



# UNISCI Discussion Papers

## RUSSIAN CIVIL SOCIETY AND GOVERNMENTAL POLICY

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...I am confident that a mature civic society would be the best guarantee of the continuity of change. Only free people living in a free country can achieve genuine success. It's the foundation of Russia's economic growth and political stability, and we'll do our best to let every individual display his talent: to help the growth of a multiparty system here, we must boost personal freedoms of the people.

These promises have been emphasized by Vladimir Putin, when entering his second term as a president in Russia in 2004. Unfortunately, this situation seems too distant from the reality in Russia nowadays. However, it would be interesting to undertake an analysis of the recent national policy towards the civil society in Russia and try to follow the logic of its development. What is the relationship between the power and civil society in Russia, and what are the underlying causes for their interaction? And the question of major importance, what are the present perspectives for the civil society in Russia?

### Introduction

In seeking responses to these questions we need to start with the history of the post-Soviet transformation, and check what are the milestones in this period for the civil society development. In general, processes of post-Communist transition have been divided into 3 phases: breakthrough, structural reforms, and stabilization and consolidation<sup>2</sup>. Using this framework, the Russia's post-Communist transition can be divided into the following three stages with consequent sub-divisions:

*Stage 1:* The period of political breakthrough (1987-1991):

- February 1987 – May 1988: “the awakening”, birth of the political public sphere;

<sup>1</sup> *Las opiniones expresadas en estos artículos son propias de sus autores. Estos artículos no reflejan necesariamente la opinión de UNISCI.* The views expressed in these articles are those of the authors. These articles do not necessarily reflect the views of UNISCI.

<sup>2</sup> Brzezinski, Zbigniew: “Polska scena obrotowa”, *Polytika*, 29 October 1994. For Brzezinski's analysis see Jakubowicz, K. “Chapter 7” in Price, M., Rozumilowicz, B. and Verhulst S. (eds.) (2001): *Democratizing Media, Democratizing the State: Communication Law and Policy in Transition*. London / New York, Routledge.



- June 1988 – December 1990: democratization of the leadership and society, consolidation of civic movement, the peak of mass demonstrations and wave of public (environmental, economic etc.) protests;
- January 1991- August 1991: internal political struggles in the leadership, military coup failure, peaceful revolution, establishment of the independence, dissipation of the Soviet regime and state.

*Stage 2: Laying the foundations of the national state and launching radical economic reforms (1991-1994):*

- August 1991 – December 1993: radical political reforms, free elections, new Constitution;
- January 1992 – December 1994: radical economic reforms; mass establishment of NGOs and small businesses;
- 1995 - democratization of local power structure, establishment of local self-government and municipalities.

*Stage 3: Stabilization period (1995-2005)*

- 1996-1998 – continuation and harmonization of political and economic reforms;
- 1999- 2004 – economic growth, development of civil society; Civic Forum in Moscow;
- September 2004 - anti-terror measures and anti-democratic reforms.
- October-December 2004 - independent NGOs and media become marginalized.
- January –March 2005 – mass protests against the governmental reforms (privileges exchanged for cash money) in the social sphere in big cities – St.Petersburg, Nizhny Novgorod.
- April - May 2005 – court proceedings on Khodorkovsky’s case.
- November 2005 - first meeting of the newly established Public Chamber.
- December 2005 – pickets against the new law on tightening control over NGOs.

After 4 rounds of free elections in the country (1992, 1996, 2000, 2004), there were obvious signs of political consolidation. Several mergers had reduced the number of political parties represented in Duma. Political allies and opposition became clearly distinguishable and the preferences of the electorate along party lines stabilized. Stabilization and consolidation, however, did not help in building up the trust in the democratic institutions, and in particular, after the recent political reforms, led to decreased popularity and mistrust towards the administration and power structures. In fact, after September 2004 public polls revealed the sharp decline of faith in the economic and internal policy, collapse of trust in almost all political leaders, with lessened but still remained trust in the president as only



exception (42% in comparison with 62% in 2003)<sup>3</sup>. At the same time there is no external cause for the crisis: economic progress continued, business development indicators improved, and international recognition of Russia (primarily its relations with the EU and USA) were being re-confirmed. This turn in public opinion towards growing dissatisfaction can be interpreted as the start of a new, fourth period in Russia's post-Communist transformation, which many observers now assess as authoritarian trend in the political development of the Russian state. The role of personal leaders in Russia's system is traditionally very high and these fluctuations of the relations between the political leader and people are important and significant marks of internal social changes. The only reliable opposition to emerging authoritarianism could be the civil society, but where is it in Russia? The experts' evaluations of Russia reveal almost opposite opinions: from inexistent and very weak to a strong and independent civil society.

## 1. Civil Society, Third Sector, NGOs

Defining what "civil society" is might help to understand this phenomenon, if it were not so wide and vague, referring to the various forms of self-organization of the people. All associations that individual citizens join in order to pursue their own private interests autonomously from the state, including professional, sport, religious societies, charity, non-profit and grassroots are considered non-state or civic organizations. In this relation, this concept has a very positive, though fluid normative understanding, and the theorists of civil society have defined this concept according to their own experience and purposes<sup>4</sup>. This public sphere is usually also called a "third sector", additional to the "main" sectors of the government and commerce. However, as James Richter notes,

the third sector is an integral part of civil society but is not identical to it. Whereas civil society encompasses all formal and informal associations, ...the third sector refers more specifically to the formal, functionally differentiated and frequently professional non-profit organizations that interact with state and market actors. The third sector performs civil society's external functions of aggregating interests, pressuring and monitoring the state, but it contributes little to its internal functions. Internally, such associations instill habits of cooperation, solidarity, public-spiritedness and respect for legitimate authority. Externally, such networks aggregate interests and articulate demands to ensure the government's accountability to its citizens<sup>5</sup>.

