A LOOK FROM NORWAY

RUSSIA AND THE COUNCIL OF EUROPE: Topics for Common Agenda

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A Look from Norway

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Editorial Board

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Preface by Academic Director

It is a particular pleasure for me to introduce this volume of Baltic Practice Academic papers as this year we celebrate the 10th university of this project. We had started our trips to Baltic Sea in 2001 as modest initiative of social researches and civic activists to analyze the situation around Kaliningrad region that was about to be separated from territory of main-land Russia by the two borders of sovereign states — Belarus and Lithuania.

That first year we were only about 30 enthusiasts — mostly my friends from "We, the Citizens!" NGO Coalition and my students from HSE Public Policy Department, — who were then joined by young local researches — from Association of young Lawyers and Association of young Economists. As we started our daily debates, our team grew further, involving young civic activists from the Kaliningrad region brought together by our partners from Kaliningrad Youth Parliament — the only one in the hole Russia, which was granted the legal right to legislative initiative on the level of Regional Parliament.

The issue that caught our attention on that first trip was quite extraordinary in Russian-European relations: enlargement of the EU and the Shengen zone — which is solely international issue of the EU — was interfering quite dramatically in the life of citizens of Kaliningrad region, as it was about to be "cut of" from the rest of the territory of Russia. This situation called for immediate action, as the citizens of Kaliningrad area were about to be were left alone with their problems, including the increasing costs of life, due to the transportation of major goods from Russia through the borders, difficulties of their own trips to Russia because of crossing the borders, problems of getting the visas and many others.

It was obvious, that there ought to be some serious decisions made at Governmental level, but Russian Government kept silent, leaving people with their worries, while EU was spreading the Shengen zone to Lithuania and cutting whole Kaliningrad region off from normal in-country communication.

It was a kind of situation, that demands citizen's action. But it was also clear that before any action there is a need of citizen's expertise and thorough academic analysis of many different factors, involved in this situation. This means, first of all, the need for collection of data, — like the costs of goods transfer and costs of printing many foreign passports and costs for obtaining visas — that was not easily available and more other analysis, including possible different behavior of neighboring countries, as well as reaction of citizens of Kaliningrad, that can cause different scenarios of further events, — before one can suggest any action campaign.

This was more than 10 years ago. But the result of that first "analytical exercise" was very important: we managed to organize creative interaction of experts-practitioners, academic researches and citizen activists — in developing arguments in search for decision to complex problems. This model of intellectual cooperation for common problem-solving shaped up the major format for Baltic practice activities for a next decade to come.

So, each year after 2001 we were changing countries, experts, participants, topics, subject matters, hosting universities. But the major feature of the Baltic Practice remained unchanged — think and discuss in order to find solutions to complex problems. This involves certain steps: to figure out one of the burning problems in relations of Russia and Europe, identify key issues, as well as key actors in this field and their interests, key issues and their outcomes, collect reliable data, use different research methodology and interdisciplinary approaches, draw out most probable scenarios and suggest decisions that may be beneficial for strengthening and improving Russian-European relationships.

Last three years Baltic Practice Summer schools were held in Sweden (2008), Belgium (2009) and Norway (2010) and we had strongly benefited from the support of Council of Europe INGO Conference project "3-Year Framework Co-operation Programme "Strengthening Civil Society and Civic Participation in the Russian Federation" (2008-2011), that allowed us to invite to our seminars in those countries several distinguished European experts and we are very grateful both to CoE Secretariat and its NGO unit, chaired by by Jutta Gutzkov, who provided the support, and those experts, who contributed their knowledge and experience to our joint work.

In Norway in 2010 we had a particular pleasure to be hosted by CoE partner the European Wergeland Centre, headed by Ana Perona, and CoE experts who joined us in this trip, were Chuck Hirt, Cyril Ritchie, Gerhard Ermischer.

This strong partnership allowed us to take on board the most challenging task: to discuss relations between Russia and the Council of Europe in opened, franc and creative way and focus on solutions, despite many conflicts and arguments voiced out in PACE against Russia, we still think, that there should be topics for COMMON AGENDA for Russia and the Council of Europe.

We worked really hard — both during the visit in Oslo and almost the whole year after this visit through continuous debates in working groups, editing and upgrading our research papers — and here is the volume with our SUGGESTIONS to the question of common agenda, where each suggested topic is formulated in the title of the separate chapter.

So, here is our contribution to the Russia-CoE continued interaction, chapter by chapter. We agreed to begin with the obvious step — continuing with creating common educational space (Chapter 1 "University as Res Publica"), as well as continuing with easing the visa and other transportation problems with European neighbors, including the recognizing "near abroad" and building partnerships with East- European countries (Chapter 2 "Between Russia and Europe").

Russian-European relations were always circling around the issue of democracy and democratic development. And one of the major problems we had identified is difficulty with understanding democracy and its "quality", which brings us to the need of "measurement" and creating assessment tools and models, which are dealt with in Chapter 3.

One of the major drivers of Russian-European relationship was always trade, economics and mutual business interests. But the strong obstacle to this is the different understanding of corporate ethics and corporate social responsibility. How to improve this, — has been looked at in Chapter 4.

Another field where Russian authorities would benefit from using European experience, is the local governance and local democracy which is analyzed in Chapter 5.

Completely different issue that we had identified, that is, currently, troublesome but could become a mechanism of recognition and mutual understanding — is the issue of language that we used in political communication. We focused on this issue in Chapter 6.

Finally, what had been agreed to be the most problematic area of Russian — European relations is the issue of Human Rights. We suggest approaching this issue from the point of human rights education and working with youth and children, which we focus on in Chapter 7.

We are very grateful to all those, who contributed to this volume: to authors, to editors and editorial-management and reviewers team and we hope that readers will find it inspiring and will become our authors and participants in the future Baltic Practice seminars.

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Nina Belyaeva
Prof., Dr., Chair of Public Policy Department

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Greetings on 10th anniversary of Baltic Practice

By Ana Perona-Fjeldstad, Executive Director of the European Wergeland Centre (Oslo, Norway)

On behalf of the European Wergeland Centre, I would like to congratulate the Baltic Practice on its 10th anniversary. This successful initiative has brought together a myriad of students, professors, and experts from Russian universities, the Council of Europe, and the local host countries, giving comprehensive insights on central issues concerning democracy development, social responsibility, academic mobility, entrepreneurship culture and human rights.

In August 2010, the 10th Summer School of Baltic Practice, which is supported by the Council of Europe, was organized in Oslo, Norway, in cooperation with the European Wergeland Centre (EWC). This was also the first summer seminar project at Higher School of Economics which enabled participants to receive ECTS credits to be used in their study plans. It brought together more than 25 undergraduate, graduate and post-graduate students from different parts of Russia.

As mentioned, the EWC was a partner of Baltic Practice. As part of our human rights education activities, the organization and conceptualization of several sessions and workshops was facilitated. The programme included sessions on the current reforms within the CoE and its impact on education, reflection on core concepts of citizenship and democracy, as well as an introduction of some of the main CoE manuals for Education on Democratic Citizenship and Human Rights Education in Russian.

It was a pleasure for the EWC to welcome Baltic Practice, which was very inspirational for us all, and we especially enjoyed the presentations of students on human rights issues.

We continued good cooperation with Higher School of Economics through online lectures for the course 'Human Rights in Globalizing World' for first-year master students in September 2010, where our experts Caroline Gebara and Gunnar Mandt had an excellent opportunity to exchange different views on human rights education with the students.

In our view, what makes Baltic Practice a unique experience is the students' engagement and motivation not just to get knowledge but also their readiness to act, to change the world they see as imperfect. As many of the students themselves are human rights educators with substantial experience in the field, sharing views and understanding on what human rights makes the debate enriching and exciting.

Once more, congratulations on your anniversary.
Yours sincerely,
Ana Perona-Fjelstad

Chapter One. University as Res Publica

Introduction of Research Working Group

This chapter presents papers by the participants of the working group "University as Res Publica". Prof. Nina Belyaeva (Higher School of Economics) and Sjur Bergen (Head of the Education Department of the Council of Europe) have been academic supervisors of the working group and editors of the present chapter.

What were the main research problems the participants faced? Universities play major role in intellectual support of decision-making in politics, economics, and management. They play a role of major think tanks for government officials, and also serve as a source of innovations and suggestions for effective development in all spheres. The role of universities has always been big and is still growing; as a corporation, universities are one of the oldest (dating to the 11th century in Europe) and the most stable ones. But the importance of universities is being questioned by the dynamic and competitive environment in which they have to function. Universities are a type of corporation that is invisible for the society, and they are affected by the new challenges:

1) Internationalization, globalization but, above all, the new technology and information systems which mean:
    a) The speeding up of new developments in the field of science;
    b) Changes in the spatial boundaries and temporal limitations to knowledge production;
    c) Strong pressure for "results"
2) Increasing costs under decreasing public funding
3) Structural pressure for competition (for students, clients, research funds, etc.)

It results in a shift from academic learning and education to business-like activities and business-like ethics. Universities need to earn money; each division needs to function like a business corporation.

The problem is that the academic community doesn't have a uniform response to these new challenges, so two different models are suggested:
- Universities should become business-like corporations,
- Universities should deepen academic research and serve the purpose of civic upbringing of the people (Humboldtian tradition), i.e. non-market mechanisms.

The aim of the research project was to explore the models of modern university governance and clarify the role universities should play in the modern society in globalizing world.

This long-term research agenda is opened by Nina Belyaeva, Giliberto Capano "Governing Modern Research University : between academic freedom and managerial constraints", followed by Ekaterina Tupova in ""Typical student" in Russian

University: transformation of the public image", Nikolaiy Telesnin in "University as a Source of Liberal Mind" and Laura Petrone in "Democratic Culture in Higher Education Institutions: Comparing Russian and Italian Universities".

Nina Belyaeva, Giliberto Capano

Governing Modern University: different models of responding to Public Needs

Governing Higher Education- extra problems

Analysing governing in every social field we should be aware of different level of complexity in every such field concerned, but speaking of the field of Higher Education we have to consider additional problems, that are specific to this research field. We need to take into account, that Universities and Higher Education systems are not just "complex", they are also "loose-coupled". According to the works of 0rton and Weick[1] loose-coupled systems and organizations are characterised by the following features that can be taken as our basic starting points.

First. **Causal indeterminacy.** In Higher Education causal indeterminacy means unclear connections between means- and ends , multiplicity of goals, that are pursued by the different actors in this field, existence of conflicting "academic tribes" that protect and control their territories.

Second. **Fragmented external and internal environment**. As the major activity of diverse actors is to produce and transfer knowledge of different kinds and on different subject matters, that is done either individually or by small collectives, general institutional goals are often been neglected. Only few administrators constantly care about every dimension of institutional or systemic activity.

Third. **Internal variety of the institutional design**. The absence of the universality of the internal structures — that is a deliberate result of the measures to protect variety and diversity — as an environment to ensure academic freedoms . This leads to the result of making it barely possible to register external inputs to the system in the same way and with due accuracy.

Forth. **Behavioural and cognitive discretion**. Cognitive discretion is one of the major characteristics of the "free-minded community", insuring an "opened environment", needed for the research creativity. Behavioural discretion is in this case is not an "anomaly" , as in "strong-coupled systems", but rather a norm of behaviour, as a manifestation of academic autonomy of the actors.

And fifth and last is– **Adaptability of academic institutions,** which is both the consequence of the first four characteristics and a very important feature, allowing them to survive through centuries and successfully adapt to the new societal environment, proving its effectiveness.

The coordination or "governance" of higher education systems is a complex, difficult issue to analyse. Firstly, because the units constituting the system, the universities, are *sui generis* institutions whose inherent nature — the fact they are federations or confederations of academic subjects and niches, 'academic tribes' as

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[1] 0rton and Weick 1990

Tony Becher (1989) described them — has structural implications for their internal dynamics, as it creates endless problems regarding not only their institutional governance, but also, what is even more difficult, for the governance of the overall system. Universities bring together: groups of individuals, each doing a very different job; a considerable number of intertwined decision-making processes; a great variety of institutional outputs. There is an inescapable organizational and functional complexity to universities, and in order to grasp this complexity, some scholars have proposed terms such as 'multiversity' (Kerr 1963) or the 'federal or conglomerate form of organization' (Clark 1995). As a result of such features, universities have been considered to be a typical example of the loose-coupling organization, or a form of organized anarchy. Universities as loose-coupling institutions are characterized (Orton and Weick 1990) by their causal indeterminacy and their external and internal fragmentation.

From the systemic point of view, the goal of "governance" — as it is differing from the old notion of "governing", as "driving in a certain direction", or, even most tough meaning of the word "govern" — as it is used in non-democratic regimes — as a total "control of the Government" — is to bring all the participating parties to the equilibrium of a dynamic consensus about their joint work on collective problem solving in a particular social field. So, in the field of Higher Education this goal is to achieve compatibility and responsiveness of academic institutions, getting universities to behave as ' responsible institutions' — vis a vis — other societal institutions, such as governments, businesses ,local communities, professional unions and academic associations and the like.

In a wider look, it would be important to consider how much current academic institutions are adequate to the demands of the "public at large", since this is the necessary prerequisite for ensuring that the higher education system as a whole is **effectively responding to the needs of society** and is working in the public interest.

Here we need to respond to another question: how do we define "public interest", particularly in the societies with strong authoritarian traditions, such as Russia, where the government and other "public institutions" are not, necessarily, pursue the goals of public good, but, rather, bureaucratic purposes? How do we define in this case the 'true" interests and the needs of "public"?

Changing Public and Representation of Public Needs

According to the "classical" definition of Habermas, the "public" can only appear in a "public sphere"- a phenomenon of modern bourgeois society (the public, initially, was understood as those gathering for meal and discussions at bourgeois salons, gathering around newspapers and magazines) [Habermas 1962, 1973].Habermas had formulated its attitude to the "public sphere" long time ago, when the concept which he described and the level of social development were very different, than today. This circumstance is rarely referenced. Among the few who noted this fact — among Russian researchers — studies we indicate Yury Krasin [Krasin, 2005: 15-32: Public space ... 2008; Public Policy ... 2008].

Recent works of Habermas [Habermas 1997: 105-108; originally published 1989; Habermas 2008] cited less frequently, meanwhile in this works we can see dramatic changes of the original vision of the term "public domain", which develops with the development of the society.

With the transition to post-modern, information society of mass culture, electronic media (particularly television and advertising), public sphere had not only widened, but also fallen into massive manipulation by those controlling the media-flow, that leads to imitation and simulation of public opinion and participation, that has a growing number of authors writing on this subject [Baudrillard 1981; Holodkovskiy 2009; Belyaeva 2006; Petrov 2009; Kinev & Lubarev 2011]. TV and other mass-media often deprives people from the need to think on their own, as all opinions are pre-formulated, the commentators explain, "what is really going on", — thus "public opinion" is been "shaped up" — not by the public itself, rather, by media. Owners, that might have their own interest in the subject matter. So, the "public" — as an independent policy actor — might be completely lost .

Information society with new opportunities of forming and manipulating public opinion in its development and movement toward a postmodern also have other trends — new feudalism or "refeudalization", to a new "synthesis" of private and public spheres, where the new feudal lords, create the public in specific location, city or problem (so-called. territorial and / or problematic binding) on the basis of personal relationships.

Going construction of public spaces, which may overlap, but, nevertheless, there are many of them, so it is correlates with postmodern logic of increased heterogeneity of complex systems, like today's state and society.

At the same time we must not forget that Habermas points directly [Habermas 1997: 105-108], that he deals with modern bourgeois democracy — and furthermore, he works with countries that already established and functioning, "welfare state", ie "social state", which largely takes care of the social needs of citizens and have possibility to provide it.

Our understanding of the public, ie society composed from knowledgeable, competent citizens who are able to organize themselves in pursuit of common interests, based on its "classical" interpretations, dating back to the meaning of the term res-publica. Namely in accordance with these meanings the public is the foundation of civil society, its activity in concert with other political actors leads to the implementation of the "public interest" and achieving "common good", to change, if necessary, existing political institutions.

Ability to cooperate, assist "others", based on solidarity and mutual trust — property of representatives of the public or subjects of civil participation. Since the public — is collection of citizens who have certain qualities — competence, awareness, autonomy — inclusion them in an active political practice, and on a regular basis, establishes the practice as an institution of civic participation. Thus, only the active members of the public by their actions support public institutions or transform them, or destroy the old and create new institutions.

In Russia several governmental initiative of commercialization of school and higher education (the most important — Federal Act #83 — according to it the most part of government founded schools and universities switch to the new system of financing — there will be not state obligatory financing for them) give rise to protests of public and "public associations": associations of school and universities teachers[2],

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[2] http://www.gazeta.ru/education/2010/06/02_e_3379498.shtml; http://www.novayagazeta.ru/news/814538.html

associations of pupils and students parents[3] etc. After these protests Dmitry Medvedev said that there will not be switch to the commercial basis of contemporary education[4].

The 2010 UK student protests were a series of demonstrations that began in November 2010 in several areas of the United Kingdom, with the focal point of protests centred in London. The initial event was the largest student protest in the UK since the Labour government first proposed the Teaching and Higher Education Act in 1998[5]. Largely student-led, the protests were held in opposition to planned spending cuts to further education and an increase of the cap on tuition fees by the Conservative-Liberal Democrat coalition government. The proposed budget reduction followed a review into higher education funding in England conducted by Lord Browne. Student groups said that the intended cuts to education were excessive and broke campaign promises made by politicians, amounting to "attempts to force society to pay for a crisis it didn't cause". On 30 November, following the third main day of protesting, the Welsh Assembly announced that it would not permit an increase in fees for Welsh students. A reporter from the BBC noted that this meant that if the plans went through in England, "it would mean that an English student at a university in England could pay more than £17,000 more for a three-year degree than a Welsh student on the same course"[6]. A writer in British newspaper The Guardian, writing several hours before the government vote on the topic, noted that "It seems likely the tuition fees bill will pass but I'd still argue that — whatever your view on the merits of the new fees system — the protests have been a success at least in calling politicians to account for broken pledges, something you see rarely theses [sic] days"[7].

Keeping in mind this dramatic change of public sphere due to the mediatisation and existing risks of manipulation of the public opinion in the shaping of policy-making and governance in the field of Higher Education, speaking of the " existing governing policies" we should always look for specific actors, institutes and interest groups, who were pushing for this policies to appear and the interplay of public and private interests that had lead to it, — as this may provide a better answer — to which extend the current governance regimes represent the interest of the key stake-holders on the field of Higher Education : the students, the parents, the teachers, the innovative business, the needs for the society development at large.

This would allow us to make a better judgement, if — and how much — a modern university is, in fact, "**serving the public**"

Models of Governance in Higher Education

What had been noted, that, despite of a great variety of the level "societal development" and ways of articulation and manifestation of the "societal educational needs", as well as different institutional designs of the Higher Educational systems in

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[3] http://news.rambler.ru/6344477/;
   http://www.svobodanews.ru/archive/ru_news_zone/20100515/17/17.html?id=2043038#ixzz0o1H4mQ00;
   http://news.vtomske.ru/details/20429.html
[4] http://mama.ru/static/view/id/424
[5] http://www.thisislondon.co.uk/standard/article-23896267-thousands-join-london-march-in-protest-at-soaring-tuition-fees.do
[6] http://www.bbc.co.uk/news/education-11877034
[7] http://www.guardian.co.uk/education/blog/2010/dec/09/student-protests-live-coverage?INTCMP=SRCH

different European countries, there are limited number of recognisable MODELS, in which university governance is organised, in order to respond to those public needs

So, the coordination and governance between loose autonomous elements of higher education systems — including a university as example of such system — had been dealt with — in the last two centuries -by using three ways or models[8].

The **Continental Model**. This model supposed systemic coordination by State-centred policies. It is not allowed institutional autonomy but implied academic guild power. Faculties and school act as "confederation of Professors".

The **British Model** in contrary to continental model permit relevant institutional autonomy, collegial academic predominance in conditions of moderate role of the State.

The **American Model** like British model supposed strong institutional autonomy, but in contrary has weak role for academics and instead relevant role of external stakeholders. Talking about the role of the state it considered as "shared governance" when decision-making is a process of interests' harmonization of different actors.

If we examine the development of universities in the Western world over the course of the last two centuries, we see that the governance problem at the systemic level has been resolved in a variety of different ways, according to the specific national context in question. Several attempts have been made to classify systemic governance within higher education, in order to take account of the structural differentiation underlying the idiosyncratic character of higher education. The best-known such attempt resulted in Clark's triangle (1983), consisting in the interaction of three mechanisms of systemic coordination: the State, the market and the academic oligarchy. Clark proposed three ideal-types of higher educational systemic governance (namely the Continental European, American and British types). It should be noted here that the basic elements of the Continental European model are: systemic, strongly hierarchical coordination through State-centred policies; no institutional autonomy; the powerful, all-pervasive authority of the academic guilds; and faculties and schools constituting 'confederations of chair-holders'. The British model, on the other hand, is characterized by: substantial institutional autonomy; collegial academic predominance; the fairly limited role of the state. Finally, the American model consists in: the strong procedural autonomy of universities, which is counter-balanced by substantial public monitoring of the quality of performance and results (for public universities); the important role of external stakeholders (which also means the significant role of public political institutions in the case of public universities); academics' limited role in determining universities' strategic objectives, which is counterbalanced, in accordance with the principle of 'shared governance', by their more substantial powers when it comes to traditional academic matters (staff recruitment, course content, and so on).

Pressures for change coming from Society

In developed western states tremendous pressures for change in higher education systems (mostly, at universities) are coming from dynamic developing

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[8] Clark 1983

societies This mostly happens on the national level, but also at the international and global levels as well. We can figure out several factors influencing the changes.

First. **Increasing participation in Higher Education** (the long way from elite to mass, and the universal education).

Second. **Increasing diversification in the educational demands.** More and more diverse forms of higher education demanded and supplied: general education, specialized education, life-long-learning, distance learning courses, internationalisation of courses; training to research.

Third. **Strong demands for "knowledge economy";** for providing training and technology development for community; for generating economic development.

As in this paper we seek to look beyond "Old European Democracies", such as Great Britain, Germany and Italy, — and to compare the Higher Education Governance in European countries with situation in Russia, it is interesting to note, that the factors named, are also truly important in the Russian environment as well.

But, there are also several additional ones , like the traditional prestige of the higher education, social mobility it provides as well as increasing hope for the opportunities for the international mobility, pursued by Russian students.

In a **changing world** we have other **international factors** but they call for change in higher education too.

First. Internationalisation, globalisation but, above all, the new technology and information system means the speeding up of new developments in the field of science; changes in the spatial boundaries and temporal limitations to knowledge production; strong pressure for "results".

Second. Increasing costs for education as public funding is decreasing.

Third. Structural pressure for competition. Universities are forced by administration, state officials and competitive environment struggle for students, clients, research funds, etc.

In conclusion, we can make a point that Universities are pressed to be accountable to Government, Students, Local Community, Private clients, Other stakeholders, Society at large.

And Universities in modern conditions are forced to be accountable for financial and physical resources, Quality in innovation in teaching, Student recruitment, Faculty appointments, Research resources, productivity, and knowledge transfer, Rigour in management and quality assurance, Well-being of students, faculty and staff.

Russia — is affected — in very same way, but, with additional feature, as government push universities into integration with world education system through involvement into Bologna process, modernisation of contemporary and higher education making schools and universities compete with each over for students and other recourses, and to raise the level of competitiveness of Russian school in the world[9]. The main governmental initiatives: from 2001 — enactment of United State Exam for all Russian pupils to enrol into universities; from 2003 — including Russia into Bologna process — the system BA\MA was introduced overall Russia in 2009; 2006 — enactment of Act #74 — that gives to schools and universities mire autonomy

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[9] Social policy in Russia. 2000s. Independent institute of social policy. M. 2007.
Bure K.S. Reform of higher education: expansion of bachelors and masters. Educational Policy. 2008.

and transparency in their acting; from 2006 — creation of 10 federal universities connected with 10 Russian regions for developing of the economy of these regions[10]; from 2009 — creation of 30 national research universities for innovative research and science development in Russia[11].

However, the historically rooted models of governance in Western countries, masterfully represented by Clark's ideal-types, have revealed certain limitations when faced with modern-day challenges (Braun and Merrien 1999). Each inherited governance equilibrium has been obliged to change. In the past, universities were never subjected to such pressure to dramatically change their traditional governance practices and equilibria, dating back 100 years or more. In more recent times, society and government have started to take great interest in higher education since the now global, highly-competitive context requires that the quality of human capital be constantly improved, and new technological solutions be found, in order to support economic development (Enders and Fulton 2002; Geiger 2004). At the same time, it should be pointed out that the Welfare State's structural financial crisis has profoundly affected higher education as well. Governments now have fewer resources to invest in higher education, and thus they need to improve the efficiency of their higher education systems.

One of the inevitable consequences of such circumstantial and financial pressure is structural pressure to change the inherited, historically rooted modes of governance. The consequent shift in governance modes initially dates from the 1980s, particularly in the **UK** and the **Netherlands**, and certain highly reputed scholars in the higher education policy field realized its potential implications for further generalized developments (Neave 1988; Kogan 1989; van Vught 1989; Neave and Van Vught 1991). We now have a clearer, more complete picture of what has really happened since the onset of this shift.

The amount of total spending on the higher education in Russian is, still, considerably lower, than in western countries. Costs on one student to the education and research is about 2% (in USA — 21%, in UK — 11%, in France — 11%)[12].

In fact, from the 1990s onwards, governments throughout the West began a course of systematic intervention in the higher education sector, albeit at different times and with differing degrees of energy (this was also the case in the **USA's** public universities — see Leslie and Novak 2003; McLendon 2003a, b; El-Khawas 2005), by reforming the systemic mode of governance, and in Continental Europe, also by modifying the structure of internal governance. Generally speaking, the basic levers of reform can be identified as follows: institutional autonomy and internal institutional governance; funding mechanisms; the quality assessment of research and teaching (Gornitzka *et al.* 2005; Cheps 2006; Lazzaretti and Tavoletti 2006; Maassen and Olsen 2007; Trakman 2008). The basic features of past governance modes in higher education have been re-designed by recent governments, and in doing so they have

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[10] http://www.strf.ru/organization.aspx?CatalogId=221&d_no=27726

[11] http://mon.gov.ru/pro/niu/

[12] Kuz'minov. Education in Russia. What we can do?// Questions on Education. 2004. № 1. P. 8 // http://www.hse.ru/data/911/784/1228/educationinrussiawhat.pdf

also changed their role in the steering of the system (Amaral *et al.* 2002; Huisman 2009; Paradeise *et al*. 2009).

In Russia, on the contrary, with the ' democratic revolution of the 90-es" — Government was" going out of University". Act of 1992 on Education, establishing "private universities" these allow to state decries their participation in educational policy[13].

What our general experience of higher education teaches us is that in order to understand the intrinsic logic of governance shifts, we need to focus on the changing role of governments. In order to analyse how this shift has come about, from an empirical point of view using four specific national cases, we need to gain a better understanding of the possible roles governments play in systemic governance modes within higher education.

Conceptualization of governance models in Higher Education

There are several approaches to the conceptualization of the concept of governance, defined as "a minimum of government interference, as corporate management, as the new public management, as "good governance", or a socio-cybernetic system, a self-organizing network"[14].

Political administration in the style of this new understanding of governance ("joint" or "mutual" control) suggests a new role for government and the state, acting as the moderators of political and administrative process to harmonize and promote the interests of different social groups and political actors competing with each other.

However, in all cases and public policy spheres (in educational policy too) the pivotal dimension is represented by the role of STATE. The policy and policy process even if it understands as governance depend from what and "how" the State/government decides to do or not dot[15].

Understanding these point allow us to figure out four modes of governance in Higher Education (see table 1).

Table 1. Types of governance and modes of governance in Higher Education

	Government specifies the goals to be achieved	Government does not specifies the goals to be achieved	
Government specifies the mean to be used	*Hierarchical governance* Government substantial regulation: totally earmarked financing in research or in students' access; numerus clausus for student access	*Procedural (Bureaucratic) governance* Detailed national regulation on the procedures regarding recruitment, student access; curricula etc	State control governance models

[13] Lukov V. Educational reform. // Knoledge. Understanding. Skills. 2005. № 3. P. 217-219.
[14] Rhodes, 2008: 51-74
[15] Van Vught 1989, Becher and Kogan 1982, MCDaniel 1996, Braun and Merrien 1999.

Government does not specifies the means universities should has to use	*Managerial governance* Financial incentives; quality evaluation; contracts; benchmarking; legislation regarding institutional governance; mergers, departmental grading	*Voluntary (or market or self-) governance* participation, persuasion, negotiations, partnerships, competition;sponsorships, loans, natural selection, self-accreditation, subiect numbers determined by consumer choice	Steering at a distance governance models

Higher education policy fits into this picture perfectly since 'government' has the inescapable task of defining what governance is, or can be. So while government's role in higher education is inescapable (whereas this may perhaps not be the case in other policy fields), and government is in charge of designing the existing sectional governance modes, government may decide to model systemic governance modes through its choice of the degree of freedom to be afforded to other policy actors with regard to the goals to be pursued, and the means with which they are to be achieved.

For example, within the field of higher education, government may decide that an increased rate of participation in higher education is a systemic goal, and then choose which means are to be adopted (strict regulation or financial incentives) to achieve that goal; moreover, governments are always in charge of deciding whether institutional differentiation is to be systemically pursued, and if so how to go about this (through regulation or by means of competitive mechanisms). Governments design the systemic modes for the governance of higher education through a combination of strategic goals and means, and then establish the nature of those policy instruments to be adopted for the pursuit of said goals. The dichotomization of the role of government in establishing which goals are to be pursued and the means to be adopted, enables us to formulate a typology of systemic governance modes within higher education, the spatial representation of which is given in **table** 1.

Hierarchical governance and procedural governance represent the two traditional governance modes in which the State plays a pivotal commanding and controlling role. In the case of hierarchical governance, the command and control strategy covers both goals and means, through those detailed directives that establish precisely which goals are to be pursued, and the means to be employed to achieve this. Government is a hegemonic actor, and as such it directly coordinates all aspects of policy-making. The hierarchical governance of higher education is typified by those situations in which the State imposes its goals and methods on the universities (which means that the universities have very limited procedural or substantial autonomy, assigned funding is completely targeted by the State, and there is little or no quality assessment). This is the case of earmarked funding (for technological research, for example), or that of a set number of students allowed to enrol for a specific subject.

In the second of the presented governance modes, the one defined as **procedural**, the actors involved (regardless of whether they are public or private) are free to choose their own goals, but in order to pursue those goals they are obliged to abide by the procedural regulations issued, controlled, and enforced by public institutions. The prevailing actor in such cases is **central bureaucracy**, and very often this gives rise to privileged relationships with the most important sectorial interest

groups (which in the field of higher education are the academic guilds and the academic subjects themselves). In higher education, procedural governance exists when the State imposes rigid procedural rules on universities, but leaves them substantial autonomy (that is, they can do what they want, but in doing so they have to follow those procedural rules established by the centre of the system). For example: in many continental European countries, the State obliges universities to follow rules governing academic staff recruitment and promotion, student tuition, curricula, and so on. The procedural quadrant perfectly fits what Burton Clark (1983) has defined as the Continental model of systemic university governance. It has to be said here that the procedural and hierarchical modes may overlap. In fact, it is clear that the hierarchical mode also absorbs the policy instruments of the procedural mode, although there is a substantial difference in the working logic of these two forms of direct government intervention: the procedural mode is characterized by room for substantial decisions to be made at the bottom-up level. In fact, the procedural mode gives the academic oligarchies of universities freedom to choose the contents of academic business. This freedom of choice is considerably limited under the hierarchical mode for the simple fact that this mode imposes substantial constraints upon the nature of decisions. Furthermore, in both types of governance mode, the direct role of government profoundly constrains universities' capacity to act as corporate bodies.

The **steering-at-the-distance** and **self-governance** modes represent the two models in which governmental influence is of an indirect nature. In higher education, these modes are generally characterized by considerable institutional autonomy and by the systemic assessment and evaluation of universities' performance. However, there are a number of substantial differences between these two types.

In the **steering-at-the-distance mode**, government is strongly committed to the pursuit of collective targets, but nevertheless leaves policy actors enough free to choose the means by which to reach those targets. In doing so, however, government adopts certain specific policy strategies designed to encourage policy actors to comply with governmental objectives (for example, increasing student numbers or investing in applied research). In this mode of systemic governance, government plays no direct role, and policy coordination is guaranteed by a complex set of regulations and, very often, by the presence of a public institution (agency or authority) acting as broker. Government tries to influence institutional behaviour not by issuing direct commands, but by applying soft rules, providing financial incentives and evaluating performance. In such cases, government may directly intervene in order to re-design the internal institutional government of public higher education institutions, depending on the nature of national trajectories and traditions. The steering-at-a-distance mode assumes that both sides of systemic governance — the government and the individual universities — act in a responsible and accountable way. Governments are supposed to make clear their systemic goals and the nature of incentives and constraints which the universities are to take into consideration when planning their actions. Universities are supposed to establish their own institutional strategy in a rational way, that is, by trying to identify the best point of equilibrium between governmental input, their own internal resources, and the socio-economic context in which they operate.

In the **self-governance mode**, on the other hand, government chooses to leave the policy arena almost completely free. It is assumed that the fundamental criterion of sectorial coordination is based on the institutionalization of relations between

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participants. However, it is clear that government reserves the right to intervene when it deems this to be necessary, thus changing the governance mode and policy tools. The self-governance model in higher education is, to put it simply, the situation in which institutions are left free to choose what they want to do, and how to do it. Contrary to what one may imagine, this is not a marginal model, since the British and American forms of systemic governance, as proposed by Clark, fit (or rather, fitted) perfectly within this quadrant.

It is clear that according to the logic of the aforementioned typology, while governmental influence is exerted directly in the two models above the horizontal axis, in the two governance modes located below this axis, such influence is not absent but is of an indirect (steering-at-a-distance model) or latent (self-governing model) variety. Thus the latter two models, although shaped differently, both fall under the 'shadow of hierarchy'.

Analysing shifts in Higher Education Governance in four countries

Analysing the Governance shifts we have to take into consideration not only institutional changes (changes in the distribution of powers and responsibilities) but changes in governance arrangements.

In order to illustrate the utility of the abovementioned typology in describing governance shifts in higher education, we are now going to present four national cases, each characterized by a different tradition and inherited system within the field of higher education. The four cases in question are England, Germany, Italy and Russia.

In order to provide evidence of the quality and characteristics of the said shifts, I shall focus on the changes made to three specific features of higher education governance which specialized studies have deemed to be the most important from the comparative perspective, namely: institutional autonomy and governance; funding mechanisms; the assessment of research and teaching.

England: the managed system

Nowadays, higher education in England is strongly managed and market driven (Ferlie and Andresani 2009), and from an institutional point of view, universities have less freedom than they had in the past to choose their own institutional goals. As Shattock (2008, p. 183) has pointed out: 'once regarded as an example of British exceptionalism within Europe because of its independence from the state, is now subject not just to "State steering" but to state micro-management on a scale comparable to other European systems. The institutions themselves may still retain legal autonomy and a freedom of decision-making that is qualitatively different from the experience of institutional autonomy in most European countries, but the individual policy choices are heavily constrained by policies initiated in the heart of Whitehall'.

Germany: increasing institutional autinomy

The shifts in the **German system** have been characterized by a clear move away from the previous procedural mode, towards a new system in which universities are granted increased, albeit not excessive, institutional autonomy, and where

government tries to steer the system from a distance through financial incentives and negotiated contracts, although it has preserved certain attitudes linked to the pre-existing procedural tradition. The power of the State and of governments remains strong within Germany's higher education system, although the expression of this power has been modified in recent years (Bleiklie and Lange 2010), meaning: fewer regulations but greater influence over systemic goals; and greater institutional autonomy, but also increased competition for funding.

Italian case: many reforms, confusing results

Italian case thus shows that despite the many changes pursued by government in all three areas, government action has failed to match the announced goals and plans. In fact, the new 'steering-at-a-distance' strategy seems incapable of ridding governance of the conventional ex-ante evaluation, or of the continuous adoption of procedural constraints on universities behaviour with regard to the teaching function. National research assessments have not been institutionalized yet. So in the Italian case, the reform of governmental modes in higher education really seems to have taken the form of a kind of 'primordial broth' from which to fish out something merely on the basis of contingent political needs and the fashion of the day.

In Russia: move into Bologna process

The shift in Russia is characterized by lack of government regulation in 90s and when government come back in 2000s with a system of goals (modernization and innoivations in education) and means how to achieve them (increase in state funding and regulation). Russia very actively were included in Bologna process (the BA/MA system implemented by 2009). According to reform in 2009-2011 — Few autonomy in academic standards for few universities (that get special status of federal universities and national research universities) were established with stable overall government control. If in 90s it was allowed to open private universities, government gave freedom to universities in issue curriculum and textbooks through accreditation process in 2000s only for Universities with special status (federal and national research) is given autonomy to have their own academic standards.

The empirical evidence that emerges from our comparison clearly points to an overall a shift (albeit of varying entity) from the procedural and self-governance modes towards those quadrants situated to the right of the abovementioned typology, and in particular towards the quadrant occupied by the steering-at-a-distance mode of governance.

Within a University: strong call for the centralisation

Talking about effects at the institutional level a common trend (even in countries where the pre-existent institutional government structures have been not changed): the environmental pressures (coming from society governments, needs of economic system etc.) and especially the changes in the systemic modes of governance are shifting the balance of power and authority within universities. There is a common trend towards the centralisation of authority. This means, for instance:

1. The strengthening of the role of individual leaders (Presidents, Rectors, Vice-Chancellor, Deans).
2. The reinforcing of the role of central administration and management.
3. The strenghtening of power of Governing Board (in the Anglo-Saxon system and in the reformed European systems).
4. The power of academic voice and guilds in institutional decision-making is declining (or is conflicting and resisting the centralisation trends). This creates a structural risk of stalemate in the internal decision-making.
5. The introduction of new management tools as strategic plans, budgeting and financial management, internal audit and quality assessment system.
6. External stakeholders are assuming a relevant role in governance also in UK system and in Continental Europe
7. In Southern European countries a stronger role for local authorities is emerging.
8. Tendency to institutional differentiation (ranking of universities, different missions, etc.).

Conclusion

In conclusion, we can figure out several facts and problems.

First. Degree of changes varies between countries. For instance in France, Germany, and Italy, the above-sketched process is going slower by a strategy iper-incrementalist. In New Zealand, UK, The Netherlands processes listed above are going faster and more radical.

Second. Academic self-governance is the main loser. Even if it can be the case of coexistence of strong leadership with strong professoriate, as in the case of U.S. Research Universities.

Third. The governance shift in higher education is characterized by a relevant and strategic role of State at the systemic level and by an evident process of verticalization at the institutional level.

Forth. Individual academic's influence and power has weakened as well as the formal collective power of academics in internal decision-making. But if the evaluation and assessment of research is well done and well-institutionalised this could develop an elite of academics….(we are going to a strong internal stratification)

Fifth. Governments are pressing to differentiate universities into those that have different status and, as a result, functions — research universities, teaching universities, local universities, international universities and so on.

Sixth. Too many universities have an "amateurish" system of management. It is necessary that University leaders (rectors, presidents, deans, etc.) should have management skills in addition to academic ones; External stake-holders belonging to the Boards should have real interest and the right skills to be strategic policy-makers.

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Table 1 Changes between 1999 and 2009 in England, the Netherlands, Germany and Italy

	England before 1999	England in 2009	Germany before 1999	Germany in 2009
Structure of academic curricula	Complex system with different tracks leading from secondary school to HE. Bachelor/Master system (3+1/2).	Structure unchanged except for the introduction of the 'foundation degree' (a 2-year intermediate vocational degree)	Binary system (universities and Fachhochschulen). Academic curriculum based on the typical long-lasting degrees leading to a master equivalent title. Twotier system legally introduced on a trial basis since 1998.	The BA/MA system should be fully implemented by 2010. Accreditation process for degrees has been introduced.
Institutional autonomy and accountability	University as selfgoverning bodies based on different juridical basis (except for the pre-1992 polytechnics, whose internal governance is established by law). Strong governmental pressure since the early 1980s leading to competition and differentiation.	Reinforcement of the 1990s dynamics. Strong institutional managerialism	Low institutional autonomy. Power exerted by academic guild and LaËnders' governments	More institutional autonomy (in finance, organization and recruitment) recognized by LaËnder. New boards of governors instituted in many cases with the power to appoint the Rector/president. More institutional variation but also persistence of self-academic governance style
Quality assurance	1997 Quality Assurance Agency. Evaluation of teaching and research through the Higher Education Funding Council. Institutional self-evaluation	Continuity with the inheritance of the past decade. Reluctance in endorsing the European system of quality assurance. Institutional audit preferred to accreditation system.	Not an issue.	Establishment of the Central Accreditation Council and of system of accreditation agencies. Regional procedures for teaching evaluation.

Italy before 1999	Italy in 2009	Russia before 1999	Russia in 2009
Long-lasting degrees (4, 5 or 6 years) leading to a master equivalent title. Formal legal equality of all universities and all degrees. Little autonomy in determining the content of degrees.	First implementer of the Bologna process (law approved in 1999, deadline for full implementation in 2001, law corrected in 2004). Greater institutional autonomy to design the content of curricula.	General 5 year degree for all. The BA/MA system was established in advanced Universities (like HSE)	The BA/MA system implemented.
Typical continental governance structure based on the power of academic guilds and central ministry. Institutional autonomy of universities recognized in 1989 but used in an irresponsible way by universities precisely because this model of governance is foreign to the continental tradition.	No changes. Dramatic financial situation of universities also because of their way to govern themselves. A new governmental bill has been presented to the Parliament in December 2009 (it has been approved at the end of 2010 and provides some new regulations on the institutional governance. Not clear if it will produce real change).	Continental governance structure, state control hierarchical governance model. After 1992 a short period of lack of governmental control started.	No change. According to reform in 2009-2011 — Few autonomy in academic standards for few universities (that get special status of federal universities and national research universities) with stable overall government control
In the mid of 1990s the Internal Audit Units and the National Evaluation Committee for universities have been established as advisory bodies. Very ineffective in the decision-making.	More decision powers given to the Internal Audit Units. A National Committee is now in charge of the accreditation of degrees. Formal establishment of a National Agency for the Evaluation of Research and Teaching still not working.	Government control before 1992. Law of Education 1992 allow to open private universities give freedom in issue curriculum and textbooks through accreditation process	Only for Universities with special status (federal and national research) is given autonomy to have their own academic standards

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Ekaterina Tupova

"Typical students" in Russian University: transformation of the public image

Introduction

The topic I have chosen is very complicated. In a way, it includes the transformation of stereotypes about Russian scholars. Students and youth seemed to be the most active part of the society in the XX century, but student image models varied across times. It is the common knowledge that youth and students are associated with modernization power. Nowadays the image of a typical student is not taken as a serious power of any kind.

My main purpose is to show the evolution of student image in the following aspects: social life, political activeness, academic achievements and self-realization.

I looked back in history of Russia to create understand the historical background. I used the method of comparing popular "myth" characters. The links were: "History of Seaman Vasiliy Kariotskiy and the Beautiful Princess Iraklia"[1], "The student"[2] by Griboedov, "Fathers and Sons"[3] by Turgenev, "Crime and Punishment"[4] by Dostoevsky, "The Cherry Orchard"[5] by Chekhov, "My Universities"[6] by Gorky , "Diaries 1949-1956"[7] by Shcheglov, the report "British Students Visit Moscow"[8] by a delegation of foreign students, movie "Shurik's Adventures"[9], and play «Przewalski Horse»[10] by Shatrov.

From very beginning

Looking back at the history of Russian education, I should note that higher education in the country was largely influenced by Western experience.[11] First Russian universities appeared later than in Western Europe, and first Russian scholars were educated abroad, in Germany and Italy. Education in this period was a privilege of churchmen, which caused a problem: educated people had big authority but the source of their erudition seemed suspicious because of the close attachment with Catholic culture. Russian Orthodox church was afraid of Western influence, so it wan't very interested in sending students abroad or coping Western model of education.

At the end of the XVII century, many heresies appeared, and the moment came when the Russian church got quite preoccupied about education.

So, Kyiv-Mohyla Academy was started in 1632. It had the aim of preparing people with «true faith» and right way of thinking.[11] In 1687, based on the same principles, Slavic Greek Latin Academy was launched in order to strengthen the Orthodox Church. In this period students (if we can call so those educated at Russian religious and cultural centers) were loyal to the authorities.

The country was developing, and the need in secular education increased. As a result, at the beginning of the XVIII century education became more open for people of all rank and status.[2]

The tendency is shown in "History of Seaman Vasiliy Kariotskiy and the Beautiful Princess Iraklia" (early XVIII century). Kariotskiy is a social actor and a progressive man. He doesn't protest, his views are a result of changes that Peter the Great brought to Russia. For him, Self-realization is a part of state's success, while academic achievements don't really matter: only material success is a goal.

In 1720, three fourths of all Kyiv-Mohyla Academy students became translators or continued education in engineering, mathematics, or in medical schools; only one fourth of graduates was ordained .

However, there was lack of specialists in applied sciences, such as maths and engineering, not of comprehensively educated theoriticians. So the main emphasis was put on primary and secondary education. Another very important step was done: Saint Petersburg University was founded together with the Academy of Sciences. At the beginning, people still feared foreigners (since most professors were usually invited from abroad), and most of the students were children of visitors.

After grants for scholars were introduced, the number of students increased: there were some who paid for their education, while others were supported by the government. The second type of students included people of different social status; some of them were even peasants (like Lomonosov, who later founded Moscow State University). One by one, new educational centers started to appear: Moscow State University in 1755, Medical School within the Main Public College in Saint-Petersburg (which later transformed into Medical University) in 1783. The main result of all the educational reforms was that the system became clearer and more unified, and universities took their place on top of the hierarchy. At the beginning of the XIX century universities started to play a role of powerful institutions. Kazan University and Kharkov University were founded. New university regulation granted autonomy to Moscow State University in 1804. The spirit of freedom became part of everyday university life. The rector's autonomy in both administration and academic planning were important for the development of science and for the formation of the future generation of the Decembrists.

These were the times when students became an active social group. This process had several reasons. For example, it became necessary for young gentlemen to be highly educated in order to be accepted into social life. The Myravyov reforms included taking obligatory exams for ranks of collegiate assessor or councilor of state. That is why the sons of noble families became part of the student community. The Trubetskoys, the Volkonskies, the Aladyanu, the Vsevolzhskies, and the Raevskies — all of these noble names can be found in student registry lists. Some students also were formed clergymen. As D. Sverbeev wrote in his memoires, "In our times students were divided into two groups: post-gymnasium students or seminarians, who shaved beards, and us, aristocrats, who didn't even have bloom on our cheeks. While the commons were studying, we were just having fun."

Benevolsky, the main character of the famous comedy "The Student" by Griboedov, appeared as a parody to this kind of students. He just imitates being socially active and having liberal views for his own purposes.

This separation appeared because of the different level of requirements in entrance examinations for people coming from different social background. The commons had to take entrance exams seriously, while for the nobles it often was a formality. Some of the aristocratic "students" were 13 or even 11 years old. It was a common practice because at the age of 16-17 they had to start working and have high rank at the same time. As a result, we can talk about two kinds of students[12].

Aristocrats, who paid for their education, were a diversified group in which individuals usually followed their family's standards of life and behaviour. In contrast, people supported by the government really studied at university. They didn't have a lot of money to spend, and they lived quite poor. The beginning of the XIX century was when the first images of a "typical student", close to our current understanding[2], appeared. They lived in hostels, 10-15 people in one room; they couldn't go out after 10 o'clock. Young people invented different excuses to avoid this rule: they would say they were visiting some friends for dinner due to lack of money. It usually caused troubles when at night, being drunk, such students left the hostel and started to make noise. Such practice wasn't rare as we can see from memoires of different people. University gave them grants: of 150-200 rubles, and also often provided them with food, just like in secondary schools. Still, they were seeking for extra-money and sometimes had part-time jobs usually as private tutorss or translators. University performance was very important for a career. They were "struggling" for social status; they were "fighting" for excellent marks and money for living.

For young aristocrats, their future rank and place of work depended mostly not on their knowledge of Latin but on family power. They had more free time and more freedom. The ideas of Western philosophy excited them. So, a large part of students formed little groups, usually started as close a circle of friends, and sometimes grew into communities with political programs.

It is important to mention that image of a student who is politically active emerged in this time and was connected mostly with liberal (but not radical) young aristocrats.

Students often had meetings, and the main topics discussed were literature, art and philosophy. Voltaire's ideals seemed realistic and, as the Decembrist revolt showed, they were ready to fight for them. After this event, new stricter regulation regarding universities were adopted. The government tried to make higher education a privilege of the nobles and to cut out commons. Uvarov with his famous formula "Orthodoxy, Autocracy, and Nationality" practically tried to revive image of XVII-century students. Just like before the reforms of Peter the Great, maid emphasis was made on religious knowledge. Independence of universities and professors was diminished; even students' everyday life was under control. All this had the goal to bring up people with strong faith in "true government". The Decembrists caused changes in the Russian education system but the government couldn't stop the time and only became an enemy in eyes of an average student.

Two very interesting images appeared later in the form of Bazarov (from "Fathers and Sons") and Raskolnikov ("Crime and Punishment").

Bazarov is a commoner and has a very specific view on every issue. He believes that all achievements are made through work and hard studying. He is represented with sympathy as a serious and complicated character. He has a lot of

knowledge in science and knows how it works in practice. Being a nihilist, he thinks that everything traditional should be destroyed.

In this period students had reasons for fighting, and the nture of their protest was becoming more and more radical; even the "thaw" period of Alexander the Second couldn't stop this process. As a result, "typical student" of the early XIX century was a noble with the ideas of spiritual freedom or hard-working person with mostly radical views and with the perception of the government as an enemy.

Raskolnikov's example shows how in such a situation the idea of self-realization leads to destruction. He doesn't work, he is trying to help some people in difficult situations but doesn't see the way of social injustice overcoming. Not really interested in politics, he behaves and thinks in an oppositional way. He can't continue studying because of lack of money, neither does he see any interest in life except for the realization of his "idea".

History repeats twice

« History repeats twice: first time
As a tragedy, second as a farce»
Hegel

The beginning of the XX century brought instability to Russia's political life. A Soviet historian while talking about students in this period used Lenin's words. In 1903 he wrote what they were the most responsive part of intelligentsia. We have plenty of information about the nature of student movements in this period.

In literature, we can see the image of Trofimov, who speaks a lot about the future of society. We know that he had problems at university because of his progressive ideas. Chekhov sees in him the voice of the future but doesn't take him seriously. Trofimov is not a power of change or a man of future.

Revolution of 1905 year satisfied a large part of intelligetsia. There were some positive changes for the system of highew education: new, democratic university admission rules were accepted.

After communists came to power in 1917, students were diversified, just like the other parts of the society, but political activeness remained one of the most important features of this group.

Images of students in "My Universities" by Gorky are not very representative. The main character of this book takes education in the "university of life" but he also meets some real students. They are poor and are trying to make their living. Mostly they are radical revolutionists who have no time for studying, they see the revolution and building a new country as a way of self-realization.

The communists tried to break the "bourgeois culture" and to create a new student image: a man or woman, from workers or peasants, whose knowledge should be both practical and politically oriented on Marxism-Leninism. Universities of "red professors" (that is — revolutionary-oriented) and groups of communist universities were created. The aim was to take down the old generation of lecturers, who seemed to be dangerous for new regime, and introduce new "politically reliable" ones. Again6 the independence of universities was decreased.

The discrimination on admission for former aristocratss was stricter than that for the commoners in the XIXth century. The main requirement for students was their

social background, not knowledge. Milyukov quotes one teacher who said, "Selection basing on talent criterion is unacceptable. That will mean closing doors for the proletariat and peasants."

The implementation of government initiatives was aggressive and powerful. New scholars were faithful followers of communism, and most of them had romantic illusions about the Soviet state and communist future. Moral qualities, such as activeness and initiativeness, became more important than academic achievements. Students from "workers' faculties" were usually people whose educational level was near to primary school basics. At the time, entrance exams for workers and peasants were abolished, and virtually any young worker could become a student.

As the political system grew more stable, exams came back, and academic knowledge became the most important thing in higher educational. But the idea of pro-communist education stayed and was developing. Students had to be members of Young Communist League, be builders of the new state. The government's position was that without the communist revolution, such youth would never have gained access to higher education. Students were used as labour force; they had to participate in collectivization and industrialization. During the Second World War, a lot of them left universities in order to fight against the Nazis. Afterwards, 30,000 veterans of were enrolled in universities.

The idea of all Soviet higher education was that students didn't have to fight for their rights (the party gave them all they needed) and could, instead, work for the benefit of the society. Scheglov in the "Diaries 1949-1956" appears as an ideal image of a Soviet student. He is very satisfied and inpired by the opportunity to receive education. Academic achievements are the most important thing for him; success and wealth are not his aims. He is also well socialized and has a lot of friends among fellow students.

Another interesting period is Khrushchev's False Spring. Stereotypes about students of that period can be found in the book titled "British Students Visit the Soviet Union".[8] It demonstrates not only data about living standards for students but, what is more interesting, the features of a "typical student". The book says, "Soviet students seem to believe that it it not possible for an organization to exist without a political object".[8] Soviet students apparently believed that "the absence of student exchange between countries was the fault of the British government and were surprised when told of the amount of foreign travel done by British students.

"They were well acquainted with our classical authors but their knowledge of our present day life was extremely distorted. This picture of life in Britain is so firmly believed that they found it difficult to accept many of our remarks concerning our country. They were unwilling to compare their hostel conditions (four or five to a room) with ours. Again it was difficult to convince them that the works of Dickens and Galsworthy gives little indication of the present day life of our country. Some students even cited the Eatanswill elections in Pickwick Papers as an example of British elections.

"The students seemed incredulous at anything strange to them. Our formal meeting at Moscow University club was punctuated with laughter. The apolitism of NUS was almost beyond their comprehension. They were extremely nationalistic. Revering everything soviet; soviet policy and leadership were always correct."

Soviet government tried to present a "typical student" as a communist who was ready to fight for peace and communism in the whole world. They tried to emphasis that there were no more reasons for struggling for these young people: the number of men and women was approximately equal, 52 nationalities were represented, most of students received state grants or personal scholarships (standard cost of hostel was 15 rubles per month, cost of food 8-10 rubles per day, and the average grant was 350 rubles per year).

But of course the situation with student accommodation wasn't perfect, and the Soviet government couldn't hide crowded dorms from foreign delegations. The British wrote about Agricultural Academy: "Both the exterior and interior were in a poor state of repair", "the corridors were bare and gloomy and this effect was intensified by their length and the poor illumination from a window at each end".

The propaganda and ideology worked for the myth and the image of an average student was associated mostly, as it has been mentioned, with pro-government social activeness. Numerous examples of "typical student" were shown in Soviet films, and this played a great role in forming the so-called "Soviet mythology". The character of Shurik from "Shurik's Adventures" is the collection of stereotypes about the youth. He is shown with humor, a romantic and activist. He works and communicates a lot, he isn't interested in politics.

Speaking about the 1960s and 1970s, we can note that while ideology still was strictly communist, real social flow changed its way. The generation of pro-government romantic communists was in the past, and the new youth who had never seen the war became tired of political pressure and obligatory social life. We can see it in "Przewalski Horse" by Shatrov. Social life, communication and recreation were very important dor students; they were inspired by Western youth culture but didn't really protest against the regime. They believed that personal happiness didn't harm collective work

The image of a "Soviet student" in this period was unnaturally supported by the government. However, such tactics were ineffective — just like those of Uvarov in the XIX century. Like the rest of the society, young people were looking for a way out of the system. One more time instability again students an anti-government power, and again the reason for struggle was thirst for spiritual freedom.

Nowadays

What was the effect from political changes? "In the post-Soviet era, the system of higher education has undergone a more drastic transformation than the primary and secondary systems. Authority has moved from the center to agencies in local and sub national jurisdictions. About 14 percent of institutions of higher learning are located in the twenty-one republics of the federation. Under the new system, each higher education institution can determine its own admissions policy and the content of its academic programs. These institutions also have their own financial resources and statutes of operation."[13]

Russian students gained freedom from obligatory Marxism- Leninism in their academic program and obligatory pro-government activeness. They also got more freedom in their professions. "The Soviet Union concentrated its vocational training resources in areas such as space and military technology. It lagged behind the West in

technical and vocational training in other sectors because of the practice of ending students' preparation in these areas at the secondary level. In Russia vocational schools traditionally have had a poor image; only in the early 1990s was comprehensive vocational education introduced for postsecondary students."[13]

On the other hand, while the country was in a financial crisis, the system of higher education experienced insufficient funding. State universities had to compete commercial universities for students, and the latter were sometimes ready to enroll students just for money. In other places money was a limiting factor, similar to a "right" social background. This had impact on forming the image of students. TV shows like "University" or "Club", which are running on TV nowadays, also are a product of such events.

Of course the youth are not a mass, and a wealthy young man who does nothing but partying isn't the only image of student now. For example we can see the image of a hard-working student in the movie "Black Strike". We are virtually witnessing the return of noble student vs commoner students images now.

What about students' beliefs and priorities?

I have found some interesting notes about Russian students at the beginning of 21 century in an online magazine.[14] The author is a German student who came to Russia to study. It is interesting that he didn't mention in his notes the popularity of any social organizations or political activeness. But he noted a very important trend: students who are interested in studying usually don't work, because working conditions aren't flexible enough. This factor may form the reason for struggle in the times of crisis.

Today we rarely hear about students who struggle for politics and ideas but, as we can see on example of Saint Petersburg students who protested against low wages and demanded higher grants, the situation is changing.

"Education Minister Vladimir Kinelev visited Saint Petersburg on November 1st, three days after several thousand students and teachers rallied on Palace Square to demand higher grants and wages," *Smena* reported. "Representatives of the city's 43 higher education institutions took part in the 29 October meeting, which culminated in a march to the statue of Mikhail Lomonosov by the Saint Petersburg State University building on Vasilievskii Island."[15]

The reasons for protesting were clear: "Students have to rely on family and their own earnings to make ends meet. In a recent Moscow poll, 69% of female students and 74% of male students said they had a job of some kind."[15]

Why don't we see any outstanding images of students in mass media? To my mind, it is a direct consequence of a progressing extinction of civil initiative. As one young Russian writer, Pavel Danilkin, noted in his book "New Youth Policy. 2003-2005"[16], the beginning of the XXI century predicted growth of youth movements in already powerful political organizations.

From 18 youth political structures, information about which is available from their official web-sites[17], just one isn't part of a bigger party ("DA" — Democratic Alternative). All of the 20 "non-political youth public associations" are sponsored by the government Agency of Youth Policy. The aim of the Agency is "the implementation of state youth policy".[18]

There is a trend: most famous and large-scale projects, which have youth target audience, are made with governance participation, for example Seliger.

In Russia there are just five "student youth unions", three of them are limited to one region (Pskov, Idgersk and Moscow), and only two called themselves all-Russian. The "Russian organization of students unions" has contacts in 328 high education institutions. Is that much? Yes, relatively: there are 2909[19] universities in Russia today.

Some experts, for example, journalist and editor-in-chief of Russian magazine "Afisha" Yuri Saprikin, think that political powers try to make a deal with Russian young activists. In his article "Why Government Needs Modern Art"[20:] , he says: "They tell us, 'Take fashionable shops, and art festivals and art house movies. You see, politics and social questions are boring and banal'."

And the government doesn't make any secret of that. In the report "Resources of Innovative Strategy in Youth Development"[21], which presented the goals of youth policy for 2009-2012, it is said that one of them is the introduction of behavior strategies which should be based on the perception of self-success as a part of the country's success.

The report goes that, "In every place where more than 100 young people can meet there should be a specialist who has direct understanding of what is efficiency and what Russia is as a country now, what are its interests and principles, and what strategies of self-realizations can be presented to the youth".[22] The leaders, they write, can't appear in our society by themselves, that is why "the government should do research and bring up young leaders".

The statistics given in the report draw the image of youth with fears and desires connected mostly with wealth. 54% of youth were frightened by the prospect of poverty. 64% of young respondents and 70% of adults characterized young generation as "moral relativists" and "cynics indifferent to everything".

What is more frightening, the responsibility for public moral young people is put on the government. 76% of youth thought that the maintenance of public moral is a direct government responsibility, against 66% in 2005.

The report was published in 2008; did the situation change in 2010?

Olga Kamenchuk, communications director of the Russian Public Opinion Research Center, wrote that in age group of 18-24 the part of politically loyalists is bigger than in others. The activities of thepresident are approved by 73-79%, of prime minister — by 76-83%. On the other hand, the part of people who are ready to protest is getting bigger too (25% of youth and 21% in all age groups). But, as Kamenchuk noted, it is words, not actions.[13]

Young people tend to personalize power and are less informed about alternatives: they don't remember the Soviet Union and don't dream about the freedoms of the 1960s.

As a result, 42% of young Russians under 24 say they are mostly satisfied with state policy (across all age groups the share is 32%); 14% aren't (19% of people in the whole country). Interests of the youth are mostly recreation and communication. 37% of young people think that the biggest power in life is money.

Conclusion

If we analyze the structure of student images, we may divide them into groups and see what models were mostly presented. The priority of self-organization stands out among other characteristics. Academic achievements and political protest went together with social activism of different kinds. It appears that the most common model is characterized by social activism and academic achievements without the priority of self-organization and political protest. Scheglov, Shurik and the typical student in British students report represent this group.

As I mentioned in my work, some trends are repeating themselves. There were times when student image included fighting from pro-government positions, and times when struggle against the government was typical for students. Some people can say that today's students are not idealistic and don't want to struggle for anything except, maybe, better economic conditions.

Characters of Bazarov from "Fathers and Sons", Shurik from "Shurik's Adventure", and heroes of popular youth TV shows were indicators of real changes in the system of Russian higher education. What image will be popular next? That is still a question but I hope that a new image of students will appear in media and in life, and that it will be an independent and initiative leader.

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Nikolay Telesnin
University as a source of liberal mind

Sine Qua Non Element

Let's look at the world as we know it: with loud cities and global economy, reign of democracy and the rule of law; at the world which is completely permeated by electronic networks, connecting countries and continents. This world is the triumph of reason itself and entirely, from its foundation to the uppermost, is created on various innumerous achievements of science. It's not simply part of our life, it's a key to development of our civilization, by virtue of which we can save our way of life, adapting to challenges of time.

The impact of science can be hidden and we sometimes take it for granted, so we often forget that there is a great scientific basis behind any technical or social invention. Thousands and thousands of graduates have been working for many decades in order to advance the science ahead, making great and little scientific breakthroughs for society. But even such a huge and immense phenomenon as science needs a solid foundation, bearing and nourishing a mountain of scientific thought. It needs an instrument of accumulating, saving and retranslating a huge amount of knowledge and experience of previous generations necessary for sustainable development. This instrument is the most important innovation of the European culture, and this instrument is universities. They are the true ground of our world, and their significance is even higher than democracy or industry.

For more than ten centuries universities have been supplying people with brand new concepts and ideas, elaborating innovations that frequently are ahead of their time. Today, the role of higher education institutions is merely growing: complication of production and public relations need well-educated staff not only to move scientific progress forward but also to support our civilization at the present level. What would happen if the world lost experts on nuclear energy and mining of oil, network administrators and strategic managers? Most likely, it would collapse and plunge into the Stone Age, even if people find a way to domesticate all the lost knowledge forthe second time, because knowledge is not all what professionals need and universities give.

Unlike other education institutions, teaching one or another volume of knowledge, universities transfer to students a special culture of thinking. It's a freer, more organized and more complicated system of thinking.

Drastic Changes

Throughout the long history of humankind, there were quite a lot of thinkers and philosophers saying separate liberal minds about private individuals and society in general, however, their words remained without adequate attention. The vast majority

of ancient people imagine an ideal social order as a reign of a harsh but fair dictator with absolute power to punish offenders and reward law-abiding citizens.

Nevertheless, the pitcher goes often to the well but is broken at last, and during the Middle Age, particular movement in social consciousness has occurred. Distinct liberal ideas have suddenly got a promotion, developed them to the sterling theories of social structure. Moreover, they found support in ruling circles. Precisely during the Middle Age we can see first progress of society on the way to gradual liberalization and democratization, and not many events of that period can be regarded as causes of such changes. There weren't any collisions between the Western countries and civilizations, superior by level of development; there weren't any ardent supporters of liberalism among the monarchs and popes, kept the main political power, or revolutions, revising general principles of law and policy; in one word — there was nothing that could change existing order. Nothing except one thing.

In contrast to other civilizations that fought one another, the Europeans didn't destroy existing the achievements of the Romans and gained from the spiritual values and scientific achievements of fallen Empire. After a few centuries, when studying of ancient legacies became wide-spread, the world witnessed the birth of a completely new community type called *universitas* and uniting scientists, teachers and students, fully concentrated on education and science, had appeared and risen to full height. Exactly at that time it happened a coming of European liberal thought that indicates universities as cradles of liberal way of thinking, which has spread not only among intelligent people, who directly contacted with writings of ancient scholars and sages, but also among all more or less educated people.

But it's not important; after all, those ideas have been appearing every time and everywhere. It's more important to answer the question why they got a promotion exactly in that time and there, despite the harsh environment of the Middle Age. The reasons of this unique phenomenon and its unusual circumstances of uprising awaken my scientific interest to university communities and sets my research goal, which is to consider the reasons of rising universities as liberators of medieval world.

Today there are a lot of discussions about democratic development in Russia, its methods and ways of implementation. Now, every farsighted politician recognizes its necessity but at the same time, many specialists discuss the peculiarities of Russian political reforms and development in general. Sometimes they show real misunderstanding of future prospects; sometimes they hide the authorities' reluctance to put them at a disadvantage, but anyway, it definitely stops Russia's development. Maybe, addressing the already existing institutions could solve this problem without artificial intervention to political and social systems, eventually, taking Russia out of stagnation.

