in the section above). I examine these changes in more detail in the next chapter.

When it comes to the 2020 constitutional amendments regarding the Constitutional Court, we similarly observe “presidentialization”. Article 125.5 now states that upon the presidential request, the Constitutional Court can check the legality of the regional laws

adopted by the regional legislature before they are published. As a result, this amendment further increased presidential powers vis-à-vis regions (Grigoriev 2021). Thus, the 2020 constitutional amendments and the federal laws that followed moved Russia further away from the possibility of establishing federal relations with regions and increased the concentration of power to control the regions in the president's hands.

## 2.7 The Problem of Chechnya

For centuries, Chechnya and Russia have had a complicated history. Chechnya had been annexed by Russia in the 19th century as the result of the expansion of the Russian Empire to the Caucasus, which was followed by the deportation of Chechens to Turkey. Under Stalin, Chechens were accused of collaboration with the Nazis and once again tens of thousands of Chechens were forcibly deported to uninhabitable areas in Central Asia. When the Soviet Union fell apart, Chechnya pronounced its sovereignty along with other regions of Russia. However, it went much further than the rest. Dzhokhar Dudayev — a native of Chechnya and a radical leader who came from a family that had experienced Stalin's deportations — pushed for complete independence of Chechnya from Russia (Barber 2011). This culminated in two devastating Chechen wars (1994–1996 and 1999–2005) that took tens of thousands of lives on both sides.

The two wars decimated the region with Grozny, its capital, largely destroyed. Putin's approach to the problem of Chechnya following the war was twofold. First, he funded the rebuilding of the region, especially the capital, and continued to fund the region's budget. Even today, over 80% of Chechnya's budget comes from federal transfers. Second and in contrast to other regions of Russia, despite the levels of financial support from the center, the region gained substantial independence to the point that today Chechnya is essentially an enclave that lives by its own rules. While hyper-centralization is a way in which the Kremlin approaches the control of the majority of Russia's regions, for Chechnya, Putin has

charted a distinctly hands-off approach.

Today, even though the region is technically subordinate to Russian legislation, in practice the lives of Chechens are often governed by custom and Sharia law even though many, especially women, seek protection from the state law (Lazarev 2019). Chechnya is truly an enclave as it is even out of reach for the FSB (Russia's Federal Security Service, which grew especially powerful under Putin) (Slider 2008). In exchange for autonomy, Chechnya's leader Ramzan Kadyrov expresses unwavering loyalty to president Putin personally. Among other things, he delivers exceptionally high (at times, exceeding 100%) turnout and vote results for Putin personally and the United Russia party (Keating 2012). He has also been an ardent and vocal supporter of the war Putin began against Ukraine, with Chechen paramilitaries participating in the conflict.

Ramzan Kadyrov has governed Chechnya with very few checks on his power, having constructed what amounts to a largely authoritarian religious state within the Russian state. Dissent or opposition to Kadyrov's regime is not tolerated and punished in cruel ways (Watch 2016). Reports of human rights violations against journalists and activists appear with horrifying frequency. But even for the average citizen not challenging Kadyrov, the situation in Chechnya can be grim, especially for women and LGBTQ persons whose rights are regularly violated. Women frequently become victims of domestic violence in Russia in general but in Chechnya especially. Those escaping the region and seeking refuge have been forcibly returned to their homes. Women also become victims of honor killings. The anti-gay violence perpetrated by security services has reached a level of a full-scale purge (Lokshina & Knight 2021). The leadership of Chechnya is not only aware of but encourages such violence, as it solidifies Kadyrov's legitimacy among the radical and conservative groups.

The Kremlin is perfectly aware of this situation but turns a blind eye. In fact, in 2021, Vladimir Putin endorsed another term of Kadyrov's regime praising him for "the safety" that was established in Chechnya (Lokshina & Knight 2021). While it is true that Chechnya has not seen violent conflicts since the end of the second Chechen war, questions arise about



the true costs of Kadyrov's regime and the Kadyrov-Putin deal. The center's willful non-interference in Chechnya's business costs thousands of human lives, lost or ruined not as the result of a civil war, but as the result of the war that Kadyrov unleashed on its own people. Russian federal government is responsible for protecting the rights of all its citizens. In most regions of Russia, the federal government is overly involved in regulating regional matters. Yet, in Chechnya, where it is much needed for the protection of citizens, protection by federal laws and authorities is largely absent.

In sum, central-regional relations following Putin's return to power were characterized by further centralization. While the elections of governors returned, outcomes remain largely controlled by the federal center, and regional gubernatorial elections did not become a channel of genuine regional representation. The increasing number of outsiders in these positions marked the peak of anti-regional policy in Russia. In addition to being further centralized, central-regional relations in Russia were "presidentialized," reflecting similar trends in the rest of the political system. Amendments made to the Constitution in 2020 solidified these trends by increasing the role of the president in appointments of federal bureaucrats and turning the constitutional court into a potential weapon against inalcitrant regions. The hyper-centralization trends did not touch the region of Chechnya, where at least some extent of federal involvement is most needed to constrain the authoritarian powers of its leader Ramzan Kadyrov and impose accountability for the human rights violations committed by his supporters.

## **2.8 Conclusion**

Russia's central-regional relations can be best characterized by a metaphor of a pendulum swinging between periods of centralization and decentralization. The extreme centralization of the authoritarian Soviet state, which Russia was a part of, was followed by the rapid disintegration of the USSR and the disorganized decentralization that characterized Yeltsin's

era. Vladimir Putin, in turn, rapidly initiated policies and constitutional changes that marked the beginning of a new era of hyper-centralization and a re-establishment of clear hierarchies of levels of government. While Russia's Constitution formally proclaims the country's federal structure, Russia today is a highly centralized authoritarian state in which most of the meaningful levers of governance are located in Moscow. At the same time, federalism in Russia has existed at times but is best understood as having occurred at historical moments when incumbent structures of control collapsed, de facto weakening the center vis-à-vis the regions.

Russia's gradual but persistent move towards authoritarianism has been intertwined with the processes of re-centralization that followed the period of significant de facto decentralization of the 1990s when the major levers of power formerly located in Moscow had shifted to the regions. While strong regional governors dictated the politics of the 1990s, their political autonomy and influence had been largely eliminated by the end of Putin's second term in office. Governors were turned from political representatives of regions at the federal center to bureaucrats appointed by the center to supervise federal policies' implementation in the regions.

During his first two presidential terms, Putin managed to unify the legal space and even out the legal asymmetries between the regions in Russia putting an end to the bilateral agreements and curbing local legislation inconsistent with the Constitution. His policies improved the capacity of the state to implement laws. The fiscal capacities of the federal state have been recovered. Yet, these changes came at the expense of Russia's fledgling federalism and democracy. The ultimate result of these reforms was the return to a unitary state, which functions today to support Putin's personalistic authoritarian rule. The return of Putin to power in 2012 marked the continuation and intensification of the same trends with a focus on increasing the relative weight and tools of regional control available to the president personally.

# Chapter 3

## Introducing Russia's Procuracy

Above the Procuracy, in our system, stand only the president and the Lord God.<sup>1</sup>  
(Nikolai Fadeev, the Chief Federal Inspector for the Perm Region, December 2002)

### 3.1 Introduction

The previous chapter focused on the central-regional relations in Russia and made a case for how Putin's centralization reforms while addressing some of the most acute issues of governance and the administrative capacity of the federal government, directly contributed to authoritarian backsliding in Russia. This chapter zooms in on the institution this dissertation focuses on: Russia's Procuracy, which is one of the key law enforcement institutions in the country.

Despite the familiar name, there are no exact counterparts to Russia's Procuracy. It is therefore easiest to define it through its powers and responsibilities. In terms of Procuracy's responsibilities, the institution has always found itself sitting on two chairs. First, it plays an important role in the context of criminal investigation. Prior to 2007, Procuracy was responsible for conducting (for some crimes) and supervising (for all crimes) criminal investigations and representing the criminal case in court. At that time, Procuracy also had a right to open and close a criminal investigation. Procuracy's power to supervise criminal investigation is one dimension of its sweeping supervisory powers, known as *nadzor*. Procu-

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<sup>1</sup>Citation taken from a translated interview with *polpred* Nikolai Fadeev published in *The Dynamics of Russian Politics* (Reddaway & Orttung 2004)

racy's *nadzor* is not limited solely to the context of a criminal investigation and its second major role outside of criminal investigation is the general oversight of legality. In particular, Procuracy is tasked with ensuring that the Constitution and federal laws are implemented across the country.

Institutions like Procuracy, which have concentrated powers to open, close, and conduct criminal investigations and target entities and individuals with prosecutions at will, demand attention from scholars of authoritarian backsliding and authoritarian politics as they have the power to decide who the regime opponents are and how they are going to be punished. Yet, when it comes to legal institutions in authoritarian regimes, scholars tend to focus mainly on courts (Ginsburg & Moustafa 2008, Moustafa 2007, Magaloni 2008, Shen-Bayh 2018). Autocrats who want to use the legal system to get rid of opponents need somebody to do that work. Yet the courts cannot do that work as they have to capacity to *target* the regime's opponents. In fact, most of the repressive work is done *prior* to courts, with judges providing the final stamp of approval. While the focus in the literature has been largely on courts, the necessary cog in the repressive machines of autocrats — especially those who maintain a legal facade — are the institutions that precede the courts and work to put together a case that looks plausible and legitimate to the outside world. Institutions like Russia's Procuracy and prosecutors in particular serve as "gatekeepers of the judiciary" (Rios-Figueroa 2006). The study of procuracies is especially important in civil-law countries, where prosecutors "can arbitrarily make a targeted politician a criminal suspect via their far-reaching power over procedure" (Lee & White 2017).

In the post-Soviet context, focusing on Procuracy as opposed to courts is especially justified because weak courts and strong Procuracy is an important Soviet legacy inherited by almost all post-Soviet states (Solomon Jr 2015). However, in Russia, Procuracy is not the only coercive institution tasked with carrying out criminal investigations. In fact, the criminal investigation is split between different law enforcement agencies. Three main institutions responsible for conducting criminal investigations in Russia are: SK (the Investigative Com-

mittee, formerly, part of Procuracy), MVD (Ministry of Internal Affairs or the police), and the FSB (Federal Security Service, the most direct descendent of the KGB). All three have their own investigative units. Which law enforcement agency investigates each given case depends on the type of crime and is determined by Article 151 of Russia's Criminal Procedure Code (CPC). Generally, the police tend to investigate simple and small crimes, FSB focuses on terrorism and espionage, while Procuracy (before 2007 and the Investigative Committee after 2007, which I explain below) is tasked with investigating complex, serious, crimes including the crimes that involve the corruption of public officials. I focus on Procuracy since the prosecution of corruption is one of the main ways in which Putin's opponents were targeted under his rule. As an institution that is tasked with the supervision of legality in the entire country across all levels of government, Procuracy also makes a perfect subject for the study of stealth authoritarianism.

As I show in this chapter, when Russia was going through periods of instability and questions of statehood were pressing, Procuracy was able to largely maintain most of its sweeping powers. Relying on existing accounts in the literature, I show that Putin used strong Procuracy to target some of his key opponents — Russia's oligarchs. Yet, when issues of governance were largely resolved and key opponents removed or threatened, horizontal threats arose from the very tool that helped Putin establish control, the Procuracy itself. Ahead of the approaching the end of his second presidential term (which could have been the last), Putin greatly weakened Procuracy by separating the investigative unit into an independent agency called the Investigative Committee (*Sledstvenniy Komitet* or SK for short), which became Procuracy's direct institutional rival. Hence, as a result of the separation of SK, the coercive apparatus in Russia was further fragmented.<sup>2</sup>

Relying on the original interviews with prosecutors and investigators, the chapter examines some of the consequences of the separation of SK. I provide suggestive evidence that

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<sup>2</sup>As the chapter will show, there were other legal justifications behind the separation of SK as well. Arguably, the move was supposed to improve the quality of justice in Russia.

the separation of SK changed the profession of the prosecutor and had a negative impact on the quality of justice in Russia leaving the defendants more vulnerable to legal violations in the process of the criminal investigation. By considering the impact of institutional changes on repression, this chapter makes a contribution to the theories on the consequences of the institutional configuration of coercive apparatus for levels and patterns of state repression carried out by legal means (Greitens 2016).

The chapter proceeds as follows. First, building on the previous chapter, I show that Procuracy managed to survive and maintain its powers in part due to the role of ensuring legality traditionally allotted to the institution combined with the issues of governance that Russia experienced throughout its history. The chapter then examines Procuracy under Putin and considers how the institution was weakened in 2002 with the adoption of the new Criminal Procedure Code and the introduction of adversarial principles into Russia's criminal justice system.

Next, the chapter examines the conflicts that Yeltsin experienced with Russia's Procuracy. Relying on existing literature, the chapter makes a case that Yeltsin's experience was an educative example of how powerful Procuracy could be a useful tool when loyal and a dangerous enemy in case of defection. I also show that Putin used strong Procuracy to target Russia's oligarchs, which happened before he took major steps to weaken the institution.

The chapter then addresses the more dramatic blows that Russia's Procuracy encountered: the separation of the Investigative Committee, first, partial in 2007 and then complete in 2011. As a result of these changes, Procuracy lost its ability to start and conduct criminal investigations and obtained an institutional rival with which it competes for influence to this day. By analyzing constitutional amendments of 2014 and 2020, I show that the gradual reforms in the appointments of the top figures within the Procuracy — the Prosecutor General and the prosecutors of the Subjects of the Federation — further extended the presidential control over the institution, ultimately turning it into an arm of the federal executive.

Finally, I introduce a novel biographical dataset of the prosecutors of the Subjects of the

Federation, i.e., the prosecutors appointed as heads of Russia's regional procuracies, which helps address the missing part of the story, namely, how procuracy was used to address the threats coming from Putin's opponents in the regions: Russia's powerful governors and popularly elected mayors. The dataset allows me to track changing personnel policies within Russia's Procuracy. In the rest of the dissertation, I argue that these policies helped Putin ensure loyalty within the institution and consolidate his power, under the auspices of building legality.

The chapter relies in part on the original interviews I collected during my fieldwork in Russia. I collected 16 interviews with Russian lower and mid-level prosecutors, criminal justice, and regional experts. The Appendix contains the general details about each of my interviewees with a reference code. The rest of the chapters in the dissertation refer to the same interview summary table presented in the Appendix to this chapter.

## 3.2 Procuracy, Legality, and Russia's Statehood

Russia's Procuracy is one of the oldest legal institutions in Russia. Established by Peter the Great, it survived both the revolution and the dissolution of the Soviet Union. What distinguishes the institution from its Western counterparts is it combines a heavy presence in all stages of the criminal investigation with far-reaching powers of general supervision (in Russian, *nadzor*). This power of *nadzor*, which among many responsibilities, grants Procuracy the right to supervise local administration, historically locates Procuracy as an important and ever-present actor in central-regional relations. In this section, I am going to give a brief history of Procuracy from the perspective of the role it played in the central-regional relationship in Russia and examine closer different functions that this institution has historically performed, focusing on the function of *nadzor*. Building on the previous chapter, I will show how the function of general supervision and the issues of governance in the Russian state are closely intertwined. Procuracy maintained its powers throughout Russian

history and remained largely unreformed precisely because issues of governance presented themselves in Russia at the same points in history as the opportunities for reform.

The history of Russia's Procuracy goes back to the tsarist times and has always been deeply intertwined with the issues of governance and statehood. This mindset of Procuracy's role in enabling the state is highly prevalent even today. Prosecutors and legal scholars themselves their work in light of this function. Consider a citation of one of the renowned former prosecutors and legal scholars in Russia who has written extensively on the institution of Procuracy and its purpose:

"One of the most important roles of the organs of Procuracy is the removal of the obstacles that stand in the way of the fulfillment of plans by the state and society across the entire territory of Russia with the help of specialized legal tools" (Kazarina 2008).

Indeed, historically procurators or prosecutors were tasked with ensuring legality or *zakonnost'* across all levels of Russia's government, the administration, and across the entirety of Russia's territory. It is important to note that legality has a very specific meaning in Russia, which differs from the traditional understanding of the rule of law. Rather than emphasizing the role of law as constraining the power, the notion of *zakonnost'* emphasizes the compliance to the rules and decrees by both state officials and citizens or the "fulfillment of rules and decrees" as Kazarina says in the quote above. As such, legality in Russia is "intimately related to the notion of Russian statehood" (Pomeranz 2018). Since Russia's vast expanse has historically been one of the key challenges to Russia's issues of statehood, Procuracy has been an important player in central-regional relations and served as an instrument of centralization (Holmes 1999).

In terms of its responsibilities, Procuracy has always found itself sitting on two chairs. On the one hand, it has the role of supervising (and, before 2007, carrying out) criminal investigations for some types of crimes and representing the state in court, the analogs of which functions can be found in other countries. At the same time and what makes



Russia's Procuracy distinctive is its sweeping monitoring powers (known as the powers of general supervision or *nadzor*). The combination of these two functions is problematic for it made the institution exceptionally powerful as it could target potential wrongdoers, identify the violation, protest them, investigate, indict, and take the offenders to court all by itself (and even protest the court's final decision). As a result, the history of Procuracy is defined by debates around the reduction of its powers, specifically, around either removing its supervisory function or ridding it of the capacity to conduct a criminal investigation (turning it into a solely monitoring agency). Ultimately, despite the calls for the removal of the functions of *nadzor* in tsarists, soviet and modern Russia, Procuracy has been able to maintain its supervisory powers. Until the reform of the Criminal Procedure Code of 2007, which I discuss in detail below, Procuracy was able to maintain its powerful role in criminal investigation as well.

One of the reasons why the Procuracy was able to preserve the function of *nadzor* or general supervision over legality is the connection between this function and the issues of governance — especially the governance of its vast and frequently recalcitrant territories — that have been chronically experienced by Russia, especially in the transitional moments of its history. These problems conditioned Procuracy's creation under Peter the Great, its consequent rebirth under Bolshevik rule, and finally its survival through the dissolution of the Soviet Union.

The post of procurator general was created by Peter the Great in 1722 with the goal of supervising the implementation of the Senate's and tsar's decrees. With time, the procurator general grew to supervise both the Senate and the government and was granted legislative initiative. By 1800, the procurator general virtually performed functions of the prime minister (Christian 1982) becoming "the key agent of the central government, subservient only to the monarch" (Mikhailovskaya 1999). Under Catherine II, Procuracy's oversight was extended over to the regional level, with procurators charged with monitoring the activity of provincial governors. The Procuracy's function of the "eyes of the tsar" was greatly resented

as local leaders did not want for the center to interfere in their affairs (Smith 2017). Yet, it remained intact along with other supervisory functions until the liberal legal reforms enacted by Alexander II in 1864. These reforms stripped the Procuracy of its general supervision functions and confined its activities to criminal prosecution only. In particular, the reforms subordinated the Procuracy to the Ministry of Justice and made the institution more similar to that of the French *procurateur* (Christian 1982).

Procuracy was completely demolished in 1917 as the result of the October Revolution only to be reestablished in mostly its original, pre-1864 form in 1922. In fact, with Procuracy's rebirth, general supervision was designated to be Procuracy's first duty (Morgan 1959). The need to re-establish Procuracy was rooted in the inability of the Bolsheviks to control the state administration and officials, especially at the local level. "Just as Peter the Great had discovered two hundred years earlier, Lenin found that the tribunals were inadequate to stem the rise of crime and abuses of power by local and regional officials" (Smith 2017). Lenin's note on the dual subordination of Procuracy is particularly telling of the issues of noncompliance of local administrative organs and how Procuracy was meant to solve them by creating a unified legal space (something that decades later Putin will also aspire to accomplish with Procuracy's help). Consider the letter written by Lenin to Stalin in 1922 in regard to the power of *nadzor*:

"...I conclude that taking away from the Procuracy the right to protest the decisions of local governments is not only fundamentally wrong, not only stands in the way of our main task of implementing legality but also promotes the interests and prejudices of local bureaucracies and local influences" (Lenin 1958).

In 1930, Procuracy was responsible for not only supervising legality but also for the execution of the Party's policy across Russia's territories. Procuracy focused on the economy with some local procurators going as far as to "prescribe the time and the manner in which the grain should be harvested" (Smith 2017). As the state struggled economically post-Khrushchev, procurators were similarly tasked to deal with economic issues, such as plan fulfillment, theft

of state property, and such (Smith 2017). Hence, the Soviet Procuracy entered Gorbachev's period in Russia's history with an array of vast supervisory powers:

"It became the duty of the Procuracy to monitor the production of laws and instructions by lower levels of government; to investigate illegal actions by any governmental body or official (and issue protests); and to receive and process complaints from citizens about such actions. In addition, the Procuracy supervised the work of the police and prisons and the pretrial phase of criminal cases, and, in particular, making decisions on such crucial matters as pretrial detention, search and seizure, and eavesdropping. Finally, the Procuracy was expected to exercise scrutiny over the legality of court proceedings" (Solomon & Foglesong 2000).

Especially troublesome from the legal perspective was the power the Procuracy had to supervise the legality of court trials, which placed the prosecutor above the defense and the judge.<sup>3</sup> Gorbachev's policy of *perestroika* and *glasnost*' opened opportunities to rethink the role and the powers of Procuracy. Liberal reformers wished to eliminate it altogether or vastly reduce its functions to that of criminal prosecution, akin to what was done by Alexander II.

With the dissolution of the Soviet Union, Russia's transition to the market economy, and the clear need for legal reform, these debates intensified. During the beginning of Yeltsin's presidency, one of the drafts of Russia's new constitution in fact envisioned a dramatically diminished Procuracy under the Ministry of Justice (Mikhailovskaya 1999). As could be expected, Procuracy lobbied to maintain its powers and ultimately emerged victorious (Smith 2017). Russia's 1993 Constitution omitted defining the functions of the Procuracy, delegating this task to the federal law, which was passed first in 1992 and then amended in 1995.

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<sup>3</sup>"Supervision of trials gave the procurators at various levels of the hierarchy the right to review the legality of any verdict, sentence, or decision that had already gone into effect (after cassation review) and, through a protest, to initiate yet another review by a court. Even more troubling, the duty to supervise the legality of trials meant that an assistant procurator, who was conducting a prosecution in a criminal case, had an added responsibility of monitoring the conduct of the judge and making protests. This power placed the procurator in the courtroom above both the defense counsel and the judge, in theory, if not also in practice" (Solomon & Foglesong 2000).

According to the Federal Law on Procuracy, general supervision remained its key function. Yet, the main point of contention — the Procuracy’s role in the supervision of courts — was removed. Yet, Procuracy maintains ways in which it could challenge the finality of courts’ decisions through its function of *nadzor*, even though these powers were eventually limited with the passage of the Criminal Procedure Code (CPC) in 2002 (Pomeranz 2009).

There are many reasons why Procuracy was yet again successful in defending itself and its powers of *nadzor* even under the reform-minded president Yeltsin. It could be because of the conservative mindset of the legislators who could not envision Russia without Procuracy’s supervisory powers. Kazarina’s quote cited above is exemplary of the attitudes prevalent in Russia’s legal community.

However, there were other concerns under consideration. In modern authoritarian states, the function of law is generally not limited to just authoritarian functions. Generally, law in such states is characterized by what Kathryn Hendley refers to as “legal dualism” (Hendley 2022) This term conceptualizes law both as an instrument of authoritarian consolidation and as an important tool for resolving everyday disputes, which generally constitutes the bulk of justice even in non-democratic states (Hendley 2017).<sup>4</sup> Procuracy has always had a foot in both of these worlds, which posed challenges for reform. In particular, since the Soviet times, Procuracy has played an important role as people’s ombudsman, processing regular citizens’ complaints over the violations of their rights by state administration and it was unclear whether this function could be effectively supplemented by another institution if the powers of Procuracy were diminished (Smith 2017, Bogdanova 2021).

Yet, another key reason why Procuracy emerged with its powers largely intact was the issues of statehood Russia experienced as the result of the transition. As the previous chapter demonstrated, the period following the dissolution of the Soviet Union was characterized by radical decentralization and threats to Russian statehood. Against the rising crime levels,

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<sup>4</sup>Consider my introduction to the edited volume *Contradictions of Justice in Russia* for a discussion on how recent research on criminal justice in Russia reveals the tensions and incompatibilities between the two legal worlds (Olimpieva 2023).

separatist threat, and local recalcitrant governors, the 1990s were also characterized by the withering of the former levers of governance and control.

With the Communist Party demolished, the KGB weakened by Yeltsin's reforms, as well as the endemic corruption and personnel flight in the police, Procuracy found itself in the position to make a case that it is the only reliable pillar of federal power in the regions and the key defender of legality in the country (Smith 2017). Even the Western observers at the time noted that "a fragmented Russia, beset by centrifugal forces, needs the Procuracy more than ever. Any institution that could help regularize relations between center and periphery would contribute importantly to political stability" (Holmes 1999). In 1992, when the new Constitution of Russia was drafted and the fate of the institution was debated, the Procuracy successfully defended itself by arguing that the extreme crisis conditions required a strong Procuracy that had traditionally played the role of ensuring legality (Smith 1996, Smith 2017).

### **3.3 Procuracy in Modern Russia: From Powerful to Fragmented**

The previous section made a case for how issues of statehood, especially the rising crime levels and challenges of governance in the regions were some of the reasons why Procuracy emerged with its powers largely unchanged following the dissolution of the Soviet Union. Procuracy entered the new era of Russian history with largely the same powers of *nadzor* it had enjoyed in the Soviet Union and maintained a central role in the criminal investigation that included both the general powers of supervision of legality as well as the powers to supervise and carry out criminal investigations for a set of crimes. Not only did Procuracy maintain its former functions and structure, but it also entered the post-Soviet world with a unique position of power and strength. Since Procuracy was now the main agency tasked with

the oversight of legality, the introduction of the rule of law and private property paradoxically made this former pillar of the Soviet power a major winner after the collapse of communism (Taylor 2011, 137).

In this section, I first provide an overview of the powers of Procuracy that Putin inherited. I then examine the introduction of the new Criminal Code in 2002, which somewhat weakened Procuracy as it introduced elements of adversarial justice into the legal process. I then examine how Procuracy was used by Putin to target his main opponents — Russia’s oligarchs. I make a case for how Yeltsin’s experience with the institution demonstrated to Putin that a loyal Procuracy could be a powerful tool for authoritarian consolidation while Procuracy’s defection could pose serious threats. I outline how Putin used Procuracy to remove his major rivals and gain control over two pillars of his future power: media and oil. Having used Procuracy to address the main threats to his power, Putin takes steps to safeguard his presidency against Procuracy’s potential defection. I show how Procuracy is weakened by removing some of the major powers it exercised over the criminal investigation and granting them to a separate agency (the Investigative Committee), which he makes subordinate to himself. I then analyze the Constitutional changes and changes to the Federal Law on Procuracy to summarize the additional steps Putin takes to take control over the appointments of all the top bureaucrats in the institution.

### **3.3.1 Procuracy’s Key Functions and Challenges**

Russia’s 1993 Constitution envisions Procuracy as an independent, centralized, hierarchical, institution. It presented (and continues to present) a three-level hierarchical structure with strict subordination: General Procuracy of Russia, procuracies of the Subjects of the Federation (the focus of this dissertation), and city and district procuracies. When Putin comes to power, the Federation Council — Russia’s upper chamber — has a big say in the appointment of Prosecutor General, a power that is curtailed during Putin’s presidency,

which I examine in detail below. Given Procuracy's hierarchical structure, the ability to appoint the Prosecutor General is especially important since all of the decisions of lower-level prosecutors can be ultimately canceled at the higher level and lower levels of Procuracy pose no constraints on the decisions of their superiors.

Procuracy is neither part of the judiciary, nor the executive, even though it was haphazardly included as part of the former in the 1993 constitution.<sup>5</sup> Due to the military-like hierarchy, the practice of wearing uniforms, and the significant powers allotted to this organization making it a key actor in the coercive realm, Procuracy is considered part of Russia's *siloviki* (Taylor 2011, 50). *Siloviki*, which literally means "wielders of force," is an umbrella term for agents of Russia's security services who have been key supporters and beneficiaries of Putin's regime leading some observers to refer to them as Russia's "new nobility" (Soldatov & Borogan 2010).<sup>6</sup>

Similarly to its Soviet predecessor, the primary function of Procuracy that Putin inherited was that of a monitoring organ, i.e., the function of *nadzor* or general oversight. General oversight implies that Procuracy is responsible for the observance of the Constitution and other laws in Russia. What this means in practice is that Procuracy oversees the legality of actions of all the executive bodies, federal and local, as well as regulatory organs and self-governance. Procuracy's functions also include ensuring that local legislation is in alignment with the Constitution and federal law. The supervisory functions of Procuracy also extend over to the corporate and non-profit sectors.<sup>7</sup> One of the key functions of Procuracy as part of *nadzor* is also overseeing the legality of a criminal investigation. Procuracy lost the consti-

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<sup>5</sup>Since the constitutional amendments of 2014, this section is titled "Judiciary and Procuracy," arguably, a symbolic win for the institution.

<sup>6</sup>*Siloviki* as an umbrella category generally includes various organizations that have the power of enforcement in the country, such as the army proper, the Ministry of Defense, the Ministry of Internal Affairs, the FSB (former KGB), GRU (foreign military intelligence), and others. *Siloviki* also include the elites related to the judicial system, such as the Ministry of Justice, the Investigative Committee, and, Procuracy.

<sup>7</sup>Some experts argue that the function of *nadzor* is outdated and needs substantial reform. Consider the opinion of Kirill Titaev, criminal justice expert at the Institute for the Rule Law in St. Petersburg who argues that Procuracy ends up identifying not the actual violations of law, but the violations of paperwork, making the function of *nadzor* "senseless" (Titaev 2020).

tutional guarantee of its power of *nadzor* with the adoption of Russia's new Constitution in 1993, which was from then on determined by the Federal Law on Procuracy. Yet, it was once again returned to the Constitution through the constitutional amendments of 2020, guaranteeing that Procuracy's powers of general supervision are here to stay (Pomeranz 2021).

Prosecutorial *nadzor* powers imply that if a prosecutor is informed of, suspects, or knows of a certain violation of law, can enter the premises subject to his preview or require any necessary information related to the violation.<sup>8</sup> The demands by a prosecutor to provide such information and to eliminate or prevent violations are binding for all and are obligatory in nature. Article 6 of the Federal Law on Procuracy states the obligatory character of the prosecutor's demands. The exact punishment for failure to comply is written into Article 17.7 of Russia's Code of Administrative Offences and includes, a fine, a temporary disqualification from work for state officials, and a suspension of work for legal entities.

Procuracy also provides oversight over criminal investigations, conducted by its own investigators (prior to the reforms of 2007) as well as investigators in other law enforcement agencies. A very simplified account of supervisory powers of Procuracy in the context of a criminal investigation is that a prosecutor can protest any actions by the investigation that he considers illegal and return the case back to the investigation until it meets the necessary standards. While the powers of Procuracy were greatly diminished in 2007, which I account for in detail below, Procuracy continues to play a supervisory role at each stage of the criminal investigation.

While Procuracy largely maintained the broad powers and responsibilities it had in Soviet time, the main concession to the reformers in the 1990s was that the Procuracy no longer was able to supervise the courts as the Federal Law on Procuracy from 1992 stripped the institution of this function. Yet, Procuracy's supervisory powers continue to undermine the courts as they allow Procuracy to challenge the finality of judgment allowing for "ostensibly final court decisions to be overturned" (Sperling 2009, 253). Russia was heavily criticized

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<sup>8</sup>Art. 22 of the Federal Law on Procuracy.



for the maintenance of this function by the European Court for Human Rights (ECHR). To satisfy these demands, the Procuracy's powers of *nadzor* were curtailed with the introduction of the Criminal Procedure Code in 2002, yet, the concern remained. Moreover, it is important to note that despite the reforms of CPC, scholars and experts note that Procuracy continues to have a privileged position in courts, especially, in comparison to the defense attorneys, which undermines the principle of adversarial justice (Paneyakh 2014, Volkov & Paneyakh 2013, McCarthy 2016, McCarthy 2018).<sup>9</sup> In the context of this dissertation, this further serves to justify the focus on this institution in particular.

### 3.3.2 New Criminal Procedure Code

While the decisive blow to Procuracy came in 2007 with the separation of the Investigative Committee, which I consider below, its functions were partially reduced earlier, in 2002 with the adoption of the new Code of Criminal Procedure. Most importantly, the adoption of the new Code diluted Procuracy's role in requesting a supervisory review over the finalized criminal cases.<sup>10</sup> Even more importantly, Procuracy no longer had the monopoly over opening new criminal cases. The reforms were resisted by Procuracy and hotly debated in part because they reduced its traditional powers. But they also were a source of both broader resistance and excitement because they introduced the much-needed principles of adversarialism and increased the weight and responsibilities of courts, which many in Russia

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<sup>9</sup>Future reiterations of this project will include a detailed discussion about this. For now, it will suffice to point out that the dominating role of Procuracy contributes to exceptionally low levels of acquittals in the Russian justice system (about 0.3% in 2019). One of the roots of the problem is the career incentives of prosecutors and judges, where both are punished for acquittals: "Internal reporting and the system for evaluating the success of prosecutors is designed in such a way that each 'lost' case in court becomes a source of numerous troubles for the prosecutor presenting the case. As one of the employees of the prosecutor's office said: 'An acquittal is a guaranteed reprimand; three reprimands a year — dismissal'. Prosecutors, in turn, have ways to create negative incentives for judges to pass decisions, which are regarded as a loss for the prosecutor" (Paneyakh, Titaev, Volkov & Primakov 2010).