As the state does not stand in isolation from the society, its reproduction depends upon the people it governs. The extent to which members of society have the resources to articulate an independent voice, and the capacity either to assist or to resist the government and its policies, are the indicators of the civic self-organization in relation to the state. They also play a significant role in maintaining and protecting democracy.

The most common organizational forms in the third sector are usually non-governmental organizations (NGOs), and in general reliable estimations for the numbers of NGOs are

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<sup>3</sup> Only 24% of the 1,500 respondents from across Russia said they trusted the president, a drop from 41% at the start of 2004. Another opinion poll put support for Mr Putin at 43%, his second lowest rating. See <http://www.wciom.ru/?pt=41&article=1146>

<sup>4</sup> Kharkhordin, Oleg: "Civil Society and Orthodox Christianity". *Europe-Asia Studies*, Vol. 50, No. 6, (1998), pp. 949-969

<sup>5</sup> Richter, James: "Promoting Activism or Professionalism in Russia's Civil Society?" *PONARS Policy Memo*, No. 51 (November 1998), p. 1.



difficult to procure. Records are regularly kept only for officially recognized NGOs. But in practice,

...they span a continuum from those that are purely voluntary groups with no governmental affiliation or support, to those that are creations and arms of governments. Moreover, many are highly market driven or are creations of corporations so that they are, for all practical purposes, profit-making “non-governmental” groups. Finally, many groups are difficult to categorize as they might be environmental, as much as development or human rights or social justice groups, especially in the less-industrialized countries<sup>6</sup>.

According to the Center for Development of Democracy and Human Rights, Russia has now over 400,000 active NGOs, 2,000 of which are exclusively devoted to human rights advocacy and 15,000 of which deal with human rights among other issues. Unfortunately, there is still lack of reliable data on NGOs in general, but selected statistical data on active environmental NGOs below for consideration of overall non-governmental activity in Russia could provide a representative picture.

In estimation by Regional Environmental Center in Moscow,<sup>7</sup> defining the exact number of environmental NGOs also proved to be a difficult task. Not all NGOs in Russia are officially registered and some previously registered organizations have ceased to exist or have changed their areas of activity. A phenomenon of NGO “mimicry” must also be considered: some groups declare themselves as “non-profit, non-governmental environmental organizations” to gain advantages from such status. So, the approximate number of environmental NGOs has been estimated by REC as 800 to 1,000 in Russia incorporating 5,000-10,000 active members and permanent staff. With regard to protest actions, most NGOs participate on an irregular basis, but the potential is quite high here: three fourths of NGOs could be mobilized for protest actions with each organization mobilizing from 100 to 10,000 supporters. One third of NGOs are involved into social and political activities and have detailed action plans in this area. According to the registration status, the majority of environmental NGOs work as regional or inter-regional organizations, while 3% claim national status. There is clear distinction between their establishment periods – only minority have been existing before 1987 (11%), and they represented Soviet organizations in their operation and scale; majority have been created between 1987 and 1991 (45%); and almost the same proportion (44%) created after 1991. Every 10<sup>th</sup> organization is active in political life and older NGOs are relatively more politicised. But the younger NGOs have an obvious advantage in their ability to communicate via e-mail and in English (79% for the new NGO generation and 67% for the old generation). The younger environmental NGOs have greater concern for grass-roots activities and have a more intense desire to foster horizontal cooperation and networks with other organizations. The leading financial source for young NGOs is aid from foreign and international organizations. Up to 40% of the young NGOs indicated that they receive the biggest part of their funding from this source, another 20% noted that their main source is domestic non-governmental grants and donations. In contrast, the old NGOs enjoy substantial financial support from domestic private donations and grants (33%) and membership dues (22%). They also have a more developed administrative infrastructure, possess certain political capital, while younger NGOs are more active in establishing international contacts and grass-root networks, being also more viable and sustainable social organizations due to their flexible structure<sup>8</sup>.

<sup>6</sup> Princen, Thomas and Finger, Matthias (1994): *Environmental NGOs in World Politics: Linking the Local and Global*. London / New York, Routledge, (first published in 1992), p. 15.

<sup>7</sup> <http://www.rec.org/REC/Publications/NREC/needs3.html>.

<sup>8</sup> *Ibid.*



In the external evaluation by experts, the key challenges facing the third sector in Russia can be summarized as outreach, representativeness, sustainability and transparency. Outreach means that NGOs must try to make a tangible, positive impact on the lives of as many people as possible; in the sphere of representativeness they must ensure that their activities respond to constituent needs rather than serve individual, governmental or international agendas; they must have sufficient sources of revenue to sustain themselves without relying exclusively on governmental or international assistance; and follow procedures to ensure openness and prevent corruption<sup>9</sup>.

