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Aleksei Navalny sentenced: the elite's struggle with the opposition deepens the cracks within it

Jadwiga Rogoża, Wyrok dla Aleksieja Nawalnego: walka z opozycją pogłębia pęknięcia w elicie

On 18 July, a court in Kirov sentenced Aleksei Navalny, the Russian opposition's most prominent leader, who is running for the office of mayor of Moscow, to five years in a penal colony. Navalny was convicted of embezzlement while serving as an adviser to the governor of the Kirov region. After the verdict was announced he was arrested, although at the prosecution's request the court released him from custody the next day, only maintaining the ban on Navalny leaving Moscow before the appeal is heard. Formally, this allows Navalny to run in the mayoral elections to be held on 8 September.

The trial, which was generally considered to have been fixed, and the harsh sentence for a political opponent of the Kremlin has sparked much controversy in Russia. This case, along with other instances of opposition and civil-rights activists being harassed, is a symptom of the increasingly repressive nature of the Russian state since Vladimir Putin returned to the presidency. However, this repressiveness has also been affecting representatives of the state administration: criminal cases, searches and arrests of officials have become part of everyday life, and the sense of threat and instability in the ranks of the bureaucracy is growing. Along with the increase in repression, a sense of discord within the ruling camp is strengthening, a feeling which the Navalny trial has intensified; the chaos of the decision-making process concerning a key opponent gives an impression that the state is vacillating when taking the relevant decisions. This exposes cracks within the elite concerning how to act against its opponents, but also concerning the roles and ranks of the main players within the elite. In this context, the show penalty for the Kremlin's main opponent, intended to remove him from public and political life over the coming years, may only fan social tensions and serve as a catalyst for the erosion which the elite has been undergoing since Putin's return to office.

Sentence and reactions

The court in Kirov found Navalny guilty of arranging the theft of 16 million roubles worth of timber belonging to the state-owned Kirovles company while he held the post of social adviser to the governor of the Kirov region, Nikita Bielykh (a politician with a liberal background). Navalny was sentenced to five years in a penal colony and a fine of half a

million roubles, and was arrested in the courtroom. However, the same day the prosecutor unexpectedly asked for his release from custody pending the outcome of the appeal (though the prosecutor himself had previously applied for Navalny's arrest), and the court changed the preventative measure from detention to a travel ban.

The initial harsh sentence for Navalny triggered a wave of discontent; spontaneous rallies of solidarity were held in Moscow (where about 5000 people participated) and several other Russian cities. The sentence provoked a critical reaction from the West; 'concern' and 'disappointment' at the verdict were expressed, by the EU's head of foreign policy Catherine Ashton, the US Ambassador to Russia Michael McFaul, and the British foreign minister William Hague, among others.

The trial itself is widely regarded within Russia as having been fixed, and is seen as the Kremlin's response to the growing unrest in society and the gradual emergence of a political alternative to the ruling camp. The expansion of the social base of protest which has been observed in recent years has led to the authorities harassing not only the leaders of the opposition, but also numerous, often random participants in demonstrations, as well as volunteers and NGO activists. In the short term, the government's policy of force is paralysing some of the civic activity, and is also striking at the financial potential of the NGO sector. At the same time, however, it keeps fuelling anti-government sentiment; for example, Navalny's sentence has contributed to a rise in his popularity, and the arrest in early July of the opposition mayor of Yaroslavl, Yevgeny Urlashov, has boosted the poll ratings in the region of the party embodying the protests (the Civic Platform, linked to Urlashov, now has 30% and the Communists 28%), while support for the 'party of power', United Russia, has dropped to 5%.

Navalny: the political perspectives

Formally, the court's decision allows Navalny to run in the elections for mayor of Moscow scheduled for 8 September. In practice, however, the decision as to whether he participates in the elections will be a political decision, taken at the highest level, and will in all likelihood depend on Navalny's poll ratings.