<sup>10</sup>The Criminal Procedure Code of 2002 also made important changes to *nadzor* in the context of civil supervisory review, which are not reviewed in this chapter. For a detailed discussion on how the new Criminal Procedure Code changed the institution of civil and criminal supervisory review (*nadzor*), consider the article by William Pomerantz (Pomerantz 2009).

worried were not ready to live up to the task (Smith 2005).

The 2002 Criminal Procedure Code affected both of Procuracy's traditional powers: the power of *nadzor* and its involvement in different stages of a criminal investigation.<sup>11</sup> First, the new Code opened up the supervisory review for parties to the proceedings other than Procuracy, with the requests for supervisory review now open to the defendant and their attorneys, the victim and their legal representatives (Pomeranz 2009).

More importantly, however, the new Code granted the right to open a criminal case to investigators in other law-enforcement agencies, such as the police, FSB (Federal Security Service), Tax Police (now non-existent), Customs, and Border Guard, albeit subject to the procurator's later approval.<sup>12</sup> This stood in sharp contrast to the previous situation when criminal cases could be commenced only with a prosecutor's consent (Filippov 2003). It is important to note that while Procuracy lost its monopoly over the opening of a criminal case, it remained a veto player in the process as all such decisions were subject to its approval.

Procuracy's powers in the context of different stages of criminal investigation were reduced in other ways as well. Under the old code, for instance, Procuracy could issue arrest warrants and decide on the period of detention for suspects. Procuracy could also make decisions in regard to telephone and mail interception. The new Code shifted these responsibilities to the courts (Filippov 2003).

Finally, Procuracy lost some of its influence due to the elements of adversalism introduced by the new Code. Among other things, it introduced the principle of presumption of innocence, the jury trials for some types of crimes, granted the defendants the right to an attorney at all stages of the investigation, and granted the attorneys a right to call on new witnesses during the trial. There is extensive research on the shortcomings of these measures and the failures to introduce genuine adversalism evident from Russia's persistent

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<sup>11</sup>For a full list of the major innovations introduced by the new Criminal Procedure code, consider Smith's chapter *Putin, the Procuracy, and the New Criminal Procedure Code* (Smith 2005, 176).

<sup>12</sup>Art. 146, Criminal Procedure Code.

accusatory bias (Paneyakh 2014, Solomon Jr 2018).<sup>13</sup> Experts generally agree that a fundamental reform of the justice system in Russia is needed to make courts more independent and for the principles of adversarialism to work in practice (Paneyakh et al. 2010). Yet, these debates and considerations are beyond the scope of this paper.

### 3.3.3 Putin, Procuracy, and the Oligarchs

On October 24, 1999, viewers of a popular program by Sergei Dorenko aired on Russia's ORT channel (the number one channel in the country) were shown a video of a man whose looks were reminiscent of Prosecutor General Yuri Skuratov engaging in sexual activities with two prostitutes. The Prosecutor General Yuri Skuratov who assumed office in 1995, targeted Yeltsin's appointees, such as Yeltsin's central bank chairman and the head of Yeltsin's personal office. Some of the corruption investigations even reached Yeltsin's daughters (Smith 2007). Regardless of whether the investigations were grounded in genuine suspicions of corruption, the event is especially notable because it shows the independence from the executive and the broad powers that Procuracy enjoyed at the time to the point that *kompromat* or compromising material had to be used to stop the investigations against high officials it initiated.

Yet, while Yeltsin's allies were targeted by Procuracy, the president was also able to turn the institution to his own benefit when a loyal Prosecutor General was in power. Ahead of his 1996 presidential elections, in which Yeltsin's victory was far from guaranteed, Prosecutor General Iliushenko whose loyalties were aligned with Yeltsin and who had previously targeted Yeltsin's opponents, initiated investigations against a popular TV show "Kukly" that criticized Yeltsin and his prime minister Chernomydin (Lee & White 2017).

While we can only speculate about what exactly had happened, Yeltsin's period and his

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<sup>13</sup>Consider a recent article by Ekaterina Khodzhaeva, which outlines how the legal system ultimately sabotaged the introduction of the jury courts in Russia (Khodzhaeva 2022). Yet, the article also demonstrates the jury trial potential in Russia to address accusatory bias as in jury trials the acquittals are 100 times more frequent.

relationship with Procuracy probably demonstrated to Putin that it could be both a powerful tool to suppress dissent and also a potential hurdle or even a threat. Moreover, Putin was simply more able to appoint trusted people. As Taylor observes, “Yeltsin lacked confidence in his appointments, having few close acquaintances from the power ministries. Putin, on the other hand, came from this milieu and was able to appoint people he knew were ‘his’” (Taylor 2011, 56). Taylor also notes that as FSB chief, Putin was closely involved in the Skuratov affair, which is where he met Ustinov and Chaika (the first and second Prosecutor Generals of Russia, Skuratov’s deputies at the time), who were willing to cooperate and were eventually highly rewarded for it.

Yeltsin’s period also demonstrated the perils associated with the inability to dismiss and appoint a Prosecutor General at will without the approval of the Federation Council. For instance, the Federation Council originally refused to dismiss Alexei Iliushenko’s predecessor — Prosecutor General Kazannik — who went against Yeltsin’s wishes and followed the state *Duma* decree of amnesty for the coup participants of the events of 1991 (Soviet *coup d’etat*) and 1993 (Constitutional Crisis). Yeltsin was then unable to have the candidacy of Iliushenko approved by the Federation Council, forcing him to remain in the status of "Acting Prosecutor General" indefinitely until his dismissal<sup>14</sup> (Smith 2007). Finally, Yeltsin also had difficulty removing Prosecutor General Skuratov who started a criminal investigation against his allies. The Prosecutor General was ultimately forced to resign following the release of a sex tape on public television, which is the event described at the beginning of this section (Smith 2007). As I show in detail below, despite the fact after his second presidential term, the Federation Council was no longer a viable force as the previous chapter demonstrated, Putin would go on and remove any obstacles to his personal power to appoint and dismiss Prosecutor General through constitutional amendments of 2014 and 2020.

Having appointed a loyal head of Procuracy General upon his ascendance to presidency, Putin, first, directed the power of Procuracy against the major threat to Russia’s statehood

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<sup>14</sup>He was eventually dismissed by Yeltsin and was soon prosecuted on corruption charges.

and his personalist power: Russia's oligarchs. Procuracy opened criminal investigations against such notable figures as Vladimir Gusinsky and Boris Berezovsky who were powerful players in the political field in part due to their control over media outlets. Both were pushed out of the country and lost control over their key assets, especially the media as the result of "the aggressive use of law enforcement structures by the Kremlin" (Taylor 2011, 104). Putin was able to completely destroy these two opponents within the year of his presidency using the Procuracy's far-reaching powers. The prosecutions while selective, were popular among Russians and importantly sent the message to other elites. The infamous deal of Putin with the oligarchs — do not meddle in politics, pay taxes, and you will be left alone — was in part achieved with Procuracy's hands. As Burger and Holland note, "After these high profile expropriations, criminal prosecutions against business people and expropriation of their assets became a credible threat" (Burger & Holland 2008).

While Procuracy contributed to Putin's takeover of the Russian media sphere, it also helped him take control of the state's natural resources through the attack on another Russian oligarch Mikhail Khodorkovsky. Khodorkovsky's oil giant Yukos competed with the state-owned oil company and had plans to sell shares to Exxon Mobile. Khodorkovsky also had political ambitions, which Putin could not tolerate. The oligarch was charged with tax evasion and sentenced to eight years of imprisonment, which was followed by the nationalization of Yukos. Consider the commentary on Khodorkovsky's trial by Sabine Leutheusser-Schnarrenberger, a former minister of justice of Germany<sup>15</sup>:

"During my mandate, I have been confronted with a number of examples of the serious problems from which the Russian judiciary suffers in general, including its notorious openness to corruption, lack of respect for the rights of the defence, and, in particular, **the overwhelming influence of the Procuracy, which in turn is a tool in the hands of the executive.**"

As some of my interlocutors shared with me, the case of the attack on another oligarch

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<sup>15</sup>At the time she was a Rapporteur of the Parliamentary Assembly of the Council of Europe. See <https://khodorkovsky.com/resources/first-trial-2004-2005-2/>

Mikhail Khodorkovsky, in particular, revealed Procuracy's strengths in the current political system as it carried out the whole process largely on its own.

While Procuracy was convenient to address elite threats by carrying out swift, selective, and popular prosecutions against rivals, strong and independent Procuracy posed an inherent threat to the president's power. Sakwa argues that there was, in fact, a perception that the Prosecutor General (specifically, Ustinov, who was a Prosecutor General from 2000 to 2006) could threaten Putin's power with the help of the powerful agency that was under his control: "With the PGO's [Procuracy's] help, it would not have been difficult for Ustinov to seize power in the country, and so he was dismissed from this key post, although he remained in the administration" (Sakwa 2013). Ustinov was replaced with Chaika, yet threats remained and were aggravated by the fast-approaching end of Putin's second presidential term (which could have been the last). In 2007, decisive steps were taken to weaken Procuracy through the separation of the investigation into its own department, which became a fully independent agency subordinate directly to the president a year before his return to power in 2011.

### **3.3.4 The Separation of the Investigative Committee**

The vagueness with which Procuracy's functions were defined in Russia's 1993 Constitution, left it up for other legislation, such as the Federal Law on Procuracy and The Code of Criminal Procedure to define the exact breadth of functions of this institution in the context of the criminal investigation. Recall that in the context of criminal investigation in particular, Procuracy entered the 21st century with significant powers: it could open and close a criminal investigation, it had investigative powers for some types of serious and political crimes, it was tasked with overseeing the legality of criminal investigations carried out by all other investigative agencies, and, finally, only Procuracy could represent criminal cases in court. By the time Putin started his third term in office, Procuracy's ability to participate in the various stages of criminal investigation was significantly reduced and its

role was ultimately limited to that of supervision of the investigation by other agencies and representation of criminal cases in court.

Previously, I have considered the impact on Procuracy of the new Criminal Procedure Code adopted in 2002, which shifted some of the Procuracy's former responsibilities to courts and diluted its power to initiate a criminal supervisory review as well as removed its monopoly over the opening of criminal cases.<sup>16</sup> The most important blow to Procuracy's powers, however, came in two stages in 2007 and 2011 when the investigation was turned into, first, its own department within the Procuracy, and then in 2011, separated into an independent organization with its own boss, equal in statue to Prosecutor General and appointed directly by the president. In the context of the dissertation, the changes of 2007 and 2011 are particularly important not only because the influence of prosecutors over the investigation was weakened, but also because as a result of their implementation, prosecutors were no longer directly responsible for opening criminal cases against local elites, which are under consideration in the following chapters of the dissertation. This section will examine the two-stage process which reduced the powers of Procuracy and, as I will show, transformed the profession of a prosecutor.

On August 1st, 2007, President Putin signed a decree, which created an Investigative Committee under Russia's Procuracy.<sup>17</sup> As a consequence of this, the investigation became a separate department (*vyedomstvo*) within Procuracy in the form of an Investigative Committee (*Sledstvennyi Komitet* or SK for short).

As a result of these changes, prosecutors lost the right to independently make decisions to start a criminal investigation. What this has meant in practice is that if prosecutors become aware of something illegal, instead of requiring that a criminal case be opened or opening it independently, they are now forced to send the materials to the head of the appropriate

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<sup>16</sup>Art. 146 of the Criminal Procedure Code.

<sup>17</sup>Decree on "Questions Related to the Investigative Committee Under Procuracy of the Russian Federation" from August 1, 2007.

investigative (for serious crimes) or *doznaniye*<sup>18</sup> (for less serious crimes) organs which will then decide on whether a criminal case should be opened based on the information provided by Procuracy. Procuracy cannot conduct its own investigation and is unable, as before, to study the case prior to receiving its finalized version with a ready indictment from the investigative agency. If the prosecutor finds something illegal that violates the rights of parties to the proceedings, he can return the case for additional investigation.

Procuracy's involvement in the preliminary investigation of serious crimes is also greatly diminished, as prosecutors are no longer able to direct or even obtain information about it during the process (Bobyrev, Yefimichev & Yefimichev 2007). This has implications not only for Procuracy's reduced power of *nadzor* over the SK (the Investigative Committee) but also over FSB (Federal Security Service) and MVD (Ministry of Internal Affairs or the police), which all engage in the preliminary investigation.<sup>19</sup> In the words of Anna Panicheva, a member of an independent expert-legal council, "If in the past, a prosecutor could say 'you arrested someone illegally' or 'you have wrongfully charged someone,' now the prosecutor can only express his wishes that something is changed and [his role] is everywhere replaced with the chairman of the investigative department" (Svoboda 2007). As I detail below, my interviews echo this opinion.

Even though Procuracy lost its power to begin a criminal investigation, Procuracy remains a veto player as only it can make a decision to take the case to court (alas, after 2007, Procuracy can no longer have a say in the type of indictment).<sup>20</sup> Also, even though

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<sup>18</sup>*Doznaniye* is a form of preliminary investigation that is usually conducted by a specialized inquiry officer of *doznavat'el'*. "Unlike with a regular investigative process, the decisions made during *doznaniye* are under the direct control of prosecutors rather than the investigators.

<sup>19</sup>My interviews suggest that this is particularly problematic, as this is precisely the stage where the rights of the defendants are generally violated.

<sup>20</sup>It is important to point out the internal divisions within Procuracy. Usually, completely different people are responsible for the supervision of the investigation of a criminal case and its presentation in court. A prosecutor who is tasked with representing a criminal case in court is called *gosobvinitel'*. *Gosobvinitel'* is rather removed from the case he represents: "The public prosecutor receives from his leadership a ready-made criminal case with an order to present and win it in court. He receives the file after all the investigative actions in the case are completed, nothing can be changed or added to it, and the decision to transfer the case to court was made by the higher-ups. The state prosecutor does not see this case either at the time of the decision to initiate or during the conduct of investigative actions. There is no way for him to avoid



the investigation was separated, investigators still prefer to conduct informal consultations with Procuracy before opening a criminal investigation (Volkov & Paneyakh 2013). It is also important to note that despite the fact that investigation became its own department, until 2011, the Prosecutor General was standing above the Chairman of the Investigative Committee.

A more significant blow to Procuracy came in 2011 when the the investigation was separated into a completely independent agency with its own head equal in status and subordinate directly to the president of Russia.<sup>21</sup> From my interviews, there is a sense that prior to 2011, the changes did not have that big of an impact. The investigation was still subordinate to Procuracy. Even though the investigation was separated into an independent department, informal practices of working together remained. In 2011, not only was the Investigative Committee no longer subordinate to Procuracy but it was also *physically* separated. This was decisive in reducing Procuracy's influence over and its ability to oversight the investigation, even though some informal practices remained.

“[The Investigative Committee] became its own department in 2007, yes as part of the Procuracy, but it was essentially autonomous even though it was technically under Procuracy. [But then in 2011] they separated completely and moreover, there was a strict demand from the very top for a complete separation. This included an accelerated eviction [of the investigation] from the [Procuracy's] premises... In my case, I had the investigative department in my premises and they did not bother me, it was very convenient [to work] with them.”<sup>22</sup>

Even though Procuracy maintains supervisory powers over the investigation and remains a veto player in the criminal justice process, changes of 2007 and 2011 weakened it considerably. All of my interlocutors had this perception. Consider the opinion of one of my interlocutors who teaches law to future law enforcers:

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having to present this case in court, regardless of his opinion of the quality of the evidence” (Volkov & Paneyakh 2013). For a more detailed discussion consider work by Ella Paneyakh (Paneyakh 2014).

<sup>21</sup>This happened as the result of the passage of the Federal Law “About the Investigative Committee of the Russian Federation”.

<sup>22</sup>Author's interview (PR3)

Table 3.1: Prosecutor's Powers: Before and After the Separation of the Investigative Committee

Function	Before 06/06/2007	After 06/06/2007
Opening of a criminal investigation	By the investigator or interrogator upon the permission of the prosecutor.	By the investigator or <i>doznavatel'</i> independently of prosecutor.
Preliminary investigation	By the investigator or <i>doznavatel'</i> under the supervision of the prosecutor.	By the investigator (for serious) or <i>doznavatel'</i> (for less serious) crimes under the supervision of the prosecutor. Prosecutor provides written direction to the <i>doznavatel'</i> and coordinates their actions. Prosecutor merely supervises the investigator and protests illegal actions.
Discontinuation of the criminal investigation	Prosecutor can pause or completely stop a criminal case.	Prosecutor can stop within 24 hours. After that, only the investigator can stop a criminal case. Yet, this action can be protested by the prosecutor. A <i>doznavatel'</i> can stop an investigation but only with the approval of the prosecutor.
Taking the criminal case to court	Prosecutor drafts or approves the indictment and sends the case to court.	Prosecutor makes the decision about the case being forwarded to court. Prosecutor can approve or disapprove but cannot change the qualification of a criminal case. Prosecutors can return the case to the investigation for requalification or to make changes in the indictment. In theory, they can do so indefinitely.
Representing the state in court	Prosecutor presents the case in court. In case of <i>doznaniye</i> , prosecutor appoints an investigator or <i>doznavatel'</i> to support the case in court.	Only the prosecutor can present the case in court.
Terminating the case in court	No changes here. Prosecutor can insist on requalification towards a milder qualification and can also refuse the indictment, which will lead to the termination of the case.	

"[Within the law enforcement] Procuracy is the least corrupt one. This is because it is no longer that powerful. Everything is decided by the FSB. In the past, Procuracy was much stronger and its weight diminished when they took away investigation. Now, the Investigative Committee has more weight than Procuracy." <sup>23</sup>

The loss of the power to open and close criminal investigations also weakened the prosecutor of the Subject of the Federation as a figure in regional politics:

"At that time [before the reforms of the Criminal Procedure Code] head prosecutors of the subjects of the federation were much more autonomous than they are today. They had an investigative apparatus, that is, they had a shield and a sword, which made them important players... I would say that they would be ranked as the second or the third person in the region" <sup>24</sup>

The separation of SK from Procuracy ultimately created a more fragmented coercive apparatus, consisting of ever more rivaling organizations. We should expect this move to worsen the quality of justice and increase levels of repression (Greitens 2016). The next section will consider some of the consequences of fragmentation in law enforcement and will provide preliminary evidence that it in fact reduced the quality of justice and left the defendants more vulnerable to state abuses.

### **3.3.5 Consequences of Separation of the Investigative Committee**

From the perspective of elite management, especially in high-profile cases, the separation of the Investigative Committee has allowed to impose some constraints on Procuracy. In essence, this created an organizational rival. Today, the two agencies frequently exercise formal powers allotted to them to engage in agency battles with one another. Two main legal instruments in Procuracy's possession are the ability to cancel the decision to initiate

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<sup>23</sup>Author's interview (EX3).

<sup>24</sup>Author's interview (PR3)

a criminal case within 24 hours and to refuse to take the case to court.<sup>25</sup> The ability to open a criminal investigation is the main instrument of the SK. The most famous example of how the two agencies fought each other in high-profile cases is the 2011 “Underground Casino” case in which Procuracy was accused by SK of covering up an underground casino operation in Moscow (Walker 2011). Procuracy consistently refused to confirm indictments and closed criminal cases of prosecutors under suspicion while the SK continued opening new ones.<sup>26</sup>

From the perspective of authoritarian stability, the weakening of Procuracy via the creation of a rival agency subordinate to the president addressed horizontal threats to Putin’s power and created a safeguard against the possible defection of Procuracy against the president and his allies, which are quite common in presidential civil-law systems where Procuracy is strong (Lee & White 2017).

In public discourse, however, the separation of SK from Procuracy was hailed as aiming at improving legality.<sup>27</sup> The reform of 2011 in particular was posed as a continuation of the reforms of the judiciary initiated by Medvedev. As the first section of this chapter demonstrated, the debates over Procuracy’s proper powers go as far back in history as Procuracy itself. In principle, it could be argued that the separation of *nadzor* or supervision from the investigation could help Procuracy be a more impartial arbiter and supervisor of legality.

Yet, my interviews suggest that the separation has negatively affected the quality of justice in Russia. My interlocutors expressed negative opinions on the separation and argued that it not only has contributed to the bureaucratization of Procuracy — as, for instance, for each exchange with the investigation, a piece of paper must be produced — but has also negatively impacted the ability of Procuracy to protect the defendants.

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<sup>25</sup>Both of which powers Putin encouraged the Procuracy to use to constrain the Investigative Committee’s excessive legal pressuring of businesses in his 2015 speech to the Federal Assembly (Meduza 2023).

<sup>26</sup>Similar battles continue today. In the most recent example, SK and Procuracy are battling over the legality of the development projects in historic St. Petersburg, with the chairman of SK personally opening and Procuracy consequently closing criminal investigations (Meduza 2023).

<sup>27</sup>When developing this chapter further, more research needs to be done on discourses surrounding the separation of SK.

The first cause is the reduction in prosecutors' ability to discover violations. In part, this is due to the reduced ability of Procuracy to get involved with the preliminary investigation. But also because the separation affected a typical career track of a prosecutor. While in the past, having investigative experience was a must and going through investigation within the Procuracy was a typical career path, today, younger prosecutors are not required to engage hands-on with the investigation and are unable to do so within Procuracy.<sup>28</sup> As a result, fewer and fewer prosecutors have investigative experience, which ultimately means that they supervise what they do not understand well and can only supervise on paper. Finally, even when Procuracy detects something unlawful, its powers to do something about it have been dramatically diminished. Here is what a former prosecutor and investigator, now defense attorney told me:

"When investigation finally got separated, Procuracy lost everything. It lost its teeth, first and foremost. In the past, Procuracy could influence the violation of law, for instance, now they just stand by and make noise. There is nothing they can do... I think [the separation] was a huge mistake and it unjustifiably strengthened the investigation, which now stews in its own juice."<sup>29</sup>

Another interlocutor also expressed frustration with the separation of two agencies and in particular the resulting inability of Procuracy to properly guide the investigation:

"Now the sword has been taken away.... Or rather, if we imagine a person's body, there is a head and there is a hand, so what they did is they cut off the hand. The hand now walks by itself and it has a small and stupid head. Similarly is the Investigative Committee. Or put differently, while there is a head, the hand does whatever it wants and perceives direction only very weakly. This is what is happening now. So [the separation of the Investigative Committee] has contributed to neither the head nor the hand."<sup>30</sup>

While more research needs to be done, the general impression my interviews conveyed was that procuracy's *nadzor* functions in the context of supervision of the criminal investi-

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<sup>28</sup>This is confirmed both by my biographical data and by my interviews.

<sup>29</sup>Author's interview (PR4).

<sup>30</sup>Author's interview (PR3)

gation were reduced to managing paperwork while, following the reforms, the investigation now largely remains unchecked, which opens vast opportunities for violations of defendants' rights. Yet, from the perspective of political power, the two organizations continue to engage in battles. This suggests that Putin succeeded in disarming Procuracy and reducing the threat of its defection as its powers are reduced and its actions are now checked by a rival organization.

This section provided the analysis of legislation and interview evidence demonstrating the diminished powers of Procuracy. While weakening Procuracy by creating a competing agency probably contributed to the stability of Putin's regime, it might have had negative consequences for the quality of justice in Russia. The next section will consider the gradual steps Putin took to ensure that the appointment of the top bureaucrats in Procuracy remained firmly in presidential hands.

### **3.3.6 Presidential Power of Appointments Extended**

Unlike Yeltsin, Putin never faced difficulties with the appointment or removal of loyal candidates for the position of Prosecutor General. Yet, taking advantage of the opportunities to change the Constitution, he ensured that this issue would never arise. Putin did so in two steps through the constitutional amendments in 2014 and later in 2020.

According to the 1993 Constitution, the candidature of the Prosecutor General was proposed by the president and appointed or removed by the Federation Council. As the result of the constitutional amendments of 2014, Prosecutor General lost his ability to appoint a deputy as well as other top prosecutors. Now, Prosecutor General *and* Deputy Prosecutor General are proposed by the president and approved by the Federation Council. The president also received the right to appoint *all* prosecutors other than at the city or district level, without any constraints or consultations. Lower-level prosecutors are appointed by Prosecutor General. Finally, as the result of the 2020 amendments, the president freely appoints

both Prosecutor General and Deputy Prosecutor General and only needs to “consult” with the upper chamber prior to doing so.

Similar trends could be observed with the appointment of the heads of procuracies of the Subjects of the Federation (the second tier of Procuracy’s hierarchy). Consider Table 3.2, which shows the gradual increase in power of the president in the appointments and dismissals of regional prosecutors. The changes are gradual, yet significant. The main change occurs in 2014 when it is no longer the Prosecutor General but the president that appoints prosecutors of the Subjects of the Federation. These appointments still happen in consultation with the Subjects, even though the procedure for how these consultations should take place is never defined (Mikhailovskaya 1999). The fact that when an opportunity to change the procedure presented itself Putin left the consultation with the Subjects intact but removed the involvement of the Prosecutor General suggests that this was not a serious constraint.

By 2020, the procedure of consultation with the regions is replaced with a consultation with, by then, a toothless Federation Council. Prosecutor General has no say in the appointments. Committees within Federation Council are made responsible for the consideration of the candidates. Of note is that when changing the constitution, Putin takes a gradual approach and changes one part of the appointment procedure at a time. The accumulated changes add up to a striking difference. The procedure of 2020 is incomparable to that of 1995 in terms of the powers allotted to the president, especially in combination with the changes to the appointment process of the Prosecutor General.

To sum up, when Putin came to power, he inherited a strong Procuracy that was largely equivalent in its powers to its Soviet predecessor. The Procuracy was partially weakened with the adoption of the Criminal Procedure Code in 2002, which diluted its powers of *nadzor* and introduced a more adversarial system of justice. Yet, Procuracy remained incredibly powerful due to its ability to conduct and carry out criminal investigations of serious crimes. Probably afraid of a possible defection by the Procuracy, Putin created the Investigative Committee,

Table 3.2: An Overview of Legislation on the Appointment of Prosecutors of Russia's Regions

	The Constitution	The Federal Law on Procuracy
From 02/18/1992 to 11/24/1995	According to the 1993 Constitution, Prosecutors of the Subject of the Federation are appointed and removed by the <b>Prosecutor General</b> in consultation with the Subject of the Federation	Appointed by the <b>Prosecutor General</b> . The consultation with the region is required only for the Republics within the Russian Federation.
From 11/25/1995 to 02/16/1999		Appointed by <b>Prosecutor General</b> for a <b>5-year term</b> by agreement with the government of the subjects of the federation with the procedure defined by the subjects of the federation.
From 02/17/1999 to 01/03/2015		The length of the appointment term is no longer defined
From 02/05/2014 (for the Constitution) and 01/03/2015 (for the Federal Law)	Prosecutors of the subject of the Russian Federation is appointed by the <b>President</b> from the candidates proposed by <b>Prosecutor General</b> in consultation with the <b>Subject of the Federation</b> with the procedure defined by the subjects and are dismissed by the <b>President</b> of Russia.	Prosecutor of the Subject of Federation is appointed by the <b>President of Russia</b> from the candidates offered by <b>Prosecutor General</b> in consultation with <b>the Subjects of Federation</b> . Prosecutors are appointed for a <b>5-year term</b> .  The <b>Prosecutor General</b> can approach the <b>President</b> with a request of an extension of the 5-year term of prosecutors of the Subject of the Federation.
From 07/04/2020 (Following constitutional amendments)	Prosecutors of the subject of Federation are appointed by the <b>President</b> following a consultation with the <b>Federation Council</b> and are dismissed by the <b>President</b> of Russia.	Prosecutor of the Subject of Federation is appointed by the <b>President of Russia</b> following a consultation with the <b>Federation Council</b> . The candidatures will be considered by the <b>committees</b> within the Federation Council  As before, the prosecutors are appointed for a <b>5-year term</b> . <b>The Prosecutor General</b> can approach the President with a request of an extension of the term of prosecutors of the Subject of the Federation for 5 additional years.



subordinated to the presidency, that could serve as a check on Procuracy. Later, he also extended his personal control over the appointments of top bureaucrats within both of these powerful law enforcement agencies.

This chapter suggests that coup-proofing was the main reason behind the fragmentation of law enforcement. Putin’s decision falls in line with his governance style of maintaining authoritarian stability by pitting different elites against one another. Yet, it is important to note that the exact reasons behind the weakening and fragmentation of Procuracy are unclear and generally speculative. The weakening of Procuracy falls in line with the legal debates about Procuracy’s excessive powers that unfolded throughout Procuracy’s existence. It could also be an outcome of intra-elite struggles common to Russian politics. When during my interviews, I approached experts with questions about why SK was separated, generally, people replied that it could be either for political reasons or genuine legal concerns, or both. This echoes the argument I will make in Chapter 5 of this dissertation, which looks at how the appointment of outsiders among prosecutors of the Subjects of the Federation could be (and, as I show, was) interpreted both as addressing a genuine need of improving legality but also could be done for explicitly authoritarian reasons. While the separation of SK likely had served authoritarian ends, the fact that it was rooted in legal discourse in particular, falls in line with the *stealthy* authoritarian backsliding that this dissertation argues Russia experienced under Putin.

### **3.4 Procuracy at the Heart of Central-Regional Relations: Introducing a Novel Dataset**

While the previous section considered the role of Procuracy in addressing one of the key elite threats to Putin when he became president in 2000 — Russia’s oligarchs — Procuracy was also one of the main tools in addressing another level of elite threats coming from the

powerful regional governors. As the previous chapter detailed, governors posed a threat as members of the Federation Council but also because of their popular mandate and recognition due to the popular elections. Governors were among the key drivers of the rapid and uncontrolled chaotic de-centralization in Russia in the 1990s.

The study of Procuracy in the context of reigning in the governors makes sense especially since Procuracy has historically been a centralization tool. The task of Procuracy was to ensure that the laws and decrees issued at the center were followed and implemented at the periphery. The issue of governance of the periphery is something that all Russian rulers have faced and as the previous chapter demonstrated, they were once again at the forefront of Russian politics following the dissolution of the Soviet Union. Procuracy played an important role in ensuring that Russia's regions comply with federal legislation. This is a role that Procuracy has frequently been praised for.

As the first chapter of this dissertation demonstrated, while being a threat, governors also posed an important resource to Putin. They could control the regions but also deliver the electoral results. That is why, instead of getting rid of them directly, Putin chooses a mixed strategy of co-optation and coercion. The previous chapter noted how even the most criminal and authoritarian governors were reappointed by Putin. How could they be kept in line and monitored? As Smith argues, "Putin's firm support for the Procuracy during current debates over its place in the Russian legal system is due in no small part to the Procuracy's ability to monitor the activities of regional and local officials" (Smith 2007).

The existing literature has argued that monitoring and coercion of governors were enabled in part by the appointment of outsiders as the prosecutors of the Subjects of the Federation. The trends towards the appointment of outsiders in the Procuracy are in line with the trends of anti-regional appointments covered in the previous section in the context of the local executive and *siloviki* (Petrov 2005, Kynev 2018). While these trends have been previously noted by scholars, there has not been a systematic data collection to track them within *siloviki* or law enforcement. For instance, the data collected by Petrov covers appointments

of the regional police and FSB chief tenures only for 2003 (Petrov 2005, 19). Taylor only includes the comparison between 2000 and 2007 (Taylor 2011, 138). Recent work by Yakovlev and Anisin focuses on regional economic development rooted in the analysis of biographical data on governors and regional FSB appointees (Yakovlev & Aisin 2019). I build on this scholarship of centralization and security and law enforcement in Russia and provide novel, systematically collected, and complete empirical evidence, which helps me examine not only the practice of the appointment of outsiders but the broader changes in personnel practices within Procuracy.

Procuracy is one of the most closed-off institutions in Russia and we have no open access documentation of how its internal management policies (Volkov & Paneyakh 2013). Yet, in part due to Procuracy's self-awareness and pride as the oldest law enforcement institution in Russian history — which prompted regional procuracies to track and publish their history online — and the public nature of the appointments of the prosecutors of the Subject of the Federation, I was able to put together a nearly complete biographical dataset of these powerful figures. With the help of the Carnegie/Harriman dissertation research award, I have collected biographical data on all of the prosecutors of the Subject of the Federation (heads of Russia's subnational procuracies) for each of Russia's 85 regions.<sup>31</sup> spanning 30 years of Russia's post-Soviet history (from 1990-2020). As of today, I have the data on 404 such prosecutors.<sup>32</sup> Prosecutors of the Subject of the Federation are some of the top figures in Russia's Procuracy, second only to the Prosecutor General.

I was able to collect this data because most of the websites of the procuracies of the Subject of the Federation included detailed biographical information on the current head prosecutor of the Subject of the Federation, as well as the history and biographical informa-

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<sup>31</sup>While I collect data of all regions, in my analysis, I omit Chechnya and Dagestan regions where due to heightened security issues, the logic of personnel appointment is likely to be drastically different from the rest of the country.

<sup>32</sup>I am deeply grateful for the hard work of my wonderful research assistants — Alexandra Vasilyeva, Dmitrii Nikitin, Anastasiya Poluzhivets, and Alberta Kuzmenko — all alumni of the Smolny College in St. Petersburg State University.

tion of all previous prosecutors, sometimes going back to the tsarist times. A recent policy introduced by Russia's General Procuracy has led to the centralization and introduction of the uniform structure of regional procuracies' websites. The new websites only maintain the information on current prosecutors. This policy started to take place as the tail end of my data gathering, with websites and the historical information they contained gradually disappearing. Hence, the detailed information gathered in my dataset might no longer be publicly available. When needed, I supplemented and cross-checked the missing information using official government documents or news outlets. Being important public figures, prosecutors of the Subject of the Federation are frequently interviewed and questioned about their biography, which helped to cross-check the information and fill in the missing pieces.