The effectiveness and efficiency of the civic actions and the impact of specific projects implemented with the international donors' aid have been the target of a comprehensive evaluation commissioned by the OECD in 1996-1997. 13 country case studies on southern and northern NGOs and some community-based organisations have been conducted, as well as assessment of NGO's interventions from reports of 240 projects undertaken in 26 developing countries. With some limitations, emphasizing that there is still a lack of firm and reliable evidence on the impact of NGO development projects and programmes, this evaluation provided "a positive and consistent picture" of the NGO development projects and programmes: 90 per cent of projects had achieved their immediate objectives where quantitative data was provided<sup>10</sup>. Such massive and overall assessments were not conducted for the NGO-led projects in Russia, but many donors are undertaking their internal evaluations for Russia-based projects regularly. It is mainly dramatic fluctuations in the domestic policy, especially legislation on charities and taxation, rather than ineffectiveness or failure in the project objectives and outcomes that change the attitudes of the donors to their activities in Russia. Some of the largest foreign donors, such as Soros's Open Society Institute or US Agency for International Development (USAID), have either closed their offices in Russia or significantly reduced assistance to Russian NGOs in the recent period. There are few domestic alternatives for non-state funding, particularly after September 2004.

## **2. From Civic Forum to Public Chamber**

However, in spite of these serious problems that are not to be solved quickly, the development of NGOs in Russia have been a successful process, and one of the evidences of their achievement was the Civic Forum, organized in Moscow in November 2001 with the participation of 5,000 NGOs. This was an initiative from the Kremlin authorities, supposed to facilitate a "permanent, inspired and mutually beneficial dialogue with the Administration"<sup>11</sup>. First of all, the organization of the Forum was *de facto* a recognition of the growing third sector and the strengthening of the civil society. There were tens of thousands of active NGOs in various spheres of social activity in all regions of Russia. Some of them had extended horizontal networks able to self-organize quickly and effectively. All these capabilities were in demand when the initiative from the Administration reached selected leaders and activists in Moscow and St-Petersburg. They have been able to quickly disseminate information about the proposed Forum agenda, modify and adjust it to their interests and organize the open election of the delegates to this Forum. National NGOs, led by experienced and authoritative

<sup>9</sup> Richter, James: "Promoting a Strong Civil Society: US Foreign Assistance and Russian Non-Governmental Organizations", *PONARS Policy Memo*, No. 13 (September 1997), p. 4.

<sup>10</sup> *Searching for Impact and Methods: NGO Evaluation Synthesis Study*. Report prepared for the OECD/DAC Expert Group on Evaluation (1997), in <http://www.valt.helsinki.fi/ids/ngo>.

<sup>11</sup> Nikitin, Alexander and Buchanan, Jane: "The Kremlin 's Civic Forum: Cooperation or Co-optation for Civil Society in Russia?", *Demokratizatsiya*, Vol. 10, No. 2, (2002), pp. 147-165.



human rights and environmental organizations (Memorial, Moscow Helsinki Group, Socio-Ecological Union) formed a Peoples' Assembly coalition to guide this process and were able to resist the Administration efforts to control the agenda, format and participants of the meeting<sup>12</sup>. The senior officer in the Social Policy Department under the Presidential Administration<sup>13</sup> was impressed by this open and democratic process of Forum preparation and acknowledged that "though this event took place in the Kremlin, nonetheless, both the President and the Prime Minister, governors and ministers did not organize it, but were invited to participate in this Forum".

The Forum resulted in establishing a dialogue to start the negotiation process with the government on the most vital issues in the public life. One of the outcomes of the Forum was order by the Administration to organize in each Federal Ministry an office for public relations and a website with information supposed to respond to the questions from the citizens, and which can be accessed from their associations. At the opening of the Forum, President Vladimir Putin said that "there cannot be a strong democratic state in the context of a weak society". In spite of this rhetoric and different initiatives to speed up societal changes in Russia, outside observers argue that since Putin came to his office his real intentions are to control the civil society and domesticate it, and this is evident in his acts since 2001<sup>14</sup>.

Indeed, the idea to establish a continuous institutionalized interaction between the power and the people has been channeled by President's Administration via three main initiatives – establishment of one representative trade union organization, a professional media union for journalists (with access to high-ranking officials in exchange for "constructive" coverage of governmental policies) and dialogue with the third sector organizations.

Practically all these initiatives have been eventually implemented: the Federal Law on formal representative for the labour relations has been adopted<sup>15</sup>, a TV channel *Russia Today* has been created to export the image of democratic Russia to the West; and just recently, on 23 December 2005, the establishment of the Public Chamber has been completed. The task of mobilizing the civil society in the right direction has also been expanded onto the media. In the article by Svetlana Babaeva, a politics editor, and Georgy Bovt, the chief editor of *Izvestia*<sup>16</sup>, the passivity of Russian society is explained from the historical point of view - authors stress that all innovations since Peter the Great were introduced in Russia by forcible methods, and argue for measures to promote modern civil society from above. They propose that self-regulating public associations be created "by order of the President", issued to the business and bureaucratic community. Authors wrote that "it is essential that such associations be given a scope of competence and a set of powers".

