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AND TO PRIORITY WASHINGTON, BONN, PARIS  
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REFORM OF THE POLITICAL SYSTEM: DRAFT CONSTITUTIONAL CHANGES  
SUMMARY

1. THE PROPOSED AMENDMENTS TO THE CONSTITUTION AND TO THE ELECTORAL LAW ARE INTENDED TO IMPLEMENT THE PROPOSALS FOR REFORM PUT FORWARD BY GORBACHEV IN JUNE. THEY ARE A GENUINE STEP TOWARDS BETTER DEMOCRATIC CONTROL. BUT THEY ARE FULL OF LOOPHOLES.

DETAIL

2. THE DRAFT LAW ON CHANGES TO THE USSR CONSTITUTION WAS PUBLISHED ON 22 OCTOBER. IT SETS OUT THE CONSTITUTIONAL CHANGES NECESSARY FOR IMPLEMENTING THE POLITICAL REFORMS PROPOSED BY GORBACHEV AT THE 19TH PARTY CONFERENCE IN JUNE. AS FORESHADOWED IN GORBACHEV'S SPEECH AND IN THE RESOLUTIONS OF THE CONFERENCE, THE NEW STRUCTURE WILL COMPRISE A CONGRESS OF PEOPLES DEPUTIES WITH 2,250 MEMBERS, TWO-THIRDS ELECTED DIRECTLY AND ONE-THIRD ELECTED FROM PUBLIC ORGANISATIONS. THIS CONGRESS WOULD IN TURN ELECT FROM ITS MEMBERSHIP THE TWO CHAMBERS OF THE SUPREME SOVIET - A COUNCIL OF THE UNION AND A COUNCIL OF NATIONALITIES, EACH HAVING JUST OVER 200 SEATS. THE DRAFT LEGISLATION DEFINES THE COMPETENCE OF THESE BODIES, AND ALSO OF THE PRESIDUM AND THE NEW PRESIDENT OF THE SUPREME SOVIET. A DRAFT LAW ON THE ELECTION OF PEOPLES DEPUTIES WAS PUBLISHED ON 23 OCTOBER. THIS EXPANDS BUT APPEARS TO ADD LITTLE TO THE CONSTITUTIONAL PROVISIONS.

3. THE FOLLOWING POINTS EMERGE FROM A FIRST READING OF THE DRAFT LEGISLATION:

(A) THE SUPREME SOVIET WILL SIT FOR TWO SESSIONS OF BETWEEN THREE AND FOUR MONTHS EACH YEAR. THE SUPREME SOVIET IS ALSO VESTED WITH MANY FUNCTIONS WHICH PREVIOUSLY FELL TO THE PRESIDUM OF THE SUPREME SOVIET.

(B) THE NEW SUPREME SOVIET WILL HAVE A GREATER ROLE IN THE DEMOCRATIC CONTROL OF FOREIGN AFFAIRS. IT WILL HAVE THE FORMAL RESPONSIBILITY FOR SETTING UP THE DEFENCE COUNCIL WHICH WILL BE CHAIRED BY THE PRESIDENT OF THE SUPREME SOVIET. IT WILL ALSO DECIDE ON THE DEPLOYMENT OF THE SOVIET ARMED FORCES, ALTHOUGH THIS RIGHT WILL

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DEVOLVE TO THE PRESIDUM WHEN THE SUPREME SOVIET ITSELF IS NOT IN SESSION.

(C) THE PRESIDUM OF THE SUPREME SOVIET WILL CONSIST OF THE PRESIDENT AND FIRST DEPUTY PRESIDENT OF THE SUPREME SOVIET, THE PRESIDENTS OF THE REPUBLICAN SUPREME SOVIET, AND OTHER EX-OFFICIO PARLIAMENTARY FIGURES. IT WILL ISSUE DECREES AND RESOLUTIONS AND FORMALLY APPOINT SENIOR ARMY OFFICERS AND DIPLOMATIC OFFICIALS.