Universities are more than anything else suitable for the role of such an institution because of their involvement in the life of Russian state and society. University diploma in Russia is something that proves adequacy of a particular person and every prestigious and highly paid job requires it, even if the applicant's professions isn't connected with his or her potential future job. I also think that the historical experience of liberalization by universities could prove invaluable for our country in the sphere of political and social modernization.

If we were able to create a right environment around universities, Russia (which has already proven to be a good imitator, capable to catch up in the short term

with the leading world powers) would make a leap forward to re-gain its lost positions in the world. Not directly, due to successes in educational sphere, but step by step, through whole generations of people, thinking more progressively than their predecessors. In this case it doesn't matter who exactly comes to rule because anyway it will be someone with a liberal disposition, clever enough not to slow down social and political evolution.

According to this practical aim, we should appeal to origins of universities, their internal atmosphere and external environment around them, which can illuminate the optimal conditions for appearance of liberal ideas. Their adaptation of politics and economics for modern realities is a key to optimal conditions for evolution of minds today.

Under Restrictions

It's hard to think freely and think about freedom without freedom itself. Meanwhile, in the Middle Ages, the concepts of ancient Greek and Roman philosophers, who had called freedom "the most important value", were understood literally. Liberty, as any other value, was not only valued, but priced, too, and priced highly by the strong Church and powerful feudalists. Freedom (as autonomy) could be obtained by those who could offer something valuable in return, and first university communities were among the few who could do that.

It has already been said that *universitas* had a deal with heritage of Roman Empire, but what's more important, those studies weren't distant from medieval reality and needs of medieval humanity. Doctors, lawyers, theologians, engineers and all the other important specialists were part of an emerging university brotherhood and they were too necessary to be not free. Through those members of academic commonwealth, universities were accumulating considerable power, enough for getting a particular autonomy from the rest of society. That put them a step up from the others, leading thus out at the head of social progress. This predetermined the further development of universities in the key guiding star of civilization behind which people walked, evolving in line with the ideas that formed inside the university environment.

However, it would be incorrect to think about feudal order as about something that must be (and could be) run away from. Being influenced by feudal social structure, universities hadn't lost their autonomy and even gained more freedom, than it would be possible in other political surrounding, because there was no engine to control students and professors in conditions of the absence of centralized national states. Thus, university authorities decided themselves what they should teach, avoiding direct interference of state and Church. The situation was supported by students themselves.

Most of them were of noble origin, inasmuch as sciences of that time were yet very far from practice and there was no opportunity or need in universal education, respectively, the majority of the students represented the privileged strata of society able to afford education. So, the students' social status served as some kind of shield for their Alma Mater, distancing them further from external influence and giving more opportunities for free development.

But just being prone to external influence are not enough for a radical change of mind in a liberal way. People need to be completely free from all the routine and immerse themselves into intellectual activities.

People first got such an opportunity at universities: they lived in university, they studied in university, they also taught younger students. Every day, every moment of their life was occupied with science, which made it possible to go deep into the essence of their subject, making an independent judgment of life. That was the main success of universities, their reward for creating an autonoous community, which was able to bring the world brand new ideas, discoveries and inventions. Specific culture of thinking and researching makes the mind of scientists more open to rational ideas and arguments and this openness gave birth to new social concepts of liberal nature. They were spread through law and policy, sociology and economics, through the spirit of science itself, inexorably and deeply changing the world.

Conclusion

There is no doubt that universities, as they appeared in Xth century, had all chances to become cradle of liberal ideas, which would eventually grow into modern democratic institutions, absorbeunusual academic spirit of liberty and concept of freedom as essential part of life. For less than five hundred years small groups of people, armed not with swords and guns but with intelligence and knowledge, were doing a really impossible thing: they subjugated the whole world and changed its outlook, making it play by their own rules and principles. Ideology of autonomy from public interests for all and everyone engulfed western civilization and determined its development for many years.

It was enough of a power to change a whole civilization, so it suggests that universities are capable of changing one more country, even if it's large and diverse as Russia. So, what kind of actions such a modernization requires? I'll try to suggest some measures.

First of all, universities need serious attention from the government. Many problems in the sphere of state administration could be escaped, if officials had listened to professionals instead of relying on their own knowledge. It doesn't look better when long and expensive research papers commissioned by the government are kept in cold storage; such state policy of cooperation with universities is simply hypocritical. However, it's not right to run to extremes and wait that when the world faces an absolutely new problem, university scholars and researchers will be able to immediately propose a decision. Academic knowledge is not perfect and will never be but even the wisest scientists sometimes can't come to consensus about important problems and take off the burden of responsibility from the officials, making us speak about their professionalism as a necessary condition for the modernization of Russia. In the other words, political elite has to be appropriately educated and university personalities have to be appropriately empowered to have an influence in important issues.

This way is not simple but it has demonstrated its effectiveness, so I suppose that it will be optimal solution for further modernization and liberalization of Russia.

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Laura Petrone
Democratic Culture in Higher Education Institutions: comparing Russian and Italian Universities

Introduction

Should universities play any role with respect to democracy promotion in modern societies? If yes, how can they achieve that, namely how can they ensure that values such as human rights and rule of law are truly assimilated by students, beyond the mere teaching activities?

These are some of the crucial questions shaping the current debate about democratic citizenship within HEI, which has gained momentum since the last decade mostly due to research projects and seminars sponsored by the Council of Europe, such as the Forums on Higher Education Governance. Yet, now that an uniformed "European Higher Education Area" is emerging as result of the Bologna Process, it is even more worth addressing such an issue with a comparative perspective in order to grasp the differences and similarities in university's role among countries.

As a matter of fact, the move towards a mass education system as occurred in the last decades has brought about a series of structural changes which needed to be faced at an international level: firstly, the rise in numbers in university enrollment has required a deep transformation of governance mechanisms in order to make universities real autonomous institutions with an internal, coherent decision-making process (Capano 2006). At the same time governance became a crucial element in assessing the quality/performance of higher education system, implying the formulation of valid objectives and the development of suitable instruments to achieve them. Secondly, HEIs' capacity to adapt to new demands of socio-economic system is of great significance: the rapid expansion of global economy in market and finance strongly presses on universities to act as private enterprises delivering services to students "consumers". The question about the sustainability of HEIs' "marketization" is hardly debated but what here should be stressed is the increasing university's responsibility in providing students with a adequate preparation for the labor market.

Against this general background stands the discourse about the promotion of democratic culture by HEI as one of the basic conditions for a good governance and as additional mission to be accomplished by universities in the XXI century: encouraging the active participation of all individuals in democratic life at all levels alongside the learning about democracy in school and university life, including participation in the decision-making process and the associated structures of students and teachers.

What is relevant for the present research is that the idea of university as a place of democratic citizenship, far from being a mere slogan, has become extremely important for those European international organizations with a normative connotation (Council of Europe, European Union and OSCE) in their broader strategy of

promoting democracy institutions and values among member States. Particularly, the Council of Europe "Project on Education for Democratic Citizenship" (EDC) launched in 1996 represents the most structured attempt to define the concept of "university as res publica", that is university as a crucial actor in modern society who greatly contributes in developing democratic practice; as well as to provide a wide comparison among different European higher education systems in order to ascertain the main results and limits in this respect[1].

Research Topic

The present work intends to contribute to the research field on University's main challenges in XXI century especially focusing on the conditions favoring the development of democratic learning and culture within HEIs. The main research questions are: which factors can be considered as conducive or detrimental in promoting the concept of "university as Res Publica"? How the traditional role of university as provider of teaching relates to the relatively new mission of promoting democratic practice? To what extent the cultural and political factors affect the pursuit of this mission at a national level?

I will try to provide some explanations to these questions by considering two different higher education systems, namely the Russian and Italian ones: although Russia and Italy have started reforms in this policy area at different times and within very different cultural and historical contexts, they face common problems in transforming old, deeply rooted higher education systems: namely the adoption of more autonomous and efficient institutional arrangements which would make universities competitive on a global scale. In my view their experiences compared offer interesting insights to better understand the potential suitability of such an approach (university as *res publica*) in contexts hardly resilient to changes and adaptation as well as offer useful lesson for those countries which have only recently reformed their higher education systems.

Considering these main subjects and goals the work will be structured as follows:
- brief analysis of each of two countries' historical and political background where are operating the recent reforms implementing the requirements of "Bologna Process"
- analysis of formal provisions about higher education governance as established in each country's national legislation, with special focus on students representation in these structures.
- analysis of actual students participation in universities' structures, including the elective bodies and associations
- analysis of each university's mission and priorities in teaching activities

Methodology and the Choice of Case Studies

The work will use secondary data obtained firstly from the main contributions in literature and the general Russian and Italian legislation on this matter; secondly,

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[1] Sjur Bergan (ed.), 'University as Res Publica. Higher Education Governance, student participation and the university as a site of citizenship', Council of Europe Higher education series, No. 1, 2004.

two universities for each of the two countries will be analyzed, using information collected from official websites, semi-structured interviews and other available reports.

Particularly, the following universities will be examined: the Moscow State Institute for International Relations (MGIMO) and The State University — Higher School of Economics of Moscow for the Russian case, the University of Bologna and the Bocconi University for the Italian case. They are all leading universities in their own countries with a strong international orientation, which allows us to assume that each of them has largely invested in conforming its functions and activities to international standards. As for Russia, while SU-HSE is well known for its liberal, Western-oriented approach (European Union has been one of its original sponsor), MGIMO is close to the current Russian establishment, particularly to the Ministry of Foreign Affairs and has, supposedly, a more conservative viewpoint. As for Italy, this liberal/conservative opposition has not much sense, whereas both University of Bologna and Bocconi University have a strong reputation in promoting independent research and teaching; yet, while the former is a public university mostly funded by the State, the latter is a private, self-financing entity. This basic difference allegedly should be reflected in their respective governance structures and student activities.

Particularly, this selection of case studies intends to highlight the main differences both among the countries and transversal to them along three principal dimensions:

- <u>University disposition in promoting democratic values and practices</u>: Is democratic culture considered part of the university's mission, together with its traditional role in providing education?
- <u>Teaching activities contribution in developing civic responsibility</u>: To what extent does university allow dissent and minority viewpoints both from the professors' and students' side? Are there any courses related to democracy and human rights?
- <u>Student participation in governance structures</u>: Is elections of students representatives a common practice? How popular are student associations variously engaged?

These three dimensions can be considered together as forming a sort of index of "democratness" in HEIs, which can be taken as reference in each case study to assess both the university's capabilities in encouraging democratic culture and the willingness and possibility of students to actually realize these practices.

Russia

Higher education reform represents a great challenge to be addressed in Russia in order to increase its international competitiveness, as it is stated in official speeches and documents[2].The national priority project "Obrazovanie" sponsored by the Ministry of Education and Science of Russian Federation defines «the accelerate modernization of higher education institutions (HEIs) as its main goal», as well as the forming of new financial and managerial mechanisms in Russian universities[3].

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[2] See President Medvedev's speech to the Federal Assembly on 12 November 2009.
[3] See in particular "Support to leading Higher Education Institutes", http://mon.gov.ru/pro/pnpo/vuz/.

The current university renewal in Russia can be inserted into the broader administrative reform strategy, aimed at regaining managerial control over the public sphere, which was largely lost during the 1990s: in this perspective two main aspects of the restructuring process as implemented in the last decade worth attention, namely the merge of public establishments to form "National Research Universities" and a rationalization of public financing destined to most profitable universities, capable of withstanding competition at international level: while the latter should encourage universities to attract private funds through investments, the former intends to constitute university complexes as "centers of excellence" through the merger of regional universities in federal ones. In this configuration the state plays a key role in allocating funds, which results in a tight competition among universities to be selected as major grantees[4]. In addition, the reform has implied a restructuring of university governance according to international standards, especially the "New Public Management" model, with a division of tasks among three main actors: the Ministry of Education and Science, with principal decision-making competences, the agencies responsible for allocating funds, and the agencies charged to control quality in the services provided as well as the conformity of procedures to the law[5].

Alongside this structural reorganization, the participation of Russia in the European education area has meant the conformity to specific educational standards, as those sponsored by European Union, the Council of Europe, World Bank and OECD: since Russia is embedded in global networks it needs continuously to confront with these supranational organizations which influence domestic processes in projecting and implementing policies, including higher education ones.

In this respect, the approach adopted in the last decade by the Russian administration has been quite multifaceted: from one side emerges the willingness to fully implement the prescriptions of the Bologna process, in order to assure comparable curricula and the universal recognition of diplomas. Accordingly, the main achievements, considered the three 'pillars' of education modernization, have been the following:

- introduction of a Unified State Examination (USE) to replace high school final exams and individually administered university admission tests
- introduction of a new financing scheme, GIFO (state individual financial obligation), regulating the education system by consumer and market demand rather than administrative measures
- implementation of Bologna Declaration signed in 2003
- development of higher education system on the basis of the bachelor-master level to replace the previous three levels of undergraduate studies cycle
- introduction of the ECTS system and the diploma supplement
- creation of mechanisms for the recognition of Russian and international educational credentials

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[4] See "Federal'niy zakon Rossiyskoy Federatsii ob avtonomnykh uchrezhdeniyakh", No. 174-FZ, 3 November 2006, Russian Federal Law on "Autonomous Institutions.

[5] For more detailed see Sigman C., 'The Impact of New Public Management on Russian Higher Education', Russie.Nei.Visions, Russia/Nis Center, No. 30 (2008), www.ifri.org/downloads/ifri_Sigman_ANG_education_sup_avril2008.pdf.

– facilitation of academic mobility of students and professors

The progresses which have been made in this respect are quite satisfactory, considering the deep transformations they have brought about to the Russian higher education system[6].

Yet, what interests here is the way the country confronts itself with the idea of universities as site of democratic education launched by the Council of Europe. In this respect, it is worth remind the Recommendation of the COE on education for democratic citizenship (EDC), in which it is wished 'to strengthen the capacity of member states to make EDC a priority objective of educational policy-making and implement sustainable reforms at all level of the education system (Rec. 2002, 12).

From a formal point of view, Russian legislation actually mentions some of the principles sponsored by the COE in its priorities: Russian Federal Law on Higher and Professional Education No. 125 of 1996 envisages among the tasks of HEIs "the formation of a civic attitude in the spirit of the contemporary civilization and democracy" (art. 11, par. 8)[7]. Yet, as for the norms regulating students participation in higher education governance, Russian legislation is rather general in wording this aspect. Formal provisions which state young people right to assemble and participate can be found both in Constitution and in some Federal Laws (Law of Education of 1992, Law of Social Organizations, Law on Trade Unions, etc.): the Law on Education, last updated in 2009, states that "students of HEIs have the right to discuss and decide about relevant issues regarding HEIs' activity, including participation in social organizations or in governance structures" (art. 16, par. 4)[8]. However, further details on this matter have to be traced in each university statute and regulations, which mostly regulate its internal organization responding to the principle of academic autonomy. sian education as a whole, some scholars have pointed out that while integrating the country educational system into the European area, the Russian political leadership appears concerned about stressing a uniform national identity in educational policies with emphasis on national priorities and interests. Actually, the "Strategy on state youth politics in Russian Federation" promoted by the Ministry of Education and Research in 2006, goes exactly in this direction: as stated by A. A. Levitskaya, Director of Department on youth politics of the Ministry of Education and Research, the initiative is aimed at "developing youth potential in the interests of State and at ensuring young citizens' participation in formulating, evaluating and implementing youth policies"[9].

For what higher education is concerned, up now there is not any formal Charter on students' rights and duties where students participation in university governance can be officially recognized. Nevertheless, within the aforementioned

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[6] For a detailed analysis of the main achievements in Russian educational modernization see T. Gounko, W. Smale, 'Modernization of Russia higher education: exploring paths of influence', "Compare: a Journal of Comparative and International Education", Vol. 37, No. 4, pp. 533-548.

[7] http://russia.edu.ru/information/legal/law/fz/125_fz/2892/. See also A. N. Kozyrina, "Kommentariy k Federal'nomu zakonu 'O vysshem i poslevuzovskom professional'nom obrazavanii'", Federal'nyi tsentr zakonadatel'stva , Tsentr publichno-pravovykh issledovaniy, 2009.

[8] The text of the Law is available on http://mon.gov.ru/dok/fz/obr/3986/.

[9] See "Molodyezhnaya politika. Natsional'nayiy prioritet Rossii", ttp://www.coe.int/t/dg4/youth/Source/Resources/Forum21/Issue_No9/N9_YP_Russia_ru.pdf

'Strategy' and under the leading role of the "Russian Youth Union" (Rossiyskiy Soyuz Molodezhi), a project finalized at working out student self-governance (studencheskoe samoupravlenie) in HEIs is envisaged with ambitious goals: "to improve social activism of students, and "to build truly active body of student self-organization in HEIs"[10].

Finally, it is worth noting that the Russian constitutional law prohibits activities of political organizations on campus, a feature common to many other post-communist countries which can be interpreted as a reaction to the past indoctrinate youth in communist ideology.

Italy

Italian higher education system has undergone a radical transformation over the last twenty years and, like in Russia, as part of a broader administrative reform greatly inspired by the New Public Management paradigm, focusing on results evaluation and institutional accountability. In particular, the Law 168 of 1989 represents the very first attempt to reform the governance model within universities responding to the principle of autonomy activity: namely the possibility for HEIs to adopt their own statutes. Starting from that, a series of mechanisms have been introduced, aimed at ensuring universities greater institutional autonomy as well as forcing them to be more accountable in teaching, research and self-financing. Among the most relevant changes there are the following:
- the introduction of provision tying part of State funding to an evaluation of the institutional performance
- the establishment of a commission for the evaluation of universities' performance
- the universities' freedom of choice in recruiting its staff, both academic and non academic
- greater freedom for universities to decide their curricula and teaching activities
- the creation of a Student National Council
- a major role played by the National Association of University Rectors in national policy-making processes.

Yet, Italian universities have proved to be quite inertial in introducing reforms in a model of governance for a long time characterized by "informal bargaining process", where individual professors and not democratically elected governing bodies controlled the decision-making process (Capano 2008). Thereby, it was the traditional Italian academy, dominated by small groups, that ended up orienting implementation of reforms: in this conditions the principle of 'steering at a distance' (more autonomy and self-responsibility for institutions) borrowed from other countries, proved difficult to achieve in a coherent manner.

As in Russia, higher education reform in Italy are partly the results of driving forces external to the system, especially the EU: the assimilation of the principles of

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[10] Details of the project, carried out in cooperation with the Ministry of Education and research and the Federal Agency on Education are available on the site of the Russian Youth Union,
http://www.studorg.ru/abouts/studorg.

the Bologna process in domestic legislation has occurred quickly, considering that Italy, together with France, German and UK, was the first to commit itself to harmonizing the architecture of the European higher education system signing the Sorbonne declaration in 1998.

As for students participation in university governance, the reforms towards university autonomy that have been implemented over the last decades and the consequent profound changes in academic environment raised the urgent question of formalizing students' rights and recognize a sort of "student citizenship". The Charter of students' rights and duties adopted in 2007 represents a crucial step in this direction: particularly, art. 8 deals with students' democratic representation in university decision-making which has to conform to fundamental principles of Constitution and of Universal declaration of human rights, while art. 7 focuses on the students' right to association and collective organization in universities, in accordance to the law and the principles of tolerance and pluralism[11].

Case Studies

After discussing the principal provisions existing in each country's legislation on education, let's focus on the four selected universities in order to understand what are the principal differences and similarities in students' participation. Firstly, universities' Statutes will be examined in order to ascertain the way in which university conceives its own mission and the rights officially assured to students. In particular, we want to verify in which cases the "civic" mission of university education as developed by the Council of Europe has been internalized; secondly, we are interested in checking provisions on students' participation in governance structures.

Table 1 shows that among the four cases only one, namely the SU-HSE, envisages in its own Statute what can be understood as a 'democratic mission' among the various tasks («to rise a civic awareness among students and an aptitude to work and live in the contemporary civilization and democracy»). Broadly speaking, the main goals common to all the four universities are the grantee of freedom in teaching and research from any external influences and the contribution to the diffusion of culture in society: undoubtedly, these aims can be considered "civic" as well and inserted in the broader conception of university as 'res publica'. Yet, what it should be stressed here is the explicit reference to the teaching of a democratic aptitude as a major task to be accomplished by university.

With regard to provisions on students' participation, the analysis of Statute shows that all the cases considered except one, University of Bocconi, explicitly list students' rights, including the right to representation in governance bodies within universities. While University of Bocconi does not provide this specific provision, it envisages the Union of students as an advisory body which coordinates student representatives' activity. Thereby, at least formally, all cases recognize students representation in universities bodies and set up additional regulations on students elections in governing structures.

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[11] The approval of the document has been sponsored by the then Minister of Education with the active participation from the National Student Council:
www.miur.it/Miur/UserFiles/Notizie/2007/Statuto_studenti.pdf

Table 1: Statute provisions about a "civic" mission and students' representation in university governance

University	Statute Provisions	
	Democratic Practices as Mission	**Student Participation in Governance**
SU-HSE	university's tasks: «to rise a civic awareness among students, aptitude to work and live in the contemporary civilization and democracy»	Students have the rights to representation in governance bodies through university student organizations
MGIMO		Students have the right to take part in decision about important issues of university through students' unions and governance bodies
University of Bologna		The university recognizes and values the contribution of individual students and associations in achieving the university aims Rules about elections of students' representative are provided by specific regulations
Bocconi University		no specific provisions about students' rights the student Council is envisaged as an advisory body which coordinates students representatives' activity

What about the effective students' activism and representation? To better understand how universities work with respect to these dimensions, student associations and participation will be analyzed, taking as reference mostly documents and other materials from universities' official websites.

A comparison among the four universities shows that the opportunity to build up associations within universities is widely recognized by the four universities' Statutes. Actually, in all cases students appear to use this opportunity to different degrees by associating themselves: particularly, Bologna University has the highest number of associations (36 registered), followed by SU-HSE (22), MGIMO (20), Bocconi University (15). However, considering the total number of organizations does not have much sense since we are talking about very different universities as for number of students enrolled and number of faculties. It is sufficient to mention that Bologna University counts 84.000 enrolled students in 2009/2010 and 23 faculties, and Bocconi University only 2500 students, 5 schools and 7 departments.

Instead, what is worthwhile is the kind of activity promoted by the associations: the classical idea of civic activism, embodied in the famous concept of social capital, includes organizations of various sort, from fraternal to sport and cultural ones, all supposed to share 'norms of reciprocity' and to encourage social trust[12]. From this perspective, all the four case studies are characterized by a great heterogeneity in the type of associations (sport, cultural, business, scientific, etc.) and seem to reflect the classical notion of civic activism; nonetheless, what emerges from a closer examination is the low interest toward truly political activities in the two Russian universities: this can be explained considering the aforementioned Russian constitutional provision which prohibits political organizations in campus. The Italian universities are conversely more active in politics, though there is a certain difference between the two: in Bologna University about a third of associations are politically engaged while in Bocconi University 2 up to 15 associations define 'political' their own activity (Table 2).

It should be noted that the term 'political' here means not only that these type of associations identify themselves with a specific political position, as 'Sinistra universitaria' in Bologna University with a left wing orientation and 'Milton Friedman Society' in Bocconi University with a right wing profile; but also that they try to affect somehow the election in representative students' bodies and sometimes even to establish a dialogue with local institutional and social actors.

The last dimension to be analyzed with regard to effective democratic practice is the students participation in governance structures representing their interests at national and at university level. Here a spark contrast emerges between the Italian and the Russian cases: in Italy since 1997 the National Council of University Students (CNSU) has been legally recognized as an advisory body of the Ministry of University and Research elected every three years. It basically issues opinions and proposals to the Ministry concerning university life (reforms implementation, funding, right to education)[13].

The last elections of the Italian CNSU were held in May 2010 with a 13% turnout: 200.894 students expressed their vote out of 1.5 millions of enrolled students[14]. The data show a quite low participation rate and, arguably, a high disinformation or lack of interest regarding the Council. The same trend can be observed at single university level, where during last elections of the internal Councils of Students the turnout has been of 10,9% in Bologna University and 7% in University of Bocconi.

In Russia a similar elected national Council is up to now missing. In addition, the analyses of the 2 Russian case studies has shown the lack of representative students' bodies within each university.

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[12] See R. Putnam (1993), Making Democracy Work. Civic Tradition in Modern Italy, Princeton University Press.
[13] http://www.cnsu.miur.it/
[14] http://www.universita.it/dati-ufficiali-elezioni-cnsu-2010/

Table 2: Effective students activism and participation

University	Effective Democratic Practice	
	Student Associations	Student Participation in Elections
SU-HSE	More than 20 organizations mostly engaged in sport, culture, theatre, science, business	Lack of an elected body representing students at a national level Non elected Student Council operates discontinuously
MGIMO	Various cultural, sport, and other associations with the leading role of the MGIMO Students' Union	Not elected Student Council which does not make decisions about relevant issue of university: mostly cultural activity
University of Bologna	36 organizations officially registered with about one third politically engaged associations	2010: 10,4% student local elections 2010: 16,9% national elections of C.N.S.U. (National Council of University Students) http://www.unibo.it/Portale/Ateneo/Amministr azione+generale/Aree+amministrative/81380/8 1381/elezionistud2010.htm
Bocconi University	15 officially registered associations. Main typologies: business organizations and career-oriented, but also some political organizations	2010: 7% turnout in CNSU election http://www.studenti.it/universita/rappresentanti /risultati-elezioni-stduentesche-maggio-2010.php

Main Findings

Comparing Russian/Italian Legislation:

1. democratic mission of university seems not be widely mentioned in both countries' legislations on HEI
2. students participation in university governance is very generally regulated in both country's national legislations
3. Italy has recently adopted the Charter of university students, recognizing a sort of 'students'citizenship'
4. in Italy since 1997 the National Council of University Students (CNSU) has been legally recognized as an advisory body of the Ministry of University and Research and elected every three years

Comparing university Statutes:

1. with the exception of HSE, none of the four examined universities' Statutes include democratic learning and practice among its priorities or tasks

2. the right to be represented in HE governance is recognized by all the universities (Bocconi does not mention it as a specific right, but it envisages a student council)

Comparing students' practices:

1. in all the case studies variously engaged students associations operate
2. Italian student associations appear to be more politicized then Russian ones → in Russia Constitution prohibits activity of political organizations in campus
3. in Russian cases the election of students representative bodies is practically non existing
4. though Italian HE system provides a Student Council elected at national level every 2 years, electoral turnout for its election are quite low
5. in Italian cases elections for the student council at university level do occur but with a low participation rate

Providing some explanations:

1. legal and statuatory framework turns out to be very important in determine the parameters that university must work within in encouraging democratic education; yet formal arrangements are a necessary but not sufficient condition for ensuring effective democratic participation
2. widespread lack of interest and apathy prevail in Russian case, if we assume that the lack of student representative bodies depends on students disinterest itself: disinterest is largely spread in Italian universities as well → historical and cultural legacy do count but to a certain degree
3. in the different permeability to EDC the political context seems to be relevant especially in Russian cases: MGIMO mainly reproduces the establishment's official viewpoint training the future political cadre, SU-HSE a conceives a broader mission involving the education for a democratic citizenship.

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Chapter Two. Between Russia and Europe

Introduction of Research Working Group

This chapter present papers prepared by the participants of the working group "Between Russia and Europe". Prof. Nina Belyaeva (Higher School of Economics) and Gerhard Ermischer (association of Non-Governmental Organizations for the European Landscape Convention, Secretary General; Council of Europe, expert) were academic supervisors of the working group and editors of the present chapter.

The main issues researched by the members of this group were the relation between the EU and Russia as seen by the EU within the Pilot Relations Project designed to explore the interaction of the EU with the outer world. Unfortunately, this project explored rather the shortcomings than the the strong points of the EU as a foreign policy actor. The two political entities have been described by Romano Prodi, former president of the EU Commission, as "a whale and an elephant, so big and different that they rarely meet". Nevertheless, both actors have spent a considerable amount of resources trying to build a strategic, far-reaching partnership.

One major limitation of the relationship is that the modalities of European integration with the non-EU space are made of association agreements. The EU tends to associate countries while for Russia, the lost of sovereignty implied is not acceptable. The emphasis on the irreconcilable difference of the concept of sovereignty in the two regions has been explored in the literature as well. The traditional classification sees the EU as adopting a neo-medieval model of governance, made of an overlapping chain of authorities and devolving to regional and local actors policy making responsibilities. Russia, in contrast, is depicted as a neo-Westphalian country, whose concepts of sovereignty and territorial integrity are linked to traditional realists and geopolitical thoughts. If Moscow hesitates when it comes to dealing with the post-modern EU concept of sovereignty, the EU has proved incapable of dealing effectively with countries that cannot be associated to the Union. It can be affirmed that while the EU is trying to protect its own security through the transformation of the neighbourhood into a more stable and democratic environment, Russian protects itself through a strong central power engaged in traditional security policies.

The aim of the present research project was to explore cases of Europe-Russia interactions and possible strategies that could be used to increase efficiency of such interactions in the interests of both sides, as well as problems between Russian and the EU and the ways to solve them.

This research agenda was started by Milan Aleksic in his paper "Russia's presence in the shared neighbouhood", followed by Carlo De Marco in "Kaliningrad in the international arena", Cinzia Tarlctti in "Do No Harm: Assessing the Impact of Foreign Aid in Bosnia and Herzegovina", and Lana Zeković in "The EU–Russia "visa dialogue": A critical assessment".

Milan Aleksić
Russia's Presence in the 'Shared Neighbourhood'

Russia has a unique capacity for attracting the world's attention`
Alexis de Tocqueville

Introduction

In 2008, European Union launched the policy called Eastern Partnership (EaP), trying to establish framework for closer cooperation with six countries in Eastern Europe and in the Caucasus, all former Soviet republics. The initiative came after several other attempts of the EU to set up an adequate policy towards its neighbourhood. Within EaP, European Union tried to upgrade relations with Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine in various fields, but the main objective of this policy was to link development of these partner countries to the EU. By EaP, these six countries were not promised to become EU members, but with upgrading the cooperation, the chances for joining the Union are nevertheless one step further.

However, the implementation of this policy is faced with interests of Russia in the region, which do not correspond to those of the EU. Russia is widely present in all six EaP partner countries, through different mutual political institutions, investments in economy, supplies in energy sector, with its military bases and troops in conflict areas, and through deep and strong cultural ties.

As one analyst has stated, since Russia dilapidated the old ideology, this country has no basis for new long-term objectives and cannot present any new ideas to other countries.[1] However, Russia used the mutual experience of the joint state to keep its leverage in the post-Soviet space. After 2000, the CIS countries, or the `near abroad` as official Moscow started calling it, became the top priority of Russia`s versatile foreign policy, because the regional predominance was considered to be vital for Russia`s intention to restore its great power status in the world.[2] Thus, Russian Minister of Foreign Affairs, Sergei Lavrov, in a 2007 article[3], explained that Russian relations with the near abroad countries are not guided by imperialistic considerations, but rather to strengthen the historical community along with economic interdependence and security issues. After the dissolution of the joint state, Russia`s strategic view

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[1] Лужков, Ю. М, Возобновление истории: Человечество в XXI веке и будущее России, Московский университет, Москва, 2002, p. 169.

[2] Secrieru, Stanislav, Russia`s Foreign Policy under Putin: `CIS project` renewed, UNISCI Discussion Papers, No 10, January, 2006, p. 289.

[3] Лавров, Сергей, Настоящее и будущее глобальной политики: взгляд из Москвы, in: Russia in Global Affairs, No. 2, 2007.

on the countries in the post Soviet space was based on three main principles: political influence should be used for defending Russian security interests, Russian capital should be used to obtain economic assets in the region and, finally, sort of common cultural space based on the Russian language should be created, to strengthen the ties between Russia and newly independent countries.[4] The text bellow is meant to analyze Russian presence in six post-Soviet countries, partners to the EaP policy, due to show if this policy can successfully be implemented without Russia being included.

Russian political presence

At the time of the dissolution of the Soviet Union, by adopting the so-called Burbulis doctrine[5], Russia refused directly to control the neighbouring states. However, this refusal resulted in the creation of the CIS.[6] In the first years after the Soviet Union collapsed, Russia was faced with domestic economic crisis, and could not continue with the Soviet role of the world super power, but still wanted to assert itself as a regional leader with an exclusive right of influence in the post-Soviet space. And just couple of years later, in 1995, Russia announced its Strategic Course with Member States of the CIS, where the concept of integration was inaugurated. By this document, Russia declared that development of the CIS is of its vital interest.[7]

This document, in fact, marked the continuity of Russian policy towards its close neighbourhood, originating from the pre-Soviet times. And regarding Europe, Russia`s primary objective, according to some analysts, is focused on expanding the Eurasian zone, in which Russia is dominant player.[8] Moreover, Russia was always dismissing the notion that it is a European periphery, but rather the pivotal power on the Eurasian landmass.[9] Thus, focusing on the concept of integration within the CIS framework, proposed in the Strategic Course, Russia could analyze diverse theoretic concepts which arose from the public debate. Interestingly, all different theoretic schools inside Russia agreed on the need of Russia`s integration with newly independent states. Civilizationists defended the territorial unity of Russia and the post-Soviet countries on the grounds of cultural contiguity. Eurasianists advocated a cultural unity of Slavs and Muslims, since they share the same region. Finally, Russian ethnonationalists promoted the primacy of Russian language and to some extent religion, in the post-Soviet space.[10] Even the public opinion had a different view on

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[4] Gomart, Thomas, The EU and Russia: The Needed Balance Between Geopolitics and Regionalism, Russie.Nei.Visions No. 10b, May 2006, p. 16.

[5] This doctrine was named after Boris Yeltsin`s close counselor in the first year of his presidency.

[6] Hopf, Ted, ed. Understandings of Russian Foreign Policy, The Pennsylvania State University Press, University Park, Pennsylvania, 1999, p. 37-38.

[7] Стратегический курс России с государствами — участниками Содружества Независимых Государств, document issued by president of Russian Federation, September 14th, 1995, No. 940, introduction.

[8] Bugajski, Janusz, Dismantling the West — Russia`s Atlantic Agenda, Potomac Books, Inc, Washington, D.C, 2009, p. 8.

[9] Ibid.

[10] Tsygankov, Andrei, *Russia`s Foreign Policy — Change and Continuity in national Identity*, Rowman&Littlefield publishers, Inc, Lanham etc, 2006, p. 111.

the dissolution of the joint state — in 1997, 61 percent of Russian citizens were sorry that the Soviet Union has collapsed — up from 33 percent in 1992.[11]

Russia`s intention was to preserve its security by bringing `order and stability` to the neighbouring countries, and Russian president Yeltsin announced to set up some thirty Russian military bases in the CIS states, but at the same time to establish a common economic, political and defence union with these countries.[12] As it is stated in the document, Russia`s national interest is the security of the external borders of the CIS space, while the internal ones, between the CIS members should remain open.[13] And this corresponds to consideration that this region represents an exclusive sphere of Russian influence. Furthermore, the Strategic Course also mentions the Customs union (article 7) based on deeply integrated economies and strategic political partnership between Russia and the CIS countries. Thus, economic cooperation was seen by the majority in Russia as the best instrument of the future integration. According to one poll in Russia in 1996, about 65 percent of responders were convinced that the only way for Russia to regain its former status of great power was successfully to develop its economy.[14]

In the first half of 1990s, Russia also promoted dual citizenship, but this idea was rejected by all the post-Soviet states, except Turkmenistan and Tajikistan. Later on, Russian government began to advocate CIS citizenship, but this idea failed as well. In fact, the promoted integration did not bring much of a result, and the grandiose project of the successful CIS community remained more a political desire than a real achievement. Andronik Migranyan once said that after several years it become absolutely clear that all the attempts to integrate the post-Soviet space have led to nothing and that this organization is barely able to function.[15] After Putin became president of Russian Federation in 1999, the attitude towards the CIS has changed. In 2001, Sergei Ivanov, the Secretary of Russia`s State Security Council acknowledged that previous attempts to integrate the CIS had come to a very high price and that Russia must now abandon the integration project in favour of a `pragmatic` course of bilateral relations with its partners.[16]

Nevertheless, as an instrument of its foreign policy, CIS continuously plays an important role for Russia. In November 2008, the Strategy of the economic development of the CIS to 2020 was announced. The most important issues for Russia in regard with the CIS, in the following period are the integration of the labour and transport markets, inter-regional and cross-border cooperation, the creation of the joint enterprises and transnational corporations. Russia also plans to strengthen and increase its presence in the privatization processes in the CIS and initiate big projects in the energy sector of her partner countries.[17] And even with the difficulties, Russia, at least formally, still has not given up the idea of diverse integrations with the rest of CIS

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[11] Ibid, p. 112.
[12] Ibid, 113.
[13] Стратегический курс России… etc, op.cit, article 13.
[14] Ibid, 112.
[15] Tsygankov, A, op.cit, p. 146.
[16] Ibid, p. 147.
[17] Чернышев, С. В, Торгово-экономическое сотрудничество Российской Федерации со странами СНГ, Федеральный справочник No I-IV, 2009, p. 2-3.

countries. Deepening these processes is still a proclaimed goal to be achieved in the Russian foreign policy.[18]

Based on the CIS customs union from 1996, Russia established the Eurasian Economic Community in 2000, together with Belarus, Kazakhstan, Kyrgyzstan and Tajikistan. The purpose of founding such an organization was to promote the process of formation of the Customs Union and the Single Economic Space.[19] Freedom of movement is also implemented between the member states. The main bodies of EAEC are the Interstate Council, the Integration Committee, the Inter-Parliamentary Assembly and the Community Court. For the coordination of actions between different EAEC bodies as well as for preparing proposals regarding budget, resolutions and other documents, the main responsible is the Integration Committee.[20] Membership has been open to any country which would undertake the commitments arising under other EAEC agreements, while observership can be granted to any country or international organization applying for such a status.[21] During 2005, Uzbekistan joined the EAEC but in 2008 this country announced its temporary withdrawal from the organization. Armenia, Moldova and Ukraine applied and got the status of observer countries in this organization.

Nonetheless, Russia did not retain in the framework of the EAEC in its economic cooperation with other CIS countries. In 2003, Russia, Belarus, Ukraine and Kazakhstan signed the final document for the formation of the common economic space. Truly, Ukraine signed the document with some reservations, due to its `constitutional limits`.[22] However, three other countries which signed the document, continued with this integrative process and in 2009 all together announced an intention to create a customs union within their territories, starting from July 2010. Moreover, since none of the three partner countries is a member of the World Trade Organization, they expressed an aspiration to negotiate the terms of enrolment to WTO as a joint economic bloc. The customs union should lead to the complete integration of the economic space within the partner countries and the creation of the currency union later on;[23] the third countries interested in the customs union are welcomed to join as well. Finally, this is not the only institutional framework for the cooperation in the post Soviet space. Russia, however, developed some other tracks in the relations with some of the CIS countries.

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[18] For more on this see:Внешнеэкономическая стратегия Российской Федерации до 2020 года, Moscow, 2008.

[19] Agreement on Foundation of Eurasian Economic Community, art. 2.

[20] Ibid, art. 6.

[21] Ibid, art. 10.

[22] Khristenko, Victor, Making Headway to Integration, Journal on foreign affairs and international relations, February 2nd, 2004.

[23] Ibid.

Russian-Belarusian Union

Probably the most diverse relations with one CIS country, Russia has accomplished with Belarus. In the mid-1990s, two countries started negotiations on establishing Russian-Belorussian State Union. In April 1997, two parties signed the agreement on the union between Belarus and Russia. This agreement established the principles on which the two entities should start their political, economic, military and social integration. The agreement also proposes the integration of transport, energy and communication networks and one joint market in these sectors.[24] One of the very important objectives of the State Union was also to assure the collective security of the member states.[25] According to the agreement, the following institutions were established: the Upper Council of the Union, Parliamentary Assembly and Executive Committee. In the case it is needed, other joint institutions can be formed as well. By the article 20 of the founding agreement, The Upper Council is responsible for the most important issues of the development of the State Union, but there is, however, no explanation what are these issues. Parliamentary Assembly is in charge for the development of the legal framework of the integration between Russia and Belarus and it is the main representative body of the State Union. It consists of 36 deputies from each of the member states.[26] Parliamentary Assembly also establishes the Executive Committee and formulates its competences.

This agreement also proposed the citizenship of the State Union, but without losing the citizenship of a member state. It also declared that this organization is open for the third parties to join. However, after more than a decade, it seems this organization is still at the beginning. The integration in the proposed sectors did not take place and no third party joined this State Union. Truly, in 2001, Moldova announced its intention to enter the organization, but it never happened. Parliaments of Armenia and Kyrgyzstan were at certain points also considering the possibility their countries to join this organization, but without any result. Finally, after Russia recognized independence of Abkhazia and South Ossetia, parliaments of these two entities achieved the status of observers at the Parliamentary Assembly sessions.[27] There was a debate during 2003 if Belarus should join Russia, or both countries should preserve its sovereignty, but with mutual currency, integrated economic space and `invisible` borders.[28] The parties could not agree on this. After 2006, when Russia increased the gas price for Belarus, the relations between the partners downgraded. Thus, in 2009, Russia also banned the import of milk products from Belarus. In fact, if we analyze the acts two sides have recently undertaken in their inter-relations, we can mark a conclusion that both Russia and Belarus are less and less interested in their State Union.

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[24] Договор о союзе Беларуси и России, April 2nd, 1997, art. 9 and 15.

[25] Ibid, art. 16.

[26] Ibid, art. 22 and 23.

[27] Outside the CIS space, the parliament of Federal Republic of Yugoslavia in 1999 also adopted a declaration on joining the Union State of Russia and Belarus, but this decision was never implemented.

[28] Сибгатуллин, Айнур, Союз России и Белоруссии — политическое самоубийство или прорыв в будущее?, journal `Татарстан`, No 4, 2003.

Russian Economic Presence

Russia`s direct investments in the six EaP countries

The Russian companies tend to be dominant players in several CIS markets and their investments have dramatically increased in the last couple of years. According to the Russian Federal State Service, Goskomsat (2005), among the post-Soviet countries, Belarus was the largest recipient of Russian investments for several years, followed by Ukraine. In 2009, 65% of the foreign direct investments in Belarus came from Russia.[29] More detailed display of the Russian investments into the six post-Soviet countries of our interest is shown in the table 1.

Table 1: Total Investments of Russia in the economy of CIS countries, 2000-2007

Source: Russian Federal State Statistics Service, 2008, Table 24.13

	2000 Thou. $	%	2005 Thou.$	%	2006 Thou. $	%	2007 Thou. $	%
Total Investment	**$130,981**	**100**	**$620,522**	**100**	**$4,127,757**	**100**	**$2,696,763**	100
Belarus	$77,238	59	$102,438	16.5	$572,329	13.8	$1,314,092	48.7
Ukraine	$15,032	11.5	$155,176	25	$3,001,326	72.7	$513,580	19
Azerbaijan	$26	0	$6,734	1.1	$6,661	0.2	$8,994	0.3
Moldova	$31,224	23.8	$4,904	0.8	$44,131	1.1	$4,248	0.2
Armenia	$5	0	$138,185	22.3	$3,168	0.1	$3,907	0.1
Georgia	$133	0.1	$60	0	$328	0	$433	0
The rest of the CIS	$7,323	5.6	$213,025	34.3	$499,814	12.1	$851,509	31.7

Assuredly, Russian companies invested the largest amounts in the energy sector of the CIS countries. But if we leave out this sector for a moment (the next chapter is about FDI in this sector), telecommunications is a sector of an absolute significance for Russia. For instance, Russian mobile communication MTS has consolidated over 80% of the Ukrainian Mobile Communication. Thus, MTS plans to become the main supplier of GSM services across the whole of the post-Soviet space.[30] More detailed figures on Russian telecommunication operators in the countries of the importance for this research are given in the table 2.

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[29] Data is according to the UN Economy Commission for Europe.
[30] Secrieru, S, op.cit, p. 302.

Table 2: Russian telecommunication operators: Major acquisitions in the post-Soviet countries, participants of the EaP, 2002-2009

Source: PMR Publications, 2009

Year	Operator	Country and acquistion target	Stake	Amount invested
2002	MTS	Belarus: MTS Belarus	49%	Co-founder
2003	MTS	Ukraine: UMC	100%	$373 million (m)
2005	VimpelCom	Ukraine: URS	100%	$231 m
2006	VimpelCom	Georgia: Mobitel	51%	$13 m
2006	VimpelCom	Armenia: ArmenTel	100%	$475 m
2006	Comstar UTS	Armenia: Callnet	75%	n/a
2006	Comstar UTS	Ukraine: DG Tel, Technology Systems	100%	$ 5 m
2007	MTS	Armenia: K-Telecom	80%	$425 m
2009	MegaFon	Abkhazia: Aquafon; South Ossetia: Estelecom	51%	$28.5 m

Considering financial sector, we can mention that Russian Vneshtorgbank became the main shareholder of the biggest commercial bank in Georgia, or that Alfa Bank, as one of the leading banks in Ukraine became a part of the Russian Alfa Group Consortium. In heavy industry sector, as an illustrative example we can adduce Moldova Cable factory, which was acquired by the Russian company SevCable. In regard with the agricultural sector, another Russian company bought Moldovan wine-related Calaras complex and so on.[31] In general, the Russian total investment in the economy of the CIS countries has significantly grown in the 2000-2007 period. If we take into consideration the entire CIS space (including Georgia), we will see that the most attractive markets for the Russian economy are those of Belarus and Ukraine. In the Russian direct investments in the post-Soviet space, these two countries are for the last couple of years ranked as the first two. In 2006, over 85% of Russia`s direct investments in the CIS countries went to Belarus and Ukraine, while in 2007, it was about 67%.[32] These two countries are also Russia`s most important trade partners in the post-Soviet space (figure 2).

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[31] Ibid, p. 301-302.
[32] Source: Russia`s Federal State Statistics Service, 2008.
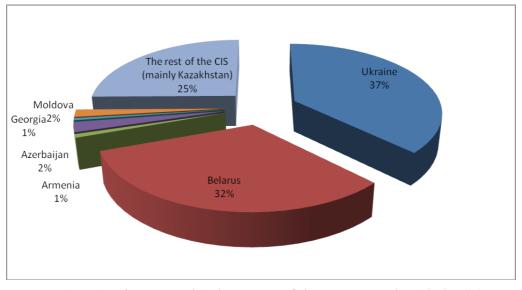
Figure 2: The geographical structure of the Russian trade with the CIS countries (including Georgia) in 2008.

Source: Russia`s Federal State Statistic Service.

Energy Sector

Russia`s objective of strengthening its political and economic presence in the CIS region, resulted in asserting control after the partner republics` strategic property and transportation. In regard with this, Anatoly Chubais, the head of Russia`s state electric company at the time, announced that Russia`s main goal in the twenty-first century should be to build an empire of liberal capitalism by strengthening its position in the post-Soviet space.[33] Nevertheless, Russia is very important partner in the energy sector to the CIS member states, both as a supplier and as a customer and her companies are widely present in the region.

Russian companies hold considerable number of stakes in energy sector in the post-Soviet countries. The two state-owned energy giants, the producer of natural gas, Gazprom, as well as the Russian power industry monopoly, United Energy Systems, have acquired firm stronghold in the region, with permanent expansion in the past decade. As far as Russian oil and gas companies consider it, many CIS countries offer lucrative targets for resource-seeking investments. [34] Once they took control over a certain energy company in the region, Russian energy companies also seek to control its whole value chains internationally, as well as domestic infrastructural assets, including seaports and oil and gas pipelines.

As a part of Armenian enormous economic debt, Russia was given productive assets in the energy and military-industrial sectors, namely the Hrazdan

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[33].Сибгатуллин, A, op.cit.

[34] Vahtra, Peeter, *Russian Investments in the CIS — Scope, Motivations and Leverage*, Electric Publications of Pan-European Institute, 9/2005, p. 14.

power plant, the Mars electronic plant and three other enterprises.[35] After Armenia signed an agreement with UES to transfer the property complex of Sevan-Razhdansky, almost the entire energy sector of the republic has passed to the control of UES. This company also has bought assets of the American AES Group in Georgia, the energy supplier to Georgian capital Tbilisi, thus controls two power plants owned by AO Khramesi and holds 50% of stakes in energy exporter AES Transenergy. This all means that UES of Russia controls 20% of Georgia`s power generation capacity and 35% of electricity supplies to domestic consumers.[36] UES also owns a trading company in Ukraine and power facility `Berezovskaya TPP` in Belarus, supplying electricity to Poland. This company also owns one power plant in Moldova, Moldovskaya TPP, with a possibility to export electricity to neighbouring countries.[37]

The placement of Russian oil and gas companies in the CIS region is similar to one of the UES. Gazprom, the world largest natural gas company, in 2003 got, for instance, the right to participate in the management of Georgia`s pipelines. Together with International Gas Corporation of Georgia, Gazprom planned to create a joint enterprise for the operations in the gas industry, first of all for constructing and exploiting pipelines.[38] Thus, Russian companies Lukoil, TNK-BP and Tatneft control over 80% of the petroleum market in Ukraine.[39] In 2002, Russia and Ukraine signed the 30 years valid agreement in regard with the privatization of the natural gas transit system in Ukraine. The transit system was turned over to a joint Russian-Ukrainian venture, on a parity basis. Later on, Russian investors took part in privatization of several other Ukrainian energy companies. Russian prime minister Putin suggested in 2010 that Ukrainian national energy company Naftogaz should merge with Gazprom. In 2005, Russia gained control over Belorussian section of the Yamal-Europe gas pipeline system. Russian energy companies also expressed an interest to enter Azerbaijan`s energy sector after the failed attempt to privatize the State Oil Company of Azerbaijan Republic in 2004. During 2009, Azerbaijani government agreed to sell its natural gas to Gazprom which should pipe it further, to Europe. Some of the CIS countries are highly dependent on the Russian gas, not just because Russia is the biggest natural gas producer in the region, but it is also almost unavoidable transit country for the gas deliveries from other gas producing countries, mainly from Central Asia (table 3).

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[35] Armenian debt to Russia in 2003 was up to $98 million. Three other enterprises were: for mathematical machines, for the study of materials and for automated control systems.

[36] Vahtra, p, op.cit, p. 18.

[37] Ibid, 19.

[38] Secrieru, S, op.cit, p. 301.

[39] Vahtra, P, op.cit, p. 20.

Table 3: Natural gas imports from Russia

Source: 2006 Gazprom Annual Report

Country	2006 % of Domestic Consumption	2006 Imports (bcf/y)
Ukraine	66	2,085
Belarus	98	724
Azerbaijan	35	141
Georgia	100	67
Moldova*	100	2,7 (bn mi)

* Data is from 2004.

Russian military presence

However, Russia`s presence in the post-Soviet space is not only economic, but also military and this fact may play even more significant role. First of all, Russia has, with several other CIS members[40] signed the Collective Security Treaty in 1992. It was set up to last for a five-year period, but in 1999 it was renewed. Based on this document, the member states signed the charter on establishing the Collective Security Treaty Organization in 2002. According to the Organization`s founding treaty, the purpose of CSTO is to promote peace, international and regional security and to defend territorial integrity and sovereignty of the member states.[41] In fact, the main objective of the creation of CSTO was to limit U.S. influence in Eurasia. The initial force was consisting of 4,000 troops, but after Russian-Georgian conflict in 2008, Russia called for member nations to increase the military capabilities up to 16,000 troops, of which half should be Russian.[42] This organization is also open to other countries of the same interest to join.[43] To the certain extend, the organization provided Russia with a framework to establish its military presence in some of the CIS countries. The strategic concept of CSTO implied the creation of three regional groups of forces: the Western group of Russia and Belarus, the Caucasian group consisting of Russia and Armenia and the Central Asian group of Russia and three Central Asian

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[40] Beside Russia, other countries that signed the treaty were Armenia, Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan. Belarus, Azerbaijan and Georgia joined in 1993, but the last two as well as Uzbekistan after five years resigned from the Treaty.

[41] *Устав Организации Договора о коллетивной безопасности*, art. 3.

[42] Mowchan, John, *The militarization of the Collective Security Treaty Organization*, Center for Strategic Leadership, U.S. Army War College, Volume 6-09, July 2009, p. 1-2.

[43] Ibid, art. 19.

republics.[44] As some analysts see it, Russia`s `post-colonial` security policy in the post-Soviet space is based on an attempt to legitimize the regional organizations in which if not dominant, Russia is for sure the central actor.[45] But at the same time, Russia has to be concern by the fact that functions of these groupings, as well as of their organs, often overlap.

Russia and the frozen conflicts[46] in the post Soviet space

Further on, Russia is widely involved in the frozen conflicts in the CIS region, and Russia`s troops have been set up in these areas from the very beginning of conflict situations. Official Moscow tried but failed to obtain international recognition of a special role as `peacekeeper` in the CIS space, but it started playing such a role on its own in Moldova and in the Caucasus region. Almost twenty years after dissolution of the Soviet Union, peacekeeping remained Moscow`s monopoly in these areas. Moreover, Russia rejects any significant role of the EU, or any other country or organization, in resolving the frozen conflicts, fearful that this might impair its dominant leverage in the conflict areas.[47] In Transnistria, Russia has settled around 2,000 troops (two battalions), but Russia also sponsors Transnistrian secessionist troops (officially 8,000 troops) with personnel and weaponry.[48] Commitments adopted at OSCE`s 1999 Istanbul summit required Russia to remove its heavy weaponry and forces from Moldova by 2002; Moscow agreed to remove the heavy weaponry but rejected to do so with its troops. Quite the contrary, Russia was advocating Transnistrian army to be legalised in its entirety, as a part of the federalization project, where two parallel armies would exist in Moldova.[49] Thus, Russia supported the introduction of Transnistiran new customs regime on the border with Ukraine and interpreted it as a response to `politically motivated economic blockade` from both Ukraine and Moldova.[50]

In the case of Georgian secessionist regions, Russia sent one battalion in South Ossetia and three battalions in Abkhazia after these regions declared their independence from Georgia at the beginning of 1990s, and after Georgia responded with military action. The role of these troops was to separate the conflict parties and to patrol at newly establish borders. After the 2003 Georgian revolution, relations between Russia and Georgia were constantly downgrading. In 2004, Russia revoked the CIS blockade of Georgia's secessionist territories from 1996 and announced a formalization of ties. At the same time, Georgia claimed for couple of times that Russia periodically moves its military equipment into these two regions.[51] Moscow played as a protector of these territories and provided their citizens with Russian

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[44] , Secrieru, S, op.cit, p. 295.

[45] Averre, Derek, `Sovereign Democracy` and Russia`s Relations with the European Union, book chapter, *Demokratizatsiya*, Heldref Publications, 2007, p. 179.

[46] `Frozen conflicts` is actually not the most appropriate phrase, since there were couple of escalations in recent years.

[47] Bugajski, J, op.cit, p. 82.

[48] Socor, Vladimir, The *Frozen Conflicts: A Challenge to Euro-Atlantic Interests*, Report prepared by the German Marshall Fund of the United States, on the occasion of the NATO Summit 2004, for `A New Euro-Atlantic Strategy for the Black Sea Region`.

[49] Ibid.

[50] Averre, D, op.cit, p. 179.

[51] Closson, Stacy, *Georgia's Secessionist De Facto States: From Frozen to Boiling*, Russian Analytical Digest, No 40, May 8th, 2008, p. 2.

passports. According to one poll from 2005, 27% percent of Russians said these two territories should become independent and 36% said they should join Russia.[52] After short war with Georgia on South Ossetia in 2008, Russia took the full control over the two separatist regions and soon after that, recognized their independence. Even before the 2008 events took place, the Abkhazian leadership was preparing an agreement with Russia, according to which Moscow would guarantee Abkhazia's security in exchange for its permanent military presence in this secessionist republic.[53] Finally, in 2010, two sides signed the agreement on establishing Russian military base in Abkhazia for a minimum of 49 years. Russia also delegates its former civilian and military leaders to serve in key posts in these two regions.

Conflict in Nagorno-Karabakh has been self-sustaining without any Russian troops, but Moscow was openly supporting Armenian side in the conflict. Moreover, Russia was selling weapons to Armenia, at the same time being a part of OSCE Minsk Group, designed to resolve the conflict over this territory.[54] Armenian forces concentrate their Russian-supplied mainly inside Azerbaijani territory beyond Nagorno-Karabakh region.[55]

Even though official Moscow claims that Russia is oriented towards peaceful resolution of these conflicts, playing a role of an active mediator[56], some analysts believe that Russian policy paradigm in regard with these conflicts can be defined as controlled instability. Russia foments and then manages the conflicts, achieving geopolitical goals by its military presence in the region.[57] However, Russia is not present just in post-Soviet conflict areas and not just as a peacekeeper, but also in the rest of the CIS space through its military bases. While reducing participation in military operations around the world, Russia increased expenditures aimed to upgrade its military infrastructure in the CIS region. Russian emperor Alexander III once said: ` Russia has only two friends in the world, its army and its navy`.[58] Today, we just have to add Russia`s energy monopolies and this quotation, more than a century later, can still be applicable.

Russia`s military bases

As it was previously mentioned, official Moscow brought the decision on installing its military bases abroad in the mid-1990s. There are Russian bases in almost all CIS member states[59], but considering the topic of this research, we will limit our analysis on three Caucasian and three East European countries.

Russia uses Gabala radar station in Azerbaijan for almost twenty years. Russian troops stayed there after the collapse of the Soviet Union without any formal permission, but in 2002, Russia and Azerbaijan signed the ten-year agreement which legalized Russian presence there and formulated the conditions of use. The base personnel is over 1,000 (according t the agreement, it is limited to 1,500) and it is part

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[52] Source: *Levada Center,* http://www.levada.ru/press/2008030408.html

[53] Closson, S, op.cit, p. 4.

[54] OSCE Minsk Group was created in 1992, and beside Russia, its members are France and USA.

[55] Socor, V, op.cit.

[56] *Концепция внешней политики Российской Федерации*, issued by Russian president D. Medvedev, July 12th, 2008, part IV.

[57] Socor, V, op.cit.

[58] Secrieru, S, op.cit, p. 293.

[59] The only CIS country without Russian military base is Turkmenistan.

of Russia`s space troops. Russia has also signed an agreement with Armenia in 1995 about the establishment of a Russian military base in the town of Gyumri, as a part of the group of Russian forces in the Caucasus. It consists of around 4,000 people and its aim is to cover Russia`s southern flank, as well as to defend Armenia as a member of the CSTO. Russian troops also patrol Armenia`s border with Iran and Turkey. Considering Georgia, there were Russian military bases in Batumi and Akhalkalaki, but they were closed in 2007. As it was mentioned, Russia`s military presence remained in two secessionist regions of Georgia.

In Belarus, Russia occupies two radar stations, in Gentsevichi and in Vileika. Two countries signed agreements of Russia`s use of these stations in 1995, and both are valid for twenty-five-year period. The station in Gentsevichi employs around 600 personnel and it is a part of Russia`s space troops. The station in Vileika is a long-range communication center for the Russian Navy and consists of 250 people. In the case of Moldova, Russia agreed to withdraw its heavy weaponry and cut back the organizational structures from Transnistrian region, but still halted the withdrawal of its troops, linking its deployment to the peaceful resolution of the conflict there.

However, probably the most controversial is the case of Russian Naval base of the Black Sea Fleet in Sevastopol, in Ukraine. Russian Imperial Black Sea Fleet has been based in the Crimea peninsula since the end of the 18th century. This peninsula belonged to Russia until 1954, when Nikita Khrushchev merged it to Ukraine. After the collapse of the Soviet Union, both Russia and Ukraine claimed the right to control the fleet, and after couple of attempts, two countries finally in 1997 adopted an agreement for the division of the Black Sea Fleet. According to the document, Russia received 82 percent of the former Soviet Black Sea Fleet's assets.[60] Thus, the agreement limited the size of Russia`s Black Sea Fleet based in Sevastopol, but enabled Russia to stay there until 2017. However, after the Orange revolution in Ukraine, official Kiev in 2005 announced that they do not intend to extend the period of the fleet`s presence past the current cut-off date. Ukraine also demanded to be given several of the fleet`s hydrographic facilities. Surprisingly, Ukraine itself changed this decision in 2010, after pro-Russian president was elected. Russian president Medvedev and new Ukrainian president Yanukovich adjusted a new agreement which later on was ratified by Ukrainian parliament, despite the huge resistance of the opposition. According to the signed document, Russia`s Black Sea Fleet would stay in Sevastopol for the next 25 years after the old agreement expires (until 2042), while Ukraine will acquire considerable gas price discount. Russian Black Sea Fleet employs approximately 13,000 soldiers and 13,000 civilian specialists. After the 2010 agreement between the two countries was ratified, Russia announced it will heavily invest in both social and military infrastructure in the port of Sevastopol.[61]

Cultural ties

According to Russia`s Strategy for its relations with the CIS countries from 1995, one of the proclaimed aims was the placement of Russia as the main educational centre in the post-Soviet area. In regard with this, the need of educating the youth in

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[60] Gorenburg, Dmitry, *The Future of the Sevastopol Russian Navy Base*, Russian Analytical Digest, No. 75, March 16th, 2010, p. 11.
[61] RIA Novosti, May 9th, 2010, available at http://en.rian.ru/russia/20100509/158943279.html

the CIS countries in the spirit of the `fellowship` with Russia, was underlined.[62] Russia wanted to promote a kind of ` invisible spiritual community` across the CIS region, based on the mutual past and common values in the present, considering permanently shared political interests. One of the most important ties in this regard is for sure Russian language, which, as the official language of the Soviet Union, was inaugurated as the official language in all the regional organizations created under Russia`s paternity after the dissolution of the joint state.

Even though the majority of the former Soviet republics hurried up with establishing their national languages as the only official ones after they gained independence, Russian language, nevertheless, remained co-official language in some territories, such as Belarus, Moldovan region of Gagauzia or self-declared republic of Transnistira. In Ukraine, despite the fact that great part of the population speaks Russian language and that there were demands in regard with its official recognition[63], Russian did not achieve the status of co-official language in this country. But even without being officially recognized, Russian is still widely spoken in the territory of the six EaP partner countries (chart 1).

Chart 1:The use of Russian language in the six EaP countries, 2002 data.
Source: Russian Ministry of Foreign Affairs, Information department.

Another important issue regarding Russian cultural presence in the six EaP countries which we will shortly analyze here is the role of Russian Orthodox Church. The influence and importance of this organization increased after the fall of communism, and even with formal separation, both state and church in their inter-relations started acting in accordance to anciently proclaimed symphony. Due to its large presence in Diaspora — especially in two Slavic speaking countries, Belarus and Ukraine, but also in Moldova, Russian Orthodox Church is also seen by Moscow officials as a considerable instrument in Russia`s foreign policy.

Despite the fact that parallel non-canonical Orthodox Church structures were formed both in Ukraine and Belarus after these countries declared independence, the leverage of Russian Orthodox Church there remained significant. The schism in Ukraine was more drastic, with large consequences to the Ukrainian society. After metropolitan of Kiev and the whole Ukraine announced in 1992 that they abolish the 1686 act[64] of Metropolis of Kiev`s incorporation in the Moscow Patriarchate and declared autocephalous Orthodox Church in Ukraine with patriarchate seat in Kiev, Russian Orthodox Church created alternative structure constituted of loyal bishops in its Ukrainian dioceses. Nonetheless, the split continued without any indication to be resolved, marking deep divisions among the orthodox believers in Ukraine (chart 2).

Chart 2: Religious affiliation in Ukrainian regional capital cities in 2009
Source: IFAK Ukraine

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[62] *Стратегический курс России…*etc, op.cit, article 15.
[63] For more on this, see: Mitrofanov, Konstantin, *The Russian Language in the CIS Countries*, Eurasian home analytical resource, June 24th, 2008.
[64] This act was brought the same year Kiev became a part of Russian Empire, under Catharine the Great.

Finally, more than 4,000 Russian language based schools, as well as tens of high education institutions in six EaP countries[65], also contribute to Russian influence in these countries, even without direct institutional links to Russia. In regard with cultural exchange, considerable role also play around 3 million labour migrants from these countries in Russia. It is, however, the major destination for workers from Caucasus republics, while in the case of Ukraine and Moldova, around one half of their labour migrants choose Russia, while the rest goes to the EU countries.[66]

Conclusions

We see that Russian presence in the six EaP countries is wide and various, even twenty years after the dissolution of the joint state. However, this fact should not be a surprise since these two decades stand in contrary to centuries of the mutual past that Russian Federation and the six participants of the EaP shared both in the Russian Empire and in the Soviet Union. Some authors believe that the dominant approach in the modern political analysis is the lack of seriousness when analyzing historical heritage and its impact on the contemporary politics; and inter-dependence of these processes, they suggest, is the key point for understanding the contemporary political developments.[67] And we can agree that this is particularly important in understanding Russian role and interests in the entire post Soviet space, but in Ukraine and Belarus possibly even more than in other countries of CIS. Finally, this is not only because of the past; Russia has its own plans for this region and hardly allows anyone to penetrate and change the political perspective of its near abroad region. Otherwise, Russia would not insist on the creation and continuous existence of the CIS; Russia would not start various forms of integration with other post Soviet countries and strengthen economic ties with them. International political structures, where Russia is supposed to be the leader might not always function well, and may not have achieved any great result, but they legalize Russian presence in these countries and support Russia's conviction that Russian Federation is more important political player there or at least as important as European Union. Russia also continues with its involvement in the frozen conflicts in the region as another tool for demonstrating its exclusive position for controlling situation in these areas and showing it can do so in the entire region as well.

In other words, if the creators of EaP want this policy to be successful, they have to consider to recognize Russian interests in the region, as well as to count with Russia's leverage there through its direct or indirect presence in these countries. European Union has to be aware of the issues in the shared neighbourhood Russia is concerned about and to be careful when addressing them. It must stress that the Eastern Partnership is not directed against Russia and that partner countries need to maintain good relations with this country as well, regardless of the EaP programs. Kremlin needs to be assured that in its attempts to deal with such issues EU will work together with Russia, but not without or against Russia. Furthermore, if these two parties agree on any declaration on common external security space, they should reject

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[65] 2002 data, issued by Information department of Russian Ministry of Foreign Affairs.