The dataset includes detailed biographical information for each of the prosecutors, such as their place of birth, education, work history, and rank, as well as their professional paths preceding and following their appointment as regional prosecutors. The data provides ample opportunities for qualitative and quantitative analysis. Focusing on the quantitative analysis in this dissertation, I identified the professional trajectories of prosecutors and where they unfolded geographically. The dataset allows me to determine the extent of regional embeddedness of each prosecutor, classifying each into either a local or an outsider to the region. It also allows me to closely examine the informal personnel policies in Russia's Procuracy, which generally have no publicly accessible paper trail.

The rest of the dissertation empirically builds on the analysis of the dataset, which I support with the insights from my interviews with prosecutors, criminal justice, and regional experts. Together, these empirical sources allow me to examine, first, how changes in personnel practices — specifically, shorter tenures, horizontal rotations, and the practice of the appointment of outsiders — helped Putin build a loyal Procuracy and avoid a costly strategy of purges (Chapter 4); second, how the appointment of outsiders was driven by the logic of democratic backsliding but also contributed to stealth nature of Russia's authoritarian turn (Chapter 5); and, finally, how personnel strategies impacted the patterns of repression of

local elites through law (Chapter 6).

### 3.5 Discussion

This chapter introduced the institution of Russia’s procuracy by explaining its key powers, the reasons behind them, and the transformations that the institution has undergone in recent decades. I also focused on the political role that Procuracy played in Putin’s Russia, demonstrating with the help of existing literature that it was instrumental in removing some of Putin’s key opponents — Russia’s oligarchs. I introduced a novel biographical dataset of prosecutors of the Subjects of the Federation, with the help of which, in the next chapter of the dissertation, I will examine how personnel helped build loyalty in Russia’s Procuracy, as well as consolidate his regime and enabled repression against Russian popularly elected mayors.

In the process of narrating the transformations Procuracy underwent under Putin, this chapter also outlined the contours for a separate research agenda that could be developed by closely examining the causes and consequences of the institutional fragmentation similar to the one Procuracy underwent when the investigation was separated into an independent organization. In particular, by looking at some of the consequences of institutional fragmentation in Russian law enforcement, this chapter is in conversation with Sheena Greitens who finds that the institutional makeup of the security apparatus depends on the type of threat an autocrat faces (Greitens 2016). Autocrats tend to fragment their security organizations when they are faced with horizontal threats, i.e., when they are afraid of a coup. When autocrats face popular resistance, i.e., when they face a revolutionary threat, they tend to unify it. She further argues that “the more fragmented, socially exclusive security apparatus, associated with a high initial threat from elites, is likely to be more violent” (Greitens 2016, 12) because the fragmentation impedes the proper exchange and gathering of information, leading to more indiscriminate violence.

In light of this, looking forward, more research needs to be done on the consequences that the separation of the Investigative Committee had for the institution of Procuracy and for the quality of justice in Russia. Yet, the preliminary findings I presented in this chapter point in the direction that fragmented law enforcement could lead to worsened justice outcomes. This is in line with Greitens' theory and extends its application to the institutions of criminal justice. Given the limited empirical evidence this chapter relies on at the moment, its contribution is merely to set out and outline the contours of a possible future research agenda on the unintended consequences of coup-proofing strategies on levels of state repression and the quality of justice.

# Chapter 4

## Competent Loyalists:

## Democratic Backsliding and Personnel Strategies in Russia's Law Enforcement

### 4.1 Introduction

In his memo for Carnegie Endowment for International Peace commenting on the prosecutions of oligarchs examined in the previous chapter, a political scientist and a specialist on Russian law, Stephen Holmes noted that just going after the oligarchs was not sufficient for the real consolidation of power:

“But the main point is another. To gauge the genuine or illusory quality of Putin's 'consolidation of vertical power' is to answer the following question: does Russia's current president more resemble a boss or a broker? To call the shots in Primorsky Krai or Sverdlovsk, at Gazprom, Minatom, or the Central Bank, in the General Staff and the Procuracy or any other executive agency or ministry, the Kremlin must be able to replace the holdover cadres who still run things today with new cadres unswervingly loyal to Putin" (Holmes 2001).

As the previous chapter demonstrated, having come to power, Putin had no problem appointing loyalists at the top because as a former *silovik* (due to his background in KGB), he had trusted connections and could appoint people that were 'his' (Taylor 2011, 56). However, as Holmes points out, to ensure the consolidation of his power, Putin needed more

wide-reaching loyalty, including across the vast territories of Russia. Yet, one thing that Holmes does not consider is that in the context of just Procuracy, to ensure the loyalty of prosecutors in the regions, Putin would have had to find at least 89 loyal people, one for each region. Moreover, due to the classic principal-agent dilemma, appointing personnel that professes loyalty does not mean that they will not defect.

How do aspiring would-be autocrats like Putin ensure loyalty within larger state institutions and bureaucracies? To answer this question, I focus on the bureaucrats working in state institutions and, in particular, on the personnel of legal institutions and the internal security apparatus — the people making decisions on how and when the law is applied. The loyalty of bureaucrats working in legal institutions is of the utmost importance to legalistic autocrats since they are forced to fight their opponents through legal means. Yet, ensuring the loyalty of personnel presents would-be autocrats with a set of challenges. While loyal heads of state institutions can be appointed and the bodies of smaller institutions such as the Constitutional Court can be packed, ensuring compliance of larger state bureaucracies is more challenging. Appointing loyal bosses at the very top does not always ensure compliance of the entire institution due to informational and monitoring problems. These problems are aggravated in countries with a large geographical expanse, like Russia.

One solution — packing and purging of bureaucracies — or the replacing of cadres that Holmes suggests Putin needs to do in the citation above, is highly costly. This is in part because the loyalty of personnel frequently comes at the cost of expertise (Egorov & Sonin 2011, Paine 2022, Zakharov 2016). Expertise of personnel is necessary for state institutions to function properly and cannot be easily disposed of even by an autocrat. How do would-be autocrats ensure the compliance of the state apparatus without turning to indiscriminate purges and sacrificing competence?

This chapter makes the case that bureaucratic management techniques — such as agent shuffling, the appointment of outsiders, and career incentives — can be a powerful tool for an autocrat to both identify loyal subordinates and cultivate loyalty within the institution. I



demonstrate that these strategies can both cultivate compliance and help a would-be autocrat identify bureaucrats that are willing to play by his rules of the game. Importantly, these strategies can help ensure the loyalty of bureaucrats while helping avoid a costly strategy of purges.

Empirically, I zoom in on the regional branches of Russia's institution of Procuracy, specifically on the prosecutors of the Subjects of the Federation as the most powerful prosecutors in the regions. I rely on two novel datasets: the biographical dataset of the regional heads of procuracies, introduced in the previous chapter, as well as the dataset on criminal prosecutions of governors and their allies. With the help of this original data, I demonstrate that personnel management strategies introduced by Putin quickly turned the Procuracy from a friend to a foe of Putin's main opponents at the local level, Russian governors, which directly contributed to their demise as powerful political actors and the demise of Russia's democracy.

In particular, I show that prosecutors, regardless of whether they are locally embedded or not, who demonstrated loyalty by turning against local elites are kept in the institution or even rewarded with promotions. I also show that contrary to intuition, prosecutors with local ties are *more* likely to prosecute vice governors. This, I argue, is because, in the absence of the need to remove governors directly, it is the career logic that defines the patterns of criminal charges. Local prosecutors, who are suspected of collusion with local elites the most, are also the ones most interested in proving their loyalty to the center, which they do by turning against top figures in the region. The fact that the agents that are least expected to be loyal are eager to prove loyalty suggests that a credible threat of coercion by means of criminal prosecution was in fact established with the help of personnel management techniques in Procuracy.

## 4.2 Democratic Backsliding and Management of Legal Bureaucracies

Having loyal friends in high places is important to autocrats and would-be autocrats alike. The new generation of the would-be autocrats characterized in the literature as "legalistic autocrats" (Scheppelle 2020), turn to legal means to erode institutional constraints on their power by appointing loyalists to key positions. Packing understood as "the appointment of personal loyalists to top party and government posts while purging rivals, thereby converting institutional constraints into an institutional weapon"(Slater 2003), is one way in which autocrats can erode democratic institutions under the auspices of legality. Packing institutions with loyalists or "colonizing" them is a powerful tool as it allows the autocrat to direct the forces of the institutions against his opponents without necessarily causing a popular backlash. Constitutional Court in particular has been a frequent target for packing. Some autocrats take drastic measures to dissolve constitutional courts disloyal to them. For example, Chavez, having come to power, ratified the new constitution and dissolved the Supreme Court. The Supreme Court's successor – the Supreme Tribunal of Justice – had nearly all members appointed by Chavez himself (Freeman 2018).

Other autocrats act more subtly, which has inspired the notion of "stealth" or gradual, creeping, hard-to-detect encroachments on democratic institutions (Varol 2014). Hungary is a classic example of this. Having received a supermajority in the Parliament, the Fidesz party went on to amend the constitution in a way that allowed the majority in the Parliament, which Fidesz held, to nominate and appoint judges to the Constitutional Court. As a result, Fidesz was able to appoint judges without multiparty backing (Bánkuti, Halmai & Scheppelle 2012). Further, the Fidesz government was able to amend the constitution to increase the number of judges. This allowed the party to appoint nearly half of the Court and removed its ability to check the executive. Combined with the reduction of the court's

jurisdiction, these moves ultimately led to the erosion of the court as a political actor in Hungary.

Similarly in Poland, the Law and Justice (PiS) party has taken decisive steps to pack the Constitutional Tribunal after it took control of the parliament. Poland's president Andrej Duda, after the victory of PiS, refused to swear in the judges picked by the previous parliament. Moreover, the president went on to appoint and swear in his own judges. Ultimately, all of the judges ended up on the Constitutional Tribunal. To enforce the inclusion of the new PiS-appointed judges, the mandatory number of judges was increased from 9 to 13 and the Tribunal was now to rule by a two-thirds majority (Bugarič 2019). PiS also passed bills that shortened the terms of judges of the Constitutional Tribunal and appointed a PiS loyalist as chief justice (Nalepa 2017). As a result, the Constitutional Tribunal, while not dismantled, would no longer make rulings against PiS and rather than constraining the government, it is now the tool that enables and legitimizes it (Sadurski 2018). When it comes to the Polish Supreme Court, in 2017 Duda's government passed a law that reduced the retirement age of judges, regardless of whether their term had ended. This change led to the retirement of 27 judges, including the First President of the Supreme Court (Nalepa 2021).

Not only the constitutional courts become targets of loyalist appointments by would-be autocrats. One of the keys to Putin's success has been the appointment of his very close-knit circle of friends to various positions of power. Similarly, during his presidency, Trump appointed incompetent loyalists — including members of his family — to different branches of government. These steps were perceived by observers as evidence of democratic erosion in the US. The examples are so numerous that it would be impossible to list them all. The most striking appointment that highlights the loyalty-competence trade-off is Trump's appointment of his son-in-law, Jared Kushner, a man with no experience in governance and foreign policy, in charge of negotiating an Israeli-Palestinian deal. In another, most recent example, facing a lost election, Trump attempted to install a loyalist in the Attorney General seat to force Georgian lawmakers to overturn the state's election results (Benner 2021).

The main goal behind the appointment of loyalists is turning the institutions that can serve as a constraint into either toothless entities or strong allies. The difficulty of the task varies depending on many variables, such as the popular support of a would-be autocrat, the extent of polarization in the society, the particularities of the constitutional order, and so forth. But the type and the size of the institution a would-be autocrat targets also matters. In the case of the constitutional court, for instance, the task is simplified by its relatively small size. When it comes to the larger bureaucratic institutions, the task becomes more challenging. The size of the institutions and the number of personnel serving in them poses one such challenge. If we understand loyalists as people who are closely connected to the autocrat (like Putin's circle of former KGB colleagues and judo partners), then their number is limited and might not even be sufficient to cover the top appointments.

The task of ensuring the loyalty of bureaucrats becomes even more difficult when they are appointed at the subnational level. It is when the autocrats need to govern distant territories that the issue of loyalty and the difficulty of monitoring and the fundamental principal-agent problem becomes most acute.

When trying to build loyal bureaucracies, autocrats operate under a set of crucial constraints. For instance, the need for competent personnel is an important constraint on an autocrat's ability to purge a bureaucracy. Experienced personnel while easily fired, cannot be easily replaced. Competence is not something that can be easily sacrificed even by would-be autocrats, as competent bureaucrats are necessary for state institutions to function properly or to function at all. While autocrats need institutions such as the institutions of law and order to fulfill various services necessary for their survival in power, they also need these institutions to perform their direct function as parts of the state that are identical to their democratic counterparts. Especially in the age of globalization and the free market, a state, whether democratic or authoritarian, cannot function without rules and laws and the agencies to implement and enforce these rules as well as resolve disputes.

This problem is particularly acute in legal institutions as loyal and experienced cadres

take a long time to train. Moreover, there is no guarantee that new appointees will be more loyal and there might be a shortage of trained people. Legal personnel in particular takes a long time to prepare and systems of indoctrination take a while to build up. Finally, the strategy of purges poses an information problem as a would-be autocrat might accidentally get rid of agents willing to be loyal to a would-be autocrat, sacrificing institutional efficiency in vain.

As an example of the negative consequences of purges of potentially disloyal bureaucrats, consider Erdogan's Turkey. In the aftermath of the 2016 coup attempt, Erdogan purged 4,000 judges under suspicion of ties with Fethullah Gulen – Erdogan's opponent and the alleged mastermind behind the failed coup. He then replaced the purged and experienced judges with judges barely out of law school. As result, the system of justice stagnated. The appeal courts – where the inexperienced judges send the cases they are unsure about – are overwhelmed (Gall 2019).

A more dramatic example of potentially disastrous outcomes of autocrats' obsession with filling institutions with loyalists is the promotion practices in the army that prevent competent and talented military personnel from reaching leading positions. As a method of coup-proofing in Saddam Hussein's army, talented officers were weeded out. Saddam chose to remove his army's most talented people as they posed a potential threat to his grip on power. As a result, the battlefield effectiveness of the army decreased dramatically in the early years of the Iran-Iraq war, which nearly led to his defeat and Saddam Hussein's removal from power (Talmadge 2013). Similarly, as the result of Stalin's purges of experienced senior and middle-ground officers, the Soviet army was crippled and unprepared to fight Nazi Germany at the onset of World War II (Roberts 1995).

What these examples suggest is that would-be autocrats consolidating power face problems similar to young democracies that try to weed out former authoritarian regime loyalists. The dilemma that young democrats face is the following: while the bureaucrats of the *ancien* regime have an advantage in policy implementation due to their expertise and experience,

their loyalties might lie with the ousted authoritarian elites and they can sabotage the implementation of policies by the new democratic government (Nalepa 2022). Similarly, would-be autocrats who come to power need an efficient state apparatus and state employees who know what they are doing. However, they also need to ensure that the state will serve their interests. Scholars of democratization have demonstrated that the transitional justice choices made by politicians in young democracies have consequences for such important outcomes as the quality of democracy (Ang & Nalepa 2019) and crime rates (Trejo, Albarracin & Tiscornia 2018, Bates, Cinar, Nalepa & Olimpieva 2020). I argue that the choices made by would-be autocrats at the onset of backsliding processes also matter for the success of their backsliding agenda.

How, then, do would-be autocrats build loyal bureaucracies? And how do they do that while minimizing the potential costs to competency from firing agents indiscriminately? I argue that the personnel management techniques — agent shuffling, adjustment of tenures, the appointment of outsiders, and career incentives — are a powerful way in which would-be autocrats can identify loyal subordinates and redirect the power of the state apparatus against their opponents while helping address other concerns associated with purges. I also argue that unlike packing of constitutional courts and appointing loyalists at top positions of power, these strategies unfold within what is legally permissible and are hard to observe, which contributes to the stealth nature of backsliding.

Personnel management strategies were previously studied in the context of addressing elite threats. For instance, Woldense argues that shuffling, a practice of frequent rotation of agents, is a tool that helps autocrats prevent the formation of cliques among the subordinates and stave off potential elite threats. Woldense focuses on 20th-century Ethiopia and argues that the shuffling of local executives was done strategically within the clusters of government branches in such a way that would help the emperor to preserve the expertise of his agents and maintain the quality of governance.

The recent work of Mai Hassan demonstrates how autocrats that are unable to fully

pack the bureaucracies and are forced to work with both loyal and disloyal subordinates, shuffle agents and strategically appoint them to places where they can either most benefit the autocrat or cause the least amount of harm (Hassan 2020). Focusing on Kenya and Congo, Carter and Hassan's work similarly demonstrates that agents' local embeddedness and tenure are managed by autocrats strategically depending on whether a co-optation or coercion strategy is necessary for each given area (Carter & Hassan 2020). Hassan's work has an important scope condition of divided societies and geographically clustered cleavages. Ethnicity is an important variable in Hassan's theory as the agents whose ethnicity aligns with that of the autocrat would benefit from their electoral success. In other words, ethnicity may serve as a proxy for the alignment between the bureaucrat's and the autocrat's preferences.

In this project, I build on the work by Woldense, Carter, and Hassan and examine how bureaucratic management strategies can help autocrats address elite threats. I consider the importance of bureaucratic management strategies in the context of autocratic backsliding. Specifically, I focus on how bureaucratic management can help would-be autocrats make important decisions about the bureaucracies inherited from previous, more democratic, regimes. While similarly to Hassan and Carter, I focus on the extent of agent local embeddedness, their tenures, and career incentives, I relax the scope conditions of geographically clustered ethnic cleavages. By focusing on Russia at the time of authoritarian backsliding, I theorize how bureaucratic management techniques help encourage loyalty and identify loyal subordinates in societies where ethnic cleavages are not as pronounced and where loyalty cannot be proxied by ethnicity. Similar to Hassan, I assume that there are important constraints on the autocrat's ability to purge bureaucracies. Putin came to power during the tumultuous and difficult period when the country was struggling to prevent disintegration and civil war, suffered economically, and faced incredibly weak state capacity and high crime rates. Given the number of various threats that Russia faced at the time, in line with the existing literature, I assume that competent state agents were valuable and could not be easily disposed

of. At the same time, Putin had a goal to consolidate his power, which made the dimension of loyalty equally valuable.

Extant scholarship on loyalty and competence in authoritarian settings makes an assumption that loyalty and competence are mutually exclusive (Egorov & Sonin 2011, Paine 2022, Zakharov 2016). In this paper, I make an assumption that loyalty does not necessarily come at the expense of competence in the bureaucracies and that at least when it comes to leadership in the bureaucracies, an autocrat can and strives to have both loyal and competent personnel. Similarly to Nalepa and Piotrowska, I envision these dimensions as orthogonal to one another (Nalepa & Piotrowska 2022). The question that this paper is grappling with is how loyal and competent people can be identified and how loyalty can be fostered.

I argue that personnel management strategies are a subtle but powerful alternative to purges that can help autocrats ensure loyalty within bureaucracies. In this paper, I provide an account of how personnel management strategies helped reorient the loyalties of the agents of law enforcement from Putin's local opponents to the Kremlin and identify those who were willing to play by the new rules of the game. I argue that the advantage of personnel management techniques over purges is that they helped avoid removing loyal and competent bureaucrats at a time when they were especially valuable. Ultimately, these strategies helped Putin curb the power of local opponents, which ultimately contributed to the success of Putin's backsliding project.

More specifically, I focus on personnel strategies in the context of Russia's Procuracy. I focus on the institution because due to its power to open and carry out a criminal investigation, it is instrumental for a legalistic autocrat like Putin in consolidating power and addressing elite threats. In the post-Soviet context specifically, the ability to exert coercion against the elites through law is particularly important as it is enhanced due to the intelligence and surveillance system inherited from the Soviet Union and by the fact that in the process of transition, almost anyone who ended up in the position of power had engaged and/or continues to engage in corrupt activities. For instance, Darden has argued that the



prevalence of corruption in combination with the developed surveillance system is foundational to the post-Soviet state-building process and crucial to understanding how autocrats in the region address elite threats (Darden 2008). What Darden’s work does not address is the question of loyalty of the enforcers. In this project, by looking at the prosecutors — the decisive actors in whether the corruption charges will be pressed and the investigation open — I analyze how a loyal system of enforcement can come about.

### 4.3 Backsliding and Russia’s Governors

In the spring of 2020, in the midst of a global pandemic, Russian citizens voted for constitutional changes, which erased the separation between the executive and the judiciary, further centralized governance in the country, and ultimately allowed Vladimir Putin to remain Russia’s leader indefinitely.<sup>1</sup> Irrespective of the approval rate, this outcome has effectively put the legal nail into the proverbial coffin of Russia’s few remaining democratic institutions and served as a culmination of twenty years of gradual and persistent erosion of democratic qualities in the country. 2020 was not the first time that Russians went to vote for a constitution that expanded the powers of the executive.

In 1993, Putin’s predecessor Boris Yeltsin put up for a referendum a constitution that created a presidential system with little to no constraints on the presidential power (Gel’man 2015, Fish 2000). Despite the fact that one could see an ambition to grab power in these actions, Yeltsin’s presidency is still generally perceived as more democratic than Putin’s. While the two leaders operate under the same constitution, Russia in the 1990s and early 2000s and Russia under the rest of Putin’s rule are two qualitatively different states. One key difference defining Putin’s presidency is the absence of the power centers alternative to the Kremlin. In particular, Russia’s powerful regional governors who dominated politics two

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<sup>1</sup>For a detailed account of all of the aspects of Russia’s 2020 Constitutional referendum, see the recent report by Liberalnaya Missiya Fund (Rogov 2020).

decades ago have been largely erased from the political arena.

Russian governors emerged as powerful political figures as the result of the dissolution of the Soviet Union when the major levers of power formerly located in Moscow were transferred to the regions.<sup>2</sup> The struggle with the governors defined the early years of Putin's presidency. The governors' power was rooted in part in their popular mandate. Since 1996 they were directly elected in their regions, which made them accountable to their local electorate, rather than the president. This mandate made governors an important democratic institution in Russia. It took considerable skill, determination, and talent to be a politician of such status in the 1990s and early 2000s and many have failed (Hale 2014). Moreover, the popular elections of governors lead to increased popularity and national recognition of some of them, which was worrisome to Putin who played close attention to approval ratings. Governors also had a say in the upper chamber — the Federation Council — and successfully protected their interests and the interests of their regions by vetoing laws passed in the Duma (Remington 2003).

The governors' power was also and, perhaps, more importantly, rooted in the infrastructural power they controlled in the regions. For instance, governors controlled regional political machines or the informal local networks that are organized around the regional executive (Hale 2003, Hale 2014). Governors also had unique access to economic resources. Since the privatization of the Soviet economy was relegated to the governors, they found themselves in the position of control over large economic assets and their political machines frequently included newly emerged business elites (Orttung 2004).

Local governors frequently controlled the electoral commissions and media outlets. Most importantly, they had informal influence over local branches of the federal state institutions, including the legal institutions and the internal security apparatus (ISA). There was no way for the federal center to coerce or punish the governors and their allies as the instruments of coercion were ultimately in their hands. While Russian regions frequently amounted to local

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<sup>2</sup>By regions, I refer to Russia's subnational units that are written in the constitution and are formerly titled as the Subjects of the Federation.

authoritarian regimes, against the lack of horizontal constraints on the federal executive, governors served as “the last bastion” of Russia’s democracy (Petrov 2004). Similarly to Yeltsin, the struggle with Russia’s governors defined the first years of Putin’s presidency. Yet, Putin was much more successful in curbing their influence. The attack on governors under Putin was a campaign that unfolded on multiple fronts. Some of the steps taken by Putin after he took office included the change in the composition of the Federation Council that weakened the governor’s influence in the upper chamber, the creation of larger administrative units headed by presidential representatives charged with ensuring regional compliance with federal law, tax reform that re-centralized the budgetary flow, reform of the political parties that introduced the mixed electoral system and eased the way of the national “party of power” United Russia into local legislatures (Gel’man 2008).

The decisive step that followed — the cancellation of the gubernatorial elections in 2004 — is the often cited “red flag” of backsliding in Russia. Starting in 2004, the popular elections of governors in the regions were replaced with presidential appointments<sup>3</sup>. Dubiously constitutional, yet not illegal, the move fits well the rule book of a now typical “stealth” or “legalistic autocrat” (Varol 2014). Moreover, it might have helped design the very rule book as Putin’s strategies were educational and inspirational to the would-be autocrats to come (Scheppele 2020).

At the same time, rather than originating the backsliding process, the cancellation of the 2004 elections was a culmination of centralization and authoritarian consolidation processes unleashed by Putin immediately after he took office (Gel’man 2008). Even prior to the 2004 reform, governors were weakened as Putin gradually regained influence over the local branches of the federal state, including the legal institutions and the internal security apparatus. Moreover, even after the cancellation of the elections, the majority of governors were re-appointed as the center feared it might not be able to successfully manage the regions without them. How, then, was the control over these local executives established?

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<sup>3</sup>The last gubernatorial election was held in 2005.

Since the major way in which Putin threatened his opponents was the prosecution on corruption charges, the control over governors could be established by ensuring loyalty within the institution responsible for opening criminal investigations, which was Russia's Procuracy prior to the reforms of 2011. Yet, in the early 2000s, Russian regional prosecutors were frequently loyal to regional bosses. As Taylor notes, "Governors sought to control as much as possible the procurator in their region... The procurator could be a crucial ally or a dangerous enemy because of his far-reaching powers to investigate the unlawful behavior of government officials" (Taylor 2011, p. 126).

In this chapter, I focus on personnel management strategies introduced by Putin within Procuracy and argue that they contributed to ensuring loyalty within the institution and turned Procuracy from a friend to foe of Russian governors. I also make a case for how the same strategies helped avoid the waste of valuable expertise. I build on the existing scholarship of centralization and security and law enforcement apparatus in Russia (Taylor 2011, ?) and provide novel empirical evidence, which helps me connect these changes to the success of Putin's backsliding project.

## 4.4 Career Incentives in Russia's Procuracy

As I demonstrated in the first chapter, Putin did not necessarily want to remove the governors completely because they serve as an important mobilization resource in the region. Yet, he still wanted to establish a credible threat of criminal prosecution over them (Darden 2008). To establish a credible threat of prosecution, he needed loyal prosecutors. To understand some of the ways in which this goal was accomplished in the regions, I zoom in on the prosecutors of the Subjects of the Federation.

Prosecutors of the Subjects of the Federation are some of the very top figures in Russia's Procuracy, second only to the Prosecutor General. The Federal Law on Russia's Procuracy requires that these positions are occupied by people who are over 30 years old and have had

at least seven years of experience within Procuracy.<sup>4</sup> A typical prosecutor of the Subject of the Federation has had a long career, from an intern at Procuracy to an assistant to the prosecutor, to the district prosecutor, and so on, gradually moving up through the ranks. As is evident from my data and supported by prior research, in terms of its cadres, Procuracy is a closed-off institution, typically not accepting people that did not professionalize within it (Knorre, Alexei & Titaev, Kirill 2017). Even though legal education is required for all prosecutors, it is considered a formality, and experience is significantly more valued. As one of my interlocutors shared with me: "You will get more necessary experience during half a year of work than during five years of school."<sup>5</sup> Perhaps, this is why, such a big number of top-level prosecutors in my database get their degree *zaочно* (in absentia), which is generally considered less prestigious.<sup>6</sup>

How does one become a prosecutor of the Subject of the Federation? Overwhelmingly, my interviewees suggested that competence and professionalism are highly important. Random people without experience are never appointed. At the same time, several prosecutors mentioned the importance of connections, especially when "abnormal" appointments are observed (atypically young prosecutors). One interviewee directly pointed out that both professionalism and personal loyalty are important:

"How does one become a high-level prosecutor? Eighty percent is professionalism... knowledge and ability... In my opinion, [now] what is also important is closeness to those who make the [appointment] decisions. Loyalty, so to speak. That is, people are selected not [fully] according to their professional qualities, but according to whether they can be relied on. How loyal he can be, how much you can trust him, to what extent he is going to be 'your' person." <sup>7</sup>

One way to create a loyal Procuracy would be to purge it. However, as my interviews and career tracks of prosecutors suggest, these people have valuable expertise, including

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<sup>4</sup>Art. 15.1, Federal Law on Procuracy.

<sup>5</sup>Author's interview (PR7-F21).

<sup>6</sup>Given how much of the legal process falls on the shoulders of prosecutors, the little value placed on legal education is worrisome.

<sup>7</sup>Author's interview (PR4).

in fighting actual crime, which, as Chapter 2 demonstrated, was important at the time when Russia was facing rampant crime levels and was having issues with state integrity and capacity.

How was Putin able to build loyal Procuracy under these constraints? I argue that personnel management techniques helped Putin create a system that helped him identify loyal subordinates and provided (and continues to provide) incentives for loyalty. I further argue that personnel management strategies helped avoid the costly strategy of purges.

With the help of explorative data analysis of the original database of prosecutor biographies, I provide evidence showing that prosecutors were not fired in mass and that a new system of bureaucratic management was introduced instead. In this new system, the prosecutors are shuffled more frequently, have shorter appointments, and are increasingly appointed to the regions where they have no ties (i.e., as outsiders or *varyags* in Russian). I argue that the new system of management leads to a situation where prosecutors are re-evaluated more frequently, where their time horizons in the region shorten, and their ability to get patronage from the local elites is reduced.

As a result of the introduction of a new system of personnel management, local prosecutors are forced to communicate to the Kremlin whether they are willing to go against their former patrons and comply with the new rules of the game. This helps the autocrat to identify valuable loyal subordinates. The act of going against their former local patrons helps prosecutors redeem themselves and demonstrate their commitment to the new regime.

As an illustration of the dynamics that unfolded in Russia's regions, consider the quote by Petrov who was writing about the process of centralization in Russia's ISA bureaucracies:

“[The Kremlin wanted to]set the regional procurators against the regional politicians, thereby testing them in battle and getting rid of those who proved weak or disloyal to Moscow. Moscow wanted the procurators to provide a very public demonstration of how the new system of relations between the center and regions was going to work and to reinvigorate the institutions that were meant to implement the state's policies” (Petrov 2005).

While Petrov talks about the public demonstration of loyalty in the context of enforcing the alignment of regional to federal laws, an even stronger signal of loyalty and strength is the prosecution of a governor's allies. The governor's closest allies are people he appoints to the highest positions in the region, especially the vice governors. If the new system of career incentives is established to identify loyal and strong prosecutors, a demonstrable choice of the Kremlin over the local patrons should be professionally rewarded.

What can be considered a valuable reward? As my interviews revealed, staying in the system is the top priority for a prosecutor. There are two main reasons why. Many want to stay to ensure that they get a higher pension, which is tied to the number of years one spent at the job. But most prosecutors of a level of region prosecutor had a long career path that ensured them the highest pension possible. The second factor is the psychological importance of belonging to and advancing within the institution, which is something that several of my interlocutors communicated to me in the interviews. For instance, one former prosecutor told me: "If you had worked in Procuracy for a large portion of your life, you cannot envision yourself outside of the institution".<sup>8</sup> Being forced to leave the system is considered a major failure unless it is for a prestigious position like working for the presidential administration. Keeping this in mind, I pose the following hypothesis, which I test in two different ways:

*INCENTIVES H.A: Prosecutors who demonstrate their loyalty by prosecuting governors and their allies are more likely to be kept in the system or promoted.*

*INCENTIVES H.B: Prosecutors who demonstrate their loyalty by prosecuting governors and their allies are less likely to be fired or demoted.*

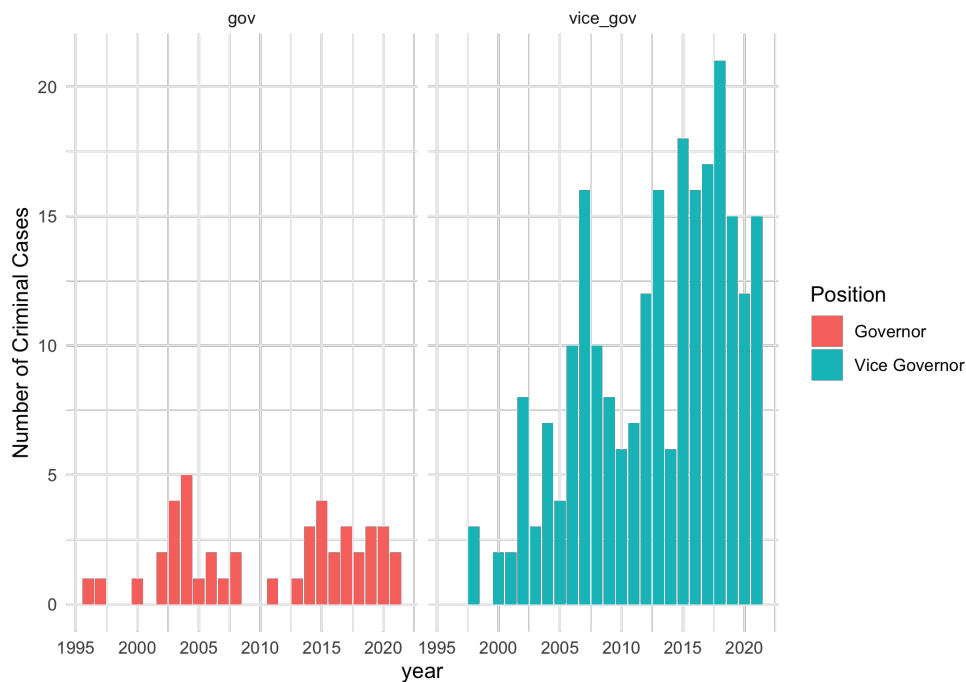
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<sup>8</sup>Author's Interview (PR2).