These are now significantly lower than those of the front-runner, the incumbent mayor of Moscow, Sergei Sobyanin; however Navalny's figures are showing a continuous upward trend. Last month, support for Navalny's candidacy rose from 3 to 9% (in a poll conducted by the pro-Kremlin VTSIOM on July 23; Sobyanin had 54%), and Navalny's campaign staff have even cited a figure of 15%. Navalny's growing popularity has been boosted by both the harassment from the authorities, which the media have been actively discussing, as well as by the dynamic campaign run by his staff, which is made up of younger volunteers. A clear attempt to counteract this trend during the last days of the campaign by discrediting him has been taking place on the Internet.

Navalny's participation in the campaign reinforces his democratic legitimacy, and has promoted him from the role of a popular social activist to that of a major politician, who at

present constitutes the only viable political alternative to the government. In addition, the persecution and sentence by the court have strengthened his status as an 'icon of the opposition', and consolidated support from many people who had previously been undecided.

The disproportion of power and influence between Navalny and Sobyanin – the latter with all the ruling elite's power behind him – means that the Kremlin does not regard the opposition activist as a threat in the context of the elections for mayor of Moscow (as he has no real chance of winning). Furthermore, a definitive penal sentence could remove him from public life for several years. According to the amendments to the relevant regulations, which are currently being passed in the Duma, even a suspended sentence would deprive him of his electoral rights. However, Navalny remains a major challenge for the government in the long run, both as a potential political alternative, and as the first grass-roots community leader who has gained great popularity through initiatives related to public supervision of the government (anti-corruption projects, the monitoring of elections, *et al.*). As the author of popular and eye-catching online social campaigns, Navalny has proved effective at dismantling the government's positive image in urban environments. He has been able to promote his activities outside the traditional political and media spaces (by using new technology), and has gradually built up a vast network of partners and allies, especially among the younger generation.

Cracks within the elite

The Navalny case, which was supposed to be a show of force against the opposition, has at the same time proved to be a catalyst of disputes within the elite itself. These concern both the degree of the repression against political opponents, and more broadly the positions and influence of the main players in the elite. One sign of dissent behind the scenes in this case was the amendment of the decision to arrest (and then release) Navalny, an unusual move for the Russian judiciary. The two sides in this dispute were those who supported the use of serious force (the Investigative Committee) and those who supported more moderate methods, including Sergei Sobyanin, who is interested in winning the elections for mayor of Moscow with 'clean hands'; this would strengthen his own political legitimacy, which some commentators have linked to his ambitions in the context of President Putin's legacy. In this case Sobyanin has been supported by the Kremlin strategist Vyacheslav Volodin, as well as by the Prosecutor's Office, which has its own disputes with the Investigative Committee.

This internal dispute, which the Navalny case has catalysed, is taking place against the background of intensifying conflicts within the elite, including the so-called '*kompromat* wars' (the leaking, most likely by other members of the elite, of information compromising senior officials). Even Putin's most trusted associates have come under attack in this struggle, and their positions cannot be guaranteed. One example of this may be the case of the alleged dismissal of the head of Russian Railways, Vladimir Yakunin. Furthermore, the campaign of harassment against officials and politicians is gathering pace; conducted under the guise of an anti-corruption campaign, it aims to intimidate and discipline the

Kremlin's base of political support, which has been showing signs of unrest. The media have been publishing daily reports on numerous corruption investigations, arrests, interrogations and inspections; the latest example is the sentence of 9½ years in a penal colony handed down to a former governor of Tula for corruption.

The intensification of conflicts within the elite and the repressive nature of the political system is at the same time accompanied by a feeling of instability within the coordination of the key political processes. The chaos in the decision-making process revealed by the Navalny case shows that, even when confronted by an important political opponent, the Kremlin did not formulate a coherent strategy to deal with him in advance which could have been implemented with determination and without public 'mood swings'. This may indicate the beginning of the erosion of the main decision-making centre in the Kremlin. Such a sense of weakness, in turn, may portend the severity of the internal strife which may break out within the elite if the situation in the country deteriorates – whether because of economic difficulties (such as the budget cuts projected for 2014), or other disturbances.