[66] Ivakhnyuk, Irina, *Migration in the CIS Region: Common Problems and Mutual Benefits*, paper presented at International symposium of international migration and development, Turin, June 28th, 2006, p. 3.

[67] Ђурић, Михаило, Стихија савремености, Српска књижевна задруга, Београд, 1972., p. 198.

the `sphere of influence` politics, but firstly they should seek to address the gap of perceptions of each other's activities in the shared neighbourhood.[68]

   We believe that European Union and Russian Federation have to cooperate in their shared neighbourhood, if they want to help these countries to develop prosperous policies, without choosing the side they have to join. All six countries are in very complex geopolitical position, since they are constructing a border zone between two big opponent powers whose policies are clashing sometimes, and which share the interest for the countries in this border zone, and see them more engaged in their own (Russia`s or EU`s) political, economic or other projects in the future. The six countries are dependent on both Russia and the European Union and act carefully in developing their relationships with both sides. The `dominance game` between these two big players might result with the situations where the countries in the shared neighbourhood are collateral damage in the wider relations between Russia and the EU, because they simply cannot choose one side of two without gravely affecting their relationship with the non-chosen one.

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[68] Lynch, Dov, *The Russia-EU Partnership and the Shared Neighbourhood*, Institute for Security Studies, July 2004.

Carlo de Marco

Kaliningrad in the International Arena

The Kaliningrad Region in NATO's and Pan-European's Security Systems

The Kaliningrad question is strictly entangled in the process of change which happened both in Russia and in the external environment during the last two decades. Bearing in mind the Mainland-Exclave relation's impact on the Baltic exclave development, let us turn to the analysis of the external dimension of the Kaliningrad question represented by the M-S and the E-S relations in the MES Triangle[1]. It will be done by a flexible use of the "S apex" in the MES Triangle, adapting it to the different institutional levels (or geopolitical agents) which interact with Kaliningrad (E) and with Russia (M) in the international arena. Proceeding through concentric circles, the analysis will begin from the wider circle which — on the basis of this research hypothesis — allegedly was a hindering factor for the exclave openness towards the external environment. That is the Pan-European level and, more specifically, the dynamics of integration and re-adaptation of the security structures which have been the main features of the post-Cold War Pan-European environment. The following circles will include the EU-Russia relationship level, the Baltic Sea Region level and the neighbouring countries level. A multi-level and interactive analysis of this kind is of utmost importance in order to shed light on the interplaying factors and dynamics which — playing at the different levels of the MES relationship — have insofar hindered the international cooperation for the socio-economic development of Kaliningrad[2].

In the light of this research analytical perspective, the features of the post-Cold War Pan-European environment of our concern are[3]:

— The demise of the common economic and security structures which had regulated the Eastern bloc during the Cold War and the Central and East European countries escape from the Soviet yoke.

— The debate over the meaning and sustainability of Western security structures whose rationales were linked to the Cold War security needs (NATO above the others).

— The extraordinary re-launching of the European integration and its re-conceptualization by the European Community[4] (EU since 1993). Ten Eastern

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[1] Mainland, Enclave, Surrounding State Triangle

[2] It can be useful to remind the lying assumption that history and theory of exclaves have demonstrated that openness towards the outside world and a stable and positive trend in the Mainland-Surrounding State relationship are the key requisites for the development of an exclave

[3] On this topic see: Kanet, Roger E., (ed.), 2005, The New Security Environment. The Impact on Russia, Central and Eastern Europe, Aldershot, Brookfield, VT, Ashgate.

and Central European countries entered the EU within 2007. A set of policy instruments has been implemented in order to regulate the relations between the EU and its neighbourhood. The new concept of European integration foresees a re-launch of the EU as a Pan-European security provider.

— The rapid fading out of Gorbachev's words on the opportunity to build a Common European House — which certainly inspired the re-launching of the European integration, caused mainly by the eruption of the Balkan conflicts. The consequent unexpected "fire test" of the EU capability to manage hard security issues in Europe, its substantial failure, and the gradual ruling out of the option of an Euro-centred security system.

— The 1997 decision to start the process of NATO enlargement to former Warsaw Pact countries (culminated in the 2004 "big bang" enlargement) which led to a progressive stabilization of the European security system based on the dominance of NATO (and the US) as the European hard security provider and on the EU specialization of soft security issues.

Just like the 1990s fluidity has been a window of opportunities for Kaliningrad to integrate into the surrounding environment thanks to the weak central power and to the "Baltic Schengen", as like it has been a window of opportunities for the EU to build a Euro-centred security system. I argue that if the Pan-European integration process would have developed a credible and effective hard security dimension in that period, the Kaliningrad region's development could have taken a positive shift and the exclave could have become the Pilot Region for the EU-Russia integration.

The most evident involvement of Kaliningrad in the post-Cold War international environment has been of symbolic nature and it has been a consequence of the exclave's over-exposition to the international environment. We have seen in the previous chapter the proposals and claims which questioned the Russian sovereignty on the region. Moreover, Kaliningrad has been the passive object of state's officials and opinion makers declarations aimed at broader foreign policy concerns. The most popular case in point is the repeated involvement of Kaliningrad in the dispute between Russia and NATO over the latter's enlargement and in the Russia-US dispute concerning the US defensive missile shield to be placed in Poland. The possibility to base nuclear weapons and long-range missiles in the Baltic Oblast' has been often menaced by Moscow officials. On the other side, EU's officials and European media have sometimes proposed the blockade of Kaliningrad as a countermeasure to be taken on occasion of the 2006's energy dispute between Moscow and Kiev[5]. Anyhow, this rather symbolic use of the geopolitical location of Kaliningrad tells very few on the real implications Pan-European dynamics had on the exclave.

In the author's view, Pan-European integration and security restructuring impacted indirectly on Kaliningrad through the missed opportunity to create a

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[4] The EU affirmed the new attitude not only through the enlargement process, but elaborating a flexible concept of integration beyond its borders based on a balance between the grade of inclusion of a country in the European Space (the carrot) and the grade of adaptation the EU asks to a country in terms of legislative adjustments (approach to the Acquis Communitaire) and adherence to European values (the stick). In this context, the relation between the EU and Russian Federation has been configured as the main single dimension of the Pan-European integration.

[5] de Blij, H.J., 2006, 'European Union at the crossroads: A framing comment', Eurasian Geography and Economics, 47 (6):698-707, p.701.

Eurocentric security structure based on the cooperation between the EU and Russia and through the related NATO enlargement which, it is argued, contributed to the continuation of logics and behaviours typical of the East-West confrontation.

The rationale behind my assertion lies in the interest Russia has shown towards the project of building an European security system. This fact has become manifest since the early 1990s, when Russia was supportin the hypothesis of a European security system based on the Organization for Security and Co-operation in Europe (OSCE)[6]. This interest has never faded out, since it survived even to Putin accession to power. Indeed, when Great Britain and France in 1998 re-launched the project for the creation of a credible European military force[7] and then, the EU included it the 1999 "Common Strategy on Russia", Putin responded that a Russia-EU deep military cooperation could "counterbalance NATO-centrism in Europe"[8].

At that time, the window of opportunities was already almost closed. The shifting point was the final decision in favour of NATO enlargement as the most credible provider of security in Europe, in this way sanctioning the substantial failure of the EU[9] in its tentative effort to keep in Europe the levers of European Security. In the meantime, Putin's drastic shift in Russian foreign policy towards a pragmatic approach and the renounce to the Great Power status sanctioned in the new Russian Foreign Policy Doctrine (2003)[10], have led to a cooperative attitude of Russia towards NATO[11]. Russia decided to avoid confrontational attitudes, even if the controversial aspects of the relationship prevailed on the potential for cooperation, aiming at the stabilization of its relations with the US[12].

The following trends in the European security structure went towards a division of duties between NATO and the EU: while the first, as seen, became the main supplier of the European hard security needs, the latter begun to re-shape itself into a soft-security provider. As noticed by Fabrizio Tassinari, "the new agenda associated with the concept of soft security opened up the traditional military security debate to a wider framework and conception of security"[13]. Organized crime, environmental threats, corruption, international trafficking became — especially when stemming from the European closer neighbourhood — the main object of the

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[6] Sergounin A. (2004), Regionalisation Around the Baltic Sea. Rim.., op.cit., p.119.

[7] Franco-British Summit Joint Declaration on European Defense Saint-Malo, 4 December 1998.

[8] Putin included it in an official document, the 'Medium term Strategy for the Developments of the Relations between the Russian Federation and the European Union': Berryman J. (2005), 'Putin's International Security Priorities', in: Kanet Roger E. (ed.), The New Security Environment, op.cit., pp.45-46.

[9] Which emerged in its real size in the Balkan test-ground. Originally seen as the first big chance for the EU to demonstrate its abilities as an hard security provider (enforcer in this case), it became the prove of the European countries incapability to express a common policy in hard security matters. The conflict itself has been source of tensions between Russia and the EU, even if they have not been over-weighted because of the Russian dependence on the EU countries financial aid. On these topics see: Lucarelli S. 2000, Europe and the breakup of Yugoslavia : a political failure in search of a scholarly explanation, The Hague, Kluwer Law International.

[10] Lo, Bobo, 2003, Vladimir Putin and the Evolution of Russian Foreign Policy, op.cit.

[11] Developed in institutionalised frameworks like the NATO-Russia Council.

[12] Berryman J. (2005), 'Putin's International Security Priorities', op.cit., pp.46-47.

[13] Tassinari, F., (ed.), 2003, The Baltic Sea Region in the European Union: Reflections on Identity, Soft-Security and Marginality, Gdansk–Berlin, Wydawnictwo Uniwersytetu Gdańskiego — Nordeuropa-Institut der Humboldt-Universitat zu Berlin, p.20

European Security agenda[14]. The means through which soft security is enforced are many, spacing from concrete projects of police cooperation and integrated border management to policy frameworks aiming at the enforcement of the rule of law and the affirmation of liberal democracy in the countries the alleged threats originates from. Through a set of association agreements based on bilateral negotiation the EU associates countries at different levels of integration which, in Brownings' and Joenniemi's words, "blur the external border with its immediate neighbours in some areas, in order to make those neighbours responsible for effective control of their borders with neighbours even further to the East and South — thereby pushing the threat of the outside away from the EU's own borders"[15]. In this context the example of Kaliningrad is of utmost consistency. As stated in a Northern Dimension working paper, "the north-western parts of Russia, and the Kola Peninsula and the Kaliningrad region in particular, represent one of the most toxic and dangerous environmental hotspots on the planet"[16]. Moreover, Kaliningrad has been considered, with a particular emphasis in the 1990's as a sort of black hole within Europe, source of every kind of illegal traffic and communicable diseases[17].

To grasp the factors which hinder the effective affirmation of the EU as a soft security provider in Kaliningrad, we have to consider the peculiar features of the European integration process in terms of governance. Indeed, another feature of the European post-Cold War environment is the coexistence of parallel dynamics of globalization and regionalization[18]. Regionalization has been proactively supported by the EU, who has seen it as an instrument for promoting cross-border cooperation as mean to deepen the integration between the different European peoples and promoting soft-security. Soft security threats, in Joenniemi's view, call for cross-border cooperation[19]. The concept of Euro-region has helped to built a wide web of cross-border cooperation networks including both EU members and neighbouring countries. The main instrument of the European integration beyond the EU borders is the European Neighbourhood Policy in its last version of 2004. The bilateral dimension of the policy is supplemented by regional and multilateral cooperation initiatives (e.g. the Union for the Mediterranean, the Eastern Partnership)[20]. Russia as we will see, is not part of the programme. Regionalization is in line with the EU governance principle of subsidiarity which sees local governments (regional, municipal) and cities empowered and involved in the international cooperation. The concept of subsidiarity is at odds with the centralized chain of power which has been gradually built by the Kremlin. The consequence, as we will see more in detail, is often a strong asymmetry in cross-

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[14] On this topic see: Aldis, A., Herd Graeme P., (eds.), 2005, Soft Security Threats and European Security, London ; New York, Routledge, Taylor and Francis Group.

[15] Browning, Christopher and Joenniemi, Pertti, 2008, 'Geostrategies of the European Neighbourhood Policy', in: European Journal of International Relations, Vol.14, p.531.

[16] Pursiainen C., with the assistance of Haavisto P. and Lomagin N. (2001), Soft security problems in Northwest Russia and their implications for the outside world. A framework for analysis and action, Programme on the Northern Dimension of the CFSP/UPI Working Paper 31/2001.

[17] See, among the others, Muntel, G., 2005, 'A Black Hole in Green Europe? — Environmental Governance in the Russian exclave of Kaliningrad, in: McFadden, David W., Karpenko Anna M. (eds.), Russia, The United States, and Europe in the Baltic Region, Kaliningrad, Terra Baltica.

[18] Browning, Christopher and Joenniemi, Pertti, 2004, 'Contending Discourses of Marginality: The Case of Kaliningrad', in Geopolitics, 9(3)699-730, p.720.

[19] Tassinari, F., (ed.), 2003, The Baltic Sea Region in the European Union, op.cit, p.29.

[20] European Commission webpage — European Neighbourhood Policy.

border and trans-border cooperation involving Kaliningrad, consequence of the fact that Kaliningrad state agencies of local government cannot deal with their counterparts and do not dispose of the budgetary autonomy to participate in cooperation programs.

The net separation between the hard and the soft dimensions of security[21], consequence of the outcomes of the post-Cold re-adaptation of the European security structure, makes it more problematic to overcome the barriers hindering cooperation. A stricter security relationship between Moscow and the EU would have helped to start a constructive and engaging process of cooperation and mutual-trust building similar to the one between France and Germany that originated the European integration process. In this way, together with the NATO enlargement effect to give continuity to some of the elements of the East-West confrontation[22] — the post-Cold War reshaping of the European security structures and the features adopted by the EU led pan-European integration have limited a more effective cooperation for the development of Kaliningrad.

Kaliningrad in the EU-Russia relations

The relation between the EU and Russia has been portrayed by the EU as the Pilot Relation for testing the interaction of the EU with the outer world[23]. Unfortunately, as the concept of pilot region did not work properly for Kaliningrad, also this pilot project is testing more the shortcomings than the strong points of the EU as a foreign policy actor. The two political entities has been described by the former president of the EU Commission Romano Prodi as a Whale and an Elephant, so big and different that they rarely meet. Nevertheless both the actors have spent a considerable amount of resources on the effort to build a strategic, far-reaching, partnership. One major limit of the relationship is that the modalities of European integration with the non-EU space are made of association agreements. As asserted by Artur Kuznetsov, the former Russian Ministry of Foreign Affairs delegate in Kaliningrad, the EU tends to associate countries, but for Russia the lost of sovereignty implied is not acceptable[24]. The stress upon this irreconcilable difference in the concept of sovereignty in the two countries has been emphasised in the literature as well. The traditional classification see the EU as adopting a neo-medieval model of governance, made of different, overlapping chain of authorities and devolving to regional and local actors policy making responsibilities. Russia, instead is depicted as a neo-Westphalian country, whose conception the sovereignty and territorial integrity are linked to traditional realists and geopolitical thoughts[25]. If Moscow hesitates when it comes to deal with the EU (post-modern) conception of sovereignty, the EU has proved insofar of not being able to effectively deal with countries which cannot be

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[21] Depicted, as reported by Lindley-French, as the 'Soft Europe-Hard America' dichotomy or as the 'American strategic concept and the EU's "want of one'"': Lindley-French J., 2005, 'the Revolution in Security Affairs: hard and soft security dynamics in the 21th century', in: Aldis, A., Herd Graeme P., (eds.), Soft Security Threats and European Security, op.cit., p.12-14.

[22] Which, as a consequence, put the stress more on difference and mutual suspicions than on commonalities.

[23] Busygina I., Filippov M. 2009, _Northern Dimension: Participant Strategies', in: Baltic Region, vol.1, Kaliningrad, Immanuel Kant State University Press, p.49

[24] Kuznetsov, Artur, Personal Interview, Kaliningrad.

[25] See: Antonenko, O., Pinnick, K., 2005, Russia and the European Union : prospects for a new relationship, London ; New York, Routledge.

associated to the Union[26]. It can be affirmed that while the EU tries to protect its own security through the transformation of the neighbourhood into a more stable and democratic environment, the Russian Federation protects itself through a strong central power engaged in traditional security policies. In Medvedev's arguing, "Sovereignty and Europeanization are two competing bureaucratic strategies of managing globalisation, one aimed at protecting internal order, and another aimed at projecting internal order"[27].

The main framework of the EU-Russia relationship is the Partnership and Cooperation Agreement (PCA) of 1994. It is a broad blueprint which identifies all the areas of potential cooperation. Even if it expired in 2008, the parties have not been able to find an agreement on a new framework. A praxis of regular meeting has been formalized in the EU-Russia Summits, which, taking place twice a year at the Prime Ministers level, have constituted the main arena for the development of a strategic partnership. This notwithstanding, Russia has often complained for the fact that to deal with the EU means to find an agreement with 27 countries (at the moment), and prefers to cooperate on bilateral basis for the solution of the most crucial issues. Moreover, in Russia the EU common foreign policy is often perceived as an instrument to cover or dissimulate the member state's national interests: particularly in the context of Kaliningrad, the EU awareness of this fact has played key role in the adoption of a low profile. In general terms, the PCA has proved to be a too broad agreement, including almost all the policy areas in the framework but not establishing any binding rule for the members.

The PCA has been complemented in 2005 by the creation of the '4 Common Spaces'. They have been projected as four 'empty boxes' identifying each area of cooperation, ranging from the economic field to scientific, justice and home affairs areas. They have been envisaged as a re-launching of the partnership after the EU enlargement and the launch of the new ENP[28]. The new Neighbourhood policy, indeed, has not been accepted by the Kremlin. Moscow allegedly refused to be equated to all the other countries included in the EU policy[29]. The main obstacle in this perspective, alongside with the general trend in EU-Russia relations of creating the 'boxes' but not being able to fill them up of contents, can be the fact that the Common Spaces financial instrument is included in the ENP, in this way failing to envisage a specific approach of the EU towards the partnership with Russia even in financial terms[30].

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[26] As argued by Medvedev, «the entire set of EU policies and instruments intended to govern its relations with its external environment can be summarised under the heading of Europeanization. By this term, the Brussels-based Centre for European Policy Studies means the ―transformation of national politics and policy making in line with modern European values and standards ‖ through: • Legal and institutional obligations fl owing from the norms and rules of the EU and the Council of Europe • Objective changes in economic structures and the interests of individuals as a result of integration • Subjective changes in beliefs, expectations and identity»: Medvedev, S., 2007, The Crisis in EU-Russia Relations: Between ―Sovereignty ‖ and ―Europeanization ‖ . Working paper WP14/2007/02. Moscow: State University ― Higher School of Economics, p.3. 53

[27] Ibidem, p.14.

[28] European Neighbourhood Policy

[29] Browning, Christopher and Joenniemi, Pertti, 2008, 'Geostrategies of the European Neighbourhood Policy', op.cit., p.543.

[30] Ibidem

The Kaliningrad question had to struggle to find a place in the EU-Russia relationship. Despite the fact that already in the late 1990s, when it became clear that the EU enlargement would have inextricably engaged the EU with Kaliningrad exclave-related problems[31], the EU started to issue several documents on the topic and to weave a dialog with Moscow recognizing the exclave's specificities, the European Union has failed to elaborate a specific policy towards the 'Baltic Oblast (Region)'. Even if, as we will see in the next paragraph, the EU is engaged in Kaliningrad indirectly through the EU supported Baltic Sea Region cooperation network and TACIS funds have been specifically addressed to the region (in a modest extent), the only case when the Kaliningrad question raised up to the top of the PCA agenda has been in connection with the EU enlargement. At that time, after tense negotiations that endangered the overall trend of the relationship, an agreement which eased the problems of transit between the exclave and the mainland was found. It is of great significance when an exclave development is at stake, when the 2007 enlargement of the Schengen area to Poland and Lithuania rose again the problem of the freedom of movement for the exclave's citizens, the parties have failed to find out a specific solution to exclude Kaliningrad from the general framework of the Visa Facilitation Agreement ruling visa regime between the EU and Russia.

The relative insignificance of the Kaliningrad question in the context of the EU-Russia relationship has been often explained as a result of the actual smallness of the problem if compared to the overall relationship between Russia and the EU[32]. On the contrary, it seems to the author, that the Kaliningrad issue is too complex to be dealt with in the context of a relationship which find it hard to develop a an effective framework for cooperation. A low profile is perhaps advisable. As we have seen, the over-politicization of the exclave related problems and their symbolic meaning makes things more complicated for an exclave since they can lead to an estrangement between the true enclave's needs and the domestic debate and international discourses on its development.

Kaliningrad in the Baltic Sea Region's post-modern web of Regional Cooperation

The Baltic Sea Region has been described by Tassinari as "an area of intense cooperation characterised by a mosaic of overlapping institutions, where regional and sub-regional integration is fostering peaceful relations and stability and where a remarkable shift from traditional 'hard' security to 'soft' security issues has taken place"[33]. It actually seems to be endowed of all the preconditions to be a test-ground of the EU's and of the European Integration process ability to perform as system of integrated soft-security structures and agents. It has been singled out its post-modern

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[31] We have to remind that, according to Vinokurov's theory, Kaliningrad can be considered as «a Mere-Exclave of Russia since it borders two states, Poland and Lithuania and have access to the sea. [...] On the other hand, both states are members of the European Union so it is [...] possible to say that Kaliningrad is a Semi-enclave of the EU. This view is reinforced by the fact that the enclave-specific issues of the movement of good and people lie within the competence of the EU». Vinokurov E. (2007), A Theory of Enclaves, op.cit., pp. 12 and 170-171.

[32] Liuhto K. (ed.), 2005, Kaliningrad 2020: its future competitiveness and role in the Baltic Sea economic region, Pan-European Institute, Turku, p. 30.

[33] Tassinari, F., (ed.), 2003, The Baltic Sea Region in the European Union, op.cit., p. 27.

nature consisting in a shift away from traditional conceptions of sovereignty towards the construction of an organized space of overlapping institutions and multi-level cooperation where the traditional concept of state borders mitigates[34]. Its emergence as a geopolitical actor can be traced back to the political will of some Scandinavian countries to emphasize the relevance of the North as a specific European space of integration[35]. In this respect, Finland has been the main promoter[36] and Germany the main external supporter. As noticed by Catellani, it is possible to track a process aiming at "the attempt to construct a Baltic regional identity. The origins of the process of identity creation are largely entangled with the concrete objectives of the Scandinavian, as well as German, policy makers. A common denominator of the Nordic discourses on the Baltic Sea cooperation has been the stress put upon the cultural, economic and political links that it is argued have existed in the region for centuries and a constant reference to the Hanseatic League"[37]. The concrete institutional assets of the Baltic Cooperation consist of the EU Northern Dimension Initiative and of a group of regional, sub-regional and cross border cooperation networks including, to cite the most relevant, the Council of the Baltic States (CBSS) and the Nordic Council. The Baltic cooperation network's direct link with the EU is proved by the fact that the actors behave in conformity with the EU Strategy for the Baltic Sea Region and the main financial instrument at their disposal is the ENP.

The regional actor which deserves to be singled out in this context is the Northern Dimension Initiative launched by the EU's Nordic countries in 1997 and reshaped in 2003 and 2007. Its acts as an umbrella organization coordinating and supporting the projects of the regional actors. Its second Action Plan of 2004 gives to the initiative an utmost importance in the context of this research for a twofold reason: first, the Kaliningrad question has been identified as the main target of the initiative in the form of a "cross-cutting issue"[38] to which the NDI policies areas have to be addressed[39]; second, Russia is a full member of the Initiative since the beginning and, since the 2007 Action Plan, the ND became a Common Policy of the EU and the Russian Federation. Moreover, after the launching of the 'Four Common spaces', the NDI has been considered the "regional expression of the Common Spaces"[40]. Russia's full involvement as a policy maker in the regional cooperation (mainly operated through the North-western Federal District) is a prerequisite for its willingness to cooperate[41].

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[34] Ibidem. See also: Busygina I., Filippov M. 2009, 'Northern Dimension: Participant Strategies', op.cit.

[35] Tassinari, F., (ed.), 2003, op.cit., p.21. In its own words:« the North, intended as a post-modern marker capable of expressing a political subjectivity of its own in the context of a 'regionalised' Europe».

[36] With the particular contribution of Finnish academic circles and, above the others, the Pan-European Institute of Tartu. It is a core piece in the academic geography of the region of the European integration process as a whole.

[37] Catellani N., 2003, 'European Identity-building and the Northern Periphery', in: Tassinari, F., (ed.), 2003, The Baltic Sea Region in the European Union, op.cit, pp.18-19. 56

[38] Northern Dimension of the European Community Action Plan, 2004-6.

[39] The policy priorities listed in the Plan are: economy, business and infrastructure; human resources, education, scientific research; environment and nuclear safety; cross-border cooperation and regional development; justice and home affairs. See: Gдnzle S., Mьntel G., Vinokurov E. (eds.) 2008, Adapting to European Integration, op.cit., pp.147-149.

[40] Ibidem, p.149.

[41] As reported by Wolffsen and Sergounin, «. "…Russia do not see in the Northern Dimension not a set of isolated resource export-oriented projects but, first and foremost, an additional instrument for all-round

That notwithstanding, the effectiveness of the cooperation and its intensity remained largely on paper for what concerns the NDI-Russia and the NDI-Kaliningrad relations. Difficulties in finding the financial resources for the required common funding of the projects and the alleged ineffectiveness of a system based on overlapping institutions which the NDI has not been able to coordinate, have doubtlessly contributed. I argue that, in addition to this factors, the ultimate reasons which limit the Baltic Sea Region cooperation with Russia and Kaliningrad lies in the Mainland-Exclave relationship and in the Russia-European integration mutual inconsistencies. Indeed, the process of centralization of the Russian Federation, together with the affirmation of Moscow as the main determinant of Kaliningrad's socio-economic development, have deprived the exclave of the necessary powers and resources to autonomously shape its foreign relations; this fact, contributes to the permanence of a strong asymmetry in the institutional relations and to the subordination of the Kaliningrad needs to the federal concerns, especially for what concerns the actual funding of the projects. As we have seen, the Federal Task Programme for the Development of Kaliningrad, envisages financial support only for the strategic priorities identified by Moscow[42], leaving the other points of the programme in the limbo of good intentions. The process of European integration, on its hand, has also contributed to the continuation of asymmetry and incongruence which limit cooperation: as already reported, the Common Spaces (and, thus, the NDI's) financial instrument is included in the ENP, in this way failing to envisage a specific fund for Kaliningrad-addressed projects[43]. Moreover, the concentration on soft-security issues, with the exclusion of an hard security dimension, as previously stated, hindered the beginning of a constructive and engaging process of cooperation and mutual-trust building which could have helped to overcome the East-West confrontation legacy.

Relations with the neighbouring countries and the Lithuania-Poland-Russia tripartite Cooperation Programme

The sub-regional dimension of the Kaliningrad question is expressed by the relations with its more tangible (if confronted with the European Union's) surrounding states. As we have noticed in the previous chapter, in the 1990's and until the NATO, EU and Schengen Zone enlargements a regime of free movement has developed in the sub-region, leading to the affirmation of so-called Baltic Schengen, based on "an extremely liberal Modus Vivendi established among Poland, Lithuania, and Kaliningrad, as well as [on] a Russian–Lithuanian agreement on the transition of the military and its equipment from the metropolitan state to the enclave"[44]. Even if the national narratives of both Poland and Lithuania, but especially of the latter, the region

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development of her North-West, including Kaliningrad region as a part of the Russian Federation's territory and of its internal market »: Wolffsen, Poul, Sergunin, Alexander (2004), op.cit., p.55.

[42] See the Chapter II.

[43] Browning, Christopher and Joenniemi, Pertti, 2008, 'Geostrategies of the European Neighbourhood Policy', op.cit., p.543.

[44] Nies S. (2007), 'Governance and Diplomacy as Attributes of a Great Power.., op.cit., p.133.

occupies a special place[45], the relations between them and Russia concerning Kaliningrad have followed a positive trend and have not been over-politicized[46]. Even if on occasion of the trade-wars occurred between these countries and Russia the enclave has not been involved if not in political declarations. A significant presence of Polish and Lithuanian small and medium enterprises is registered in Kaliningrad and both countries have opened, since the early 1990's, consulates in the Oblast' which today issue Schengen visa. During the 1990 'window of opportunities' an economically meaningful practice of shuttle trade developed enjoying of the open borders regime[47]. It is worth to mention the 1999 Russian-Lithuanian Nida-Initiative containing an impressive list of joint projects to be brought forward in the framework of the EU's Northern Dimension[48] and which paved the ground for most promising sub-regional cooperation network involving Kaliningrad: the Russo-Polish-Lithuanian Tripartite Cooperation (the 2007-2013 last action plan). The focus of the programme is the South-eastern Arch of the Baltic Sea Region having its poles in the cities of Gdansk, Kaliningrad and Klaipeda[49]. It aims are concentrated on the socio-economic development of the area, with a particular focus on tourism and on the restoration and promotion of the common Prussian cultural heritage[50]. As for the NDI projects, the main problems registered are of financial nature, given the difficulties in raising funds both from Russia and the EU and a general low intensity of the cooperation.

The Tripartite cooperation, alongside with the Kaliningrad relationship with its neighbours, is deeply affected and undermined in its effectiveness by the same factors which affects and limits the BSR cooperation network centred on the EU's NDI: on the one hand, the process of centralization of the Russian Federation, together with the affirmation of Moscow as the main determinant of Kaliningrad's socio-economic development (in this case an important factor is the decision to favour big investments contained in the 2006 SEZ), on the other hand the EU and Schengen Zone enlargements have severed the reborn regional links.

Conclusion

Finalyzing the study of the two analytical spheres that are paer of the Kaliningrad issue, it is possible to reunite them to see how their interplay in the MES Triangle has led to the development of the Kaliningrad Region. Through the careful comparative analysis of the main trends and key features characterizing the history of Kaliningrad as an exclave of the Russian Federation, it has been possible to:

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[45] For Lithuania the Eastern area of the region, where is still present a significant Lithuanian minority, together with the city of Kaliningrad (Karaliaucius its Lithuanian name) are the so called Lithuania Minor, considered, in brief, as the Noah's Ark of Lithuanian culture during the Russian Empire occupation.

[46] Ignatiev A, Shopin P. Kaliningrad in the Context of EU-Russia relations, in: Russian Analytical Digest. REF, p.4.

[47] Schielberg S., 2008, 'Kaliningrad in its neighbourhood — regional cooperation with Poland and Lithuania', in: Gдпzle, Mьntel, Vinokurov (eds.), Adapting to European Integration?, op.cit., pp.132-146.

[48] Liuhto K. (ed.), 2005, Kaliningrad 2020, op.cit., p.17

[49] The universities of these three cities are the main research centres of the programme, while the Kaliningrad Regional Development Agency — supported, as always by the Esat-West Institute — is responsible of the projects development and fund raising.

[50] Lithuania — Poland — Russia Cross-Border Co-Operation Programme 2007-13 — Operational Programme — Final Draft — Revised After Ec Comments, 26.09.2008.

— Identify and classify the factors which — playing at the different levels of the MES relationship — have insofar hindered the international cooperation for the socio-economic development of Kaliningrad. These factors often present themselves in the form of structural and political contradictions.

— Demonstrate that, due to Kaliningrad's intrinsic over-exposure to changes in a highly fluid international environment, dynamics amenable to the Pan-European integration and to the post-Cold War re-adaptation of Global and Pan-European security systems had (and still have) a decisive impact on the Oblast's development. I argue that it occurred through the interplay between independent variables (changes and tensions in the international economic and political environment) and dependent variables (the actors' reaction to the changes, and the choices they made concerning Kaliningrad).

Hindering Factors in the Russia — West Cooperation for the Development of Kaliningrad: structural and political contradictions

We have started the analysis from a set of assumed underlying factors:

— The region's over-exposure to an extremely fluid and uncertain political and economic environment along with its cogent need for international — mainly economic — cooperation;

— The politicization and the symbolic value often attached to the exclave-related issues, ultimately due to recent traumatic events, to the permanence of confrontational attitudes typical of the East-West conflict and to the place occupied by Kaliningrad in current Russian national discourse and policies of identity;

— Kaliningrad's geopolitical position in between two overlapping and to some extent competing geopolitical centres, the EU and Russia, which operates on the basis of different concepts of sovereignty and whose bureaucracies and administrative systems are profoundly inconsistent with each other.

These factors have contributed to the birth of the Kaliningrad Question, or Dilemma, which constitutes the actual object of this research. It can be described as the struggle to find out a development model which could satisfy the different — often opposing — interests at play in the MES Triangle.

For a better understanding of the complex context in which the Kaliningrad question developed, some important tools of analysis have been provided.

The condition of exclavity has been identified as the main direct cause of:

— The problems concerning the Kaliningrad socio-economic development;

— The complex domestic debate on Kaliningrad development models and modalities of interaction with the external environment. We can consider it as the domestic dimension of the Kaliningrad question;

— The transfer of Kaliningrad-related issues from the internal to the international dimension and the manifestation of an inextricable link between the two dimensions;

In fact, it has been argued, these can be considered as the effects of factors which can all be ascribed to the intrinsic nature of the exclave, implying:

— Its over-exposure to external political changes and economic shocks as well as its dependence on the Mainland-Surrounding State relations;

— A significantly (sometimes enormously) amplified weight of exclave-related issues in the mainland political and economic debate, if compared to the

weight of territories of comparable size and population which are not exclaves;

— And the fact that, in order to ensure a good governance to such territories, policy-areas which usually strictly belong to the domestic policy domain becomes foreign policy issues.

In addition, I showed how the external factor has been the one dominating and orientating the destiny of Kaliningrad Oblast. It manifested (and still manifests) itself through changes in the domestic and international environments and in the economic situation which strongly impacted on Kaliningrad (shocks) and through Moscow's political reactions to the new environment, as well as at finding a balance between the exclave and the Federal, all-Russian, interests. The result of the interaction among the external factors constitutes the blueprint to which Kaliningrad has to adapt in the MES Triangular relationship.

The key external shocks which impacted on the Oblast in the last two decades have been identified. They constitute the independent variables to which the actors had to adapt their policies and which influenced their choices (dependent variables) concerning the Kaliningrad question:

— 1991: collapse of the Soviet Union, which set off a period of deep economic and political changes and instability (1991-1998);
— 1991-1996: introduction of the first and second version of the Special Economic Zone (SEZ);
— 1998: Russian monetary crisis with its amplified impact on Kaliningrad and, later, an unexpected positive effect on the regional economic growth;
— 1999-2000: Putin's power affirmation at the Kremlin, bringing to a gradual stabilization of the federation and to the redefinition of foreign policy priorities;
— 2001 and 2004: the process of reform of the Russian Federation's structures, following a trend towards centralization, gradually reduced regional autonomies in foreign diplomatic and economic relations together with increasing the Federal Centre's control over the peripheries.
— 2004: EU and NATO enlargements impacted on the regional economy, on its inhabitants daily lives and crystallized Kaliningrad's position in between two different political, economic and security systems.
— 2006: the third version of the SEZ, which re-oriented again the regional economic priorities.
— 2007: Lithuania and Poland entered the Schengen zone.

The analysis of the Russia-Kaliningrad (M-E) relation in the context of the reshaped — and still reshaping — post-Soviet Union environment made in the first chapter allowed us to identify the factors which, on the basis of the convincing Vinokurov's argumentation that the fate of the exclave depends primarily on the relation with its Mainland, can be considered as main determinant of current Kaliningrad development.

By the analysis of a selection of aspect and dynamics which characterized the M-E relationship have emerged , the following factors limiting the international cooperation for the development of Kaliningrad:

— The prevalence of the '4th Way for the Development of Kaliningrad' as the federal development model for the exclave consisting in making of

Kaliningrad «a region of the Russian Federation with a strong federal influence, special economic regime and developed international links». It has been made operative through:

— The 2001's Federal Task Programme on Development of the Kaliningrad Region for the Period up to 2010 which systematized the federal policy towards the Oblast' creating a framework of project and priorities which respond to the necessity of mediating between local and federal needs. the main federal priority was to penetrate in depth into the regional economic and political orientations.

— The Special Economic Zone, which represents the most stable instrument that the Russian Federation has used to influence the socio-economic development of Kaliningrad. Through its evolution it has led to an increased support for the investments of big Russian enterprises coming from the mainland, in the mean time severely limiting the regional openness towards small and medium foreign (as well as domestic) enterprises.

— The impact of the Russian Federation's reforms aiming at the creation of a centralized, vertical chain of power, on the autonomy of the region, especially as far as foreign policy and economic policy are concerned.

These factors unavoidably hinder an effective inclusion of the exclave into the regional cooperation network envisaged by the Kremlin itself as one of the pillars of Kaliningrad's development.

The analysis proceeded with the external dimension of the Kaliningrad question represented by the M-S and the E-S relations in the MES Triangle. It has been done by a flexible use of the 'S apex' in the MES Triangle, adapted to the different institutional levels (or geopolitical agents) which interact with Kaliningrad (E) and with Russia (M) in the international arena. Proceeding through concentric circles the analysis started from the wider circle which — on the basis of this research hypothesis — allegedly were a hindering factor for the exclave openness towards the external environment. That is the Pan-European level and, more specifically, the dynamics of integration and re-adaptation of the security structures which have been the main features of the post-Cold War Pan-European environment. The following circles included the EU-Russia relationship level, the Baltic Sea Region level and the neighbouring countries level. A multi-level and interactive analysis of this kind has been of utmost importance in order to shed light on the interplaying factors and dynamics which — playing at the different levels of the MES relationship — have insofar hindered the international cooperation for the socio-economic development of Kaliningrad.

The following features of the post-Cold War Pan-European environment have been singled out for analytical purposes:

— The demise of the common economic and security structures which had regulated the Eastern bloc during the Cold War and the Central and East European countries escape from the Soviet yoke.

— The debate over the meaning and sustainability of Western security structures whose rationales were linked to the Cold War security needs (NATO above all others).

— The extraordinary re-launching of the European integration and its re-conceptualization by the European Community (EU since 1993). Ten Eastern

and Central European countries entered the EU within 2007. A set of policy instruments has been implemented in order to regulate the relations between the EU and its neighbourhood. In the new concept of European integration is foreseen the re-launch of the EU as a Pan-European security provider.

— The rapid fading out of Gorbachev's words on the opportunity to built a Common European House — which certainly inspired the re-launching of the European integration, caused mainly by the eruption of the Balkan conflicts. The consequent unexpected 'fire test' of the EU capability to manage hard security issues in Europe, its substantial failure, and the gradual ruling out of the option of an Euro-centred security system.

— The 1997 decision to start the process of NATO enlargement to former Warsaw Pact countries (culminated in the 2004 'big bang' enlargement) which led to a progressive stabilization of the European security system based on the dominance of NATO (and the US) as the European hard security provider and on the EU specialization of soft security issues.

I argued that if the Pan-European integration process would have developed a credible and effective hard security dimension in that period of transition, the development Kaliningrad Oblast could have taken a positive shift and the exclave could have become the Pilot Region for the EU-Russia integration.

Instead, the misuse of the post-Cold War 'window of opportunities' and the features assumed by the European Integration process generated the following hindering factors for the development of Kaliningrad as a Pilot Region:

— The missed opportunity to create a Eurocentric security structure based on the cooperation between the EU and Russia has indirectly led to NATO enlargement which, it is argued, contributed to the continuation of logics and behaviours typical of the East-West confrontation. A stricter security relationship between Moscow and the EU, including an hard security dimension, would have helped to start a constructive and engaging process of cooperation and mutual-trust building similar to the one between France and Germany that originated the European integration process

— The peculiar kind of governance adopted by the EU as the main promoter of the European integration process, implying a devolution of powers towards the peripheries, combined with the renewed strong centralization of political and economic powers in Moscow generated a structural asymmetry between Kaliningrad and the actors involved in the Kaliningrad question.

— The shortcomings of the EU-Russia relations had an impact on Kaliningrad in terms of lack of specific and mutually engaging policy framework for the solution of the exclave-related issue. The difficulties in the integration between the two actors and the different policy lines of the EU's member states have advised a low profile as far as Kaliningrad is concerned. The over-politicization of the exclave related problems and their symbolic meaning makes things more complicated for an exclave since they can lead to an estrangement between the true enclave's needs and the domestic debate and international discourses on its development.

The above factors also influenced regional and sub-regional cooperation. A great potential for a cooperative development of Kaliningrad contained in the NDI could be wasted for a twofold reason amenable to the broader analytical circles:

— The process of centralization of the Russian Federation, together with the affirmation of Moscow as the main determinant of Kaliningrad's socio-economic development, have deprived the exclave of the necessary powers and resources to autonomously shape its foreign relations; this fact, contributes to the permanence of a strong asymmetry in the institutional relations and to the subordination of the Kaliningrad needs to the federal concerns, especially for what concerns the actual funding of the projects;

— EU's failure in differentiating the financial instruments for its neighbourhood policy, concentrating resources only on the ENP, together with the concentration on soft-security issues, with the exclusion of an hard security dimension, as previously stated, hindered the beginning of a constructive and engaging process of cooperation and mutual-trust building which could have helped to overcome the East-West confrontation legacy and give momentum to integrative dynamics.

Pan-European Integration Strengths/Kaliningrad Weaknesses and vice-versa?

On the basis of the analysis above, it can be said that, on the one hand, the strong points of Pan-European integration are not compatible with the Russian conception of sovereignty and administrative system and, for this reason, cannot be easily applied in Kaliningrad. On the other hand, the weak points shown insofar by the Pan-European integration process, in particular the EU inability to put itself forward as a credible hard security provider, could have been the strong points of a stricter cooperation between the EU and Russia for the development of Kaliningrad. A common, (Pan-)European, hard security structure could have removed the mutual mistrust ,which clipped the EU-Russia integration wings and contributing to the continuation of attitudes typical of the Cold War East-West confrontation. Paradoxes like the 'Region of Cooperation' and the 'Russian Window to Europe' coexisting with the Federal law currently still restricting the foreigner access to a significant part of the region could hardly be registered in the context of a deep integration between the EU and Russia based on a common view of the European security. In this way, it is argued, the shortcomings in the pan-European integration process have hindered the mutual-trust building process which would have been necessary to overcome the barriers to cooperation.

The Mainland–Exclave relation as the main direct factor of Kaliningrad development (potentially described in the Huntington clash of the Western/Christian and Russian/Orthodox civilization terms, or a challenge toFukuyama's End of History hypothesis), is probably the hey to why insofar the Kaliningrad exclave, has been left in an ambiguous position in between the centre and the margins of the Pan-European integration process.

Cinzia Tarletti
Do No Harm: Assessing the Impact of Foreign Aid in Bosnia and Herzegovina

Introduction

The impact of foreign aid is a controversial issue: on one side journalists and scholars investigate the role of international actors and underline their mistakes and ineffectiveness; on the other side, foreign aid is still considered a powerful tool to assist persons in need, and a necessary instrument to be used after the end of a conflict. The study will contribute to the debate by trying to analyse the role played by international actors in conflict/post-conflict contexts and by investigating the effectiveness of foreign aid in building peace and preventing the resurgence or escalation of conflicts.

The aim of the analysis will be to determine whether international actors in conflict/post-conflict areas consider the characteristics and dynamics of the conflict while planning their intervention, structuring their strategies, and monitoring their activities. Moreover, the analysis will try to understand to what extent and in which way foreign aid can be used as a tool to lower or manage conflicts and achieve long-lasting peace and stability. For the scope of this analysis, foreign aid will be defined as the financial and technical efforts done by international actors (governments, multilateral organizations and international NGOs) to support other countries and their population.

Measuring the impact of foreign aid on peace and conflict is a challenging task. The difficulties are first of all methodological: which indicators can be used to measure the level of peace built in a country or to measure the impact of foreign aid on the process of building peace? A comparative study will be done here in order to identify common variables affecting the impact of foreign aid. The main framework of analysis will be the 'Do No Harm Framework' described by Mary B. Anderson,[1] which consists in identifying conflict-exacerbating elements ('dividers') and positive elements ('connectors') and analysing the interactions they have with each aspect of aid programs and projects.

The study will consider Bosnia and Herzegovina (BiH), and the occupied Palestinian territories (oPt). Both are examples of geo-politically relevant contexts where international actors have been involved in stopping the armed conflict, drafting peace agreements, and rebuilding societies. Secondly, both are characterized by a political *impasse*: in BiH constitutional reforms are still under discussion; in the oPt a final status agreement is still pending. Thirdly, both are examples of contexts where international actors have been operating for a certain number of years. Finally, both

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[1] Anderson, Mary B. *Do No Harm. How Aid can support Peace — or War*. London: Lynne Rienner Publishers, 1999.

are examples of contexts to which international actors have channelled a large amount of resources, both financial and technical.

The intensity of the conflict in the two areas, however, is not the same: in BiH the armed conflict between opposing ethnic groups officially ended with the Dayton Peace Agreement in 1995; since that date, the conflict has transformed itself in a low-intensity dispute fought in the educational, cultural and political arenas. In the oPt the conflict has not come yet to an official end and the battle between the parties (the occupying power and the occupied people) is fought both with violent attacks as well as with political, psychological and economic means. Moreover, while the DPA has created a clear administrative and political system in Bosnia, recognizing the equality of the three constituent peoples, the oPt are still in an administrative and political limbo: the Palestinian National Authority has no full control over its territory and its population, and the two-state solution is far from being realized. The situation has become even more complex after Hamas came to power in the Gaza Strip. Therefore, while BiH is a matter of preserving the inviolability of frontiers and state sovereignty, the oPt are a matter of achievement of full sovereignty and independence. These differences will have to be taken into consideration in the analysis.

The research will try to show that foreign aid in BiH and the oPt has been used as an instrument to build peace only to a limited extent. International actors have relied mainly on short-term strategies, which are not compatible with a long-term objective like building peace; they have created mechanisms of coordination, but they have not used them to implement strategies of peace conditionality or to express their opposition to the political situation; they have adopted a conflict-sensitive approach mainly as a reaction to unsatisfactory results, and they have not designed their projects and programs according to an overall and coherent strategy of peacebuilding. As a result aid agencies have contributed to 'normalizing' a situation that should be temporary (the international protectorate in the case of BiH and the occupation in the case of the oPt). The study will also claim that foreign aid can be used as a tool to manage conflicts and achieve long-term peace in the sense that it can help to create harmonious and just intergroup relations, but not as a substitute of the peace process. In order to use foreign aid to build peace, international actors need to monitor the impact their projects and programs have on the context where they work.

Foreign aid in conflict and post-conflict contexts

Providing aid in conflict and post-conflict contexts is a very difficult task. If on one side aid can dangerously contribute to supporting violence, on the other side, aid can be used as an instrument to foster long-lasting peace.

In the aftermath of the Rwandan genocide, the international community engaged itself in the effort to provide relief to the 2 million Hutu refugees who had fled to neighbouring countries. Four refugee camps were set up in Goma, the capital of North Kivu, RDC.[2] What happened in Goma, however, was not only a humanitarian crisis; it was a "total ethical disaster", as the NGO Médecins sans Frontières defined

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[2] I will refer to this country using the name Democratic Republic of the Congo (RDC), even if at the time when the events described here took place the official name was Zaire. Between 1997 and 2006 the official name was Congo.

it.[3] Goma, in fact, hosted not only the Hutu civilian refugees, but also the Interahamwe militias that had perpetuated the genocide and that, thanks to the aid diverted in the camps, had the possibility to regroup, rearm and continue the killing of Tutzis in Rwanda and in the RDC.

The international community was accused of "indirectly fuelling the conflict and unwittingly aiding Hutu war criminals."[4] Foreign agencies were also accused of being animated by a "contract fever,"[5] following the rules of the market and striving to have access to funds and visibility. Mйdecins sans Frontинres decided to leave Goma to protest against this situation, while other agencies continued to provide aid to refugees, underlying that among them there were people in need, branding the principles of neutrality and impartiality and saying that "given the presence of multiple competitors, withdrawal — the ultimate act of protest by a high-profile relief organization—seemed an empty gesture."[6] In a context where more than 250 actors competed to raise money and secure contracts, going away would have only meant leaving the job to others.

Despite these critiques, international actors continue to play an important role in rebuilding conflict-torn societies. Humanitarian assistance is essential during the conflict or in its aftermath to provide relief to the victims. Once the conflict is over, international actors can use aid to build peace. Not only can they provide technical assistance to rebuild state institutions and favour good governance, but they can also contribute to the promotion of democracy indirectly, by favouring the interdependence of opposing groups, decreasing misunderstanding and stereotypes, supporting dialogue and cooperation. Peace, in fact, does not correspond simply to the absence of violence; it goes beyond ceasefires to include also reconstruction, reconciliation and resolution of the causes of conflict.[7]

In order to control the negative impacts of foreign assistance on conflict, international actors need to constantly monitor the effects of their intervention on the context where they operate. Even if since the 1990s aid agencies have gained experience in operating in conflict and post-conflict settings and have started to analyse their strategies and look for 'lessons learned' or 'good practices', peace and conflict impact assessment still remains a very difficult and complicated task. Different tools have been designed up to now, but the debate about how to analyse the impact of aid on peace and conflict is still open.

The 'Do No Harm Framework'

One of the most remarkable attempts in designing a model to assess the impact of foreign aid is the 'Do No Harm Framework', developed in 1996 in Cambridge, MA, and described by Mary B. Anderson.[8] This framework is based on

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[3] Anthony, Andrew. "Does humanitarian aid prolong wars?" *The Observer*. 25 April 2010.

[4] Cooley, Alexander and James Ron. "The NGO Scramble: Organizational Insecurity and the Political Economy of Transnational Action." *International Security*, vol. 27, no. 1, 2002, 28.

[5] Ibid., 30.

[6] Ibid.

[7] Galtung, Johan. "Le 3R dopo la violenza: la ricostruzione, la riconciliazione e la risoluzione delle cause del conflitto." In Tullio, Francesco. *Le ONG e la trasformazione dei conflitti. Le operazioni di pace nelle crisi internazionali. Analisi, esperienze, prospettive*. Roma: Edizioni Associate Editrice Internazionale, 2002: 55-74.

[8] Anderson, Mary B. *Do No Harm. How Aid can support Peace — or War*. London: Lynne Rienner Publishers, 1999.

three pre-assumptions: first, that in conflict-prone, conflict or post-conflict contexts, international aid (be it development aid or humanitarian aid) cannot be separated from the conflict itself, and that even if international assistance cannot cause or end a conflict, it "can have important effects on intergroup relations and on the course of intergroup conflict."[9]

Second, the framework is based on the assumption that every context is characterized by both "war and peace capacities,"[10] that is, systems, institutions and attitudes that foster war and divide people, and systems, institutions and attitudes that foster peace and connect people. If aid supports institutions of war and dividing attitudes, than war capacities are strengthened; on the contrary, if aid supports institutions of peace and connecting attitudes, then peace capacities are reinforced.[11] Moreover, it is not a whole assistance program that has a negative or positive impact, "it is a piece of an assistance program, it is one or several decisions that result in a negative — or positive — impact on the conflict."[12] The aim of the framework is therefore to improve aid, to help aid agencies to do their job better, by favouring the peace capacities and controlling and limiting the war capacities.

Third, the 'Do No Harm Framework' is based on the idea that there exists no single recipe to provide aid in conflict or post-conflict areas. Each context is unique, since each society has its own history, its own culture and its own peculiarities. Moreover, each project is local and specific, since it is implemented in a particular area, for a definite group of people and by a specific agency with its own mandate and its own way of doing. Therefore, the framework is not a prescriptive tool; it is a descriptive instrument that aid agencies can use to analyse the context in which they are operating and generate programming options among which to choose. Despite the fact that each society is unique, it is possible to identify commonalities between contexts and projects, common themes and common patters, and it is possible to predict the impact actions will have on peace and conflict, and in this way avoid the negative effects and enhance the positive ones.[13]

The 'Do No Harm Framework' is based on several steps. The first step corresponds to the analysis of the context of conflict and the identification of the opposing interests of the parties. Mary B. Anderson calls these elements "dividers" or "sources of tensions."[14] The second step implies the identification of those aspects of the context that continue to connect people, despite the existence of dividers: common systems and institutions (political and economic), common values and common attitudes, common past or present experiences and common symbols. Mary B. Anderson calls these elements "connectors" or "local capacities for peace."[15] The third step is the analysis of the assistance program and of its impact on both dividers and connectors. According to Mary B. Anderson the analysis has to focus on the way decisions are taken (decisions about why providing aid, where to provide aid, when to

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[9] Anderson, Mary B. *The Do No Harm Framework for Analyzing the Impact of Assistance on Conflict: A Handbook*. Cambridge, MA: The Collaborative for Development Action, Inc., 2004. 1.

[10] Anderson, *Do No Harm. How Aid can support Peace — or War*, 34.

[11] Ibid.

[12] Anderson, *The Do No Harm Framework for Analyzing the Impact of Assistance on Conflict: A Handbook*.

[13] Ibid.

[14] Ibid.

[15] Ibid.

provide aid, what to provide, who should receive aid, who are the partners, how aid will be provided), on the criteria that have been used, on the resources transferred and the ethical messages given. The last step is the generation of new options and the adjustment of programs and projects according to the analysis that has been done.

Kenneth Bush gave an important contribution to the debate by introducing the concept of 'Peace and Conflict Impact Assessment' (PCIA):

Peace and Conflict Impact Assessment is a means of evaluating (ex post facto) and anticipating (ex ante, as far as possible) the impacts of proposed and completed development projects on: 1) those structures and processes which strengthen the prospects for peaceful coexistence and decrease the likelihood of the outbreak, reoccurrence, or continuation, of violent conflict, and; 2) those structures and processes that increase the likelihood that conflict will be dealt with through violent means.[16]

More simply, PCIA is a process that "attempts to discern a project's impact on the peace and conflict environment — an area it may not have been designed explicitly to affect."[17]

The debate about assessing the impact of aid on peace and conflict, born in the 1990s on the ideas of Anderson and Bush, evolved in a discussion involving different actors, from NGOs to international organizations. In 2004 a project undertaken by six northern and southern NGOs replaced the label PCIA with the concept of 'conflict-sensitive approach' to indicate the close relation between the analysis of the conflict and the drafting of assistance strategies.[18] In 2005, Thania Paffenholz and Luc Reychler talked about the 'Aid for Peace' approach, a model based on the identification of the needs in peacebuilding in a given context and the analysis of foreign aid on the basis of these needs.[19] More recently, the debate has tackled issues like the question of ownership (is impact assessment to be done only by donors and aid agencies, or also by recipients of aid and beneficiaries such as the local civil society?), the gap between the micro level and the macro level (do peacebuilding projects really affect the macro level conflict?), and the dichotomy 'generally applicable indicators' — 'customized indicators' (tools of impact assessment have to be flexible, but if the indicators are different for every analysis, no comparison between projects is possible).[20] The analysis provided in the following chapters will consider this debate and will try to use the 'Do No Harm Framework' to analyse the impact of foreign aid on peace and conflict in BiH and in the oPt.

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[16] Bush, Kenneth. "A measure of peace. Peace and conflict impact assessment of development projects in conflict zones." Working Paper No. *1. The Peacebuilding and Reconstruction Program Initiative and The Evaluation Unit*. March 1998. 7.

[17] Ibid.

[18] Conflict-sensitive approach means "the ability of your organization to understand the context in which you operate, to understand the interaction between your intervention and the context, and act upon the understanding of this interaction, in order to avoid negative impacts and maximise positive impacts." Conflict Sensitivity Consortium. *Conflict-sensitive approaches to development, humanitarian assistance and peacebuilding: A Resource Pack*. 2004.

[19] Paffenholz, Thania. "Third-generation PCIA: Introducing the Aid for Peace Approach." In Berghof Research Center for Constructive Conflict Management. *New Trends in Peace and Conflict Impact Assessment*. Berghof Handbook, Dialogue Series, 2005.

[20] Fischer Martina and Oliver Wils. "Ploughing Through the Field: An Introduction to the PCIA Handbook Debate." In Berghof Research Center for Constructive Conflict Management. *New Trends in Peace and Conflict Impact Assessment*. Berghof Handbook, Dialogue Series, 2005.

Dividers and connectors in BiH

Bosnia and Herzegovina was affected by a violent conflict, which broke out after the referendum for independence in 1992 and ended with the Dayton Peace Agreement in December 1995, which contains in its Annex 4 the Constitution of the country. The complex power-sharing architecture of the Bosnian Constitution, based on the recognition and on the rights of the three 'constituent peoples' has created a society "where ethnic identity is the fundamental ground for every political reasoning"[21] and has shaped a political context "where the person's citizenship is predetermined by her or his kinship, or her or his belonging to this or that group of mutual blood origin."[22] Such a system based on ethnic lines, instead of fostering cooperation between the three factions, has codified ethnic, cultural, linguistic and religious differences, making the support for one's *ethnie* a "vital precondition for the very existence of the person's kin-group and the person as its member."[23]

By viewing Bosniacs, Serbs and Croats as three distinct, internally homogeneous "monocultures"[24] the DPA has exacerbated presumed differences such as language and cultural heritage, and has made common past experiences like communism and the war, or common values and attitudes like laicism and sense of belonging to one's own land, irrelevant. This system, moreover, is discriminatory with respect to 'the others', that is, persons not belonging to any of the three constituent peoples, which are most of the times excluded from the political arena.[25] The political structure created by the DPA has proven to be dysfunctional both politically and economically and has been an obstacle to the peace process, more than an instrument to sustain it. The existence of two powerful entities, each one with a parliamentary assembly and a government, has made state institutions very weak. The division of the Federation in ten cantons, moreover, has made law implementation a very slow and complicate process. Such a highly fragmented system, with all its parliaments and ministers, is extremely expensive and does not facilitate the economic development of the country.

The 1995 peace accords also established the Office of the High Representative (OHR) mandated to oversee the implementation of the civilian aspects of the DPA. The High Representative has become over the time the main actor in the democratization process, since many reforms were adopted thanks to his intervention.[26] As a result, while on one side the process has gone on, on the other

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[21] Mujkić, Asim. *We, the Citizens of Ethnopolitics*. Sarajevo: Centar za ljudska prava Univerziteta u Sarajevu, 2008. 23.

[22] Ibid., 20.

[23] Ibid., 22.

[24] Ibid., 32.

[25] The tripartite Presidency, for example, excludes from the office of the Presidency persons that do not belong to the three constituent peoples, such as Roma people and Jews. The European Court of Human Rights in the case *Sejdić and Finci v. Bosnia and Herzegovina* has considered this situation a violation of article 14 of the European Convention of Human Rights (legally binding for Bosnia and Herzegovina), which states that rights and freedoms have to be secured without discrimination. See the judgment of the Court of 22.12.2010.

[26] The powers of the HR were increased at the Peace Implementation Council Bonn Conference in 1997. Thanks to the 'Bonn powers', the HR has the authority to "to remove from office public officials who violate legal commitments and the Dayton Peace Agreement, and to impose laws as he sees fit if Bosnia and Herzegovina's legislative bodies fail to do so." All Representatives have extensively used the Bonn powers up to now. PIC "Bonn Conclusions." 10 December 1997.

side, the OHR has supported the incapacity of domestic institutions to come to a consensus, and has led to the 'democratic paradox' described by David Chandler, according to whom a non-democratic institution is responsible for the democratization process of the country.[27]

The efforts to modify the DPA and revise the "big mess"[28] have caused more disputes than contributed to peace, since each one of the three leaderships has reinvigorated its position instead of looking for a compromise.[29] This has created a sense of frustration in the population and has contributed to a climate of insecurity that does not attract foreign investment.[30] As a result, unemployment is still high in the country, and the level of social trust is very low.[31] These tensions, moreover, "weaken and divert efforts at political and economic reform, rather than strengthening and focusing consensus on EU integration."[32]

The actions of international actors in BiH

NGO 1 started to work in BiH during the first months that followed the signing of the DPA and left the country in 2003. The organization implemented several projects to facilitate the return of refugees and IDPs to the pre-war rural communities of the municipality of Lukavac, Tuzla Canton. During the war this area corresponded to the front-line of the conflict between Bosnian Serbs and Muslims; therefore, the greatest part of the local population, made up of people from both ethnic groups (80% Serbs and 20% Muslims), had run away.

In the period 1996-1997 the intervention of NGO 1 consisted mainly in the distribution of survival kits which contained food, seeds and the basic tools necessary to re-start agricultural activities. The international staff member interviewed explained how the fact of choosing a cross-cutting criterion, poverty, to determine the beneficiaries of the project, and not simply ethnicity as it was originally intended, helped to avoid tensions among the different groups:

Initially the targets of the project were mainly Bosnian Serbs; however a part of the intervention was dedicated to the Muslim population. This was a way to balance our action, to work also with the majority and not only the minority. This was the philosophy of the NGO. We wanted to avoid the creation of tensions, seen that this kind of intervention usually targets the group which has been mostly discriminated, while poor people exist on both sides. We tried therefore to work with the most vulnerable in both groups.[33]

In 1998-2000 NGO 1 implemented a project for the return of Serb IDPs. According to the person interviewed the project did not address issues like the

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[27] Chandler, David. "Bosnia. The Democracy Paradox." *Current History*. March 2001.

[28] Bianchini, Stefano. "Dayton e la revisione del Grande Pasticcio." In Divertito, Stefania and Luca Leone. *Il fantasma in Europa. La Bosnia del dopo-Dayton tra decadenza e ipotesi di sviluppo*. Verona: Il Segno dei Gabrielli Editori, 2004. 74.

[29] See International Crisis Group. "Bosnia's Dual Crisis." *Crisis Group Europe Briefing*, n. 57, 12 Nov. 2009.

[30] Fischer, Martina. "Moving out of the Dayton Era into the Era of Brussels?" In *Ten Years After Dayton. Peacebuilding and Civil Society in Bosnia-Herzegovina*. Berlin: Lit Verlag, 2007. 11.

[31] See for example National Human Development Report 2009. *The Ties that Bind. Social Capital in Bosnia and Herzegovina*. Sarajevo: UNDP, 2009.

[32] Batt, Judy. "The Western Balkans." In *Developments in Central and East European Politics 4*. Edited by Stephen White, Judy Batt and Paul G. Lewis. New York: Palgrave Macmillan, 2007. 76.

[33] International officer, NGO 1. Personal Interview. 22 July 2010.

reconstruction of social services and the creation of jobs that are essential for the social life of the population, so that only a small part of the pre-war inhabitants came back. This undermined the negotiating power of the Serb community, and the NGO had to put pressure on the municipality in order to make them hire a Serb teacher:

The greatest part of the resources was destined to the reconstruction of houses and little was left for the reconstruction of the communities in the psychological sense, that is for the reconciliation with people from the other group, the creation of a common space where the community could gather up, or the creation of relationships with the municipality, which was Muslim. (…) Before the war, people worked in the factories in the city; agriculture was not the main activity. Now, without factories, without roads, people do not want to go back to the village on the mountain and cultivate the land. So in the end only a small portion of the original population comes back. Old people, mainly. Maybe 200 or 300 of the 3000 that lived there before the war come back. And this means that the community is not big enough to negotiate with the municipality. (…) We rebuilt a school in a community and then convinced the municipality to employ a teacher to teach the Serb curriculum in that school. (…) We had thousands and thousands of meetings with the municipality. (…) Since we had rebuilt many things, not only for the Serbs but also for the Muslim community, they trusted us.[34]

In the following years, the intervention of NGO 1 focused more on issues of reconciliation and integration among the groups:

We all had the word 'multi' in our projects: 100 grams of Serbs, 400 grams of Croats and Muslims and a little bit of the others. But what can NGOs do? If history, geography and the state are divided into three, how can you make children talk to each other? NGOs cannot do what the big agencies are not able to do.[35]

The fact of working in a society divided along ethnic lines and the fact of using ethnic labels and continually stressing the ethnic component made the efforts of promoting integration between the groups fruitless. Results were obtained with the local staffs, which were involved in concrete activities:

Our staffs were mixed, but the Muslim ones had to overcome the trauma of the war, since they were expected to help the Serbs, those who had shot on them some years before. But when you have to resolve practical problems and fulfil the needs of the population, you have no time to think about ethnicity.[36]

Meetings with other NGOs and with agencies were organized to coordinate the distribution of goods or reconstruction programs, but only international actors participated, not the local population, a situation that "gave the people the idea that they were powerless, that everything was decided by someone else, above them, and that they could do nothing to change their situation."[37]

The NGO 4 started its activities in 1996 with a project designed to assess the needs and priorities of the population of the municipality of Zavidovići, Zenica-Doboj Canton. A bottom-up strategy was used to give voice to local communities, through local committees and focus groups. This strategy was useful to establish mutual trust

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[34] Ibid.
[35] Ibid.
[36] Ibid.
[37] Ibid.

and legitimacy and could be easily applied to the projects of reconstruction (reconstruction of health care facilities, schools, and local community headquarters). The local staff members, similarly, were recruited according to the principle of ethnic variety. However, difficulties arose when the NGO shifted its focus on democracy and the promotion of integration and mutual understanding, as explained by its president:

We started to work on integration and reconciliation especially with schoolteachers by organizing trainings and workshops. The projects focused on the concept of multiple identities, something in which we strongly believed, but something totally new for the local population, something that went beyond their idea of what identity is (…) Every time we tried to handle delicate issues that referred to the causes of the conflict, people were stuck to their own ideas and closed down any possibility for further dialogue.[38]

The rhetoric of ethnicity was therefore abandoned in favour of a more general discourse about civic commitment (a project was implemented, for example, with young people to encourage their participation in public life through the editing of a newspaper).