## 4.5 Prosecutions as Demonstration of Loyalty

Putin's ascend to power introduced a new age in the criminal prosecutions of local elites. While the existing literature considered prosecutions of mayors (Reuter, Buckley, Shubenkova & Garifullina 2016), this paper focuses on non-elected top members of the regional executive, the vice governors. Consider Figure 4.1 below, which helps us compare the prosecution trends between the Yeltsin's, Putin's and early Medvedev's era. We can see a clear rise in the number of prosecutions for both governors and vice governors, but the trends for the latter are much more dramatic.

Figure 4.1: Dynamics of Prosecutions of Local Elites



I argue that the prosecutions we observe, rather than serving as an act of direct authoritarian coercion from above, are instead an act of communicating loyalty by prosecutors coming from below. But how can we be sure that the prosecutions we observe are truly a signal of loyalty rather than something that prosecutors do upon the orders of the Kremlin? Are the prosecutions we observe more about career incentives and the desire to demonstrate



one's ability and loyalty to the Kremlin, or are they about the Kremlin's desire to actively remove local opponents?

To address these questions, I exploit the difference in the local embeddedness of prosecutors. The practice of appointment of outsiders in place of prosecutors that are locally embedded is one strategy that characterized Putin's approach to bureaucratic management, as the section below will provide evidence for and consider in more detail.

On the one hand, it is the outsiders to the region that we should expect to be more able to apply coercion due to the lack of local embeddedness that can constrain them. Local ties or local embeddedness of prosecutors matter for the extent of their vulnerability to local governors. Outsiders — prosecutors who are not locally embedded — should be less vulnerable to the influence of local elites. There are many reasons for why this is the case. Governors might have *kompromat* on prosecutors — the compromising information about criminal wrongdoings of prosecutors — and use it for blackmail (Nalepa & Sonin 2020). A prosecutor would be unable to begin an investigation against a governor or his allies knowing that they might retaliate by revealing compromising material. The same prosecutor working in a different region (an outsider) will have much more freedom to follow the center's orders to pressure the governor. Outsiders have fewer personal connections, which implies that there are less likely to be constrained by personal concerns in the regions (locals are frequently involved in lucrative deals). Finally, outsiders are also more protected from potential retaliation. Consider what one former prosecutor told me in an interview:

"[Because I live in a region different from the one where I work]I know that I do not need anything from the administration of the [region where I work]. I know if I have to *nayekhat'* [apply pressure] on them tomorrow, I will not then also need their help to find a place for my child in the kinder garden. This gives you freedom [to work].<sup>9</sup>

Outsiders are also more buffered from local influences especially since they tend to be

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<sup>9</sup>Author's interview (PR1).

appointed for shorter periods of time and the shorter time horizons imply that their future depends much more on the federal center than on local elites.

The assumption that outsiders are more likely to prosecute would be in line with the existing literature that argues that lack of local embeddedness makes it easier for ISA agents to apply coercion (Hassan 2020, Hassan 2017). If the prosecution initiative is coming from the Kremlin and the goal of prosecution of local elites is to coerce and remove the governors, we should expect outsiders to be more likely to prosecute both governors and governor allies. This is because outsiders are structurally better positioned to apply coercion and are more attuned to the wishes of the Kremlin. With this in mind, I pose the following “coercion” hypotheses:

*COERCION H.A: Outsiders are more likely to prosecute governors.*

*COERCION H.B: Outsiders are more likely to prosecute governor allies.*

Yet, at the same time, with the cancellation of gubernatorial elections, Putin was able to remove the governors directly, without going through the path of criminal prosecution. If the goal of the Kremlin was to build a loyal bureaucracy that could send a credible threat of coercion, and co-opt and monitor, rather than necessarily remove the governors altogether, we should observe different results. Under these conditions, rather than coming from the Kremlin, the initiative of the prosecution of local elites would be coming from the prosecutors themselves. Why initiate prosecution if there are no explicit orders to do so from the Kremlin? I argue that the goal of these prosecutions is to communicate loyalty to the Kremlin as opposed to the local patrons. If the goal of prosecutions of local elites is to identify loyal subordinates (for prosecutors to communicate their loyalty), it is the prosecutors that are under most suspicion for collusion with local elites that are most likely to prosecute local politicians.

For local prosecutors, loyalty to the Kremlin is particularly difficult to communicate. They are structurally more vulnerable to the influence of and are more likely to have previously colluded with local elites. Since locals have a great need to prove their loyalty, we should expect them to be more active in trying to signal it.

If prosecutions are driven by the logic of loyalty communication rather than coercion and are rooted in the initiatives of prosecutors themselves rather than the Kremlin, we should see the effects only on the prosecution of governor allies, and not on governors themselves. This is because the initiative for investigating such high figures generally comes from up top, from Moscow. For the governor's appointees, the investigation initiative as well as the investigative materials were developed and kept locally. As a former prosecutor who had been involved with the prosecution of vice governors told me:

"For the Federation Subject's first person [the governor] the folders were started in Moscow, but for everyone else... the folders were created locally... Vice governors were prosecuted because [it became clear] that they stole too much. Locals put together the files in most cases and initiated everything by themselves. Moscow only later could say something but the initiative was rooted in the Subject [of the Federation]" <sup>10</sup>

With this in mind, I pose the following "loyalty" hypotheses:

*LOYALTY H.A: Prosecutors with local ties are more likely to prosecute governor allies*

*LOYALTY H.B: There will be no difference between prosecutors with and without local ties when it comes to the prosecution of governors themselves*

One alternative explanation for why locals might prosecute more is that they possess local expertise which makes them more competent than outsiders. Locals could know the region

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<sup>10</sup>Author's interview (PR3-F21)

and the crimes better than outsiders. However, I find mixed support for this interpretation in my interview data. Most of my interviewees said that familiarity with the locale is not important and can be gained in a year or two. It does seem that especially for prosecution of corruption, knowledge of the locale can matter for areas with complex economies, which is something that the future reiterations of this research can try and incorporate. Still, even when outsiders are appointed as heads of regional procuracies, the body of the institution is usually made up of local personnel. While I do not have quantitative data to support this, in the process of data gathering I noticed that it is a common practice to have an outsider as the head of the branch and a local as his deputy. This allows for the maintenance of local expertise and ensures subordination to the center at the same time.

I test the proposed hypotheses and provide evidence in support of my theory using two novel datasets: the dataset of the biographies of Russia's regional prosecutors and the dataset of prosecutions of local governors and their allies. I introduce these datasets in the next section.

## **4.6 Prosecutorial Biographies & Elite Prosecutions**

### **Datasets**

With the help of the Carnegie/Harriman dissertation research award, I have collected biographical data on all of the heads of Russia's subnational procuracies (prosecutors of the Subjects of the Federation) for each of Russia's 85 regions<sup>11</sup> spanning 30 years of Russia's post-Soviet history (from 1990-2020). As of today, I have the data on 404 such prosecutors. The dataset includes detailed biographical information for each prosecutor, such as their place of birth, education, work history, and rank, as well as their professional paths preceding

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<sup>11</sup>While I collect data of all regions, in my analysis, I omit Chechnya region where due to heightened security issues, the logic of personnel appointment is likely to be drastically different from the rest of the country.

and following their appointment as regional prosecutors. This data allows me to identify the professional trajectories of prosecutors and where they unfolded geographically.

The dataset of prosecutor biographies allows me to construct measures of local embeddedness and distinguish between prosecutors with local ties and outsiders. To evaluate the extent of the regional embeddedness of a local prosecutor, I turn to the biographical information for each prosecutor. Using the information on whether a prosecutor was born and studied in the region as well as on how many jobs they held there, I classify all prosecutors as “local” or “outsider”. Similar to Reuter, who develops a measure of the local embeddedness of governors, I develop a similar variable for prosecutors (Reuter 2013).

The variable "Local" takes one if the sum of the following three components is equal to or exceeds 3: (1) a dummy variable for whether the prosecutor was born in the region, (2) a dummy for whether the prosecutor studies in the region and (3) a number of jobs the prosecutor held in the region prior to being appointed. Unlike Reuter, whose third component for determining the localness is whether a governor spent more than five years in the region, I am using the number of jobs the prosecutor held in the region prior to being appointed since it proved to be hard to collect data on the number of years prosecutor spent in each region. I assume that a prosecutor is a *varyag* or an outsider if they are not categorized as local.

My measure allows for some flexibility, as a prosecutor does not have to necessarily be born and educated in the region to be counted as local. This is helpful as my data includes prosecutors who had been appointed during Soviet times when transfers across regions after education were common. Additionally, in the process of data gathering, I have run into prosecutors who were not born in a region despite spending most of their professional careers there. Moreover, in modern Russia, prosecutors frequently receive their education in other regions or remotely. What matters for localness the most is whether their professional path unfolded in the region, which is caught by incorporating into the measure the number of jobs held.

In addition to collecting data on prosecutors' biographies, I have put together a separate dataset on criminal prosecutions of local governors and their allies. The dataset includes prosecutions of governors and governors' top appointees: the vice governors. The data is collected using the local press, the East View newspaper database as well as the *Kommersant* newspaper, which systematically covers regional politics. The data comprises all of the cases of criminal charges against governors and their allies from 2000 to 2020. However, the analysis in this paper is limited to 2000-2012. While Procuracy lost its investigative capacities in 2011, I include an extra year to allow for the carry-over of some criminal investigations that might have been started in 2011, with the subject arrested or the case officially opened in 2012.

## 4.7 Bureaucratic Management Strategies in Procuracy

In this section, with the help of the two novel datasets introduced above, I provide descriptive evidence of the changing personnel management strategies under Putin: increased rotation frequency, shorter tenures, shuffling instead of purges, and the appointment of outsiders. These strategies, I argue, helped cultivate and identify loyal prosecutors.

### 4.7.1 Rotation Frequency & Shorter Tenures

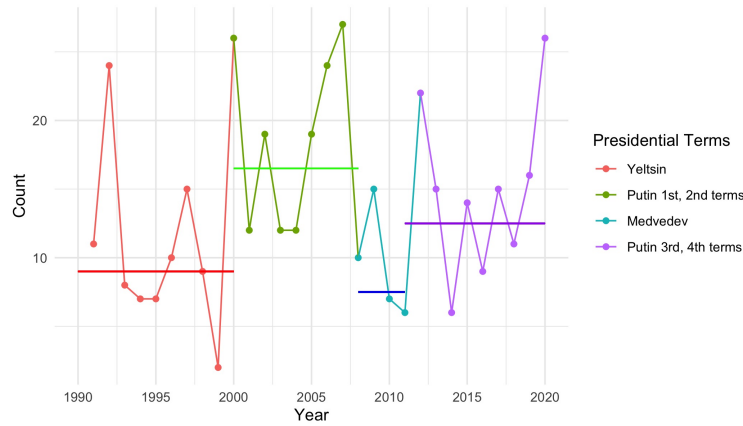
Having come to power, Putin begins to actively replace regional prosecutors. We can see these dynamics in Figure 4.2 below.<sup>12</sup> Horizontal lines plot the averages for the number of replacements for each president (Putin's presidency is divided into before and after Medvedev's intermission). We can see that Putin is particularly active in replacing regional heads right after his first presidential term began in 2000 and right before his second term was over in 2008. The Figure also shows that Yeltsin similarly made a lot of changes once

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<sup>12</sup>The figure looks largely similar even when retirements are taken into account.

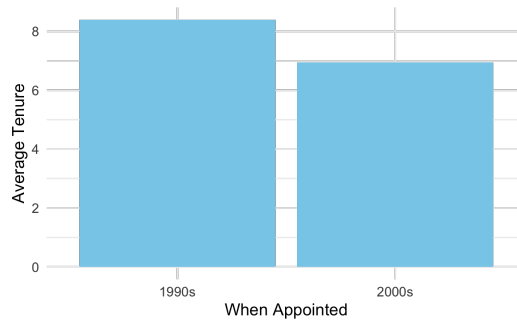
he took power, but overall his average is much lower than Putin's.<sup>13</sup>

Figure 4.2: Rotation Frequency of Regional Prosecutors



The higher frequency of replacements of prosecutors is accompanied by shorter appointment lengths. Figure 4.3 compares prosecutors appointed by Yeltsin and Putin in terms of the average number of months they spend in a region. We can see that the average dropped in the 2000s, during Putin’s presidency. The length of appointment matters for the loyalty of agents as it is consequential for the development of local ties (Carter & Hassan 2020). Even non-local agents can “go native” after spending an extended amount of time in the region (Debs 2007). Additionally, shorter tenures imply more frequent evaluations.

Figure 4.3: Average Tenure of Prosecutors by the Decade



<sup>13</sup>Important explanation for the spikes is the appointment of a new prosecutor general (the very top prosecutor in Russia). Putin has replaced 3 prosecutor generals during his time in office. Vladimir Ustinov was appointed in 2000, Yuri Chaika in 2006 and very recently, Igor Krasnov in 2020. Interestingly, even though Yeltsin has similarly replaced a prosecutor general in 1995, we do not see a characteristic spike in replacements that year.

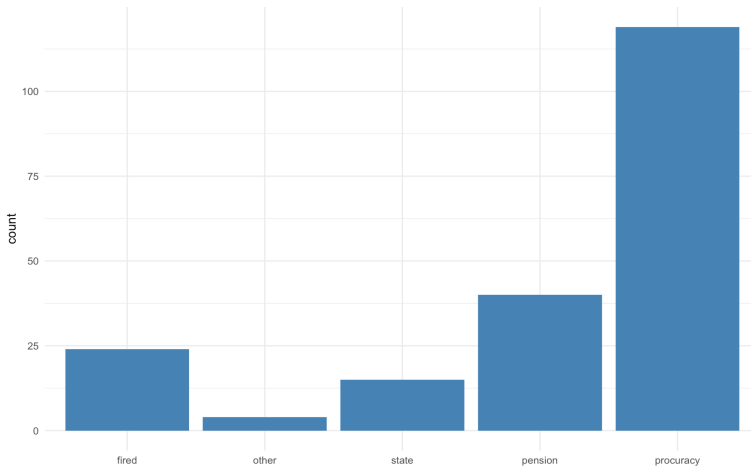
## 4.7.2 Shuffling Instead of Purges

In the previous section, I demonstrated that having come to power, Putin removed a large number of prosecutors and continued to do so throughout his first two presidential terms (the period of authoritarian backsliding). However, where did the removed prosecutors go?

As Figure 4.2 demonstrates, Putin replaced some of the highest numbers of regional heads in the year 2000, having just come to power. Of the 85 heads in total, 26 were removed. However, of those, only 8 were fired.<sup>14</sup> This implies that an overwhelming majority of prosecutors stayed in the system.

Figure 4.4 demonstrates these dynamics. I classify the fates of prosecutors into one of the five categories: remained in Procuracy (could be transferred to a different branch or position), fired, worked for the state, or retired. As we can see from the plot, the overwhelming number of prosecutors remain in Procuracy even after they are removed from their positions as regional prosecutors. Moreover, if we look at Figure 4.5, we can see that a great number of regional heads were “horizontally rotated” or appointed to the same positions in other regions. Figure 4.5, which shows that prosecutors appointed under Putin are much more likely to be reappointed to the same position but in another region.

Figure 4.4: Fates of Prosecutors After Removal (2000-2008)

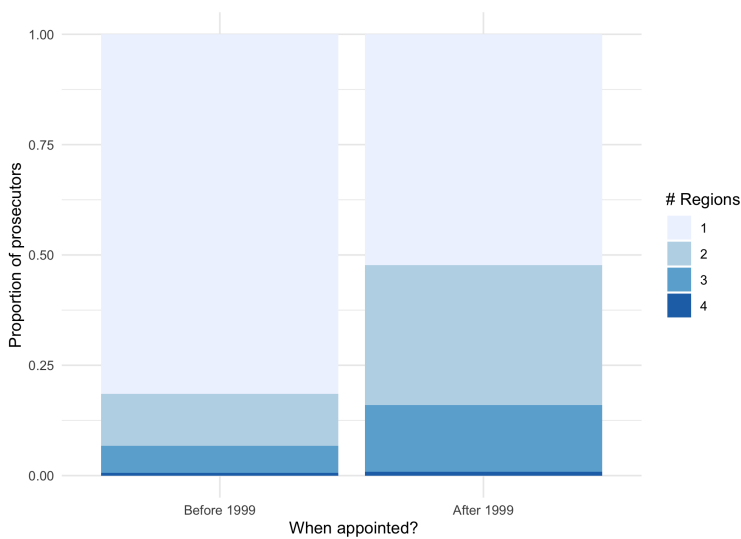


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<sup>14</sup>7 more were retired below the age of 60, which could be considered an honorable removal.



Figure 4.5: Horizontal Rotations of Prosecutors



As my interviewee told me, what matters is not only *the fact* of rotation itself but the awareness of prosecutors themselves that they will not be in the region to which they were appointed for long.<sup>15</sup> As a result, the agents are not simply less likely to make connections but are less interested in doing so because, first, the sunk costs of having moved are too high and loyalty to the organization that provides for promotion opportunities and retirement is really valuable.<sup>16</sup>

Maintaining prosecutors in the system, rather than purging them, as well as strategically shuffling them horizontally help ensure that prosecutorial experience is not wasted and that experienced and well-performing prosecutors are guaranteed a prestigious job for longer. This encourages prosecutors to invest their loyalties in the institution of the Procuracy itself rather than the fleeting opportunities that might present themselves via various local actors.

### 4.7.3 Appointment of Outsiders

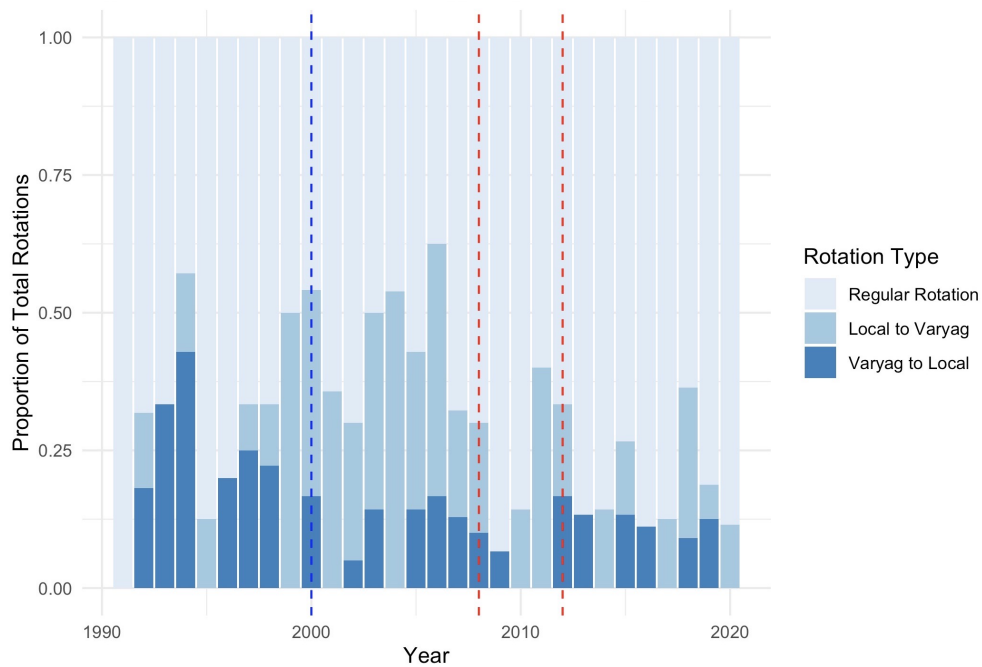
One of the outcomes of the horizontal shuffling strategy observed above is the increased number of outsiders — or *varyags* as they are referred to in Russian — appointed across

<sup>15</sup> Author’s interview (PR3).

<sup>16</sup> Svolik outlines similar mechanisms with party structure (Svolik 2012).

the country. To show these dynamics, I classify all of the replacements of prosecutors into three types: local to an outsider (*varyag*), outsider (*varyag*) to local, and finally, a “regular” rotation where the type of prosecutor does not change. In Figure 4.6, I plot the proportions of rotation types out of the total rotations that happened each year. The vertically dashed blue line marks the beginning of Putin’s presidency while the red lines mark the beginning and the end of Medvedev’s term in office.

Figure 4.6: Changing Appointment Dynamics of Regional Prosecutors in Russia



We can see from the graph that Yeltsin’s years (the period from 1990-1999) were marked by replacements from the outsiders to locals (the bars in dark blue), Putin’s first and second terms (2000-2008) are marked by an opposite dynamic as we observe the proportion of the rotations that replaced local prosecutors with outsiders increased significantly after 2000. It declines afterward, which could be explained in part by the fact that there are fewer locals left to replace. The Yeltsin and Putin presidencies essentially mirror one another, with Yeltsin appointing locals in place of outsiders and Putin actively undoing his legacy.

## 4.8 Identifying & Encouraging Loyal Subordinates: Testing the Hypotheses

In the previous sections, I have demonstrated some of the general trends in changes in the management of heads of regional procuracies in Russia. First, I demonstrated that prosecutors were not purged, but instead were appointed to other positions within the Procuracy itself. With the re-introduction of the practice of horizontal shuffling, prosecutors are now frequently appointed to similar positions in other regions. More frequent rotations and shorter time horizons create a situation where agents' ability to get rewards at the local level is compromised. Future career prospects are now decisively in the hands of the Kremlin, which gives prosecutors incentives to comply.

In this section, I will demonstrate another key strategy used by the Kremlin that combined with management strategies introduced before, helped identify loyal agents within the Procuracy. To have a loyal bureaucracy, loyalty must be rewarded with promotions or at the very least by maintaining loyal agents in the system. I argue that prosecutors who demonstrated their loyalty to the Kremlin by opening an investigation against the local elites are kept in Procuracy upon the end of their term in the region, or promoted. Second, I will also provide evidence in support of the "loyalty" hypothesis, that is, that the vice governors are prosecuted upon the initiative of prosecutors themselves to communicate loyalty to the Kremlin.

### 4.8.1 The Career Incentives Hypotheses

Consider an example from one of Russia's regions. Primorskii Krai or Primorye for short is a region of Russia located in the Far East, which shares part of its border with North Korea. Prosecutor Aleksandr Anikin, born in Vladimir Oblat' and educated in Ivanovo Oblast' — both regions located not too far from Moscow across the country from Primorye

— was appointed as a regional prosecutor in the region in 2005. Prior to his appointment there, Anikin worked in the same position in Tverskaya Oblast', which is a different region of Russia located in its Western part. In the two years of his appointment in Primorye, Anikin made the life of Sergei Dar'kin — the popularly elected governor of the region at the time — quite difficult. He prosecuted eight of Dark'kin's vice governors, with at least three of them receiving substantial jail time. Even though Dar'kin's career was ultimately unshaken and he was reappointed as a governor by both Putin and later Medvedev,<sup>17</sup> prosecutor Anikin's story is one of great professional success. In 2007, only two years following his appointment, Anikin got an incredible promotion. He was appointed as a head of an anti-corruption department within the General Procuracy.

While Anikin's story is rather exceptional in terms of the number of vice governors he managed to prosecute and how quickly the promotion came through, it is a good example of some of the dynamics mentioned in the previous section. Anikin is a classic example of an outsider moving from one side of the country to another as a result of horizontal shuffling within the Procuracy. However, Anikin is also a great example of another dynamic: how prosecutorial compliance can be encouraged with the help of personnel management strategies and, specifically, with the introduction of career incentives.

I use the datasets introduced above to test whether Anikin's story can be generalized over other regions of Russia at the time. Are prosecutors who open criminal investigations into local elites in fact maintained in the system and/or promoted? I test this "incentives" hypothesis and present the results in Table 4.1 and Table 4.2. The unit of analysis in both tables is each prosecutor in my database. The independent variables of interest are the number of vice governors and governors against whom a given prosecutor opened a criminal investigation. Table 4.1 shows that prosecuting vice governors helps ensure that prosecutors stay in the institution and either get horizontally rotated or promoted. In Table 4.2 we see similar results but with a rotation or demotion dependent variable.

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<sup>17</sup>Despite his alleged corrupt and criminal history.

Table 4.1: Probability of Promotion Following Prosecutions

Dependent Variable: Model:	Rotated or Promoted	
	(1)	(2)
<i>Variables</i>		
Vice Governors Arrested	0.0918*** (0.0344)	
Governors Arrested		-0.0531 (0.1414)
<i>Fixed-effects</i>		
Reg ID	Yes	Yes
<i>Fit statistics</i>		
Observations	262	262
R <sup>2</sup>	0.33661	0.32405
Within R <sup>2</sup>	0.11919	0.10251

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1 LPM models with standard errors clustered within regions run on the prosecutor-region data. Control variables' coefficients omitted.*

The results hold with the region-fixed effects and are robust to the inclusion of a set of control variables, such as a change in crime rates and whether a prosecutor is close to the retirement age (see Table B.1 and Table B.2 in the Appendix). To sum up, the findings support the incentives hypotheses and show that prosecutors who go against the local elites are able to communicate their loyalty to the Kremlin and are kept in the system or even rewarded.

#### 4.8.2 Loyalty vs. Coercion Hypotheses

The support that I find for the “incentives” hypothesis suggests that the act of turning against the local elites by prosecutors helps the Kremlin identify, keep and reward loyal subordinates. However, these results are consistent with two different mechanisms. The Kremlin could be sending out orders to prosecute local elites, upon the fulfillment of which, the prosecutors are rewarded. Or, alternatively, prosecutions could be a way for prosecutors

Table 4.2: Probability of Demotion Following Prosecutions

Dependent Variable:	Fired or Demoted	
Model:	(1)	(2)
<i>Variables</i>		
Vice Governors Arrested	-0.0250** (0.0114)	
Governors Arrested		-0.1741*** (0.0654)
<i>Fixed-effects</i>		
Reg ID	Yes	Yes
<i>Fit statistics</i>		
Observations	258	258
R <sup>2</sup>	0.32562	0.33814
Within R <sup>2</sup>	0.05114	0.06875

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1 LPM models with standard errors clustered within regions run on the prosecutor-region data. Control variables coefficients omitted.*

to communicate their loyalty to the Kremlin at the time when the new rules of the game are introduced and it is unclear who is willing to be loyal and who is not. In order to distinguish between these two mechanisms, I test whether prosecutors with local ties or prosecutors without ties (outsiders or *varyags*) are more likely to prosecute governors and vice governors.

Under the loyalty hypothesis, we should expect local prosecutors to be more active in prosecuting local elites as local prosecutors find themselves more under the suspicion of collusion. Under the coercion hypothesis, we should expect the opposite results, because outsiders are structurally better positioned to apply coercion. Finally, if prosecutions are driven by the logic of loyalty communication rather than coercion and are rooted in the initiatives of prosecutors themselves rather than the Kremlin, we should see the effects only on the prosecution of governor allies, such as vice governors, and not on governors themselves.

There are two main threats to identifying a causal relationship by regressing the outsider status on the number of prosecutions. The first threat has to do with the process of the assignment of outsiders. For instance, the governor's willingness to support Putin could affect both the assignment of outsiders and the number of arrests.

To address this issue, first, it is important to think about the assignment mechanism. Were outsiders more likely to be sent to the regions where governors did not comply with Putin's agenda? The analysis that I conduct elsewhere shows that the strongest governors, who were able to consolidate power in the regions and had access to economic resources, were the ones who were more successful in resisting the appointment of outsiders. This means that if anything, many of the people whom the Kremlin wanted to threaten the most had outsiders appointed *last*. Hence, if the results are biased, they are biased downwards. For the opposite hypothesis, it is highly unlikely that locals are appointed to places where recalcitrant governors are located. Locals might linger in places where governors are powerful. But governors want to keep them precisely because they are less likely to cause trouble. Hence, there seems to be no clear threat to my analysis given what we know about the assignment

mechanisms.

Second, I take care of the omitted variable bias rooted in unobserved properties of governors or regions with the help of region-fixed effects. If the willingness to comply with Putin's agenda is time-invariant, then the region fixed effects should help they allow to compare the effect of outsiders to locals *within* each region. Unfortunately, I am unable to include the governor-fixed effects on top of region-fixed effects due to the issue of collinearity. Very few, nearly zero governors have served in more than one region.

While region fixed effect help with time-invariant confounders, I take care of as many of time-variant confounders as I can by including time-variant controls. In particular, I include a combination of governor-level control variables (like the margin of governor's victory, governor ties to the region, governor partisanship, governor history of being part of *siloviki*, the performance of the United Russia party in the region, etc.) as well as region-level control variables (population, regional GRP, unemployment, corruption level, crime levels, economic crime levels, etc.).

The second major challenge to my analysis is that there are some confounders associated with prosecutors themselves. While I am able to capture some properties of prosecutors with control variables, there could be some unobserved characteristics biasing my results. Competence is one such confounder (while I assume that due to their experience, all prosecutors of this level have sufficient competence for the regime to not want to waste it, there still might be some variation). Willingness to comply with the Kremlin is another. Having networks with the Prosecutor General or some other figure of power who could ensure promotion without the need for prosecution is also a concern.

One potential solution is to include prosecutor fixed effects. Unfortunately, even though the situation with prosecutors is better than with the governors as many prosecutors are rotated and appointed in more than one region, there is still substantial collinearity with region fixed effects. So, both types of fixed effects cannot be included.

Another approach is to subset the data in such a way that will allow me to select pros-



ecutors that are comparable to each other. To take this approach, I limit my sample to prosecutors with similar career paths: those who remain in the system and are rotated to different regions. This ensures that they are on similar career tracks, have similar competency, do not have network ties, and have to rely on themselves to advance professionally. Since I am only selecting prosecutors that stay within the system, I am selecting those prosecutors that were eventually deemed by the Kremlin as loyal. Another way to think about this subsetting approach is that it allows me to run the analysis only on the prosecutors who got an opportunity to be rotated. Since some were fired or moved elsewhere (especially, those who started as locals), we do not get a chance to see how they will behave when moved to another region. This approach allows me to select prosecutors that are comparable.

First, in Table 4.3, I present my original results using the full sample (for the full table, see Table B.3 in the Appendix). The dependent variable is a cumulative measure of criminal investigations started by a prosecutor in a given region. If one vice governor was prosecuted, it takes 1 and continues to have this value until another one is prosecuted, which is when it switches to 2, and so on. If a prosecutor begins a job in another region, the count is restarted. The main independent variable of interest is a measure of localness of an outsider. The variable takes 1 if a prosecutor scored 3 or more on the number of local ties.

In Table 4.3, Modes 1 and 3 present the results with errors clustered by year, and models 2 and 4 include the standard errors clustered by region. In the full sample, localness corresponds to a higher number of prosecutions of vice governors, yet, the results go away when standard errors are clustered by region. Table B.4 in the Appendix presents the same model with a count rather than a cumulative dependent variable. The results are similar, although the significance of the local status drops in the first model. Regardless of the dependent variable measure or model specification, there is no significant effect of localness on the prosecution of governors.

In Table 4.4, I rerun my analysis within the limited sample of prosecutors with similar career tracks (for the full table see Table B.5 in the Appendix). Similarly to the analysis

above, Modes 1 and 3 present the results with errors clustered by year, and Models 2 and 4 cluster the standard errors by region. I find negative and statistically significant results within the sub-sample showing that locals are *more* likely to prosecute allies of local governors. The results are robust to clustering standard errors by region. There is no effect of prosecutor type on the prosecution of governors themselves. The results are robust to the inclusion of the time trend in place of fixed effects (see Table B.6) as well as to using a count instead of cumulative measure for the dependent variable (see Table B.7). The results presented in the Appendix also show that the size and the significance of the coefficient only grow when I keep the most necessary control variables.

Taken together, these results suggest that there is no support for the coercion hypothesis and that the prosecutions of local elites were initiated by prosecutors themselves to communicate loyalty and to signal the willingness to fit into the new system of career incentives, rather than an act of direct coercion by the Kremlin.

Table 4.3: Local Ties & Prosecution of Local Elites Within a Full Sample

Dependent Variables:	Vice Gov Arrested (Cum)		Gov Arrested (Cum)	
Model:	(1)	(2)	(3)	(4)
<i>Variables</i>				
Local (3 ties)	0.1199*** (0.0337)	0.1199 (0.1228)	-0.0070 (0.0192)	-0.0070 (0.0258)
<i>Fixed-effects</i>				
Year	Yes	Yes	Yes	Yes
Reg ID	Yes	Yes	Yes	Yes
<i>Fit statistics</i>				
Observations	780	780	780	780
R <sup>2</sup>	0.45489	0.45489	0.49251	0.49251
Within R <sup>2</sup>	0.12599	0.12599	0.08393	0.08393

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1 Modes 1 and 3 are OLS models with errors clustered within years. Models 2 and 4 are OLS models that include the standard errors clustered within regions. The models are run on the full dataset with the year-region unit of analysis. The dependent variable is a cumulative measure of prosecutions. The coefficients for the control variables are omitted.*

Table 4.4: Local Ties & Prosecution of Local Elites Within a Subsample

Dependent Variables: Model:	Vice Gov Arrested (Cum) (1)	Gov Arrested (Cum) (2)	Gov Arrested (Cum) (3)	Gov Arrested (Cum) (4)
<i>Variables</i>				
Local (3 ties)	0.4022** (0.1736)	0.4022** (0.1935)	0.1270 (0.1431)	0.1270 (0.1444)
<i>Fixed-effects</i>				
Reg ID	Yes	Yes	Yes	Yes
Year	Yes	Yes	Yes	Yes
<i>Fit statistics</i>				
Observations	185	185	185	185
R <sup>2</sup>	0.67548	0.67548	0.73880	0.73880
Within R <sup>2</sup>	0.39384	0.39384	0.34700	0.34700

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1 Modes 1 and 3 present the results with errors clustered within years. Models 2 and 4 include the standard errors clustered within regions. The models are run on a dataset limited to prosecutors with similar career tracks with a year-region unit of analysis. The dependent variable is a count measure of prosecutions. The coefficients for the control variables are omitted.*

## 4.9 Conclusion

In this paper, I have argued that personnel management strategies matter and can contribute to authoritarian backsliding. They can help a would-be autocrat in two ways. First, they provide career incentives that encourage agents to comply with the authoritarian agenda. Second, they present opportunities for the autocrat to test and identify loyal subordinates.