This proposal was obviously forerunning the Federal Law on the Public Chamber, and the composition of this extra-parliamentary organ, where "all of the more-or-less notable figures within the political spectrum" represent those associations. The idea of this independent public institution originated from the regional trips of Vladimir Putin under the government of Boris Yeltsin. He praised those regional and municipal public chambers because of their ability to occupy the niche for interaction between the local people and the

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<sup>12</sup> *Ibid.*, p. 148.

<sup>13</sup> Personal communication in early 2002.

<sup>14</sup> Mendelson, Sarah E: "Russian's Rights Imperiled", *International Security*, Vol. 26, No. 4, pp. 39-70.

<sup>15</sup> Federation of Independent Trade Unions (FITU)

<sup>16</sup> "It is Too Early to Relax, Russia", *Izvestia*, 24 May 2004.



regional administrations. Consequently, this idea has evolved into the Federal Law on the Public Chamber, adopted in summer 2005. According to the law, the chamber is supposed to “accumulate and summarize public proposals that will be directed to the president, so-called civic initiatives.” However, the goals of the Public Chamber still require clarification and are explained in different ways. Its goal has been articulated by President Putin during his visit to India in December 2005 as “assessment of the most important state decisions by civil society”, while the President Administration emphasizes bridging the gap between people and power and a specific mechanism of interaction between society and authorities. In the law introduction, the Public Chamber has been presented to the State Duma as a tool for public involvement into the state policy implementation. In addition, the chamber shall defend democratic institutions and coordinate the interests of governmental bodies and citizens.

The ideology of the Public Chamber has been criticized in the recent Parliamentary Assembly of the Council of Europe resolution on Russia from the point of view that a new organ with functions that are usually fulfilled by a democratically elected and pluralistic parliament, on one hand, and an independent and free civil society on the other, is a dubious invention. There are also other evidences from the national experts: some assess it as the initiated but failed administrative reforms, some refer to another variety of hidden control of the political elite over civil society, others point to the President’s idea implemented by his administration in the form of another quasi-bureaucratic structure.

The structure of the Public Chamber is composite – there are 126 members with three different levels of representation. In the first round President nominated 42 persons “with exceptional public merits”<sup>17</sup>, in their turn they have elected 42 persons from 200 candidates representing 186 national non-governmental organizations, and in the final round, the last third of the members (six from each of Russia’s seven Federal Districts, from 80 candidates representing regional organizations) has been elected on 23 December 2005<sup>18</sup>. The members of the Public Chamber are businessmen, scientists, religious representatives, non-governmental leaders, sportsmen, public and art figures; there are also representatives of the former Soviet *nomenklatura*. Formation of the first echelon of the Chamber went on in an atmosphere of high confidentiality, the candidates were supposed to support this initiative and accept the membership proposal rather than reject or criticize it. The majority of human rights activists and most authoritative non-governmental organizations oppose Public Chamber establishment.

The Public Chamber shall ensure control over the governmental activity, and executive bodies of all levels – federal, regional, and local (self-government) administration. A council of 15 people will be elected to head the chamber, and 13 commissions are supposed to work in the sphere of security, social policy and environmental protection. Working groups are to be formed under these commissions. Chamber recommendations, statements and appeals require the formal reaction from the executive governmental bodies. The information on the Chamber work will be disseminated through its Internet site and via media channels, at least an hour per month is allocated for the publication of its activity at the national TV and radio stations. However, the first meeting of the Public Chamber in November 2005 already revealed that the positions of its members could be quite contrasting, and it will not be easy to reach a consensus in the decision-making process. Nevertheless, half of the members of the Public Chamber opposed a controversial draft law aimed at tightening state control over

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<sup>17</sup> Public Chamber personnel list in <http://www.polit.ru/news/2005/09/30/palata.html>.

<sup>18</sup> The Chamber, in its current composition, will sit for two years, and its first formal meeting is due to be held in January 2006.



NGOs in Russia, and have asked the Duma to delay voting on the legislation until consequences are scrutinized in full. This request was not accommodated, as on 23 November 2005 a law has been approved in the third reading at the State Duma. In the last meeting on 23 December the members issued a statement expressing that the law amended in the State Duma “contains a number of serious flaws” and declared their intention “to continue work to improve this draft law”<sup>19</sup> that needs the Federation Assembly approval<sup>20</sup>.

In its present form, the law would force all NGOs currently operating in Russia to re-register with a special state commission within a year and would also allow the state to control the funding and expenses of NGOs. All of them, from human rights and environmental groups to cultural associations and sports clubs, would be affected. Russian human rights ombudsman Vladimir Lukin has said that the law violates the Russian Constitution and international legislation. Lev Levinson, an expert at the Institute for Human Rights, said that the bill would unlawfully seize control over public life: “The initiators of this law mix up public and government [life]... We are entitled to demand transparency from them, but they cannot demand transparency from us... NGOs would have to show their activities to yet another police organ”. NGO leaders called on the parliament on 22 November to reject the bill in a collective appeal signed by some 1,300 people. They branded the proposed legislation “the most odious decision in the past 15 years”<sup>21</sup>.