Since 2001 the NGO focused on developmental issues such as the improvement of agricultural techniques and the promotion of small enterprises, and on social issues such as the prevention of domestic violence and the integration of the large Roma community present in the area. These new priorities have transformed the strategies used by the agency from short-term project-focused strategies to long-term ones. Working on relevant issues like these has made it possible for the NGO to bring together different actors, including associations from opposing ethnic groups, in that case, Bosniacs and Croats:

Implementing activities to identify needs and satisfy them is for us a way to bring people together. (…) Have we changed something? No. The dynamics of the conflict have remained the same in that area, since they are influenced by other factors, and we just try to cope with them. Citizens do the same. They would like to do something more, but their confidence in politics is very low.[39]

According to the president of the agency, a long-term presence on the territory and strong commitment to meet the needs of the local population have been the two most important achievements, together with the improvement of local capacities and empowerment of local communities.[40]

The two cases analysed show that INGOs have tried to promote the integration and reconciliation of the three different ethnic groups, but have been limited in their efforts by the political structure created along ethnic lines, which has made the ethnic dimension the most relevant aspect of social life. This has undermined the force of 'connectors' like common past experiences or the need to improve the economic situation of the country, and has continually stressed the rhetoric that characterized the conflict. Moreover, the fact that international NGOs are the providers of most quality services, and not the government, has contributed to normalizing the presence of international actors in the country and has undermined the legitimacy and capacity of

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[38] President of NGO 2. Personal Interview. 4 September 2010.
[39] Ibid.
[40] Ibid.

the local government to be responsible for the local population. These aspects characterize also the intervention of international NGOs in the oPt.

Dividers and connectors in the oPt

While BiH can be considered a post-conflict context moving towards the status of EU candidate country, the oPt are still affected by two conflicts: one is the Israeli-Palestinian conflict, which had been stopped by a ceasefire in 1993 with the Oslo Accords, but which was enflamed again by the Second Intifada and the operation Cast Lead in 2008-2009. The other is the internal conflict between Hamas and Fatah, which are ruling the two halves of the territories.

The 1993 Declaration of Principles on Interim Self-Government Arrangements, which stated the mutual recognition of the State of Israel and the PLO representing the Palestinian people, and which established a Palestinian government authority for the WB and GS, did not settle the most delicate issues of the Palestinian-Israeli conflict, which were left for future permanent status negotiations.[41] These issues, which include the right of return of refugees, the status of Jerusalem, and the question of Israeli settlements, have since then divided the two parties and have been loaded with a symbolic meaning, representing for both Israelis and Palestinians the fields where a compromise is not conceivable.

Palestinian and Israeli positions about the problem of refugees and displaced persons are irremediably opposing. Palestinian Arabs defend their 'right of return' to Israel and their right to have back the homes they were obliged to abandon during the 1948 war or to receive compensation for the lost property. Israel, on the other side, denies refugees' right of return and rejects any responsibility for what happened to them in 1948, view that the war was initiated by the Arabs.[42] The status of Jerusalem ('Yerushalaim' for the Israelis and 'Al-Quds' for the Palestinians) since the failure of the peace talks of Camp David[43], seems to be non-negotiable for both leaderships, which continue to defend their right to have whole Jerusalem as capital of their respective state.[44] In the battle for Jerusalem, Israel has made use of three instruments: the 150-km-long barrier that separates East Jerusalem from the rest of the West Bank, archaeological researches that demonstrate the Israeli historical link to the Old City[45] and Israeli settlements in East Jerusalem which have made the division of the city along ethnic lines impossible to realize.[46] The same can be said of Israeli (legal and illegal) settlements in the rest of the WB. According to Slavoj Žižek, Israel is slicing up the land and parcelling the West Bank, thus strangling the Palestinian economy and creating a situation that makes the two-state solution impossible.[47]

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[41] Declaration of Principles on Interim Self-Government Arrangements (Oslo Agreement). 13 September 1993.

[42] Gazit, Shlomo. "Solving the Refugee Problem — An Israeli Point of View." In *The Palestinian Refugees. Old Problems –New Solutions*. Edited by Joseph Ginat and Edward J. Perkins. Brighton: Sussex Academic Press, 2001. 233-241.

[43] Dusi, Elena and Paolo Pieraccini. "La battaglia per Gerusalemme." Limes, Quaderni Speciali. *La Battaglia per Gerusalemme. Ebrei, Cristinai, Musulmani. La Disputa infinita per il Centro del Mondo*. July 2010: 9-28.

[44] Ibid.

[45] Dusi, Elena and Paolo Pieraccini. "Quando l'archeologia diventa geopolitica." Limes, *La Battaglia per Gerusalemme.* 99-108.

[46] Rubinstein, Danny. "La Capitale Impossibile." In Limes, *La Battaglia per Gerusalemme,* 109-116.

[47] Žižek, Slavoj. "Quiet slicing of the West Bank makes abstract prayers for peace obscene." *The Guardian*, 18 August 2009.

The oPt are affected by another conflict: the divisions existing between the two Palestinian factions of Fatah (the secular party founded by Yasser Arafat) and Hamas (the Islamist movement which won the 2006 legislative elections). These divisions came up to the stage in Gaza in June 2007, when Hamas brigades took control of all PA's institutions and expelled Fatah's leaders and supporters out of the Strip. President Abbas issued a series of decrees declaring Hamas government in Gaza illegitimate, suspending the parliamentary assembly (the Palestinian Legislative Council) and establishing an emergency government in the West Bank.[48] The consequence of the Gaza events was a political and administrative division of the oPt in two halves: the Gaza Strip, ruled by Hamas with Ismail Haniyeh as Prime Minister, and the West Bank, ruled by a Fatah's emergency government with Salam Fayyad as Prime Minister.

This situation has undermined the faith of the Palestinians in democratic change since in the GS a democratically elected government is ruling in an undemocratic way, while in the WB a non-elected government continues to maintain its power, despite the fact that the terms of the PA's presidency, parliament and municipalities have all expired.[49] This situation has reinforced Israel's position that there is no legitimate interlocutor with which to negotiate and that the 'Islamic Republic of Hamastan' in Gaza puts the security of the whole region in danger.[50] The point is that with a divided Palestinian leadership, the chances to create a viable Palestinian state are getting very low and the risks to go back to violence very high. At the beginning of May, President Abbas and Hamas leader Mashaal signed a reconciliation agreement in Cairo. Whether this agreement will contribute to reconcile the two halves of the oPt is still to be seen.

The actions of international actors in the oPt

NGO 2 has been present in the WB since 1990. Between 2006 and 2010 NGO 2 implemented a program in the education sector in three districts, Hebron, Nablus and Jenin. The international staffs worked with specialized trainers from a Palestinian organization to improve the management skills of school directors and the methodology used by primary and secondary school Palestinian teachers in 40 institutions located in rural areas. The program was financed through both development funds and emergency funds. It was designed following the priority set by the PA for the education sector (the improvement of the quality of education), but it had to face the fact that access to education was still limited:

Curricula were established long ago and need to be updated. The Ministry of Education is working on that, but the process is very slow. The priority remains that of building schools in the most disadvantaged areas, quality comes after. Schools are still overcrowded, with 35 or 40 pupils in a class.[51]

The program addressed the consequences of the occupation, especially the difficulties faced by teachers in rural areas to have access to trainings:

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[48] Milton-Edwards, Beverley. "The Ascendance of Political Islam: Hamas and Consolidation in the Gaza Strip." *Third World Quarterly*, Vol. 29, No. 8, 2008: 1585–1599.

[49] Economist. "Palestinian democracy. Under threat from all sides." 12 August 2010.

[50] Milton-Edwards, "The Ascendance of Political Islam," 1586.

[51] International officer NGO 2. Personal Interview. 31 July 2010.

The quality of education in the oPt is quite low now because some teachers were trained in a very difficult period, the Second Intifada, when universities did not work properly. Most of them are very young, even 24 years old. Moreover, there can be no updating, since the teachers cannot leave the country. This is true especially for the teachers of scientific subjects. It is very difficult for foreign experts to come to the oPt and train teachers of rural areas.[52]

The staffs had to deal also with the disillusionment of the population, both towards the local government and the international community:

The Ministry of Education belongs to Fatah. Like every Ministry in the PA, it is sustained by the international community. So practically, foreign donors pay the salaries of ministers and officers. Ministries however are perceived as being corrupted by the population. There is no transparency in the management of funds, and money is often wasted. Even during one of the evaluation meeting, teachers accused the representatives of the Ministry to be disengaged. Teachers who were closer to Hamas, on the contrary, rarely commented on that, because they feared the reaction of others.[53]

The international staffs regularly participated to the meetings for the education sector organized by the Association of International Development Agencies (AIDA):

These meetings were useful to exchange information, but lobbying was much more difficult. Rarely all NGOs sign one single document. (…) Especially after the case of the Flotilla there was a discussion about the possibility of suspending all projects in Gaza, to show that there were not the conditions necessary to implement projects. It is not morally acceptable to use goods that are smuggled through the tunnels by children to build what you have to build since cement cannot be introduced into the GS. But such an action needs the approval of all NGOs to be effective, and there was no unanimity.[54]

This example shows that actions of INGOs against the Israeli occupation were blocked by the disagreement existing between the actors themselves. The focus remained therefore mainly on daily difficulties caused by the occupation. This was the approach used also by NGO 3.

NGO 3 has been present in the oPt since the beginning of the 1990s. Since 2004 it has been implementing projects in the districts of Nablus and Tulkarem, WB, to support Palestinian olive oil producers who have been damaged by the construction of the wall. Since part of the private property of Palestinians has been confiscated, and since the regular access to the cultivated land situated beyond the wall has been limited, olive oil producers have been able to gather small quantities of olives, which are not sufficient to be processed. NGO 3 has addressed this situation by introducing collective stock and collective press centres in several villages of the area, to allow producers to process olives immediately after the harvest.[55]

In the Hebron district, NGO 3 has been implementing an emergency project to give access to water to rural communities in Area C, an area under the control of Israel.[56] Since the quantity of water distributed by Israeli authorities to Palestinian

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[52] Ibid.

[53] Ibid.

[54] Ibid.

[55] NGO 3. *Occupied Palestinian Territories. Report of activities. 2009/2010*. Report 2009/2010.

[56] The West Bank is divided into three areas: area A under Palestinian control and administration; area B under Israeli control and Palestinian administration; area C under Israeli control and administration.

rural communities is not sufficient to respond to their daily needs, stocking cisterns and distribution networks have been built to guarantee a constant availability of water.[57] Similarly, in 2009 NGO 3 implemented an emergency project in the GS to restore water and sanitation systems for households affected by the Israeli military operations of December 2008-January 2009.[58]

This example shows that NGO 3 has directed its efforts mainly at alleviating the sufferings of the Palestinian population and at coping with the difficulties caused by the occupation. This has contributed to the normalization of a situation that under international law should be temporary. The occupation, in fact, has become normal for the Palestinian population and the difficulties resulting from closures, checkpoints or movement restrictions have become daily routine. As it was for UNRWA, even in the case of INGOs, programs and projects designed to meet the needs of the Palestinian population have covered the fact that Israel is not respecting its duty to protect the occupied population. This does not facilitate the resolution of the conflict and the compromise between the parties. Moreover, the approach used by international actors has undermined the legitimacy and capacity of the local government to take care of the population, since this one is highly dependent on the services of international actors for its survival. The local government is perceived as corrupt and sometimes it is an obstacle to the implementation of projects.

To sum up, international actors in BiH and the oPt have adopted a conflict-sensitive approach only as a reaction to unsuccessful projects and programs and not as an overall, planned and coherent strategy. They have focused on 'connectors' only to a limited extent, sometimes because of the constraints imposed by the contexts and sometimes because of the technical role they have been given. Moreover, while in BiH the international community remains the main driver for reforms, in the oPt the population is largely dependent on foreign actors for its own survival and wellbeing.

Foreign aid as a tool to build peace: constraints and opportunities

The analysis provided here has demonstrated that context matters. The conflict and its dynamics, and especially the presence (or absence) of a peace accord and a final status agreement have a strong influence on foreign aid, since they represent the framework upon which aid strategies and approaches are designed. So, while the DPA has provided a clear political and administrative status to BiH, recognizing its sovereignty and territorial integrity and creating a power-sharing structure supported by the international community, the oPt are still in a political and administrative limbo. Israel controls Palestinian borders and airspace and several outbursts of violence have aggravated the humanitarian crisis in the area. Moreover, it is not clear who represents the interest of the Palestinian people and can be an interlocutor for the international community, whether it is the Fatah-led government in the WB or the Hamas-led government in the GS (or both).

As a consequence, while in BiH aid agencies have been able to address dividers (at least to some extent) and have been provided with clear objectives (such as the return of Serb IDPs for NGO 1), in the oPt international organizations and

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[57] NGO 3. Occupied Palestinian Territories. Report of activities. 2009/2010. Report 2009/2010.
[58] Ibid.

NGOs have been compelled to use their resources to minimize the negative effects caused by the outbursts of violence and by the occupation. NGO 2 and NGO 3 have implemented projects in sectors like education or agriculture to mitigate the negative consequences of Israeli closures and checkpoints. Peace agreements, however, can also be an obstacle for aid agencies. While the DPA was successful in stopping the war and setting up an agreed political and administrative structure for the country, on the other side, it has created a society divided along ethnic lines, which is difficult to reform and which makes the promotion of the integrative approach particularly challenging.

If on one side aid agencies have been influenced by the context, on the other side, however, aid itself has had an impact on the context, in a vicious circle that has contributed to 'normalizing' a temporary situation (the international protectorate in the case of BiH and the occupation in the case of the oPt). In BiH the fact that foreign agencies are the providers of most quality services and the fact that the international community continues to play the role of reform-driver, has contributed to normalizing the presence of international actors. This has undermined the legitimacy and capacity of the local government to be responsible for the population. As David Chandler has underlined, a non-democratic method has been used in BiH to promote democracy, thus creating a paradox that has undermined the whole process. Moreover, if on one side reforms have been achieved, on the other side the interventionist approach used by the international community has made local leaders accountable to foreign actors instead of citizens. This has created the feeling in the population that only the international community has the power to change the situation, as the operator of NGO 1 and the president of the NGO 4 have underlined. In a certain way, the international community has covered the incapacity and lack of will of the three political leaderships to come to a consensus over reforms, which should happen in a functioning multiethnic democratic country.[59]

In the oPt aid has been channelled to relieve the sufferings of the Palestinian population, to foster economic development and to sustain the creation of a viable Palestinian state. Aid, however, has been both essential and damaging. If on one side humanitarian aid has performed a relief function, on the other side, development aid has been a "sub-optimal palliative,"[60] since it has been used to mitigate the negative effects of the occupation, without eliminating the core cause of the problem. By using short-term strategies and adopting "stop-gap solutions"[61] foreign actors have made the situation more tolerable for Palestinians and morally acceptable for the international community. Aid agencies have fallen into daily routines, thus making the situation appear as 'normal'. Moreover, by taking care of the Palestinian people, foreign agencies have in a certain way reinforced the occupation since they have performed a task (the protection of the life and integrity of the population of the occupied entity) that according to international law belongs to the occupying power.[62] In this way they have contributed to delaying a final resolution of the conflict.

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[59] See for example Bieber, Florian. "Constitutional reform in Bosnia and Herzegovina: preparing for EU accession." European Policy Centre, Policy Brief, April 2010.

[60] Le More, Anne. "The Dilemma of Aid to the PA After the Victory of Hamas." *The International Spectator*, n. 2, 2006. 93.

[61] Ibid., 94.

[62] Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War (12 August 1949).

Finally, development agencies have undermined the role of the PA, by creating parallel services in sectors like education, water and sanitation, and healthcare and by making the PA totally dependent on aid agencies for its survival. Since the PA depends on foreign aid to pay salaries and services, the PA in the end is more accountable to foreign donors than to citizens. This was clear in 2007 when after the crisis in Gaza, President Abbas rushed to nominate a new government that could be acceptable to Western donors. Besides undermining the role of the PA, foreign aid has also contributed to the erosion of Palestinians' rights, by "turning their actual entitlements — their right to movement, work, housing, free expression etc. — into charities, bestowed upon them by international donors."[63] Palestinians' rights have de facto become the responsibility of the international community and have therefore been transformed into services that aid agencies provide.

It has been said that foreign aid in both BiH and the oPt has contributed to prolonging a situation that should have been temporary and in this way it has undermined the legitimacy of local governments and the rights of the population. The point is that even if aid agencies cannot be held responsible for political reforms (like the reform of the constitution in BiH) or for the political resolution of disputes (like the resolution of the Israeli-Palestinian conflict), aid should be used to facilitate the transformation of conflicts and the creation of harmonious and peaceful intergroup relations. This requires an overall long-term strategy (with peace as one of the main goals) and coordination among the different actors involved.

Which strategy is the most effective in conflict-prone contexts is still to be determined. In BiH the approach that has turned out to be the most effective is a bottom-up approach that aims at transforming the logic of the conflict, emphasising common identities, building confidence and promoting dialogue between opposing groups. This is a long-term process that requires the support of civil society organisations. A paradigm that can be effective in countries like BiH is based on the idea that ideologies of competition can be replaced by an ideology of cooperation and tolerance when the countries concerned are included into processes of integration.[64] The best example is the process of enlargement of the EU. A paradigm like this can function in BiH but cannot work for other contexts, like the Middle East, where initiatives of this kind are not present.

The situation of the oPt is particularly challenging because, pending a final resolution of the conflict, it is difficult for foreign actors to design a coherent peacebuilding strategy. One possibility could be to learn from other experiences and use an integrative bottom-up strategy to support grassroots associations (NGOs and other less structured civil societies organizations) in their effort to transform peaceful attitudes in a mass movement.[65] As it has been said before, however, aid can only support the peace process, it cannot be a substitute for it. Aid alone cannot resolve the

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[63] Hever, Shir. "Political Economy of Aid to Palestinians under Occupation." Alternative Information Center. *Socioeconomic Bulletin* n. 17-18, Nov. 2008. 37.

[64] Žagar, Mitja. "Strategies for the prevention, management and/or resolution of (ethnic) crisis and conflict. The case of the Balkans." In Sandole, Dennis J.D., Sean Byrne, Ingrid Sandole-Staroste, and Jessica Senehi. *Handbook of Conflict Analysis and Resolution*. London and New York: Routledge, 2008. 454-472.

[65] Salem, Walid, and Edy Kaufman. "From diagnosis to treatment. Towards new shared-principles in Israeli-Palestinian peacebuilding." In Sandole, *Handbook of Conflict Analysis and Resolution*, 435-453.

dispute about Palestine, which has to be settled (according to the one-state solution or the two-states-for-two-people model) using political and diplomatic means.

A paradigm that can work in both cases (and that can be valid for other contexts as well) is the paradigm elaborated by practitioners of foreign aid, which consider evaluation an instrument to manage the impact of aid on peace and conflict. Aid agencies can use evaluation and monitoring tools like the 'Do No Harm Framework' to control that humanitarian aid is not diverted or misused and to verify that development strategies are applied in a "coherent and peace-oriented manner."[66] The evaluation paradigm has been used in this research to demonstrate that aid has an impact on peace and conflict, and that it is therefore relevant for international aid agencies to constantly monitor their actions, strategies and approaches when they operate in post-conflict contexts like BiH or in situations where peace alternates with outbursts of violence like the oPt. Peace and conflict impact assessment is, in fact, the instrument that aid agencies can use to help building a durable peace.

Conclusion

Building peace in conflict-torn societies is a long-term process that goes beyond ceasefires and peace agreements to include also economic and social reconstruction, refugee return, democratic institutions and reconciliation of opposing groups. This process requires the support of all actors present on the field, including international aid agencies, whose financial and technical resources can be a precious instrument to transform conflicts and achieve long-lasting peace and stability. If on one side aid cannot be a substitute for the peace process, since aid alone cannot address the political, economic and social causes of conflict and cannot provide comprehensive solutions to disputes, on the other side, aid can help to create just intergroup relations by supporting peaceful attitudes and actions.

The study has tried to contribute to the debate by analysing the role played by international actors in two contexts, Bosnia and Herzegovina and the occupied Palestinian territories, and by investigating their effectiveness in building peace and preventing the resurgence or escalation of conflict. In particular, the research has shown that foreign aid in BiH and the oPt has been used as an instrument to build peace only to a limited extent. International actors have relied mainly on short-term strategies, which are not compatible with a long-term objective like building peace. They have created mechanisms of coordination, but they have not used them to implement strategies of peace conditionality or to express their opposition to the political situation. They have adopted a conflict-sensitive approach mainly as a reaction to unsatisfactory results, and they have not designed their projects and programmes according to an overall and coherent strategy of peacebuilding. As a consequence, aid agencies have contributed to 'normalizing' a temporary situation, the international protectorate in the case of BiH and the occupation in the case of the oPt.

The research has underlined that in conflict and post-conflict contexts humanitarian assistance, rehabilitation and development aid should be coordinated according to an overall strategic framework, whose aim is to build a long-lasting peace. Humanitarian aid, rehabilitation and development aid are in fact part of a

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[66] Paffenholz, Thania. "Understanding the development-conflict nexus and the contribution of development cooperation to peacebuilding." In Sandole, *Handbook of Conflict Analysis and Resolution*, 270-283.

continuum through which the international community support the reconstruction of conflict-torn societies. Moreover, aid is a powerful tool in conflict and post-conflict contexts since it mobilizes resources that can further deepen the cleavages of conflict. This is the reason why international actors should monitor the effects of their intervention through peace and conflict impact assessment tools, such as the 'Do No Harm Framework'.

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Lana Zeković

The EU-Russia "visa dialogue": a critical assessment

"We welcome change and openness; for we believe that freedom and security go together, that the advance of human liberty can only strengthen the cause of world peace. There is one sign the Soviets can make that would be unmistakable, that would advance dramatically the cause of freedom and peace. General Secretary Gorbachev, if you seek peace, if you seek prosperity for the Soviet Union and eastern Europe, if you seek liberalization, come here to this gate. Mr. Gorbachev, open this gate. Mr. Gorbachev, tear down this wall!"

Ronald Reagan, Berlin, 1987

Until 1985, when Gorbachev became the Secretary General of the Communist Party of the Soviet Union, relationship between the European Community and Russia were frozen by the Cold War. The period which followed was a period of defrosting of the relations, but also a period of transition for both Russia and the EU.

Beginning with 1991, Russia had to adjust to a whole new set of realities in transition to capitalist market economy, while suffering wars and economic crisis. It found itself in a new international environment, with a need to adapt to the conditions of economic co-operation with both its *near abroad* and the rest of the world, while adjusting to a different relationship with the Newly Independent States (Tkachenko, 2004, p. 113).

The EU had started radical changes with the single market programme, and Single European Act, followed by controversies over the Article 8a. The Unification of Germany followed, War in Yugoslavia, and eventually Maastricht and Amsterdam Treaties, which gave the EU new tools, strengthened the European Parliament, and extended the majority voting. The EU has since been learning how to use these new powers and institutions (Pinder, 2002), and has continued with integration, continuously undergoing institutional reforms.

Fully coherent policy towards Russia was not always achieved, due to this policy reflecting the unique character of the EU, which combined policies of the Community with those of the Member States individually. Especially the big Member States and the neighboring ones with Russia tended to engage in issues bilaterally and to influence the Commission which needed to reflect interest of the rest of the Members as well, and thus tends to be slow in action (Schuette, 2004). It is not surprising that in such conditions the progress in partnership between Russia and the EU has been difficult and slow. It is against this background that the progress in establishing EU-Russia visa-free regime has to be understood.

As we know, the creation of the EU common visa policy has been long and difficult process, due to sensitive nature of visas as expression of sovereignty, and how the lifting of internal borders affected the securitization of the external ones. We hould bare in mind that this long process paralleled the formation of the Russian State.

Now we shall analyze the progress of the visa dialogue between the EU and Russia, giving special attention to how the EU's inner work-in-progress and its conflict between the aims of foreign and domestic policy have affected this dialogue. If observed in the context of the mentioned difficulties, we believe the paste of the visa dialogue has been a rather steady and progressive one, resisting crisis and even war in Georgia.

1.1. The Early initiatives on borders dialogue

1.1.1. The Partnership and Cooperation Agreement (PCA)

Legal framework for the EU-Russia cooperation was established upon signing the Partnership and Cooperation Agreement (PCA) in 1994, but it did not enter into force before 1997, largely due to the Chechen War. Nonetheless, it was the first agreement of its kind to be signed, with such partnership agreements being especially aimed by the EU at the Newly Independent States, thus opening the door for the PCA with Ukraine, Moldova, Armenia, Azerbaijan, Georgia, Kazakhstan, Uzbekistan, and the Kyrgyz Republic. The agreement was to last ten years, but given that neither Party denounced it, it is automatically renewed year by year, in accordance with the Article 106 of the Agreement.

The EU-Russia visa dialogue is a rather new one (Kalinin, 2010). The PCA made no reference to inspection of visa matters, but it did set out to create a free trade area, being the first step in intensifying the cross border exchange. The circumstances for revising visa regime were far from mature at the time. The time of the signing of the PCA was a time of big reforms for both of the Parties. For the EU it was in the aftermath of the Maastricht Treaty, with the freshly established, yet problematic three Pillar structure, and a still very deep division between the Member States regarding their co-operation and the path it should take; the intergovernmental or the Community one.

Russia on the other hand, was going trough deep structural changes in its political and economic system, and by the time the PCA entered into force, Russia was on the verge of a 1998 financial crisis. It is against this complex background of reforms that the Parties undertook to "create the necessary conditions for the future establishment of a free trade area between the Community and Russia, covering substantially all trade in goods between them, as well as conditions for bringing about freedom of establishment of companies, of cross-border trade in services and of capital movements" (PCA, Art.1).

The parties agreed to permit temporary movement of natural persons who are representatives of a Community or a Russian company, and are seeking entry for the purpose of negotiating for sales of cross-border services (PCA Art. 37). It was however explicitly said that the residence and work permits of such employees are to cover only the period of employment (PCA, Art. 32), but the Joint Declaration (In relation to Art. 26, 32, 37) clearly specified that the Parties would ensure issuing of visas and resident permits in conformity with the laws and regulations of the Member States and Russia respectively, and in particular "with the view to facilitate the *prompt* entry, stay and movement of businessmen in the Member States and in Russia". The Parties would also ensure that the "administrative procedures do not nullify or impair the benefits accruing to any Party" under the Agreement.

Thus, even though the Agreement was of economic nature, though with clear political statement and stress on "democracy consolidation and common values" (Preamble of PCA), it also made a direct connection between necessity of facilitating movement for the purpose of fostering economic ties. The same Joint Declaration contained the first indication of what the EU considers an un-negotiable condition for movement facilitation, and that is readmission agreement. At the end of the declaration it was stated that "the Parties agree that an important element in this context is the timely conclusion of re-admission agreements between the member States and Russia". The fact that it suggests re-admission agreements *inter alia* with Russia, rather than between Community and Russia, reveals how far the EU still was from agreeing on a common visa policy.

1.1.2. The EU's Common Strategy on Russia (1999)

Another document which was adopted as first of its kind was the Common Strategy (CS) of the EU on Russia in (OJ 1999 L 157/1), which again stressed the importance which the EU puts on readmission agreements.

The Strategy stated that the EU and Russia share a common challenge in fighting organized crime and trafficking, and that accordingly; the EU would cooperate with Russia in the field of illegal migration, and would continue training courses for border and migration agencies' staff. The EU stated its intention to continue improving cooperation with Russia regarding readmission of own nationals as well as third country nationals and persons without nationality, its intention to conclude a readmission agreement, and to intensify the dialogue with Russia "on the adjustment of Russia's visa policy to the European Union, through introduction of visa requirements in accordance with the EC provisions, and introduction of travel documents which are sufficiently fake-proof" (Part II, 4(c)).

The CS was adopted as late as 1999, in the course of the Cologne Summit, and it should be observed in the context of two backgrounds; first is the institutional *work-in-progress* of the EU, and the second are the expectations which the EU has from Russia as regards its internal reforms. Both of the two have had a significant effect on the lack of coherent EU common policy on Russia and on the paste of cooperation, and thus constitute the context in which the progress of the visa dialogue ought to be observed.

As regards to the first aspect, the institutional work in progress of the EU is something to be kept in mind at all times when EU policy is under consideration. The Common Strategy is an instrument which did not exist before the Amsterdam Treaty. In the late 1990s, the EU felt the need to strengthen the visibility and effectiveness of its CFSP, as well as coordination between the activities of the Union and its Member states in the formulation of foreign policy. As a result, the Common Strategy was introduced as a means of setting out the objectives, overall policy guidelines, organization and duration of the EU's external policies towards geographic or thematic areas of important common interest. The CS on Russia was followed by one on Ukraine, the Western Balkans, and the Mediterranean Region.

Despite the declaration to better coordinate Union and Member States' policies towards Russia, the main driving force behind the effort was to test the efficiency of a new CFSP instrument (Schuette, 2004, p. 16). Thus the contents of the CS was not the primary focus, and the drafting of the document was done rather

superficially, resulting in a collection of mere nine pages of more and less specific goals, lacking coherence and focus. As argued by Haukkala (2000), the CS on Russia was a product of growing frustrations in the EU, regarding the performance of the CFSP and the lack of consensus over the qualified majority voting to support it. The provisions of the Amsterdam Treaty reflected the reconciliation between the UK and France on one hand, and Germany's and Benelux's strive for the increased majority voting on the other. Common strategy concept was the only possible solution to the problem of how to increase majority voting in the CFSP, so they "sneaked" it into the Common Strategy (p.44).

However, the second aspect is just as important. A closer look at the CS reveals some expectations from Russia to deliver (Schuette, 2004), but those are more or less the same as expressed in the PCA, such as the rule of law and consolidation of democracy, based on the *common values* between Russia and the EU. Yet, the CS differs from the PCA not only in substance and orientation but also insofar as it is an internal EU document, and in this regard it should have been able to define in much clearer terms the objectives that the EU would like to pursue with regard to Russia (p. 15), yet it failed to do so. Adopted under the provisions of the Common Foreign and Security Policy enshrined in the Title V of the Amsterdam Treaty, the CS on Russia had four main objectives: encouraging the democratic reform process in Russia; encouraging economic reform; promoting regional and global stability and security; and promoting co-operation with Russia in areas of common concern, such as international crime and environmental questions.

Hence, expectation of Russia remained the same and revolved around consolidation of democracy, the rule of law, integration of Russia into a common European economic and social space, the strengthening of stability and security in Europe and beyond (Archer, 2000), not introducing anything new really. Yet, as regards visa policy, the CS took a step further and stressed not only the expectations to conclude readmission agreement, but also a clear expectation from Russia to reproduce and approximate its visa policy to the high standards of the EU, with a special accent being given to the security of travel documents, and to Russia introducing sanctions for carriers providing transport to inadequately documented passengers (1999/414/CFSP, Part II, 4(c)).

It is here that we see how the inner institutional work-in-progress of the EU affected its policy. The attention was focused on the EU's new CFSP tool, instead of on the content of the CS. Despite the CS being an internal document and thus allowing for a better elaboration of the ways to implement the objectives which the PCA had already set, the CS remained general and wague, without any operational value. In spite of that, one aspect of the CS which actually did take a step further regards the readmission agreement and the need for approximation of Russia's visa policy to the one of the EU, where re-admission of third country nationals, security of documents, and sanctions for carriers are already being specified in such detail.

Indeed, the CS was adopted in the pre-enlargement period, and in the aftermath of the Amsterdam Treaty, and of the removal of the internal EU borders. As pointed out in the previous chapter, it was a time when the securitization of the external borders and the need for effective return policy took the center of the debate and overshadowed the aims of the foreign policy. Hence even though the CS talks about strengthening stability in Europe, it is the visa and return policy that were more

pronounsely stressed Common Strategy. Overall, the CS was a sign of lack of coherent approach and common policy on Russia, and of the difficulties in creating one due to institutional challenges of the EU. But despite the lack of practical and operational nature of the CS, due to problems explained above, Huakkala (2000, p. 47) argues that it did inject a certain measure of added cohesion into EU-Russia relations; although Member States were still willing to engage in bilateral relations with Russia, rather than choose a Community approach, the Strategy forced them to take the existence of the CS into consideration. Haukkala stresses that he psychological side to the internal impact of the CS, as the mere existence of the possibility of the qualified majority voting in CFSP in building consensus among the Member States should not be underestimated.

The CS was an internal document and thus had no obligation for Russia. Once it expired in 2004, it was replaced by four common spaces, negotiated together with Russia.

1.1.3. The Northern Dimension

A more serious initiative came in 2000, when the European Council adopted the Action Plan for the Northern Dimension (Council Document, 9401/00), but this regional project was launched by Finland already in 1997 yet lagged behind for the same reasons as did the PCA. Several reasons prompted the European Council to adopt the Action Plan, and most pressing ones were Poland and the Baltic States' accession to the EU, and the consequent emerging issue of Kaliningrad (Pinder, 2002).

With more than thousands of kilometers of shared border with Russia, and with the security threats having changed since the disintegration of the Soviet Union, Finland was prompted by concerns over crime, illegal immigration and the environment. Yet it immediately excluded hard security from the agenda and focused on the soft security, with the aim of tackling the problem, which in the light of functionalist theory lies behind the issues of illegal migration, cross-border crime and environment issues, and that is living-standard disparities (Archer, 2000, Pinder 2002).

Thus the primary emphasis of this project, which was renewed in 2006, was sustainable development and cooperation in the fields of natural resources, environment, transport and energy infrastructures, and border management. Special attention was given to cross border issues, such as fight against crime, and while this objective did focus on preventing illegal migration and trafficking, it also stressed the mutual interest of the Partners in facilitating legal crossing of the borders. Under the objectives in the field of Justice and Home Affairs, it was stated that "all Northern Dimension partners have an interest in effective border management — both preventing cross border crime and facilitating legal exchange" (Council Document 9401/00, No.87).

Finally the need for facilitating legal crossing of the borders was recognized, and not only the need for readmission agreement, which was nevertheless further mentioned. The thing which prompted the need for facilitating legal travel is the issue of Kaliningrad transit, which was given a special mention in the light of the approaching enlargement and the extension of the EU common visa policy to the new Member States: "In order to ensure fluid cross-border co-operation, ways of facilitating the issuance of visas might be examined and supported by appropriate instruments" (No. 88). It was under the pressure of the issue of Kaliningrad, that the

EU started balancing between the aims of the foreign policy and the needs for securitization. Instead of just nominal goals, the Northern Dimension finally demonstrated a true commitment towards building development and stability in the region, and hence the need for a readmission agreement was more counterbalanced with the overall aims.

Nevertheless, the institutional complexity of the Union's structure hampered its effectiveness. This weakness was even more pronounced in a project with so many actors involved, and lacking coordination between the EU, sub-regional and national levels (Catellani, 2000). Overcoming the "sectoral and pillarized logic of the EU" was a difficult challenge for the Northern Dimension, which in addition required horizontal coordination and cooperation within the EU across separate programmes, pillars and initiatives (Haukkala, 2004 p. 111, Note 60, Ojanen, 2000). The Finnish view was that it suffered from being compartmentalized between the Pillars and the Commission's Directorates General, remaining limited by existing budgets in programmes such as Phare, Tacis and Interreg, without extra finance (Pinder, 2002, p. 126).

1.2. The Kaliningrad transit problem

The role that Kaliningrad had in injecting visa-free regime in the EU-Russia dialogue is of crucial importance. Moreover, the dialogue over the Kaliningrad transit offers a good opportunity to understand all the possibilities and limits which exist under the Schengen acquis, thus we consider it more detail.

The first serious test for the border dialogue between EU-Russia came with the issue of Kaliningrad in the context of the EU enlargement and the expansion of the Schengen to the new Member States. As already mentioned, the Schengen did not immediately apply fully to the new Member States, but they were required to apply it on the external borders immediately with their accession (COM (2004) 391, Explanatory Memorandum, No.6).

As a first stage of preparations for the introduction of the Schengen regime in July 2003, Lithuania introduced visa requirements for Russian citizens, and Poland did so later the same year, in order to not disrupt the tourist season. In fact, neither Poland nor Lithuania benefits economically from having had to introduce visa requirements for Russian, Ukrainian and Belarus citizens. Apart form affecting Russia's bilateral relations with the new Member States in general, the most important aspect of the enlargement in regards to Russia was that it affected the transit of Russian citizens from, and to the Russian sovereign territory — the Kaliningrad enclave (Burkhart, 2005). This was clearly recognized in the Commissions communication which stated:

"Travel, for whatever purpose to or through EU Member States will require possession of a visa. Visa-free transit, currently available to Kaliningrad and certain categories of Russian citizens transiting Lithuania, will no longer be possible. In addition, Kaliningrad citizens will be obliged to travel in possession of a valid passport, as opposed to the internal identity document which is currently accepted" (COM (2001) 26, p.5).

The EU had a bit of a late start on the issue; the first document of Russia's concerns inspired by the forthcoming enlargement was submitted to the Commission in August 1999, but the dialogue started more than a year later. This can partially be explained by the cooling of relationship due to initial severe criticism of the EU

regarding Russia's preference to military strategy rather than diplomacy in dealing with Chechen attacks in Degastan in 1999 (Shishkov, 2002). The EU's reactions soon proved to be exaggerated, especially against the background of the NATO's bombing of Serbia just a few months earlier, thus the friendlier dialogue caught up by the time of Moscow Summit, in a more relaxed atmosphere than in Helsinki the year before (Pinder, 2002).

The slow reaction of the EU can also be explained, apart from facing failure in the Kosovo issue, by the Union's inner conditions at the time. In 1999, the Amsterdam Treaty had just entered into force, incorporating the Schengen into the EU law, which was an ambitious adjustment by itself. In addition to the five years of difficult transition period of the Treaty not having ended, it was already clear that a new Treaty in Nice would be needed to accommodate the accession of the new Member States. It was a time of struggle for competences (Guild, 2006), when the common black list was only just be adopted, and a time of numerous amendments, including those to common consular instructions, to border manual, and to regulation on uniform visa format.

Once the dialogue was initiated, several documents were approved in the course of it, on the EU side trough communication of the Commission to the Council, and on the Russian side trough adoption of three documents; the first was the decision by the Russian government on *Measures for ensuring social and economic development and vitality of Kaliningrad oblast*, which deals with internal development of the region; the second document was drafted by the Russian Ministry for Trade and Economic Development and titled as *Possible solutions to the specific problems of Kaliningrad in connection with the EU enlargement*; and third was an In-depth evaluation of the Commission's communication which was sent to the Commission (Borko, 2002).

More important than addressing the exact same problems by the two Parties, was the fact that they continued to work closely in order to enact the many proposals that were being made. Thus the initial collision of the two approaches, which was wrapped around Russia insisting on a visa free regime, whereas the EU did not see any alternative to introducing the Schengen system, had been overcome. Russia reacted positively to 10 out of 13 final suggestions that were summarized in the Commission's communication, and the rest of them were acceptable after some reservations and amendments (p. 1). This provided for a favorable climate to EU-Russian relations in general, and a promising background for finding concrete solutions.

1.2.1. The dialogue

Russia is perceived as the realist one in the EU-Russia relations with a modern understanding of sovereignty, in favor of which speaks also the fact that Kaliningrad regional Duma (Parliament) twice offered to introduce a visa-free regime for EU nationals unilaterally but it was rejected by the Ministry of Foreign Affairs based on the principle of reciprocity (Vinokurov, 2006). Yet it is Russia that had due to EU enlargement suffered an infringement of the principle of territorial sovereignty, with its citizens having to acquire visas for the transit to reach Kaliningrad, while the EU, although being a postmodern union, insisted on introducing the Schengen system without much alternative.

The flexibility shown from the side of the EU was within the existing framework of the *acquis* only. This can partially be explained in the light of all the difficulties, and *opt-in* and *outs* which preceded the consensus on incorporating the Schengen into the EU law, meaning that changes to the *acquis* would have been extremely difficult, and thus not desirable. Once again, this shows how the inner complexity of the EU affected the dialogue.

In this sense the EU expressed its commitment to taking advantage of any special arrangements and flexibilities permitted by the *acquis*, such as (COM(2002) 510, (9)(11)(18), COM(2001) 26 final, p.5-6):

— Issuance of transit visas, short-term visas, long-term national visas, and multiple entry visas;
— Visa exemptions for certain categories of persons, such as diplomats, air and sea crews;
— Visa fees were flexible, but only until the lifting of internal borders with the new Members;
— Possibility of issuance of visas at the border is a flexibility allowed by the acquis, but not recommended due to hampering of the smooth border crossing;
— Scope for the delivery of special EU travel documents.

The most important flexibility mentioned was the last one, in regards to the final solution agreed upon — the Facilitated Transit Documents, which we shall address later on. This flexibility showed a sign of commitment from the side of the Commission to truly explore the possibilities and not just offer what has been on the table all along. This effort may be drawn from the following paragraph:

"The common rules on visas include the list of third countries whose nationals must be in possession of visas when crossing the external borders; the procedures and conditions for issuing visas; and a uniform format for visas (EC Treaty, Art.62). Procedures and conditions for issuing visas are introduced by secondary legislation; a technical and practical modification of secondary legislation is almost a continuous exercise due to the need to respond to new challenges. This would be the case should the Council decide to develop a travel document which would have equivalent value to a transit visa, specifically for transit between Kaliningrad and mainland Russia" (COM (2002) 510, Point 18)

Among the suggestions, the EU also offered technical and financial assistance for creation of effective, fake-proof borders. It also suggested examination of the cost of passports from the Russian side, and once again stressed the importance of the conclusion of readmission agreement (COM(2001) 26 pp.5-6). Positive reactions were two-sided, thus the EU also reacted positively to Russian suggestions, and to a very important one in particular; a political commitment to work towards the goal of visa-free travel.

Russia's proposals for ensuring transit between Kaliningrad and mainland Russia with a minimum of bureaucratic obstacles (COM (2002) 510, Point(4)(5)):

— Political commitment towards the goal of visa free travel for the purpose of which launching negotiations on issues concerning readmission, illegal migration, law enforcement, and border was suggested to start in 2002;
— Ad hoc Joint Working Commission;

— An interim solution in the form of simplified procedure for transit trough non-stop trains and buses trough Lithuania, with Lithuanian officials travelling on board and carrying out controls *en route;*
— Car passengers would be issued with transit visas, if necessary at the border.

After reaffirming that the visa requirements will remain in place for Russian citizens as long as Russia appears on the *black list*, the Commission declared its interest in Russian proposal to open discussions on defining conditions for the visa-free travel. It also indicated the fundamental requirements from the side of the EU, under which it saw this dialogue possible, by stating that before EU and Russia are able to identify conditions for abolishing visa regime, cooperation on crime and illegal migration should be stepped up in the form of readmission agreement. It also stressed the prematureness of forseeing specific timetable for this goal to be achieved, and stressed that the timing of lifting the internal borders with the new Members must be kept independent of the timing for the eventual introduction of a visa-free regime between *the EU and the Russian Federation*. In this way the Commission declined any conditions of the visa-free regime with the process of the EU enlargement (COM (2002) 510, Point 25).

It is interesting that although the communication was entitled the *Kaliningrad transit*, the visa-free regime proposal evolved into a proposal for a dialogue on visa-free regime between Russian Federation and the EU, despite the initial push from Russia for a visa-free corridor between Kaliningrad and the Russian mainland having been rejected, with the EU insisting on easing the visa regime only (euractiv.com, 4th Sept. 2002). This can be due to two reasons. First is that such a corridor is not a possibility allowed under the *acquis*, and second is that the visa free regime was being proposed under a new strategic partnership, and as such was considered by the Commission in relation to the PCA structures. The later can be drawn from the following paragraphs: "The Commission believes that the Russian proposal [on visa-free regime] contains useful elements which are already under discussion within the PCA structures" (COM(2002) 510, Point 25).

"Discussions in PCA institutions, notably sub-committee 6 should be intensified and should involve candidate countries. This sub-committe also discusses co-operation on border management, including combating trans-border crime and illegal migration, and should prepare a readmission agreement" (32(f)).

It is here that we trace the origins of the visa-free dialogue between Russia and the EU, as well as its first intertwining with the conclusion of the readmission agreement, which will be coupled with the visa facilitation agreement as a first step towards visa-free regime.

1.2.2. The agreement — FTD/FRTD

The agreement reached was an ideal mixture of Russian proposal for non-stop trains and EU's proposal for special travel documents. The Commission proposed issuing special Facilitated Transit Documents (FTD) to *bona fidei* persons who travel frequently and directly between Russian mainland and Kaliningrad (26(i)). It also accepted to consider the Russian proposal for visa exemptions for passengers on non-stop direct trains, under condition that passengers cannot leave the train without the permission of the Lithuanian authorities. The later would at all times be allowed to

deny the entry, preserving thus Lithuanian sovereign rights, and declining any extraterritorial rights of Russia in the sense of a visa-free corridor (26(ii), 32(e)).

The mixture of those two proposals resulted in adoption of two types of documents: Facilitated Transit Documents (FTD), allowing for multiple entries for a maximum period of three years, for whatever means of land transport, and for transit not exceeding twenty four hours; and Facilitated Rail Transit Documents (FRTD), for a single entry and return by rail, for a maximum period of three months, and for transit not exceeding six hours ((EC) No 693/2003, Art.3 (2)(3)).

While the FTD has to be issued by the consular institutions, the FRTD can be issued by other authorities of third parties (Art.5(2)). The price of FTD was set at five EUR, while FRTD is free of charge (Art.7). For obtaining the FTD and FRTD the common Schengen conditions for entry apply, naturally with the exemption of visa requirement (Art.4). The FRTD allowed the personal data to be filled in on board the train, before affixing of the FRTD, and before the entry into a Member State, under condition that the basic personal data are transmitted electronically to the authorities of the competent Member State simultaneously with the purchase of the railway ticket (Art.5(4)). At the time of the regulation the reasons for refusal needed to be given only in accordance with the national law, under which the appeal process was governed (Art.8). A uniform format for FTD and FRTD was also adopted ((EC) No 694/2003).

In practice, this agreement meant that for rail transit directly between Kaliningrad and Russian mainland, Russian citizens were exempt from visa requirements. Instead, the border control is carried out on the train, with the FRTD simultaneously affixed onto documents, and with only the basic information being electronically transmitted to the Member States' authorities upon purchase of the ticket. The FRTD irresitstably resembles a visa (see Annex III) and basically it substituted a normal visa application procedure with a _visa' being attached on the train. For FTD procedure is different insofar as it still needs to be issued by the consulate. The acquis requirements remained in place only for land transit, while air and sea transit do not require visas in any case.

1.2.3. The relation of Kaliningrad transit dialogue and the visa-free regime dialogue

Kaliningrad transit dialogue and the EU-Russia visa-free dialogue are interconnected in three ways.

Firstly, the Kaliningrad issue for the first time put visa-free regime on the table and introduced the dialogue. The positive reception of the idea by the EU affected Russian readiness to search for a solution to Kaliningrad transit within the *acquis*.

Secondly, the successful agreement preceded the St. Petersburg Summit. Moreover, the adoption of the regulation on FTD and FRTD more or less coincided with the Summit time-wise, giving impetus to reaching official agreement on the long term goal of a visa-free regime. For the EU on one hand, the successful solution to the Kaliningrad dilemma within the *acquis* was a positive sign that Russia was ready to engage in a serious dialogue, thus on the visa-free regime as well, and for Russia on the other hand, official agreement on the long term goal of visa freedom was a fulfillment of commitments made by the EU in the course of negotiations for Kaliningrad transit.

Thirdly, although the Commission denounced any connection between the visa free dialogue and the timing of lifting internal borders for the new Members, it is hard not to notice that the next step towards visa freedom, the Visa Facilitation Agreement with Russia, entered into force in June 2007, just before the internal borders for most of the new Member 77 States were lifted, in December 2007. The lifting of internal borders and full complying of the visa requirements with the Schengen by the new Members erased the flexibilities which were thus far available in the transition period, on the bilateral level. Even though this did not affect the Kaliningrad transit, it raised worries on the Russian side in general (Vinokurov, 2006). In particular, both Lithuanian and Polish visas were rather easy to obtain and free of charge, which was no longer to be the case. Visa Facilitation Agreement settled these worries and allowed for special visa agreement for Russia, just before the actual lifting of the internal borders. This however, was hardly made without concessions from Russia, namely it was conditioned with the conclusion of the re-admission agreement, which we discuss further.

1.3. The common space of freedom security and justice

How the nature of the EU and its inner state of affairs affected its relations with Russia and subsequently on their visa dialogue can be grasped from the gradual expansion of activities between the two parties. These activities reflected the internal development of the EU from an economic community to a political union, which rested on the three Pillars of economic cooperation, common foreign and security policy, and cooperation in security and home affairs. As pointed out by Schuette (2004, p. 3), these new developments in the EU were reflected onto its relations with Russia, in the form of four common spaces: economy; freedom, security, and justice; external security; and research, education and cultural aspects. It is plausible that the negative aspects of the special nature of the EU, and its institutional *work-in-progress* have reflected itself onto EU's relations with Russia just the same. But Russia's difficulties to understand the complex structure of the EU, its preference of bilateral engagement, and tendency to use the differences of opinions between the Member States to advance its national interest has not helped the situation either (p.1-2).

The EU could not effectively engage with Russia on issues beyond economy while it was still organized mainly around economic and trade issues. Once the Member States them selves reached a mature level of political cooperation, and the Community gained more competences, it provided for a dense framework of cooperation with Russia on a wider range of issues. At the St. Petersburg Summit in 2003, the idea of four common spaces was adopted, and the visa free-regime as a long term goal became official. The Joint Statement declared that the EU and Russia agreed to examine the conditions for visa-free travel as a long term perspective. This goal was directly linked to, before all, conclusion of a readmission agreement, but also to cooperation in the field of Justice and Home Affairs; border management and illegal migration; judicial criminal cooperation; combating organized crime; and cooperation of Europol and the Russian Interior Ministry (Joint Statement, May 31st, 2003).

Two years later in Moscow the parties agreed on specific road maps for creation of common spaces. The road map for Common Space of Freedom, Security and Justice (CSFSJ) set as the very first priority in the field of *freedom* to facilitate

movement and readmission of persons. This was followed by priorities of cooperation in border issues, migration and asylum policy. For the purpose of the first goal it was explicitly said that in the *short term* Russia and the EU will conclude *parallel* agreements on visa facilitation and readmission, and in the *long term*, continue and intensify the visa dialogue at the expert and political level, to examine the *conditions* for a mutual visa-free regime (CSFSJ Roadmap 2005, p.22).

Thus, it was in 2005 that it was already recognized that the next step after concluding visa facilitation and readmission agreements, was to determine the exact conditions for visa free regime, which is what Russia has been intensely pressing for over the last year or so. Yet, it was explicitly said that it would require intense expert and political dialogue, and that the visa-free regime is a *long term* goal, which may be explained by a long list of objectives to be achieved in the remaining field of Freedom, Security and Justice, with the list being longer for the Russian side (CSFSJ Roadmap 2005).

Given that the EU has pressed for the Readmission Agreement ever since the PCA, and that it was finally signed only after coupled with the Visa Facilitation Agreement, one gets the impression that visa facilitation is only in the interest of Russia. Yet in the Moscow Summit Press Release it was clearly recognized that the visa facilitation is in the common interest of both Parties, given it promotes "greater contact between the citizens of the EU and Russia via travel and tourism, as well as facilitates business and official travel" (Press Release 8799/05, 10th May 2005).

1.4. The Visa Facilitation Agreement

Visa Facilitation Agreement entered into force in 2007, reaffirming in the Preamble the intention of establishing a visa-free regime in the long run (OJ 2007 L 129/27). It was signed despite the readmission agreement not having been concluded or under *active* negotiation, which is contrary to EU common approach to visa policy, adopted in. Moreover, many Member States are reluctant to allow coupling of Visa Facilitation and Readmission agreements, perceiving it as closing the door to irregular migration and opening the door for potential visa over-stayers, such was the case with Turkey which was not offered visa facilitation in return for readmission (Roig and Huddleston, 2007, p.377).

On Russia's proposal, and as counterbalance to the burden of implementing Readmission Agreement (Carrera and Sagrera, 2009, note 13), Visa Facilitation Agreement is another document signed with Russia as first of its kind, and is the biggest visa flexibility offered by the EU under the *acquis*. Before 2005, a Common approach to visa facilitation did not even exist. Once the document was agreed upon it stated that the decision to open negotiations should be based on "case by case assessment of third countries, while bearing in mind the EU's overall relationship with candidate countries, countries with a European perspective and countries covered by the European Neighborhood Policy, as well as strategic partners" (Council document No. 15012/05). The criteria to be taken into consideration for opening negotiations on visa facilitation are; consideration whether a readmission agreement is in place; external relations objectives; progress on issues in the area of justice, freedom and security such as border management; document security; migration and asylum; fight against terrorism; organized crime and corruption (Point 6).

Visa Facilitation Agreement provided for a simplified procedure for certain categories of persons, for intended stays not longer than ninety days. Provisions regarding visa refusal, refusal of entry, recognition of travel documents, and proof of sufficient means of subsistence were not covered by the Agreement and thus remained the same (OJ 2007 L 129/27, Art.2 (2)). The Agreement reduced the amount of documents required for justifying the purpose of travel, introduced multiple entry visas up to five years, shortened the period of time taking for a decision on visa application, reduced the visa fee and exempt certain categories of persons from it. The Agreement specifically stressed the consent of the Parties to simplify the registration process (Art. 10).

The negative side of the Visa Facilitation Agreements in general is that it draws a dividing line within a country (Trauner and Kruse, 2008a), and within a region (Boniface and Wesseling, 2008), likely leading to non-privileged categories seeking to obtain the same advantages trough corruption. In Russia's case this regional impact was caused by the fact that the Visa Facilitation Agreement with Russia gave motivation to Georgian citizens in South-Ossetia and Abkhazia to apply for Russian passports, a situation which the Commission described as having negative effect on reintegration of the breakaway provinces of Georgia (COM(2006) 726). Alike, the Agreement with Russia prompted the EU to conclude the same agreement with Moldova, for the sake of regional coherence, since Russian and Ukrainian passport holders had access to visa facilitation (Boniface and Wesseling, 2008, p.17). Hence, concluding such agreements is not an easy matter for the EU, as it needs to weighted against wider regional implications as concluding one such agreement may easily lead to a need to conclude many while conditions still premature.

However, out of all the EU Visa Facilitation Agreements, the substance of the Agreement with Russia is the least comprehensive and contains the least clear statement regarding visa-free travel. In comparison with the agreements signed with the Western Balkans, it also contains significantly less categories of citizens that benefit from the facilitated travel, and this in particular regards tourists which are not mentioned, as well as less categories benefiting from visa fee waiver (Trauner and Kruse, 2008b, p.19). This is understandable given that the Western Balkans aspire for the EU membership, and have relatively close institutional ties with the EU, while Russia refused to be a part of the EU's Neighborhood, and agreed on strategic partnership (p.15). Russia's size, population, proximity and its powerdom distinguish it from any other EU neighboring state. However, there are more sensitive reasons for less ambitious Agreement, and they were given in the European Parliament's Report on the proposal for the Agreement, which we shall address bellow.

1.4.1. The European Parliament's opinion

In 2007 the European parliament gave its opinion on the Visa Facilitation Agreement with Russia, and despite the present lack of roadmap to lifting visas, from its opinion, it can be drawn what the EU expects. The opinion also reflects how the EU's institutional work-in-progress affects its foreign relations, especially when asking Moscow to comply with democratic rule of law, before the EU itself established democratic institutional balance. We have divided the EU's position on visa facilitation with Russia into a high political level and more specific level regarding implementation.

Political level

The Parliament welcomed the coupled agreements with Russia, confirming their aim at strengthening links with the neighborhood, and creating a "common European area". It handed in the first criticism by stating that it is one of the few steps which had thus far been made in achieving the common space of freedom security and justice. The limited substance of the Visa Facilitation Agreement was explained by adding that its "not very ambitious" content is an example of "essentially pragmatic way" in which EU-Russia relations have been unfolding. It was stressed that cooperation of the Parties cannot function without conditionality principle, which marks the EU Neighborhood policy, and that the long-term objective of visa-free travel should not be attained without ensuring that the fundamental rules of a democratic state governed by the rule of law are respected (EP Report, A6-0029/2007, p.6).

The later was clearly aimed at Russia's internal affairs, however, the Parliament also explicitly criticized the "democratic basis of the European decision-making", lacking unity, coherence and parliamentary decisional power on EU foreign policy. It stated that the Parliament's "observer's role" in concluding international agreements is incomprehensible, and called the Council and the Commission to at least comply with their duty to inform the Parliament on future agreements (p.).

Even while conditionalizing democratic and lawful foundations for Russia, the EU displays problems of its own democratic basis of decision-making, hence contributing towards the impression of hypocracy from the Russian point of view. Given its need to be treated as an equal partner, it is hard enough for Russia to comply with conditionalities as it is, but when the EU displays insufficient level of democracy in its own decision-making while simultaneously criticizing Russia, it undermines the seriousness of such conditionality in the first place. Again, it is hard not to notice how EU's institutional complexity and inner work-in-progress affects its relations with Russia, and hence its visa dialogue.

A whole special section in the Parliament's opinion was devoted to conditionality, stressing that there can be no visa-free travel without compliance with the rules of democracy and rule of law. The long term objective of visa-free travel will have to comply with the same conditionality principle inherent in the neighborhood agreements (p. 9). Despite the fact that Russia refuses to be a part of the neighborhood, partially for this exact reason, the Commission's opinion was that measures in this field should be consistent with the EU Neighborhood Policy. The same principle is stressed by the Council Regulation, which proposed a regional coherence method approach to visa free travel ((EC) No 539/2001).

The Parliament also pointed out that the Agreement does not include a reciprocal clause on human rights and democracy, which is required by the EU's Resolution on the human rights and democracy clause in EU agreements and may give rise to suspension or denunciation of visa facilitation. This is true especially in the context of human rights and the coupled Readmission Agreement (Peers, 2003).

Finally, the Parliament also stressed the value of visa liberalization stating that it "lies in the fact that it opens the way to more intense communication between the European Union and the Russian Federation, promotes the meeting of civilizations and helps to shape a wider Europe. It fosters trust and dialogue and promotes ever more

human and intense interaction between the two areas" (p.7). Hence the direct link between travel and fostering trust and approximation.

Expectations of the EU on the political level:

— Complying with conditionality; common values of freedom, security and justice;
— Fundamental rule of democratic state governed by the rule of law;
— Respect of human rights.

Implementation level

On a more specific level, a warning was made that the visa facilitation relies on conditions of reciprocity, and that the success of the Agreement will not be reached unless the complex compulsory registration process, which hampers the travel to and within Russia is not balanced with reciprocity (p.8). Thus far, Russia has not yet complied with this principle as regards the registration process.

The Parliament called it "inappropriate" that travel to certain regions of Russia, such as Chechen Republic, requires additional authorization or supplementary fee, whilst Schengen Community visa allows unrestricted travel (p.8). It seems however, that the Parliament failed to recognize that in addition to EU's territory being one-fourth the size of Russia's, the fact that Schengen does not include all EU Member States represents an equal inappropriateness for Russian citizens, especially given that those same Members do participate in formation of the overall EU's policy towards Russia. The situation gets even more asymmetric given that the UK opted to participate in the Readmission Agreement with Russia (Billet, 2010, p. 70) but not in facilitating visas. This shows again that the inner EU complexity affects its foreign relations, as from the EU's point of view the Agreement my seem reciprocal, yet from a point of view of a traditional modern state, it may not. As already pointed out, due to the realist nature of the Russian state, at times it finds it hard to show understanding for the EU's complexity (Schuette, 2004), though a good incentive for Russia to do so in the case of Schengen is the fact that Switzerland, Iceland and Norway do participate in it, counterbalancing the absence of UK and Ireland. The Parilament stated that "the prior invitation rule for travelling from the European Union to Russia should be seriously questioned", adding that the invitations do not bring any added value to travel, and that they foster corruption (EP Report, A6-0029/2007, p.8). While a positive sign that the Parliament was thinking pragmatically on reducing the travel obstacles, it is interesting that it did not make the same link between supporting documents for the Schengen visa and corruption. Furthermore, it seems that the Parliament failed to recognize that in Russia, the supporting documents for proving purpose of travel are also called invitation or *priglashenie*, thus leaving it unclear what kind of invitations the Parliament feels are absolute and what makes them different from the rest of the supporting documents when it comes to fostering corruption. Given that in the very next sentence the Parliament expressed criticism and called it nonsense that the Agreement failed to include *bona fidei* tourists with a clean history of travel, it is legitimate to assume that the recommendation referred to invitations for tourist visits.

As a further step, the Parliament urged the Commission to intensify dialogue with Russia on adapting its visa policy to that of the EU, with the EU providing expertise to Russian authorities (p. 8).

Expectations of the EU on the implementation level:
— Respect of reciprocity;
— Adjustment of Russian visa policy to the one of the EU;
— Cooperation on border management and illegal migration;
— Cooperation in criminal justice;
— Cooperation on combating organized crime and of Europol and the Russian Interior Ministry.

1.5. The Re-admission Agreement

Re-admission Agreement with Russia was concluded with a help of a "carrot" (Billet, 2010, p. 70) which was for the first time Visa Facilitation Agreement, thus they entered into force on the same day. As already mentioned, the general impression is that the Visa Facilitation Agreement was in bigger interest of Russia. This is partially due to the fact that the EU has been asking Russia to sign the Readmission Agreement since the early 1990's, but they finally concluded it only once it was coupled with the Visa Facilitation Agreement, on Russia's proposal.

Russia's long reluctance to sign the Readmission Agreement, apart from the obvious reason that it serves the sole interests of the EU (Roig and Huddleston, 2007, p. 12) and that the Kaliningrad issue was still an agenda, had to do also with the inner EU complexity, meaning that it was only after 1999 and the Amsterdam Treaty that the EU gained competence to conclude Community readmission agreements (Coleman, 2009, p. 24). Even after the Amsterdam Treaty, this competence has been somewhat argued and remained unclear, hence the Member States continued to conclude bilateral readmission agreements (Billet, 2010, p. 61). This was one instance in which Russia's preference to bilateral relations was not the case, as it was in Russia's interest to conclude a readmission agreement with the Community, rather than negotiate each one separately, thus Russia refused to do so until Members States agreed on a common approach and were able to offer something in return, such as the Visa Facilitation Agreement which would apply to the the EU as a whole rather than just to individual Member States (Romanova, 2009).

Members them selves have long sought to conclude readmission agreements collectively, (COM(2001) 672, Part I,para.4) because of lack of incentives, economic and political pressure which the Member States can exert collectively in concluding such agreements is significantly bigger than a Member State can exert alone (Roig and Huddleston, 2007, p.364, Billet, 2010, p.68). It simply took time before the common approach was formalized under Community legislation, due to sensitivity of the overall field of cooperation in which readmission agreements fall within, as explained in the previous chapter.

One of the things that has made these agreements controversial is the fact that they have sought to include also return of persons who are not nationals of the country at stake, but merely entered the EU trough its territory. This in particular was hard for Russia to digest, given its preference to bilateral cooperation under international law, under which there is no such obligation for a transit country to admit a non-national (Trauner and Kruse, 2008b, p.9). As pointed out in the previous chapter, it has been said that this is another tool for the EU to externalize (Bigo and Guild, 2005, p. 1) the issue of irregular migration; such are visa requirements as well, putting the

responsibility of migration on third countries. In other words, if the third country has not been able to prevent irregular entry into the EU soil, they are under readmission agreement obliged to take the migrant back, and this is a way of the EU making third countries responsible for their own borders. Russia negotiated a three year transition period for the obligation to readmit third-country nationals, which only Albania and Ukraine have also succeeded in doing (Billet, 2010, p. 69), and it started applying only three months ago, hence the difficulty in giving any assessment thus far.

As seen from the Western Balkans example, by coupling re-admission and visa facilitation agreements the EU has found a way to press for reforms in contracting states (Trauner and Kruse, 2008b, p.2). It offers relaxed travel regimes in exchange for signing readmission agreements, and reforming domestic justice and home affairs. The main bargaining tools of the EU are visa facilitation and attraction of the EU membership. This compensatory measure is now sought by all partners, but is not allowed by all mandates given to the European Commission. Since the Member States in the Council are those who give mandates to negotiate, and the question of visa is a sensitive one, the Commission has problems obtaining necessary compensations for the partner (Billet, 2010, p. 71).

The question that arises is whether readmission agreements are really effective in controlling illegal migration, or are they just a product of EU securitization. Effectiveness of the agreements in fighting illegal migration has been continuously disputed (Trauner and Kruse, 2008b, p.31), in terms of proving the transit route or individual's nationality, in terms of further readmission of third country nationals, and in terms of preventing the readmitted

individual to return again. Furthermore, the ethical aspects of such agreements have been raised in terms of causing problems to transit countries at their expense, in terms of asylum seekers (p.26), and in terms of respect of human rights of the readmitted individual (Trauner and Kruse, 2008a, p.434, Billet, 2010). It has been recognized by the European Parliament that "a fair re-admission procedure implies that the contracting parties have to have an unequivocally democratic State structure and the organization of their institutions a,nd their political practice must be certain to guarantee human rights" (EP Report, A6–0028/2007, pp. 6-7). Hence blind insisting on readmission agreements affected EU's image, especially in terms of asylum seekers by implying that securitization has primacy over human rights, which in Russia's eyes is viewed as EU's hypocracy, and in EU's eyes as conflict in balancing internal security and external stabilization (Trauner and Kruse, 2008a, p.435, Trauner and Kruse, 2008b, p.2). It is especially confusing to have EU rise concerns about human rights in Russia, yet insist on Russia readmitting third country nationals, hence leaving their destiny in Russia's hands.

1.6. The Erosion of relations

Since 2005 the EU-Russia relations have suffered a series of political disagreements. But just as the erosion of political relations between the EU and Russia had no effect on the rapid growth of their economic ties (Lanko, 2009), it similarly had not affected the negotiations and functioning of Visa Facilitation Agreement. Negotiations on the Agreement continued throughout the Polish meat crisis, and more importantly, remained in force during war in Georgia. It is not to say that the crisis has

not reintroduced the feeling of distrust and disappointment over Russia's cooperation, and further blurred the long term visions of the partnership. In fact, Members individually even imposed visa bans on Russia. But Visa Facilitation Agreement remained in place and dialogue on visa freedom continued.