More frequent rotations and shorter time horizons create a situation where agents' ability to get rewards at the local level is compromised. Future career prospects are now in hands of the center which gives *all* prosecutors incentives to comply. This might be another reason for why it is hard to find significant differences in prosecution outcomes between locals and outsiders, despite the fact that the increased appointment of outsiders correlates with the increased number of arrests of local elites.

On the one hand, these results show that career incentives help cultivate loyalty. On the other, they also help the autocrat to identify the subordinates willing (and able) to comply. This helps the autocrat to identify and keep loyal subordinates, rather than purging the bureaucracy indiscriminately, which is an undesirable strategy under competency constraints (or other personnel constraints an autocrat might find himself operating under). The introduction of new personnel management rules can help an autocrat identify loyal subordinates, especially in situations where it is difficult to distinguish between unobserved types.

We tend to interpret repression as the deliberate action of the state. However, as this chapter demonstrates, it can also be the outcome of the system of bureaucratic management an autocrat has established. In this paper, I provided evidence that prosecutions can be an act of demonstration of loyalty and can be initiated by the bureaucrats themselves, rather than a deliberate act of coercion by the autocrat. These findings have implications that one (perhaps, unintended) consequence of building loyal bureaucracies is that repression can get out of hand.

# Chapter 5

## Building the State Power or Autocrat's Power?

### Stealth and Strategic Appointment of Prosecutors in Russia

The prosecutor exercises supreme authority over the execution of laws irrespective of any regional circumstances. I am confident that greater independence of prosecution agencies from local authorities would be beneficial for citizens in all regions of Russia. Colleagues, let us always be governed by the interests of our people.  
(Vladimir Putin, January 2020)

#### 5.1 Introduction

The first chapter provided an overview of some of the major challenges of governance faced by Russia in the context of central-regional relations. The first chapter also demonstrated how Putin's reforms, especially the centralization reforms, while, at times, being effective in addressing issues of governance also contributed to consolidating his personal authoritarian power and unraveling the democratic constraints that were in place as the result of decentralization. The second chapter similarly demonstrated how procuracy was instrumental in curbing some of Putin's key political opponents, the oligarchs, who emerged

from the tumultuous 1990s above the law. The chapter showed how the steps that could be interpreted as steps toward ensuring legality also helped monopolize Putin's control over the media and natural resources. In other words, previous chapters made a case for how in the process of rebuilding the Russian state, Putin created the pillars of his authoritarian regime.

This chapter further examines how the processes of autocratization and state-building via centralization in Russia were intertwined. The chapter brings together the literatures on democratic backsliding and authoritarian state-building and uses the case of Russia to argue that the steps taken by closet autocrats are particularly hard to detect when they appear to address the issues of governance. By doing so, the chapter introduces a novel approach to understanding stealth authoritarianism.

Scholars have pointed out that on the one hand, backsliding occurs because voters are willing to sacrifice their democratic values in exchange for preferred policy (Svolik 2020). However, backsliding can also occur because citizens and observers alike are unsure about the reasons behind the institutional changes put forth by the autocrat. The key component of "stealth" is the "disagreement among observers and citizens about the intentions that motivate specific institutional reforms" (Chiopris, Nalepa & Vanberg 2021). In fact, the steps taken to subvert democracy are frequently portrayed by closet autocrats as efforts to improve it, for instance, "making the judiciary more efficient, combating corruption, or cleaning up the electoral process" (Levitsky & Ziblatt 2018). The danger of stealth authoritarianism is that due to the uncertainty that citizens experience, they might be unable to recognize the authoritarian encroachments for what they are and react timely and effectively in response (Luo & Przeworski 2019*b*). This is one of the reasons why backsliding by legalistic or constitutional means has been such a big focus of the scholarship of democratic erosion as it makes the encroachments hard to detect and properly react to (Huq & Ginsburg 2018, Scheppele 2020).

This chapter presents evidence of how the issues of stealth can be aggravated when steps taken by an autocrat to remove constraints on personal power can be justified by the need

to build infrastructural power, i.e., the capacity of the state to implement policy across its territories. I focus on the introduction of new personnel practices within modern Russia's procuracy by Putin, specifically, the practice of the appointment of outsiders. I show that while being a reasonable anti-corruption practice aimed at improving the coercive capacity of this law enforcement agency at the local level — in fact, this practice is frequently found outside of authoritarian context — it was used strategically to enable Putin's authoritarian encroachments, specifically, to coerce local elected leaders in opposition and to get out the votes for Putin's dominant authoritarian party United Russia.

The idea that centralization contributed to autocratization in Russia is not novel and has been previously examined by researchers. For instance, Brian Taylor provides a powerful account of how federal reforms and centralization in law enforcement disproportionately increased the power of the center without improving the quality of the state, which he defines as the extent to which the state serves the interests of the population (Taylor 2011). Gel'man similarly argues that the centralization "cure may in time prove to be worse than the disease" as it could ultimately bring back the same authoritarian problems that had contributed to the dissolution of the Soviet Union in the first place (Gel'man 2008). Finally, by focusing on the security dimension of federal reform, Petrov has argued that the reforms were more about setting up "an effective system of supervision and control over state and society, to make the state governable, and to strengthen the power ministries" (Petrov 2005).

This chapter builds on this important literature but approaches the topic of centralization in Russia in empirically and theoretically novel ways. While previous literature had relied on a host of rich qualitative, interview, and anecdotal data, the intertwined nature of centralization and autocratization has not been tested with the help of statistical analysis. This is in part due to the lack of data on Russian elites, which is very hard to obtain — a constraint this dissertation addresses with the help of the novel biographical dataset of prosecutors of the Subjects of the Federation introduced earlier. Empirically, I combine the quantitative analysis of this novel data with the insights from the interview data with prose-

cutors and experts.<sup>1</sup> Theoretically, this chapter uses the Russian case to contribute to larger theories of authoritarian backsliding and expands the concept of stealth authoritarianism to incorporate the concerns with state capacity that frequently characterize young democracies and mask the authoritarian steps taken by the incumbents.

The rest of the chapter is divided into four parts. The first section brings together theories of democratic backsliding and state-building and introduces a novel way of approaching "stealth" authoritarianism that incorporates the uncertainty that citizens and experts experience about whether the steps taken by an autocrat address a genuine need to improve the functioning of the state or contribute to democratic erosion.

The second section examines the Russian case and reviews how the processes of state-building and backsliding in Russia were intertwined. This section reiterates how governors emerged both as (locally authoritarian) agents that undermined the infrastructural power of the federal state and as (democratic) agents imposing constraints on the presidential power. I also show that there was a legitimate concern that prosecutors of the Subject of the Federation frequently colluded with local governors, which undermined the centralized and independent nature of Russia's procuracy. This section sets the scene for why personnel reforms in Russian procuracy were perceived as reasonable and justified from the perspective of improving the state's infrastructural power.

In the section that follows, with the help of my original interview data, I show how prosecutors and experts themselves explain the practice of the appointment of outsiders and horizontal rotations. These personnel practices are perceived as a justified policy to strengthen the state, uphold the centralized nature of procuracy as required by law, and curb corruption. In other words, these personnel practices are overwhelmingly perceived through the prism of the need to improve the infrastructural power of the state. Yet, some of my interlocutors express uncertainty and skepticism about this policy or go as far as to

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<sup>1</sup>Please refer to the Appendix to Chapter 3 for the summary table and reference codes of the interview references in this chapter.



say that it does not make prosecutors insulated but simply strengthens the (equally corrupt) influence on them by the federal elites.

The last section presents the results of the quantitative analysis. With the help of the original data on Russia's regional prosecutors, I test whether the new personnel strategies were guided by the logic of building infrastructural or authoritarian power. I find no evidence that the appointment of outsiders was guided by the goal of improving the capacity or the infrastructural power of the state. Yet, I do find that the appointment of outsiders was aimed at improving the electoral outcomes of the United Russia party and establishing control over Russia's governors in opposition. Rather than overcoming the issue of state capacity through the appointment of outsiders, the appointment patterns reflect these issues, with stronger governors being able to keep outsider prosecutors out.

## 5.2 Stealth Authoritarianism in Weak States

How and why do democracies die? Scholars have been increasingly asking this question as the threat of democratic erosion started to hit where it was least expected (Levitsky & Ziblatt 2018). Unfortunately, even though democracies across the world have been withering away for decades, we still don't have precise answers to these questions (Bermeo 2016).

Existing studies have tackled the questions of democratic erosion by examining the structural conditions that predispose countries for reversals (Svolik 2008, Haggard & Kaufman 2021), the rhetoric of would-be autocratic leaders (Çinar, Stokes & Uribe 2020), the role of the media in enabling authoritarian encroachments (Gehlbach 2010, Adena, Enikolopov, Petrova, Santarosa & Zhuravskaya 2015) and of civil society and law in resisting it and mitigating the risks (Ginsburg & Huq 2018, Berman 1997).

What is especially worrisome is that democratic backsliding has been shown to take place in countries where voters value democracy at the hands of democratically elected leaders. Scholars have developed explanations for this by focusing on the negative effects

of polarization. For instance, Svobik shows that backsliding occurs when under conditions of high polarization, voters choose to sacrifice their democratic values in order to avoid making significant policy concessions (Svobik 2020). Svobik argues that voters could support a backslider simply because an alternative candidate is far removed ideologically and poses the root cause of backsliding to be the lack or insufficient value of democracy. (Graham & Svobik 2020, Svobik, Avramovska, Lutz & Milaèia 2023).

The fact that autocrats are no longer turning to military coups and instead favor executive take-overs (Bermeo 2016), while a positive development, also makes democratic setbacks much harder to detect, for the citizens and observers alike. Moreover, democratic erosion in the post-Cold War world happens under the auspices of legality making it extremely hard to detect and address (Varol 2014, Scheppele 2020). Finally, modern autocrats tend to backslide in a "stealthy" or gradual way, with subtle actions being the dominant mode of backsliding (Luo & Przeworski 2019a, Guriev & Treisman 2020). As Haggard and Kauffman point out, "illiberal executives who reach office through elections typically test normative limits through piecemeal initiatives to weaken constraints, making each subsequent step easier to pursue" (Haggard & Kaufman 2021)

Put together, these developments create a problem of *legibility*, which implies that citizens, observers, and experts can be uncertain about the intentions behind the incumbent's initiatives. "Disagreement among observers and citizens about the intentions that motivate specific institutional reforms" can be an important condition for backsliding to be successful (Chiopris, Nalepa & Vanberg 2021). Indeed, autocrats frequently portray the efforts to subvert democracy as efforts to improve it, such as "making the judiciary more efficient, combating corruption, or cleaning up the electoral process" (Levitsky & Ziblatt 2018). Hence, voters might be faced with a "closet autocrat" and be unaware of the true nature and intentions behind his actions.

Taking seriously the problem of legibility of an autocrat's actions to subvert democracy poses an alternative interpretation to the mechanism that involves a conscious sacrifice of

democratic values by the voter posed by Svulik. Where the condition of the lack of legibility is present, citizens allow a closet autocrat to subvert democracy because they are either uncertain about the effect of the proposed institutional changes or policy or believe that it is in fact good for democracy, rather than consciously trading off their democratic values for preferred policy. For instance, Chiopris, Nalepa, and Vanberg develop a model where uncertainty takes the central stage, as the result of which voters might re-elect a backslider even if they genuinely value democracy (and regret that decision later on) (Chiopris, Nalepa & Vanberg 2021).

Building on this work, this project takes the problem of legibility or uncertainty about the closet autocrat's intentions seriously and approaches it in a novel way. To better understand some of the issues with legibility frequently experienced by the citizens and observers, I turn to the literature on state-building. Authoritarian states like Russia which entered their democratic spell with low state capacity are especially vulnerable to authoritarian encroachments precisely because it is hard for the citizens and observers to distinguish between the objective needs of state building and authoritarian strategies of an elected leader (a closet autocrat). The uncertainty is especially acute when the country faces major challenges to its statehood that impact people's immediate security, such as the threats of civil war, terrorism, and violence or basic survival.

I theorize that a citizen or an expert observes a certain move by a closet autocrat and experiences the following uncertainty: does the policy contribute to the re-building of state capacity or unraveling of democratic institutions? Or, put differently, under the conditions of a weak state, the citizen or an expert is uncertain about whether she is observing an expansion of infrastructural or authoritarian power. Infrastructural power is "the ability of a state to ensure the reliable implementation of its decisions by its own personnel" (Taylor 2011, p. 89). This definition of infrastructural power was coined and later revised by Michael Mann (Mann 1984, Mann 2008). Mann distinguishes infrastructural power from "despotic power," which he defines as "the range of actions" that an incumbent leader "is empowered to take

without routine, institutionalized negotiations" with other regime members<sup>2</sup> (Mann 1988). In this chapter, to simplify the terminology, I will refer to despotic power as authoritarian power and will use the terms infrastructural power and state capacity interchangeably.

Distinguishing between infrastructural and authoritarian power is important because authoritarian regimes can in fact be highly institutionalized on one dimension (be very good at constraining the opposition) and de-institutionalized on the other (have no constraints on the dictator) (Slater 2003). It is quite common that democratic governments are infrastructurally weak while strong states are governed undemocratically (Slater 2008). In this paper, I argue that the distinction between infrastructural and authoritarian power is also analytically useful to understand the mechanisms that enable stealth authoritarian or democratic backsliding. Infrastructural power or the ability to implement policy, matters for democratic and authoritarian leaders alike. A functioning state matters for all the regime types across the spectrum. Yet, the processes of building infrastructural power can be intertwined with the unraveling of democratic constraints on the would-be autocrat, which is what makes it so hard to distinguish between the two. In the Russian case, for instance, as the first chapter of this dissertation demonstrated, removing the influence of governors while improving the reach of the federal state and its ability to implement policy in the regions simultaneously removed the key check on the executive power.

This chapter develops these observations and focuses on personnel changes in Russia's procuracy that were aimed to help improve procuracy's function as an agent of centralization in the country. As previous chapters have demonstrated, the pervasive issues that Russia has historically faced with its ability to govern its territories have been typically addressed with centralization, with procuracy playing an important role in the process. Yet, centralization, while it may be one of the ways to improve infrastructural power, does not necessarily have to be an authoritarian process or contribute to the executive aggrandizement the way it

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<sup>2</sup>Following Dan Slater, I expand Mann's definition from the relationship between the state and society, to the relationships within the state itself (Slater 2003).

happened in Russia. It could be argued that the Russian federalism experiment was set to fail and the re-creation of a unitary state was inevitable given that the preexisting subnational units were not sufficiently institutionalized and capable of self-governance (Ziblatt 2004). Yet, even if true, re-centralization does not have to imply the expansion of authoritarian power, which it did in Russia.

In this chapter, I argue that democratic backsliding in Russia was enabled in part by the gradual and hard-to-detect personnel changes in procuracy, in particular, the introduction of the practice of the appointment of outsiders at the local level of this powerful law enforcement agency. I build on the existing theories that demonstrate ways in which strategic agent shuffling in the security apparatus can help authoritarian incumbents get reelected (Hassan 2017), and show how similar strategies take place in Russia.

I show that while this practice could be perceived as a way to address a legitimate concern – prosecutors frequently found themselves incorporated into the networks of Russia’s governors – they in fact were guided by an authoritarian logic. The appointment of outsiders, both in authoritarian and democratic states is a reasonable tool to solve the issues of corruption and governability. I argue that the fact that these strategies are perceived as reasonable and not necessarily authoritarian in isolation (in fact, it is used by democratic leaders as well), makes it especially hard to see the impact on authoritarian consolidation they might have.

Empirically, I rely on the combination of interview data with experts and former or current members of law enforcement, including prosecutors and investigators.<sup>3</sup> With the help of my interviews, I show that they themselves perceive the strategies of the appointment of outsiders as, first, targeting corruption and, second, helping ensure legality, even though some are skeptical about their effectiveness. My quantitative analysis, however, reveals that building infrastructural power was not the driver behind the appointment of outsiders. On

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<sup>3</sup>This data is introduced in the Introduction, with individual interview details and references found in the Appendix to the Introduction.

the contrary, I find that this personnel strategy was driven first and foremost by authoritarian logic, i.e., building the authoritarian party and improving the electoral outcomes for the regime in the regions.

### 5.3 Backsliding Through State-building in Russia

In December 1991, the Soviet Union collapsed after Gorbachev resigned and handed over power to Yeltsin. The years that followed, known as the *likhie* or the ‘roaring’ nineties, were characterized by the rise of criminal violence, political instability, and lawlessness. Scholars and pundits alike judge the ensuing chaos to be among the leading causes for Russians’ disillusionment with democracy that paved the way to the country’s democratic backsliding (Gel’man 2015, Favarel-Garrigues 2010), as ending violence has been part of the state-sponsored narrative legitimizing Putin’s authoritarian rule (Wengle, Monet & Olimpieva 2018). The nineties can be said to have served as the “historical raw material” on which Putin’s regime constructed “a shared sense that democracy equals chaos while authoritarianism equals stability” (Slater 2010, 14).

The story of Russia’s gradual but persistent march towards authoritarianism is the story of re-centralization that followed the period of extreme decentralization of the 1990s when the major levers of power formerly located in Moscow were transferred to the regions after the dissolution of the Soviet Union. What made it so hard to evaluate the character of Putin’s reform is the fact that the story of Russia’s backsliding is also a story of reviving of state’s administrative capacities and state-building more broadly. While moving away from an unconsolidated democracy and towards a consolidated autocracy on the political regime spectrum, the country has simultaneously moved from a weak and dysfunctional state facing threats of disintegration to a highly centralized state.

Scholars and commentators were concerned with how weak the federal state was under Yeltsin and ways in which this had negative consequences for the country’s development,

its economy, upholding of human rights, crime levels, and finally even the ability to avoid further disintegration (Stoner-Weiss 2006). The concerns were not ungrounded. It might be unthinkable today that in 1994, for instance, a law was passed that allowed the Republic of Tatarstan to have independent citizenship and to participate in international relations. Strong governors were frequently unconstrained by law and headed what essentially constituted local authoritarian regimes. As a result of the dissolution of the state, criminal violence was rampant as former specialists in violence entered the criminal organizations (Volkov 2016, Favarel-Garrigues 2015). State institutions were frequently captured by mafia groups. This is not to mention the recurrent issues of terrorism and the two Chechen wars.

Russian governors emerged as both the root cause of the infrastructural power issues that the federal center experienced and as the major constraint on the presidential power. Scholars have argued that without governors' electoral machines, it would be impossible for the Kremlin to receive favorable electoral outcomes for the would-be dominant authoritarian party United Russia which were to become one of the main pillars of his regime (Reuter 2013). Unsurprisingly, the struggle with the governors defined the early years of Putin's presidency. It is because they were both the root of the governance issues that Russia experienced and a democratic institution that it was so hard to evaluate Putin's policy vis-à-vis the governors.

The governors' power was rooted in part in their popular mandate as since 1996 they were directly elected in their regions, which made them accountable to their local electorate, rather than the president. This mandate made governors an important democratic institution in Russia. It took considerable skill, determination, and talent to be a politician of such status in the 1990s and early 2000s and many have failed (Hale 2014). Moreover, the popular elections of governors lead to increased popularity and national recognition of some of them, which was worrisome to Putin who played close attention to approval ratings.<sup>4</sup> Governors also had a say in the upper chamber — the Federation Council — and successfully protected their

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<sup>4</sup>For example, Boris Nemtsov who was murdered in front of the Kremlin in 2015, was a governor of Nizhny Novgorod Oblast'. This murder remains unsolved.

interests and the interests of their regions by vetoing laws passed in the Duma (Remington 2003).

The governors' power was also rooted in various sources of infrastructural power they controlled in the regions. This is especially consequential for understanding why the federal center at the time was so weak vis-à-vis these actors. For instance, governors controlled regional political machines – informal local networks that are organized around the regional executive (Hale 2003, Hale 2014). Governors also had unique access to economic resources. Since the privatization of the Soviet economy was relegated to the governors, they found themselves in the position of control over large economic assets and their political machines frequently included newly emerged business elites (Orttung 2004). Local governors frequently controlled the electoral commissions and media outlets. Most importantly, they had informal influence over local branches of the federal state institutions, including the legal institutions and the internal security apparatus (ISA). There was frequently no way for the federal center to coerce or punish the governors and their allies as the instruments of coercion were ultimately in their hands.

Governors' excessive reach and influence affected the institution of procuracy as well. Procuracy was always been meant to be a highly centralized institution with a strict hierarchy, which implies that it stands above or is immune to local influences. The collusion with those that it was supposed to supervise, especially in the regions, has been a problem for as long as procuracy existed (Christian 1982). Yet, this issue became particularly acute during Yeltsin's period of de-centralization and during the first years of Putin's presidency. In particular, at the time, prosecutors were known to be involved in corporate raiding (Rochlitz 2014). This is in part because even opening an investigation can destroy one's business, for example, even if the accusations do not result in a guilty verdict. Not surprisingly, then, as Taylor notes, "Governors sought to control as much as possible the procurator in their region... The procurator could be a crucial ally or a dangerous enemy because of his far-reaching powers to investigate the unlawful behavior of government officials" (Taylor 2011,



p. 126).

Observers hoped that Putin's centralization reforms would improve the level of legality in the regions and the protection of human rights "at least in more authoritarian regions such as Bashkortostan" (Taylor 2011, 142). Yet, at the same time, these very same reforms were argued to contribute to authoritarian backsliding, especially in helping Putin receive desired votes. Consider a citation from *Kommersant Vlast'* in regard to the 2003 local presidential elections in Bashkortostan Republic, which was about to elect a candidate unfavorable to the Kremlin due to his opposition to centralization efforts:

"The federal center started preparing for [Bashkortostan's presidential] elections by solving the issues of personnel. The Kremlin believes that the outcome of elections directly depends on who will occupy key posts in the Republic [of Bashkortostan]. As the experience from recent electoral campaigns demonstrates, the key figures that can ensure favorable for the Kremlin election outcome are the chairman of the highest judicial body of the region, the prosecutor, and heads of regional divisions of power ministries..."

The return of the Soviet practice of the appointment of outsiders — i.e., agents without local ties — and horizontal rotations was one of the ways in which the issue of collusion of regional governors with local elites could be addressed. Local ties of prosecutors, especially in their role of agents of coercion, have consequences for agent *vulnerability*.<sup>5</sup> Prosecutors in particular often go after the people in the position of power and local ties make them vulnerable to retaliation or co-optation. In the Russian tradition, agents who have no regional ties, are frequently referred to as *varyags* or outsiders. Outsiders are better able to apply or, more importantly, to threaten to apply coercion through the law to the local elites upon the orders of the federal center. The more the law enforcement agents' career, future and immediate rewards are tied to the center, rather than to the local governor, the less vulnerable the prosecutor would be to the influence of the local interests and more oriented

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<sup>5</sup>The term inspired by the dissertation of Genevieve Bates that, among other things, conceptualizes vulnerability of the International Criminal Court prosecutor (Bates 2021).

toward the Kremlin.

The goal behind the appointment of outsiders, on the one hand, could be to re-centralize procuracy and help insulate it from local influences. On the other hand, as the quote about the Bashkortostan region above demonstrates, solving the "issue of personnel" could contribute to Putin's authoritarian goals, i.e., the delivery of the desired results in the elections or establishing levers of control over the governors in opposition. Outsiders could do so better than the locals by applying "subtle acts of coercion that tilt the electoral playing field" (Hassan 2017). Before moving on to the quantitative analysis in which I show that personnel management changes were driven by the goal of improving despotic rather than infrastructural power, in the next section, I present interview evidence for the uncertainty the prosecutors themselves perceive the reasons behind these personnel management strategies.

## 5.4 Interview Analysis

In this section, with the help of the interview data, I shed light on how the bureaucrats working in the institution of procuracy themselves perceive the intent behind and the effectiveness of the personnel practices, such as the appointment of outsiders and horizontal rotations, that are the focus of this dissertation. My interlocutors generally perceived these practices positively or neutrally and explained them as aimed at reducing corruption. While some of my interviewees were skeptical about this practice's effectiveness and were frustrated with it due to the difficulties it posed in their life, only one person I talked to saw the potential political implications that it could have. The goal of this section is to set the scene for the contrast between the innocuous perception of the personnel strategies — which, as this chapter demonstrates below, served directly authoritarian means — with how they were perceived as reasonable and beneficial by the very people they directly affected.

I collected the interviews during my fieldwork in Russia between October 2021-February 2022. It was easiest to get interviews from people who had previously worked in procuracy

but no longer did for various reasons (parental leave, retirement, career switch, etc). However, my interviews also include some current employees. As a result of my fieldwork, I collected 18 interviews that provide valuable insights on the personnel politics within the procuracy. I have some of the richest and most consistent interview data precisely on the question of the appointment of outsiders. Unfortunately, I did not talk to anyone who could tell me for sure how the appointment decisions or made or why, since decisions of this kind are made at the Procuracy General or even presidential administration level. Yet, in the process, I realized that it was just as valuable to understand how the goals behind the practice of the appointment of outsiders and horizontal rotations were *perceived* by the very people working in the procuracy and whether my interlocutors thought it was an effective strategy to reach those goals.

The interviews reveal that the appointment of outsiders is perceived first and foremost as a practice aimed at fighting corruption. Yet, my interviews also reveal the uncertainty about its effectiveness. I show that along with citing anti-corruption measures as the goal behind these personnel practices, my interlocutors are skeptical of their effectiveness and some even mention that the result of these practices is the strengthening of the (corrupt) influence of the federal center.

Some of my interlocutors thought highly positively about the practice of horizontal rotations and the appointment of outsiders and interpreted them as a normal tool to fight corruption. One of my interlocutors justified the practice by saying that it is an "anti-corruption standard" similar to other countries:

"I think that the explanation for this personnel politics is quite simple. Just as in other countries, it is anti-corruption standards. Because when a person is at one spot, they begin to obtain connections, necessary and unnecessary.... To remove this personal dependence, dependence to the territory, the person is moved. This is definitely about fighting corruption."<sup>6</sup>

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<sup>6</sup>Author's interview (PR5).

Similarly, my interlocutor from Ufa responded to my questions about whether his leadership was local or not and why by explaining the logic of outsider appointment as reducing the opportunities for collusion:

"As a rule, the bosses [in procuracy] are not local, probably so that their social circle is smaller and so that there are fewer opportunities for them to reach an agreement with local officials and decide a case in one way or another." <sup>7</sup>

That it is a tool against corruption is something that people would reply to me almost immediately. Even when skeptical about its true purpose, some interlocutors believed that it was a good rule from an organizational management point of view:

"The point of this rule [5-year appointment limit and rotations] is so that... they do not grow with corrupt connections. At least this is what is declared [...] but the same from the perspective of normal governance a person who sits on the same spot for eight, ten years, he *zamarivayetsya* (gets "marinated" or "pickled"). First, he burns out, nothing is interesting to him anymore, but then he also loses sight, sort of. So, this is a good rule."<sup>8</sup>

One of the prosecutors I talked to was very adamant about how useful this rule is for her personal life. She told me that the fact that she worked and lived in different regions was helping her to do her job well. What is interesting in what she shared with me is that rather than thinking about influences on prosecutors from the perspective of collusion, she thought of it from the perspective of independence. The fact that she does not depend on the government that she oversees insulates her:

"[Because I live in a region different from the one where I work]I know that I do not need anything from the administration of the [region where I work]. I know if I have to *nayekhat'* [apply pressure] on them tomorrow, I will not then also need their help to find a place for my child in the kinder garden. This gives you freedom [to work]."<sup>9</sup>

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<sup>7</sup>Author's interview (PR7).

<sup>8</sup>Author's interview (PR3).

<sup>9</sup>Author's interview (PR1).

Hence, many of my interlocutors were supportive of the practice of appointment of outsiders and horizontal rotations and justified it as a "standard" anti-corruption measure, a rule that simply made sense, or as a measure that insulated prosecutors from manipulation by the state organs they are supposed to supervise. At the same time, some expressed skepticism and even concerns. For instance, consider a quote from one of my interlocutors who upon stating that the goal behind the practice is to fight corruption questions its effectiveness:

"I think it's done so that there is no corruption. [Is it effective?] I don't know, I think it only makes things worse. First, if there is corruption for five years in one place, it will be in another place as well. It might not be immediate, nor the first year, maybe the second... People, if they work well, they work well, they work well everywhere and if there is corruption, corruption will be everywhere. This is not how we should fight it."<sup>10</sup>

Finally, one of my interlocutors who used to be a prosecutor and an investigator in the Soviet Union and then in Russia and is now a scholar and a defense attorney, shared with me that influences do not go anywhere with the appointment of outsiders. Rather, this practice, according to her, changed the source of influences from the local level to the federal:

"Corruption is such a thing that you cannot isolate from. Because if a person has come [to St. Petersburg] from Moscow, for instance, it is clear that you need to approach them not from *peterskihi* (people from St. Petersburg) but from *moscowskihi* (people from Moscow). That's all there is to it... Everything, if needed, will be solved fast. As you understand, the head of the region, the head prosecutor, the head of the investigative committee.... they do not deal with small things and if you need to address them, you do it only with something big and through Moscow."<sup>11</sup>

What is notable about this citation is that it shows that while the policy might have insulated the prosecutors from the influences at the local level, it did not make the law enforcement agency necessarily less corrupt. It changed *who* could have corrupt access to the

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<sup>10</sup>Author's interview (PR2).

<sup>11</sup>Author's interview (PR4).

powerful resource of law enforcement. Instead of tending to the local patrons, procuracy now tends to the new patrons at the federal level. These considerations will become important for the next chapter, which considers how the extent to which prosecutors pursue a criminal investigation of local political elites may be impacted by their outsider status, precisely because they are more vulnerable to the influence of federally connected elites.

This section has demonstrated that while there is some skepticism and concern about the personnel practices under Putin, the overall perception of them is positive. My interlocutors mostly viewed these practices as aimed to fight corruption and collusion with local elites. But were the appointments in fact guided by these goals? In the next section, I am going to test whether the personnel strategies under Putin were indeed driven by state-building goals, such as addressing local collusion of the federal actors, or by authoritarian goals of removing and threatening the opponents and building authoritarian power.

## 5.5 Quantitative Analysis Results

In this section, with the help of my biographical dataset of Russia's prosecutors of the Subjects of the Federation, I test whether the appointment of outsiders in the procuracy was driven by the goal of building infrastructural or power, authoritarian power of Vladimir Putin and his party United Russia, or both/neither.

I begin by posing two sets of hypotheses: a state-building hypothesis (related to the building of infrastructural power) and an autocratization hypothesis (related to the building of authoritarian power). Since local authoritarianism, corruption, separatism, and crime were the key issues characterizing the constraints on state capacity in Russia, had the appointment of outsiders been driven by the task to improve infrastructural power, we should see regions with more authoritarian and corrupt leaders, as well as regions with higher levels of crime, be more likely to receive an outsider.

*STATE-BUILDING H1: Outsiders will be appointed to regions that are more authoritarian*

*STATE-BUILDING H2: Outsiders will be appointed to regions with higher murder rates*

*STATE-BUILDING H3: Outsiders will be appointed to regions with higher levels of corruption*

*STATE-BUILDING H4: Outsiders will be appointed to regions with stronger governors since they are more likely to resist the policies of the federal center*

Alternatively, if the main logic behind the changes in personnel management strategies in the procuracy was authoritarian, we should see outsiders appointed strategically to the regions where the Kremlin faced electoral challenges and where the governors were in opposition:

*AUTOCRATIZATION H1: Outsiders will be appointed to those regions where governors are not members of the United Russia party*

*AUTOCRATIZATION H2: Outsiders will be appointed to those regions where United Russia performed worse in the local elections*

*AUTOCRATIZATION H3: Outsiders will be appointed to those regions where United Russia performed worse in national Duma elections*

*AUTOCRATIZATION H4: Outsiders will be appointed to regions where Vladimir Putin*

*and Medvedev performed worse in presidential elections*

I test these hypotheses with the dataset that I introduced in the second chapter, which I reformat from a panel data format to decision-level data. The unit of analysis is the decision to appoint or reappoint a local or an outsider. The dependent variable is binary: outsider appointed (1) or local appointed (0). For the analysis, I make an assumption that if a prosecutor remained past five or ten years, they were reappointed. Even though there was no formal five-year time limit on the appointments at the time, as the analysis of legislation in the previous chapter demonstrates, my interviewees confirmed that the rule was nonetheless followed informally. Even if there was no formal reappointment following the end of a five-year term, I assume that the candidacy was nonetheless reconsidered and a decision was made to keep the prosecutor in place.