(D) THERE WILL BE A NEW COMMITTEE OF CONSTITUTIONAL SUPERVISION, RESPONSIBLE ONLY TO THE CONSTITUTION. ITS MEMBERSHIP WILL BE ELECTED BY THE CONGRESS OF PEOPLES DEPUTIES FROM SPECIALISTS IN THE FIELDS OF POLITICS AND LAW. ITS MEMBERS MAY NOT BE DEPUTIES OF THE CONGRESS OF PEOPLES DEPUTIES.

(E) UP TO ONE-FIFTH OF THE MEMBERSHIP OF THE SUPREME SOVIET MAY BE CHANGED EACH YEAR. THE REPLACEMENTS WILL BE DRAWN FROM THE CONGRESS OF PEOPLES DEPUTIES BUT THE MECHANISM OF SELECTION IS NOT SPELLED OUT.

(F) THE POLITICAL SYSTEM AT REPUBLICAN LEVEL WILL MIRROR THAT AT UNION LEVEL. THE RIGHTS OF REPUBLICAN PARLIAMENTS IN RELATION TO THE CENTRE AND TO OTHER REPUBLICAN AND SUPREME SOVIETS REMAIN UNCHANGED.

4. THE DRAFT LEGISLATION IS NOW OPEN FOR 'PUBLIC DISCUSSION.' THIS IS MEANT TO CONCLUDE BY 25 NOVEMBER. THE PROPOOSALS WILL THEN GO FOR RATIFICATION BY THE NEXT SESSION OF THE SUPREME SOVIET IN NOVEMBER, THUS MAKING IT POSSIBLE TO HOLD NEW ELECTIONS IN MARCH AS PLANNED. THIS IS A TIGHT TIMETABLE AND COULD SLIP.

COMMENT

5. THE PROPOSED CHANGES SPELL OUT MUCH MORE CLEARLY THAN BEFORE THE FUNCTIONS OF THE SUPREME SOVIET AND ITS ATTENDANT BODIES. THEY ARE DESIGNED TO CHANGE THE SUPREME SOVIET FROM A RUBBER STAMP INTO A BODY HOLDING GENUINE LEGISLATIVE SESSIONS, AND WITH SOME REAL POWERS OF DEMOCRATIC CONTROL. THE LIMITATIONS ON THE LENGTH OF TIME FOR WHICH OFFICES MAY BE HELD, AND THE PROVISIONS FOR RENEWAL, ARE MEANT TO ENSURE THAT THE GERONTOCRATS CANNOT RETURN. THE FORMAL CONTROL OVER THE DEPLOYMENT ABROAD OF SOVIET TROOPS LOOKS A BIT LIKE THE UNITED STATES WAR POWERS ACT.

6. THE PROPOSALS THUS REPRESENT A REAL STEP FORWARD, BUT THEY DO NOT AMOUNT TO A SET OF CAST IRON DEMOCRATIC GUARANTEES. THE PRESIDENT WILL, UNDER THE NEW SYSTEM, STILL HAVE THE POWER TO ACT WITHOUT THE PRIOR APPROVAL OF THE SUPREME SOVIET. THE COMPOSITION AND POWERS OF THE DEFENCE COUNCIL ARE SET OUT NO MORE CLEARLY THAN IN THE PAST. THERE IS PERHAPS NOT SURPRISINGLY) NO REFERENCE TO THE PARTY'S MONOPOLY OF POLITICAL POWER, NOR OF WAYS IN WHICH THIS MIGHT BE MODERATED.

7. IN SHORT, THIS IS PROGRESS. BUT THE PROOF WILL BE VERY MUCH IN THE EATING. CYNICAL RUSSIANS WILL REMEMBER THAT STALIN'S 1936

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CONSTITUTION USED TO BE HAILED AS THE MOST DEMOCRATIC IN THE WORLD.  
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