According to Alexandr Petrov, Human Rights Watch’s regional deputy director, this law would force many foreign-funded NGOs to close down, as it severely limits the ability of Russian organizations to receive foreign funding or employ non-Russian workers. Many observers say the new NGO bill reflects state fears that foreign-funded NGOs organized and maintained popular protests that overthrew governments in Georgia, Ukraine, and Kyrgyzstan. The government is worried that NGOs could be planning a similar revolution in Russia. In this context, President Putin publicly said in July 2005 that he would not allow foreign-funded NGOs to carry out political activities. Moreover, there are signals from the Kremlin administration that the national or ethnic movements and the leading NGOs in this sphere are now being perceived as a threat to the national security. This can serve as an indicator of another shift in the political actors behaviour – in the sphere of traditional military security guarding the national sovereignty - towards the evaluation of potential threats to the ruling elite coming from the national and liberal movements.

So, the objective on civil society development is considered a vital element in the national strategy and a “new” security task. That is why the new law on NGOs has been preceded by a vote in the Duma on 18 November to allocate some 500 million rubles (\$17.4 million) to promote civil society in Russia and defend the rights of Russians in the Baltic states. This is assessed as an immediate “response” to a recent decision by the U.S. Congress to earmark \$4 million for the development of political parties in Russia<sup>22</sup>.

<sup>19</sup> *Interfax*, 23 December 2005, in <http://www.interfax.ru>.

<sup>20</sup> On 27 December 2005, the Federal Assembly approved this Law. See [http://www.hr.wu.ru/russian/press/russia/2005/281205\\_npo.html](http://www.hr.wu.ru/russian/press/russia/2005/281205_npo.html)

<sup>21</sup> Bigg, Claire: “Russia: NGOs Say New Bill Threatens Civil Freedom”, in <http://www.rferl.org/featuresarticle/2005/11/45a60888-5deb-4700-80cb-4dc3f68f277.html>

<sup>22</sup> *Ibid.*





### 3. Governmental Policy in relation to Civil Society

How these actions could be understood in the recent historical perspective? Russia in the period of Putin's presidency has been forced to confront two serious challenges in the domestic policy. Number one was economic modernization, completion of economic reforms, and removing Russia from the trap of the adaptive economic model<sup>23</sup>. Number two was the consolidation of the state and bringing law and order into the economy. These two problems are still on the agenda and define the current political and economic situation in the country. Experts tend to interpret it as a conflict between business and bureaucracy, or between the financial and administrative resources<sup>24</sup>. The conflict, however, has taken a definite shape and remained unresolved until autumn of 2004. Now there are no doubts that the Beslan tragedy in September 2004 triggered the forcible methods from the Putin administration for its resolution<sup>25</sup>. Among other follow-ups were the special cabinet meeting attended by regional governors, where Putin said that strengthening central government control was a necessary part of the fight against terrorism, and announced plans to create a new federal anti-terror agency. Putin admitted Russia's fight against terrorism had not been effective so far, and went on to put forward a series of radical and far-reaching reforms, including electing deputies of the state's lower house of parliament, the Duma, solely on a party-list basis; nominating regional governors by the Head of State for approval by the regional parliaments; creating security services to increase their international co-operation, etc. It is important that among these "security measures" was a proposal to establish the Public Chamber, an initiative to give Russian people a forum to debate government decisions. However, this proposal was not in contradiction with the overall political changes, aimed at the further tightening central control over the country. When in summer 2004 a new Federal Law restricting public demonstrations was introduced, several international organizations<sup>26</sup> expressed their concerns about this new bill that severely restricts the rights of civil society to peaceful public demonstration and assembly; and does not insure compliance with the subsequent international, regional, and national regulations, thus contradicting their obligation to ensure the protection of basic human rights and freedoms<sup>27</sup>. The civil society opposition in the country also criticized these measures, called by Grigory Yavlinsky, one of the well-known liberal political leaders, "soft Stalinism".

One of the first follow-ups of the September anti-terrorist measures was a decree issued by Putin in November 2004 on the reorganization of the Presidential Commission for Human Rights into a Council for Development for Civil Society and Human Rights, headed by Emma Pamfilova. Some of the experts see the relative weakness of the Russian third sector "in the fact that Mrs. Pamfilova and the member activists did not make their participation conditional on Presidential assurances that they would have an independent voice in setting the agenda of the Council"<sup>28</sup>. As a result, instead of focusing on human rights violations committed by the state, major tasks of this Council could be to fight corruption or to address human rights

<sup>23</sup> Term proposed by Russian Academician Viktor Polterovich

<sup>24</sup> Evgeny Yasin, Research Director of the Higher School of Economics, Moscow

<sup>25</sup> After 3-day siege in Beslan, North Ossetia at least 326 people were killed, about half of them children. On the eve of this siege, at least 10 people were killed in a suspected suicide bombing outside an underground railway station in Moscow. Another 89 people were killed in late August in a suspected terror attack when two Russian planes crashed within minutes of each other.

<sup>26</sup> The Observatory for the Protection of Human Rights Defenders, a joint program of the International Federation for Human Rights and the World Organization Against Torture

<sup>27</sup> Press-Release by *Observatory for the Protection of Human Rights Defenders*, 13 July 2004

<sup>28</sup> Richter, James: "Governmentality and NGO Activism in Russia". Paper presented at the International Studies Association 46<sup>th</sup> Annual Convention in March, 2005



violations committed by nationalistic or racist organizations in the society. This opinion is indirectly confirmed by the fact that Emma Pamfilova as the Chair of this Committee has been participating at the top level meeting in early December 2005 where the issues of NGOs functioning and a new draft Law on NGOs were discussed with the permanent members of the National Security Council<sup>29</sup>.