The Polish crisis however exposed once again the effects of the inner complexity of the EU in its foreign relations, and hence with Russia. The new PCA agreement falls within the competences of both the Commission and the Member States, hence Polish frustration with Russian bans over imports of its meat in 2005 (EuObserver, 2006) resulted in a veto on opening negotiations for the new agreement. This further exposed the EU's institutional complexity since Poland regarded the issue as one of EU external exports, and hence of communitarian nature (Tombinski, 2007), while the Commission regarded it as a bilateral dispute.

Lithuania, having suffered loss of oil deliveries from Russia in 2006, supported the Polish veto, while Estonia introduced visa bans for certain members of the pro-Kremlin youth group *Nashi*, due to a row over Bronze Soldier statue. The situation exposed a division among the Member States in their position towards Russia, especially with regards to new Member States, whose historical experiences with Russia significantly differ (Leonard and Popescu, 2007). In this sense, it seems that Russia has had too many disputes with too many individual Member States, and that advocating a law which would ratify a visa-free agreement, either in national or in the European Parliament would be a politically risky move until majority of the Members have reached a positive attitude and popular support towards the visa-free regime (Moshes & Salminen, p.44).

Individual visa restrictions came in 2007 again from the UK, which does not participate in the Schengen, but suspended its negotiations on Visa Facilitation with Russia as a response to Moscow refusing to extradite Andrei Lugovoi, suspected for poisoning of Litvinenko (see p. 24). Just as the Polish meat crisis had finished, in 2008 the Georgian war (Markedonov, 2008) and Russia's wide interpretation of peacekeeping operations reminded the EU of Russia's realist nature, and its preference to hard power and military action rather than diplomacy. The fact that Russia was ready to start a war in their shared neighborhood, was a sobering demonstration on how little importance Russia gives to the "common values" (Schuette, 2004) which the EU insists on, and to which Russia is supposed to be committed as a member of the Council of Europe and OSCE. The EU was united in its position in condemning Russia's actions and decided to freeze the negotiations on the new PCA until the Russian troops withdrew. But experience has shown that when Russia felt under severe criticism from the EU, as in the case of the Chechnya, very little or no progress at all was being made (p. 9). Hence, despite the fact that Russian troops were still present on Georgian territory, the negotiations continued at the Nice summit in November, demonstrating the power of business interests.

It is with all these events in the background that Russia launched its pressure on the EU for a road map to lifting visas. Statements from Russian officials have been made in media repeatedly, claiming that Russia would be ready to lift visas any day, but only reciprocally. Already in 2008, Russian Foreign Minister Sergey Lavrov stated that Russia would be ready to remove visa regime "even tomorrow". Russian Foreign Ministry spokesperson, Andrey Nesterenko, gave a briefing in March 2010 (Russia Today) and stated:

"Our Ministry held a series of extensive consultations within the framework of the visa-free dialogue, during which we discussed all EU concerns. Based on their results, we can safely say that no objective obstacles exist for visa abolition. Reasons of a political rather than a technical nature stand in the way of a visa-free regime". He also expressed criticism that after twenty years following the fall of the Berlin Wall, Europe cannot part with "such a rudiment of the past as the visa regime".

The EU is in no hurry given that Russia has not stuck to its end of the reciprocity bargain even as regards Visa Facilitation Agreement, and that the complicated registration procedures for EU citizens in Russia are still compulsory. In reply to Russia's demands for the road map for lifting visas, the EU home affairs commissioner Cecilia Malmstrom (EuObserver, May 2010) stated:

"Russia wants to move forward in their talks with the EU on visa facilitation agreements, something that we from the EU side regard as closely connected with a list of demands and criteria", following which she listed concerns over series of human rights violations by Russian police. But as previously mentioned, discrepancies among the Members exist, hence Italian Prime Minister Berlusconi (Ria Novosti, April, 2008) showed his support to visa freedom, stating that he is convinced that EU and Russia "need to give up the practice of issuing visas", and that he would take on the obligation to discuss the issue with in the EU.

Finland has long been advocating the visa free regime with Russia. Given the length of their mutual border, Finland has been interested in improving the cross-border cooperation, which is partially evident from cooperation within the Northern Dimension, and partially from their efforts to open additional consulates and their investment in faster and more efficient processing of visa requests. Finland alone has issued over 700 000 visas to Russian citizens in 2009, with over 80 per cent of them being multiple entry visas (Stubb, 2010). However, it seems that parallel with the introduction of Visa Facilitation Agreement, Russia has taken steps to impeding the operations of all European businessmen in Russia by stricter procedures for granting work permits (Haakinen, 2010). Thus, even Finish Foreign Minister Alexander Stubb (2010) refused to close his eyes to Russia not respecting reciprocity of the Visa Facilitation Agreement and stressed that "transfer to visa-free travel is ultimately based not only on technical criteria but also on mutual confidence and a sense of security".

It may well be that the intensive lobbying which Russia undertook recently revealed the possibility of using visa freedom as a much bigger incentive for Russia than the EU had thought.

1.7. Assessment of the visa dialogue and the current visa regime

Visa Facilitation Agreement with Russia has been in force for only three years, hence the lack of exhaustive analysis of the system. However, some research has been conducted by the Finish Institute for International Relations (Moshes and Salminen, 2009). The results suggest that despite all the shortcomings of the visa regime, on the practical level, the system of issuance of visas works. If a person applies for a visa, it is very likely that the visa shall be issued. Although refusal rates differ between the Members, they remain between one and three per cent (p.30). The

rate of one per cent in the case of Finland, still means *de-facto* 5000 refusals per year by Finland alone, which speaks on behalf of efficiency of the visa-regime (note 33), while millions of Russians and Europeans which cross the border annually (Boratyński et al, 2006), speak for the fact that the system is workable.

One major drawback of the Visa Facilitation Agreement is that it failed to include tourists and *bona fidei* travelers as a category of persons to benefit from the facilitated issuance of visas. The categories which do benefit from the Agreement are not determined on the basis of a clean record of previous travels, but rather by their professional affiliation. However, the biggest weaknesses of the current regime have to do with the Schengen visa regime in general, and not with the Visa Facilitation Agreement with Russia as such. These weaknesses consist of different consular practices, lack of obligation for a reason to be given for visa refusal, non-transparent visa processing, and lack of possibility to appeal against the decision. All of the above mentioned has been addressed by the New Visa Code. The Code has been in force only for couple of months, hence it is hard to give any evaluation of its implementation, but it does aim at solving these issues (Peers, 2010).

One aspect however, which was pointed out as being perceived as the most important by the applicants in visa procedure is the attitude from the consular personnel and their treatment of the applicants. This is perceived as more important than the length or the actual price of the procedure (Boratyński et al, 2006), and is one aspect which no Code can tackle with. Yet, for the EU it ought to be an extremely important aspect, since it affects the image of the EU on people-to-people basis. The current visa regime may be operable, but it gives the impression of distrust, and does not contribute to building partnership between Russia and the EU.

As regards visa dialogue between the EU and Russia, it has been steadily progressive and has not been stalled even by the war in Georgia. The dialogue contains the same four sections as the road maps for visa freedom in the Western Balkans did; document security; illegal migration, public order and security; and external relations. Thus far the dialogue has focused on the first three sections and progressed well (Moshes and Salminen, 2009, p.35), giving rise to expectations for a road map to lifting visas. However, the fourth section deals also with minimum requirements for democracy and human rights, and given the Russia's insistence on non-interference into its internal affairs, it entails a problem. Thus far, a road map with definite criteria for Russia to reach in order for the EU to agree upon visa-free regime has not been set. A mere continuation of the dialogue gives reason to believe that it eventually will. But the fact that the dialogue consists of the same sections as the road maps for visa freedom did for the Western Balkans, gives reasons to believe that the dialogue itself might be a sort of a road map, only EU refuses to call it such.

1.8. What else stands in the way ?

The authors of the research conducted by the Finnish Institute of International Relations suggest that formation of the EU's visa policy towards Russia, and the lack of popular support for visa freedom is strongly influenced by a set of assumptions (Moshes and Salminen, 2009 p. 13):
— Russia may need visa freedom more than EU does
— In the event of visa freedom all Russians will try to cross the border

— The EU external border could not cope with the prospect of visa freedom due to massive flow of people
— Masses of people from Caucasus region would flood into the European Union
— Third country nationals would travel trough Russia and enter the EU
— Visa regime can prevent illegal immigration and stop criminals from entering the EU
— Russia does not want to open its territory to foreigners
— The maintenance of a visa regime with Russia is lucrative for the EU
— The EU could use visa freedom as a leverage point to demands Russia's internal reforms
— In the EU Member States the visa policy is in fact determined by Ministries of the Interior

As concluded by the authors them selves, it is hard to prove these assumptions right nor wrong due to lack of any research on the matter. We shall address some of these assumptions bellow, by grouping the issues which stand in the way of visa freedom on the practical level into three categories: border and document security; immigration; and lack of EU interest. Apart from the issues at the high political level, there are strong concerns on the practical level which stand in the way of visa freedom. Majority of them regard security and immigration, but there also seems to be an impression that the EU has not much to gain from the visa freedom.

1.8.1. Border and document security

Russia shares a border about 2000 kilometers long together with Finland, Estonia, Latvia, Lithuania and Poland, and there are 43 border crossing points on it. Despite the problems on the political levels, the cross-border cooperation with the aim of preventing drug and human trafficking and smuggling has worked without any major complaints. Yet, the state of the border does not seem to be ready for a visa-free regime. Even Finnish border guards, who have established the closest cooperation with Russia thus far, stress the amount of needed investment and training, estimating that it would take ten years before the borders would be ready for a visa-free regime. The Frontex director Ilkka Laitinen however, linked the readiness of the borders directly to the EU political will, explaining that investment in the equipment can be made if the EU allocates the necessary funds, adding that the EU-Russia visa regime mirrors the political relations between them (cited in Moshes and Salminen, 2009, p.34).

However, when it comes to maintaining visa regime due to security reasons it is important to keep in mind that visa-free regime does not equal freedom of movement. In this sense visa requirements represent a double check, and it is reasonable to assume that those who are capable of avoiding border checks do not bother much with visa requirements either. Visa regime alone is not capable of eradicating smuggling and trafficking, and different kinds of measures are needed to tackle these problems. A step in the right direction was an agreement signed by Finland and Russia to facilitate cooperation on combating cross border crime, and Finnish border guards can now ask for assistance directly without submitting a request to Moscow first (p.38).

Another aspect of security regards travel documents, where corruption and the likelihood of purchasing falsified documents represent a major concern (p. 39). This concern has been exacerbated by Russian policies of distributing passports to its

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citizens outside Russia, in Caucasus, Crimea, South Ossetia and Abhazia. As already mentioned, the Visa Facilitation Agreement with Russia gave motivation to citizens in South-Ossetia and Abkhazia to apply for Russian passports (COM(2006) 726). Visa-free regime with Russia would give those citizens the same privilege while not allowing the same for Georgian citizens. This could be destabilizing for the region and politically unacceptable for the EU.

Furthermore, the EU needs guarantees that the authenticity of Russian passports can be trusted; hence this issue forms a separate section of the dialogue. In this sense corruption is a major concern to Member States, since Russia keeps rating high on the Transparency International's corruption ranking list, and in 2009 it was placed on 146th position out of 180. It has been pointed out that the main reason of the survival of corruption on Russian borders is the fact that the salaries of the guards do not keep up with the rising living costs (Burkhart, 2005, p.20), which again boils down to allocation of funds.

The EU also insists on biometric passports, which Russia has begun issuing in 2006, but it will take years before whole population of the size of Russian can be supplied with new documents. In 2011, the Visa Information System, containing biometric and digital data, as well as travel history will become operational in Russia (Moshes and Salminen 2009, p. 47).

When it comes to security, both parties should bare in mind that visa free regime is not the most valuable aspect by itself. Consolidation of cooperation of the Parties in the fight against organized crime, drug trafficking and corruption, all of which are serious obstacles to democratic development ought to be recognized as the most valuable. The idea of a common space of freedom security and justice implies common values, harmonized legislation and practices, but creating such a space takes time. Potemkina (2006) makes an important observation by pointing out that the EU space of freedom, security and justice itself was created with great difficulty, hence it would be naive to expect that creating such space with Russia as a partner would happen fast. Alike, the creation of the EU common visa policy was a lengthy and troublesome process, in comparison to which the progress of the two Parties on their visa regime, starting with the Kaliningrad transit, progressing with Visa Facilitation Agreement, and continuing with the dialogue on visa freedom, ought to be recognized as a positive sign and opportunity for improvement, rather than insisting on visa freedom over night.

1.8.2. Migration

Migration is the most heated topic within the EU, which can partially be explained by the nature of the EU integration, centered around internal freedom of movement which was achieved for the price of securitization of the external border, and a rigid visa policy. As shown through out the previous chapters, immigration control has always been seen by the states as one of the most important aspects of the exercise of national sovereignty (Polat, 2006, p. 72).
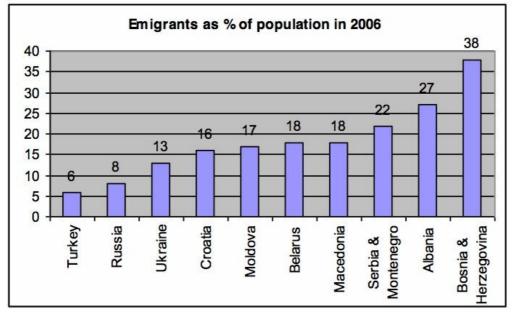
In 1999, Carnegie specialist Papademetriou predicted an "implosion" of Russia and migrations to Western Europe. But floods of migrants, apart from war victims from Bosnia-Herzegovina and Kosovo, did not arrive. On the contrary, Russia became a new economic "magnet", and East-West migration processes are close to equilibrium. But the Western public is still haunted by a feeling of danger and

uncertainty, influenced by the atmosphere of the Cold War aftermath tensions, which were in Thränhardt 's words "renewed in Summer 2008".

He points out that Western analysts are so focused on "migration crisis" that they have largely neglected Russia's attraction status as regards immigration (Thränhardt, 2009, p.1).

Hence, as regards concerns over immigration, the likelihood of visa freedom is regarded in the EU public as opening the external border to illegal immigration and labor markets (Moshes and Salminen, 2009, p.7). As mentioned earlier, it is important to remember that visa-free regime does not equal freedom of movement, nor affects immigration policies and work permits. Alike, visa freedom does not affect third country nationals, nor does it make easier for them to enter the EU illegally by transit trough Russia. However, just as the visa regime leaves possibility of visa over-stayers, visa-free regime would make it easier for those Russian citizens who plan to stay in the EU illegally to do so, and would ease the road for asylum seekers. In the visa application process, by proving sufficient means of subsistence the consulates aim at filtering out the potential asylum and seekers at the EU black market. The reality however, is that those usually find a way to enter despite the visa regime. A European Commissioner well explained the situation:

"There is a big misunderstanding in the EU. Visa policy has nothing to do with illegal migration or trafficking human beings. It is like the link between prohibition and drinking beer. Once you forbid alcohol at all levels, all beer drinkers become criminals. If you are limiting or suppressing the possibilities for something that is basic, like beer drinking or going to Paris for a weekend, then people invent things to be nonetheless able to do it. And they will find a way. So the EU's visa policy is not helping a bit to reduce the number of criminals or economic illegal immigrants, because they are already there" (cited in Trauner and Cruse, 2008b, p.7).
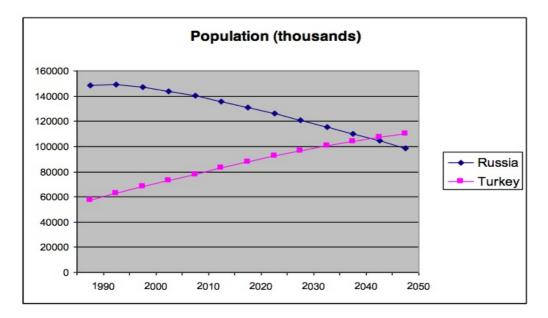
Source: UN, World Population Prospects. The 2006 Revision Population Database; in Thranhardt, 2009

The chart above shows that in EU's neighbourhood Russia and Turkey have the least rate of emigration. With the rise of standard in Russia the trend is reducing even more (Thränhardt, 2009). The small percentage in case of Russia still needs to be considered in terms of its currently big overall population, but it gives the idea of the trend, indicating that of all the neighbouring countries the trend for emigration in Russia is practically the least.

In this sense it is also worth mentioning that out of 142 million Russians only about 12-15 million possess a valid international passport (Moshes and Salminen, 2009, p.39), hence the visa-free regime would at the moment apply only to them.

Furthermore, Russia suffers a drastic loss of 800 000 people per year, by falling birth rates and rising death rates. The result is that its population is dramatically shrinking since the beginning of the century and forecasts predict that by the year 2043, Russia will no longer be the most populous country in Europe, despite its huge territory, and that Turkey will have more inhabitants (Thränhardt, 2009, p.2).

Source: Development Prospects Group, World Bank 2008, in Thranhardt, 2009

Hence, Russia itself is in no way interested in supporting emigration and is forced to introduce policies to attract population, which has in the recent decade resulted in what Thränhardt calles a magnet for immigration to Russia. Initially only Russian natives from the former Soviet Republics were welcomed but now the policy aims at a wider Russia's neighbourhood to compensate for the huge losses of population Russia suffers each year (Thranhardt, 2009).

It may just be this recent openness of Russia's borders which is fostering fears in the EU of immigrants entering the EU via transit trough Russia. This is where the security of documents and approximation of visa policies comes into play. The EU wants to know that immigrants in Russia are not just being handed in Russian
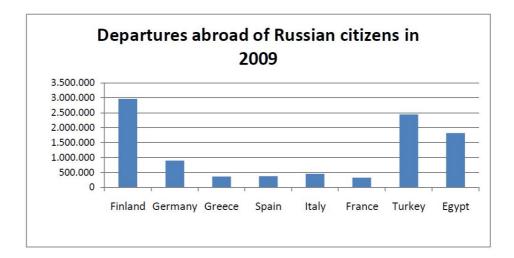
citizenship and that they cannot purchase it via corruption, in order to be able to rely on whom exactly it is opening its door to travel.

One cannot help but notice the shift which has happened in the last twenty years, with Russia opening its borders, attracting immigration and lobbying for visa freedom, while the EU carefully selects whom to open the door.

It is also interesting that by maintaining restrictive immigration regime, the EU may well be working against itself. Migrants return could play a useful role in fostering the transfer of skills together with other forms of "brain circulation". It has been suggested that policies of maximizing the impact which temporary migration could have on the development of Russia should focus on encouraging circular migration and temporary employment in the EU (Carrera and Sagrera, 2009, p. 9). Hence, extending visa liberalization to temporary work immigration and work permits may contribute to wider EU's objectives in regards to Russia.

1.8.3. Lack of interest?

As mentioned throughout the chapter, a general impression of the public is that the visa-free regime suits Russia's interests more than it does the interests of the EU's. This zero-sum thinking however, neglects the potential of Russian tourists. Russia is already an important tourist-generating country for the EU, even with the current visa regime.

Source: Russian Federal Tourism Agency, 2009 http://www.russiatourism.ru/rubriki/-1124140699/

Among all EU Member States by far the highest number of entries goes to Finland, with about three million in 2009. This is however understandable due to its proximity, length of the border and the relaxed policy of Finland, which exhausts the flexibilities under the acquis to the maximum by issuing the largest number of multiple-entry visas, hence it can be assumed that for many of these entrances Finland is not the final destinantion. About 900 000 Russians went to Germany in 2009 and all the biggest tourist destinations within the EU, Greece, Spain, Italy and France

recorded between 300 000 and 500 000 Russian visits in 2009, all purposes included. The numbers were even higher the year earlier, before the economic crisis (Russian Federal Tourism Agency, 2008). These numbers however, are relatively small in comparison to the number of Russians who visited Turkey, 2 444 476, and Egypt ,1 811 022, with the numbers for Egypt having risen since 2008 despite the crisis.

On one hand these numbers speak on behalf of the fact that the current visas system is operable and functions, while on the other, that the interest exists and would likely be even bigger in case of visa freedom. The huge numbers of Russian tourists visiting Turkey and Egypt, with whom Russia enjoys visa free-regime leads us to believe this. In this sense it also needs to be taken in consideration the cultural and civilizational proximity of Russia and EU, in contrast to Egypt for example, which would lead to suspect the interst for the EU destinations would be even bigger. Estonia, Finland, Turkey, Egypt and China are the only countries in the world with over a million Russian visits in 2009, which leads to believe that proximity and visa regime play and important role in Russian's destinations.

One of the major consequences of the current visa regime is a decreased attractiveness of the EU as a tourist destination (Boniface and Wesseling, 2008). The Visa Facilitation Agreement did not include tourists, and Russians wishing to travel to the EU have to provide consulates with list of documents, which sometimes need to be translated and hence require additional expense. Procedures are time consuming and often require traveling to the closest consulate. Cost of transport is an expense in addition to visa's price itself being set at 35-60 EUR. Applicants regularly have to queue for several hours at the consulates, and often need to return with additional documents. All of this, in addition to the treatment which has been reported as most unpleasant part of the process, is why Russian tourists may opt to rather travel to Turkey or Egypt, for which they do not need to go trough visa application.

In April 2010, the EU Tourism Ministers approved the "Madrid Declaration", making a series of recommendations to the European Commission to implement a European tourism policy for the first time in the EU history. The Spanish Minister of Industry, Tourism and Trade stated that one of the EU's priorities is to jointly work on promoting European destinations in far-off markets, which gives rise for a new visa policy which "does not strangle demand" from the new tourist-generating countries, especially India, China and Russia (Miguel Sebastian, 2010.)

Tourism in particular could prove to be crucial for the EU-Russia relations because it brings an added value. As Thränhardt (2009, p.4) explains, it unblocks the countries and opens the minds of the people. Since 1995 the number of Russian tourists travelling outside the former Soviet Union space tripled, and this travel brings change in mentality and attitude, from not caring about the world outside the borders, to wanting to have a better life (Levy in Thränhardt, 2009, p.4). It is important to keep in mind that it is not only Russian millionaires, but also the Russian middle class who travels, and who is able to get a look at the outside world after the long closure of the country from 1917 to 1992. The question for the EU policy makers is which world do they prefer Russians to see?

Furthermore, on a psychological level the visa procedures are provoking negative perceptions of the EU among its neighborhood, causing resentments against perceived hypocrisy (Boniface and Wesseling, 2008). As mentioned earlier, one of the consequences of the EU enlargement and EU common visa policy is that it created

barriers where they did not exist before. The open-borders policy after the fall of Berlin Wall has affected thousands of citizens on both sides of the border, and significantly contributed to the efforts of overcoming the historical legacy of mutual prejudice, stereotypes and resentments. Open borders have also fostered contacts of national minorities, such as the Belarusians in Poland or the Hungarians in Ukraine, Yugoslavia and Romania with their mother countries (Trauner and Cruse, 2008b, p. 7). The restrictive visa rules simply raise feelings of discrimination amongst citizens in the neighborhood countries.

One of the objectives of the EU's policy towards Russia is building partnership based on "common values". This in part understands a transfer of norms and values of the EU and fostering people-to-people contacts. The freedom to travel could be one of the incentives for Russia to undertake democratic and free-market reforms. However the strictness of the current visa regime, especially with regards to tourists, without further facilitation may form an obstacle to enhanced contact and lead to isolation, religious intolerance and nationalistic feelings. This duality between inclusion trough partnership and participation in the internal market on one hand, and exclusion by the external border on the other (Boniface and Wesseling, 2008, p. 12) can increase the tensions between Russia and the EU. A question that arises is weather objectives for economic cooperation and approximation of values can be coupled with restrictive visa regime.

The Commission seems to have already answered to this question when it stated that the length and the cost of procedures for short term visas are a "highly visible disincentive to partner countries, and an obstacle to many of the ENP's objectives" (COM (2006) 726, p.4). Furthermore, it stressed that the Union cannot deliver on many aspects of policy in the Neighborhood if the ability to undertake legitimate short term travel is constrained, adding that the long queues in front of EU consulates are a sign of the barriers to legitimate travel (p.5).

Boniface and Wesseling make a point that Commission itself appears to be sending contradictory messages when on some occasions it is implying that movement of persons must be restricted to increase security, and on the others that the internal market, including free movement of persons is central to building stability and security in the region (2008, p. 13). Hence the interrelation between the different objectives and their apparent contradiction constitutes a dilemma of the EU's visa policy towards Russia.

Concluding remarks

The early phase of the EU-Russia borders dialogue was severely influenced by the EU's inner work-in-progress, institutional complexity and lack of coherent approach towards Russia. Many of the EU documents with and on Russia were the first ever to be introduced, hence at times the attention was more focused on the new tool at hand, rather than on the content and the actual aims of the tool (Haukkala, 2004) .

In addition, the aftermath of the removal of internal frontiers, which shifted the attention of the Member States to securitization of the external borders, and enhanced the concerns over immigration, severely marked this dialogue centering it around the EU's need for an effective return policy. This can be drawn from the EU's

continuous emphasis on the need for a readmission agreement to be concluded with Russia ever since the early days of the dialogue. Yet, before 1999 the Community did not yet have the competence to conclude such agreements and common visa policy was still in creation.

The need for facilitating legal crossing of the borders was finally recognized in 2000 within the Northern Dimension. The EU tried to balance the aims of its foreign and domestic policy, hence sustainable development, fight against cross-border crime, and for the very first time the need to facilitate issuance of visas was all given and an equal footing. While the Northern Dimension itself suffered from the "pillarized EU structure" (Pinder, 2002), it introduced the Kaliningrad transit issue and facilitation of visas into the dialogue.

The Schengen had only been freshly introduced into the EU law, the transition period of the Amsterdam Treaty was still on, and the adoption of the common black list was only in the process. Yet despite of all these transitions, and still fresh memories of the Chechen and Kosovo wars, the Kaliningrad transit issue was successfully resolved for the mutual satisfaction. The EU enlargement and the issue of Kaliningrad put forth the visa dialogue which we believe has been a steady and progressive one ever since.

Visa freedom as a long term goal with Russia was officially recognized even before it was with the Western Balkans, which are running up for the EU membership. Two years later, visa facilitation agreement was negotiated, as a first such greement with any third country. It was coupled with the readmission agreement and they both entered into force in 2007. Russia enjoyed facilitated visa regime with the EU before its own future Members, the Western Balkans did. And while visa requirements have been lifted for some Western Balkan states in late 2009, it ought to not be forgotten that unlike Russia, these states are complying with the Copehagen criteria to underpin their closing of the benchmarks.

The dialogue revealed some weaknesses in the EU's approach, such as lack of harmonized visa policy and coherent approach, which have slowely been taking shape parallel with the dialogue. Another weakness is the EU conflict between the aims of its foreign and domestic policy. This conflict is the evident from the EU's rising concerns over respect of human rights in Russia, yet insisting it readmits third country nationals. Moreover, it is eveident from the absensce of tourists as a category to benefit from the facilitated visa regime, being in contradiction with the need to build shared values, and to promote stability trough people-to-people contacts. It is plausible that the EU had become somewhat consumed by immigration concerns that its visa policy towards Russia, as pointed out by Moshes and Salminen (2009) has been shaped upon misleading assumtions.

The dialogue also revealed the EU's expectations from Russia, and its position that conditionality must remain a cornerstone of the progress towards visa freedom, having the exact same conditions for Russia as it does for the Western Balkans. And while the visa dialogue cannot be taken out of the context of the overall EU-Russia relations, it has to be acknowledged that this dialogue has been steady and progressing, despite all of the periodic crisis over the past years. The visa facilitation agreement remained in force at all times, and the visa dialogue was not frozen not even by the war in Georgia.

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Chapter Three. Models of Democracy Evaluation

Introduction of Research Working Group

This chapter presents papers by the participants of the working group "Mathematical Models for Democracy Evaluation". During the years 2010–2011 they conducted research as part of the project "Developing discrete mathematical models for political analysis of democracy institutions and human rights" supported by the Higher School of Economics Research Fund. The academic supervisors of the working group were Dmitry Zaytsev, PhD (Associate Professor at Public Policy Department, HSE; Project Manager at ZIRKON Research Group); Sergey Obiedkov, PhD (Associate Professor at the Department of Data Analysis and Artificial Intelligence, HSE); Cyril Ritchie (President of the Federation of International NGOs in Geneva (FIIG); Conference of the INGOs at the Council of Europe, expert).

The participants of the working group figured out the following research problems. Distinctions in institutional design, culture and values in Russia and in the West lead to different understanding of democracy. The way we understand democracy influences the evaluation of democratic development in each country. The success of democratic transit in Russia, establishment of efficient partnership and long-term relations between Russia and the EU depends, in many respects, on a common understanding of democracy. Achieving a consensus about democracy, the purposes of its functioning and development, is important both at national (in particular, in Russia) and international level (in particular, in the EU). Such a consensus would promote better democratic development and a clarification of future scenarios for democracies both in the "developed" countries of the West, and in the transit states.

The West is very much concerned with the following issues: how modern systems relate to the ideal democracy; crisis of the nation-state in globalization and the following crisis of national democratic institutes. In the transit states, there are problems of the gap between the formal democratic institutes and informal procedures and practices of decision-making, low level of civil participation in political processes, political culture of citizens, etc. Neutral analytical instruments are necessary to raise objectivity of conclusions about democracy, to exclude or limit the influence of subjective views. Such neutral instruments can be provided by mathematicians and mathematical modeling of political processes and political phenomena. Mathematical models also allow to produce more reliable evaluations that are easier to compare.

The aim of the research project was to understand and evaluate democratic political institutions with the help of mathematical models, to develop specific recommendations for establishing efficient communication between the EU and Russia on the basis of democracy, human rights and the rule of law.

These issues are explored by Maria Shabanova, Mikhail Klimushkin in "Democracy in the World: modeling multidimensional world map; Elena Shitova,

Kristina Popova and Anastasia Novokreshchenova in "'Democracy with adjectives': analyzing alternative discourses"; Nikita Romashkin, Igor Yudanov and Maria Koysina in "Freedom of speech on Russian TV: editorial policies on Federal TV talk-shows"; Anastasiya Novokreshchenova and Maria Shabanova in "Western Leaders on Democracy and Human Rights in Russia: avoiding the subject matter".

Maria Shabanova, Mikhail Klimushkin

Democracy in the World: modeling multidimensional world map[1] [2]

Introduction. Research problem

Studies of democracy and human rights have been long in search of some 'objective' tools of analysis, so that to lower the impact of researchers' personal judgment. These topics often cause disagreement on level of both research and politics — how to understand democracy, what are the criteria, or how to measure progress and failure in human rights protection. Different traditions of political thought define democracy and specifics of political process in a way that is hard to combine in research as they require different approach, research assumptions and methodology.

Of course, in search for a unified 'objective' and impartial tool political scientists resort to statistical data and mathematical methods of analysis which can be applied to it, but not all the information which interests the researchers can be found in available statistics or easily quantified at all.

However, there were attempts to quantify the usually 'qualitative' data such as evaluations of government functioning, political and civic freedoms in the country etc. which are based on both 'hard' data (e.g. legislative bills, statistics, official reports) and on experts' assessment of political process in the country. Quantified and averaged according to various formulas, these data become ratings — namely, ratings of democracy in case of our interest.

The first and the most famous of ratings is the "Freedom in the World", produced by the Freedom House. Nowadays there are many ratings dealing with freedom and democracy done also by the Heritage Foundation, the Economist, USAID, World Bank, etc. We can also mention some recent ratings done by Russian researchers — Political Atlas of the World by MGIMO University, Democracy Index by Moscow Carnegie Center, Freedom of Speech Index by VCIOM (All-Russian Center for Study of Public Opinion).

However, ratings of democracy are often used not only in political research, but also in politics and political struggle. Various political actors criticize ratings if they do not match their own vision of political reality, or if they suspect that the ratings scores were influenced by the position of the project's funding source. This situation doesn't help to address the contradictions within democracy studies in a constructive way.

In search for more objective tools we turned also to mathematical methods — however, concentrating not to the more traditional use of statistical analysis, but on the a branch of mathematics called Formal Concept Analysis (FCA). FCA has a number of tools at its disposal, and we benefit most from its ability to present data (text, ratings, etc.) in the form of hierarchical structures rather than just a linear stream of words (in case of the text) or numbers (in case of ratings).

In this research project we aim to point out major problems which arise when using democracy ratings data, suggest the approach and tools to address them, and back our reasoning with specifics examples of analysis.

Three major problems with using ratings as a data source in democracy studies

We identify three major problems which are related to using linear ratings of democracy as a data for research:

1. "Average score" — in standard rating output of scores we can see only if country has problems with democracy or doesn't, but we cannot see in what specific areas they are.

It is worth mentioning, that democracy ratings are usually presented and published in the mass-media as a list of countries divided into categories ('democratic', 'partially democratic', 'not democratic', for example) or, sometimes, with their average scores. However, the research data available provides more than that — it gives us the initial sub-scores for different areas of issues that were considered by experts when compiling the rating — such as political rights, electoral process, political culture, etc. More full and disaggregated data gives us more opportunities for understanding what specific democracy-related issues remain problematic for the country in question, and which ones it implements successfully.

2. Multiple ratings — different scores, no agreement.

We have already mentioned several most widely known democracy ratings, and there are even more minor ones. The reason for such multiplicity is disagreement over where this or that country belongs on the list, and how the methodology of rating should be done. Moreover, comparison of ratings score is made more difficult by the fact that they have different scales for different parameters (e.g. from 1 to 9, from 1 to 12, from 1 to 16).

3. Bias. Impartiality of ratings remains questioned, they often face accusations of depending on the government, on the think tank's political position, views, etc.

We suggest to address these three problems in the following way:

— Unfolding ratings data into hierarchical structures instead of keeping a linear score. It will enable us to see in which particular areas, which are included into democracy evaluation, the country or group of countries experiences difficulties or success. Thus, instead of 'average' observations of having problems or not, we see what challenges the country has, and how its results relate to other countries'.
— We aim to tackle the 'many ratings' problem through comparing hierarchical structures of different ratings. Thus, we can find out on which countries and

groups of countries most ratings agree — both in negative and positive assessment of democracy. We can also see which countries are most controversial for democracy assessment (i.e. their score differ significantly in different ratings over the same period). The next logical step is to ask what makes these countries so controversial — is it the nature of their political regime, foreign political concerns, the rating agencies' bias? Which brings us to the third research problem — alleged bias of ratings.

— We suggest to tackle the problem of bias through falsifying ratings by context, that is, by checking their results and dynamics against the political process in reality. One of the possible ways to do it is to construct lattices which reflect political dynamics on the basis of long-term ratings data. It will require setting up the time periods first, and then processing mathematically the difference in score between the beginning and the end of the period. Such a lattice will give an opportunity to analyze the paths of different countries — how similar they are in positive or negative dynamics — and also to see if these changes contradict the political processes as we know them from history and reality (e.g. if the country's score doesn't change at all, but we know for sure that there was a clampdown on civil liberties there).

In this part of our larger research project we would like to concentrate on two FIRST problems, and, consequently, two FIRST research tasks: Average Scores and Multiple Ratings.

Data description

Average Scores problem and its possible solution will be analyzed using data of "Freedom in the World" for the year 2009, as it is the most recent data for this Freedom House rating which is available with sub-scores.

Multiple Ratings problem shall be studied using a wide selection of democracy ratings. However, we decided first to do a pilot analysis of suitability of the FCA methods for this task, and we chose two most famous ratings for that: by Freedom House and by the Economist. We use their ratings data for the year 2008, as this is the most recent one available for the Economist.

More detailed information about data processing will be presented in the sections of the article related to specifics research tasks we are addressing. However, we would like to present a broader outline of the mathematical methods applied to the data first and to explain the basic rules of reading the graphic representation of data analysis with FCA.

Methodology. Formal Concept Analysis.

Formal concept analysis is an approach of biclustering based on lattice theory. Methods of FCA work with data, which contains a set of objects, set of attributes and the information what object has what attribute. Such structure of data is called *(formal) context*. It is often presented as binary matrix, where rows are objects, columns are attributes and "1" in position (i, j) means, that object i has attribute j.

Example of formal context: objects — some researchers. , attributes — their scientific interests:

Table 1.

Objects	Elections	Democracy theory	Local governance	Authorita-rianism	Freedom of mass-media	Discrimination
Researcher N	1	1	1	0	0	0
Researcher A	1	1	0	0	1	0
Researcher B	1	1	0	1	1	0
Researcher F	1	0	1	0	0	0
Researcher L	1	1	0	0	0	0
Researcher K	1	0	1	0	0	1
Researcher Z	1	1	0	0	0	0
Researcher T	1	1	1	0	0	0
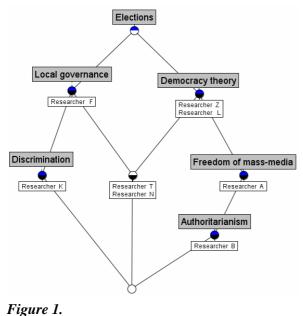
The idea of FCA is to present the relations between objects by system of groups of objects with common attributes. A group of objects with all their common attributes is called *formal concept* if it contains all objects that have all common attributes. It means, that formal concept is such pair (A,B), where A is the set of objects, B is the set of all their common attributes, that there is no other object, that has all attributes from B and there is no other attributes, that is common for all objects from A. A is called *concept extent* and B is called *concept intent*.

Formal concepts can be partly ordered. Let (A, B) > (C, D), if C ⊃ A (or B ⊃ D). Then the formal concept (C, D) is called *subconcept* of (A, B), and (A, B) is called *superconcept* of (C, D).
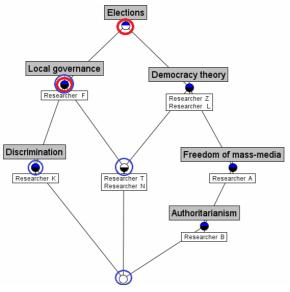
The set of concepts with subconcept-superconcept relation form partial order, which possesses properties of lattice.

Partial order can be represented by special diagram named Hasse diagram (Fig.1):

Figure 1.

Here every vertex is a formal concept. If there is a path between two vertex (on conditions that we can move around edges only top-down), that these concepts are comparable. Higher concept is superconcept, lower concept is subconcept.

To understand, what concept corresponds to some vertex, we look to all vertex, that have path to/from this vertex. For example, look to the concept with tables "Local governance" and "Researcher F" (Fig.2). The intent of this concept contains attributes, that are written above this vertex and all higher vertexes (selected by red circles). So the intent of this concept is ["Local governance", "Elections"].

Figure 2.

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The extent of this concept contains objects, that are written under this vertex and all lower vertexes (selected by blue circles). So the extent of this concept is ["Researcher F", "Researcher K"," Researcher T"," Researcher N"].

First research task. Non-linear Democracy Evaluation

To address the problem of "Average Scores" we are unfolding the linear rating into hierarchical structure — for this we build a complete lattice (all countries and all parameters in 2009, Freedom House data from "Freedom in the World"). It enables us to see which countries are in the top and in the bottom of it (best and worse), but we discard these two groups in favor of studying closer the 'middle ground' countries, as they are most interesting — what challenges they face and what groups they form .

Data processing

Freedom House data of the rating 'Freedom in the World' for 2009 gives us scores of different countries for 7 criteria:
A: Electoral Process (EP)
B: Political Pluralism and Participation (PP&P)
C: Functioning of Government (FG)
D: Freedom of Expression and Belief (FE&B)
E: Associational and Organizational Rights (A&OR)
F: Rule of Law (RL)
G: Personal Autonomy and Individual Rights (PA&IR)

Criteria 'A', 'C' and 'E' possess the integer value between 0 and 12, other criteria — between 0 and 16. To create formal context we replace every criterion by several binary attributes.We describe original criterion by three binary attribute.

For example, criterion "Functioning of Government" is described by attributes "FG<=12", "FG<=8" and "FG<=3" (Table 2). In this case, all countries have attribute "FG<=12", countries, which values of this criterion less than 8, have attributes "FG<=12" and "FG<=8", and countries with low value of criterion have all three attributes. Hence, if a country has only attribute "FG<=12", its value of criterion "Functioning of Government" is between 9 and 12.

Note, that if a country has attribute "…<=8", then it also has attribute "…<=12". This property ensures such feature of lattice that countries which have higher values of criteria are placed higher than countries with less values of criterion.

Similarly, we replace criteria, which maximum value equals to 16, with thresholds 10 and 4 instead 8 and 3 (Table 2).

Table 2.

Objects	Functioning of Government	FG<=12	FG<=8	FG<=3	Rule of Law	RL<=16	RL<=10	RL<=4
United States	11	X			14	X		
Turkey	7	X	X		8	X	X	
Russia	3	X	X	X	4	X	X	X

After creating formal context, we can build the lattice. For example, let us take several countries of Central and East Europe and post-Soviet space and consider the lattice which shows the order of these countries. In this lattice we see that Slovenia, Slovakia and Poland have high value of all criteria. Croatia also has high values of all criteria except Rule of Law. Its value is not more than 10.

Romania, Latvia and Bulgaria differ from top-countries only for value of Function of Government. It is less than 8 for these countries. The lattice also shows that these countries are non-comparable with Croatia. But Ukraine and Serbia are comparable with above-mentioned countries, because they have middle level of both criteria.

Thereby, formal concept lattice shows not only the order of countries, but also criteria, which make country's positions higher or lower than other.

While analyzing the lattice containing all countries listed in the rating, we got quite a long list of "leaders' — countries that receive the 'top' third of the scores for all seven parameters. While the composition of this list can be a subject of a separate analysis, especially in comparison with other ratings, in this research we wanted to concentrate on the 'middle ground', on countries about which we could learn more from their faults and shortcomings. To demonstrate, we chose two pieces of the whole lattice — relating to Ukraine (Fig.3) and Russia (Fig.4).

Figure 3

148
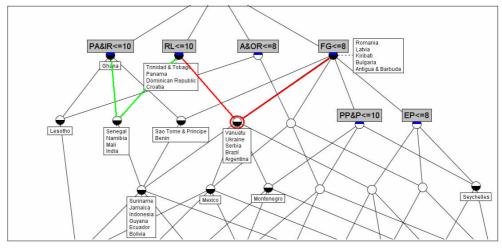
From analyzing this lattice, we can see the countries with which Ukraine was grouped with according to its scores on parameters — the exact matches are Serbia, Brazil, Vanuatu, and Argentina. However, its other neighbours are also very interesting, as they differ in one or several of the seven parameters, depending on how far lower than Ukraine they are placed on the diagram. In red highlight we traced the two parameters which prevented Ukraine from joining the 'top' group: Rule of Law (lower than 10, i.e. the middle of the three), and Functioning of the Government.

It is very useful for spotting the challenges which the country faces in its democracy-building. For example, we can see that Romania, Latvia, and Bulgaria score better than Ukraine in ensuring the rule of law, but share similar scale of problems with Functioning of Government.
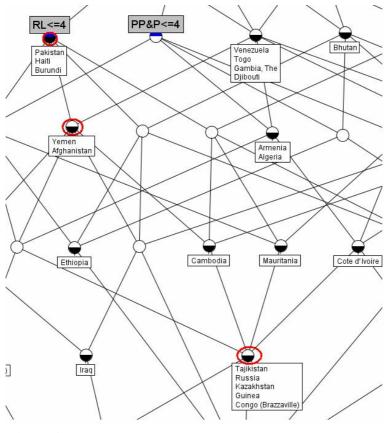
Figure 4

Analyzing the lattice built on Freedom House 2009 data we see that Russia scored quite low: it score in the 'middle' on only three parameters out of seven — Freedom of Expression and Belief , Associational and Organizational Rights, Personal Autonomy and Individual Rights. The remaining four criteria received low scores. While Russia shares its scores with such countries as Tajikistan, Kazakhstan, Guinea, and Congo, it received lower marks on several parameters than Pakistan, or even Afghanistan. This may raise the issue of bias in the initial experts' evaluation, but we

do not focus on this problem in the current article, leaving it for further research during the project implementation. However, in order to approach that task, we need to know more about what are the differences in democratic process in Russia, Afghanistan, and Pakistan (for example), and we can derive this information from the lattice, analyzing the scores per each parameter.

Second research task. Comparing ratings: case of Freedom House and the Economist.

One of the problems with using democracy ratings data in research is that there are a lot of ratings compiled by different agencies and institutions, moreover, they do not agree in their evaluations of democracy-building in various countries. In order to have a more detailed comparison, we chose two most known ratings — by Freedom House and by The Economist — to see which countries they evaluate differently.

Data processing

Freedom House and Economist have several common criteria which makes it possible to compare their scores for countries. In this research we build a lattice using attributes Political Rights and Civil Liberties from Freedom House's table and respective criteria from Economist's data.

Freedom House grants two aggregate criteria: Political Rights and Civil Liberties. Estimates of these criteria are between 1 and 7. However, lesser value of criteria means higher level of freedom. Hence we should binary attributes with the symbol "≥" instead "≤":

Table 3.

Objects	Civil Liberties	CL>=6	CL>=3	CL>=1
Iceland	1			X
Russia	5		X	X
Iran	6	X	X	X

Economist's data has similar structure as a Freedom House's data. It consists of 5 criteria, which possess the value between 0 and 10. We also have the matching criteria for the Freedom House — civil liberties and political rights. Hence, to create context we can use the same way as before:

Table 4.

Objects	Civil liberties	CL<=10	CL<=7	CL<=3
Iceland	9.71	X		
Russia	5.00	X	X	
Iran	2.06	X	X	X

After processing the resulting dataset, we can see the resulting lattice (Fig.5). To make attributes more understandable, we renamed them.

New names of attributes have such structure: [e/fh]-[PR/CL]-[top/middle/bottom].
"E" stands for Economist's rating data, 'fh' — for Freedom House, 'PR' for political rights, 'CL' — for civil liberties. We chose verbal estimates ('top/middle/bottom') instead of numeric ones so as to avoid confusion between scales of Freedom House and the Economist.
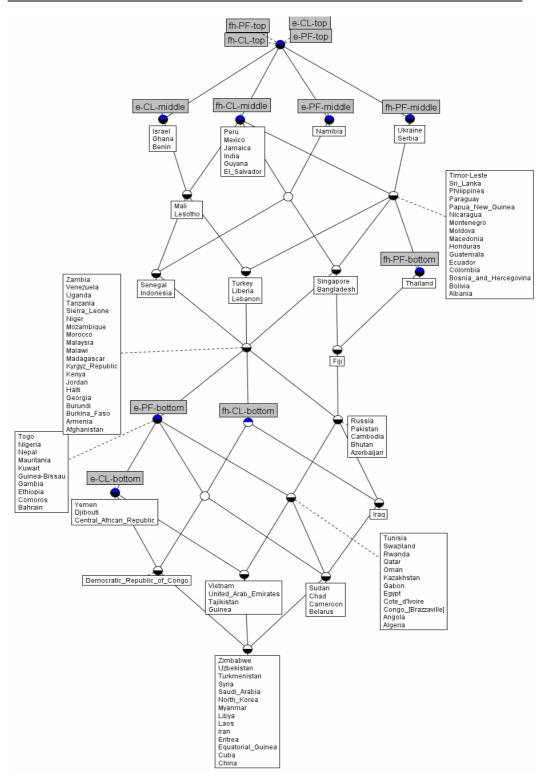
Figure 5.

The lattice shows that the two ratings do not agree on evaluation of democracy in some countries, which is the very problem we have been addressing in this research task. However, we can get more than just the restatement of research motivation — we also see on which particular parameters the two ratings disagree on each country.
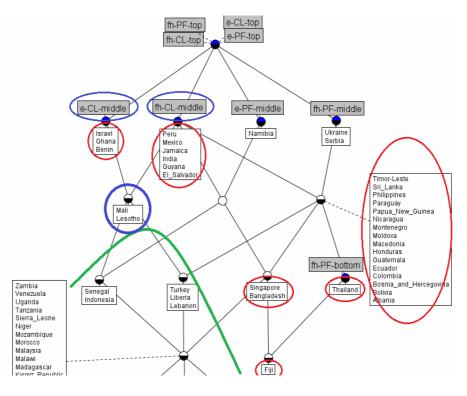
Figure 6.

Consider estimates of Civil Liberties. Heavy blue circle selects the concept, which contains attributes "e-CL-middle" and "fh-CL-middle", hence countries, typed near this concept (Mali and Lesotho) and lower concepts have not high estimates of CL in both ratings. Countries, selected by red circles have different estimates. Israel, Ghana and Benin have high value of CL in Freedom House and middle value in Economist. Other selected countries inversely have middle value of CL in Freedom House and high value in Economist.
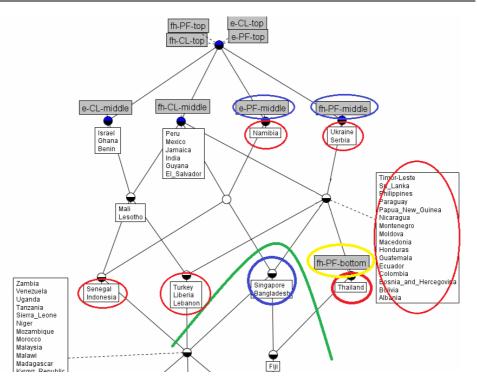
Figure 7.

Now consider Political Rights. Green curve separates concepts that have not high estimates of PR in both ratings. Red circles select countries where estimates are different for the Economist and Freedom House ratings. Economist's estimates are lower than FH's for Senegal, Indonesia and Namibia and higher for other selected countries. More than that, Freedom House gives quite low estimate of Political Rights, whereas Economist's value of this criterion is high.

Conclusion and research results

Unfolding linear ratings into hierarchical structures with the help of Formal Concept Analysis methods allowed us to address the two research tasks on which we focused in this article.

First, we explored the possibilities of analysis which are presented by a structured rating in order to tackle the problem of "average scores' in democracy ratings. The main challenge was to find a way to use the existing rating data beyond mere stating that country has or doesn't have problems with democracy. Unfolding the data enabled us to see which particular spheres included by rating methodology into the consideration of democracy and freedom in the country are most problematic in it.

Also, analysis of the lattice gave us interesting information about the order in which different parameters related to democracy deteriorate with the decline of democracy process in the countries. The two fastest — and thus, crucial for holding the system together — are the Functioning of the Government and Electoral Process. These parameters in the rating reflect the features of the systems that make up the

framework of political process in the country — government activity and changes in political systems through elections. Their decline is closely followed by Associational and Organizational Rights, Political Pluralism and Participation, and the Rule of Law. It shows us that features connected with activity of civil society and citizen participation are the next level of democratic process which are damaged in case of clampdown on democracy in the country. The last to be restricted are the features which in normal situations relate more to the personal than political sphere — Personal Autonomy and Individual Rights, and Freedom of Expression and Beliefs.

Second, we were able to compare two ratings with different scaling systems with the help of FCA methods and lattice-building. Such data-processing and further analysis are very valuable for studying the differences in evaluations of various ratings, which are the second problem identified in this research.

By comparing Freedom House and the Economist ratings on two parameters — Civil Liberties and Political Rights — we saw that while many of analyzed countries are evaluated by the two ratings in the same groups ('high', or 'middle', or 'low'), and most source of agreement were the 'top' countries and the most problematic ones in terms of democratic development. However, we can also remark that the Economist generally gives a lower grade of evaluation not as harshly as Freedom House, i.e. in many cases when Freedom House already gives a low score to the country, the Economist still rates it as 'middle'. Whether this is due to more careful and objective analysis or due to political preferences of both institutions, remains a question for further research, in which we are going to expand the ratings database, since the pilot study of the two ratings proved insightful.

Third, FCA methods provide an impartial and objective tool for analysis in political research and study of democracy and freedom, as they process the existing data mathematically, not involving expert evaluation until the interpretation stage.

We can conclude that FCA methods provide tools for a non-linear, multidimensional analysis of political reality and various data describing it. As our pilot research regarding comparison of ratings proved successful, we will expand it in further work on our research project, adding more ratings data to analyze which countries receive similar scores from different agencies and vice versa.

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"Democracy with adjectives": analyzing alternative discourses

There is incomplete democratic transition in some countries of the third wave of democratization today. This is primarily characterized by the fact that the formal democratic institutions are replaced by informal democratic practices. There are other cultures and values in the countries of the West, and imported democratic practices are not able to take root in the political culture of "the third wave". There are cleavages between formal democratic institutions, which are transplanted from Western models of democracy to the countries of third wave (and Eastern Europe, in particular) and cultural, historical, value tradition, established in these societies historically[1]: values and culture in these countries differ from Western. But institutions must be joined with the political culture. As a result, democratic institutions are rejected, and undemocratic practices of the old (feudal, nomenclature, etc.) that are based on a broader basis in the form of cultural traditions and values of established in the community.

On the other hand, there is lack of empirically observed phenomenon of transit. There is no transition to a consolidated democracy[2]. This is not a transit but a transformation: changes with unclear outcome (from one non-democratic state to another one)[3]. These changes of political regime in countries with non-consolidated democracies have created a new regime: a hybrid which cannot be called fully authoritarian but at the same time and cannot be called a democratic one. Therefore the regimes of "the third wave" are somewhere between democratic and authoritarian: such regimes are "hybrid". This phenomenon has attracted the interest of a large number of researchers: almost every case of non-consolidated democracy has its own name, as well as different approaches regarding how to analyze these modes and what to call them.

On the one hand, there is a democracy and its description (different concepts). On the other hand, there is authoritarianism. Someone says that there is no transit in the countries of "the third wave" and these countries are in the authoritarian stage (simply they have a special kind of authoritarianism). Researchers and experts invent new variety of names: a new, soft, corporate, government, the capitalist[4]. Others are talking about something in the middle. Invent a variety of hybrid regimes without mentioning the word "democracy" and authoritarianism (Zudin: polycentrism —

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[1] Proceedings of the conference HSE "Public Policy Institute: transplantation or cultivation", May 13, 2005. Electronic resource. http://gpir.narod.ru/ve/661903.htm. Access is free. Date of visit: 06/05/2010.

[2] Hans-Jurgen Puhle. Democratic Consolidation and ‚Defective Democracies'.

[3] Croissanta A. From transition to defective democracy: mapping Asian democratization.

[4] Eg. Мусаев Б.: Новый авторитаризм. 1991-1992.

monocentrism[5]; Kholodkovsky: plebiscite and bureaucratic[6]). But others say that this is a type of democracy, but a special one — non-consolidated democracy. They also trying to give the definitions (Petrov, Lipman: Overmanaged democracy[7], Surkov: sovereign democracy[8], Tretyakov: managed democracy[9], O'Donnel: delegative[10], and so on).

The most common decision of the research problem is the production of new concepts with the word "democracy" (so-called democracy with adjectives)[11], which only complicates the problem. Concepts of "democracies with adjectives" are multiple, objective research strategies of knowledge mixed with the subjective factors that influence on the emergence of the concepts of "democracy with adjectives" and discussion around them.

As a result, the definitions of democracy more than the number of non-consolidated democracies, because any change in the regime gives rise to new concepts. The result is confusion, muddled political science discourse on democracy, hampering not only the understanding of the phenomenon, but also ways of further democratization of the regime.

The authors suggest to identify the ways of solutions to the aforesaid problems. To this end, we will focus on the study of contemporary expert discourse on democracy, with emphasis on analysis of the emergence and discussion on concepts non-consolidated democracy in the world in political science community.

The goal of our research is to identify problem areas of describing and understanding of non-consolidated democracies in the expert political science discourse. This requires, firstly, to define what a "democracy with adjectives" in the expert political science discourse is. Secondly we need to identify the subjects of political science discourse (in comparison) and their strategies for understanding and description of non-democratic regimes.

Our hypothesis is that there are common, universal to most concepts of "democracy with adjectives" parameters and attributes through which these concepts are defined. It means that the majority of cases — the countries with such types of democracies — can be describe by these universal features.

Even if such the universal features do not exist, there are several groups of common attributes for a particular set of concepts of democracy with adjectives. This means that one group of countries is described by one set of attributes, the other group by another. The number of groups of countries is limited.

However, perhaps there is neither one nor the other. All concepts developed for the study of non-consolidated democracies,have a set of features which do not intersect.

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5 Зудин А. Политический моноцентризм в России: от режима — к системе? — Доклад на Международном симпозиуме "Пути России", 2004.

6 Холодсковский К. К вопросу о политической системе современной России. Полис. 2009, №4.

7 Petrov N., Lipman M. Hale. Overmanaged Democracy in Russia: Governance Implications of Hybrid Regimes (2010).

8 Surkov V.: Paragraphs pro sovereign democracy. 2006.

9 Третьяков В. Диагноз: управляемая демократия. 2000.

10 O'Donnell G. Delegalive Democracy. — Journal of Democracy, January 1994. 1.

11 Siegmar Schmidt. New kids on the block: embedded democracy, defective democracy and failing states: a discussion of concepts and typologies and etc.

In countries with non-consolidated democracy, democracy discourse is more closely associated with non-cognitive strategies. Non-cognitive strategies may be of several types: defined by the logic of legitimation of the existing regime (for example, the concept of sovereign democracy, Surkov[12]), or the logic of delegitimisation of the regime (for example, the concept of overmanaged democracy, Petrov, Lipman[13]), or the logic of the denial of existing concepts.

Changing of the internal and external environment affects the adjustment of old concepts and emergence of new concepts, as well as the context of their discussion: environmental changes lead to a change in the nature of the concept. It is therefore important to consider not only to changes of concepts (a set of old concepts and new) but also their dynamics.

Data collection method

The criteria for selection of texts served several parameters: texts had contain the concepts of "democracy with adjectives", be devoted to the problems of modern non-consolidated democracies, have a broad geographical coverage, have a high citation rate (determined through Scopus database), belong to the authors widely recognized in political science, be modern and relevant.

We have selected fifty-five texts[14]. As background material on the topic research, we used an article of well-known researchers Collier and Levitsky[15], which is interesting not only because the authors introduce the concept of "democracy with definitions" but because in this article, the authors refer to the most well-known concepts those are devoted to cases of democracies with adjectives. In his article, the authors suggest that there are more than 500 concepts of "democracy with definitions", among which over 60 are related to non-consolidated democracies. Collier and Levitsky analyze concepts, typologies, classifications, scientific strategies. However, we are more interested in what lies behind these strategies: what are the real problems they solve.

Moreover, the article came out in 1996, so it did not cover the concepts that emerged after 1996. Therefore, the second stage of our research was the selection of texts those cover the key concepts of "democracies with definitions" that have appeared since 1996. However, for us it was important not only to collect the texts on the concept of non-consolidated democracies but also on the individual countries (case studies), so that we would reach a wide geographical coverage.

That's why the main body of the texts contains not only conceptual but also regional dimensions. It includes texts that address the problems of democracy in regions such as Latin America, Eastern Europe, Middle East, Asia and Africa. However, so far we have failed to obtain an equal number of cases representing different regions due to the regional dimensions of the representation of non-consolidated democracies in various regions, and with historical and cultural features of each region separately. It is also important to note the nature of information

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[12] Surkov V.: Paragraphs pro sovereign democracy. 2006.
[13] Petrov N., Lipman M. Hale. Overmanaged Democracy in Russia: Governance Implications of Hybrid Regimes (2010).
[14] See text in Appendix 1.
[15] Democracy 'with adjectives': conceptual innovation in comparative research. David Collier and Steven Levitsky working paper. 1996.

gathering, which also could not affect the presentation of text: we use texts that were written only in european languages, the texts written in other language groups, could not be covered by us.

Also it was important to collect only symbolic texts that contain a particular concept, therefore, ceteris paribus, in the sample were texts with higher levels of citation or written by researchers, well-known and recognized in the scientific community.

It is worth noting that the collected data base used in this work is preliminary and will be further expanded.

Working with text using the method of formal concept analysis

At the first stage of data processing, we used the method of Formal Concept Analysis[16]. We selected keywords for each document that was part of the collection using statistical method called Vector Model Analysis[17].

Formal concept analysis is a branch of applied algebraic lattice theory, which traditionally refers to the field of conceptual structures in artificial intelligence and is a method of data analysis. We presented the lattice of formal concepts in the form of a diagram.

Formal concept analysis method of allows us objectively structure the available information and clearly visualize it in the form of a hierarchically ordered structure of concepts allowing us to see connections and relationships between concepts. It is based on the selection of keywords from texts used as evidence to describe the documents.

The vector model of linguistic analysis represents each document as a vector in the space of words. Each component of the vector corresponds to one of his words. This model is used in search engines, systems of automatic classification, categorization and annotation of documents, etc. It belongs to the type of methods called "bag of words" ("bag of words methods"), which did not take into account the order of words in the text, only their usage rate.

In order to handle the text using the method of formal concept analysis, the following stages were performed: indexing the documents (removing stop words, stemming[18], organizing of a matrix of frequencies "terms-documents"); informative definition of the term[19]. All the texts have been translated into English in order to make the work more convenient.

Consider a mathematical lattice which was constructed from the fifty-five selected texts[20]. Initial analysis of these texts gives a clear visual representation of how

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[16] B. Ganter and R. Wille. Formal Concepts Analysis, Mathematical Foundations. Springer Verlag, Berlin, 1999.

[17] G. Salton, A. Wong, and C. S. Yang. A Vector Space Model for Automatic Indexing. Communications of the ACM 18, pp. 613–620, 1975; M. Klimushkin, D. Chetverikov, A. Novokreshchenova. Formal Concept Analysis of the US blogosphere during the 2008 Presedential Campaign. Academic Papers of the 8th International session of the HSE "Baltic Practice" Research center Stockholm. М: ИНТЕЛКОРП, 2009.

[18] Stemming — the process of finding the base word forms for a given source word, while it need not necessarily coincide with the morphological root of the word.

[19] Terms — a set of words that do not have relationships with other words.

[20] All charts presented in this paper were constructed in the medium Con Exp. http://conexp.sourceforge.net/

structured the discourse on "democracy with the definitions" in countries of non-consolidated democracy is. As we see, the most popular topics have been "polarized". One group of researchers believes that democracy is a "procedural minimum", the other group — that it is a "civilized maximum".

Consider the left part of the lattice. This area is the domain of so-called "procedural minimum". It is not surprising that in this area such a large number of intersections. Virtually every country of non-consolidated democracy has a minimum set of democratic institutions. However, we are interested to see how are grouped such signs of democracy. This will help us identify problem areas in understanding the institutional building of democracy. On the left side we see five independent units: "parti" (1925), "power" (1923), "govern" (1928), "elect" (1926), "democrat" (42). It is important to note that only "democrat" has a point of intersection with the right side, while the rest of the semantic units are grouped together and create new combinations and a minimum of procedural defects in it. Institutional aspects received considerably more attention than civilization. This is proven by a number of texts involved in the left side compared with the number of texts involved in the right side. Next, we turn to the combinations of semantic nodes.

Let's see how the lattice works on a particular example: e.g., semantic unit "elect" and its connections with other semantic units. 26 texts contained the word "elect". In this case, 17 of them involved the word "parti" and 23 — the word "democrat". At this level, "elect" does not form a combination with such of words as "power", "govern". In turn, all three words contain 14 texts. However, these texts include not only described above set of words but also set of words "parti" — "elect". So, for at fifth level of the lattice, which consists of 26 texts "elect", we get the following order of phrases: "elect" (1926), "elect" — "democrat" (1923), "elect" — "parti" (17), "parti" — "elect" — "democrat" (14) (with the included phrase "parti" — "democrat" (20). We assumethat in this case, one of the inherent qualiiesy of a consolidated democracy is a democratic election based on electoral system that ensures equal access for all parties in the country to the power (with the obligatory condition of multi-party).

Now consider a more interesting example: the semantic unit referring to the procedural minimum type woth a minimum of intersections with all the others. Maybe this will be a problematic area of institutional development in non-consolidated democracies. We can refer the node "parti"-"power" that contains 14 texts (more than one-quarter of all the collected texts) to this type of classification. This node, we assume, shows us a contradiction between the multi-party representative system and the regimes which are based on power obtained by other means (e.g. power of the military), or other principle of representativeness (dominance of one ruling party).

Let's consider the node that has the greatest number of concepts in itself. Most likely, this is the body of texts that refer to characteristics of the regime necessary in order to be democratic, e.g. "govern", "power", "democrat", but does not "elect". But there is a new semantic unit "econom". It turns out that this side also draws attention to the defects of democracy. In the 10 texts, the economy and not the electoral system played the leading rolw. It is possible that such texts described oligarchic regime and that the notion of "power" suggested the possibility of military involvement.

Consider the node "econom" separately. It is directly linked to the semantic unit of "democrat", forming two nodes below: the first one, connecting "govern" and

"democrat", and the second between "parti" and "democrat". In this case, the regime those features that are necessary to sustain democratic governance: a successful competitive economy for a functioning electoral system and the development of a multiparty system (as a supplement — an active middle class, which only appears when an economy is successful, and able to defend its interests through the representative bodies of power through universal and equal electoral system).
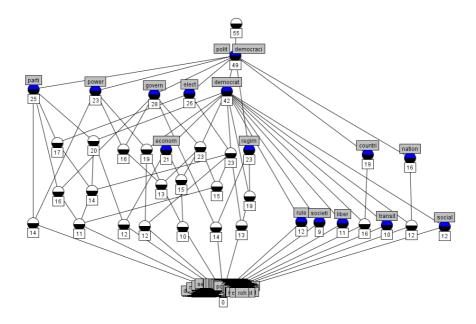
Figure 1.

We now turn to the right side of the lattice. This area can be considered the domain of "civilized maximum". It's interesting that in this area, there are practically no intersections. It turns out that the researchers are focusing on some particular aspect of the problem typical for a particular case (which does not mean that other criteria are not important for these particular researchers).