For corruption and democracy measures, I turn to the Carnegie Moscow Center indices developed by Petrov and Titkov, which is an expert rating of Russia's regions (Petrov & Titkov 2013). I add an alternative measure of corruption which is the official number of crimes committed in the economic sphere per capita. I acquired this data from a database built by the International Center for the Study of Institutions and Development at the Higher School of Economics, which gathers the official government statistics pertaining to regional economic development.<sup>12</sup> I rely on the same dataset for presidential and parliamentary election results as well as the regional legislative elections.

I use the ICSID dataset to capture crime levels as well. I transform the variable that measures the number of crimes in the region per year to represent the number of crimes per ten thousand people. Since prosecutors are often evaluated based on the ways in which they improved quantitative indicators in the region, in the main model, I include a variable that measures the change in crime levels in the three years prior to the decision to appoint

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<sup>12</sup>International Center for the Study of Institutions and Development. ICSID Social and Economic Indicators Database 1993-2018 (V.2.0). Available at: <https://iims.hse.ru/en/csid/database-description>



an outsider. But even independent of the evaluation logic, the recent crime levels might be important for the decision to appoint an outsider if the local embeddedness of agents is perceived as a root cause of the crime problem, so I also include a control for a simple lagged measure of crime. Looking at the murder levels is not the best way of evaluating legality and the extent of state power (Lessing 2017). Unfortunately, this is the only measure available to me at the moment. However, in Russia, where the period of the 1990s and early 2000s was characterized by an increase in violent crimes, it could be argued to be an appropriate measure as it was likely to drive the decision-making in personnel management.

To measure governor strength, I turn to the approach developed by John Reuter (Reuter 2017). Building on the work of Henry Hale, who argues that the complexity of a region's economy translates into the strength of the governor's political machine (Hale 2003), Reuter develops a measure called *Industrial concentration* to capture the extent of diversification of regional economies.<sup>13</sup> Industry concentration and diversification is a good proxy for governor strength because "when the economy is diversified.... governors could more effectively exploit collective action problems among economic actors and had both motive and opportunity to create complex patronage networks that relied on divide and rule tactics... On the other hand, concentrated economies give the governor few resources with which to oppose a unified elite, thereby weakening his machine" (Reuter 2017, 211).

Of course, there are other factors that are important to the governor's strength. For instance, the governor's popularity matters. Following Reuter, I measure it using the margin of governor victory. Finally, an important variable in my analysis is party membership. Working off of the Appendix to John Reuter's *Origins of Dominant Parties* that includes the year a governor joined the United Russia party, I create an annual measure of governor

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<sup>13</sup>*Industrial concentration* is a Herfindahl index of the proportion of GRP (Gross Regional Product) composed of the main industrial and extractive sectors of the economy in 2005. The original index goes from 0 to 1. I invert the direction from Reuter's so that governors who are weaker due to a concentrated economy of the region get a lower score while the governors who are stronger thanks to a diversified economy get a higher score. I am very thankful to John Reuter for sharing this measure with me.

partisanship in the UR and fill in missing observations for my time period.<sup>14</sup> The variable takes 1 if a governor was a member of UR that year and 0 otherwise. For the analysis in this chapter, this variable is lagged and measures whether a governor was a member of the UR party a year before an outsider prosecutor was appointed.

For my analysis, I first run a linear probability model (LPM). I make sure to control for previous prosecutor type and to include a time trend where year fixed effect is not already included. As we know from the previous chapter, outsiders were appointed more frequently further into Putin's presidency, so the year time-trend should help capture that. It is important to note that the variable *Industrial concentration* is not time-variant, which means that it drops out in model specifications that include region-fixed effects.

There are two variables that are important for my analysis but unfortunately have a lot of missing observations: The United Russia vote share in the regional elections and governors' margin of victory.<sup>15</sup> While including UR vote-share and margin is theoretically very important, these variables dramatically reduce the number of observations, which makes it impossible to include region-fixed effects.

To try and address this concern, I separate my analysis into two parts. First I exclude UR regional vote-share and governor margin and run a model without and with fixed effects. The results of this approach are presented in the first two models in Table 5.1. The first model has standard errors clustered by region and included a year-level time trend. The variable capturing governor partisanship (*Gov UR Member*) as well as governor strength (*Industrial concentration*) are negative and statistically significant. These results hold true with different model specifications that include more control variables, which I present in Table C.1 in the Appendix.

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<sup>14</sup>Appendix to the *Origins of Dominant Parties* by John Reuter is available online: <http://ojreuter.com/wp-content/uploads/Appendix.pdf>

<sup>15</sup>Ultimately, the missingness is due to the fact that regional elections only begin in 2004. Elections of governors are also canceled after 2004. Many of the governors are reappointed following the end of their term, so I can assign the previous election's margin to them as a proxy for popularity (that's what other people do in their work). But as we move towards 2012, more and more governors are appointed who had never been elected, so they do not have a margin of victory at all.

Next, I include fixed effects and present the results in the second mode of Table 5.1. *Industrial concentration* drops out, as expected because it is time-invariant. Importantly, the effect of (*Gov UR Member*) variable survives the inclusion of fixed effects even though the statistical significance drops to 0.1.

Finally, in model 3 of Table 5.1, I include UR regional vote-share and governor margin variable and run and LPM with standard errors clustered by region and with a time trend. For a Table that lists all controls and different model specifications, see Table C.2.

The first thing to note from the main results presented in Table 5.1 is that none of the state-building hypotheses find even the weakest support. Crime levels do not matter, regardless of the measure for crime levels used. The number of economic crimes, corruption, or extent of local authoritarianism does not drive the decision to appoint outsiders for regional prosecutors.

What matters consistently across all model specifications is the importance of governor strength, i.e., the variable *Industrial concentration*. The variable does not appear in the second model because it drops out due to the inclusion of region-fixed effects. The negative coefficient suggests that stronger governors are less likely to receive an outsider. This implies that the appointment of outsiders, rather than overcoming the state's weakness, mirrors its patterns. This is the evidence against the state-building logic as outsider prosecutors would be most needed precisely where governors were strong and could resist the policy of the federal center. Yet, as Putin needed the cooperation of these governors and their powerful electoral machines, he chose to leave them unchecked.

Another variable that is consistently important and survives the fixed effects in Model 2 is governor membership in the United Russia party. This result is robust to controlling for the governor's margin of victory and the UR regional vote share. Being a member of an authoritarian party reduces the probability that a governor will receive an outsider as a prosecutor. Appointment of outsiders could be one way in which the governors were coerced to join the party. Or, alternatively, if the governors were already monitored by the party,

there was less urgency to appoint an outsider.

More evidence for the autocratization hypothesis emerges in the third model of the Table 5.1 where I include *Governor margin* and *UR regional voteshare* variables. The variable *UR regional voteshare* has a negative and statistically significant coefficient. The better United Russia is doing in the regional elections, the less likely an outsider prosecutor is appointed. The variable that stands for the national parliamentary elections — *UR Duma voteshare* — is only significant in the third model that includes governor margin and regional UR vote share controls.

To sum up, the results suggest, first, that there is strong evidence against the state-building hypotheses as none of the variables that proxy it (crime, different measures of corruption, levels of local authoritarianism) matter in any of the model specifications. Second, I find weak but consistent evidence for the autocratization hypotheses as partisanship in the UR party and the performance of UR in regional and national Duma elections matter for the appointment of outsider prosecutors. In other words, outsiders are appointed to the regions where Putin's United Russia party is not doing well and where the governor is not compliant with joining the party.

My strongest result is that more powerful governors are able to resist the appointment of outsiders. This can be interpreted as supporting the autocratization hypothesis as stronger governors also tended to be more authoritarian or at least were more able to resist the federal center's agenda. At the very least, this is the opposite of what we would expect, should the goal be building a strong state. We would expect outsiders to be appointed precisely where the governors are strong and are able to undermine legality. However, the patterns we observe could also reflect the deals made by Putin with the powerful governors. They got to keep control over law enforcement in exchange for delivering votes to the Kremlin.

Table 5.1: Outsider Appointment: Authoritarian vs Statebuilding Hypotheses

Dependent Variable: Model:	Outsider appointment		
	(1)	(2)	(3)
<i>Variables</i>			
UR Duma voteshare	-0.0014 (0.0029)	0.0108 (0.0071)	-0.0072* (0.0038)
President voteshare	0.0062 (0.0047)	-0.0035 (0.0079)	0.0090 (0.0061)
Democracy score	0.0030 (0.0056)	-0.0283 (0.0190)	-0.0015 (0.0068)
Corruption score	-0.0120 (0.0481)	-0.0920 (0.0931)	0.0324 (0.0675)
Gov UR member	-0.1989** (0.0882)	-0.2097* (0.1171)	-0.2779* (0.1654)
Industrial concentration	-0.0044** (0.0019)		-0.0045** (0.0022)
Murder pc 3 yr change	0.0310 (0.0671)	0.0528 (0.0685)	-0.0358 (0.0743)
Econ crime pc lag	0.0042 (0.0044)	-0.0053 (0.0055)	0.0049 (0.0059)
Gov electoral margin			0.0015 (0.0010)
Murder pc 1 yr lag			0.0052 (0.0406)
UR reg voteshare			-0.0075** (0.0032)
<i>Fixed-effects</i>			
Region ID		Yes	
Year		Yes	

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1. Clustered (Region ID) standard-errors in parentheses.*

## 5.6 Conclusion

By bringing together the literatures on state-building and democratic backsliding, this chapter introduced a novel approach to understanding stealth authoritarianism. By focusing on the institution of procuracy in Russia, with the help of the qualitative interview and quantitative, I argued that the steps taken by closet autocrats are particularly hard to detect when they appear to address the issues of governance. The chapter demonstrated that personnel management strategies in procuracy, specifically, the appointment of outsiders and horizontal rotations, in fact, were driven by Putin's desire to control governors in opposition and improve electoral outcomes of his United Russia party. These findings stand in sharp contrast to how these very same personnel practices were perceived by the very people working in the system.

Yet, not only people working in the procuracy itself were confused and misguided by Putin's actions. Consider the following citation from the article written by Gordon Smith, a specialist on law, courts, and procuracy more specifically in Russia who is cited extensively in this dissertation:

Putin's record of supporting procuratorial handling of citizens' grievances, supervision over the conformity of law and other normative acts passed by regional bodies with federal laws and the Constitution, adherence to provisions of the new Code of Criminal Procedure, and emphasis on protecting private property and the rights of entrepreneurs offers an alternative "face"—Putin, the jurist—that has largely been ignored by Western commentators and media. Putin's progressive stance on these issues is not only good news for the institutional interests of the Procuracy; more importantly, it furthers the development of rule of law in Russia (Smith 2007).

The chapter highlights the informational advantage that would-be or closet autocrats have, which makes it difficult to identify these actors and their policies for what they are, not only for the citizens but even for observers and experts. It also emphasizes that the toolkit

available to an autocrat to help unravel democratic checks and buttress authoritarian power is much broader than the literature had previously envisioned and includes such seemingly innocuous and perfectly legal strategies like personnel management, which require neither the constitutional amendments nor the passage of new laws.

# Chapter 6

## Actor-Centered Approach to Elite Repression: Explaining Prosecution and Removal of Mayors in Russia

### 6.1 Introduction

The previous chapter theorized how personnel strategies can be a powerful alternative to purges and examined ways in which the appointment of outsiders, horizontal rotations, shorter tenures as well as career incentives contributed to fostering loyalty within the institution of Procuracy under Putin. In particular, I found that prosecutors with local ties are more likely to prosecute Russia's regional vice governors. I argued that prosecuting vice governors was a way in which prosecutors who were under the highest suspicion of collusion with local elites due to their local ties, were able to signal their loyalty and the willingness to comply with the new rules of the game introduced by Putin at the beginning of his presidency. In the case of governors, prosecutions proved to be a loyalty-signaling, rather than a directly coercive tool.

One of the reasons why we do not observe a positive effect of outsider prosecutors on criminal charges of governors and allies is that when it came to these actors, a credible threat of coercion might have been more important than the outright coercion itself. As the first chapter of this dissertation detailed, this is due to the valuable political machines



governors possessed that Putin needed to ensure the necessary electoral outcomes for himself and the dominant authoritarian United Russia party he was building at the time. Moreover, the effect of outsider prosecutors might also not be observed due to the fact that the issue of recalcitrant governors was dealt with in a different way, without the direct application of coercion through Procuracy. Recall that following 2004, Putin was free to appoint and remove governors as he pleased. Yet, rather than removing the governors, Putin made deals with them, allowing them to stay in power but in such a way that the power they had was owed to him personally. In fact, research shows that the worst performing and most corrupt governors were reappointed (Gel'man 2008, Zhuravskaya 2010). Those are precisely the people that are convenient to keep under the thumb with a loyal Procuracy due to the extent of compromising material available on them (Darden 2008). So, when it came to centralization within Procuracy, it makes sense that we do not observe the coercive effects of outsider prosecutors as there was no intent to remove these actors and the primary goal was to establish a credible threat of coercion, rather than to carry it out.

Unlike explicit acts of coercion and repression through criminal charges, a credible *threat* of coercion is hard to observe empirically. However, the fact that, as we saw in the last chapter, the agents that are least expected to be loyal are eager to signal loyalty suggests that a credible threat of coercion by means of criminal prosecution was in fact established over the governors through Procuracy.

This chapter, which is based on a co-authored article with Masatomo Torikai,<sup>1</sup> zooms in on another crucial player in Russian regional politics: Russian mayors, many of whom continued to be popularly elected at the time governors already lost their popular mandate. Hence, mayors are a more likely target of criminal prosecutions than governors, who were dealt with using means other than direct coercion and removal. Zooming in on criminal prosecutions of mayors provides an opportunity to continue testing the coercion hypotheses with respect to outsider prosecutors.

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In this chapter, in addition to thinking about personnel management as a mechanism of authoritarian backsliding and the effect of the appointment of outsiders in Procuracy more specifically, we introduce another dimension of regional politics: intra-elite competition. In particular, we introduce outsider governors as separate actors who are also interested in the removal of mayors on corruption charges due to the conflict that tends to arise between appointed and popularly elected leaders, the causes of which we clarify below. We argue that intra-elite competition, in combination with the coercive strategy of the federal center against local politicians, explains the variation in the criminal prosecutions of mayors.

This chapter makes two contributions. First, it demonstrates how personnel strategies, especially the practice of the appointment of outsiders for shorter tenures in Russia's regions, enabled the regime to apply coercion against local, democratically elected, leaders, further undermining existing democratic institutions in the country.

Second, this chapter engages with and contributes to the literature on ant-elite repression and anti-corruption campaigns. When trying to understand who gets repressed and prosecuted and why, the literature has focused on the *targets* of corruption charges and theorized who is able to avoid being prosecuted and why. There is a consensus that members of the elite who are better able to defend themselves (whether because of connections or popularity) are less likely to be targeted. Yet, it is still unclear why members of the elite *become* the target.

This chapter addresses this gap in the literature and shifts the gaze from the target to the actors behind the initiation and completion of a corruption prosecution. We look at incentives and capacities of actors behind the prosecutions, i.e., other elite members interested in removing opponents through the justice system and the very bureaucrats working in it. We argue that these actors matter for understanding when the system of justice is put to use for anti-elite repression. We also argue that these incentives and capacities are defined in their own turn by informal institutional changes introduced by an autocrat, in particular, the changes in personnel policy.

Our case study is Russia in the early years of Putin's presidency and in particular his policy of the appointment of outsiders to various positions of subnational administration and governance. We argue that this policy, which was implemented to consolidate Putin's rule, had consequences for the patterns of criminal charges of political elites. The actors that we focus on are mayors of large cities, who as a result of their rivalry with regional governors become frequent targets of criminal investigations. The novelty of our study lies also in our focus on the legal side of the corruption prosecution story and, in particular, on Russia's prosecutors and their changing incentives.

For the empirical analysis, we rely on the original biographical data of Russian prosecutors, governors, and mayors. While our data is available from 2000-2019, we focus on 2000-2011 due to the diminished status of Procuracy in 2011, which is when the agency lost its investigative capacities and the ability to initiate criminal investigations. We demonstrate that the incentives and capacities of actors who insight, initiate, and carry out criminal investigations matter in explaining the patterns of corruption charges of political elites, even when controlling for various properties of the target. In particular, we find that outsider prosecutors, who have no substantial ties to local communities, are more likely to prosecute mayors. We also find that elected mayors are more likely to be prosecuted in regions where governors are outsiders, due to the intra-elite competition between these actors.

The previous chapter provided interview evidence suggesting that the new personnel strategies introduced in Procuracy, while potentially isolating prosecutors from the corrupt local influences, make them more vulnerable to the influences from the federal level. In support of these insights, we find that outsider prosecutors are more likely to prosecute mayors when outsider governors are in power in the region. We argue that this is because outsider prosecutors are more vulnerable to the influence of federally connected elites, such as Kremlin-appointed outsider governors.

## 6.2 Theory

The scholarship on authoritarian regimes and democratic backsliding has demonstrated that the rule of law and the notion of democracy are not identical. In fact, the institutions of the judiciary can work just as well for both authoritarian and democratic ends. The literature has scrutinized the role of authoritarian constitutions (Albertus & Menaldo 2012), courts (Ginsburg & Moustafa 2008) as well as the phenomenon of authoritarian legalism (Scheppelle 2020). As with the study of other authoritarian institutions, such as legislatures, constitutions, and parties, the consensus in the literature is that the institutions connected to the judiciary are not mere window-dressing. They perform important functions that enable autocracies to legitimate the regime, punish disloyal elites (Shen-Bayh 2018), repress the opposition, and control lower-level bureaucrats (Magaloni 2008).

Even though we still tend to associate justice institutions with democracies, autocrats have found a way to put justice to use for authoritarian means, including repression. Repression of the elites or regime insiders in particular happens through the justice system rather than extrajudicial means (Shen-Bayh 2018). Prosecution on corruption charges is, perhaps, the most common reason why elites end up in jail and the main way in which repression against political elites unfolds in modern autocracies. The prevalence of corruption in combination with the surveillance system helps autocrats ensure the loyalty of elites and provides them with an opportunity to punish those who are disloyal with the help of law (Darden 2008). Corruption is particularly helpful to an autocrat as it can be punished in courts and can serve simultaneously as payment for loyalty and as compromising information such as proof of a criminal offense. Corruption among elites, then, is particularly useful to an autocrat who is most scared of the horizontal threats (Svolik 2012). It helps both remove the active challengers with the facade of legality and co-opt and threaten the rest.

The existing literature has tried to explain patterns of corruption prosecution by mainly

focusing on the properties of the *targets* of corruption. The idea is that either the connections to the higher-ups in the regime (Lorentzen & Lu 2018, Ru 2021, Jiang & Xu 2015), or being in possession of a valuable resource such as public approval or the ability to get out the vote (Buckley, Reuter, Rochlitz & Aisin 2022) can help a member of an elite protect herself from being prosecuted.

Yet, less attention has been paid to the actors behind the prosecutions. While it is often assumed that the autocrat is behind the investigation and aims to address a threat against himself, in reality, the autocrat and his opponents are not the only players relevant to explaining prosecution outcomes. As Zhu and Zhang demonstrate in their recent article, elite competition and the relative strength of elite rivals matter for the scale of anti-corruption campaigns. They show that rates of corruption prosecution of local leaders are higher when two powerful factions compete with one another. Local incumbents with powerful patronage and powerful rivals have both the incentives and the capacity to investigate corruption and attack political competitors (Zhu & Zhang 2017). Moreover, existing work completely overlooked the importance of the actors behind the elite repression through criminal charges — the bureaucrats working in the institutions of justice who make the decisions about when and how the law is applied. Despite serving as a crucial element in the story of corruption investigation and prosecution, these actors have been left out of the picture.

In this paper, we fill in this gap, and rather than focusing on the targets of corruption charges, we look at the actors behind them. First, similarly to Zhu and Zhang, we consider the actors interested in the prosecution of a member of the elite or political rivals. Second, we consider the bureaucrats working in the institutions of law enforcement that make the prosecutions happen. Together, we refer to these as *actors of repression*. We argue that not only the properties of the targets of repression but also the incentives and capacities of *actors of repression* matter in explaining the patterns of criminal prosecution of political elites in authoritarian regimes.

Empirically, we focus on the case of Russia and look at the removal of mayors as the result

of corruption charges. The actors of repression in our story are mayors' political opponents – Russia's regional governors – while the main people responsible for the application of the law are Russia's prosecutors. We justify the selection of actors and provide more details on our data in the sections below. Unlike the existing literature, our work not only shifts focus from the persons targeted by a criminal charge to the party interested in their prosecution but also takes into account the incentives of the people working in the institutions of law. The incentives and capacities of bureaucrats working in law enforcement are a key filter standing between the elite rivals and their targets, and their willingness to cooperate as well as their own incentives to prosecute elites matters and must be taken into account.

Our work has implications for the literature on elite repression and purges more broadly. Prosecuting members of the elite on corruption charges is how anti-elite repression more frequently unfolds in modern authoritarian regimes. Similarly to the literature on corruption, the literature on repression has tended to focus on the properties of the targets, such as the potential threat that a social group or an elite member can pose (Svolik 2009, Rozenas 2020) or competence and loyalty of targeted individuals (Zakharov 2023). We argue that informal institutions, such as the changes in personnel practices, affect the incentives and capacities of actors of repression, i.e., actors instigating and carrying criminal prosecution, which has consequences for patterns of anti-elite repression. Our work builds on and contributes to the literature on the consequences of institutional configurations for the level of repression and applies it in the context of anti-elite repression (Greitens 2016).

The fact that the majority of the literature so far has focused on the targets of criminal prosecution rather than the actors behind it is understandable as parties responsible for the initiation of corruption cases often remain in the shadows and it is hard to gather empirical evidence on them. Our data on governors, mayors, and prosecutors in Russia's regions provides us with a unique opportunity to analyze both sides of the story: the actors behind repression and its targets.

## 6.3 Actors Behind the Prosecution of Russian Mayors

In this paper, we explain the variation in the removal of mayors from office as the result of corruption charges. Existing literature on criminal cases against Russian mayors has demonstrated the importance of the popularity of mayors for reducing the probability of arrest (Buckley et al. 2022). While the authors focus on the characteristics of the politician-target of criminal charges, we focus on the motivations and incentives of governors and prosecutors — the actors that we argue are responsible for instigating and carrying out the criminal investigation.

Our actors of interest are located at the sub-national level, in Russian regions. Russia is composed of 85 subnational units, which are officially titled as Federal Subjects of the Russian Federation. For simplicity, we will refer to these subnational units as regions.<sup>2</sup> Each region is headed by a governor and has a local Procuracy branch, which is headed by a prosecutor of the Subject of the Federation, to whom we will refer to simply as “regional prosecutor”.<sup>3</sup>

We focus on governors because of their traditional rivalry with the mayors of the cities located in their regions. As we demonstrate below, governors are interested in reducing the power of and removing mayors with the help of criminal charges. We also focus on the prosecutors because at least until 2011, they were responsible for opening a criminal case as well as for the investigation.<sup>4</sup> We focus on prosecutors rather than courts because of the exceptional strength of these actors. Weak courts and strong Procuracy is an important Soviet legacy inherited by almost all post-Soviet states (Solomon Jr 2015).

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<sup>2</sup>The exact number of regions has changed with time. Some regions were merged as part of the re-centralization agenda. Two new regions were added after the coercive occupation of the Crimean Peninsula in 2014: Crimea and the City of Sevastopol. They were swiftly written into the Russian Constitution as subjects of the federation, which we do not consider. We also exclude Chechnya from our analysis.

<sup>3</sup>Since Procuracy is a centralized institution, the focus on the chief regional prosecutor is justified as ultimately he will be responsible for the decision-making on high-profile cases.

<sup>4</sup>The strength of Procuracy was reduced in 2011 when it lost its investigative powers as the result of the separation of the investigation into a separate Investigative Committee, which I explore in close detail in Chapter 3.

We argue that Putin's centralization agenda and, in particular, the appointment of outsiders among governors and prosecutors, had consequences for patterns of criminal investigation of Russian mayors. In particular, we argue that these incentives and capacities have changed as a result of Putin's centralization and authoritarian consolidation reforms.

After the collapse of the Soviet Union, Russia saw a period of extreme decentralization when the major levers of power formerly located in Moscow were transferred to the regions. At this time, Russian heads of regional executives or governors emerged as powerful political figures. The struggle with the governors defined the early years of Putin's presidency. The governors' power was rooted in part in their popular mandate. Since 1996 governors were directly elected in their regions, which made them accountable to their local electorate, rather than the president of Russia.

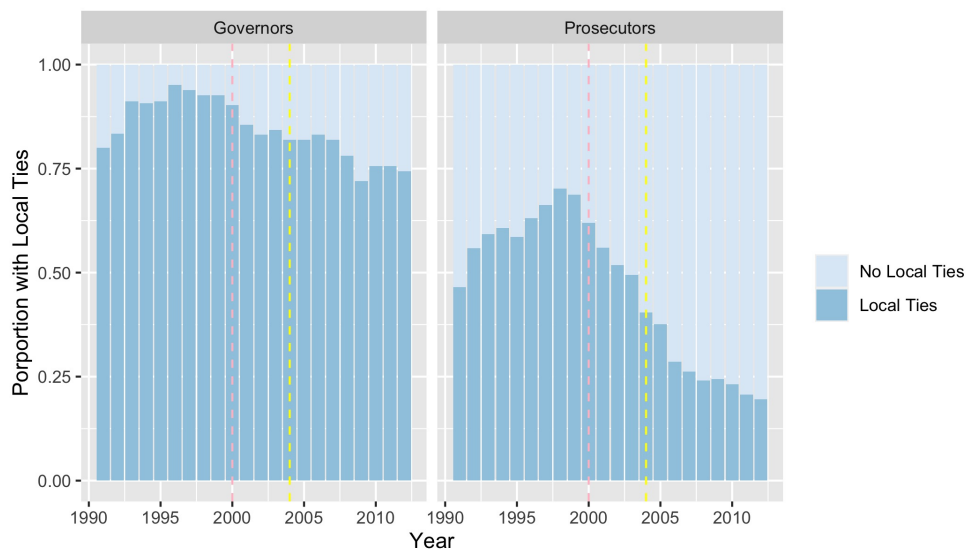
The governors' power was also and, perhaps, more importantly, rooted in the infrastructural power they controlled in the regions. For instance, governors controlled regional political machines – informal local networks that are organized around the regional executive (Hale 2003, Hale 2014). Governors also had unique access to economic resources. Since privatization of the Soviet economy was relegated to the governors, they found themselves in the position of control over large economic assets and their political machines frequently included newly emerged business elites (Orttung 2004). Popular elections of governors were canceled by Putin in 2004 and then returned by Dmitrii Medvedev in January 2012 in response to the popular uprisings of 2011 against fraudulent elections and Putin's return to power. To maintain control of political dynamics in Russia's regions, the Kremlin had to ensure that only loyal candidates could be elected, so the return of the gubernatorial elections was accompanied by serious barriers to entry (Blakkisrud 2015, Golosov 2012).

To control the appointed and elected governors, in addition to passing a number of formal centralization reforms, a practice of the more frequent appointment of so-called outsiders was introduced. While this dissertation focused on the appointment of outsiders in Procuracy, this practice was gradually introduced among governors as well (Kynev 2018). Outsiders



were appointed en masse earlier and more decisively among prosecutors in comparison to governors. Consider Figure 6.1, which compares the pace of the appointment of outsider prosecutors to outsider governors. As we can see, significantly more outsiders were appointed within the Procuracy between 2000-2011. This difference in how the Kremlin dealt with personnel in local executive and law enforcement led to the situation where outsider governors could find themselves with a local or an outsider prosecutor.

Figure 6.1: Local Ties of Governors and Prosecutors



In the following sections, we focus on the incentives of these actors and how they have been transformed as a result of centralization reforms. We argue that the changes in personnel politics that affected governors and prosecutors, especially the practice of appointment of outsiders, had consequences for the rates and patterns of prosecution of mayors.

### 6.3.1 Incentives and Capacities of Russian Governors

Governors and mayors have historically had a complicated relationship. Mayors, particularly in populous and developed cities, played a vital role in regional politics in the 1990s and frequently had their own extensive political machines and enjoyed popular support (Makarychev 2004). In the 1990s, mayors in the capital cities competed with governors

for political power and influence (Slider 2004).<sup>5</sup> While centralization reforms provided numerous formal rights to regional administrations to control city administrations, governors were never given the right to appoint and dismiss mayors.<sup>6</sup> Thus, governors have incentives to use their influence to eliminate powerful independent mayors.

Yet, we argue, it is especially the outsider governors who were troubled by popularly elected mayors. Local governors generally had a strong footing in the region were popular and controlled political machines, which granted them the capacity to implement their own policy and made them confident in their ability to manage the conflict with mayors. Moreover, since their political careers depended on the regional networks, they had long time horizons and considered the consequences of the removal of a popular figure such as the mayor for their own personal political careers in the future. Removal of the mayor on corruption charges could cause protests and backlash from the population on the one hand, and loss of support from elites on the other, the backing of both of which the governor needed for re-election. Since there was no urgency and need to outright remove a mayor and because governor's hands were tied with the potential consequences of such a drastic move, we argue that the dominant strategy for local governors with respect to mayors was status quo.

Yet, the situation and the relationship between governors and mayors was different when it came to outsider governors. First, the conflict between the governors and mayors persisted even as the Kremlin gained greater control over regional politics. Outsider governors appointed by the Kremlin feared mayors many of whom maintained the popular mandate.<sup>7</sup>

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<sup>5</sup>Some examples of local governors who suffered from conflicts with powerful mayors are Eduard Rossel' vs. Arkadii Chernetskii in Sverdlovsk region (see *Kommersant*, September 24, 2003. <https://www.kommersant.ru/doc/413664>), Mintimer Shaimiev vs. Kamil' Iskhakov in Tatarstan (see *Nezavisimaya gazeta*, May 25, 2010. [https://www.ng.ru/regions/2010-05-25/1\\_kremlin.html](https://www.ng.ru/regions/2010-05-25/1_kremlin.html)), and Magomedali Magomedov vs. Saigidpasha Umakhanov in Dagestan (see *Kommersant*, August 30, 2004. <https://www.kommersant.ru/doc/501345>).

<sup>6</sup>A bill recently introduced in State *Duma* proposes that governors receive the right to dismiss mayors due to *utlata doveriya* (loss of confidence). See *URA.ru*, November 10, 2021. <https://ura.news/articles/1036283419> This amendment, if adopted, would permit governors to remove disobedient mayors at any time. Thus, the number of politically motivated criminal accusations against mayors should decrease with this amendment.

<sup>7</sup>Even though the elections of governors were reinstated in 2012, we can still speak of the appointment of governors due to the control that the Kremlin exerts over the ballot. As a rule, the Kremlin's candidates

Outsider governors are usually appointed for a short period of time and have no connections or networks in the region. This is in striking contrast to the popular mayors, who have both the popular mandate and electoral machines. Once an outsider governor is appointed in the region with a popular mayor, an existential conflict arises. The governor is afraid of the ability of a popular mayor to sabotage his policy implementation and his overall performance in the region by which he will be judged at the Kremlin and promoted or demoted accordingly.

As a result of this imbalance of local resources and support, outsider governors are not only threatened by elected mayors, but have no resources to compete with the mayor on their turf. They also have the support of federal government and, unlike their local counterparts, are unafraid of retaliation at the local level. This is because their time horizons in the region are short as their career prospects depend on the Kremlin's approval only, rather than on local approval or the support of the local populace and elites.<sup>8</sup> As actors with federal connections due to their outsider status, they also have better access to justice and the internal security apparatus and can use those resources to remove opponents. In particular, we hypothesize that outsider governors are more likely to get regional prosecutors advance their anti-mayoral agenda than local governors.

The case of Makhachkala City, the capital of the Dagestan region, is a perfect example of these dynamics as there was a conflict between an outsider governor of Dagestan, Ramazan Abdulatipov (2013–2018), and a long standing mayor of Makhachkala, Said Amirov (1998–2013). Abdulatipov, while born in Dagestan, worked in Moscow since the 1990s, and was much less popular in the region than Amirov, who had cultivated dense clan networks closely intertwined with the city and regional state apparatuses.<sup>9</sup> Afraid that Amirov would threaten Abdulatipov's stable reign in Dagestan, Abdulatipov felt an urgent need to neu-

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who run for the election and are elected are overwhelmingly outsiders.

<sup>8</sup>Of course, some extent of support by the populace and elites matters for outsiders too, but not as much as it does for locals. Their ability to implement the Kremlin's agenda is what matters most for their professional advancement.

<sup>9</sup>According to a poll about a planned gubernatorial election, while only 13% of constituencies would cast their ballots to Abdulatipov, 59% supported Amirov (Zhemukhov 2018).

tralize Amirov. As a politician with connections in Moscow, he also had the resources to accomplish this. Just half a year after his appointment as a governor of Dagestan, Abdulatipov removed the inalcitrant mayor. On June 2013, armored vehicles surrounded Amirov's residence, and the mayor was arrested. Thanks to assistance from the federal government, Abdulatipov could mobilize coercive means to arrest Amirov.<sup>10</sup> Both Abdulatipov's fear of Amirov as a potential threat, his inability to compete with him with the help of local resources, and his access to the federal support account for the removal of Mayor Amirov with the criminal charge.