#### **4. Theoretical Background**

For explaining both strengthening and degrading tendencies in the development of the civil society, sociologists refer to cyclical processes in the social mobilization of the Russian population<sup>30</sup>. In the 1980s, division of the state political elite and loss of regime legitimacy created the mobilization and organizational possibilities for social movements. During the *perestroika* period they were protest-oriented; after changes within elites in 1990-91, the protest potential diminished, organizations became weaker, and the cycle of protest began to decline. During the decline of their cycle, movements operate either as pressure groups using personal networks at the political level, or as grass-root organizations with personal networks at grass-root level. Some organizations combine different practices and can be considered as a combinational model: they use grass-roots networks to pressure deputies' decisions. During transitional period society is interpreted as different as feudal<sup>31</sup> or postmodern society<sup>32</sup>. In any case the indefinite character of the social structure and absence of social classes are confirmed by scholars. Anna Temkina in her study<sup>33</sup> proposed a hypothesis that Russian social movements in the 1990's either operate by exerting pressure and manifesting protest (advocacy NGOs), or they are grass-root based (cultural and ecological NGOs). If the former aim for political influence, the latter strive for a civic community. As mentioned, both groups use the personal networks very effectively and see them as a major tool in their activity. Analyses of approaches which consider informal relations to be important for social movements are presented in Risto Alapuro's article<sup>34</sup>. He shows that researchers stress the personal sphere in contrast to the public one, and the influence of communal traditions on the relations between activists and supporters.

The distinction between private and public is very important for understanding the civil society's background, and at the same time in Russia it is considered to present a Soviet legacy, when public life has been dominated by Soviet state and the Communist Party. In order to escape from this subordination, Soviet people tried to secure their private life in the circles of the close friends and family. But Soviet citizens did not merely accept these limited private spaces passively; in these small circles the communication had been so intensive and rich that it created a whole array of unique forms of underground political culture with the anecdotes, bard songs, double language and speech, and even various art masterpieces. For the Soviet *nomenklatura* this double standard life was also parochial - as long as people

<sup>29</sup> [http://www.apn-nn.ru/event\\_s/8828.html](http://www.apn-nn.ru/event_s/8828.html)

<sup>30</sup> Temkina, Anna (1997): *Russia in Transition: The Case of New Collective Actors and New Collective Actions*. Kikimora Publications, Series A. Helsinki, Alexanteri Institute.

<sup>31</sup> Shlapentokh, Vladimir: "Early Feudalism – The Best Parallel for Contemporary Russia", *Europe-Asia Studies*, Vol. 48 (1996), pp. 393-411.

<sup>32</sup> Ionin, Leonid (1996): "Kultura i sotsial'naya struktura – Sotsiologicheskie issledovaniya", in *Sotsiologiya kultury*. Moscow.

<sup>33</sup> Anna Temkina, 1997

<sup>34</sup> Alapuro, Risto: "Civil Society in Russia?" in Iivonen, J. (ed.) (1993): *The Future of the Nation-State in Europe*, pp. 194-218.



focused their efforts on expanding the private sphere, they would not openly challenge the regime in the public sphere. Nevertheless, when the Soviet state collapsed, personal networks were used for economic and cultural survival, and they still serve as the stable ground for new life activities, including those in the third sector. But the new regime and especially modernization objectives require more active involvement of the society into the state functioning. In this situation the initiatives for the civil society from above are proposed as a remedy to overcome mistrust between the private and public spheres, between the government and civil society, between state and non-state actors. Instead, as a result, we observe the growing dissatisfaction of both elite and society. Gleb Pavlovsky, the political analyst in the Presidential Administration, complained in his interview<sup>35</sup> after Putin's reelection in March 2004: "there is no real activity by society".

At the same time there is another theoretical framework that has been widely applied in Political Science and in the International Relations literature in particular. "Governance involves the coordinated management and regulation of issues by multiple and separate authorities, the interventions of both public and private actors, formal and informal arrangements, in turn structured by discourse and norms, and purposefully directed toward particular policy outcomes"<sup>36</sup>. The notion of "global governance" is not only popular in the vocabulary of international organizations, but also accompanied by more specific applications: environmental governance, trade governance, international monetary governance etc. At the same time, this concept represents and explains distinct forms of political interaction. This operational definition exists in the European Union with regard to local government and the management of social, welfare, economic and other spheres of public policy. In the following analysis the particular relevance of the concept of social management will be examined. As a cornerstone, it is most important to stress that governance is a phenomenon that is distinct from government, which is traditionally understood as centralized authority, vertical and hierarchical forms of regulation, and an ability to impose policy regulations by coercive means. Governance, by contrast, represents how the regulation of societies has been supplemented by political actors other than government (state) as such<sup>37</sup>. In the international arena this assumes the existence of multiple centers of power and thus a multiplicity of combined and coordinated actions taken in response to the increasingly complex challenges of governing in a globalizing world<sup>38</sup>. This multi-polarity referring to forms of coordinated behaviour distinct from anarchy (free market) or hierarchy (vertical coordination by state/government), received a term "heterarchy"<sup>39</sup>. Indeed, even in the security sphere – an area traditionally reserved for the state – non-state actors have become increasingly significant in the implementation and monitoring of the security policies, and promoted a diversified meaning of the security. New actors in the defence industry are represented by increased number of charities, ecologists, media, human rights activists, medical organizations and scientists, i.e. civil society.