However, we can assume that each individual node indicates the group of the problems faced by non-consolidated democracies in different countries. These units allow us to separate the individual texts, which were included in each node. It's possible to assume that these cases present similar problems, even despite the fact that the cases for each country have different names. That is, in the future we will be able to get rid of some strategies and go directly to the group analysis of case studies that describe similar problems and do not require individual determinations.

As we see, we have received seven units of meaning: five individual and seven working in the phrase. Five separate sites include the semantic unit "rule" (12 texts), "societi" (9), "liber" (1911), "transit" (1910), "social" (12). Two nodes are in the phrases "democrat" — "countri" (1916), "democrat" — "nation" (12). The figure in parentheses indicates the number of texts referring to this particular word or phrase. In our case, the semantic units in the phrase was based on the idea that democracy is

primarily a regime that exists within a country and is limited by borders of citizenship. That is clear because democracy had to be restricted to territorial boundaries and can ot function unless we understand who is the "demos". The remaining five nodes, which we call "defective zones", seem even more interesting. That is, if there is no rule of law, civil society, liberal values, not complete transit or missing social sphere, the country cannot be considered a consolidated democracy.

In our future studies we will try to visually identify the regions that are studied in the texts. This will allow us to see how certain inherent problems of individual democracies are grouped together, and whether they are individual defects of a group of countries or problems beyond a particular regional location. It is also interesting to distinguish groups of authors who speak about these or those problems of democracy. This will allow us to distinguish between subjects of expert discourse, find similarities and differences of their strategies, and assess the level of subjectivity of each individual researcher.

Conclusions

The mathematical method of formal concept analysis is necessary to examine large volumes of texts (including political science texts). It allows us to objectively structure and clearly visualize the information, defines a clear framework for the study, helps objectively evaluate data, see connections and relationships between concepts. In the study of democracy, this method makes it possible to get rid of the author's subjective impact and concentrate only on features he or she found.

Using this method, we have confirmed that expert political science discourse is clearly divided into two disjoint camps: the "procedural minimum" (elections, parties) and "civilization maximum" (nation, society). Separate analysis of each camp gives us a visualization of the problems existing in the studies of countries with non-consolidated democracies and the attention the experts are paying to this or that problem. We have seen that institutional problems are nearly the same in almost all texts; there is only a question of the relations between individual "defects". But in the case of "civilization maximum", as with the next stage in democracy studies, the preferences almost don't overlap. In future, this will allow us to consider separate "civilization" problems by regions, see different strategies of the subjects of political discourse, and make recommendations on their formation and moderation.

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Appendix 1. Collected texts

Иноземцев В.Л. Демократия: насаждаемая и желаемая (2006); Понеделков А.В., Старостин А.М. Модели демократии для современной России: бюрократическая демократия (2009); Уфимцев В.В. Демократия в России: Закрылись ли окна возможностей? (2006); Petrov, Lipman. Hale. Overmanaged Democracy in Russia: Governance Implications of Hybrid Regimes (2010); Поляков Л. "Суверенная демократия": политический факт как теоретическая предметность (2007); Loveman B. "Protected Democracies" and Military Guardianship: Political Transitions in Latin America,1978-1993 (1994); Kasfir N. "No-party Democracy" in Uganda (1998); Hartlyn J. Crisis-Ridden Elections (Again) in the Dominican Republic: Neopatrimonialism, Presidentialism, and Weak Electoral Oversight (1994); Puhle. Democratic consolidation and Defective Democracies (2005); Farred G. Disorderly Democracy: An Axiomatic Politics (2008); Nasr V. The Rise of "Muslim Democracy" (2005); O'Donnel. Delegative Democracy? (1993); Tamas. Socialism, Capitalism, and Modernity (1992); Schmitter. The Types of Democracy Emerging in Southern and Eastern Europe and South and Central America (1994); Hagopian and Mainwaring. Democracy in Brazil: Problems and Prospects (1987); Stahler-Sholk, R. El Salvador's Negotiated Transition: From Low-Intensity Conflict to Low-Intensity Democracy (1994); Karl. Dilemmas of Democratization (1990); Black, J.K. Elections and Other Trivial Pursuits: Latin America and the New World Order (1993); Berntzen. Democratic Consolidation in Central America (1993); Diamond L. Economic Development and Democracy Reconsidered (1992); Leftwich. Governance, Democracy, and Development (1993); Dryzek, J.S. Deliberative Democracy in Divided Societies: Alternatives to Agonism and Analgesia (2005); Neher, C.D. Asian Style Democracy (1994); Sanin. Fragile Democracy and Schizophrenic Liberalism: Exit, Voice, and Loyalty in the Andes (2005); Merkel W., Croissant A. Formale Institutionen und informale Regein in defekten Demokratien (2000); Collier, Levitsky. Democracy with Adjectives (1996); Марков. Манипулятивная демократия: в России сложились все условия для такого государственного устройства (2000); Sakwa. Democratic Change in Russia and

Ukraine (1994); Третьяков. Диагноз: управляемая демократия (2000); Lipset. The social requisitives of democracy revisited (1993); Berntzen E. Democratic consolidation in Central America: a qualitative comparative approach (1993); Remmer K. Exclusionary democracy (1986); Henderson K. The Slovak Republic: explaining defects in democracy (2004); Milton-Edwards. Facade democracy and Jordan (1993); Smith and Ziegler. Liberal and Illiberal Democracy in Latin America (2006); Baracca. Mexican democracy consolidated? (2004); Merkel W. Embedded and defective democracies (2004); Bogaards. How to classify hybrid regimes? Defective democracy and electoral authoritarianism (2009); Beichelt T. Autocracy and democracy in Belarus, Russia and Ukraine (2004); Volpi Fr. Pseudo-democracy in the Muslim world (2004); Croissant A. From transition to defective democracy: mapping Asian democratization (2004); McFaul M. The Fourth Wave of Democracy and Dictatorship: Noncooperative Transitions in the Postcommunist World (2002); Im, H.B. Faltering democratic consolidation in South Korea: democracy at the end of the 'three Kims' era (2004); Chandler, D. Back to the future? The limits of neo-Wilsonian ideals of exporting democracy (2006); Wong, J. Deepening Democracy in Taiwan (2003); Mozaffar, Sh. Patterns of Electoral Governance in Africa's Emerging Democracies (2002); Gills, B. and Rocamora, J. Low Intensity Democracy (1992); Fritz, V. Mongolia: The Rise and Travails of a Deviant Democracy (2008); Good, K. and Taylor, I. Botswana: A Minimalist Democracy; Roque, P.Cr. Angola's Fasade Democracy (2009); Sadiki, L. Political Liberalization in Bin Ali's Tunisia: Fasade Democracy (2002); Habib, A. Economic Policy and Power Relations in South Africa's Transition to Democracy (2000); Sandbrook, R. Democratization and implementation of democratic reform in Africa (1996); Htun, M. From "Racial Democracy" to Affirmative Action: Changing State Policy on Race in Brazil (2004); F. Zakaria, The Future of Freedom: illiberal democracy in the U.S. and abroad (1997).

Maria Koysina, Igor Yudanov, Nikita Romashkin
Freedom of speech on Russian TV:
editorial policies on Federal TV talk-shows[1] [2]

Research problem

The institutions of media independence and freedom of speech are basic institutions of modern democratic state. The media provide "information support of the cognitive, value-oriented, communicative and socially organizational activities."[3]

According to structural-functional approach, mass media discharge a function of providing the political communication between major political actors, mainly between elites and non-elites, politicians and citizens, which promote stable functioning of political system in whole. [4]

Theory of democratic process, in its turn, puts an emphasis on the importance of the citizens' "enlightened understanding" of political agenda, basics of decision-making and implementation of decisions. It is a basis for their full-fledged political participation. [5]

Citizen participation in democratic political processes supposes that citizens exhibit basic properties of the "public": information awareness, competence, involvement, interest, freedom of thought, of opinion, of action, connection with community, willingness to realization of collective action, responsibility. [6]

Therefore in modern state, the media not only provide communication but also teach citizens to be well-informed and competent, transforming some individuals into "the public".

From the above reasoning it is clear that public interests should be the basic priorities for the media officials. In this case representatives of public organizations and experts should have equal opportunities for expression of their opinions in the media. [7]

Also, one of the main tasks of the media is establishing a social dialogue between citizens and authorities to motivate citizens for active political life. The

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[3] Fedotova L. Sociology of mass communication: the theory and practice. — Moscow, 1993. P.51-558

[4] Almond G. Comparative politics today: A world view. — Moscow, 2002. P.55-57

[5] Dahl R. Preface to democratic theory. — Moscow, 1992.

[6] Belyaeva N. Public policy in Russia: overcoming resistance of environment // Polis, 2007, №7

[7] Dzyaloshinsky I. Journalism of complicity: How to make the media be useful for people. — Moscow, 2006. P.104

media must be autonomous and independent, informing citizens with alternative opinions. [8]

There is a lot of literature and research about restrictions on media independence and freedom of speech in Russia. But the overwhelming majority of those papers deal with the communicative function of the media and, accordingly, censorship, imposed by authorities. According to them, the main emphasis is laid on analysis of news items.

Thus, V.Belchenko in his work "The media non-coverage: how national TV-channels hush-up the 'uncomfortable' events" examines how much Russian TV-channels falsify information about events or don't cover them at all. [9]

Conclusions based onthe analysis of news reporting of such themes as Stanislav Markelov's murder, dispersal of demonstration in Vladivostok 14.12.2008 and economic crisis in Russia. T.Bykov in his work "Freedom of media speech in terms of legislation and media market in Russia" examines issues of media's existence in the complex of modern society terms and verifies hypotheses about the impossibility of full-fledged media independence in modern Russia. [10]

N.Zhukova in her paper "Comparative analysis of media roles in modern political process in Russia and US" examines such things that are at the back of "freedom of media" in USA. The author acknowledges the existence of censorship both in USA and Russia: there is no criticism of the authorities (especially, at the regional level), and access of oppositional parties to state-run media is restricted. [11]

But assessment of media independence and freedom of speech in Russia, based mainly on the analysis of news reports and function of informing, is insufficient. So mass media have a more important role — to educate "the public". Putting emphasis on the socializing function, we examine the subject of our investigation and the object with the other focus. To be exact, it's supposed to analyze the contents and context not of the news but of analytical and expert television broadcasts. In case of the latter, we consider it to directly promote socialization of "the public", educating citizens with "enlightened understanding" of social problems and the ways of solving it. Thereby the media promote consensus between parties, holding different and, frequently, polar views. The media cover positions of the parties, draw in experts, independent moderators, call on all the concerned parties. Thereby the media become a forum where positions are argued and collided with each other, and the knowledge about goals, the methods of interaction and political action is produced. And functions of socialization agents in this particular case are discharged by analysts and experts which are invited to analytical TV-programmes and speeches of which we propose to examine in this research.

We put emphasis on social and political broadcasts only on the TV because this kind of media in modern Russia is available to an overwhelming majority of

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[8] Ibid

[9] Belchenko V. The media non-coverage: how national TV-channels hush-up the "uncomfortable" events // Belyaeva N. (ed.) Academic Papers of the 8th International session of the HSE "Baltic Practice". Stockholm Research center, Sweden, 1-8 August, 2008. INTELCORP. Moscow. 2009. P. 70-76.

[10] Bykov T. Freedom of media speech in terms of legislation and media market in Russia // Herald of Chelyabinsk, №39. 2009. P.26-28

[11] Zhukova N. Comparative analysis of media roles in modern political process in Russia and US // Vlast, 2007, №11. P.41-43

Russian population. Moreover, in this research we limited ourselves to examining broadcasts only on the first two channels as both have the highest ratings among the population. We examine a popular analytical programme "Sudite sami" ("Judge by yourself") on Channel One, because it's the only analytical programme with social and political subject area where experts are invited. On the second channel ("Russia 1"), we examine broadcast "Natsyonalniy interes" ("National Interest") because it is also the only analytical programme out of 23 on this channel. For comparison, we also choose to examine "Chto delat?" ("What to do?") on channel "Kultura", which we consider to be important for this research as a "control group" because the channel has comparatively small coverage and has a specific editorial line. We examine the period of 2007-2010 because it is considered to be the most difficult period for independence of media and because in 2007, 2008, 2009 and 2010 some crucial events in Russian politics took place:

    2007 — State Duma pre-election s
    2008 — Medvedev's presidency and the beginning of economic crisis
    2009 — Economic crisis
    2010 — Medvedev's modernization policy

In our opinion, there is the problem in the pointed field of the research. The same experts, not offering alternative decision for solving the declared problem or discussing limited number of themes, are permanently invited to many television programs. Probably it's the reason that there are few analytical and social and political programs on national TV. The content of these programs is subject to severe censure or other restraints. Such obstacles prevent the spread of democratic principles in the country and the society.

In our point of view, the pluralism of experts' opinions, expressing at the analytical programs, the topicality of the themes of the programs and also the absence of the some factors distorting two first principles promote the abidance of the principles of Freedom of Speech and independence of mass media and the mass media as the efficient mean of political socialization.

The pluralism of experts' opinions, expressed during analytical programs, depends on the degree of the diversity of experts in social and political analytical programs, the positions and opinions in discussions on urgent social, political, and economical problems. That's why our first our task is to detect the degree of diversity of the expert involvement. Our second our task is to clear up the degree of the diversity of the experts' positions. The third task is to determine whether the topics of analytical programs are relevant, how they represent urgent politics. At last, our fourth task is thedetection of the external and internal factors, influencing the involvement of experts, experts' positions, the subject area of the program. The external factors are social, political, economical affairs in the country. The internal factors are the presenter's position on the problem of the program, and the channel's editorial policy.

Basing on our observation and situational analysis of politics in the country, we have formulated the following hypotheses:

1. The monopoly of a consolidated group of experts. There is a certain permanent pool of the experts, invited everywhere

2. The monopoly of the "act-alone" experts. There is no permanent pool of the experts. Substantially, there is "act-alone" experts

3. The monopoly of the universal experts. There are universal experts, talking about everything.

Methodology and research results

In order to prove or disprove these hypotheses we use a data mining technique, namely Formal Concept Analysis (FCA)[12].

We collected data for three Russian analytical TV-programmes: "Sudite sami" ("Judge by yourself"), "Natsyonalniy interes" ("National Interest") and "Chto delat?" ("What to do?"). For each programme we have the airing date, the topic of the programme and the list of the experts. We split the data into four parts (chunks) with respect to four subperiods:

1. January 2007 — June 2007
2. September 2007 — June 2008
3. September 2008 — June 2009
4. September 2009 — June 2010

For each chunk we build a chart which represents how many times each expert attended each programme in this period. Next, we join charts of the same programme to one chart, and obtain three charts representing guests of four different programmes. As rows these tables have full names of the experts and as columns — 4 subperiods of time. As our technique needs a binary matrix (a formal context, see above) as input, we had to binarize table of each programme. Heuristically we obtain a scale that helps us to binarize our tables. Let's define a scale as a vector of boolean expressions. In our case the scale was $S = (x>6\%, x>10\%, x>12\%, x>15\%)$. To build a formal context we apply the scale S to each value in the initial table, it means that we substitute x in the scale by every value in the table, then compute a value of each expression in the scale and append it to the context. For example, if expert i was in the first period only on 11% of programmes, therefore expert i has attribute "in $1 > 6\%$" (in first period more than 6% of programmes) and attribute "in $1 > 10\%$", but does not have attributes "in $1 > 12\%$" and "in $1 > 15\%$". This way we construct a formal context for each programme. Now we have three formal contexts and we can find a concept lattice for each. These lattices represent hierarchies of experts in terms of popularity in different subperiods. More popular experts are shifted to the top of the lattice; less popular or popular only in specific periods are shifted to the bottom of the lattice. By the reasons of simplicity, we erased from the diagrams such experts that attended less that 6% of programmes in each period. We consider such experts not relevant for our purposes. Here we provide the numbers of such experts: for "Chto delat?" — 215, for "Natsyonalniy interes" — 147, and for "Sudite sami" — 335.

Now, have a look at Figure 1. It is the diagram of "Chto delat?" lattice. Let's briefly explain what this diagram means. Let's look at the node with labels "Lev Jacobson; Vladimir Zharihin; Vladimir Pantin" ("ЛЕВ ЯКОБСОН; ВЛАДИМИР ЖАРИХИН; ВЛАДИМИР ПАНТИН") and "in $4 > 10\%$" ("в $4 > 10\%$"); in "$4 > 10\%$" ("в $4 > 6\%$"). Obviously, this node represents three experts which attended more than 10% programmes in the fourth period. It is true but these three experts not only experts that attended in fourth period more than 10% programmes, we can say the same thing for all the experts that situated above current node and can be reached

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[12] Ganter, B. and Wille, R. *Formal Concept Analysis: Mathematical Foundation.* Heidelberg : Springer, 1999.

throw the lines ascending from the current node. This means that Joseph Diskin (ИОСИФ ДИСКИН), Valeriy Solovey (ВАЛЕРИЙ СОЛОВЕЙ), Sergei Markov (СЕРГЕЙ МАРКОВ), Mihail Remizov (МИХАИЛ РЕМИЗОВ), Gleb Pavlovskiy (ГЛЕБ ПАВЛОВСКИЙ) also attended more than 10% of programmes in the fourth period.

The same logic is applied when it come to labels under the nodes. For example, have a look at the node with labels "Sergei Markov" ("СЕРГЕЙ МАРКОВ") and "in 2 > 15%" ("в 2 > 15%", it is obvious that this expert was more than in 15% of programmes in the second period, but if we follow descending lines, we will find out that Sergei Makarov (СЕРГЕЙ МАРКОВ) was more than in 15% of programmes in the fourth period and more than 10% of programmes in the third period.

Now, let's try to interpret this diagram (Figure 1). At the top we have Diskin (Дискин) and Markov (Марков); they are the two most popular experts. Diskin (Дискин) is more stable expert; he has high rates during the all four periods, although Markov (Марков) has higher rates at the second and third periods.

Also we should consider another interesting group: Migranyan (Мигранян), Dianov (Дианов) and Nikonov (Никонов). They was rather popular during the first period (at least so popular, as was Diskin), but not very popular during the other periods. May be it is caused by the socio-political context in the first period. Groups with same properties exist in the third and fourth periods.

Next, we have to consider Figure 2, which represents diagram of concept lattice for "Natsyonalniy interes". Here we also see the group of experts who rather popular than others during all four periods — they are Vitaliy Tretyakov (ВИТАЛИЙ ТРЕТЬЯКОВ), Natalia Narochnickaya (НАТАЛЬЯ НАРОЧНИЦКАЯ), Valeriy Fadeev (ВАЛЕРИЙ ФАДЕЕВ). Also we can notice some deviations at the specific periods, for example — Gleb Pavlovskiy (ГЛЕБ ПАВЛОВСКИЙ), who is rather popular in fourth period, but does not in the others.

The last diagram Figure 3 is about "Sudite sami". It has a more complex structure; it can be caused by the fact that more experts attended every issue of "Sudite sami", rather than "Natsyonalniy interes" and "Chto delat". In spite of tha, we can also make some conclusions about the experts' hierarchy. We also have some popular experts at the top of the lattice, for example — Valeriy Fadeev (ВАЛЕРИЙ ФАДЕЕВ), Sergei Kurginyan (СЕРГЕЙ КУРГИНЯН), Viktor Erofeev (ВИКТОР ЕРОФЕЕВ). But structure of such popular experts is different from other programmes. Considering "Natsyonalniy interes" and "Chto delat" we have some experts that dominate the others during all four periods, but there we have different popular experts over different periods. For example, Sergei Kurginyan (СЕРГЕЙ КУРГИНЯН) has high rates during the fourth and third periods, but not in the first and second, or Valeriy Fadeev (ВАЛЕРИЙ ФАДЕЕВ), who has high rates during the second and third periods, but not the first and fourth periods, or Vitaliy Tretyakov (ВИТАЛИЙ ТРЕТЬЯКОВ), who has rather high rates during the first and second periods, but not the third and fourth. In other words, we have there higher rotation of the popular experts rather than the other programmes.
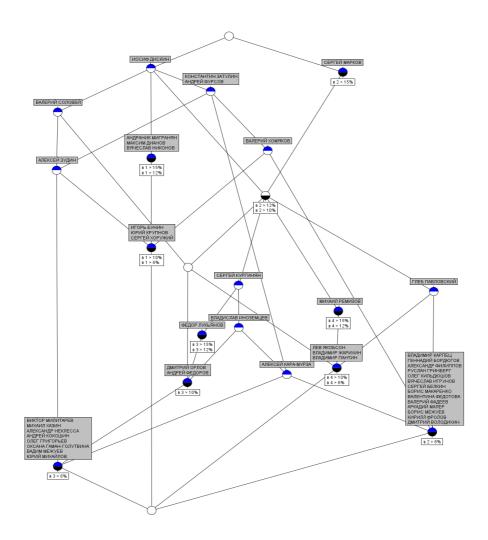
Figure 1. Diagram of the lattice represented "Chto delat?" ("What to do?")
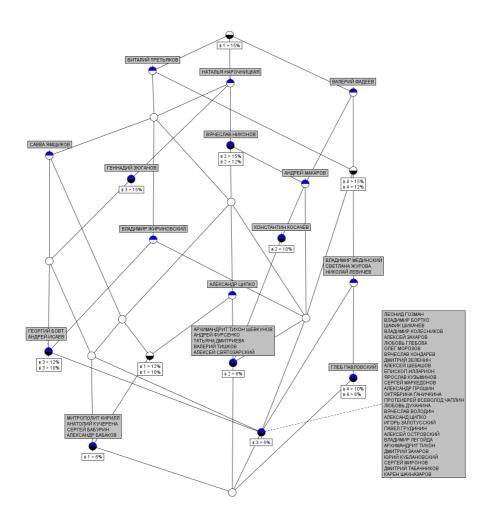
Figure 2. Diagram of the lattice represented "Natsyonalniy interes"
("National interest")
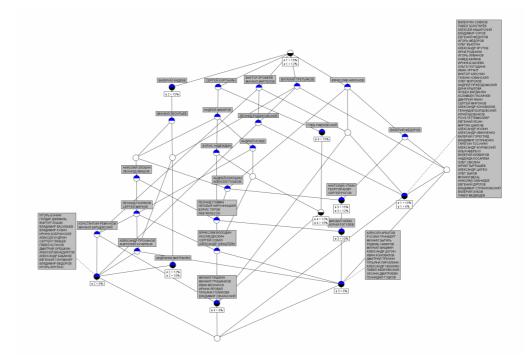
Figure 3. Diagram of the lattice represented "Sudite sami?" ("Judge by yourself")

We can conclude that there is no "monopoly" of a consolidated group of experts or individual political analysts on federal TV channels (analytical TV shows), and the wide spread opinion that we can see only few promoted persons in TV analytical programs is a stereotype.

But we can argue that there are some experts that dominate, or are "popular" in mass-media, especially in analytical TV programs (they are invited by programs directors more frequently than others). For example, Diskin and Markov; Migranyan, Dianov and Nikonov; Tretyakov, Narochnickaya, Fadeev; Kurginyan.

Anastasia Novokreshchennova, Maria Shabanova
Western Leaders on Democracy and Human Rights in Russia: avoiding the subject matter

Introduction

We know that historically Russia and Europe, Russia and the West were important actors for each other — either in terms of cooperation or in terms of rivalry. However, present situation remains questionable: on the one hand, both sides are interdependent on economic exchange with each other (energy resources, industrial and consumer goods); on the other hand — the dialogue between Russia and Europe looks strained and problematic, and cooperation is hindered by the lack of a new cooperation agreement, scandals and disagreements.

This situation brings up the question of what are the prerequisites of effective cooperation. Is it common values, economic interest, mutual challenges, continuous dialogue on mutual interests? We seek to analyze how these factors are present in the official speeches of Western leaders which refer to relations with Russia and to see how much emphasis the leaders put on economic benefits and on building a shared space of values.

We can safely say that democracy and human rights are a core of the modern values which are embodied in international institutions (such as the UN), in regional institutions or in countries' political systems and the workings of their business, politics, civil society, etc. While Western leaders express publicly support for democratic efforts and concern for violations of human rights and civil liberties, their motivation in doing so is an interesting research problem.

On the one hand, such concerns can be expressed at times of real violations happening, and therefore, signal a genuine interest in democratic development and respect for human rights. On the other hand, such concerns can be voiced by country leaders when different sorts of issues are at stake — gas, oil, trade, etc. — and then human rights and democracy can be just a pretext for gaining extra leverage in negotiations.

That is why we think that it is very important and relevant to study the discourse of foreign leaders and international institutions, in particular, to study the context in which they voice their evaluations and opinions of democratic development and human rights issues in Russia.

In our wider research project "Developing discrete mathematical models for political analysis of democracy institutions and human rights" we seek to analyze the discourse of Western foreign leaders and international organizations on the issues of democracy and human rights in Russia. The aim of this broader research is to find out the similarities and differences in the publicly voiced positions on these matters, and

then to construct a taxonomy of foreign leaders' positions regarding Russia's democracy and human rights development.

We suggest several possible research venues for this, such as

— to determine the context in which Russia is addressed in the speeches of Western leaders and international organizations;

— to analyze the role and importance of democracy and human rights agenda in the relations with Russia for the USA, the EU countries, and international organizations;

— to compare how different leaders and international organizations assess democracy development and human rights protection in Russia;

— to analyze the dynamics of such publicly voiced assessments.

However, we think that each of these aspects can be explored in a separate research, and we will not attempt to cover all of them simultaneously.

Research problem and data description

In this article we focus on analyzing in which context Russia is portrayed in foreign leaders' speeches and on the importance of democracy and human rights agenda in the relations with Russia for the USA, the EU countries, and international organizations. We also aim to see what opportunities for analysis of politics-related data (such as leaders' speeches) we can draw from using the set of mathematical approaches and methods know as Formal Concept Analysis.

Naturally, this analysis requires gathering of necessary data for analysis. While journalists often quote extracts from the leaders' speeches which mention Russia and democracy issues, we decided to start from the primary source — from full published speeches of leaders from Eastern and Western Europe, the USA, and of international organizations' spokespersons in which they address relations with Russia.

The primary collection of texts consists of 28 speeches delivered by 14 leaders (president, and/or prime-minister, or foreign minister) or spokespersons (applies to organizations only) in which topics concerning Russia were addressed at least in two paragraphs in the period from 2007 to 2010.

The primary collection of the texts includes speeches and interviews of the following political actors:

Table 1. Texts of foreign political leaders

#	Country/organization	Speaker	Speaker's position	Texts
1	Poland	Lech Kaczynski	President (2005-2010)	1
2	EU	Javier Solana	High Representative for the Common Foreign and Security Policy (1999-2009)	3
3	USA	Hillary Clinton	State secretary (2009-present)	3
4	USA	Barack Obama	President (2009-present)	2
5	UK	Gordon Brown	Prime minister (2007-2010)	1
6	NATO	Anders Fogh Rasmussen	Secretary General (2009 -	4

			current)	
7	NATO	Japp de Hopp-Scheffer	Secretary General (2005-2009)	1
8	France	Nicola Sarcozy	President (2007-current)	3
9	Germany	Angela Merkel	Prime minister (2005-current)	2
10	EU	Jose Manuel Barosso	President of the European Commission (2004-current)	2
11	EU	Benita Ferrero-Waldner	European Commissioner for External Relations and European Neighbourhood Policy (2009-2010)	1
12	Ukraine	Viktor Yanukovich	President (2010 -current)	1
13	Ukraine	Viktor Yushchenko	President (2005-2010)	1
14	Georgia	Mikheil Saakashvili	President (2004-2007, 2008-current)	3

We use at least two speeches made in different years by each leader or on behalf of an international organization. While this collection of texts is limited both in terms of time-scope and geographic scope, but we consider it fitting for initial research which will give us further directions in terms of data-gathering, possible conclusions, and for a trial of the formal concept analysis (FCA) methods in terms of how much information we will be able to receive and what changes should be made for improvement of the methods used. The collection of texts will be expanded in further research within an interdisciplinary research project[1].

This way, by analyzing the collected data we can address two research tasks: to determine the context in which Russia is addressed in the speeches of Western leaders and international organizations; and to analyze the role and importance of democracy and human rights agenda in the relations with Russia for the USA, the EU countries, and international organizations.

Hypotheses regarding foreign leaders' discourse on Russia:

Both mass-media and researchers produce a lot of assumptions about Western discourse on Russia: that it is favorable, or that it is degrading back into cold-war era, or that it depends highly on current political climate, etc. Many of these assessments are contradictory, and are sometimes based on impressions from one statement or article rather than on proper research of texts. However, approaching our collection of texts by Western leaders and international organizations spokespersons we formulated several hypotheses which we would like to check and either verify or disprove.

As a hypotheses we assume that (1) democracy values have a higher priority for Western leaders in their relations with Russia than economic interests. If it is indeed so, the next logical step will be to say that (2) foreign leaders' discourse on democracy and human rights in Russia reflects genuine concern for sidestepping from

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democratic development and human rights violations. However, if the first assumption will not be supported by the data analysis, we can say that Economic interests hold priority over democracy concerns for Western leaders in relations with Russia. In this case, the leaders' discourse on human rights and democracy is not more than a tool for achieving economic or other goals by pressuring the country on the topics in which it has faults.

In order to carry out our research, we used Formal Concept Analysis (FCA) methods which are generally applied to an empirical description of documents so as to reveal the taxonomical structure of the underlying domain. With this set of mathematical methods we hope to achieve a verifable and objective picture of how Western leaders regard relations with Russia. However, the particular text corpus used in our experiments is insufficient for definitive conclusions. It serves primarily as a testing ground for different methods of text analysis, and it will be expanded in further research in order to reach a higher level of validity for the conclusions.

Formal Concept Analysis Approach

Formal Concept Analysis (FCA) is a methodology of data analysis and knowledge representation, which has been proven useful in a wide range of application areas such as medicine and psychology, sociology and linguistics, information technology and computer science [2]. It has been developed as a field of applied mathematics based on a mathematization of concepts and concept hierarchies. The basics of the mathematical theory are represented in [1]. In this section we briefly recall the FCA terminology. A (formal) context is defined as a triple $K = (G, M, I)$, where G is called a set of objects, M is called a set of attributes and the binary relation $I \subseteq G \times M$ specifies which objects have which attributes, i.e. gIm — the object g has the attribute m. For $A \subseteq G$ and $B \subseteq M$ the derivation operators are defined as follows:

$$A' = \{m \in M \mid \forall g \in A : gIm\}, \qquad B' = \{g \in G \mid \forall m \in B : gIm\}.$$

Put differently, A' is the set of all attributes common to all objects of A and B' is the set of all objects sharing all attributes of B.

The double application of $(\cdot)'$ is a closure operator, i.e. $(\cdot)''$ is extensive, idempotent and monotonous. Therefore, sets A'' and B'' are said to be closed.

A (formal) concept of a context (G, M, I) is a pair (A, B), where $A \subseteq G$, $B \subseteq M$, $B' = A$ and $A' = B$. In this case we also have $A = A''$ and $B = B''$. The set A is called the extent and B is called the intent of the concept (A, B).

A concept (A, B) is a subconcept of (C, D) if $A \subseteq C$ (equivalently $D \subseteq B$). In this case (C, D) is called the super concept of (A, B). All concepts, ordered by subconcept-superconcept relation form a lattice, which is called the *concept lattice* of the context K. Lattices are visualized by so-called line (Hasse) diagrams.

Here we apply methods of FCA to the 28 documents described above in order to represent the taxonomical structure of a given domain in a form of a concept lattice. The building of lattices requires assigning some types of data as 'objects' and others as

'attributes'. In this research we build lattices of three types each time taking documents as objects. However, these types of lattices differ in the way documents are described. In particular, we derive attributes of three different types for describing the documents: (1)frequent words, (2) latent topics, and (3)named entities.

Attribute extraction is done with the help of preliminary text processing of the documents, i.e. also by a mathematical, verifiable method. It should be noted that construction of contexts involved two common assumptions — the use of stemming, and a stop list. The major advantage to using stemming is that it collapses all morphological variants of the term to a single root form. We apply the Porter stemmer [3] to our texts which is the system most-used for this purpose retrieval from collections of English documents. Stop-words elimination is traditionally performed using stop-word list. We also applied pruning technique based on the notion of stability [4] to the obtained structures in order to make the resulting diagrams intelligible.

Frequent references in foreign leaders' discourse on Russia

First of all we constructed a lattice based on frequent words. The initial context included 20 most frequently used terms for each of the 28 documents. The reduced substructure of the corresponding lattice featuring the 31 most stable concepts (which passed the minimum set threshold for frequency) is presented in Fig.1. We use the term "concepts" to refer to part of the diagram only in the mathematical part of explanations, as in social sciences it is a word heavily loaded with a different meaning, and we would like to avoid confusing the two.

Each node in the diagram is a formal concept: a set of objects (concept extent), documents in our case, and a set of attributes (concept intent) — words or terms occurring in these documents most frequently. Figures in squares show the sizes of concept extents, i.e. the number of documents in a corresponding concept. Labels with text in them are attributes' labels. To read the intent of a node, we follow the ascending paths starting from this node and collect the text labels on these paths.

For example, a concept in the left part of the figure which consists of 6 documents has an intent {"global", "europ", "European"}, meaning that in six documents the three terms — global, Europe, and European — were among the 20 most frequent terms. Therefore, from this lattice it is possible to provide the following description concerning the area of discourse by European countries and the US the situation with Russia.
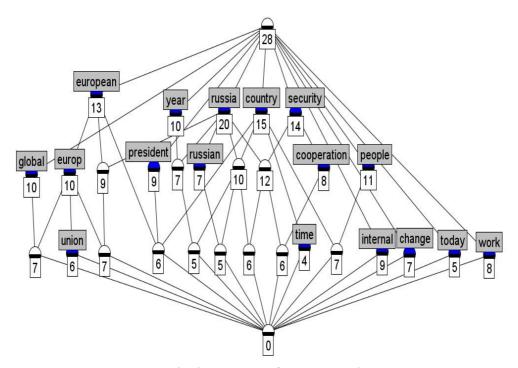
Figure 1. Diagram built upon most frequent words.

The term "Russia" is obviously a central issue — this word is one of the most frequent in 20 documents out of 28. It is also a parent for several associated subtopics such as concepts with intents {"security", "Russia"} and {"European", Russia"}. From the lattice diagram (Fig.2) we can see that security issues are mentioned in relation to Russia in 12 speeches out of 14. Nine out of thirteen documents featuring European Union among their most frequent words are also connected to those featuring Russia.

Methods of Formal Concept Analysis allow us to draw several conclusions from this lattice representing data. In the discourse of foreign leaders in their extended/full speeches concerning their relations with Russia (i.e. highly official ones) two main groups of meaning are (1) Europe's role in global context and (2) Russia's role in sphere of security cooperation. Analyzing the diagram, we can see that all the references to cooperation were made only in realm of security.

As on the lattice diagram neither "Russia" nor "security" are connected with the nod marked "global", we can assume that Russia is not perceived as a partner and important stakeholder on a global scale. Russia is quite closely connected to Europe and European issues in the Western leaders' speeches, but from the current lattice (Fig.2) we cannot determine whether it is a positive (e.g. 'partner') or negative (e.g. 'threat') relevance. Also, security issues are mentioned in relation to Russia in 12 speeches out of 14, which shows us that it is a matter of primary concern for Western leaders in relations with Russia.

As for Europe itself, since the analyzed speeches we both by leaders of European states, and by "outsiders" (USA, international organizations) — we can say

that the result reflects both the perception of Europe by these actors and its self-representation — as a global as well as regional political player.

As in this research we put a special emphasis on the place and role of discourse about democracy and human rights, we sought to check our hypotheses — that democracy and human rights are among the central issues for foreign leaders in relations with Russia and are more important than economic interests. Analyzing the results of applying our first method of words frequency, we cannot say that hypotheses were verified: in the unabridged speeches of foreign leaders where they referred to relations with Russia the topic of democracy and human rights wasn't a primary one, with two exceptions — in speeches of Hillary Clinton and Barack Obama. As a mode of explanation, we suggest that since Europe is closer to Russia both geographically and in terms of interdependence (resources, trade, etc.), European leaders tend to be more reserved on matters of democracy and human rights in Russia in their official speeches, instead turning their attention to topics of security in Europe and cooperation. However, the USA and Russia do not have close enough economic ties to be highly dependent on each other, and thus the USA leaders, unlike Europe, can emphasize the issues of democracy and human rights without having to put economic concerns on the other side of scales.

Frequent topics in foreign leaders' speeches on relations with Russia

The second approach used for attribute extraction from documents is based on probabilistic modeling of text [6]. The basic idea of it is that documents are represented as random mixtures over latent topics, where each topic is characterized by a distribution over words.[2] Here are 12 out of 20 topics that were most closely related to the issues that interested us. Not all the topics will be presented at further diagrams (Fig.2 and Fig.3), only those which passed the pruning procedure.

Latent topics:
— **Economics and financial crisis**
— **Democracy and human rights**
— **Future of the US policy and disarmament issues**
— **France**
— **Russian — Georgian conflict**
— **Russia and energy issues**
— **Global issues**
— **Security**
— **Solving conflicts**
— **European Union**

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[2] We applied a generative probabilistic model latent Dirichlet allocation (LDA) [5] model to our dataset of 28 political texts taking the number of latent topics equal to 20. As previously, before running the model, all words in the documents were stemmed with Porter algorithm and stop-words were eliminated. In the tables below there presented word distributions for several of the obtained topics. The words in the topic columns are arranged according to probability assignment of a word to a certain topic according to the formula of the LDA model. The topics have been given names empirically according to the words they contain.

— **Ukraine**
— **Russia and the NATO**
— **Eastern countries**

Using obtained topics we construct a context taking topics as attributes for the documents — a topic is assigned to a document if the total number of times that words in the document were assigned to a particular topic exceeds a certain threshold. The resulting substructure of the corresponding pruned lattice is presented in Fig.2. Lists of words in squares represent the first six words assigned to a topic with the highest probability.

According to this lattice it can be concluded that the most relevant topics are those connected with European Union (topic represented by such terms as "europ", "european", "union", "idea" and assigned to 12 documents), global problems ("global", "polici", "institut", "issu", "e ort", 14 documents) and security issues ("secur", "today", "member", "challeng", "afganistan", "starteg", 14 documents), as well as energy resources ("russia", "relat", "russian", "interest", "energi", "medvedev", 12 documents). There is a concept corresponding to the topic of Russian-Georgian conflict which contains 5 documents. It is also can be noticed that there is a topic related to the possible ways of solving conflicts and problems ("question", "discuss", "cours", "integr", 13 documents). This topic is connected with the concepts corresponding to European Union and security issues. In addition there is an isolated concept related to economic development of China ("peopl", "work", "commit", "econom", "help", "china", 9 documents).

In order to make further analysis more easily traceable on the diagram, we marked the nods relating to the key topics on the Fig.2
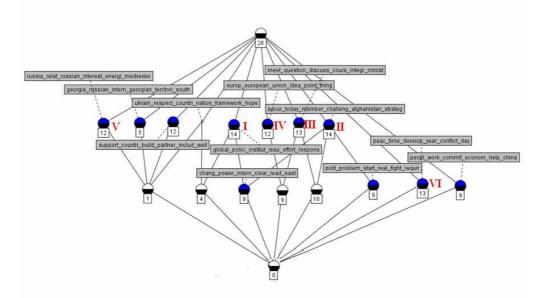
Figure 2. Diagram built upon latent topics

Let's analyze the data on the diagram step-by-step in the order from most frequent topics.

— One of the most frequent topics that was extracted by the method refers to global issues — {global, policy, institutes, issue, effort, response}, meaning that Western leaders consider global issues to be a priority, and indicating the framework for addressing them — global institutions. It indicates the feeling of responsibility toward the arising issues, that global agenda matters highly for Europe, USA and international organizations, and they are willing to make efforts to tackle the issues.

— Second topic refers to the specifics of global agenda which concern Western leaders the most — to the security issues. The biggest security challenge is seen in the situation in Afghanistan, and they search for a strategy to resolve it.

— Third topic addresses the ways in which the above-mentioned challenges can be tackled. We can see that Western leaders propose to use democratic discourse and procedures — to consider issues through meetings, discussions and policy of integration.

— As the previous topic referred to 'technology' of solving problems, the fourth one brings us to the question of who should be doing it. The conclusions which we draw from the lattice-diagrams refer to each other in a cohesive way: we see again that Europe presents itself as a global actor which generates the ideas and shapes the security agenda, suggests the ways to address it and also has the framework to do so — via European institutions.

From the central part of the diagram we see that these four topics are highly interconnected, and we can generalize them in the following way: 1. problem-defining, 2. focus of the problem, 3. way of addressing the problem, 4. actor or institution which will address it. By analyzing the speeches of Western leaders we can see that Western and specifically, European leaders address their global role comprehensively: by defining the agenda, by suggesting the means of action and the actors who should take the tasks upon them. It means that European leaders have a clear vision of the framework which can be used for addressing global challenges, and they approach the problems comprehensively (articulating them, finding ways to solve), and they are ready to engage other actors in this process. Does that mean that Russia is viewed as one of such prospective partners? From the data which we analyzed, it doesn't.

— When we analyze the results of topic-frequency analysis which mention Russia, we see that these nodes are isolated from the central ones which we described earlier and are not connected with them. Russia is regarded in the context of energy resources, of D. Medvedev's presidency, and of its conflict with Georgia and territorial disputes in South Caucasus. It suggests the conclusion that Western leaders do not regard Russia as a partner in addressing global issues, but more in the context of European security space where Russia could act as a generator of risks (energy resources, conflicts).

However, we should not forget that security issues were a central concept in the diagram which we obtained by applying the previous FCA method to the collecting of texts. But if we look closer, we can note that in previous diagram security was considered largely in European context, whereas the diagram

which was produced by the second FCA method deals with security in the global context. We see that in the first case, Russia is closely connected to the security agenda, but in the second case it relates to security issues only as a possible source of disturbances (e.g. conflict with Georgia), but stays disconnected from global issues, including security-related ones.

— Moreover, a closer look at the diagram shows us that it is not only Russia which is perceived that way — but also China. When we analyze the nods relating to it, they are as isolated as topics concerning Russia, not related in Western leaders' discourse and worldview to solving global problems, but rather to generating risks instead. Even though both Russia and China are resourceful countries both politically and economically, their self-presentation and actions on the global arena do not encourage Western leaders to engage these two actors into partnership to address global issues.

Who are the actors?

The third approach we used for attribute extraction in Named Entity Recognition (NER). NER is the process of finding mentions of fixed types of information in human language.

For constructing taxonomy of named-entities we took 38 paragraphs derived from the 28 texts. The paragraphs enlighten solely issues concerning Russia. From these paragraphs we extracted three types of named entities — names of persons, organizations and geographical objects and use them as attributes for describing the documents while constructing the lattice. The resulting pruned structure is presented in Fig. 3.

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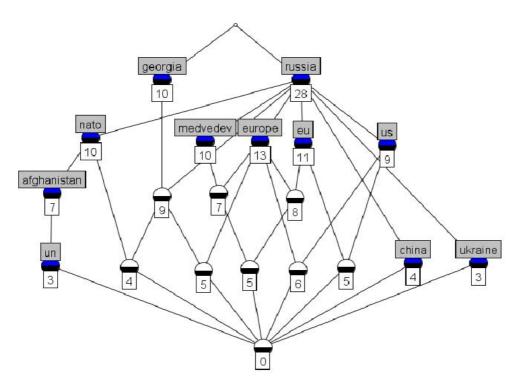
Figure 3. Diagram built upon named entities

From this lattice it can be seen which persons, organizations and locations are discussed in the context of Russia. It can be noticed that Europe and European Union are the most discussed topics as it appeared in previous results. It is worth noting that United Nations as an actor is mentioned only in the context of Afghanistan, which in its turn is mentioned solely in the context of the NATO.

We can see from the diagram that Russian president D. Medvedev is connected in a lot of cases in the speeches of Western leaders whenever Europe is also considered — while there is no mention of Russian prime minister V. Putin, who is still very influential on the domestic political field. However, it looks like at least in terms of relations with the West, D. Medvedev is considered on official level as a primary partner.

It is also interesting to note that Georgia is referred to in the speeches of Western leaders more frequently in the context of Russia, than of Europe or the NATO, which is an interesting piece of data since Europe, and France in particular, spent a lot of efforts to try and achieve a diplomatic solution to the conflict.

Conclusion

By applying the method of lattice-based taxonomy — and combining various ways of language processing — we were able to analyze the discourse of Western leaders' concerning their relations with Russia and the role of democracy and human rights issues in this discourse.

Results obtained with different mathematical models exhibit similar hierarchical structures of the speeches. While initially we wanted to concentrate on the specifics of democracy and human rights issues raised by the leaders in regard to Russia, we discovered that these topics have a quite marginal place in comparison with security or energy trade for Western leaders in their official speeches referring to relations with Russia. However, the analysis showed that American leaders tend to raise questions of democracy building and protecting human rights, while European leaders tend to concentrate more on economic or security matters. As we could not explore the topics of democracy and human rights in leaders' discourse further within the current dataset, we turned to another point of focus for this article — the context in which Russia was mentioned in foreign leaders' speeches.

Method of frequent words allowed us to analyze the context in which Western leaders regard their relations with Russia, which for the analyzed data turned out to be security issues. It also revealed the perception of Europe and its role as a global actor by the foreign leaders.

With the help of latent topic modeling we were able to specify and describe these issues more thoroughly. We saw that Russia is not considered as a partner in addressing global problems. Moreover, even in the context of European security Russia is mostly considered as a source of risks (e.g. gas trade problems, conflict with Georgia, etc).

We could also see that USA leaders are more likely to raise issues of democracy and human rights in regards to Russia, while European ones prefer to address regional security and energy trade concerns. The analysis also showed the image and role of Europe as regarded by Western leaders — as a global actor and also

as a framework for democratic practices which can be used to address the pressing issues on global agenda — such as the situation in Afghanistan, or regional and local conflicts.

From both these observations we can conclude that European leaders prefer not to bring up potentially confrontational topics in relations with Russia, such as democracy issues and human rights violation, as when the country is regarded as a source of risks to security, but is still an important partner in trade, energy supplies etc., the strategy of its neighbours is to focus on their priorities regarding security instead of getting involved in advancing democracy in that country.

The results obtained with named-entity lattice model are rather similar to findings obtained with other lattice-based methods — it revealed the most frequent and significant in the context names of persons, countries and organizations. However, we concluded that it could be more useful to merge name-entity recognition method with the latent topics model, for instance, by taking named entities as a set of objects and topics as a set of attributes. We have added it as a new task to our wider research project on using mathematical models in studying democracy and human rights, including their role in leaders' discourse.

On the whole, building lattice-based taxonomies using various language processing techniques is a promising way for obtaining additional knowledge regarding open and hidden intentions of political actors. What is important for social sciences is that the knowledge is obtained without collecting any additional information except the primary data, and by a "neutral" tool, which enables us to see deeper connections between notions used by the actors in their texts.

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Chapter Four. Corporate Social Responsibility

Introduction of Research Working Group

This chapter presents papers by the participants of the working group "Corporate Social Responsibility and the Transformation of Global Economy". Olga Melitonyan, Ass. Prof. of HSE, Caroline D. Ditlev-Simonsen (Norwegian Business School, Researcher, Department of Public Governance) were the academic supervisors of this group.

The group worked on several research problems. Before the global structural crisis, the interest to corporate social responsibility (CSR) and corporate citizenship (CC) on behalf of various economic and social actors in many countries including Russia, was growing steadily. Numerous hot discussions in mass-media and at international platforms covered the role of Russian companies in the social and economic development of the country, opportunities and efficiency of their interaction with local authorities and communities. Nevertheless, the words "corporate social responsibility" and "corporate citizenship" remained unknown and unexplained for the majority of Russian businesspeople. Even those who had an understanding of CSR and CC from the international experience could not clearly see the practical need and importance of these concepts under the conditions of Russian firms that are functioning in the "reality" that is very different from the one in the developed European and North American countries.

The global crisis seemed to have switched the attention of companies' CEOs, local and federal authorities and other actors all over the world from the CSR discussion for many months ahead. Economic systems concentrated on their structural changes and guaranteeing the survival of their most important elements. However, reactive activities are sooner or later followed by the recognition of the need to follow "new rules" and to work out a sustainable competitive strategy that will take into account global and local changes occurred. The work of the research group "Corporate Social Responsibility and the Transformation of Global Economy" implies not only the participants' analytical and research activity aimed at opening new CSR and CC trends but also the analysis of the process of building sustainable and mutually effective relationship in the triangle state-society-company. This aspect is especially important given that the current crisis and post-crisis conditions are characterized by a high level of social intensity in companuies, the change of employer-employee relationships, and the transformation of interactions between such actors as companies, local authorities and regional communities. In this situation, CSR offers an efficient toolkit allowing to obtain the balance of interests and to create conditions which are most favorable and productive for companies of any particular region. Special attention in the course of group work was paid to the analysis of economic effect from CSR programs at the Russian plants, to forecasting changes in this field caused by crisis but yet essential under new post-crisis economic conditions.

The aim of the project was to conduct a comparative study and highlight new trends in the field of corporate social responsibility and corporate citizenship caused by structural changes in global business environment; to work out sound practical recommendations regarding the formation of sustainable and mutually beneficial relationship in the triangle state-society-company in Russia; to analyze an economic effect from CSR programs at the Russian plants.

Research findings of the working group can be viewed in the papers prepared by the participants, including "Comparative study of Corporate Non-financial Reporting practices: cases on USA, Europe and Russia" by Zoya Bragina; "Bottom of Pyramid (BoP) markets: how can this concept be used to facilitate the eradication of poverty in Russia and CIS countries" by Elena Druzhinina; "Competition and "Coopetition" in Russian Internet Retailing : new forms of Corporate Social Responsibility" by Maxim Markin, Elena Nazarbaeva, Svetlana Borisova; "Characteristics of the German model of Corporate Governance: case of Allianz SE and prospects after the world financial crisis" by Levykina Kseniva, Nachinkin Denis.

Zoya Bragina

Comparative study of Corporate Non-financial Reporting practices: cases on USA, Europe and Russia

Introduction

Non-financial reporting has currently become a mainstream practice, driven by the potential business value generated through enhanced stakeholder reporting and communication. Stakeholders are increasingly interested in understanding the approach and performance of companies in managing the sustainability (environmental, social and economic) aspects of their activities, including the potential for value creation. For example, there is a growing recognition amongst investment analysts that numerous business drivers, including environmental, social and governance ones, upstream the company's profit and contribute to long-term financial performance and investment returns. Changing legislative requirements and regulatory regimes, for example in relation to greenhouse gas emission reporting, are influencing the trend towards sustainability reporting.

Although there is no single, universally accepted definition of non-financial reporting6 this broad term is generally used to describe a company's reporting on its economic, environmental and social performance. It can be synonymous to triple bottom line reporting, corporate responsibility reporting, corporate citizenship reporting and sustainable development reporting but increasingly these terms are becoming narrower and more specific.

Non-financial reporting is prevailing due to the growing recognition that sustainability related issues can materially affect a company's performance, demands from various stakeholder groups for increased levels of transparency and disclosure, and the need for companies (and the business community more generally) to appropriately respond to issues of sustainable development. In academic management literature dedicated to the phenomenon of non-financial reporting, an emphasis is placed on managing the expectations of powerful stakeholders, notably capital providers, and pretending to be responsive to "public pressure" (Adams, 2002).

Most of the non-financial disclosure research focuses on examining multinationals or corporations from developed European, American or Australian regions, and very few dare compare them to companies originating from underdeveloped economies and explain the differences. The current study begins to address thsi gap in the literature by doing content analysis of non-financial reports of American, European and Russian banks, oil & gas and metal companies published during the last last years. The general purpose of the study is to critically examine the possible differences and similarities in the nature and way the non-financial information is disclosed, and thus to illuminate some of the driving forces behind the non-financial reporting with the help of the stakeholder theory.

Within this broad aim the following objectives we will:
— Identify the variations in the form and major features of non-financial reports;
— Recognize the issues disclosed in non-financial reports;
— Reveal and analyze cross-cultural differences in non-financial reporting practices and propose their possible underlying reasons.

This study has several limitations. Firstly, in order to observe the evolution of companies' non-financial reporting approach, only the national (not subsidiary) companies who have the non-financial (and not only environmental) continuous reporting history of no shorter than 5 years long (starting the year 2004) were selected. There were only 3 of them in Russia, so the sample may be not fully representative. As a result, conclusions about non-financial reporting practice may not be applied to all Russian companies from the respective industries. Moreover, this didn't allow us to preselect the companies by their size and financial results to make them more comparable to the companies from the other regions.

The second limitation of this study is the use of the materiality issues table, which was designed to be short in order to facilitate and accelerate the analysis of the reports. As a consequence, the research is not that detailed as it could be and its results are not so exciting.

This paper will present a brief review of prior studies of corporate social responsibility, stakeholder theory and non-financial disclosure, and a description of the research method employed in the study. Then content analysis results will be presented. The final section of the paper offers some analytical comments on the study findings together with some reflections on their implications for future practice

Literature review

Through a careful review of what has been written about corporate social responsibility (CSR) and non-financial disclosure it will be easier to assess the overall role the non-financial reporting plays in business and social environment. The theoretical review starts off with the definition of the key terms. According to Dahlsrud's (2008, p.7) analysis of the definitions of CSR, the most frequently used one was that given by the Commission of the European Communities. It defines CSR as "a concept whereby companies integrate social and environmental concerns in their business operations and in their interaction with their stakeholders on a voluntary basis". This assumes that the entity is influenced by and, in turn, has influence upon the society in which it operates (Deegan, 2002).

CSR disclosures have been defined by a number of researchers. Deegan and Rankin (1996, p. 51), for instance, describe such disclosures as "disclosures relating to the interaction between an organization and its physical and social environment inclusive of disclosures relating to human resources, community involvement, the natural environment, energy and product safety." To that effect, corporate disclosure is seen as a method by which management can interact with broader society to "influence external perceptions about their organization" (Deegan 2002, p. 292)

Existing literature in corporate social responsibility considers reporting as a necessary component of societal accountability, and is of particular concern to accounting scholars. A critical review of what has been written about corporate non-financial reporting suggests that there is considerable variability on how scholars and

organizations view this process. Rob Gray (2002), one of the leading scholars on social and environmental reporting, provides excellent summary of the accounting literature in this field.

There is a growing number of empirical studies on firms' non-financial disclosure. The author' has seen that the most popular theoretical frameworks used to explain the phenomenon of non-financial disclosure include the legitimacy theory (Deegan, 2002), the stakeholder theory (Zadek, 1998, Belal and Owen, 2007), political economy, information economics and some other. The common normative theme within the academic literature is that CSR reporting enhances accountability (Bebbington et al., 2008).

The present study uses stakeholder theory in attempt to explain CSR disclosures in non-financial reports of companies across the world, including Russia. The theory addresses morals and values in managing an organization. It was originated by Edward Freeman in 1984. "Stakeholders are identified by their interests in the corporation, whether the corporation has any corresponding functional interest in them… Stakeholder analysts argue that all persons or groups with legitimate interests participating in an enterprise do so to obtain benefits" (Donaldson and Preston, 1995).

In that respect, a stakeholder is ''anyone who is directly or indirectly involved with the corporation: employees, citizens, shareholders, NGOs, unions and government agencies, in short: the social and physical environment'' (Clarkson, 1995). Clarkson notes that a multi-stakeholder dialogue is not a straightforward and simple activity. Since the early 1980s, the concepts of stakeholder and multi-stakeholder dialogue play a central role in discussions on CSR. Clarkson (1995), over viewing his data from more than 50 case studies, concludes that corporate social responsibilities, responsiveness, and performances are best understood by analyzing and evaluating the way in which corporations actually manage their relationships with employees, customers, shareholders, suppliers, governments, and the communities in which they operate. Thus, Clarkson's long-term study of corporate behavior indicates that companies deal with stakeholders, not society, and that CSR must distinguish between stakeholder needs and social issues; managers can address stakeholder requirements but not abstract social policy.

The simple consideration of the different stakeholders does not mean, however, socially responsible behavior on the part of the firm; it is necessary to know who the most relevant stakeholders are and to what extent their needs have been integrated into the management strategic objectives. Friedman (1970) argues that social responsibility of the firm is only to its shareholders. Under stakeholder theory propositions (Donaldson and Preston, 1995), by generating value for the different stakeholders, value is also generated for the shareholders. Moreover, a weak stakeholder orientation will have a negative effect on the firm's performance and, thus, on the shareholders' value (Frooman, 1997). Clarkson (1995) states that: ". . . the survival and continuing profitability of the corporation depend upon its ability to fulfil its economic and social purpose, which is to create and distribute wealth or value sufficient to ensure that each primary stakeholder group continues as a part of the corporation's stakeholder system". Husted and de Jesus Salazar (2006) suggest that by taking a CSR strategic approach, firms would increase shareholder's value, at the

same time as they comply with responsibilities/commitments to society and other stakeholders.

According to a famous British CSR specialist Simon Zadek, "Business ethics can only become a reality if stakeholders that … have leverage over a company's business performance decide that their views need to be heard and taken into account" (Zadek, 1998, p.1423). From this point of view even "unethical" behavior is permissible if stakeholders don't mind and react negatively. However, social concern about all the ethical and environmental issues is growing nowadays, so is the number of cases illustrating the link between business response to stakeholder needs and its financial performance (take the Nike case, for example). Customers represent the most powerful stakeholder group for retail and consumer products, but also staff can influence corporate results and behavior a lot (Zadek, 1998).

Zadek also claims that "a "stakeholder-based company" that is able to build trust and integrity into its key relationships thereby lowers the cost of establishing and maintaining … networks of suppliers, staff and regulators" and takes "advantage of the technological and regulatory changes" (Zadek, 1998, p.1424). On the other hand, being ethical doesn't allow companies to cut costs using child labor or testing cosmetics on animals. Therefore they do their best to show off their every responsible action or sometimes even build their business strategies on strong ethics and CSR values like Levi Strauss and The Body Shop do (Zadek, 1998).

Corporations try to understand various needs of their major stakeholders, how they vary and influence the stakeholders' behavior. By-turn "social and ethical accounting, auditing, and reporting provides one of the few practical mechanisms for companies to integrate new patterns of civil accountability and governance with a business success model focused on deepening stakeholder relationships around core non-financial as well as financial values and interests" (Zadek, 1998, p.1421).

With respect to the quantity of non-financial reports nowadays, there is growing support that the following factors are associated with greater disclosure of environmental information through corporate communications: firm size, membership in an industry facing significant environmental issues, financial performance, media exposure, and being subject to regulatory proceedings (Adams, 2002).

Though there have been a number of studies looking specifically at social and environmental, information across countries, many of these studies have examined this issue in the developed West (Adams et al., 1998). They provide some evidence of differences in the number and types of disclosures across countries. The extent of these differences is difficult to determine because of the different characteristics (for example size and industry composition) of companies making up the samples from each country. In addition, the extent to which these apparent differences in reports are determined by, for example culture, the extent of regulations demanding social (and environmental) responsibility, and the power of pressure groups, is under-theorized. On the other hand, very few studies have examined CSR disclosure practices in the developing countries, e.g., Bangladesh or Russia (Belal, 2007, Нефинансовые отчеты компаний…, 2006 Развитие социально ответственной практики, 2008).

Having read the literature featured above, one can assume that companies will seek to disclose only those issues that are of particular interest to their main stakeholders, and these stakeholders may vary across countries and industries and over time. In this research framework, we will discuss whether companies take different

approach to non-financial reporting depending to their stakeholders. It is against this background that the research objectives, the problem statement and the methodology discussed next were set.

Methodology

The general research perspective was focused on secondary data obtained from approximately 45 non-financial corporate reports issued by 9 organizations, representing similar industries of Russian, European and the US economies (3 from each region) during the last 5 years. For the list of the companies under examination see Figure 1.

The non-financial reports were obtained from the official web-sites of the companies listed in Figure 1. In order to make replicable and valid inferences from disposable data, content analysis approach was used.

Figure 1. List of companies under examination

Company	Country	Industry
Tatneft	Russia	Oil&Gas
Norilsk Nickel	Russia	Metals
Alfa-Bank	Russia	Banks
Chevron	USA	Oil&Gas
Alcoa	USA	Metals
Citigroup	USA	Banks
BP	UK	Oil&Gas
Xtrata	Switzerland	Metals
BNP Paribas	France	Banks

The analysis of the non-financial practice was conducted with a view to the following main features of the report: accessibility, application of the standardized approach to reporting system, accordance to generally accepted reporting standards, availability of a verification statement, availability of feedback instruments and the report contents.

Content analysis of non-financial reports was limited to examination of how the following information is disclosed: clearness of the long-term development strategy; description of the corporate social responsibility / sustainable development concept; connection between development strategy and corporate social responsibility / sustainable development concept; CSR approach and performance of the companies; stakeholder engagement approach; the reporting process management approach.

Basing on the content analysis of non-financial reports, we revealed a series of material issues characterizing the significance, completeness, reliability, clarity and the level of transparency of the disclosed information.

The material issues were systemized in a table which was afterwards used as a measurement instrument. The content units were classified basing on the following

criteria: whether the companies listed some CSR awards and competitions; whether they presented some key documents regulating CSR; whether the management of CSR issues and the stakeholder involvement were mentioned; whether the companies' CSR activities extended to their human resources, their customers, the environment and the community; whether there was a company profile, a financial perfomance disclosure, an assurance statement and a feedback form; whether the reports were composed according to international standarts.

Each of the reports was assessed according to the prepared list of CSR disclosure issues in the following manner: presence of material issues in the report for particular year and for particular company was marked with "x" in a corresponding cell. Assessment of all the reports was put in the final table for the purpose of visual demonstration of CSR disclosure development during the last five years, and of differences and similarities in non-financial reporting practices across different industries and the regions of study. For final results, see comparative table in Appendix A.

Results

The results of the study are presented in the table in Appendices B, C and D. As once can see, there are no significant differences in non-financial reporting practices across regions of study, which means that the anticipated results were not obtained. The only company whose reporting results seem to be poorer than the others' is Alfa-Bank. BNP Paribas, a French bank, has better reporting results, but still discloses less information than all the other companies that were examined. The fact that banks disclose less is not surprising. In comparison with the other companies, especially those that deal with the extraction of resources and real production, banks have less impact on the environment and do not include such information into their reports. The main difference is the reason for disclosing the information. While European and American companies do this to satisfy their stakeholders in the first place, Russian companies are primarily interested in matching international reporting standards, while the main stakeholder is the Russian government.

Although no real contrast between non-financial reporting practices was found, it is obvious that there are much fewer Russian companies that do disclose information at all, and that can be considered the biggest difference. We can only hope that the situation will change in a foreseeable future and then it will provide us with a wider selection of data for analysis.

Conclusion

In conclusion, it appears that corporate social responsibility is an issue of growing interest in the business sphere across the world, and that the publicly listed companies chosen for this research are voluntarily disclosing information regarding their CSR activities. This present exploratory study analyses the annual reports of the nine large companies in the banking, oil and gas, and metals industries to observe what is being done practically by these companies and to find out the main differences in the practices of non-financial disclosure.

The original hypothesis was that there would be some differences in the level of disclosure and primarily between the Russian and the EU and the US companies but

it didn't find any proof. Our main result is that the major differences are not in the way companies report on their CSR activities,but in the fact whether they do report at all.