Another example is the case of the mayor of Barnaul (*Altai krai*). Mayor Vladimir Kolgatov was arrested in 2010. One of the most vocal critics of Kolgatov's service was the governor of *Altai krai* at that time, Aleksandr Karelin. Before his appointment as the governor in 2005, he had worked outside the region for more than a decade and, therefore, had few connections with local elites. Experts consider that the unpopular governor removed the popular mayor, who won the mayoral elections twice, with the support of the judiciary and law enforcement.<sup>11</sup>

Hence, outsider governors like Abdulatipov and Karlin, have both the capacity and the incentives to remove a popularly elected mayor. The incentives are rooted in the governor's inability to compete with a popular mayor and force him to comply with his agenda. The capacity comes from the ability of the outsider mayor to reach the federal center and engage federal legal institutions, like Procuracy, in helping remove elite rivals. Since it is the popular mayors that pose particular threat and are a source of inconvenience for outsider governors, we expect that the effect of outsider governors on the criminal prosecution and consequent removal of mayors will be conditional on the elected status of mayors. To test this, we pose our first hypothesis:

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<sup>10</sup> *Republic.ru*, June 4, 2013. <https://republic.ru/posts/1/949069>

<sup>11</sup> *Lenta.ru*, August 20, 2010. <https://lenta.ru/articles/2010/08/20/barnaul/> A renowned specialist of the Russian regional politics, Aleksandr Kynev, supports this interpretation. *Bankfaks*, September 21, 2010. <https://www.bankfax.ru/news/70981/>

*H1: A mayor is more likely to be removed as the result of prosecution on corruption charges if the regional governor is an outsider, conditional on the elected status of the mayor.*

### **6.3.2 Incentives and Capacities of Prosecutors**

Even before the centralization reforms and the practice of appointing outsiders affected Russia's governors, similar reforms were applied to Russia's so-called *siloviki*. *Siloviki* or literally "wielders of force" is an umbrella term for agents of Russia's security services. *Siloviki* include various organizations that have power of enforcement in the country. *Siloviki* also include the elites related to the judicial system, such as the Ministry of Justice, the Investigative Committee, and, importantly, the Prosecutor's Office or the Procuracy. Due to its affiliation with *siloviki*, we can think of the Procuracy as performing functions of the ISA (the internal security apparatus) while also being the key institution of law and order. After he came to office, Putin first re-established control over *siloviki* with the goal of re-orienting their loyalties from the regional patrons to the federal center.

The introduction of the practice of the appointment of outsiders was among crucial steps taken by Putin to achieve this goal (Petrov 2005). Instead of purging prosecutors who colluded with local governors or even criminal organizations, they were appointed to work in other regions as outsiders. Through this practice, the ties prosecutors had with local elites were broken and, similarly to outsider governors, they now owed their career advancement to the federal center. While before, prosecutors' careers somehow depended on the goodwill of local elites and especially the governor who had an extent of influence over the appointments (or at the very least the veto power), the role of local politics in the appointment ceased to matter.

While in theory these moves were taken to shelter prosecutors from local influences and reduce corruption, as Chapter 5 of this dissertation demonstrated, the majority of the au-

thor's respondents — both experts and prosecutors themselves — are skeptical about this. Rather than making Procuracy an independent institution, the reforms led to the prioritization of the influence of federal over local actors. First and foremost, reforms have turned the institution of Procuracy into a baton in the president's hands against his opponents. At the same time, while the reforms made it harder for local elites to influence justice processes in the region, they diminished local constraints and opened up opportunities for elites with connections at the federal level to exert their influence over the Procuracy and prosecutors themselves.

Outsider prosecutors are appointed in the region for a short period of time, usually for five years with a possibility of reappointment for another term (this is in contrast to local prosecutors who at times occupied their positions for over a decade). So, similarly to governors, the time horizons of the outsider prosecutors in comparison to the locally-embedded prosecutors in the region decreased. This reduced the constraints on prosecutors' actions making them unafraid to cross paths with powerful local figures, including mayors. While prosecutors were sheltered from local influences or constraints, the orientation towards the federal level not only made them a more effective tool of coercion but also made them more vulnerable to the influences of federally connected elites. Prosecutors became a tool for the promotion of interests of federally rooted actors in the regions. Consider the following quote from an interview with a former prosecutor. The interlocutor was adamant that the appointment of outsiders does not reduce corruption. It simply opens up more opportunities for influence from the federal level:

"Everything, if needed, will be solved fast. As you understand, the head of the region, the head prosecutor, the head of the investigative committee.... if you need to address them, you do it only in regards to something big and through Moscow." <sup>12</sup>

Due to the lack of local constraints and due to the career incentives that reward prosecu-

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<sup>12</sup>Author's interview (PR4).

tions of corruption, we expect that mayors are more likely to be removed following corruption charges where outsiders, as opposed to local prosecutors, are appointed. This could be due to the fact that democratically elected mayors posed a threat to Putin’s regime and outsider prosecutors were a tool with which the threat could be effectively removed. But this could also be due to elite competition. Outsider governors, interested in lobbying for the removal of popularly elected mayors, have easier access to outsider prosecutors through their federal connections. Hence, we expect that the outsider status to matter by itself, but also conditional on the outsider status of governors. As a result of these considerations, we pose the following hypotheses:

*H2: A mayor is more likely to be prosecuted on corruption charges and removed if the regional prosecutor is an outsider.*

*H3: A mayor is more likely to be prosecuted on corruption charges and removed if the regional prosecutor is an outsider, conditional on the outsider status of a governor.*

We expect for hypotheses to be true even when controlling for the extent of popular support of mayors, which is our main competing explanation. We do not expect that the effect of popular support will fully disappear. Instead, we argue that the properties of *actors of repression*, such as prosecutors and governors, also matter.

## 6.4 Data

To test our hypotheses, we assembled several datasets. The first dataset encompasses biographies of 825 mayors in 171 regional capitals and other cities with more than 100,000

population in 2018.<sup>13</sup>

Because our dataset only contains developed cities, it can be assumed that scandals of mayors are reported in both the national and regional newspapers. We searched articles on Google and the Integrum service with mayor names, city names, and *ugolovnoe delo* or criminal case. If several articles about criminal accusations against mayors are found, we scrutinized the contents of the articles. If we could confirm that mayors left the posts due to criminal scandals, we coded the cases as criminal charges against mayors.

The dataset allows us to compile the main outcome variable of interest: the departure of the mayor due to criminal accusations (*Mayor Removed*). This dependent variable differs from the variable tested in Chapter 4 of the dissertation, which tracked *all* criminal charges, regardless of whether they ended up in the removal of a target from office. The variable takes 1 when a mayor departs as the result of criminal charges and 0 otherwise. During the period of 2000–2020 for which we have the data available, 92 out of 825 (about 11.2%) mayors left the mayoralty due to criminal charges.

Our main explanatory variables of interest are *Outsider Governor* and *Outsider Prosecutor*. Both indicate the outsider status of governors and prosecutors respectively. Both of these variables come from our original datasets of governors and regional prosecutors compiled by the authors and take 1 if an actor is an outsider and 0 otherwise. Different methodology was used to construct these two variables due to the different information available to us about these actors. Outsider governors are defined as those who have not worked in regions where they are assigned within five years prior to the beginning of their tenure. Regional

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<sup>13</sup>The three cities of federal significance (Moscow, Saint-Petersburg, and Sevastopol) are excluded because activities in those cities are regulated by different laws. Also, we drop several populous cities in the Republic of Crimea, occupied by Russia since 2014, due to incompatibility with other cases. In our analysis, we only focus on executive heads of city administrations. Russian cities can deploy two *glavy* or “heads” based on city charters: *glava goroda* (‘head of city’) and *glava gorodskoi administratii* (‘head of city administration’). In this dual-head system, the head of the city leads the representative organ of the city while the head of city administration leads the executive organ of the city. Because the latter is a key player in policy-making processes, the analysis concentrates on executive heads. To avoid confusion, we use the term mayor to describe executive heads whatever official names they have. For a more detailed discussion, see Buckley et al. (Buckley et al. 2022, 93–98). In the future, we plan to expand the dataset to include heads of cities.



prosecutors are coded as outsiders if the sum of the following three components is less than 3: (1) a dummy variable for whether the prosecutor was born in the region, (2) a dummy for whether the prosecutor studied in the region, and (3) number of jobs the prosecutor held in the region prior to being appointed.

To control for the characteristics of mayors, the following variables are used. First, it is crucial to distinguish between elected and appointed mayors, both of which types simultaneously exist in the Russian political system. The Russian federal state system allows each municipality to determine how to elect its mayor. Although almost all of the cities in the dataset maintained popular mayoral elections in the early 2000s, governors and regional governments who lost significant portions of their power as a result of the centralization reforms, compelled city administrations to cancel popular elections. As a result of these pressures, although more than 80% of cities in the dataset elected mayors through popular elections in 2000, less than 10% have maintained this system to date. To capture this difference, *Elected* variable is included. If a mayor in a given month in a given city was popularly elected, this variable takes 1 and 0 otherwise.

Finally, we include the margin of the most recent mayoral elections (*Margin*), which is a continuous variable between 0 and 1. This variable controls for the competency and popularity of elected mayors.<sup>14</sup> The main finding of Buckley et al. is that competent and popular mayors are less likely to be prosecuted (Buckley et al. 2022). Thus, it is necessary to confirm that our variables of interest matter even if we control for the characteristics of mayors. Of course, the margin of victory data is only available for mayors who were elected. Hence, it is impossible to include it in the analysis where the outsider status of governors interacts with the elected status of mayor. To somehow address this important constraint, we include the margin of mayoral victory in the analysis without the interaction.

To capture city and regional variation, we include the following variables. We include the

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<sup>14</sup>Due to data constraints, the mayoral election results are available only after 2000, which leads to a great number of missing observations in our data.

logged city population variable because as the city population size grows, the flows of money to the city and stakes for city elites increase. Under these conditions, conflicts among diverse groups, which potentially lead to criminal accusations against rivals, tend to be escalated.

Next, the regional level of democracy is crucial. We turn to the democracy index created by Nikolay Petrov and Aleksei Titkov (*Democracy Score*) (Petrov & Titkov 2013). This index reflects the regional democracy level on multiple dimensions based on expert surveys. On the one hand, it could be expected that elites are more likely to be exposed to criminal accusations in authoritarian subnational administrative units. On the other, it is plausible that negative campaigns against competitors are more frequently observed in pluralistic subnational units (Sharafutdinova 2010). Regardless of the direction of the effect, we control for this variable as it is possible that the regional democracy level accounts for both the probability of the appointment of outsider actors and the criminal accusations against mayors. Finally, a dichotomous dummy of regional capital cities (*Regional Capital*) is utilized to distinguish regional capitals from others. Percent Russian is also included in the analysis following Buckley et al. (Buckley et al. 2022). Unfortunately, we do not have measures of corruption at the city level, but we include the number of economic crimes per capita in the region and a regional corruption score to at least proxy for the corruption level in the region, to which cities surely contribute.<sup>15</sup> In future reiterations of the paper, we will also include a measure of whether the mayor is in opposition or not, which is an important confounder in our analysis.

Our dataset contains 79 regional capital cities and 92 non-capital cities. The data structure is region-city-month. Temporally, the analysis that includes prosecutors is limited to 2000-2011 because the importance of the prosecutor in regional politics diminished after the Investigative Committee was separated, which was explored in more detail in Chapter 2. The analysis which includes just the outsider governors and no prosecutors, spans from 2000

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<sup>15</sup>We obtain this data from the International Center for the Study of Institutions and Development. ICSID Social and Economic Indicators Database 1993-2018 (V.2.0). Available at: <https://iims.hse.ru/en/csid/database-description>

to 2019.

One of the key challenges to our analysis is that outsider governors and outsider prosecutors could have been appointed precisely to remove the recalcitrant mayors. However, if that were the case, we should see more popular mayors removed more frequently, while the literature observes the reverse (and our analysis confirms this). It could also be the case that outsiders are appointed to where the mayors are most corrupt. However, it is unclear what tools an outsider governor would have to remove a mayor, except reaching the federal government for help. In this case, it is not clear why an outsider governor should be appointed at all if removing the mayor was the main goal behind the appointment.

Corruption is an important confounder that threatens the results of our analysis. Unfortunately, since there is no mayor-level data on corruption, this is not something we can plausibly check, which is a problem faced by similar research on the topic of criminal prosecutions in Russia. We hope that the fact that the appointments were likely to be driven by the region-level characteristic, while our analysis is at the city level, ameliorates the concerns with the treatment assignment. Finally, while it might have been true that an outsider was sent to deal with a mayor in some cases, this is unlikely to define the appointments systematically. However, in the future reiterations of the analysis in this paper, we hope to find an instrument to be able to be confident that there is in fact a causal relationship between the appointment of outsiders and the mayors' removal on corruption charges.

## 6.5 Results

The main results are presented in Table 6.1. See Table D.1 for the full table that includes region and city level controls. The second model includes region-fixed effects and a year trend, while the third model includes two-way fixed effects (region and year). In all models, the errors are clustered at the region level. Since the prosecutor variable is included, for this analysis, we limit the temporal span of our data to 2000-2011.

The outsider prosecutor variable is positive and statistically significant. The effect size can be interpreted in the following way. As the prosecutor type changes from a local to an outsider, the probability of a mayor being removed increases by 0.14 percent per month. The effect survives the inclusion of year trend and two-way fixed effects. In fact, when fixed effects are added, the effect increases to 0.23 percent. By itself (i.e., when a mayor is appointed rather than elected) the outsider governor variable is not statistically significant. Yet, as expected, in the first model, its interaction with the elected status of the mayor is positive and significant. In regions where a mayor is elected, the outsider status of a governor increases the probability of the mayor being arrested by 0.35 percent per month. However, the effect does not survive the inclusion of a year trend or two-way fixed effects. The outsider status of a governor is irrelevant for appointed mayors.

This analysis does not include the margin of mayoral victory, since the data is only available for the observations where mayors were elected, which would make it impossible to test the theorized interaction. Yet, we can check if the effects of the outsider prosecutor and governor statuses are individually robust to the inclusion of the mayor's margin of victory.

We re-run our analysis this time including the margin of mayoral victory. We present the results for prosecutors in Table 6.2 and for governors in Table 6.3. Complete tables can be found in the Appendix: Table D.2 and Table D.3. We separate the analysis for outsider prosecutors and governors since the sample for outsider governors is larger and spans through 2019.

In Table 6.2, in the first model, the outsider prosecutor variable is significant at 0.5 level. The coefficient size implies a 0.24 percent increase in the probability of a mayor being removed when an outsider, as opposed to a local, prosecutor, is appointed. The effect disappears in Models 3 and 4 when the region and year-fixed effects are included but survives the inclusion of a year trend in Model 2. However, it is important to note that adding the variable margin of victory dramatically reduces the number of observations (from 23,037 to 6,239). This is in part because the data is only available for mayors who were elected. But

Table 6.1: Actor Status and Mayor Removal (No Margin)

Dependent Variable: Model:	(1)	Mayor Removed	
		(2)	(3)
<i>Variables</i>			
Outsider Prosecutor	0.0014** (0.0007)	0.0023** (0.0010)	0.0023** (0.0010)
Outsider Governor	-0.0014 (0.0015)	-0.0004 (0.0025)	-0.0003 (0.0024)
Mayor Elected	-0.0013 (0.0012)	-0.0009 (0.0019)	-0.0008 (0.0019)
Outsider Governor × Mayor Elected	0.0035** (0.0017)	0.0035 (0.0026)	0.0033 (0.0026)
Year		0.0003*** ( $9.8 \times 10^{-5}$ )	
<i>Fixed-effects</i>			
Region ID		Yes	Yes
Year			Yes
<i>Fit statistics</i>			
Observations	21,154	21,154	21,154
R <sup>2</sup>	0.00159	0.00469	0.00497
Within R <sup>2</sup>		0.00173	0.00076

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1. Linear probability models run on month-level data. Clustered (Region ID) standard errors in parentheses. Year-trend and region fixed-effect are included in the second model. Two-way fixed effects are included in the third model. Since the Outsider Prosecutor variable is included, the data spans from 2000 to 2011. Coefficients of control variables omitted.*

in fact, the majority of missing observations come from the elections which took place before 2000, so a lot of early 2000s have dropped out of the analysis. This period of time was also characterized by the rapid appointment of outsiders, which we expect to have had an effect on the removal of mayors.

We find similar results in relation to outsider governors. As Table 6.3 (and Table D.3) demonstrate, in the first model, the outsider governor variable is statistically significant, despite the inclusion of the mayor's margin of victory. The effect is robust to the inclusion of a year trend but disappears once region and year-fixed effects are added.

Table 6.2: Outsider Prosecutors and Mayor Removal (with Mayor Margin)

Dependent Variable:	Mayor Removed			
Model:	(1)	(2)	(3)	(4)
<i>Variables</i>				
Outsider Prosecutor	0.0024** (0.0011)	0.0020* (0.0010)	0.0010 (0.0017)	0.0010 (0.0016)
Mayor Margin of Victory	-0.0056*** (0.0019)	-0.0058*** (0.0020)	-0.0074*** (0.0026)	-0.0074*** (0.0026)
Year		0.0003** (0.0001)	0.0003** (0.0002)	
<i>Fixed-effects</i>				
Region ID			Yes	Yes
Year				Yes
<i>Fit statistics</i>				
Observations	6,239	6,239	6,239	6,239
R <sup>2</sup>	0.00225	0.00273	0.01416	0.01460
Within R <sup>2</sup>			0.00197	0.00153

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1. Linear probability models run on month-level data. Clustered (Region ID) standard errors in parentheses. Year trend is included in the second and third models. Region fixed-effect is included in the third model. Two-way fixed effects are included in the fourth model. Since the Outsider Prosecutor variable is included, the data is limited to 2000-2011. Coefficients of control variables omitted.*

Finally, we theorize a positive relationship between outsider governor and outsider prosecutor. When outsider governors have incentives to prosecute an outsider mayor, due to their connections at the federal center, they are more able to do so when a prosecutor is an

Table 6.3: Governor Outsider Status and Mayor Removal (with Mayor's Margin, 2000-2019)

Dependent Variable:	Mayor Removed			
Model:	(1)	(2)	(3)	(4)
<i>Variables</i>				
Outsider Governor	0.0024** (0.0012)	0.0024** (0.0012)	0.0018 (0.0015)	0.0020 (0.0015)
Mayor Margin of Victory	-0.0043*** (0.0016)	-0.0044*** (0.0016)	-0.0059*** (0.0021)	-0.0060*** (0.0021)
Year		0.0002* (0.0001)	0.0002* (0.0001)	
<i>Fixed-effects</i>				
Region ID			Yes	Yes
Year				Yes
<i>Fit statistics</i>				
Observations	7,182	7,182	7,182	7,182
R <sup>2</sup>	0.00216	0.00248	0.01210	0.01287
Within R <sup>2</sup>			0.00156	0.00137

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1. Linear probability models run on month-level data. Clustered (Region ID) standard errors in parentheses. Year trend is included in the second and third models. Region fixed-effect is included in the third model. Two-way fixed effects are included in the fourth model. Since the Outsider Prosecutor variable is not included, the data spans from 2000 to 2019. Coefficients of control variables omitted.*

outsider. A local prosecutor might have local constraints and connections with local mayors. An outsider prosecutor, however, has no such constraints and is more attuned to the influences of actors with federal connections. Hence, we expect a positive interaction between an outsider prosecutor and an outsider governor.

The results are presented in Table 6.4 (as well as in Table D.4 in the Appendix) and support our hypothesis. In Model 2 in the second column of Table 6.4, which includes region-fixed effects, the effect of the outsider prosecutor is significant by itself. This means that when a governor is a local, having an outsider prosecutor increases the probability of a mayor being removed as a result of criminal charges by 0.18 percent. When a governor is an outsider, this probability increases to 0.5 percent per month. This effect is robust even to the inclusion of two-way fixed effects in Model 3.

The effect of the outsider status of a governor by itself is negative, which means that when a prosecutor is a local and a mayor is appointed rather than elected, the probability of mayor removal drops by 0.46 percent in comparison to a local governor. Yet, when a mayor is elected and a prosecutor is an outsider, the outsider status of a governor increases the probability of prosecution by 0.3 percent.

## 6.6 Conclusion

This chapter introduced a new approach to understanding the patterns of anti-elite repression, which shifted the focus from the properties of the targets of repression to the actors behind it. In particular, we theorized the importance of the capacities and incentives of key regional actors in Russian politics: governors and prosecutors. We argued that as a result of changing personnel policies and the introduction of the new practice of the appointment of outsiders among prosecutors and governors, their incentives and capacities changed. In particular, both actors now had shorter time horizons in the regions than their local counterparts, which made the prosecution of mayors more acceptable. For governors, the outsider



Table 6.4: Mayor Removal with Governor and Prosecutor Status Interaction

Dependent Variable: Model:	Mayor Removed		
	(1)	(2)	(3)
<i>Variables</i>			
Outsider Prosecutor	0.0003 (0.0007)	0.0018** (0.0009)	0.0009 (0.0009)
Outsider Governor	-0.0046*** (0.0017)	-0.0051** (0.0025)	-0.0053** (0.0025)
Mayor Elected	-0.0014 (0.0010)	-0.0034* (0.0020)	-0.0027 (0.0019)
Outsider Prosecutor $\times$ Outsider Governor	0.0031** (0.0013)	0.0032*** (0.0012)	0.0035*** (0.0012)
Outsider Governor $\times$ Mayor Elected	0.0045*** (0.0017)	0.0056** (0.0025)	0.0049* (0.0025)
<i>Fixed-effects</i>			
Region ID		Yes	Yes
Year			Yes
<i>Fit statistics</i>			
Observations	23,037	23,037	23,037
R <sup>2</sup>	0.00078	0.00406	0.00484
Within R <sup>2</sup>		0.00125	0.00080

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1. Linear probability models run on month-level data. Clustered (Region ID) standard errors in parentheses. Region fixed-effect is included in the second model. Two-way fixed effects are included in the third model. Since the Outsider Prosecutor variable is included, the data spans from 2000 to 2011. Coefficients of control variables omitted.*

status implied strong incentives to remove popularly elected mayors, since they frequently stood in the way of their agenda and governors had no local tools other than their federal connections, to compete with them. For prosecutors, the new personnel strategies made them not only more attuned to the Kremlin's wishes but also more susceptible to the influences of the federally connected elites like outsider governors, with incentives to remove political rivals. Together, we argue, the incentives and capacities of these actors contribute to the explanation of the patterns of repression of Russian mayors.

Unfortunately, while the results are not as robust to different model specifications when the mayor's margin of victory is included, this could be due to the reduced sample size. In the future reiterations of this work, we plan to fill in the missing observations for the margin of victory for the mayoral elections that happened prior to 2000, which will hopefully increase statistical power and will allow us to capture the crucial early years of Putin's subtle backsliding strategies. We will also code and include an important control variable that will identify mayors in opposition.

The results presented in this chapter have implications for the role that personnel strategies may play in authoritarian backsliding processes. In particular, we demonstrated how the appointment of outsiders contributed to the repression of democratically elected leaders. While examining the direct effects of personnel politics, the chapter also demonstrated that institutional configuration, including informal institutional changes like personnel politics, can have consequences for the scale of repression. In particular, we showed that while the appointment of outsiders can enable direct repression by an autocrat, it may also create conditions that further facilitate and incentivize repression rooted in intra-elite competition.

# Chapter 7

## Conclusion

This dissertation project examined in detail the case of Russia's authoritarian backsliding and contributed to improving our understanding of the tools available to would-be autocrats to unravel democratic institutions and entrench themselves in power. The main tool that this dissertation has examined in detail is the personnel management strategies, such as career incentives, tenure manipulation, strategic shuffling, and the practice of the appointment of outsiders. This is the first project to systematically examine these strategies in the Russian context and to theorize them as a mechanism of authoritarian backsliding. The personnel management tools are powerful because they change the incentives of bureaucrats. They are also advantageous to a would-be autocrat since they lead to subtle changes that are hard to detect and difficult to interpret.

By examining how the personnel strategies in Russia's Procuracy helped Putin consolidate his power, this dissertation project highlights the importance of state and state bureaucrats, especially those working in legal institutions. These bureaucrats are directly responsible for carrying out the would-be autocrat's repressive agenda through law and understanding what encourages their loyalty is critical to understanding the mechanisms of democratic erosion.

This dissertation also furthers our understanding of democratic erosion through stealth by highlighting the contrast between how the goals of personnel strategies are perceived and how they are in fact put to use by would-be autocrats. In particular, with the help of my original interview and biographical data, I demonstrated that while personnel policies in

Russia's Procuracy were justified by prosecutors and experts as an anti-corruption measure, the driver behind their implementation was the goal of threatening Putin's opponents in the regions and improving electoral outcomes for the United Russia party. I argued that interpreting the true intentions of a would-be autocrat is particularly challenging under the conditions of weak state capacity when steps taken by a would-be autocrat to unravel democratic constraints can be justified by the legitimate need to build a functional state.

The dissertation's institutional focus — Russia's Procuracy — is in many ways quite unique due to the peculiar combination of powers it brings together and the role it historically played in center-regional relations in the country. Yet, the personnel strategies and their power to build loyal bureaucracies in particular are generalizable.

First, they are generalizable within Russia, as the personnel strategies similar to the ones examined through Procuracy characterize Putin's approach to governance more broadly. While the appointment of outsiders among governors started later temporally, as the previous chapter demonstrated, this practice eventually became characteristic of the management of local executives. Interestingly, the territories of Ukraine annexed by Russia today, especially LNR (Lugansk People Republic), DNR (Donetsk People's Republic) but also Zaporizhzhia, Kherson, and Kharkiv Oblast' are governed by Russian occupants through the practice of the appointment of *varyags*. In line with this dissertation's theory, these territories serve as a testing ground for the loyalty and commitment of Russian bureaucrats to Putin's political regime and its new militarist agenda. It appears that those who want to be promoted volunteer to work in these areas. Those who are offered to do so and deny the offer are cut off from future career opportunities. Horizontal rotations of bureaucrats into and out of the occupied areas today serve as a tool to filter out loyalists for the regime and a potential career lift for the bureaucrats themselves.

Consider a recent report by Meduza on this topic: "In general, it is 'career motivated' bureaucrats who end up going to work on the occupied territories because they hope in the future to move up the ladder of power" (Sorokin 2022). However, other observers note

that while true, these bureaucrats might be disappointed as the opportunities for a career lift are limited since the most lucrative spots have been already occupied by people the regime needs and cannot offend especially during the political instability caused by the war (Pertsev 2022). Either way, for now, the personnel policies of horizontal rotations into the occupied territories, present an opportunity for the Kremlin to identify loyal subordinates or at least to filter out those who are weak or disloyal. This is similar to the story that I tell in Chapter 4, where I argue that prosecutors would open criminal investigations against governor allies to demonstrate their loyalty and compliance with the new regime and its agenda. At the time, the agenda was to reign in the governors. Today, it is to subjugate Ukraine.

Second, the power of personnel strategies to transform the institution by changing the incentives of actors is something that is generalizable not only beyond Procuracy but also beyond the Russian case. This dissertation engages with literatures on personnel politics in geographically vast and diverse states more broadly, especially, the work by Mai Hassan who examines personnel management strategies and bureaucratic loyalty in the context of Kenya. The fact that such different states as Kenya and Russia have so many striking similarities in how those in power use personnel management strategies to their advantage, suggests a very wide generalizability of this dissertation's findings. Future reiterations of this project will engage closely with scholarship on personnel management in China, where local leaders are frequently moved from one locality to another and where personnel evaluation and promotion have been argued to be crucial to CCP's stability and success in economic development (Yao & Zhang 2015, Whiting 2017, Landry 2008). A potentially more directly comparable case to Russia could be Turkey, where judges and prosecutors are rotated frequently through a non-transparent procedure, which has been argued to threaten the impartiality and integrity of the judicial process (ICJ 2019).

The novelty and one of the central contributions of this project also lies precisely in its focus on an institution like Procuracy which is responsible for the legal process that *precedes*

courts. Courts and constitutions have generally been the focus of scholars interested in the role of law and legal institutions in democratic erosion as well as authoritarian stability. While important, the focus on courts misses out on a whole host of the legal process that precedes the final verdict. Courts cannot initiate criminal prosecutions. Neither are courts responsible for the process of putting together a criminal case. All autocrats experience the need for legal actors that can initiate repression against their opponents and carry it out through the formal process in a way that matches the formal demands of legality. However, the very institutions that do that work, such as Procuracy, have been largely overlooked. As Hansen and Thompson argue in their article focusing on a comparative analysis of the institutional development of Russian and Chinese procuracies, “examining legal institutions outside of courts can shed light on authoritarian state-building and institutional development” (Hanson & Thompson-Brusstar 2022). As this dissertation argued, focusing on legal institutions outside of courts can also help us better understand the mechanisms of authoritarian backsliding.

The importance of understanding the justice process that unfolds outside and especially prior to courts highlights the need for a comparative framework for institutions that have the power to open and carry out criminal investigations. So far, I am only aware of one article that proposes a comparative framework for the study of procuracies around the globe (Lee 2016). As there is a great diversity of actors involved in the criminal justice process, similarly to Lee’s work, a comparative framework would focus on the powers these actors have. However, it is also important to account for the extent to which these powers are concentrated or diffused (as the example of Russia demonstrates, certain powers in the context of the criminal investigation could be split between different organizations). Such a framework could help us conduct a comparative analysis of the root causes of the institutional choices made by political leaders and examine which types of criminal justice institutions are more conducive to authoritarian stability or, on the contrary, vulnerable to authoritarian encroachments.

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# Appendices

# Appendix A

## Appendix to Chapter 3

Table A.1: List of Interviews with Reference Codes (PR =Prosecutor, EX = Expert)

Date	Work Location (Federal District)	Work Position	Code
Fall 2021	Northwestern	Former city district ( <i>raion</i> ) level prosecutor	PR1
Fall 2021	Northwestern	Criminal justice expert (Institute for the Rule of Law)	EX1
Fall 2021	Northwestern	Criminal justice expert (Institute for the Rule of Law)	EX2
Fall 2021	Siberian	Former procuracy worker, defense attorney	PR2
Fall 2021	Northwestern	Professor of legal studies, PhD	EX3
Fall 2021	Northwestern	Former city and region ( <i>oblast'</i> ) district ( <i>raion</i> ) level investigator and prosecutor.	PR3
Fall 2021	Northwestern	Former investigator within procuracy in Soviet Union and Russia, defense attorney, professor	PR4
Fall 2021	Central	Professor, expert on <i>siloviki</i> in Russia's regions	EX4
Fall 2021	Central	Former assistant to investigator at the city level ( <i>raion</i> ) procuracy. Now, international law expert.	PR5
Fall 2021	Central	Journalist, expert at regional politics and regional political elites	EX5
Fall 2021	Central	P scientist, expert on <i>siloviki</i>	EX6
Winter 2022	Volga	Former prosecutor USSR, now law professor	PR6
Winter 2022	Volga	Local elites expert, researcher	EX7
Winter 2022	Volga	Current city level investigator at the Investigative Committee, formerly investigator at Procuracy	PR7
Winter 2022	Volga	Focus group with three faculty/experts of local politics	EX8
Winter 2022	Volga	Researcher at the analytical center of the government of Bashkortostan	EX9

# Appendix B

## Appendix to Chapter 4

Table B.1: Probability of Promotion Following Prosecutions (Full Table)

Dependent Variable: Model:	Rotated or Promoted	
	(1)	(2)
<i>Variables</i>		
Arrested Vice Gov	0.0918*** (0.0344)	
Prosecutor Outsider	0.2331*** (0.0814)	0.2311*** (0.0828)
Change in Crime Rate	0.0221 (0.1306)	-0.0532 (0.1370)
Retiring Prosecutor	-0.6128*** (0.1553)	-0.6612*** (0.1580)
Corruption	-0.3241 (0.3064)	-0.3885 (0.3036)
Arrested Governor		-0.0531 (0.1414)
<i>Fixed-effects</i>		
Reg ID	Yes	Yes
<i>Fit statistics</i>		
Observations	262	262
R <sup>2</sup>	0.33661	0.32405
Within R <sup>2</sup>	0.11919	0.10251

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1 LPM models with standard errors clustered within regions run on the prosecutor-region data.*

Table B.2: Probability of Demotion Following Prosecution (Full Table)

Dependent Variable: Model:	Fired or Demoted	
	(1)	(2)
<i>Variables</i>		
Arrested Vice Gov	-0.0250** (0.0114)	
Prosecutor Outsider	-0.1359** (0.0565)	-0.1373** (0.0549)
Change in Crime Rate	-0.1639 (0.1137)	-0.1432 (0.1068)
Retiring Prosecutor	-0.0940* (0.0535)	-0.0927* (0.0524)
Corruption	-0.0768 (0.1664)	-0.1138 (0.1690)
Arrested Governor		-0.1741*** (0.0654)
<i>Fixed-effects</i>		
Reg ID	Yes	Yes
<i>Fit statistics</i>		
Observations	258	258
R <sup>2</sup>	0.32562	0.33814
Within R <sup>2</sup>	0.05114	0.06875

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1 LPM models with standard errors clustered within regions run on the prosecutor-region data.*

Table B.3: Local Ties & Prosecution of Local Elites Within a Full Sample: Cumulative Measure and Two-Way FE

Dependent Variables: Model:	Vice Gov Arrested (Cumulative)		Gov Arrested (Cumulative)	
	(1)	(2)	(3)	(4)
<i>Variables</i>				
Local (3 ties)	0.1153** (0.0396)	0.1153 (0.1185)	-0.0076 (0.0192)	-0.0076 (0.0257)
PR Year in Office	-0.0118 (0.0134)	-0.0118 (0.0271)	0.0200*** (0.0011)	0.0200* (0.0105)
Gov Membership UR	0.0270 (0.0678)	0.0270 (0.1104)	0.0575*** (0.0151)	0.0575** (0.0280)
Gov Elected or Appointed	0.0508 (0.0608)	0.0508 (0.1211)	-0.0404 (0.0425)	-0.0404 (0.0419)
UR Duma Recent Results	0.0012 (0.0022)	0.0012 (0.0026)	-0.0008 (0.0011)	-0.0008 (0.0018)
Gov Membership CPSU	-0.0659 (0.0940)	-0.0659 (0.0650)	-0.0406** (0.0159)	-0.0406 (0.0508)
PR Appointed by Putin	0.1429* (0.0750)	0.1429 (0.0911)	0.1210*** (0.0200)	0.1210 (0.0792)
Gov Siloviki	0.1900 (0.1085)	0.1900 (0.1389)	0.0382 (0.0800)	0.0382 (0.1381)
PR Retiring Age	-0.3895** (0.1623)	-0.3895** (0.1895)	0.0126 (0.0452)	0.0126 (0.1108)
Gov Regional Ties	-0.0834 (0.0666)	-0.0834 (0.1080)	-0.0543 (0.0308)	-0.0543 (0.0545)
Reg Murder Per Cap	-0.1279* (0.0696)	-0.1279* (0.0723)	-0.0428** (0.0144)	-0.0428* (0.0220)
Reg Econ Crime Per Cap	0.0044 (0.0041)	0.0044 (0.0060)	-0.0020 (0.0023)	-0.0020 (0.0027)
Reg GRP Per Cap	$-1.51 \times 10^{-7}$ ( $1.31 \times 10^{-7}$ )	$-1.51 \times 10^{-7}$ ( $1.72 \times 10^{-7}$ )	$1.21 \times 10^{-8}$ ( $2.59 \times 10^{-8}$ )	$1.21 \times 10^{-8}$ ( $2.47 \times 10^{-8}$ )
Reg Fed Investmnt Per Cap	0.0040*** (0.0011)	0.0040 (0.0028)	$-3.92 \times 10^{-7}$ (0.0001)	$-3.92 \times 10^{-7}$ (0.0001)
Reg Percent Urban	-0.0512** (0.0206)	-0.0512 (0.0362)	-0.0109 (0.0073)	-0.0109 (0.0156)
Reg Population	$8.06 \times 10^{-8}$ ( $2.27 \times 10^{-7}$ )	$8.06 \times 10^{-8}$ ( $5.77 \times 10^{-7}$ )	$5.56 \times 10^{-8}$ ( $1.35 \times 10^{-7}$ )	$5.56 \times 10^{-8}$ ( $2.02 \times 10^{-7}$ )
Reg Unemployment	-0.0017 (0.0079)	-0.0017 (0.0063)	$2.64 \times 10^{-5}$ (0.0016)	$2.64 \times 10^{-5}$ (0.0024)
<i>Fixed-effects</i>				
Year	Yes	Yes	Yes	Yes
Reg ID	Yes	Yes	Yes	Yes
<i>Fit statistics</i>				
Observations	784	784	784	784
R <sup>2</sup>	0.44438	0.44438	0.47823	0.47823
Within R <sup>2</sup>	0.10931	0.10931	0.07139	0.07139

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1* Models 1 and 3 are OLS models with errors clustered within years. Models 2 and 4 are OLS models that include the standard errors clustered within regions. The models are run on the full dataset with the year-region unit of analysis.