<sup>35</sup> Gleb Pavlovsky interview on *Ekho Moskvy*, *BBC Monitoring*, 6 January 2005; translated in *Johnsons' Russia List*, No. 9008, 7 January 2005, in <http://www.cdi.org/russia/johnson/2004-state-nation.cfm>

<sup>36</sup> Webber, Marc; Croft, Stuart; Howorth, Jolyon; Terriff, Terry and Krahmann, Elke: "The Governance of European Security", *Review of International Studies*, Vol. 30 (2004), pp. 3-26.

<sup>37</sup> Pierre, Jon: "Introduction: Understanding Governance" in Pierre, Jon (ed.) (2000): *Debating Governance*. Oxford, Oxford University Press.

<sup>38</sup> Rosenau, James: "Change, Complexity and Governance on Globalising Space", in Pierre, *op. cit.*

<sup>39</sup> Jessop, Bob: "The Changing Governance of Welfare: Recent Trends in its Primary Functions, Scale and Modes of Coordination", *Social Policy and Administration*, Vol. 33, No. 4, (1999), pp. 350-368.



## 5. Statism versus Governance

It is interesting to note that in Russia governance does not have an adequate equivalent in the operational terms. In translation of the Johannesburg Declaration into Russian “good governance” has been interpreted as *dobrosovestnoe upravlenie*, but this very term means administration or ruling. Self-government is the closest approximation in the context of local social processes, because decision-making at this level includes new actors, such as business partners, social organizations, local activists etc. Under Yeltsin, the governance has been interpreted as an opportunity for regions to become independent and democratic, but under Putin the regional political independence is shrinking, and instead there is proposed a policy of *gosudarstvennost* (statism). But in the neorealist thought governance is not a state-centric doctrine. Both institutionalist and regime analysis view governance as “formal institutions and regimes... as well as informal arrangements that people and institutions either have agreed to or perceive to be in their best interest”<sup>40</sup>. Institutionalists argue, “governance is a system of rule that is as dependant on inter-subjective meanings as on formally sanctioned constitutions... governance is about the maintenance of collective order, the achievement of collective goals, and the collective processes of rule through which order and goals are sought”<sup>41</sup>. This is a logical consequence of the fact that governance is not dependent upon vertical authority. Eventually, to sum up the theoretical discourse,

governance comprises five features: heterarchy; the interaction of a large number of actors, both public and private; institutionalism that is both formal and informal; relations between actors that are ideational in character, structured by norms and understandings as much as by formal regulations; and, finally, collective purpose<sup>42</sup>.

What are these understandings and collective purposes? Let us consider how does power view civil society. I would like to translate an extensive citation from Russian herewith, taken from the lecture on civil society by one of the top-managers under the Putin Administration<sup>43</sup>:

First, it is important to define what is the civil society from our point of view. This is the process of public self-organization. In short, there are two forms of the civil society organization – the non-political non-state organizations, and local self-government. It is important and principal to note that if the local self-government is non-existent, or formalized, the development of civil society is neither possible, nor complete. And vice-versa, if the self-organization of population does not occur, there is no real self-government in place, it is the continuation or component of the same vertical state power structure. I would like to remind that in the Constitution of the Russian Federation the local self-government is not included into the state power system. That’s why the civil society, and its development are the two-side coin – non-commercial non-political organizations and local self-government...

...How does the relationship between the civil society and power is to be build? In our opinion, at the local level municipalities and public organizations are to solve as many problems as possible, including those that refer to the sphere of state power. However, this process now is evolving by the principle of “top-down” approach. We are to acknowledge that even the legal reforms on local self-government that are aimed at the delegation and

<sup>40</sup> Commission on Global Governance (1995): *Our Global Neighbourhood: The Report of the Commission on Global Governance*. Oxford, Oxford University Press.

<sup>41</sup> Rosenau, James: “Governance, Order and Change in World Politics”, in Rosenau, James and Czempiel, Ernst-Otto (eds.) (1992): *Governance without Government: Order and Change in World Politics*. Cambridge, Cambridge University Press.

<sup>42</sup> See Webber *et al.*, *op.cit.*, p. 8.

<sup>43</sup> Lecture at the International Conference in the Gorbachev Foundation. Moscow, 31 March 2003.



division of power between Center and federal regions still arrive from the Presidential office...

...Undoubtedly, the lion's share of real public organizations, which fulfill their genuine tasks, are generated by Moscow, St-Petersburg and a number of other large cities, with population exceeding million inhabitants. In addition, we unfortunately see a lot of so-called "pocket" organizations that have been established by authorities based on the "fashion" to create such forms in each federal region. Naturally, such organizations do not originate their genuine agenda, they simply perform representative functions...

We all know... that from many thousands of formally registered non-governmental organizations practically operate a small fraction of less than 10 percent. These are the organizations that have funding...