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APPENDIX A CSR issues table

Country		
Industry		
Company name		
Year		
Company profile		
CSR awards and competitions		
Key documents regulating CSR		
Management of CSR issues		
Link between company's mission/values and CSR strategy		
Environment (direct and indirect impact)	Climate change and greenhouse gases	
	Air emissions	
	Water management	
	Waste management	
	Energy efficiency	
	Soil reclamation	
	Biodiversity	
	Other issues	
Workplace	Safety	
	Health	
	Professional education and development	
	Responsible restructuring and retirement	
	Remuniration and motivation	
	Corporate culture	
	Other issues	

Customers		
Community	Local communities support	
	Sponsorship and charity	Culture
		Health
		Sports
		Youth & Children
		Elder People
		Religion
		Nature
	Education development, traineeships	
	Other issues	
Economy	Financial performance	
	National/local economy development	
Corporate governance and ethics		
Stakeholder engagement		
	Employees	
	Mass media	
Responsible supply chain		
Innovations		
International memberships and commitments		
Report characteristics	Accordance with international standards	GRI
		AA1000
		UN Global Compact
	Assurance statement	

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Feedback form		
Name	Social report	
	Sustainblity report	
	Corporate Responsibility Report	
	Citizenship Report	
	Social, economical, ecological and innovation report	

APPENDIX B Research results for the Russian companies

VARIABLE		Total	RUSSIA														
Country		1	Banks					Metals					Oil&Gas				
Industry		3	Alfa-Bank					Norilsk Nickel					Tatneft				
Company name		3															
Year		15	2004	2005	2006	2007	2008	2003-2004	2005	2006	2007	2008	2004	2005	2006	2007	2008
Company profile		10						x	x	x	x	x	x	x	x	x	x
CSR awards and competitions		13	x	x	x			x	x	x	x	x	x	x	x	x	x
Key documents regulating CSR		11	x					x	x	x	x	x	x	x	x	x	x
Management of CSR issues		9						x	x	x	x	x		x	x	x	x
Link between company's mission/values and CSR strategy		11	x					x	x	x	x	x	x	x	x	x	x
Environment (direct and indirect impact)	Climate change and greenhouse gases	7								x	x	x		x	x	x	x
	Air emissions	10						x	x	x	x	x	x	x	x	x	x
	Water management	10						x	x	x	x	x	x	x	x	x	x
	Waste management	10						x	x	x	x	x	x	x	x	x	x
	Energy efficiency	9							x	x	x	x	x	x	x	x	x
	Soil reclamation	6									x	x		x	x	x	x
	Biodiversity	7								x	x	x		x	x	x	x
	Other issues	1				x						x					
Workplace	Safety	10						x	x	x	x	x	x	x	x	x	x
	Health	10						x	x	x	x	x	x	x	x	x	x
	Professional education and development	14	x	x	x	x		x	x	x	x	x	x	x	x	x	x

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Category		Score
	Responsible restructuring and retirement	10
	Remuniration and motivation	13
	Corporate culture	12
	Other issues	0
Customers		9
Community	Local communities support	15
Sponsorship and charity	Culture	15
	Health	14
	Sports	10
	Youth & Children	15
	Elder People	13
	Religion	7
	Nature	9
	Education development, traineeships	13
	Other issues	0
Economy	Financial performance	10
	National/local economy development	9
Corporate governance and ethics		10
Stakeholder engagement		12
	Employees	10

Characteristic		Score	Alfa-Bank					Norilsk Nickel					Tatneft				
			2004	2005	2006	2007	2008	2003-2004	2005	2006	2007	2008	2004	2005	2006	2007	2008
Mass media		7		×	×	×	×								×	×	×
Responsible supply chain		2									×	×					
Company name		3	**Alfa-Bank**					**Norilsk Nickel**					**Tatneft**				
Year		15															
Innovations		7	×	×	×	×	×		×	×	×	×	×	×	×	×	×
International memberships and commitments		10	×	×	×	×	×	×	×	×	×	×					
Report characteristics	GRI	9	×	×				×	×	×	×	×		×	×	×	×
	AA1000	5									×	×			×	×	×
	UN Global Compact	0															
Assurance statement		8						×	×	×	×			×	×	×	×
Feedback form		5						×	×	×	×	×					
Name	Social report	10	×	×	×	×	×	×	×	×	×	×					
	Sustainblity report	3													×	×	×
	Corporate Responsibility Report	4										×			×	×	×
	Citizenship Report	0															
	Social, economical, ecological and innovation report	1												×			

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APPENDIX C Research results for the US companies

VARIABLE	Total	Citigroup 2004	Citigroup 2005	Citigroup 2006	Citigroup 2007	Citigroup 2008	Alcoa 2004	Alcoa 2005	Alcoa 2006	Alcoa 2007	Alcoa 2008	Chevron 2004	Chevron 2005	Chevron 2006	Chevron 2007	Chevron 2008
Country (USA)	1															
Industry	3	Banks					Metals					Oil&Gas				
Company name	3	Citigroup					Alcoa					Chevron				
Company profile	15	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×
CSR awards and competitions	10	×	×	×	×	×	×	×	×	×	×					
Key documents regulating CSR	15	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×
Management of CSR issues	15	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×
Link between company's mission/values and CSR strategy	15	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×
Environment (direct and indirect impact): Climate change and greenhouse gases	15	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×
Air emissions	15	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×
Water management	15	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×
Waste management	15	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×
Energy efficiency	15	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×
Soil reclamation	8						×	×	×	×	×	×	×	×		
Biodiversity	15	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×
Other issues	10	×	×	×	×	×						×	×	×	×	×
Workplace: Safety	15	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×
Health	15	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×
Professional education and development	12	×	×	×	×	×	×	×				×	×	×	×	×
Responsible restructuring and retirement	3						×	×			×					

Category			Score
	Remuniration and motivation		15
	Corporate culture		10
	Other issues		0
Customers			15
Community	Local communities support		15
	Sponsorship and charity	Culture	15
		Health	9
		Sports	2
		Youth & Children	12
		Elder People	6
		Religion	4
		Nature	15
	Education development, traineeships		14
	Other issues		0
Economy	Financial performance		15
	National/local economy development		11
	Corporate governance and ethics		15
Stakeholder engagement	Employees		15
	Mass media		5
	Responsible supply chain		10

Company name	Score	Citigroup 2004	2005	2006	2007	2008	Alcoa 2004	2005	2006	2007	2008	Chevron 2004	2005	2006	2007	2008
Year	3	2004	2005	2006	2007	2008	2004	2005	2006	2007	2008	2004	2005	2006	2007	2008
Innovations	15						x	x	x	x	x	x	x	x	x	x
International memberships and commitments	10	x	x	x	x	x	x	x	x	x	x					
Report characteristics — Accordance with international standards	10															
GRI	15	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
AA1000	0															
UN Global Compact	0															
Assurance statement	5						x	x	x	x	x	x	x	x	x	x
Feedback form	5									x	x					
Name — Social report	0															
Sustainability report	5						x	x	x	x	x					
Corporate Responsibility Report	5											x	x	x	x	x
Citizenship Report	10	x	x	x	x	x						x	x	x	x	x
Social, economical, ecological and innovation report	0															

APPENDIX D Research results for the EU countries

VARIABLE		Total	BNP (Banks)					Xstrata (Metals / EU)					BP (Oil&Gas)				
Country		1															
Industry		3															
Company name		3															
Year		15	2004	2005	2006	2007	2008	2004	2005	2006	2007	2008	2004	2005	2006	2007	2008
Company profile		14		x	x	x	x	x	x	x	x	x	x	x	x	x	x
CSR awards and competitions		8							x	x	x	x		x	x	x	x
Key documents regulating CSR		10	x					x	x	x	x	x	x	x	x	x	x
Management of CSR issues		15	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Link between company's mission/values and CSR strategy		15	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Environment (direct and indirect impact)	Climate change and greenhouse gases	15	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
	Air emissions	14	x	x	x	x	x	x	x	x	x	x		x	x	x	x
	Water management	13		x	x	x	x	x	x	x	x	x		x	x	x	x
	Waste management	14	x	x	x	x	x	x	x	x	x	x		x	x	x	x
	Energy efficiency	14	x	x	x	x	x	x	x	x	x	x		x	x	x	x
	Soil reclamation	5						x	x	x	x	x					
	Biodiversity	10	x					x	x	x	x	x		x	x	x	x
	Other issues	10	x					x	x	x	x	x		x	x	x	x
Workplace	Safety	10	x					x	x	x	x	x		x	x	x	x
	Health	10	x					x	x	x	x	x		x	x	x	x
	Professional education and development	13	x	x	x	x	x	x	x	x	x				x		
	Responsible restructuring and retirement	11			x	x	x	x	x	x	x	x			x		x

Category	Sub-category	Score
	Remuniration and motivation	15
	Corporate culture	4
	Other issues	15
Customers		9
Community	Local communities support	7
Sponsorship and charity	Culture	10
	Health	10
	Sports	6
	Youth & Children	15
	Elder People	5
	Religion	0
	Nature	5
	Education development, traineeships	15
	Other issues	15
Economy	Financial performance	15
	National/local economy development	5
	Corporate governance and ethics	14
Stakeholder engagement	Employees	15
	Mass media	14
	Responsible supply chain	14
	Innovations	9

Industry				Banks	Metals	Oil&Gas
Company name				**BNP**	**Xstrata**	**BP**
International memberships and commitments			3		× × ×	× × × × ×
Report characteristics	Accordance with international standards	GRI	10		× × × × ×	× × × × ×
		AA1000	10		× × × × ×	× × × × ×
		UN Global Compact	9		× × × ×	× × × × ×
	Assurance statement		9		× × × × ×	× × × × ×
	Feedback form		9		× × × × ×	× × × × ×
	Name	Social report	10	× × × ×	× × × × ×	× × × × ×
		Sustainability report	5			
		Corporate Responsibility Report	10		× × × × ×	× × × × ×
		Citizenship Report	0			
		Social, economical, ecological and innovation report	0			

Elena Druzhinina

Bottom of Pyramid (BoP) markets: how can this concept be used to facilitate the eradication of poverty in Russia and CIS countries

Introduction

Today, poverty is a global problem but not the only one. There is a conflict between poverty and prosperity. The more income of different social groups differs, the lower social stability it brings.

One of the indicators of income differences is the so-called decile coefficient that shows the relation of incomes of 10% of the "richest" to 10% of the "poorest" in the country. Usually critical value of a coefficient is 10 and the value higher that 10 indicates an unstable situation. The value of the decile coefficient in Russia in 2006 was 16,9 (Gini coef.).

Complete elimination of poverty seems unrealistic today. What is real is making such conditions that poverty and prosperity could normally coexist. This implies the idea of rising living conditions of the poor and giving them a chance to improve their lives. But in order to improve their lives, the poor need some kind of rising income.

One way of this is a special approach to the poor, and it will be described in this paper. Usually elimination of poverty is the job of the government and non-governmental organizations (NGOs). But another actor whose work can be effective is business. Working with poor people can be a part of the corporate social responsibility approach.

I am going to describe the idea of Bottom of Pyramid (BoP) markets. What is it? If we imagine all people as a pyramid, the people with the lowest income are going to be at the bottom. So, "Bottom of Pyramid" defines the poorest social class. The idea of the "Bottom of Pyramid" markets has been discussed among several economists such as Prahalad, Johnson, Hart etc. The main idea says that the poorest are to be taken as a market base. The companies should focus on the new type of products — products for the BoP. The poor are to be treated as customers, not as a aid recipients. "The poor represent a significant latent purchasing power that must be unlocked", Prahalad says. They start purchasing the products, and this increases their self-esteem.

In this work I am going to describe the idea of BoP markets, the ways business can do it, some examples of BoP markets work and the perspectives of the development of BoP markets in Russia and CIS countries.

The characteristics of the Bottom of Pyramid Markets and the applicability of them on Russia and CIS countries.

There is money at the BOP.

The countries representing BOP markets have a huge population. For example, China's population is 1.2 billion and average GDP per capita is $1000, so China represents a $1.2 trillion economy. If we convert that into dollar purchasing power parity (PPP), it is already a $5 trillion economy. The same way, in PPP terms, India is about $3 trillion. 9 countries — China, India, Brazil, Mexico, Russia, Indonesia, Tukey, South Africa and Thailand, together they represent a $12.5 trillion economy in PPP terms, and this represents about 90% of the developing world.

The problem is that particular people in developing countries cannot afford buying the same things as the others, so their purchasing power cannot be compared with the purchasing power in the developed countries. The power of the poor is locked now. Why? The answer is, today many poor tend to live in "high-cost ecosystems". The poor have to overpay from 5 to 25 times for many services, starting with mobile phone calls and ending with credits. Prahalad says, the poverty penalty exists everywhere but it differs only by its magnitude. For example, in India, the poor pay 600 to 1000 percent interest for credit. The reason of this is that credits for poor are considered to be risky [Prahalad, 2009].

Do low-income people in theCIS overpay for products? When we speak about credits, these principles do work. For example, a credit without pledge and warrantor may cost up to 50% interest [Bank of Moscow, 2009]. The banks that offer credits with lower interest rate require income information and credit history. So, the credits with lower rate will be denied to poor people. This makes poor overpay for credits, but they usually can not afford such expensive credits. That is why we can say that there is almost no access for credits for poor in Russia and CIS countries.

The situation is changing now in Belarus. In July 2009, a new decree was signed by president Lukashenko. In the decree it is said that the banks should offer credits up to 3 years with 10% interest for the low-income groups. The right to these credits belongs only to the people whose net income per member of the family for previous 3 months does not exceed threefold average monthly 4-member family budget per capita. The government compensates the bank losses [The "poor" get credits…, 2009]. This raises the purchasing power of the poor in Belarus and people have a chance not to save money to pay for the credit, but buy more.

The same situation is with many other goods. For example, mobile phone calls are cheap if you make a lot of calls, but they get much more expensive if you make few calls. The problem for the poor is that they have to save every minute of calls to pay fewer, in a result they pay more for every call. They would choose different charge rate if they could afford a fee.

So, we can see that there's the situation in Russia is similar to that around the world. The poverty penalty exists, and the reason of it is the same as everywhere — inefficiencies in access to distribution and the role of the local intermediaries [Prahalad, 2009].

Access to BOP markets is difficult.

Prahalad says that access to the BOP markets is difficult; companies face problems with distribution, advertising, lack of knowledge between consumers.

Access to distribution in rural areas, where many poor live, is sometimes hard because of the absence of television and internet there. Rural areas sometimes even called as "media dark". Prahalad affirms that wireless connectivity may reduce the problem of the lack of information. He says that the presence of wireless connection will help the poor to have the access to the information of new products, services and opportunities [Prahalad, 2009].

The problem in Russia is difficult access to telecommunications in some regions. For example, in Omsk region only 45% of population can watch at least 4 television channels, and only 2% of rural population can watch at least 2 channels. The wires connecting the clusters are old, and the wireless connection is absent in many areas. Wireless connection is unavailable in many areas because of the geographical factors: long distances between clusters, tough climate, and the taiga around. In this case, the only possible way would be switching to digital radio broadcasting. In urban areas, there usually are no such problems [Sibina, 2009]. Overall, 99.4% of the population in Russia have an access for television, 90.2% can watch 3 or more channels and only 0.6% do not have TV [Television broadcasting coverage, 2008]. By the way, only 19% of Russia's BOP market is rural because of the intense urbanization during the Soviet period [Hammond, 2008].

But even if the broadcasting can be problematic, word-of-mouth is very popular in Russia and CIS countries. For example, according to comScore researches, Russian people are "the most engaged users of social media in the world" [Fresh Networks, 2009]. Similar situation is in the CIS countries: 50% of the users make their first steps in the Internet through social media, and only after this they discover other kinds of work in the Internet such as e-mailing, searching etc [How to earn money in networking, 2009].

This means that social networking could be a very promising way of advertising. Users do not only exchange messages with their friends, but they can create discussion groups etc. This can promote goods but the companies should remember that bad public image of the product will spread among the consumers very quickly.

The popularity of word-of-mouth makes network marketing successful. There have been 3 374 900 network distributors in Russia in 2008, and this is about 5% of world number of distributors in this kind of business [Polukhin, 2008]. Actually, the cost of entering network marketing is pretty low, so it could be very useful in BoP markets. Russian people and people from the CIS countries tend to communicate a lot; they direct at people's relations more than at the result. So, projects such as Avon Ladies must be very successful here, especially if the companies tailor some of their products at the BOP (their price, brand and quality should be acceptable).

So, at this point, I would say that the access to BoP markets in Russia is easier in urban areas, but it is very hard in some rural areas where many people have little access to telecommunications. According to the World Bank, poverty in Russia is more wide spred in the rural areas: 30% of rural population live in poverty, but the percentage of poor urban population is only 15.7%. Speakig of the urban areas, the

percentage of poor people in Moscow is 6.6%, but in other cities poverty rate is already 17% (in 2007) [Russian Economic Society, 2007]. This means that the BoP markets will be more acceptable outside Moscow and other big cities, and especially in rural areas. Developing business connected with BoP will be connected with rural problems such as telecommunication absence. Thereby, until the telecommunications are better developed, word-of-mouth systems could be profitable, they will help to raise sales and network marketing may help poor people raise their income.

The BoP markets are brand-cautious.

Prahalad affirms that in spite of the dominant assumption that the poor do not bring much attention to the brand, they actually *are* brand-conscious. They are also very value-conscious. The reason of this is the aspiration to a new quality of life because a better life is a universal dream, especially at the BoP. What's about value, BoP consumers always try to buy products of the best quality that they can afford. Actually, these consumers make the managers pay more attention to the costs of development, manufacturing and distribution [Prahalad, 2009].

Brand-consciousness became popular in 1990s all around the world, when brands associated with "cool" life emerged, especially among the poorest people [Klein, 2004]. In Russia and the CIS countries they became popular at the same time, after the Berlin Wall fell, when people got access to the Western goods and brands. Today it is still very popular among low-income people in the CIS to buy branded goods, even if the number of cheap counterfeit "brand" goods raises. Many small dealers sell counterfeit products using famous logos, and they are not afraid of penalties because their business brings too much money [Vankaev, 2008].

Such approach brings a message for multinational corporations: they already have famous brands, they are already known for their goods' value, so they are the ones needed to enter BoP markets today.

BoP market connections.

Asmentioned before, networking is very popular in Russia and the CIS. Actually, networking devices are spreading among the poor today, and cell phone usage gets popular in many of the developing countries. The growing rates of cell phones useage at the BoP ad the current size mean that the market is going to bloom. The cell phones are getting available and the price per hour of calling is getting available, too. PCs are also getting available, and they provide a variety of opportunities such as videoconferencing. This will bring the intensity of connectivity among people of the BoP. With all the technologies such as PCs, access to the Internet, television and cell phones the poor get the access to communicate with each other, with the companies they purchase products in, and they have an opportunity to engage a dialogue with the larger community. After all, BoP consumers are ready to buy new technologies, they are ready for them and if the companies remember this, technologies at the BoP markets can make a big change [Prahalad, 2009].

Speaking of Russia and the CIS, it is important to say that the situation here is a bit different. While most of the people have cell phones, PCs are still not affordable for everyone [Business press, 2009]. As I have said before, some people in rural areas still don't have access to TV, and in the same areas of course they do not have access to the Internet. The first step of implementing information technologies to the poor is

providing good radio signal to all the areas, so that most people could have access to television and cellular communications. Only then it will become possible to make consumer-tailored goods: the poor may not need rapid PCs with huge memory, but at least they should be affordable. Then, the price of cell phone calls and the Internet should be affordable. This will make communications easier for the BoP, and this will raise the amount of the opportunities for the BoP, it will be easier for them even to start business, and isn't it the way out of poverty?

Micro financing is a good way.

It is said that everyone should be able to get a credit. But it is usually hard to get credit from a traditional banking system for the poor. The poor can get credits from local moneylenders, but the interest is too high, sometimes it is up to 20% per day, so credits can't make a change. Micro credits for the poor is a good way out. For example, Grameen bank implemented such project in Bangladesh, when they offered lendings for the poor, and they used peer group evaluation to minimize the risks of not returning. Also, they focused on women because of their responsibility and devotion to peer groups. Each project is assessed by five peers. The people who lend money visit the villages very often, so they get familiar with families and peers of the women taking credits, they also know the projects that the women are willing to invest in. When peers recognize that it is their interest to do so, the contracts come into force. Today Grameen Bank provides micro credits to more that 3 million people in Bangladesh and the average loan size is $15. Actually, the Bank got 99% of repayment and this was the highest repayment rate in the Indian subcontinent [Prahalad, Hart, 1999].

Will this system work in Russia and the CIS? Unfortunately, I'm afraid not. At first, the cost of starting business is high enough: the tariff of business register, the minimal sum of authorized capital stock, office rent. And most of the new businesses will face strong competition, so they will have to invest in value of the goods and advertising. The amount of money needed to start business in CIS would not be applicable for "micro" credits.

At the second, in CIS the system of peer pressure and peer guarantee may not work. Because of huge political and social changes that happened in the 1990s, the social norms were shaken and today peer pressure may not be a sufficient reason to repay the loan. In this case, material guarantees such as income information works the best, and even the system of warrantors is debated. Maybe, several years later, when social anomia will disappear and social norms will be asserted, the peer system may be appropriate.

Conclusion

At last, it is important to discuss the prospects of establishing the Bottom of Pyramid markets in Russia and the CIS countries. In my work I have come to the following conclusions:
— The number of the poor is huge in Russia and the CIS, so there is a huge base for the BoP markets,
— The poor overpay for many goods, so it is important to sell products appropriate for their purchasing power,

— Most of the poor in Russia live in rural areas, where many of them do not have access to communications,

— The word-of-mouth is very popular in the CIS, so it can work as a good way of advertising and promoting,

— Brands mean a lot in Russia and IT may help the poor to communicate better and engage a dialogue with a larger community,

— Micro credits are very difficult to be implemented today with the current banking system and the system of social norms, but if the banks introduce a new system appropriate to our society, micro credits may become available for the poor.

So, we can see that, as Prahalad said, the implementation of the Bottom of Pyramid markets needs a change in marketing and in business approach on the whole. A huge variety of companies are needed to make a BoP market successful: the companies that can make radio broadcasting available in rural areas, the companies that can make information technologies affordable for the poor, multinational corporations with recognizable brands with good product value. This may unlock the purchasing power of the poor that is pretty well locked after the 1990s. The higher purchasing power may end up with a higher GDP per capita, and this may become a good indicator of sustainability. But the implementation of the BoP markets is not only the challenge for business. It is a question for the local governments: how to make business intereted in investing in BoP products? What should be done in the regions with little resources?

Only if all the actors are interested in implementing a new system, development and sustainability can be achieved.

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Maxim Markin, Elena Nazarbaeva, Svetlana Borisova
Competition and "Coopetition" in Russian Internet Retailling: new forms of Corporate Social Responsibility

Introduction

The present paper refers to a widely-discussed topic of corporate social responsibility. In our research we are not aiming at studying this term carefully, and we treat it as wide as possible. However, the following definition is used to draw some limitations to the notion:

"Corporate social responsibility (CSR) is about the core behaviour of companies and the responsibility for their total impact on the societies in which they operate. CSR is not an optional add on nor is it an act of philanthropy. A socially responsible corporation is one that runs a profitable business that takes account of all the positive and negative environmental, social and economic effects it has on society"[1].

In our study we concentrate on corporate social responsibility as an increase in quality of goods offered to consumers and increase in the level of consumers' knowledge about these goods. This research is an attempt to demonstrate how such activity is performed by companies (moreover competitors) without state interference. Internet retailing is taken as an example for the analysis.

Internet retailing has been developing very fast since the beginning of the XXI century. In 2009, 90% of the world Internet users bought goods via Internet. In Russia this figure was about 80%[2]. While the money turnover of off-line retailing decreased in 2009 (the reduction was about 5%) the money turnover of Internet retailing increased (the growth was about 40%)[3].

Books are the most popular goods bought via Internet in Russia. Consumer electronic and computer equipment also are among the leaders. In 2009, 41% of people who had bought something via Internet in the previous three months purchased books, and 22% purchased consumer electronic and computer equipment[4].

All these trends have attracted store-chains to pay more attention to on-line trading.

In 2009, two Russian off-line retail leaders in consumer electronic equipment Eldorado and M.Video increased their money turnovers of Internet retailing. The

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growth of Eldorado was about 65%[5] and the increase of M.Video was about 80%[6]. Nevertheless the market share of store-chains in Internet retailing is only about 25% and 75% belongs to big and small independent Internet shops[7]. Store-chains want to increase their market shares especially excluding independent Internet shops from the market. In this situation they are either competitors or partners who provide cooperative behavior.

In this paper, first, we are going to discuss theoretical aspects of competition and coopetition. Second, the case of Internet retail will be presented as an example of the mixed behavior which includes competitive behavior and cooperative behavior of store-chains. Third, we will show that market actors do not explain their actions in terms of market logic but they try to present them as a civil-oriented behavior.

Competition vs Cooperation

Store-chains can be analyzed from three controversial points of view. They are competitors, partners and a group which is ready for collective actions. We are going to describe all these relations.

Competition

Organizations are usually treated as competitors if they have a niche overlap or a structural equivalence in the resource dependence[8]. Competition can be interpreted in different ways according to the chosen theoretical basis. Among possible interpretations are: the way of establishing of social ties; the attempt to change the distribution of power; the symbolic struggle, etc.[9]

As we are not going to analyze all these assumptions in detail, we move on to the definition appropriate for our study. Competition is an activity of two or more market actors aimed at getting the same limited resource and we treat it in terms of an ecological assumption as a natural selection[10].

By applying the ideas of organizational ecology to our analysis, we can follow the way of store-chains in Russia. Three stages can be distinguished. At the first stage store-chains had to fight with the organization of old format shops such as open area markets, kiosks and so on. At the second stage store-chains began pushing all the old formats shops out of market. And at the third stage store-chains turned to be competitors. As there were little demand on the services and goods of other formats shops and most of the people preferred store-chains they had to attract the clients of the shops with the same format[11].

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From one point of view competition seems to be the only logical implication of this situation: such firms have to strike for the access to the common sources and to their niche. However from another point of view this statement sometimes turns to be false.

Coopetition

Cooperative behavior which provides benefits for all counterparts is also possible among such companies. So we can mention several forms of interrelations between firms operating in the same field[12]:

1. *Co-existence*: this form is characterized by the lack of direct exchange; the power of a company is in a direct proportion to its size and goals are autonomously set by the actors.

2. *Cooperation*: this form is characterized by the high prevalence of exchange including different sources. There are informal relations between firms that are based on social norms; formal relationships are presented by creating alliances. The distribution of power rests on both formal rules and established norms.

3. *Competition*: when sucha form of relationships is adopted, the leader is usually clearly seen. All other companies are guided by its behavior. All actors are aware of formal rules and their behavior is regulated by these rules.

4. *Coopetition*: the wide range of the resources involved into exchange is typical for this form. The relations are regulated by both formal agreements and the existence of trust. But in the relations that are connected with the field of competition the power is described by the position in relations and the strength.

It is necessary to point out that all the relations in the definite market can be described by one of the types mentioned above. Usually the relations between different groups of companies in one field can tend to different forms. We will demonstrate that it is also typical for Internet retail below. But before that, we will address the question of how and why firms enter such relations. There are two goals at the actors' behavior that can be distinguished analytically: individualistic goal which is getting profit, and social goal which is the maintenance of market stability[13].

The achievement of both goals is necessary for actor's position in this market. If we speak about retail where small or individual entrepreneurs function, we can say that their interactions are behind the boundaries of economic relations. The closest to this relations form of the ones mentioned above is cooperation. We can even propose that such relations in some aspects are closer. Salespeople cannot only strike for the popularity of the market but also follow clear informal rules even if they bear losses because of it, for example, letting their partners have their clients if they have served them before, working till the definite time, visiting meetings that are obligatory for everybody from this market[14].

It is important that such relations are not typical only for small firms. We can turn to the example of interlocking directorate described by O.Williamson. It means

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that the same people can be the members of board of directors in different companies. This fact leads to the following: some ideas circulate not only inside the company; information is spread by social networks as well as at the meetings. So as M.Granovetter pointed in 1985 there is a transition from the "markets-hierarchies" problem to the existence of one more separate form of relations[15]. Such situation can be described in terms of coopetition.

Now we turn to the question what makes firms join their efforts: what resources are necessary for all market actors. It is possible to single out the range of such welfares: all companies are interested in them and they are ready to invest in their development. Labor force, clients, physical space, important skills and knowledge, endorsements are among such resources[16].

The present study deals with the work with customers: in this field, companies have to fight for the customers' loyalty (probably not to a definite mark but to the wish to buy via Internet) and the literacy in choosing goods. We want to emphasize that such aims can be interpreted not only as a way of getting profit by the firms but also as a display of corporate social responsibility of business which is the desire to provide goods of high quality to consumers if they go to their shops.

Coopetition for and against

While we have been speaking about competition, we also mentioned the form of competition that we can call coopetition, when companies cooperate to produce some common welfare. The other goal of coopetition may be seen as a fight against other actors. Moreover, in this situation some companies can cooperate in order to protect some of their resources from other market actors. We propose that the same state of affairs may be seen now in Russian Internet retail. But before proving this statement, we suggest looking at the very similar process that took place several years ago in Russian off-line retail.

Our example deals with the fight against counterfeit production. At the beginning of 2000th there was a rapid increase in distribution of such goods. As an indicator, we can take the growth of the number of uncovered breakings at that period[17]:

1999 — 850 transgressions;
2000 — 2000 transgressions;
2001 — 2500 transgressions;
2002 — 2800 transgressions.

Such critical situation made the government undertake some attempts to stop the spread of illegal practices. There was a real improvement in the work of the Ministry of Home Affairs, Federal Customs Service, and the Federal Service for Intellectual Property, Patents and Trademarks. But the great role was played by the joint activities of store-chains. They initiated researche in this field and then the Association of Trading Companies and Manufacturers of Consumer Electronic and

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Computer Equipment proposed a number of arrangements including using only legal goods in store-chains. That made such shops the most counterfeit in this field, especially in comparison with open area markets[18]. On the one hand, such actions protected the consumers' rights on goods of high quality and on the other hand, they made store-chains more attractive for the clients.

As a result of such efforts the majority of counterfeit goods moved from off-line to on-line trading. And if store-chains plan to occupy definite positions in this field too they will face a difficult problem: the prevalence of counterfeit goods in Internet shops makes their costs considerably lower when ones of store-chains remain rather stable. So to keep their positions they have to exclude illegal goods not only from their counter but also from the whole market. The problem is that there are the Association of Trading Companies and Manufacturers of Consumer Electronic and Computer Equipment in off-line trading which was ready to coordinate all anti-counterfeit activities when the National Association of Electronic Trading Companies does nothing against the problem mentioned above[19].

The measures introduced by market actors have been recently presented at a public seminar at Higher School of Economics[20]. The leader of the Association of Trading Companies and Manufacturers of Consumer Electronic and Computer Equipment A.Onischuk suggested educating consumers by explaining the benefits of legal goods which is to convince clients that they can save more using their services then buying cheaper products. The representatives of store-chains try to appeal not only to the advantages of goods of high quality but also to the fact that when selling such goods they make possible paying pensions, allowance, etc. for their consumers and their relatives. A.Onischuk also said that they believe in the government support: the decrease of taxation is necessary to make products cheaper for consumers. The last but probably the most questionable point is to forbid cash payments for Internet-ordered goods. Such step has already been implemented in many European countries as it helps to reduce non-declared payments and other operations with money.

So, once startin as a way to attract customers by the struggle against illegal goods, nowadays store-chains try to "clean up" the market. The question is how it is specifically related with the rhetoric of consumer rights protection and governmental regulation of retail.

CSR Arguments

According to the economic theory of conventions (or the New French Institutionalism) which is mostly developed by L.Boltanski and L.Thevenot, every economic action needs some arguments[21]. It is so as economic coordination is realized through this process.

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Argumentation is based on some orders of worth which are forming in three stages[22]:

1. Market actors analyze their positions evaluating their resources;

2. Market actors compare the positions of each other;

3. Market actors try to find some equivalence of their positions relied on the notion of justice.

At the third stage market actors emphasize the injustice and the necessity of changing the situation[23]. There is a problem of coordination as different market actors can understand the notion of justice in different ways which are based on different worlds of justification[24].

There are six main worlds of justification[25]:

1. *Inspired world*: opinions of others are not important for market actors as the worth is based on their own attitude to everything;

2. *Domestic world*: hierarchies of trust are important for market actors as the worth is based on interpersonal relations and on traditions;

3. *Opinion world*: opinions of others are important for market actors as the worth is based on public recognition;

4. *Civic world*: collective interests are important for market actors as the worth is based on common good;

5. *Market world*: limited resources are important for market actors as the worth is based on price;

6. *Industrial world*: investments are important for market actors as the worth is based on efficiency.

Two additional worlds of justification (*project world* and *green world*) have been recently presented[26] but they are beyond our research.

According to the theory, all these worlds (logics) contradict one another. In reality, a kind of compromise is possible[27].

In Russian Internet retail, store-chains as typical markets actors also explain their behavior and have some argumentation why they are turnin to the idea of corporate social responsibility.

In the previous part of our paper we demonstrated that store-chains' actions are quite market-oriented as they provide the mixed behavior which includes competitive behavior and cooperative behavior. It is important that this type of behavior is profitable for store-chains. But while explaining their actions arguments of the market world are not very popular among market actors. Of course, sometimes

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they use market-oriented explanations including different aspects of price making, their costs, profits, etc.

Nevertheless, the most popular arguments of their advantages and the necessity to exclude independent Internet shops from the market refer to the civil world. According to this logic, store-chains defend the collective interests of the society while selling high-quality goods. On the contrary, big and small independent Internet shops are in the field of informal economy, they sell only illegal goods, which are dangerous for consumers[28].

Moreover, store-chains also ask the state to help them in their struggle with their competitors. They do not consider that showing their advantages to consumers is enough for the victory in this war. Store-chains want the institutional support which can be provided by the government[29]. But they are also not interested in introducing new laws[30] as this process will apply to them too.

So in Russia store-chains that decided to provide corporate social responsibility which is profitable for them do not explain these actions using market-oriented logic but they refer to the civil world arguments that can help them both attract new customers and exclude their competitors from the market.

Conclusion

This paper refers to the problem of providing corporate social responsibility in different countries. In European countries and in the USA it is quite common for many companies, especially big ones. In Russia, corporate social responsibility is usually imposed by the government[31]. But at the beginning of 2010, the leading retailers in consumer electronics market decided to provide it without any state compulsion.

Store-chains are explaining their behavior in terms of civil-oriented actions. They form their own image as the defenders of consumers who may buy illegal goods in independent Internet shops which are dangerous. But the civil arguments mask some market benefits that will have store-chains if their competitors are excluded from the market. The analysis in terms of competition and coopetition demonstrates it.

The findings of the research show that providing corporate social responsibility is profitable for the companies, as they attract new consumers and exclude their competitors from the market. Presenting the problem as the struggle between the defenders of public interests and the informal economy may help store-chains to receive the governmental support.

Another important result of our study demonstrates that providing corporate social responsibility is a cooperative behavior realized by the companies together. Being still competitors store-chains unite with each other for achieving the common goal which is to exclude independent Internet shops from the market.

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This process has recently started on consumer electronic market but nowadays more and more store-chains are going to Internet retailing[32] and we can expect the similar situations on other markets especially in food retailing.

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Characteristics of the German model of Corporate Governance: case of Allianz SE and prospects after the world financial crisis

Introduction

In the modern business world, the efficiency of corporate governance becomes of vital importance as it substantially influences the value of big companies. Despite the fact that corporate governance efficiency varies from company to company and almost completely depends on a specific organization, a national model of corporate governance (that exists in the country where a certain company operates) has a strong impact on corporate governance.

Usually three classic models of corporate governance are defined as Anglo-Saxon, Japanese and Continental. The last is also sometimes referred to as the German model of corporate governance as it is most typical for Germany. There is no definite answer which of these models is the most efficient one because corporate governance models exist and develop in a specific economic-legal environment of a certain country from which they cannot be separated.

In the last decade (before the crisis) there was an issue of the German model "dying off" discussed by researchers and practitioners. They assumed it to be inconsistent and inappropriate for most of the German firms and proposed that a convergence, a certain drift towards international standards of corporate governance and convergence of the models would take place in the nearest future and German model would eventually transform into Anglo-Saxon model. However, the global financial crisis revealed the strengths of the German model, which helped Germany to survive the crisis with minimal losses due to its conservatism and social orientation.

In the present research, we aimed to see what are the main characteristics of the German model of corporate governance (both declared in law and found in fact) and what are the prospects of this model in terms of after-crisis investor's demands?

It is supposed that declared characteristics of the German model of corporate governance are the same as in practice. The aim of this project is to reveal the most significant and relevant of these characteristics, systemize and analyze which of them were of benefit to Germany during the crisis. It is assumed that co-determination, relatively low level of foreign investors, social cooperation, "personal union" of banks and considerably high level of capital structure concentration were the key factors that "saved" Germany from sharp decline.

We used the following methods and data:
— Theoretical and contextual research (the analysis of scientific papers, articles and books, German laws and code of corporate governance, news reports,

etc.): main prerequisites, characteristics, structure and prospects of German model of corporate governance and actions taken by the German government and firms in the face of the world financial crisis.

— Case-study of Allianz SE (the analysis of web-site, annual reports, code of conduct, corporate governance and remuneration reports, statement of corporate management, declaration of compliance, etc.): examples of main characteristics of the German model of corporate governance in action (particularly, on the base of restructuring, sale of Dresdner bank), structure of the three-tier model of corporate governance of the firm with analysis of the members of the boards.

This research paper aims to test the following hypotheses:
— Hypothesis 1:
— H0: declared characteristics of the German model of corporate governance are the same as actually found in practice.
— H1: declared characteristics of the German model of corporate governance are not the same as actually found in practice.
— Hypothesis 2:
— H0: the German model of corporate governance showed its efficiency in the face of the crisis.
— H1: the German model of corporate governance showed its inefficiency in the face of the crisis.
— Hypothesis 3:
— H0: the German model of corporate governance drifts towards international standards of corporate governance and transforms into the Anglo-Saxon model of corporate governance.
— H1: the German model of corporate governance remains its identical national specificity.
— Hypothesis 4:
— H0: the German model of corporate governance will change after the crisis.
— H1: the German model of corporate governance will not change after the crisis.

Literature review

1. Analysis of prerequisite of the model

Prerequisites of this model have deep roots in the "German tradition of the economic system based on cooperation and social consciousness to achieve national prosperity and wealth" (Мильнер et al. 2001, 390). For a long period of time, German economy was considered as a prototype of "corporatism" (Когут et al. 2004, 64), or, in modern terms, "coordinated market economy" (Когут et al. 2004, 64). Thereby it could be said that Germany is characterized by the "principle of social interaction" (Дементьева 2008, 128), which means that all parties interested in the activities of the corporation have a right to participate in decision-making (shareholders, managers, employees, banks, various social organizations, etc.). Speaking of the workforce, it is worth noting the extended rights of employees expressed in the co-determination. There is also a relatively strong bias towards protecting the rights of creditors (see

(Фэйрлэмб 2003)); this can be traced back in the bankruptcy proceedings, as well as in the structure of corporate governance.

Concerning German stock market, we can say that it has high liquidity (Дементьева 2008, 129) and corporate securities are insufficiently developed (compared to the UK and USA). Germany is characterized by significantly concentrated shareholding structure (in large companies "5 largest shareholders account for more than 40% of shares" (Ключко 2006)). In more than 71% of corporations there is one main owner who controls more than 50% of the shares. Divided shares among private investors are small (accounting for only 17% (Дементьева 2008, 129), whereas corporate investors control 64% of the shares of German companies. The share of foreign investors (14%) and state (5%) is also relatively small (Ключко 2006, 59).

There is also a so-called "high cluster value" (Когут et al. 2004, 68), i.e. high proportion of firms linked through common ownership to a certain company. Moreover, it should be noted that the central role in the German economy belongs to the banking sector. Officially (directly) "banks own more than 20% of shares of 33 leading corporations in Germany" (Ключко 2006, 59). Other conditions of the German model of corporate governance are the medium cost of capital and management salary (Мильнер et al. 2001, 397), "complicated type of innovation" (Мильнер et al. 2001, 397) and "long-term investment horizon" (Мильнер et al. 2001, 397).

2. Analysis of key characteristics of the model

As it was showed previously, in general the German model of corporate governance is characterized as closed (Дементьева 2008 с.128) as its activity is determined by banks or other financial institutions (La Porta et al. 1999).

In Germany, these is a three-tier model of corporate governance (Ключко 2006, 59) (or, as often defined in English sources, but denied by German scholars, the so-called two-tier, or "bicameral" structure of the board). There are three boards, fundamentally different in membership and functions (see Fig. 1): General Shareholders Meeting, Supervisory Board (SB), and Management Board (MB).
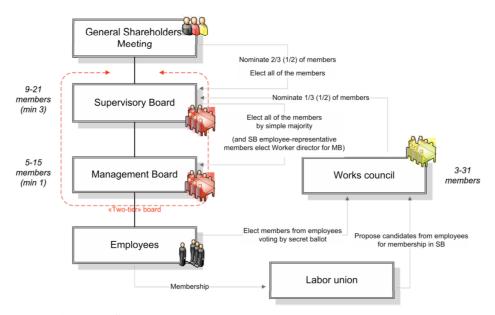
Figure 1. German corporate governance structure

Furthermore, "cross-shareholding" (Дементьева 2008, 129) is typical for German economy. Currently, the main purpose of mutual shareholding is to strengthen the long-term relationship and interdependence between different companies and investment institutions. Such a system allows companies to engage in complex systems of interrelated holdings (Дементьева 2008, 129) and thereby ensure the highest density of connections (Когут et al. 2004, 65) and small path length between firms (Когут et al. 2004, 68). In this situation it is often difficult to determine the parent company.

Dresdner
Bank

Allianz

Commerz
Bank
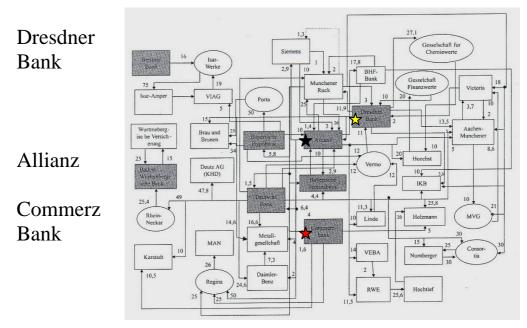
Figure 2. German complex systems of interrelated holdings in 1999 [on the base of (Дементьева 2008, 129)]

It is worth mentioning another important feature of the German system. According to JSC law, company founders (even if hiding) have full economic responsibility, so large companies disclose the real names of shareholders, which allows to understand the balance of forces in the upcoming general shareholders meeting.

Banks and insurance companies play a central role in this system (Дементьева 2008, 129) as they often head holdings and implement the so-called multilevel control and corporate governance in the pyramid (and these pyramids include up to 2/3 of all large firms in Germany at that (see Fig. 2)) . Also, full-service banks frequently appear to be the main source of funding for the companies (Мильнер et al. 2001, 390).

Another phenomenon is a personal union between the banks and corporations (Ключко 2006, 60) or, in other words, the external execution of the relationship between them through mutual representation in the Supervisory and Management Boards. In this case, unlike in other models of corporate governance, information asymmetry occurs not only within managers but also within "home" (parent or head) bank (Мильнер et al. 2001, 397).

As for workforce, the key aspect is co-determination. This means active participation of employees in management of the company. This system works at two levels (Дементьева 2008, 129):
— Level 1: the system of workers councils or labor councils, which have the right to participate in all personal and social affairs of companies and have extensive rights in employment relations. In 2000, in 95% of the companies with workforce over 1000 people workers councils were established.
— Level 2: the system of direct representation of workers in boards of the company. According to the co-determination law, in companies with the

number of employees over 500, workers elect their representatives for the 1/3 of all seats in the Supervisory Board, and 50% of seats in companies with over 2000 staff. The law also establishes a simple majority election by the employee-representative members of the Supervisory Board of one of the members of the Management Board: the so-called working director who is responsible for social issues and issues related to personnel and labor relations.

Thus, we can say that the Supervisory Board is the key mechanism for implementing the principle of social interaction in the company.

Speaking of Supervisory Board, we need to pay special attention to its Committees. Committees are formed by the Supervisory Board in order to increase the efficiency of the Supervisory Board's work and the handling of complex issues (German Corporate Governance Code 2009 p. 9). Chairmen of committees report regularly to the Supervisory Board on the work of their committees. Each of the committees established is accountable to the Supervisory Board.

According to German law, Representation Committee is obligatory in all companies with more than 2000 employees. The main function of the Representative Committee is to propose candidates to the Management Board if the majority of 2/3 of the Supervisory Board (as required for the appointment of members of Management Board) was not present.

The Supervisory Board also needs to set up an Audit Committee that handles issues of accounting, risk management and compliance, the necessary independence required of the auditor, the issuing of the audit mandate to the auditor, the determination of auditing focal points and the fee agreement (German Corporate Governance Code 2009 p. 9). The chairman of the Audit Committee should be independent and not be a former member of the Management Board of the company whose appointment ended less than 2 years before that (German Corporate Governance Code 2009 p. 9).

Since 2007, the German Code of Corporate Governance also includes a recommendation to establish the Nomination Committee that should involve only members of the Supervisory Board that are shareholders representatives. This committee prepares proposals for the General Meeting on candidates from shareholders representatives to the Supervisory Board.

Description of the work done and methods used

1. Description of methods

After theoretical and contextual analysis presented above, case-study analysis was implemented in order to test the hypotheses. We chose case-study analysis for this research because it enables us to make a deeper analysis, give certain examples and gain better understanding of the practical issues.

The case-study is based on Allianz SE and its restructuring (offtake) of Dresdner Bank. This holding was chosen because a) it is one of the largest management pyramids in Germany, 2b) Allianz SE fully complies with German Code of Corporate Governance, c) Allianz SE is a listed public corporation, d) the level of transparency and information disclosure is rather high and we could find sufficient information and collect enough data for the analysis. We analyze done specific

holding, its corporate governance practices and afterwards used induction method to draw a conclusion about the whole German model of corporate governance.

2. Hypothesis 1 testing

All in all, Allianz SE has almost 484 thousand shareholders (this is one of the largest public corporations in Europe) — see App. 3. 10% of its shares are owned by private investors, 90% –by institutional investors. Allianz SE is the head company of the Allianz holding. This company is an insurance company, therefore this proves that the state of German model of corporate governance is determined by financial institutions. Moreover, full-service banks (such as Dresdner Bank) frequently appear to be the main source of funding for the companies — and that is true for the analyzed case.

In Fig. 3 the structure of corporate governance in Allianz in presented. Regarding the Supervisory Board, Allianz formed five committees, the last of which (Nominating Committee) was established in December 2007. Allianz Supervisory Board consists of 12 members (6 shareholders and 6 employee representatives, which fully complies with the requirements of German co-determination law). The International Management Committee that exists in Allianz includes all heads of its major subsidiaries. This committee discusses general strategic issues and goals at the level of the entire Allianz holding.

This structure is just the replication of three-tier model of corporate governance, so another declared characteristic can be found in reality.
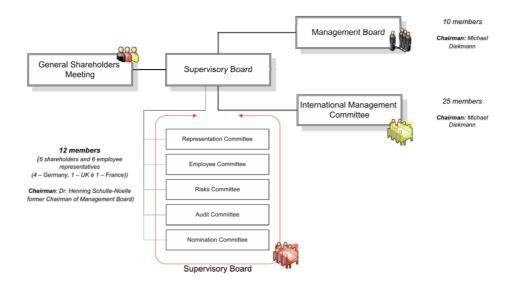

Figure 3. Allianz corporate government structure

The cross-shareholding characteristic was already proved on Fig.2: Allianz is included in several largest management pyramids in Germany.

Another feature is disclosure of real names of shareholders. That is what companies are obliged to do by law, so every German corporation does it. Further we will show a particular example of cross-shareholding in Allianz (see Fig. 9).

Furthermore, there is a personal union between financial institutions and corporations, as mutual representation in their Supervisory and Management Boards takes place in Allianz. For example, Michael Diekmann (the CEO of Management Board in Allianz SE) has membership in statutory supervisory and administrative boards in the Germany BASF SE (Vice Chairman), Linde AG (as Vice Chairman) and Siemens AG, and group mandates in Allianz Deutschland AG (Chairman), Allianz Global Investors AG (Chairman).

Co-determination is also relevant in the Allianz case. In accordance with the Company's Statutes, the Annual General Meeting elects six people as representatives upon proposal of the employees. The distribution of seats for the employee representatives assigns four seats to Germany, one to France and one to the United Kingdom (as presented in Fig. 3). Also, the SE Works Council is established in Allianz SE and other companies of this holding group. For example, Rolf Zimmermann is a member of the Supervisory Board of Allianz SE while he is also employed with Allianz Deutschland AG, is member of the Works Council of Allianz Deutschland AG and vice chairman of the General Works Council.

Speaking about committees in Supervisory Board, we have to point out that Allianz SE established all the committees needed and recommended by the German Code of Corporate Governance (see Fig. 3). The Supervisory Board of Allianz SE has formed five committees: the Standing Committee, Personnel Committee, Audit Committee, the Risk Committee and the Nomination Committee (that was the latest — established in December 2007).

3. Hypothesis 2 testing

In order to test the second hypothesis, we analyzed several aspects that show efficiency of the model.

The first aspect is the volatility of the stock. Fig.4 demonstrates how the share price changed throughout the second half of the decade. There was a sharp decline in the beginning of 2009 that was caused mainly by effects of global recession ("The economic crisis reached its peak in the first half of 2009, with gross domestic product taking a particularly heavy tumble in export-driven economies like Germany"(Annual Report of Allianz Group 2009, 104)) and offtake of Dresdner Bank (which we would discuss later on). This means that German model of corporate governance could not save German companies from considerable changes in their share prices during world economic crisis.

Figure 4. Allianz share prices (Annual Report of Allianz Group 2009, 7)

Also, from the point of view of Allianz shareholders, efficiency could be measured by dividend distribution policy. The way the situation was in Allianz regarding dividends is indicated in Fig. 5. It is interesting that in the period when the company had net loss (in 2008; see App. 1) dividends were still paid. Allianz stated: "Our dividend proposal of €1.6 billion, or €3.50 per share, takes into account both our earning performance and the need for an appropriate capital base as well as the justified shareholder interest in an attractive dividend" (Facts & figures for shareholders on financial year 2008, 3). After the most difficult period of recession, when the company started to gain high profits again (in 2009; see App. 1), the company increased its dividend payments as well: "We want our shareholders to participate in our positive results and for this reason we propose to the Annual General Meeting to increase the dividend payment from € 3.50 to € 4.10 per share. This equals a dividend yield of 4.7%. As measured by net income from continuing operations, the payout ratio is 40%" (Facts & figures for shareholders on financial year 2008, 3).
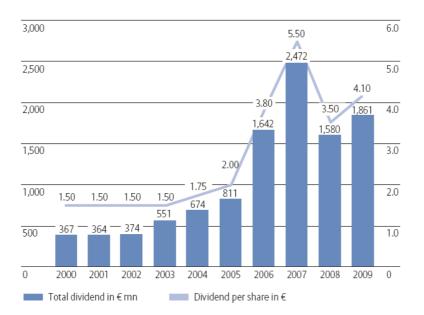
Figure 5. Allianz total dividend and dividend per share (Facts & figures for shareholders on financial year 2009, 3)

Another characteristic is personnel policy. We analyzed two important aspects of it: number of employees, and their salaries plus other payments. As shown in App. 1, the number of employees didn't fall in 2008 (in fact there was a slight increase by 0.9%). But in 2009 there was a considerable decline by 16.2%. According to Allianz Annual Report, this was mainly "a result of the sale of Dresdner Bank" (Annual Report of Allianz Group 2009, 51). So in fact ,Allianz did not use layoffs as an anti-crisis method (for example, in contrast to Russia where it was widespread practice). Fig. 6 also illustrates a positive trend in growth of salaries, social security contributions and pension expenses.

So, we have revealed an important characteristic of the German model: companies take into account the needs and interests of different types of their stakeholders, including shareholders and employees. This leads to stability of the companies and German economics and society on the whole. This is the reason why this feature could be addressed as the one that provews the efficiency of the model of corporate governance.

	2009 € mn	2008 € mn	2007 € mn
Salaries and wages	7,707	9,153	9,741
Social security contributions and employee assistance	1,051	1,298	1,666
Expenses for pensions and other post-retirement benefits	1,123	1,223	1,028
Total [1]	9,881	11,674	12,435

[1] Includes in 2008 personnel expenses of € 2,532 mn (2007: € 2,727 mn) of Dresdner Bank Group.

Figure 6. Allianz personnel expenses (Facts & figures for shareholders on financial year 2009, 3)

And the last but not the least among the factors that can show efficiency can be drawn from Allianz's restructuring. As we have noted before, prior to 2009, Dresdner Bank was a subsidiary of Allianz. In Fig. 7 we presented two key groups of companies that belonged to this holding in 2008.
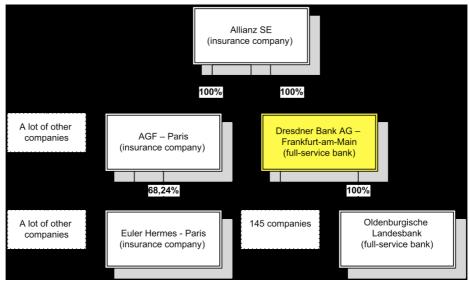
Figure 7. Allianz holding structure

Throughout 2007-2008, Allianz holding was planning to restructure Dresdner Bank. In fact the first rumors about that appeared in March 2003, but then Allianz denied any plans to sell any of the units. Yet in June 2007, it was reported that Allianz SE had been approached by several potential bidders for Dresdner Bank. According to what we were told in July 2008 by Dresdner Bank, initially in 2008 Allianz was more inclined to the version of restructuring shown in Fig. 8.
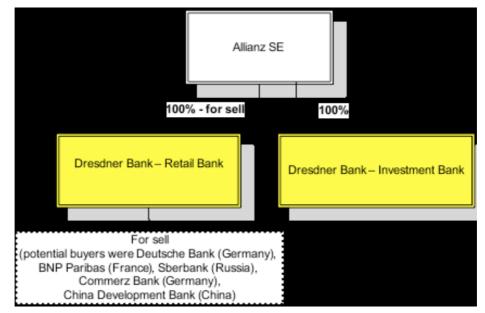
Figure 8. Restructuring: the first variant

Eventually, Allianz implemented a more complicated but more attractive option (see Fig. 9). Dresdner Bank was sold to Commerzbank (that became the tenth largest M&A deal with a German acquirer since 2007). Besides companies merger, there was brands merger too, so we can see another evidence of cross-shareholdings.
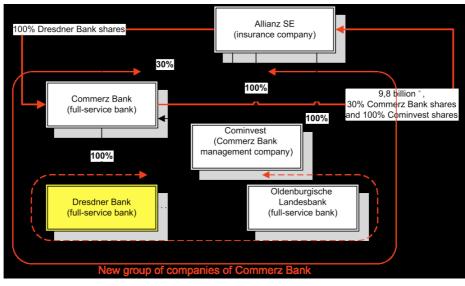
Figure 9. Restructuring: the second variant

But the time to sell Dresdner Bank was chosen poorly, and Allianz received huge losses instead of benefits (see Fig. 10). Yet in fact, if we look at stock prices of the acquirer (CommerzBank) and vendor (Allianz SE) in Fig. 11, we can see that both

companies had a share price slump. Probably the main reason for that was the crisis (when all share prices were falling). As for financial results, a net loss of €2,187 million for 2008 was "mostly stemming from the sale of Dresdner Bank" and in 2009 "loss from discontinued operations of € 395 million was the final effect from the sale and deconsolidation of Dresdner Bank" (Annual Report of Allianz Group 2009, 51).

Loss from the sale

	€ mn
Carrying Value of Dresdner Bank AG at certain Group companies [1]	13,940
Consideration received	(5,541)
Loss	8,399

Figure 10. Restructuring: the second variant

Period of stock price	Date	Company	
		Acquirer - COMMERZBANK AG	Vendor - ALLIANZ SE
Stock price 3 months prior to announcement:	31.05.2008	35.22 USD	188.90 USD
Stock price prior to announcement:	29.08.2008	29.56 USD	167.89 USD
Stock price after completion:	13.01.2009	5.70 USD	92.75 USD
Stock price 1 week after completion:	19.01.2009	4.12 USD	84.60 USD
Stock price 1 month after completion:	12.02.2009	4.54 USD	83.68 USD

Figure 11. Restructuring — 2nd variant.

To sum up, there are 2 pieces of evidence that prove H0 and 2 that satisfy H1. This means that we cannot say whether the German model of corporate governance showed its efficiency in the face of crisis or not but we can assume that this model is more stable in terms of employee interest.

4. Hypothesis 3 testing

As shown above, the German model has several unique features but this does not mean that they are all positive; everything has its downside.

The shortcomings of this model often include the following:

— lack of flexibility of the company, which is expressed in the inability to make important development decisions quickly (such as restructuring, downsizing, liquidation or sale of inefficient businesses);
— risks avoidance and employee-participation in management (that lead to low profitability);
— inadequate social interaction (whereas there is a strong protection of creditors and employees, there is a weak protection of minority shareholders, which violates the essence of social interaction, that declares a balance of interests);
— insufficient possibilities of shareholders control over the activities of members of the Management Board.
— In the years prior to the 2008 global financial crisis, researchers (Buck 2005; Fiss 2004; Odenius 2008; Peck 2000) questioned the crisis of the German model of corporate governance that was reflected in the following phenomena
— "flight" of German companies (to other EU countries);
— beginning of cross-shareholdings (since 2002 profits from the sale of shares between corporations almost exempt from taxes);
— sales of shares by banks and gradual decrease of banks representation in the Supervisory Boards of companies.

It was assumed that the German model of corporate governance may develop according to the following scenarios:

— convergence of the models (in order to meet the standards of international investors);
— gradual elimination of cross-shareholdings;
— restructuring and disintegration of corporate networks and holdings;
— lowering of employees' influence at corporate decision-making;
— strengthening of minority shareholders rights and a gradual decrease in the concentration of capital;
— development of the market for corporate securities and increase in liquidity of the stock market.

In other words, it had been predicted that the German model would slowly drift towards international standards of corporate governance and transform into the Anglo-Saxon model of corporate governance.

However, the global financial crisis canceled or at least delayed the realization of these trends and revealed the strengths of the German model, which helped Germany to endure crisis with minimal losses.

The German Corporate Governance Commission, at the beginning of current year declared that the German corporate governance system has proven its value during the current crisis. She was a kind of "buffer" for German economy and protected it from protracted recession. The following features, earlier perceived as disadvantages of German corporate governance model, appeared to be advantages in the period of crisis:

— risk avoidance;

— lack of large-stuff reductions;
— employees engaged in making complicated and strategic decisions;
— a small share of foreign investors;
— high aggregation of share capital.

While testing third hypothesis we met certain difficulties as there are both evidential facts of drifts towards international standards (mainly OECD standards and characteristics of Anglo-Saxon model of corporate governance) that took place mainly before the crisis and reservation of specific national features of the German model that were revealed mainly after the pick of the crisis (as will be shown in Paragraph 4.5). It is not clear yet whether the latter trend will overcome the former, and so it is impossible to define which of the hypotheses, H0 or H1, will turn to be true.

5. *Hypothesis 4 testing*

In order to check Hypothesis 4, we need to show that German model of corporate governance will change after the crisis. For that, we use negative proof. Let's assume that the German model of corporate governance will not change. Then there should be at least one fact of change in order to disapprove H1, and there are several arguments in favour of that.

Like many other countries, Germany has taken some steps to protect national economy from the crisis, particularly in the field of corporate governance. For example, some amendments were made in the Code of the Corporate Governance (See German Corporate Governance Code as amended on June 18, 2009). These amendments were targeted to raise responsibility of the members of Management Board and Supervisory Board for decisions made, as well as increase their long-term motivation. Here is the list of the main changes:

"If the company takes out a D&O (directors' and officers' liability insurance) policy for the Management Board or Supervisory Board, a deductible of at least 10% of the loss up to at least the amount of one and a half times the fixed annual compensation of the Management Board member must be agreed upon" (German Corporate Governance Code 2009, 6).

— "The Management Board and Supervisory Board report each year on the enterprise's Corporate Governance in the Annual Report, Corporate Governance Report… The company shall keep previous declarations of conformity with the Code available for viewing on its website for 5 years" (German Corporate Governance Code 2009, 6).
— "At the proposal of the committee dealing with Management Board contracts, the full Supervisory Board determines the total compensation of the individual Management Board members and shall resolve and regularly review the Management Board compensation system" (German Corporate Governance Code 2009, 7).
— "The Supervisory Board must make sure that the variable compensation elements are in general based on a multi-year assessment… and not encourage to take unreasonable risks" (German Corporate Governance Code 2009, 7) (both positive and negative developments should be taken into account and possibility of limitation (cap) must be agreed upon).

— Chairman of the Audit Committee "should be independent and not be a former member of the Management Board of the company whose appointment ended less than two years ago" (German Corporate Governance Code 2009, 9).

— Members of the Management Board of a listed company shall not accept more than a total of three Supervisory Board mandates in non-group listed companies (German Corporate Governance Code 2009, 10).

— "Disclosure may be dispensed with if the General Meeting has passed a resolution to this effect by three-quarters majority" (German Corporate Governance Code 2009, 8).

Even though most of these are just recommendations, many German companies including Allianz started to follow them. For example, members of the management and supervisory bodies of Allianz SE have a D&O Liability Insurance, which covers the liability from their officerships and directorships. According to the corporate web-site, "In case of damage awards regarding the D&O policy, members of the Supervisory Board of Allianz SE are subject to a retention equal to 100 % of their annual compensation" and for members of the Management Board — retention equal to 25 % of their fixed annual compensation. Moreover, remuneration scheme for every member of Supervisory Board and Management Board is determined and this information is disclosed (including fixed salary and bonuses — see App. 2).

Also, there was an act for updating the law of joint-stock company accepted, which imposed the responsibility to control the financial reporting on Supervisory Board:

— there should be at least one independent expert of accounting or audit among the members of Supervisory Board or Management Board;

— Supervisory Board is responsible for monitoring of financial accounting and internal control systems' efficiency, monitoring of risk-management and audit and is also responsible for audit of financial accounting.

Speaking about Allianz SE case, it was found that during the crisis (2008–2009), the concentration of capital was declining, while the quantity of the shareholders increased almost by 18% in 2 years (see App. 3). If the same happened in other German companies, it could be an indicator of the model changing.

In conclusion, we can state that while there is evidence of changes in the German model, hypothesis H0 was proven, so the German model of corporate governance will most probably continue changing.

Results and conclusion

The main features of the German model of corporate governance were defined as follows:

— three-tier model of corporate governance
— cross-shareholding
— high level of disclosure
— multilevel control holdings headed by banks and insurance companies
— personal union between the banks and corporations
— co-determination
— principle of social interaction.

In the paper, we proved the following research hypotheses:
— Hypothesis 1: declared features (listed above) of the German model of corporate governance are the same as actually found in practice.
— Hypothesis 4: the German model of corporate governance will change after the crisis.
— However, the following hypotheses were neither proved nor refuted:
— Hypothesis 2: the German model of corporate governance showed its efficiency in the face of the crisis.
— Hypothesis 3: the German model of corporate governance drifts towards international standards of corporate governance and transforms into the Anglo-Saxon model of corporate governance.

The main conclusion we can make is that the German model of corporate governance does have specific features, which are changing with time. Probably, the crisis could be viewed as an accelerator of this process, which will soon result in a reformed German model of corporate governance (with more unique national features or more like Anglo-Saxon) and will maybe even influence the international principles of corporate governance.

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Appendices

Appendix 1. Key figures on Allianz Group (Annual Report of Allianz Group 2009, 7).

		2009	Change from pre-vious year	2008	2007	2006	2005 [4]	More details on page
Income Statement								
Total revenues [1]	€ mn	97,385	5.2%	92,568	97,689	94,873 [2]	100,967 [2]	107
Operating profit [3]	€ mn	7,182	(2.0)%	7,329	10,320	9,219 [2]	8,003 [2]	108
Net income from continuing operations [4]	€ mn	4,740	13.2%	4,186	7,991	7,843	—	109
Net income (loss) from discontinued operations, net of income taxes [4]	€ mn	(395)	(93.8)%	(6,373)	723	467	—	110
Net income (loss)	€ mn	4,345	n.m.	(2,187)	8,714	8,310	5,766	110
Balance Sheet								
Total assets	€ mn	584,045	(38.9)%	955,576	1,061,149	1,110,081	1,054,656	150
Shareholders' equity	€ mn	40,166	19.2%	33,684	47,753	49,650	38,656	149
Minority interests	€ mn	2,121	(40.5)%	3,564	3,628	7,180	8,386	291
Share Information								
Basic earnings per share	€	9.53	n.m.	(5.43)	18.00	17.09	11.24	335
Diluted earnings per share	€	9.50	n.m.	(5.47)	17.71	16.78	11.14	335
Dividend per share	€	4.10 [5]	17.1%	3.50	5.50	3.80	2.00	35
Total dividend	€ mn	1,861 [5]	17.8%	1,580	2,472	1,642	811	35
Share price as of December 31	€	87.15	16.2%	75.00	147.95	154.76	127.94	34
Market capitalization as of December 31	€ mn	39,557	16.4%	33,979	66,600	66,880	51,949	35
Other Data								
Return on equity after income taxes [6]	%	12.7 [7]	3.0 pts	9.7 [7]	15.0 [7]	15.0 [7]	12.9	35
Third-party assets under management as of December 31	€ mn	925,699	31.6%	703,478	764,621	763,855	742,937	134
Employees		153,203	(16.2)%	182,865	181,207	166,505	177,625	51

[1] Total revenues comprise statutory gross premiums written in Property-Casualty and Life/Health, operating revenues in Asset Management and total revenues in Corporate and Other (Banking).

[2] Figures do not reflect changes in the presentation implemented in 2009.

[3] The Allianz Group uses operating profit as a key financial indicator to assess the performance of its business segments and the Group as a whole.

[4] Following the announcement of the sale on August 31, 2008, Dresdner Bank was classified as held for sale and discontinued operations. Therefore, all revenue and profit figures presented for our continuing business do not include the parts of Dresdner Bank that we sold to Commerzbank on January 12, 2009. Starting as of 2006 the results from these operations are presented in a separate net income line "net income (loss) from discontinued operations, net of income taxes".

[5] Proposal.

[6] Based on average shareholders' equity. Average shareholders' equity has been calculated based upon the average of the current and the preceding year's shareholders' equity.

[7] Based on net income from continuing operations after minority interests.

Appendix 2. Remuneration (fixed and performance based) for the Board of Management of Allianz SE for 2009 (Annual Report of Allianz SE 2009, 58).

Board of Management		Non-performance based		Performance-based				Total
		Fixed Salary	Perquisites [1]	Annual Bonus (short-term) [2]	Three-year Bonus (mid-term) [3]	Fair value of SAR award at date of grant (long-term) [4]	Fair value of RSU award at date of grant (long-term) [4]	
		€ thou	€ thou	€ thou	€ thou	€ thou	€ thou	€ thou
Michael Diekmann	2009	1,200	28	2,081	257	505	750	4,821
(Chairman)	2008	1,200	26	1,112	311	430	720	3,799
Dr. Paul Achleitner	2009	800	49	1,387	165	335	498	3,234
	2008	800	44	704	205	287	480	2,520
Oliver Bäte	2009	700	56	1,175	241	297	440	2,909
	2008	700	48	701	209	251	420	2,329
Clement B. Booth	2009	700	110	1,148	264	386	567	3,175
	2008	700	93	624	205	251	420	2,293
Enrico Cucchiani	2009	460	98	970	105	361	457	2,451
	2008	460	85	587	263	260	435	2,090
Dr. Joachim Faber	2009	700	23	1,244	215	434	612	3,228
	2008	700	19	526	211	261	437	2,154
Dr. Christof Mascher [5]	2009	216	12	200	62	145	245	880
	2008	—	—	—	—	—	—	—
Dr. Helmut Perlet [6]	2009	467	40	786	104	74	63	1,534
	2008	700	206	653	214	251	420	2,444
Dr. Gerhard Rupprecht	2009	350	39	510	53	192	240	1,384
	2008	350	12	357	123	119	199	1,160
Jean-Philippe Thierry	2009	280	46	395	23	99	84	927
	2008	175	57	155	52	237	397	1,073
Dr. Herbert Walter [7]	2009	9	0	0	0	0	0	9
	2008	175	0	0	0	29	49	253
Dr. Werner Zedelius	2009	700	16	1,115	75	647	801	3,354
	2008	700	9	825	300	314	525	2,673
Total	2009	6,582	517	11,011	1,564	3,475	4,757	27,906
	2008	6,660	599	6,244	2,093	2,690	4,502	22,788
Change from previous year %		(1.17)%	(13.69)%	76.35%	(25.27)%	29.18%	5.66%	22.46%

Appendix 3. Number of Shareholders in Allianz SE. (from corporate web-site of Allianz)

Data	Number of Shareholders
03/31/2010	483,526
12/31/2009	485,376
12/31/2008	474,142
12/31/2007	412,064
12/31/2006	438,932
12/31/2005	495,489
12/31/2004	539,255
12/31/2003	570,552
12/31/2002	514,627
12/31/2001	439,974

Chapter Five. Local Governance

Introduction of Research Working Group

This chapter presents papers by the participants of the working group "Local Governance and Local Democracy". Oxana Chernenko, Ass. Prof. of HSE, and Susan Guerra, Municipality of Oslo, Unit for Sustainability, were the academic supervisors of this group, Chuck Hirt, Council of Europe, expert, head of Citizens Network.