Table B.4: Local Ties & Prosecution of Local Elites Within a Full Sample: Count Measure and Two-Way FE

Dependent Variables: Model:	Vice Gov Arrested (Count)		Gov Arrested (Count)	
	(1)	(2)	(3)	(4)
<i>Variables</i>				
Local (3 ties)	0.0721* (0.0369)	0.0721 (0.0532)	-0.0001 (0.0099)	-0.0001 (0.0109)
PR Year in Office	-0.0070 (0.0060)	-0.0070 (0.0105)	-0.0003 (0.0014)	-0.0003 (0.0016)
Gov Membership UR	0.0270 (0.0602)	0.0270 (0.0525)	0.0138 (0.0193)	0.0138 (0.0234)
Gov Elected or Appointed	-0.0057 (0.0517)	-0.0057 (0.0892)	-0.0271 (0.0200)	-0.0271 (0.0226)
UR Duma Recent Results	-0.0014 (0.0015)	-0.0014 (0.0017)	0.0012 (0.0008)	0.0012* (0.0007)
Gov Membership CPSU	-0.0478 (0.0607)	-0.0478 (0.0471)	0.0045 (0.0135)	0.0045 (0.0152)
PR Appointed by Putin	0.0678 (0.0615)	0.0678 (0.0507)	0.0295* (0.0163)	0.0295 (0.0190)
Gov Siloviki	0.0598 (0.0781)	0.0598 (0.1233)	-0.0387 (0.0412)	-0.0387 (0.0310)
PR Retiring Age	-0.1938 (0.1133)	-0.1938** (0.0944)	-0.0158 (0.0362)	-0.0158 (0.0371)
Gov Regional Ties	-0.0067 (0.0576)	-0.0067 (0.0685)	0.0141 (0.0261)	0.0141 (0.0180)
Reg Murder Per Cap	-0.0014 (0.0431)	-0.0014 (0.0389)	-0.0207 (0.0140)	-0.0207* (0.0117)
Reg Econ Crime Per Cap	0.0032 (0.0031)	0.0032 (0.0037)	-0.0004 (0.0007)	-0.0004 (0.0008)
Reg GRP Per Cap	$-6.49 \times 10^{-8}$ ( $4.72 \times 10^{-8}$ )	$-6.49 \times 10^{-8}$ ( $6.2 \times 10^{-8}$ )	$1.65 \times 10^{-9}$ ( $1.13 \times 10^{-8}$ )	$1.65 \times 10^{-9}$ ( $1.12 \times 10^{-8}$ )
Reg Fed Investmnt Per Cap	-0.0005 (0.0005)	-0.0005 (0.0005)	$5.43 \times 10^{-5}$ ( $6.96 \times 10^{-5}$ )	$5.43 \times 10^{-5}$ ( $6.56 \times 10^{-5}$ )
Reg Percent Urban	-0.0103 (0.0210)	-0.0103 (0.0155)	-0.0048 (0.0051)	-0.0048 (0.0053)
Reg Population	$1.78 \times 10^{-7}$ ( $3.06 \times 10^{-7}$ )	$1.78 \times 10^{-7}$ ( $2.44 \times 10^{-7}$ )	$4.64 \times 10^{-8}$ ( $4.57 \times 10^{-8}$ )	$4.64 \times 10^{-8}$ ( $5.7 \times 10^{-8}$ )
Reg Unemployment	-0.0051 (0.0058)	-0.0051 (0.0059)	0.0019 (0.0014)	0.0019 (0.0020)
<i>Fixed-effects</i>				
Year	Yes	Yes	Yes	Yes
Reg ID	Yes	Yes	Yes	Yes
<i>Fit statistics</i>				
Observations	784	784	784	784
R <sup>2</sup>	0.15091	0.15091	0.11447	0.11447
Within R <sup>2</sup>	0.02436	0.02436	0.02164	0.02164

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1* Models 1 and 3 are OLS models with errors clustered within years. Models 2 and 4 are OLS models that include the standard errors clustered within regions. The models are run on the full dataset with the year-region unit of analysis.

Table B.5: Local Ties & Prosecution of Local Elites Within a Subsample: Cumulative Measure and Two-Way FE

Dependent Variables: Model:	Vice Gov Arrested (Cum)		Gov Arrested (Cum)	
	(1)	(2)	(3)	(4)
<i>Variables</i>				
Local (3 ties)	0.4022** (0.1736)	0.4022** (0.1935)	0.1270 (0.1431)	0.1270 (0.1431)
PR Year in Office	0.0742* (0.0379)	0.0742** (0.0341)	-0.0046 (0.0146)	-0.0046 (0.0146)
Gov Membership UR	-0.0658 (0.1553)	-0.0658 (0.1500)	-0.0504 (0.0820)	-0.0504 (0.0820)
Gov Elected or Appointed	-0.3921 (0.2770)	-0.3921* (0.2190)	0.0520 (0.0811)	0.0520 (0.0811)
UR Duma Recent Results	-0.0021 (0.0036)	-0.0021 (0.0049)	0.0019 (0.0020)	0.0019 (0.0020)
Gov Membership CPSU	0.0141 (0.1061)	0.0141 (0.1373)	-0.1586** (0.0573)	-0.1586** (0.0573)
PR Appointed by Putin	0.3639* (0.1956)	0.3639* (0.2078)	0.0483 (0.1276)	0.0483 (0.1276)
Gov Siloviki	1.110*** (0.3555)	1.110** (0.4472)	0.3379 (0.2635)	0.3379 (0.2635)
Gov Regional Ties	-0.1835 (0.2475)	-0.1835 (0.3498)	-0.0545 (0.1549)	-0.0545 (0.1549)
Reg Murder Per Cap	-0.0912 (0.1027)	-0.0912 (0.1453)	-0.0635 (0.0659)	-0.0635 (0.0659)
Reg Econ Crime Per Cap	-0.0103 (0.0064)	-0.0103* (0.0057)	-0.0033 (0.0036)	-0.0033 (0.0036)
Reg GRP Per Cap	$-4.12 \times 10^{-6***}$ ( $1.04 \times 10^{-6}$ )	$-4.12 \times 10^{-6**}$ ( $1.6 \times 10^{-6}$ )	$-2.09 \times 10^{-7}$ ( $5.38 \times 10^{-7}$ )	$-2.09 \times 10^{-7}$ ( $5.38 \times 10^{-7}$ )
Reg Fed Investmnt Per Cap	0.0061* (0.0031)	0.0061** (0.0029)	-0.0011 (0.0010)	-0.0011 (0.0010)
Reg Percent Urban	-0.0163 (0.0568)	-0.0163 (0.0402)	-0.0058 (0.0228)	-0.0058 (0.0228)
Reg Population	$-1.59 \times 10^{-6*}$ ( $7.98 \times 10^{-7}$ )	$-1.59 \times 10^{-6}$ ( $1.06 \times 10^{-6}$ )	$1.5 \times 10^{-7}$ ( $3.88 \times 10^{-7}$ )	$1.5 \times 10^{-7}$ ( $3.88 \times 10^{-7}$ )
Reg Unemployment	-0.0359* (0.0195)	-0.0359* (0.0208)	0.0254** (0.0111)	0.0254** (0.0111)
<i>Fixed-effects</i>				
Reg ID	Yes	Yes	Yes	Yes
Year	Yes	Yes	Yes	Yes
<i>Fit statistics</i>				
Observations	185	185	185	185
R <sup>2</sup>	0.67548	0.67548	0.73880	0.73880
Within R <sup>2</sup>	0.39384	0.39384	0.34700	0.34700

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1. OLS models with errors clustered within regions. The models are run on a dataset limited to prosecutors with similar career tracks with a year-region unit of analysis. Two-way fixed effects are included in both models.*

Table B.6: Outsider Status & Prosecution of Local Elites Within a Subsample: Cumulative Measure and Year Trend

Dependent Variables: Model:	Vice Gov Arrested (Cumulative) (1)	Gov Arrested (Cumulative) (2)
<i>Variables</i>		
Local (3 ties)	0.5177** (0.2512)	0.1618 (0.1568)
PR Year in Office	0.0569 (0.0342)	-0.0114 (0.0227)
Gov Membership UR	-0.1121 (0.1242)	0.0251 (0.0694)
Gov Elected or Appointed	-0.0410 (0.1418)	0.1036* (0.0560)
UR Duma Recent Results	0.0002 (0.0039)	-0.0010 (0.0017)
Gov Membership CPSU	-0.0354 (0.1124)	-0.1085 (0.0658)
PR Appointed by Putin	0.4278* (0.2374)	0.0924 (0.1165)
Gov Siloviki	1.137** (0.4543)	0.4506*** (0.1607)
Gov Regional Ties	-0.2451 (0.3348)	-0.0330 (0.1775)
Reg Murder Per Cap	0.0038 (0.1247)	-0.0291 (0.0514)
Reg Econ Crime Per Cap	-0.0099 (0.0060)	-0.0039 (0.0028)
Reg GRP Per Cap	$-3.83 \times 10^{-6}$ ** ( $1.43 \times 10^{-6}$ )	$-7.63 \times 10^{-7}$ ( $6.45 \times 10^{-7}$ )
Reg Fed Investmnt Per Cap	0.0058** (0.0028)	-0.0008 (0.0008)
Reg Percent Urban	-0.0084 (0.0401)	-0.0107 (0.0250)
Reg Population	$3.84 \times 10^{-8}$ ( $9.69 \times 10^{-7}$ )	$-1.8 \times 10^{-7}$ ( $3.14 \times 10^{-7}$ )
Reg Unemployment	-0.0295* (0.0170)	0.0152 (0.0102)
Year	0.0040 (0.0323)	0.0001 (0.0157)
<i>Fixed-effects</i>		
Reg ID	Yes	Yes
<i>Fit statistics</i>		
Observations	185	185
R <sup>2</sup>	0.64200	0.71870
Within R <sup>2</sup>	0.37933	0.32776

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1 OLS models with errors clustered within regions. The models are run on a dataset limited to prosecutors with similar career tracks with a year-region unit of analysis. A year trend is included in both models.*

Table B.7: Outsider Status & Prosecution of Local Elites Within Subsample: Count Measure, 2-way FE

Dependent Variables: Model:	Vice Gov Arrested (Count)		Gov Arrested (Count)	
	(1)	(2)	(3)	(4)
<i>Variables</i>				
Local (3 ties)	0.3004*	0.4730**	0.1389	0.0616
	(0.1494)	(0.1989)	(0.1227)	(0.0529)
PR Year in Office	0.0238		-0.0041	
	(0.0222)		(0.0102)	
Gov Membership UR	-0.2485**	-0.1255	-0.0991	-0.0832
	(0.0990)	(0.0925)	(0.0686)	(0.0644)
Gov Elected or Appointed	-0.2087		-0.0419	
	(0.1793)		(0.0570)	
UR Duma Recent Results	0.0041	0.0030	0.0011	0.0005
	(0.0038)	(0.0039)	(0.0016)	(0.0014)
Gov Membership CPSU	0.0066		-0.0881	
	(0.1510)		(0.0588)	
PR Appointed by Putin	0.0301		0.1160	
	(0.1595)		(0.1121)	
Gov Siloviki	0.2224		-0.3375*	
	(0.6114)		(0.1748)	
Gov Regional Ties	-0.3383		0.2271**	
	(0.3217)		(0.1106)	
Reg Murder Per Cap	-0.0654	-0.0785	-0.0125	-0.0279
	(0.1003)	(0.1064)	(0.0413)	(0.0243)
Reg Econ Crime Per Cap	-0.0025		-0.0029	
	(0.0036)		(0.0022)	
Reg Corruption	0.0932	0.0293	0.0295	0.0058
	(0.1746)	(0.1466)	(0.0681)	(0.0409)
Reg GRP Per Cap	$-2.07 \times 10^{-6}$ *	$-1.43 \times 10^{-6}$	$-2.3 \times 10^{-8}$	$3.05 \times 10^{-7}$
	( $1.18 \times 10^{-6}$ )	( $8.69 \times 10^{-7}$ )	( $4.04 \times 10^{-7}$ )	( $2.18 \times 10^{-7}$ )
Reg Fed Investmnt Per Cap	0.0067**		-0.0002	
	(0.0030)		(0.0008)	
Reg Percent Urban	0.0444		-0.0260	
	(0.0378)		(0.0169)	
Reg Population	$-6.86 \times 10^{-7}$		$7.64 \times 10^{-8}$	
	( $7.47 \times 10^{-7}$ )		( $3.03 \times 10^{-7}$ )	
Reg Unemployment	-0.0316		0.0147	
	(0.0203)		(0.0096)	
<i>Fixed-effects</i>				
Reg ID	Yes	Yes	Yes	Yes
Year	Yes	Yes	Yes	Yes
<i>Fit statistics</i>				
Observations	185	263	185	263
R <sup>2</sup>	0.50967	0.37394	0.41243	0.27071
Within R <sup>2</sup>	0.19125	0.08978	0.20886	0.03526

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1 OLS models with errors clustered within regions. The models are run on a dataset limited to prosecutors with similar career tracks.*

# Appendix C

## Appendix to Chapter 5

Table C.1: Modeling Outsider Appointment with Additional Control Variables

Dependent Variable: Model:	Outsider appointment			
	(1)	(2)	(3)	(4)
<i>Variables</i>				
(Intercept)	-21.36 (37.79)	-44.33 (38.48)	-67.58 (43.84)	-99.86** (46.90)
UR Duma voteshare	-0.0011 (0.0028)	-0.0016 (0.0028)	-0.0023 (0.0028)	-0.0024 (0.0030)
Prsident voteshare	0.0054 (0.0044)	0.0063 (0.0043)	0.0074* (0.0043)	0.0072 (0.0046)
Murder pc 1 yr lag	0.0041 (0.0247)	0.0090 (0.0280)	0.0173 (0.0282)	0.0255 (0.0280)
Murder pc 3 yr change	0.0378 (0.0814)	0.0222 (0.0800)	0.0216 (0.0818)	0.0639 (0.0761)
Industrial concentration	-0.0035** (0.0013)	-0.0042*** (0.0014)	-0.0041*** (0.0014)	-0.0047*** (0.0014)
Previous pros local	-0.2889*** (0.0745)	-0.2847*** (0.0739)	-0.2973*** (0.0729)	-0.3131*** (0.0783)
Year	0.0109 (0.0188)	0.0223 (0.0191)	0.0340 (0.0218)	0.0501** (0.0233)
Democracy score		0.0032 (0.0056)	0.0022 (0.0060)	$2.42 \times 10^{-5}$ (0.0062)
Corruption score		-0.0222 (0.0385)	-0.0245 (0.0401)	-0.0326 (0.0411)
Gov UR member		-0.1934** (0.0836)	-0.1786** (0.0811)	-0.2016** (0.0942)
Econ crime pc		0.0036 (0.0044)	0.0038 (0.0047)	0.0038 (0.0049)
Ethnic			-0.0396 (0.0747)	-0.0640 (0.0788)
Cancel gov elections			-0.1813 (0.1256)	-0.2013 (0.1392)
GRP pc				$6.98 \times 10^{-9}$ ( $4.23 \times 10^{-8}$ )
Subsidies pc				$-5.69 \times 10^{-10}$ *** ( $1.39 \times 10^{-10}$ )
Federal investments pc				$-1.89 \times 10^{-6}$ ( $1.78 \times 10^{-6}$ )
<i>Fit statistics</i>				
Observations	174	173	173	166
R <sup>2</sup>	0.13915	0.16498	0.17768	0.20723
Adjusted R <sup>2</sup>	0.10285	0.10793	0.11044	0.12210

*LPMs with clustered (Region ID) standard-errors in parentheses*  
*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1*

Table C.2: Outsider Appointment with UR Vote-share and Governor Margin of Victory

Dependent Variable: Model:	Outsider appointment		
	(1)	(2)	(3)
<i>Variables</i>			
(Intercept)	-150.0** (59.81)	-114.2** (57.08)	-108.5* (59.78)
UR Duma voteshare	-0.0083* (0.0043)	-0.0072* (0.0038)	-0.0070* (0.0038)
Prsident voteshare	0.0105 (0.0071)	0.0090 (0.0061)	0.0090 (0.0060)
Democracy score	-0.0051 (0.0088)	-0.0015 (0.0068)	-0.0024 (0.0073)
Corruption score	0.0112 (0.0775)	0.0324 (0.0675)	0.0329 (0.0686)
Gov UR member	-0.3107* (0.1569)	-0.2779* (0.1654)	-0.2777* (0.1636)
Gov recent margin of vict	0.0010 (0.0015)	0.0015 (0.0010)	0.0014 (0.0011)
Industrial concentration	-0.0049** (0.0023)	-0.0045** (0.0022)	-0.0043* (0.0022)
Murder pc 3 yr change	-0.0598 (0.0808)	-0.0358 (0.0743)	-0.0387 (0.0740)
Murder pc 1 yr	0.0255 (0.0391)	0.0052 (0.0406)	0.0076 (0.0400)
Econ crime pc	0.0089 (0.0065)	0.0049 (0.0059)	0.0046 (0.0061)
UR reg voteshare	-0.0081** (0.0035)	-0.0075** (0.0032)	-0.0073** (0.0032)
Year	0.0751** (0.0297)	0.0573** (0.0284)	0.0544* (0.0297)
Previous pros local		-0.2775** (0.1128)	-0.2821** (0.1133)
Ethnic			-0.0507 (0.1186)
<i>Fit statistics</i>			
Observations	88	88	88
R <sup>2</sup>	0.18536	0.27030	0.27207
Adjusted R <sup>2</sup>	0.05501	0.14211	0.13247

*LPMs with clustered (Region ID) standard-errors in parentheses*  
*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1*

# Appendix D

## Appendix to Chapter 6



Table D.1: Actor Status and Mayor Removal (No Margin, Full Table, 2000-2011)

Dependent Variable: Model:	(1)	Mayor Removed (2)	(3)
<i>Variables</i>			
(Intercept)	-0.0016 (0.0028)		
Outsider Prosecutor	0.0014** (0.0007)	0.0023** (0.0010)	0.0023** (0.0010)
Outsider Governor	-0.0014 (0.0015)	-0.0004 (0.0025)	-0.0003 (0.0024)
Mayor Elected	-0.0013 (0.0012)	-0.0009 (0.0019)	-0.0008 (0.0019)
Capital city	-0.0005 (0.0007)	0.0003 (0.0012)	0.0003 (0.0012)
Econ crime pc	$-1.92 \times 10^{-5}$ ( $4.1 \times 10^{-5}$ )	0.0001 ( $8.28 \times 10^{-5}$ )	0.0001 ( $7.75 \times 10^{-5}$ )
Corruption score	-0.0008 (0.0005)	0.0014 (0.0018)	0.0015 (0.0018)
Democracy score	0.0002*** ( $4.74 \times 10^{-5}$ )	$3.63 \times 10^{-6}$ (0.0002)	$3 \times 10^{-5}$ (0.0002)
City Population (Log)	-0.0004 (0.0003)	-0.0009 (0.0008)	-0.0009 (0.0008)
Percent Russian	$2.61 \times 10^{-5}$ ** ( $9.89 \times 10^{-6}$ )		
Ethnic Republic	-0.0007 (0.0008)		
Outsider Governor $\times$ Mayor Elected	0.0035** (0.0017)	0.0035 (0.0026)	0.0033 (0.0026)
Year		0.0003*** ( $9.8 \times 10^{-5}$ )	
<i>Fixed-effects</i>			
Region ID		Yes	Yes
Year			Yes
<i>Fit statistics</i>			
Observations	21,154	21,154	21,154
R <sup>2</sup>	0.00159	0.00469	0.00497
Within R <sup>2</sup>		0.00173	0.00076

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1. Linear probability models run on month-level data. Clustered (Region ID) standard errors in parentheses. Year-trend and region fixed-effect is included in the second model. Two-way fixed effects are included in the third model. Since the Outsider Prosecutor variable is included, the data spans from 2000 to 2011.*

Table D.2: Outsider Prosecutors and Mayor Removal (Full Table with Mayor Margin, 2000-2011)

Dependent Variable: Model:	(1)	Mayor Removed	
		(2)	(3)
<i>Variables</i>			
(Intercept)	-0.0031 (0.0051)		
Outsider Prosecutor	0.0024** (0.0011)	0.0010 (0.0017)	0.0010 (0.0016)
Mayor Margin of Victory	-0.0056*** (0.0019)	-0.0074*** (0.0026)	-0.0074*** (0.0026)
Capital city	-0.0003 (0.0010)	$4.29 \times 10^{-5}$ (0.0018)	$-5.78 \times 10^{-5}$ (0.0018)
Econ crime pc	$-5.12 \times 10^{-5}$ ( $7.58 \times 10^{-5}$ )	$-8 \times 10^{-5}$ (0.0001)	$-1.44 \times 10^{-5}$ ( $10 \times 10^{-5}$ )
Corruption score	0.0010 (0.0009)	-0.0002 (0.0007)	0.0001 (0.0008)
Democracy score	$3.44 \times 10^{-5}$ (0.0001)	$-7.73 \times 10^{-5}$ (0.0003)	-0.0001 (0.0003)
City Population (Log)	0.0007* (0.0004)	0.0008 (0.0009)	0.0008 (0.0009)
Percent Russian	$-4.92 \times 10^{-6}$ ( $2.76 \times 10^{-5}$ )		
Ethnic Republic	-0.0024** (0.0010)		
Year		0.0003** (0.0002)	
<i>Fixed-effects</i>			
Region ID		Yes	Yes
Year			Yes
<i>Fit statistics</i>			
Observations	6,239	6,239	6,239
R <sup>2</sup>	0.00225	0.01416	0.01460
Within R <sup>2</sup>		0.00197	0.00153

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1. Linear probability models run on month-level data. Clustered (Region ID) standard errors in parentheses. Year-trend and region fixed-effect is included in the second model. Two-way fixed effects are included in the third model. Since the Outsider Prosecutor variable is included, the data spans from 2000 to 2011.*

Table D.3: Governor Outsider Status Conditional and Mayor Removal (Full Table with Mayor's Margin, 2000-2019)

Dependent Variable: Model:	(1)	Mayor Removed	
		(2)	(3)
<i>Variables</i>			
(Intercept)	-0.0017 (0.0047)		
Outsider Governor	0.0024** (0.0012)	0.0018 (0.0015)	0.0020 (0.0015)
Mayor Margin of Victory	-0.0043*** (0.0016)	-0.0059*** (0.0021)	-0.0060*** (0.0021)
Capital city	-0.0004 (0.0009)	0.0001 (0.0015)	0.0001 (0.0015)
Econ crime pc	$3.48 \times 10^{-6}$ ( $6.65 \times 10^{-5}$ )	$1.65 \times 10^{-5}$ ( $9.86 \times 10^{-5}$ )	$4.77 \times 10^{-6}$ ( $8.19 \times 10^{-5}$ )
City Population (Log)	0.0005* (0.0003)	0.0005 (0.0007)	0.0005 (0.0007)
Corruption score	0.0004 (0.0008)	0.0006 (0.0006)	0.0007 (0.0007)
Democracy score	$4.07 \times 10^{-5}$ (0.0001)	$-7.79 \times 10^{-5}$ (0.0003)	-0.0002 (0.0003)
Percent Russian	$-6.88 \times 10^{-6}$ ( $2.44 \times 10^{-5}$ )		
Ethnic	-0.0016** (0.0007)		
Year		0.0002* (0.0001)	
<i>Fixed-effects</i>			
Region ID		Yes	Yes
Year			Yes
<i>Fit statistics</i>			
Observations	7,182	7,182	7,182
R <sup>2</sup>	0.00216	0.01210	0.01287
Within R <sup>2</sup>		0.00156	0.00137

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1. Linear probability models run on month-level data. Clustered (Region ID) standard errors in parentheses. Year-trend and region fixed-effect are included in the second model. Two-way fixed effects are included in the third model. Since the Outsider Prosecutor variable is not included, the data spans from 2000 to 2019.*

Table D.4: Mayor Removal with Governor and Prosecutor Status Interaction (Full Table)

Dependent Variable: Model:	Mayor Removed		
	(1)	(2)	(3)
<i>Variables</i>			
(Intercept)	0.0037 (0.0029)		
Outsider Prosecutor	0.0003 (0.0007)	0.0018** (0.0009)	0.0009 (0.0009)
Outsider Governor	-0.0046*** (0.0017)	-0.0051** (0.0025)	-0.0053** (0.0025)
Mayor Elected	-0.0014 (0.0010)	-0.0034* (0.0020)	-0.0027 (0.0019)
Capital city	-0.0004 (0.0006)	0.0011 (0.0010)	0.0012 (0.0009)
Econ crime pc	$1.08 \times 10^{-5}$ ( $3.85 \times 10^{-5}$ )	0.0001* ( $6.22 \times 10^{-5}$ )	$8.17 \times 10^{-5}$ ( $6.82 \times 10^{-5}$ )
Corruption score	$-4.24 \times 10^{-5}$ (0.0005)	0.0007 (0.0016)	0.0010 (0.0016)
City Population (Log)	-0.0002 (0.0003)	-0.0010* (0.0006)	-0.0011* (0.0006)
Outsider Prosecutor $\times$ Outsider Governor	0.0031** (0.0013)	0.0032*** (0.0012)	0.0035*** (0.0012)
Outsider Governor $\times$ Mayor Elected	0.0045*** (0.0017)	0.0056** (0.0025)	0.0049* (0.0025)
<i>Fixed-effects</i>			
Region ID		Yes	Yes
Year			Yes
<i>Fit statistics</i>			
Observations	23,037	23,037	23,037
R <sup>2</sup>	0.00078	0.00406	0.00484
Within R <sup>2</sup>		0.00125	0.00080

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1. Linear probability models run on month-level data. Clustered (Region ID) standard errors in parentheses. Region fixed-effect is included in the second model. Two-way fixed effects are included in the third model. Since the Outsider Prosecutor variable is included, the data spans from 2000 to 2011.*

Table D.5: Actor Status and Mayor Removal (Among Elected Mayors Only, 2000-2011)

Dependent Variable: Model:	(1)	Mayor Removed		
		(2)	(3)	(4)
<i>Variables</i>				
(Intercept)	-0.0003 (0.0034)			
Outsider Prosecutor	0.0024*** (0.0007)	0.0034*** (0.0010)	0.0034*** (0.0010)	0.0009 (0.0016)
Outsider Governor	0.0019** (0.0008)	0.0024* (0.0013)	0.0024* (0.0013)	0.0012 (0.0014)
Capital city	$-5.89 \times 10^{-5}$ (0.0008)	0.0006 (0.0013)	0.0006 (0.0013)	$-2.39 \times 10^{-5}$ (0.0017)
Econ crime pc	$-7.16 \times 10^{-6}$ ( $5.17 \times 10^{-5}$ )	0.0001 (0.0001)	0.0001 ( $9.82 \times 10^{-5}$ )	$9.24 \times 10^{-7}$ ( $9.98 \times 10^{-5}$ )
City Population (Log)	$-7.1 \times 10^{-5}$ (0.0005)	-0.0008 (0.0008)	-0.0007 (0.0009)	0.0008 (0.0009)
Corruption score	-0.0001 (0.0006)	0.0034 (0.0020)	0.0034 (0.0020)	$-8.77 \times 10^{-5}$ (0.0007)
Percent Russian	$2.27 \times 10^{-5}$ ( $1.73 \times 10^{-5}$ )			
Ethnic Republic	-0.0025*** (0.0009)			
Year		0.0003*** ( $9.21 \times 10^{-5}$ )		
Mayor Margin of Victory				-0.0073*** (0.0026)
<i>Fixed-effects</i>				
Region ID		Yes	Yes	Yes
Year			Yes	Yes
<i>Fit statistics</i>				
Observations	17,621	17,621	17,621	6,239
R <sup>2</sup>	0.00149	0.00533	0.00556	0.01464
Within R <sup>2</sup>		0.00203	0.00107	0.00158

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1. Linear probability models run on month-level data. Clustered (Region ID) standard errors in parentheses. Year-trend and region fixed-effects are included in the second model. Two-way fixed effects are included in the third and fourth models. Since the Outsider Prosecutor variable is included, the data spans from 2000 to 2011. The analysis is run within elected mayors only.*

Table D.6: Actor Status and Mayor Removal (Among Appointed Mayors Only, 2000-2011)

Dependent Variable:	Mayor Removed		
Model:	(1)	(2)	(3)
<i>Variables</i>			
(Intercept)	0.0045 (0.0078)		
Outsider Prosecutor	-0.0025 (0.0020)	-0.0020 (0.0020)	-0.0011 (0.0018)
Outsider Governor	-0.0002 (0.0019)	0.0028 (0.0020)	0.0037 (0.0023)
Capital city	-0.0030 (0.0019)	-0.0044 (0.0026)	-0.0042 (0.0025)
Econ crime pc	0.0001 (0.0001)	0.0001 ( $9.5 \times 10^{-5}$ )	$2.95 \times 10^{-5}$ ( $9.41 \times 10^{-5}$ )
City Population (Log)	-0.0006 (0.0011)	-0.0003 (0.0007)	-0.0004 (0.0007)
Corruption score	-0.0002 (0.0012)	-0.0020 (0.0023)	-0.0008 (0.0024)
Percent Russian	$5.44 \times 10^{-5}$ ( $3.17 \times 10^{-5}$ )		
Ethnic Republic	0.0001 (0.0025)		
Year		0.0004* (0.0002)	
<i>Fixed-effects</i>			
Region ID		Yes	Yes
Year			Yes
<i>Fit statistics</i>			
Observations	3,533	3,533	3,533
R <sup>2</sup>	0.00348	0.00933	0.01079
Within R <sup>2</sup>		0.00242	0.00141

*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1. Linear probability models run on month-level data. Clustered (Region ID) standard errors in parentheses. Year-trend and region fixed-effect are included in the second model. Two-way fixed effects are included in the third model. Since the Outsider Prosecutor variable is included, the data spans from 2000 to 2011. The analysis is run within appointed mayors only.*