...Speaking of the Civic Forum in 2001, where over 5,000 NGOs participated, I would like to stress that they invited the power to be their guests. However, it seemed to me, that substantial part of these public organizations that arrived to Moscow did not have the clear and thorough understanding of the goals of their establishment and the forms of interaction with the power. There were generated many interesting ideas, but when you ask the concrete questions on their implementation and realization, it appears that the level of communication and understanding is not very high. To be just, the power, no doubt, also dramatically lacks capacity to pursuing real dialogue with the civil society. In the administrative reform, now under preparation, the authorities, the representatives of power are to meet the new requirements, not only interaction with the population for solution of their problems, but also communication with the civil society...

...What are the main tasks in the civil society development? First, this is the overall development of the local self-government and municipalities. These structures are to be provisioned by the funding sufficient and adequate for solution of the problems that are vital for the local communities... The subsequent ideology has been formally adopted by the President and Russian government. I hope that it will end up with the logical implementation, though this process is a very complicated and difficult one. Second, transfer of many state functions to the civil society, primarily in the social sphere. These are the maternity, enfant care, disability, gender issues and environmental problems. This could become possible only when the state on the competitive basis will be able to transfer funds for functional implementation of these tasks to public organizations, if they win the competition. Unfortunately, at present there is no direct transfer of money to the public organizations envisaged by Budget Code, this is possible only as grants allocation. Additionally, there is the need to change the Tax Code in a way that public organizations will not be too stressed by the excessive taxation. All these obstacles exist because the power does not fully understand what are the country's needs, what are the society's prime needs and interests. And the third factor, this is business, without involvement of the business any problems in the regions could not be solved nowadays.

These words and ideas have the perfect reflection in the Putin's statement to the nation address on 26 May 2004. In this speech<sup>44</sup>, as on other occasions, Putin declared that it was "necessary gradually to transfer to the non-state sector the functions which the state should not carry out or is incapable of carrying out efficiently". Though he admitted that there is progress in developing civil society and its organizations, he also warned that some of them are "servicing dubious groups and commercial interests". By these words he gave a signal to bureaucrats that they should distinguish NGOs, but leave the freedom to interpret what are ones to obtain help, and what are the others to be excluded and isolated. Again, this

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<sup>44</sup> <http://www.cdi.org/russia/johnson/2004-state-nation.cfm>.



corresponds to the opinion of Christer Pursiainen<sup>45</sup>, who in his theoretical works writes about several existing trends in the development of the Russian state and its policy, but particularly emphasizes a dominant political discourse, which is a compromise solution between liberal and authoritarian tendencies in the President's administration and so-called "centrist" forces. Pursiainen labels them "conservative westernizers" who target the economic modernization in the strong paternalistic state with focus on national interests, patriotism and effectiveness rather than on democratic practices. This compromise policy seeks establishing formal procedural democracy with a "constructive" civil society mobilising assistance to the state in its modernization, at the same time demonstrating intolerance towards a "critical" civil society.

## Conclusion

Civil society in Russia is under transition; the possibilities for public mobilization depend on informal networking, which is specific to the Russian context. The comparative analysis of the civil society within a larger theoretical context requires consideration of two pairs of notions: statism and governance and private and public spheres. Governance as a liberal concept is not recognized and applied by the state, and there is a deficit in its understanding and lack of capacity for both the state and non-state actors. At the same time, the third sector is growing into a powerful part within the civil society in Russia, and extending its cooperation to the global networks. The Russian state fails to recognize this growth and tries to co-opt NGOs in service to the state with the consequent disposition of the civil society within it. Instead of the study and practical introduction of the concept of governance, Putin's Administration tries to promote the stratification of civil society into a cooperating *nomenklatura* with wider access to power and resources, controllable organizations with governmental support, and the oppositional NGOs, deprived of funding. Civic organizations and self-government institutions are divided and are not yet fully cooperating with each other in Russia. This fact not only increases Putin's chance to control civil society, but also makes it less likely that Russian society will serve as a social stabilizer in the modernization process. But without public initiative, and a real, independent participation in governance, all efforts to continue the reforms are likely to fail. The development of contemporary civil society depends on governmental policy, which is characterized as a compromise by both Russian and Western scholars working within different theoretical frameworks. Tendencies of transition are therefore evaluated as uncertain with trends towards the authoritarian regime and restricted democracy.

Two significant changes are under way. First, networks are increasingly bypassing governments altogether and targeting, or partnering with, the private sector. This is happening in the human rights field, but it is particularly evident in the environmental field... Second, civil society's role in global governance is changing from gadfly to that of direct participant in the management of global issues<sup>46</sup>.

When Ann Florini wrote these lines in 2000, the NGOs in Russia have been growing in capacity and number to prepare the future Civic Forum in Moscow in 2001. So, the connection between these two communications has been successfully established in time and space. And as the Russian state cannot exist but in the global space and cannot but be

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<sup>45</sup> Pursiainen, Christer (2000): *Russian Foreign Policy and International Relations Theory*. Aldershot, Ashgate.

<sup>46</sup> Florini, Ann M.: "Lessons Learned", in Florini, Ann (ed.) (2000): *The Third Force: The Rise of Transnational Civil Society*. Washington, Carnegie Endowment for International Peace, p. 236.



influenced by internationalization process, so its civil society increasingly adopts the agenda of the global civil society and accepts its values and norms, and follow its tendencies. They are destined to co-exist and cohabit, and eventually to match each other.