The group worked on the following research problems. According to the European Charter of Local Self-Government (1985), "Local self-government denotes the right and the ability of local authorities, within the limits of the law, to regulate and manage a substantial share of public affairs under their own responsibility and in the interests of the local population". To what extent does practice of municipal governance in the Russian Federation give us justification of this phenomenon? Almost everywhere in theRussian Federation municipal management is not based on local self-government. The process of transferring management functions to local communities level is not developing but rather declining. The signs of interaction of local self-governance with municipal management can only be seen in rural settlements and towns. They are weak in city settlements, despite of the favorable local environment, and are not shown in any way at the municipal areas level where bodies of municipal management associate themselves with the government, and this aspiration is supported by the regional level of the state government (power). The institute of local authorities institute is different by nature, which causes constantly arising problems with the explanation, and furthermore, with prediction local self-governance trends. Absence of a developed methodology does not allow to provide standard consistent recommendations about the structure of municipal authority. The object of research is still "too young" (despite the deep tradition of self-governance in Russia, not only in rural communities, but also in towns) and still very much dependent on the local social and administrative features, as well as on the territorial and spatial features of the country.

The aim of this project was to study and analyze models of self-governance at the level of local communities through cross-country comparison (especially from a legal perspective) and to see how the European experience can be implemented in Russia.

These issues are discussed in the participants' papers, including "Reputation-based governance and making states 'legible' to their citizens" by Lucio Picci, "Improving the quality of municipal service: cases on administrative reforms in the UK and Sweden" by Julia Minaeva, and "Local Governance in Scandinavian countries : is there a Common Model ?" by Svetlana Tokunova.

Lucio Picci

**Reputation-based governance and making states
'legible' to their citizens**

Introduction

Imagine a scenario where citizens assess policies online; where these
assessments form the basis for reputational measures of public officials and other
actors of governance; and where these measures, in turn, influence governance
decisions, for example by determining bureaucrats' promotions and the choice of
policies. This can lead to *reputation-based governance,* which hinges on the ability of
citizens to assess the outcomes of public policies, so that the administrators who are
responsible for them may build a reputation (Picci 2011). With effective reputation-
based governance, policies would be better attuned with people's needs and carried
out more efficiently and effectively.

This chapter considers the issue of *legibility*, a term borrowed from James
Scott (1998). Legibility has been used to refer to the ability of the state to "read"
society — to understand the populace's collective abilities, biases, constraints, and
desires in order to enable better governance. Yet there exists a parallel problem of
legibility of the state to its people—a question that should be seen as central in
governance, especially forms of governance where reputational incentives play a key
role.

Within reputation-based governance, measures of reputation affect incentives;
a high score, for example, eases the ascent up the career ladder. For this to happen,
citizens should be able to understand easily what it is that they are assessing. For
reputational measures to be computed, the responsibilities of the actions that are
assessed should be unambiguously attributed—to public administrations, to individual
administrators, and possibly to politicians.

In market applications of reputational systems, the identification of the
relevant object and the tracking of responsibilities happens almost naturally. When
buying on eBay, or when going to a restaurant, it is usually clear what it is that may be
assessed (the product or service), and who the person or organization is whose
reputational measure is being computed (the seller).

However, in the public sphere, the situation is quite different. Public
governance today is complex and almost invariably multi-level: the overall action of
the state is balkanized into countless policies and programs, that almost invariably
interact among themselves; boundaries are often blurred, and responsibilities for
success or failure are not straightforward to attribute. This situation generally imposes
a heavy cognitive load on citizens, and opens the door for strategies of obfuscation of
various types—unwarranted attribution of credit or blame, spin, bureaucratic delays,
and downright propaganda. The necessary information may be available—indeed,

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thanks to the Internet, *lots* of information is available—but making sense of it is challenging.

What we face is a problem of *legibility of the state*—the task of gathering and decoding the vast array of information that, together, communicate the state's overall actions. Before tackling this problem, we first consider the concept of legibility as James Scott (1998) originally introduced it: not of the state by society, which is what is needed for reputation-based governance to work, but legibility of society by the state, which is what states have long striven for.

Legibility of society and control

The concepts of legibility and of control of society go hand in hand. There are plenty of examples of control of society by the state. Video cameras in public spaces, we may feel, are spying on us. It is compulsory in many countries to carry proof of personal identity. Even in the United States, where there is a deep-rooted resistance to forms of individual identification, the attacks of September 11, 2001, brought about greater compulsory identification before boarding an airplane. In Europe, where people are more nonchalant in this respect, national identity cards and automatic voting registration are the norm.

The state exerts a degree of control over its citizens. If we look at the issue from today's perspective, control arguably leads to more security—for example, vis-a-vis the terrorist menace. However, we are advised to take a broader historical view. Two necessities of the state go a long way in explaining its deep-seated tendency to control society. First, the requirement to levy taxes assumes the ability to identify persons, and to eventually knock at their door should they not voluntarily pay their dues. Second, conscripting an army benefited historically from the capability of identifying persons.

There are societies where this kind of control would be quite difficult. A nomadic tribe, for example, is difficult to tax or conscript. Persons who do not have a surname would also constitute a problematic case. If John were "from the mountain", his identity might be perfectly clear within a small community. But if that John went to the plain, possibly to escape the occasional tax collector, then he would become one John among many and, from the point of view of the state, a needle in a haystack. For such reasons, states do not like nomadic populations, and they also much prefer their subjects to have stable surnames, especially if they are linked to a unique numeric code. In modern societies, the friendlier face of the state's power also benefits from a legible society: infant vaccination programs and universal social services, for example, represented a positive achievement for humanity.

For society to be controllable, the state has to have means of "reading" it with ease. Society has to be legible, and the state has an interest in transforming society so as to make it such. In fact, James Scott (1998) argues that many early initiatives of modern states may be interpreted as attempts to make society more legible. The introduction of surnames was a step in this direction, as was the imposition of a common national language, allowing the immediate intelligibility of all written records produced without the need to interpret. Many agricultural reforms, by defining regular plots of land and easy ways of extracting any surplus in production, contributed to the goal of legibility. Overall, Scott (1998, 77-78) summarizes, a

"society that is relatively opaque to the state is […] insulated from some forms of finely-tuned state interventions, both welcome (universal vaccinations) and resented (personal income taxes)."

Legibility of the state and accountability

We now consider the parallel problem of *legibility of the state to its people*, which is important in governance, and central within reputation-based governance. Legibility of the state is needed for it to be accessible to its citizens: participation in state affairs and in the democratic process is facilitated by the ease with which the state and its activities can be deciphered. The legibility of the state, moreover, goes hand in hand with the possibility of holding it accountable for its actions.

Just as the state desires its citizens to be easily identifiable, so the citizens, in order to be able to hold the executors of policies accountable, should wish that the overall actions of the state are legible. Imagine a situation where, by feeding into one's mobile phone the unique identifier for a given policy, a wealth of information on that policy's characteristics, costs, and expected outcomes could be accessed. Further, under reputation-based governance, one could rate the policy's outcome, observe a summary of other people's assessments, and read the reputation measures of the administrators involved. So, policies should be well-identified and responsibilities clearly attributed: legibility and accountability are two sides of the same coin.

The wealth of information on policies, their outcomes, and the assessments that they receive could be harnessed in different ways. Of particular interest would be the comparison of the data available on similar initiatives that are carried out by different administrations. For example, such an information system could allow comparison of the cost of a mile of a new road with the average of similar works carried out elsewhere. Certainly, observing that the cost per mile of a length of road was 50% above the national average would not constitute a conclusive proof that something went wrong in its construction. There could be reasons to explain such difference: a more expensive road could be of better quality, or the terrain it covers could be more rugged. These differences could be taken into consideration, by computing comparisons that are conditional on a host of external factors that may be relevant in determining costs.

Such average, or "standardized", costs, would aid in monitoring the execution of policies. In particular, they would assist in controlling one of the great plagues of governance: corruption. The very high economic and social costs of corruption go beyond the immediate diversion of public funds, since it has been demonstrated that corruption is accompanied by a series of distortions in the behaviors of public administrators, politicians, and firms, all of which add to corruption's damage (Lambsdorff, 2006). Corruption affects some countries more than others, but it is a potentially serious problem everywhere. In many places, and particularly in relatively poor countries, the economic and social costs of corruption constitute a real tragedy.

The wealth of information available on policies under reputation-based governance would be quite helpful in this respect. The government could direct its auditing activities towards cases which look more suspicious because, for example, their unit cost significantly exceeds a measured average. Citizens, individually or through civil society organizations, could take advantage of the availability of well-

organized data to hold their administrators and politicians accountable. For this to happen, the *raw data* should be freely available to all, so that any social actor could decide how to represent them. In this respect, Robinson et al. (2008) invite the US government "to require that federal websites […] use the same open systems for accessing the underlying data as they make available to the public at large". (Note that exclusive control of the raw data by a single actor, by permitting the selection of *what* is publicly represented and *how*, would result in agenda-setting prerogatives within public discourse.)

Issues of governance design

Researchers interested in Internet-enabled forms of political participation sometimes have an exceedingly optimistic view of what the people want, believing that citizens are naturally interested in participating in politics and that, should the technological and organizational means be available, they would automatically turn into the engaged, net-enabled citizens of advanced forms of participatory democracies. Certainly, at times we observe dramatic examples of political participation. However, most of the time, people would arguably rather mind their own business and enjoy the company of their friends or lovers, rather than participate in political activities. Researching the attitudes of American citizens to their government, Hibbing and Theiss-Moss (2002) summarize this reality with the disheartening conclusion that people "do not want to make political decisions themselves; they do not want to provide much input to those who are assigned to make these decisions; and they would rather not know all the details of the decision-making process". They conclude that "the last thing that people want is to be more involved in political decision making."

This view may err on the side of pessimism, but it has the merit of alerting us to the importance of adopting forms of governance that make participation as easy, inexpensive and enjoyable as possible for citizens. Lowering the cognitive obstacle (and in general the cost) of political participation should be a priority. Unfortunately, nothwithstanding some meritorious attempts at simplifying regulations and reducing the complexity of the tax system, the issue has rarely figured high among the preoccupations of public administration reformers.

Consider the so-called "New Public Management" reforms, which were fashionable during the 1980s and part of the 1990s. Dunleavy et al. (2006) remind us of the case of New Zealand, whose "pioneering [New Public Management] structural changes have left a country of 3.5 million people with over three hundred separate central agencies and forty tiny ministries, in addition to local and health service authorities." In such a balkanized governance landscape, one wonders how citizens are supposed to figure out responsibilities, or simply to remember the names of all the relevant institutional actors. New Zealand is probably an extreme case, and New Public Management styled reforms had, at least in some cases, a degree of success—but the anecdote shows a general tendency. It is striking to note how little attention has been dedicated to the cognitive problems of making sense of complex structures of governance. Of particular interest is the implication such difficulty has for the accountability of rulers and for popular participation in politics.

Today's Internet technologies can help in this respect. First, the Internet cheaply disseminates useful information. A citizen wishing to file a complaint,

following a bad encounter with a public administration, in many cases may quickly learn from its Web site who is in charge and to whom the letter should be addressed. At a more sophisticated level, we are witnessing the spread of so-called "mashup" applications, where different services are used in conjunction to represent policy-related data intelligently—and intelligibly. For example, information on public expenditures may be geocoded and then visualized in programs such as Google Earth. These possibilities of visualizing and making sense of large amounts of data open up very interesting possibilities.

However, technology alone does not solve the problem of legibility, because today's technological tools can only be applied within an already legible context. I'll make this point by considering a concrete example.

The case of international aid

In March 2010, the report of the United Nations Somalia Monitoring Group found that as much as half the food aid sent to Somalia was diverted from the intended beneficiaries to a web of corrupt contractors, militants, and local United Nations staff members (Aidinfo 2010). According to the same report, "if the details of each contract and each transaction had been publicly available from the outset, it would not have been possible for these abuses to have taken place: transparency would pre-empt a good deal of this kind of abuse. The publication of broad summary totals for each project does not provide sufficient information to enable this kind of accountability or to prevent abuse."

In the world of delivering international aid to developing countries, there is a consensus that transparency should be increased. Aid projects typically involve many organizations acting in different and remote locations, so that exercising control over projects is intrinsically difficult. The institutional context also matters, since the projects often benefit countries that are characterized by high levels of corruption. While the people who illegally benefit from such a system may be quite happy with the way it works, both donors and recipient countries have an interest in increasing the effectiveness of whatever resources are dedicated to international aid. As an expression of this convergence of interests, in September 2008 high-level delegations from all over the world met in Accra, Ghana, to address this and other issues related to international aid. The Accra meeting launched the International Aid Transparency Initiative (IATI), whose goal is "to make information about aid spending easier to access, use and understand" (International Aid Transparency Initiative 2010a). To meet this broad goal, several interlocking initiatives are currently being undertaken.

We should note that, for the most part, the problem is not one of creating new information from scratch, since much of the desired information already exists in the archives and institutional knowledge of the many organizations involved. In principle, a dedicated fact-finder could ask particular organizations to disclose financial and other desired information on the aid project they are involved with. However, this would be no easy task. First of all, the names and addresses of such organizations would be needed. Those organizations, in turn, would find it costly to collect the desired information. The information coming from the different organizations would likely be provided in different formats, and hence could be reconciled only with effort; verification would also be a concern. Again, we face a problem of legibility: the

information may be available in principle, but finding, collecting, and making sense of it would require much toil.

One obvious way to solve the problem would be to build a database where all the interested parties could input the necessary information using a Web interface. However, this possibility was discarded for several reasons, the foremost being that duplicating information that may already exist is costly and, as such, would hinder the adoption of the proposed solution and potentially cause its failure (Development Initiative 2010). IATI chose an alternative route: brokering an agreement among the many stakeholders involved to adopt a common format to present the needed information, but leaving them otherwise free to publish it where they wish. Choosing a common format means agreeing on a series of standards and rules. First, there must be a system in place which could unambiguously identify each project and all of the organizations involved. Secondly, the information should be presented together with appropriate accompanying information (or *metadata*), clarifying what the information is about. Third, the veracity and quality of the data made available should be verified by a third party.

The desired information would reside in many different locations, such as the Web sites of the organizations involved; these would have to be recorded into a common registry. Overall, the information would be *machine readable*, in the sense that appropriate software could be written to collect it and automatically process it in the desired ways. It is true that data scraping techniques (i.e. parsing of unstructured data) can in many instances permit the transfer of data that are not appropriately structured or designed to be machine readable. While the collaborative use of data scraping tools opens up interesting possibilities of increasing legibility of public governance "from below", such a solution can only be partial, due to its cost, partial applicability, and dependence on the availability of the desired data.

With structured and machine readable data, anybody would be able to access the raw information that is made available, to process and visualize it as desired. Mashup applications, aimed for example at representing geocoded information on a map, would be straightforward to create. A similar setup would allow the introduction of reputational mechanisms in the management of aid projects. Once each project is clearly identified, the people who in principle should benefit from the project could evaluate its outcome. A clear knowledge of the chain of responsibilities in the execution of each project would in turn allow for the use of the assessments to compute suitable measures of reputation, not unlike what is done in many current Internet-based reputational systems such as eBay. These measures would likely be considered by donors deciding how to invest their resources. Organizations involved in delivering aid projects, as a consequence, would have a clear incentive to develop a reputation for responsibility, skill and effectiveness.

For this to succeed, many important issues should be addressed. There should be a patient effort to work out bugs in reputation measures, and parallel fieldwork with real aid recipients to understand how to get valid and useful recipient evaluations. Also, many, if not most, actors will have incentives to skew the system and metrics to their advantage. In Picci (2011) the presence of incentives in gaming the system is considered explicitly; here it suffices to recognize that, in governance, any set of incentives brings about attempts at bending them to serve one's needs, often in

disaccord with the public good, and that these worries should be explicitly and carefully addressed in practical implementations.

The road to legibility of the state

In the case of international aid, the requirement of transparency could have been achieved by obliging all concerned organizations to publish on the Web a set of relevant information on the projects to which they contribute. This would have been a valuable step forward, but in itself not enough to guarantee legibility, which has to do with the possibility of easily making sense of the information available. Transparency is a necessary condition for legibility, but not a sufficient one.

The story above, in particular, shows that technology alone is not enough to solve problems of legibility. If IATI is successful in making international aid more legible, it will not simply be because more information is available, nor because it will have simply hammered clever code into computers. It will also be because IATI will have built consensus among many stakeholders on a set of definitions, standards, and practices. Only when this intrinsically political goal is accomplished, will the community of stakeholders of international aid be able to tap into the power of information technologies to increase both transparency and accountability.

In this respect, we observe an important difference from the private sphere. Legibility is easier to obtain in markets, whose functioning requires an easily understandable description of what is traded. The process of international harmonization of accounting practices certainly contributed, for example, to a situation where the activities of public enterprises display, at least in principle, a high degree of transparency and legibility—while not being sufficient to prevent serious forms of corporate dishonesty. On the other hand, within the public sphere, legibility is often a matter of contention between a state and its citizens, with each one resisting the desire that the other has of control or accountability. Over the last century, a "struggle toward openness" (Fung et al. 2007) has brought about, in the United States and elsewhere, an increased degree of transparency from which the people have benefited. And a struggle it was, with the state often fighting back—witness, in the United States, the general retrenchment in public access to government information under President George W. Bush (Fung et al. 2007).

The advantages that the adoption of reputation-based governance would bring to public governance add extra motivation to make the state more legible. Inevitably, reforms would be needed. In (Picci, 2011), it is argued that a way to tackle the legibility problem would be to structure the actions of public administrations as easily identifiable policies that citizens could monitor and assess. The result would be a policy space more modular in nature, i.e. one that is formed by clearly distinguishable modular building blocks.

Such organizational changes could only be obtained with public administration reforms, needing a firm political will to carry them out. This political will would be the result of the dialectic encounter between the state and the people. The former might try to defend in various ways its prerogatives and privileges, and make arguments against adopting unproven new systems too quickly. As for the people, the potential benefits of introducing forms of reputation-based governance may constitute an argument in favor of positive change.

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Julia Minaeva

Improving the quality of municipal service: cases on administrative reforms in the UK and Sweden.

Introduction

"Would you tell me, please, which way I ought to go from here?"
"That depends a good deal on where you want to get to," said the Cat.
"I don't much care where — " said Alice.
"Then it does not matter which way you go," said the Cat.
" — so long as I get somewhere," Alice added as an explanation.
"Oh, you're sure to do that," said the Cat, "if you only walk long enough."[1]

I would like to start my work with a dialog from Lewis Carrolle because this exact dialog clearly illustrates the situation of organizational reforms in any bureaucratic system. The conversation between Alice and the Cat could as well take place between, for example, an administrator and a consultant arguing on a forthcoming reform. Any changes start when somebody has the idea that it would be good to change something. It is not necessary to spot a specific problem — there are always unsolved problems in all organizations, whether they are municipal, private, or in the public sector. The problem must be identified and diagnosed first, and the goals should be established next.

The intention to change might originate in an ideology or, alternatively, may lead straight to decisions and plans for change. Then action starts: plenty of talk, various decisions, letters and documents, resistance and protest, meetings and informal debates. Sooner or later some external forces are brought in the already developing process and reform. At this point, when the initial problems are overcome, the reform may be called a successful one. But if such an attempt is unsuccessful, frustration and chaos will precede a speedy return to old forms and processes. Thereby, it is necessary to evaluate the quality of the municipal service in the concrete district and then decide what effective strategy to choose.

What is the quality of the municipal service?

"As the quality of urban life is increasingly and inextricably bound with governmental decisions on public services, municipal service performance has been one of the leading public issues and thus has drawn considerable attention from the municipal management and scholarly professions."[2] In the past few years, there has been a growth of efforts by social scientists to assess the quality of city government and the services it provides. It does not matter about what country we are speaking,

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[1] Lewis Carroll. Alice's Adventures in Wonderland. Chapter VI. Pig and Pepper. p.36.
[2] Doh C. Shin. The quality of municipal service: concept, measure and results.p.2.

because "the wave" of reforming the public and municipal service takes place practically in any modern society. Based upon the models constructed in the XIX century, municipal service now must be undoubtedly adjusted to the present situation. Therefore the quality of the present municipal service must be thoroughly studied, evaluated and brought up to the mark. So, now it is clear that in assessing urban municipal services, the concept of quality is employed as the basic concept.

What stands behind the term 'quality'?

Those who are working in quality of life research know very well that 'quality' is a slippery concept because it has both an evaluative and descriptive use. "Used descriptively, the term refers to attributes of things rather than mere quantities of things. Used in an evaluative sense, it refers to the value or desirability of things which is directly proportional to degree."[3]

Similarly, quality is used in the present work and represents the perception or feeling that a service is good, right or enjoyable. Considered from this perspective, the term is rather subjective because in this case quality can only be measured as a person himself experiences it.

Another important theoretical matter is the concept of municipal service. The services provided by the Local Administrations can be defined as "services offered to the population of cities, settlements, and villages by enterprises of the communal service system to meet the material-domestic needs of the population. In many cities and settlements, general-purpose municipal enterprises provide water, electricity, gas, and other services to industrial enterprises as well."[4] Therefore, the evaluation of municipal services can be more useful and objective. Considered from this perspective, municipal services are more likely a community-level phenomenon rather than an individual-level phenomenon. Thereby, the quality of municipal service is the collective experience of the citizens of an urban community.

How can we improve the quality of the municipal service and build an ideal model?

In my opinion, before constructing an ideal municipal service model, it is very important to analyze the local government systems that often serve as a role model for other countries.

Firstly, it is very important to understand what local governance reforms were implemented in Europe generally. In the older democracies within the developed countries local democracy got a great push with democratisation and general liberalization which mostly took place in the late XIX — early XX century. Although in some of these countries decentralisation of political structures at the local level already existed before this period. Decentralized administrations were less autonomous and often dominated by a small local elite. The general enfranchisement brought mass participation and the election of councils and mayors.

The term 'developed countries' here refers to the older democracies in Western Europe, North America, Japan, Australia and New Zealand. The Western

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[3] McCall, S.: 1975, 'Quality of Life', Social Indicators Research 2, 229-248. p.231.
[4] The Great Soviet Encyclopedia, 3rd Edition (1970-1979). © 2010 The Gale Group, Inc.

European types can be divided into three: namely, the Anglo-Saxon, Northern and Franco-southern type. [5]Additionally after the breakdown of former socialist regimes Eastern European countries developed strong decentral structures at the municipal level in their new democracies. Nevertheless in most countries control from above was still strong. The so-called Franco-southern type includes countries such as France, Italy and Belgium and the former authoritarian regimes such as Greek, Portugal and Spain. In the Anglo-Saxon type consisting of the UK and Ireland, local government mostly had a low constitutional status but less control in day to day policy making. The Northern and Middle European group consisted of the Scandinavian countries such as Denmark, Sweden and Finland, while Middle European countries such as Austria, Germany, Switzerland and the Netherlands where "the government had a high constitutional status, was less controlled from above and showed a high degree of local autonomy".[6] The older North American and Oceanian countries differ from the Anglo-Saxon local democracies. Although built on English or Commonwealth traditions of local government, the USA, Canada, Australia and New Zealand implemented strong federal systems and in general strong local autonomy, broad functions and discretion. In this chapter we will not focus on the new democracies in Eastern Europe.

We will discuss countries that represent the older democracies and the economically richer countries. The idea is to analyse those local government systems which often function as a role model for other countries. Some of these countries represent the former colonial powers which implemented their own political systems and administrations during and at the end of their colonial rule. From this perspective, the UK and Sweden are attractive because they can be considered as European "prototypes" of different local government patterns with regard to their historical starting conditions and recent reforms. Firstly, it would be right to look into some discinctive features of each country mentioned above.

Historically, England's local government level can be characterised by "a plethora of single purpose agencies managed by boards that were appointed or elected in various ways".[7] During the XIX century and well into the XX century, England was the European model of classical, multi-functional local government.

As far as Sweden is concerned, this country is unitary with traditionally decentralized and strong local government structures, which, since the 1990s, has further decentralized political and administrative structures.

Sucj local government systems as in England and Sweden are historically based on the principle where the elected local council possesses comprehensive powers that comprise deliberative decision-making as well as the executive direction and control over the administration and implementation of local government tasks. "This has given rise to the traditional government by committees concept, giving each

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[5] Hesse, Joachim Jens/ Sharpe Laurence J. (1991): Local Government in International Perspective. Some Comparative Observations. In: Hesse, Joachim Jens (Ed.): Local Government and Urban Affairs in International Perspective. Baden-Baden: Nomos: 353-386.

[6] Kersting, Norbert/ Vetter, Angelika (Eds.) (2003): Reforming Local Government in Europe. Closing the Gap Between Democracy and Efficiency.

[7] Skelcher, Chris (2003): Governing Communities. Parish-Pump Politics or Strategic Partnerships? In Local Government Studies 29 (2003),4: 1-16. p.10.

sectoral committee comprehensive, monistic, both deliberative and executive competence."[8]

In general, reforms in the Anglo-Saxon countries and Northern country family have concentrated on the government-by-committee system, the main weakness of which was based upon the historically collective, egalitarian decision-making by councillors acting in sectoral commissions. So, let's have a more detailed review of the reforms which were implemented in England and Sweden recently.

Administrative reforms in England

For centuries the monistic English local government was characterized by a committee system, and all the reforms in the conservative government were focused on the administration. With the New Labour reforms the political structure changed dramatically. The structure of the reform consisted of two main parts: 1997–2001 and 2003–2004. "The labour government favoured executive mayor form including direct election of the mayor"[9].

Howvere, most of the cities installed the cabinet with leader option. "The Local Government Act of 2000 has taken a quite radical step abolishing the sectoral standing committees altogether, transferring their functions to an executive committee (cabinet) as the only remaining decision-making/ executive body — with the leader who is elected and can also be removed by a majority vote in the council — coming close to a local 'prime minister'"[10]. The cabinet of executive councillors, a largely independent governing body within local government can be seen as moving towards a dualistic form. The new forms of local government have undoubtedly strengthened local political and administrative leadership by introducing a "strong and individualised form of leadership".[11] Although centrally guided performance management control over the local authorities has been mitigated to some extent, it continues to exemplify the centralist control which British central government exercises over the local government level and which has no parallel in other European countries.

Aministrative reforms in Sweden

Sweden was historically a rather rural country with over 2000 small towns and villages. Most of the local decisions were taken by direct democratic community meetings and their local activities were handled by laymen or, in other words, by common people.

The local government reform has been gradually going on since the 1980s. While leaving the traditional government-by-committees system with sectorally responsible executive committees largely untouched, it focused, firstly, on politically streamlining council decision-making structures by electing the chairmen of the standing committees and particularly the leader of the main committee by council

[8] Humanities, Social Sciences and Law: Local Governance Reform in Global Perspective. 2009, 35-75, p.52.

[9] Oels, Angela (2003): Evaluating Stakeholder Participation in the Transition to Sustainable Development: Methodology, Case Studies and Implications forPolicymaking.: LIT Verlag.

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11 Lowndes, Vivien/ Leach, Stephan (2004): Understanding Local Political Leadership: Constitutions, Contexts and Capacities. In: Local Government Studies 30 (2004) 4: p.557.

majority vote, thus ushering in what has been labelled a "kind of parliamentarism"[12] or "semi-parliamentarism". Second, leading councillors on the standing and main committees now have full-time, salaried positions. While the process of "de-collectivisation" and even "individualisation" of council decision-making in Swedish local government has made progress, more far-reaching "hierarchisation" or even "monocraticisation" of political and administrative leadership are still disregarded, if not abhorred, as incompatible with the prevailing compromise-oriented political culture. Hence, Sweden's local government system continues to be a world "with many actors and few leaders". [13] Moreover, it constitutes a remarkable example of "soft" version of indicator-bases performance management which is rooted in a local government "bottom up" initiative (thus contrasting sharply from the centralist "top-down" approach of a performance management scheme in Great Britain).

Conclusion

In most of the developed countries, the end of the XX century is associated with a period of broad administrative reforms. With some exceptions, most countries introduced integration strategies heading to bigger communities and often causing a loss of local identity. Despite global trends and strategies national party politics such as decentralisation strategies and fiscal reforms often interfered with the relationship between the national and local levels. There seems to be a tendency that the bigger cities are often under the political control of opposition parties. In the UK the conservative government at the national level tried to reduce functions and the autonomy at the local level to restrict the oppositional influence.

The separation of power as a strategy to define new roles of local administration, and council is a kind of a trend for local government in most countries. In most developed countries, such as UK and Sweden observed above, it can be shown that the local level is growing because of new social welfare policies.

In all countries, municipal town planning initiatives were often reduced because of low funding for new projects. Furthermore, these projects or public programs should not just work but work for the advantage of the community. Many, if not most, public programs and reforms in the municipal service does not meet the real needs of all people. Thereby, it is very important to understand who benefits and who loses from this or that government action. Such understanding is thus another basic consideration of program quality and the success of the municipal reform.

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Svetlana Tokunova

Local Governance in Scandinavian countries: is there a Common Model?

Introduction

Steadiness of a construction is based on steadiness of its fundamental. [1]
Ўmile Zola

Article 3.1 of the European Charter on Municipal Service defines local government as "the right and the capability of local governenings bodies to regulate a major part of public affairs and to govern it, acting within the law, according to its competence and in the interests of local habitants[2]".

Taking this into consideration, I can conclude that the level and the quality of life of the citizens depends on the quality and the competence of local government, on the ability of the officials to understand and solve real problems of the citizens.

In the fact the municipal acts serve as the auxiliary tool for regulation of public relations, "which arise in the course of the organization of the activity of local government[3]".

The following models of local government can be named[4]:

— The Anglo-Saxon model (Great Britain, the USA, Canada, Australia, Ireland, India, New Zealand);
— The continental model (European or French sub-models: France, Italy, Spain);
— The mixed (hybrid) system (Austria, Germany, Japan);
— The Soviet model (China);
— The Scandinavian system (Denmark, Finland, Sweden, Norway).

In this essay I would like to analyze the Scandinavian model of local government. In my opinion, this model is one of the most successful ones, and it's concentrated on the needs of the people. The main principles of this model are great autonomy of municipal authorities and their immediate reaction to citizens' requests and issues.

The case of Finland

It is widely thought that the "Nordic countries have found some magic way of combining high taxes and lavish welfare systems with fast growth and low unemployment[5]", and in my opinion, local government influenced such a situation.

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[1] Ўmile Zola. Collected works, Volume 23, p. 384
[2] Charte europeenne de l'autonomie locale
[3] Kutaphin O.E., Fadeev V.I.Municipal law of Russian Federation
[4] Kokorev D.A. Magazine The law: the theory and practice Comparison of legal features of city management in Russia with the basic models of local government in Europe 2003

The success of the Nordic model is based on three important statements:

Stateness. First of all, it should be remembered that social services are mostly organized at the local level by numerous small municipalities, which makes the interaction between decision makers and the people rather intimate and intensive. "The difference between public and private, so crucial in many debates in the Anglo-American countries, was of minor importance in the Scandinavian countries. For example, until recently it has been considered legitimate for the state to collect and publish records of individual citizens. It is probably no accident that Sweden and Finland have the oldest population statistics in the world[6]";

Universalism. In the Nordic countries, the principle of universal social rights is extended to the whole population. Services and cash benefits are not targeted towards the have-nots but also cover the middle classes. In short, "All benefit: all are dependent; and all will presumably feel obliged to pay[7]". The universalistic character of the Scandinavian welfare state has been traced to "both idealistic and pragmatic ideas promoted and partly implemented[8]" in the making of the early social legislation in the years before and after the turn of the twentieth century. There has been a very pragmatic tendency to minimize the administrative costs by favouring universal schemes instead of extensive means-testing;

Equality. The Scandinavian route towards the modern class structure was paved with the strong position of the peasantry, the weakening position of the landlords, and with the peaceful and rather easy access of the working class to the parliamentary system and to labour market negotiations. Moreover, Scandinavia is famous for her small gender differences.

The countries with the Scandinavian system of local government can be described as countries with great independence of bodies in operative questions, and simultaneously extremely insignificant legal guarantees. At local level there, there is practically no direct public administration, while at regional level there is always a government official representing the government (the Crown) and supervising local bodies.

We also believe that the basis of the model is a combination of collective risk sharing and openness to globalization. There is a mutually supportive interaction between these two elements: collective risk sharing helps make globalization acceptable to citizens, by facilitating adjustments that allow the economy to benefit from changing markets and to raise productivity and incomes.

Nevertheless, let us return to the theory and practice of local government in Finland. In Finland local government is based on a principle of self-management of the citizens living in the municipal territory. The basic legal act determining an order of forming of local budgets in Finland is the municipal law of 1995. The local budget develops of four sources of income: taxes, a service fee, the state grants and credits.

[5] The Economist, The World in 2007, Edition, 2006, 44

[6] Allardt, Erik "The Civic Conception of the Welfare State" In Richard Rose & Rei Shiratori (eds.) The Welfare State East and West. Oxford: Oxford University Press, 1986

[7] Esping-Andersen, Gosta The Three Worlds of Welfare Capitalism. Cambridge, Polity Press. 1990

[8] Kildal, Nanna and Stein Kuhnle (2005) "The Nordic Welfare Model and the Idea of Universalism." In Nanna Kildal and Stein Kuhnle (eds.) Normative Foundations of the Welfare State: The Nordic Experience. London, Routledge.

Local self-government is based on management of representatives of municipalities (the country is divided in 455 municipalities).

Being an official is prestigious and brings stable income. Thus, local government is the largest employer in Finland: more than 400,000 people worl to serve the citizens.

The economics of local government decision-making has never been regarded as a major challenge for economic research, as most local governments are small political units with modest budgets. They focus upon rather trivial spending for e.g. infrastructure, medical care and education.

Structures of local government in Scandinavian model of local government: the case of Denmark

In Denmark, the lowest level of territorial organization is a commune (*kommune*). At this level, there are only representative self-government institutions, e.g. commune councils, burgomasters (*borgmester*), administrative councils, and municipal administrations.

Council elections are held once every four years on the same day as national parliament ary elections. They are performed through a proportional system; all Danish citizens who are of age and foreigners living in territory of a commune for not less than three years have the right to vote.

Councils determine their number independently; thus, it varies from one commune to another, but are similar within the limits of one municipal union. The law sets a minimal list of to be decided at council plenary meetings only, including the issues of territorial planning and budget accepting. The commune administration reports to the council, which determines which issues to pass. This can be done by a special commission but is usually delegated to a financial commission. However, this hierarchy often becomes complicated due to double subordination to the corresponding commission and the burgomaster.

The burgomaster is selected by the council for four years. He simultaneously serves as the chairman of the council, head of administration, and chairman of the commission on the finance. The burgomaster can only be displaced early by a court decision. The commune administration is managed by the director of administration, who report to the burgomaster only.

The next level of the territorial organization is *amt*, or district. Self-management at this level is performed by a county council and the chairman selected by the council. Just like in communes, the main role belongs to the commission on the finance, headed by the chairman of the council.

The amt's territory is, at the same time, part of the self-governing community, and is a unit of direct public administration. The state administration in district is headed by an *amtsman* — an official appointed the government.

There also are territorial communities of special status in Denmark. Greenland and the Faeroe Islands have a right of regional autonomy that gives them a number of additional status features and extra authority (in particular, connected with maintenance of local dialects). In the "metropole", Copenhagen and Frederiksberg have a special staus too: they are communes and districts at the same time due to a

historical tradition the density of population (Copenhagen and Frederiksbergom, its satellite city, are home to over the thrid of the country's population).

Distribution of power

The main feature of the distribution of power between different levels of governance in Denmark is the following paradox: the law on local governance doesn't really specify the necessary competence of local government bodies.

The distribution of power and coordination of political subjects at different levels is done according to special laws that regulate one or another specific sphere of life (e.g., healthcare, education,, economic development, etc.). It basically gives no legal guarantees on local self-government but provides flexibility.

Another specifically Scandinavian feature is the fact that governance is very much decentralized; there is virtually no connection between governance executives in the field of healthcare, social aid, education, employment, ecological, etc. In these spheres, the state only provides general legislative guideline and gives a considerable part of funding.

In spite of the fact that most of the services are decentralized, the Danish legislation specifies that all the citizens should be treated equally and should have access to identical services in the sphere of healthcare, gas and water supplies, etc. So, local governance institutions have a high level of sicretion but can't go below the specified level of service.

Conclusion

As noted by N.I.Turgenev, a Russian economist, "the state or, more precisely, the government can do nothing for the citizens if the citizens do nothing for the state[9]". That means that if the citizens don't want better life conditions and don't want to help their local government in solving local problems, all efforts of the government in the sphere of innovations and decentralization would be useless.

Nordic societies are a good example of an effective cooperation between municipal governments and citizens, which finds proof in their high economic growth and low levels of poverty. Only the countries that have built such an infrastructure of local governance have succeeded in building welfare state. No country (except Finland, to some extent) without strong local capacities has succeeded in doing so.

Traditional institutional differences between federalist and unitary states, or even many general analyses of centralization vs decentralization at the higher government levels fail to capture this crucial *local* dimension of the state. No understanding of public policies can be complete without paying attention to this element, especially knowing that such policies have become stock-in-trade of the XXI century governance, be it environmental, economic or other policy type. As we can deduce from the history of the Scandinavian welfare states, local governance can play critical role in the formation, development and implementation of state policy.

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[9] Tourgenev N.I. Experience of the theory of taxes. 3 edition M:Gossocekonomizdat, 1937. p. 9-10.

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Chapter Six. Language of Public Policy

Introduction of Research Working Group

This chapter presents papers by the participants of the working group "Language of Public Policy". Anita Soboleva, PhD, Ass. Prof., HSE Department of Public Policy, and Halvor Kongshavn, University of Oslo, director of library (Oslo, Norway) were the academic supervisors of this group.

"As politicians know too well, but social scientists too often forget, public policy is made of language. Political parties, the electorate, the legislature, the executive, the courts, the media, interest groups, and independent experts all engage in a continuous process of debate and reciprocal persuasion" (Giandomenico Majone, Evidence, Argument and Persuasion in the Policy Process). How do we articulate our ideas and what means do we use to promote them? How we analyze public discourse? How we create and decode the messages about political views and opinions? How we speak about human rights to different audiences? These are the issues that were analyzed by the members of this group.

The authors of the present chapter are Anita Soboleva with "Speaking about Human Rights: What is the Language We Use?", Diliara Mulyukova with "The role of political myth in regional political process in Russia: case of the Republic of Tatarstan", Alena Pustovalova with "Metaphoric Conceptualization of the Global Economic Crisis in the Russian Media", and Maxim Bogachev with ""Singing Together": using pop songs in political campaigning".

Anita Soboleva
Speaking about Human Rights:
What is the Language We Use?

Я хочу быть понят моей страной….
(I want to be understood by my country…)
Vladimir Mayakovsky

As Giandomenico Majone fairly stated in his *Evidence, Argument and Persuasion in the Policy Process,* politicians know too well but social scientists too often forget, that "public policy is made of language"[1]. The idea to apply categories of rhetoric to the policy-making is not by itself new, for the "analysts, like lawyers, politicians, and others who make a functional use of language, will always be involved in all the technical problems of language, including rhetorical problems".[2]

The working definition of rhetoric, accepted in this paper, is the classic one proposed by Aristotle, who defined it as "the faculty of finding, in any subject, of the all available means of persuasion and then choosing which one to use".[3] Rhetoric is concerned with different kinds of persuasion in communication acts. It is "the kind of communication used by humans to make decisions, to regulate behavior, to assign values, to ascertain the accuracy of information"[4] or, more generally, it is "the craft of persuasion, the study of all the ways of doing things with words"[5]. As distinct from casual conversation, "rhetoric is problem-solving in that it is concerned with the propositions that individuals or groups should adopt rather than serving merely to transmit data", it is "practical since it serves as an instrument to change attitudes, beliefs, affective responses, or behavior".[6] A wider definition of rhetoric is suggested by Richard M. Weaver. According to his view rhetoric should be defined "as something which creates an informed appetition for the good", because such definition must recognize the rhetorical force of things existing outside the realm of speech.[7]

Rhetorical analysis as a part of rhetoric concentrates on the analysis of the rhetorical acts from the point of view of their efficiency and influential value. It shows how and why a particular communication act, presented in a public speaking, achieves its goals or fails to do so. It enables to trace the formation of the final outcome of the

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[1] Majone, Giamdomenico. Evidence, Argument and Persuasion in the Policy Process. Yale University Press, New Haven and London, 1989, p.1.

[2] Majone, Giandomenico. Evidence, Argument and Persuasion in the Policy Process. Yale University Press, p. 7.

[3] Aristotle. The Art of Rhetoric. London, Penguin, 1991. 1355b.

[4] Fisher,Randall M. Rhetoric and American Democracy: Black Protest Through Vietnam Dissent. University Press of America, 1985, p.3.

[5] Majone, Giandomenico. Evidence, Argument and Persuasion..., p. 7.

[6] Fisher, Randal M. Rhetoric and American Democracy..., p. 3-4.

[7] Weaver, Richard M. The Ethics of Rhetoric. Chicago, 1993, p. 108.

dialogue, to clarify the internal view-points and intentions of the arguing parties, their motives and personal interests in the discussion of a problem and their understanding of the matter under consideration. In this capacity it acts "as an adjunct and supplement to the insights provided through the study of other disciplines like history or sociology or political science".[8]

To be persuasive, we need to understand, how we articulate our ideas and what means we use to promote them, how we analyze public discourse on human rights, how we create and decode the messages about political views and opinions, related to human rights, and, of course, how we speak about human rights to different audiences, whatever they might be — friendly or unfriendly, conservative or liberal, supportive or irreconcilable.

From the very beginning I have to recognize a sad fact, that human rights ideas are not very popular among the most part of the Russian population. People tend to call human rights to mind only when their personal interest are at stake, and in those cases any injustice and any action against them immediately amounts, in their view, to a gross violation of human rights. Failure of human rights organizations to resolve the case in their favor — no matter, whether human rights lawyers refused to represent them or did not succeed — is perceived as a failure of human rights concept as such. The difference between human rights, rights of physical persons under civil law and rights of citizens is not seen by many people, and, unfortunately, remains unclear also for a vast majority of lawyers of the last two generations.

Ms. Navanethem Pillay, United Nations High Commissioner for Human Rights, stated in Geneva on March 3, 2011 in her speech, introducing the Annual Report, that "Human rights are too often discussed in abstract, technical or sometimes highly politicized terms".[9] In support of this thesis, she recalled the events in the Middle East in 2011, which proved, in her view, how human rights matter and matter concretely in the lives of people. Is it possible to explain to the Russian audience, that human rights matter, without waiting for any dramatic events?

What can be made to improve the understanding of human rights and their role? Before trying to answer this question, I want to make some introductory remarks.

One of the key features of democracy is its openness to different views, that is, ability to serve as a "market-place of ideas". This understanding was firstly formulated by Justice Holmes in his dissenting opinion in *Abram v. United States* in 1919, who mentioned, that "the ultimate good desired is better reached by free trade in ideas", and "the the best test of truth is the power of the thought to get itself accepted in the competition of the market".[10] But if a market-place of ideas does exist, than human rights as any other idea can be sold and bought. "If we are oriented to the outcomes, — writes about the problem of promotion of human rights Editor-in-Chief of "Caucasian Net" Internet-media, Russian human rights activist Grigory Shvedov, — than human rights — are *goods*… I treat human rights as goods, and if we want to

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[8] Fisher, Randal M. Rhetoric and American Democracy..., p. 4.
[9] Civil Society Section. Office of the United Nations High Commissioner for Human Rights. Introduction of the Annual Report. Statement by Ms. Navanethem Pillay, United Nations High Commissioner for Human Rights, March 3, 2011.
[10] Abrams v. United States, 250 U.S. 616, 630 (1919)

obtain the desirable changes in the society, these goods — human rights — should be understood by people. […] In post-Babylon period, the most complicated question is the problem of delivering information, that is the problem of language. Scientific or legal, human rights or beaurocratic, — all these craft jargons do not allow to bring the values of law to the audience."[11] Consequently, we need to develop a strategy (or strategies), "which would allow the rights to become as consumed and routine as Snikers or Coca-cola".[12]

From the above said it follows that if the idea of human rights is unpopular in Russia, then *either the product is bad or we do not know how to sell it*.

To build a persuasive discourse on human rights, we need, as traditional rhetorical analysis teachers us, to consider the topic, the audience and the rhetor. Or, in other words, the product, its potential buyers and a seller.

Human Rights as a Topic

I base my further considerations on the presumption that the idea of human rights is not a bad one, and leave the discussion with those who do not share it, for some other time: in any case, "human rights are a fact of the world" (Richard Rorty). But we must bear in mind, that "recent scholarly developments — popular constitutionalism and regime politics — properly recognize that human rights are politically constructed and dependent upon popular and elite support"[13]. The understanding of human rights may vary in different countries, at different times and by different political circles.

Roughly speaking, there are two ways of understanding/interpreting human rights: challenging and supporting.

In Russia, for instance, the main challenging arguments are:
— idea of human rights belongs to Western and American culture and needs reconsideration in application to Russia and other countries with their own traditions;
— human rights as a concept is needed by Europe and the US to use it against Russia in political bargaining;
— human rights as a concept is not needed in contemporary democracies, because human rights are part of their constitutions and other normative legal texts, which are formulated with more precision and provide for more guarantees to persons in case of violation;
— non-Western world is not one of the authors in human rights discourse, but the target of interventions that are legitimized by universal values (at this point NATO bombing of Yugoslavia in 1999 is adduced as an example);
— human rights are a sphere of occupation for people who have nothing else to do and who make profit of working for foreign bosses (because "who pays for

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[11] Шведов Г.С. (Shvedov G.S.) Продвижение прав человека в России: проблемы и точки роста. //Права человека в контексте российской модернизации. Пермь, Западно-Уральский институт экономики и права, 2007, с. 175.

[12] Shvedov, Ibid., p. 175.

[13] Peretti, Terri. The Political Construction of Human Rights in the United States // Paper prepared for the 17th Annual Conference on "The Individual versus the State" at Central European University, Budapest, June 12-13, 2009 (draft).

the girls' dinner, dances with her" — otherwise how to explain the grant-making activities of foreign donors in Russia?);

— law professionals know better about rights in general and human rights in particular, than human rights activists;

— human rights education teaches people to be against the state power, state interests and the state as such;

— defense of human rights is the duty of the state and not of people and NGOs, the state knows better what your human rights are;

— international human rights law is irrelevant in the face of violations of human dignity[14], which makes it ineffective.

Some of these arguments can be easily defeated, some of them need discussion and deserve attention. While the main point of disagreement between supporters and challengers is universality of human rights and their limits, there are approaches to human rights which allow to place the discussion into a different context. Human rights can be considered as a corps of texts. These texts in rhetorical terms are "commonplaces", or *typoi (*in Greek*)*, *loci (*in Latin*)* — "premises of a general nature that can serve as the bases for values and hierarchies"[15].

The term *typos*, or commonplace, was used in ancient rhetoric to designate "places", from which arguments can be drawn[16]. Rhetorical *Topica* (Topics) as an ancient technique for generating thoughts about problems provided handy recipes for finding different approaches to the problem by suggesting arguments *pro* and *contra*. *Typoi* can be singled out and grouped on different grounds depending on our understanding of their nature, for instance as (1) commonly shared values, or (2) generally accepted views, or (3) premises, or (4) any propositions that we take for granted without discussion, or (5) landmarks in topography of argumentation. In any of these senses, they can be considered as an initial basis for further arguments that makes possible the achievement of the agreement[17]. As far as problem-solving in law, including human rights law, cannot be separated from interpretation, *typoi* for inventing legal arguments can be also considered as the commonplaces for interpretation of human rights standards.

As implied values, human rights standards — as any other commonplaces — participate in the justification of most of the choices we make. Because values are not unquestionable truths, each person, who uses some value as a basis for his or her decision, can always be required to justify it. Moreover, each *typos* (*locus*, commonplace) can be confronted by one that is contrary to it, and any society, political party or part of population can be characterized "not only by the particular values it prizes most but by the intensity with which they adhere to one or the other of a pair of antithetical *loci*".[18]

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[14] See for more discussion of this statement in: Costas Douzinas, The End of Human Rights, Oxford Hart, 2000.

[15] Perelman, Chaim & Olbrechts-Tyteca, Luac. 1969, The New Rhetoric. A Treatise on Argumentation. Notre Dame, London: University of Notre Dame Press, p. 83.

[16] Cicero. 1949. *De Inventione; De Optimo Genere Oratorum; Topica.* Loeb Classical Library. Cambridge, MA: Harvard University Press, p. 382-383.

[17] Soboleva, Anita. 2007. Topical Jurisprudence: Reconciliation of Law and Rhetoric, in *Interpretation, Law and the Construction of Meaning,* edited by A.Wagner et al. Dordrecht, The Netherlands: Springer, pp. 49-63.

[18] Perelman, Chaim & Olbrechts-Tyteca, Luac. 1969, The New Rhetoric. A Treatise on Argumentation. Notre Dame, London: University of Notre Dame Press, pp. 83-84.

Today, universal human rights are no more traced from natural law, but rather considered as legal rules generally agreed upon. But there are also other points of view, and *how we speak* about human rights depends on how we *perceive* human rights. And if human rights activists, educators or defenders want to be understood by their audience, they need to develop a strategy, corresponding to their vision of human rights and depending upon the expectations of their audience. What it means for them at the first place:

— A binding law?
— A beautiful idea?
— An ideal?
— A project?
— A myth?
— A set of attitudes, values and moral norms?
— A topic for research (Master thesis or Ph.D. dissertation)?
— A text?
— …?

If it is just a binding law, then it can be reconsidered/amended as any other law and does not have a nature of the general truth. But as any other law, it is a result of some agreement — consequently, unless the rules are revoked, people must obey them. In this context the moral dimension of human rights is not relevant, and the problem of human rights promotion seems rather simple — it is enough to raise public awareness in human rights standards. Unfortunately, this simple solution does not work in practice. Probably, such argument can work in audiences, where law and legal order are valued by themselves, but it is lacking convincing power in Russia with its notoriously known legal nihilism.

Treatment of human rights as a beautiful idea does not live space for action and looks quite pessimistic. Beautiful ideas are like beautiful women — you can adore them from a distance, but you cannot trust them. The utopian ideas are also difficult to defend –they never reach their utopian goals, though may contribute to spiritual evolution and help overcome crises in societies.[19] I.Averkiyev proposes rather "to consider human rights, enumerated in the Universal Declaration of Human Rights, first of all, as an ideological and political project, proposed to the world by the European civilization. A beautiful project, a high project, but still a project".[20] Human rights, in his view, do not exist by themselves. Their real meaning is defined by those people who call themselves "human rights defenders'. And effectiveness of their activities, in its turn, depends on how they define those rights, which they are called to defend. "That is why personal and corporative answer to the naпve question "WHAT IS IT HUMAN RIGHTS?" arises today as the most important reanimation procedure for the community in general and for every of its members"[21]. But his thesis about human rights as a project can hardly be shared: in this case we need to admit, that human rights — as any other project — have their end, and will be closed upon completion or when the designated time-period expires.

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[19] Аверкиев И.В. Смыслы и миссии // Права человека в контексте российской модернизации: материалы межрегиональной научно-практической конференции (17-18 мая 2006 г., г. Пермь). Пермь: НОУ «Западно-Уральский институт экономики и права», 2007. — С. 6.

[20] Аверкиев И.В. Ibid, p. 6.

[21] Аверкиев И.В. Ibid, p. 9.

Treating human rights as a myth is more common in the authoritarian countries and, especially in recent times, for Arab countries[22]. However, it is often metaphorically used in human rights discourse on armed conflicts and humanitarian interventions. But disputes around misuse of power, failure of the states or governments to react or absence of desirable outcomes in human rights protection do not turn the idea of human rights into a myth — though they do not bring us closer to the realization of this ideal either. After all, "in the majorities of countries in today's world, human rights still are an ideal rather than the norm"[23]. But an ideal, at least, shows a direction and has a moral dimension.

If human rights concept is perceived as a text, it follows, that it can be placed into context; subject to interpretation, critical studies and research; it may have authoritative interpreters; the audience contributes to the construction of its meaning; the text uses symbolic language and says more than its wording. This approach will not help to promote the idea of human rights, but it allows to discuss quite successfully contestable views on human rights and their application in practice. Within this approach, people are not just the beneficiaries (or "buyers", or "readers") , but also the creators of human rights. What is needed here, is not only a description, but also a critique and a design of its own subject matter, an analysis of antinomies and shortcomings, elaboration and design of guarantees that are missing or inadequate. Invention of arguments in favour of human rights and counter-arguments to challengers of this concept will strengthen the position of human rights defenders and educators.

And only if we concentrate on human rights as a set of values, we can achieve the adherence and consent of the population in general by using persuasion.

Audience

It is common knowledge, that in order to succeed, a rhetor (that is a person conveying the message) should consider his audience. However, many questions occur when we try to apply this rule to our practical needs. The first one concerns the notion of the "audience" — whom we should include in the definition of this term: a person, who we occasionally approach with our talk about human rights (a neighbor, a fellow-traveler, a stray companion in a line in a supermarket); human rights defenders, law academics, politicians and other professionals; or every person to whom a particular decision made as a result of our human rights policy-making may concern?

In contemporary world the existence of mass media widened to considerable extent the number of receivers of the public speaker's message, so we cannot any more confine the audience with the real listeners, present during the time of the discourse in the same room with the speaker. In communication studies audience started to be associated with the person or persons who receive the message and who are persuaded, entertained, or informed (or not, as the case may be) by the message.

Ordinary people, whom we try to convince from chance to chance and who are not traditionally involved in the human rights discourse, represent a *particular*

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[22] See, for instance, on-line discussions at http://rationaloptimist.wordpress.com/2008/06/15/%E2%80%9Cthe-myth-of-human-rights-at-the-un%E2%80%9D/; blog by Gabriele Zamparini at http://www.uruknet.info/?p=24303

[23] Wiktor Osiatynski, Human Rights and Their Limits, 2009.

audience. They may have some personal experience of struggle for human rights or any of their rights, but in most cases they do not. Every time we talk to a randomly chosen person, we need to adjust our strategies to his or her background — in most cases introducing yourself as a human rights expert provokes a question, who and how much pays you for your work. After answering this question, you can rely on story-telling as an effective technique, because life stories of those people, who became victims of gross violations, but managed to obtain a remedy with the assistance of human rights NGOs and lawyers testify more in favor of human rights, than philosophical justifications.

It is easier to work in a *conventional* audience, such as academic, scientific or judicial one, where people are united by some common idea and are gathered intentionally in a specified place in a specified time to raise their awareness in human rights or to discuss human rights as a concept from the critical perspective. This is the easiest audience to work with — professional level of expertise of the rhetor (speaker, writer) in the field, detailed analysis of human rights standards, their application in practice and readiness to respond critically to contemporary challenges to human rights will help to gain the support of this audience.

Another type of the audience is a *composite* audience, which embraces people, who differ in character, loyalties and functions. To win over the different parts of his audience, human rights advocate has to use a multiplicity of arguments. For the purposes of his argumentation he has, firstly, to resolve his audience into constituent parts (by "breaking down" argumentation) and then, by means of "gathering argumentation" to unite them in a whole on the basis of his proposition. He should consider specific groups within his audience, which can be influenced through different sources and by different arguments. It is difficult to persuade the whole population, but it is easier to find arguments in order to achieve support of women, conscripts, retired persons, public officials, people with low income, entrepreneurs, etc. Appeals to specific groups may also help to spread the message. Thus, housewives might influence husbands, neighbors, friends, and relatives. The work with such audience should be supported by campaigns in mass media, by participating in public organizations, meetings, forums. General public as a matter of fact has widely different interests, wants and purposes. The task of human rights activists is to unite it for the common purpose.

As far as different kinds of arguments are effective in different audiences, we should know the preferences of a particular audience and its abilities to adhere to or to reject the arguments. To a large extent these abilities will depend upon the following major features of an audience: its background, interest in the topic and knowledge of the subject, and its scale of values.

To sum up: *how we speak* depends on *who* we speak to.
— If we speak to law professionals — our goal is common understanding of human rights standards, our tools are legal arguments and our strategy is reconciliation of views;
— If we speak to lay people — our goal is to obtain consent with our strategies and adherence to human rights values; in this case we treat people as CONSUMERS, not necessarily DEFENDERS of human rights;
— If we speak to our colleagues in the area (HR experts, HR activists, ombudspersons) — our goal is to develop common strategies and joint

actions, critically review the concept of human rights in a context, to search for better ways of their protection;

— If we speak to state officials — our goal is to find supporters and unite efforts in the areas of common interest (improvement of penitentiary facilities, decriminalization of libel, proper investigation of racially motivated crimes);

— If we speak to irreconcilable opponents of human rights — our goal is to remind them about binding nature of international obligations and make them observe human rights standards under threat of penalties for violations of these standards.

We need to be ready for the argument, that human rights as a concept is not needed in contemporary democracies, because constitutions are formulated with more precision and provide for more guarantees in case of violation of constitutional rights. But as Wiktor Osiatynski fairly noted, "the presence of human rights in constitutions does not translate into actual respect for all human rights». The practice of the European Court of human rights convincingly shows, that every country of the Council of Europe may become a violator of human rights in its jurisdiction. Things, which may seem habitual in some of them (like corporal punishment of children, prohibition of gay prides, criminal prosecution of journalists for libel, failure of the state to guarantee effective investigation of racially motivated crimes or forced disappearances of people), are considered as human rights violations in the light of international standards, because it is hardly possible to use formalistic logics and scholastic arguments in international bodies to justify the government actions, which interfere with human rights without sufficient grounds or under dubious reasons. Many provisions of national constitutions, though formulated in a similar language in different European countries, are construed differently in different jurisdictions (rulings of the Constitutional Courts on the right to abortion, on euthanasia or on death penalty may serve here as examples), and the level of respect to constitutional rights also differs from country to country and, what is more important, from government to government. For instance, the provision of the Article 18 of the Russian Constitution, that the rights and freedoms of man and citizen "shall determine the meaning, content and application of the laws, and the activities of the legislative and executive branches and local self-government, and shall be secured by the judiciary" is an axiom only for the constitutional law academics.

Another wide-spread anti-human rights strategy is moving the discussion from rights and freedoms to duties and obligations: there are no human rights without duties, — argue the supporters of this strategy, — let us speak about duties first. If people do not obey the law or fulfill their duties before the state properly, the state can violate their human rights. All victims of human rights violations are, in their view, architects of their own hardships. However, human dignity, freedom from tortures, right to equality and freedom from discrimination do not originate from high morals or good behavior of a rights' bearer, nor the military duty justifies inhuman treatment of conscripts or their slavery. It is the *realization* of human rights that can be restricted in certain cases (for instance, freedom of expression or freedom of assembly), but not the core of the rights themselves. The only legitimate limit of human rights is the right of the other, or, figuratively speaking, "the right to twist my fist ends where another's nose begins".

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One more argument against human rights advocacy campaigns is — for those who argue, that the defense of human rights is a duty of the state, — that the state knows better what your human rights are. And, of course, law professionals know better about your rights than human rights activists. To adduce a counter-argument, I will confine myself here with the remarks made by Andras Sajo, who wrote, that in defining the quality of shoes the interests of the expert shoe-makes should be left aside: «It is *my* foot that is aching, these are *my* shoes that are soaked through, and all these pains just because of the shoemaker's 'expert opinion', which serves his convenience! Corporatism is the dictatorship of shoemakers."[24]

More challenging are those questions, which human rights community itself raises today, for instance: do human rights exist per se, without UN and NATO pressure? Do they have natural sources or they are just the result of negotiations and agreement (or, to speak in rhetorical terms, generally accepted premises)? Are human rights just legal rules from texts of international documents and constitutions or something beyond? Are they "a European gift to the world or the inherent human way to morally curb the destroying activities of dominant species", as Averkiyev inquires? Are human rights in the Council of Europe a political fashion that provokes activity or a kind of activity, which creates fashion? Are human rights a product of thought or a result of joint work of masses towards instiualization of human dignity? And what is human rights activity: any activity towards restoration of justice or protection of a limited number of human rights, enumerated in treaties and conventions? How human rights activity is different from political, legal, charitable activity? And, the last but not least, what prevents Russian human rights activists from effective work: constant reliance of international institutions and funds (appeals to UN, Council of Europe, European Court of Human Rights, etc.), which undermines domestic instruments and own forces, deprives them of the will to victory, weakens the desire for struggle and constant work, interferes with the ability to think over new strategies (the sins they are blamed for by human rights defender from Perm I.Averkiyev), or inability to think and present their ideas creatively, to "sell" the idea to different audiences, including government and ordinary people, to involve new members into their activities, to lay the grounds for a wider social support?

Reliance on international mechanisms is very important, as well as financial support from foreign donors. However, only reliance on own forces and reserves (political, civil, cultural and financial) can make a difference in the long run.

It is important to speak about human rights with general public, not just with victims of violations, and to find the proper language. This is the urgent task for human rights advocates in Russia.

Grigory Shvedov suggests concentrating the efforts not on human rights supporters or irreconcilable opponents, but on those, who hesitate: "We need to address those who are hesitating, who have not made their choice, and not those, who are FOR or AGAINST. It is very difficult to work with the last ones — do not try to turn a skin-head into an antifascist, this is a real task for religion. Try to influence the community of your city — before it has identified itself as a support group for neo-Nazi… Addressing the adherers defines the language, it starts to be constructed in the

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[24] Sajy, András. Limiting government: an introduction to constitutionalism. Budapest, New York: CEU Press. 1999, p. 5.

system of coordinates for adherers. […] If we are in the market, than we have a client, and we need to understand, how to talk to him. […] …if we are oriented to the results, than to speak is not as important as to be heard."[25]

Today there are many challenges to human rights doctrine: terrorism, organized crime, corporativism, religious views, modern systems of health care, education, information, which disrupt the right to privacy, and many others. But they do not decrease the value of human rights. But the value of human rights may be easily compromised by those to pretend to be human rights defenders, while pursuing some other goals.

Human Rights Advocate as a Rhetor

Classical rhetoric defined a perfect rhetor as a "*vir bonus, dicendi peritus*" — "a good man, speaking well". The personality of the speaker can make a speech persuasive more, than the arguments adduced. Aristotle wrote: "Persuasion is achieved by the speaker's personal character when the speech is so spoken as to make us think him credible. We believe good men more fully and more readily than others: this is true generally whatever the question is, and absolutely true where exact certainty is impossible and opinions are divided.[26]" Commitment of the most distinguished activists to human rights deserves appreciation — Natalya Estemirova sacrificed her life to defend human rights in Chechnya. Human rights activists do not seek benefits for themselves — they work for community and people around. The lives of human rights defenders can be safer, if people support them and share the values, their advocates ready to die for. That is why I. Averkiyev proclaimed, that it is not enough to defend human rights — it is necessary to promote them. Human rights protection without promotion of human rights — efforts spent in vain for the future of human rights, because defense without the promotion of the idea does not reduce significantly the number of violations.

General requirements to human rights activists as promoters of human rights are: they must be non-partisan and must separate human rights activities from political activities; they need to explain what human rights are to their clients — clients must understand the difference between NGO and law firm, which provides pro-bono legal aid, or a state agency, and be ready to help others, when they receive the assistance by themselves; they must earn trust by own actions; they must publicize success stories (because concentration only on violations provokes pessimism among population); they must be ready to explain frankly the risks and challenges.

Human rights will not be observed if there is no common agreement about their value and significance. Human rights will observed when violations become morally unacceptable.

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[26] Aristotle. Rhetoric. Indo-European Publishing, 2011, p. 4.

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Dilyara Mulyukova
The role of political myth in regional political process in Russia: case of the Republic of Tatarstan

A society cannot exist as something unified without ideas, illusions and representations, which are common for all its members. Nowadays, these ideas appear as political myths. Science is always in progress whereas myth is complete, because is ready to explain any phenomenon or situation.[1]

Political myths are becoming more and more significant in the modern political process. They can be seen at a national and local scale, in holidays, symbols, rituals, and political competition.[2] In their simple form, political myths refer to advertising or dirty tricks, while a well prepared myth becomes an effective governance tool.

Today there are a lot of myths in the world, while in the times of the Cold War there were two main mythologies which determined the global political process. The lifetime of modern myths is comparatively shot, usually they cover not the whole society but specific social groups (religious, ethnic, gender-based, etc.). Their origin is also different: some of them are based on traditions, and others are novel for their time. But the fact is that myths still play an important role comparing to modern political mechanisms of social governance and are used to manipulate of mass consciousness.

In the century of information there are a lot of opportunities for myths usage. Today members of the political elite show great interest towards political myths because they understand that it is impossible to provide legitimize their power without myths.[3] Mass-media today are the most important supplier and producer of political myths, that is why elite prefer to own the media in order to control the process of myth creation.

Ordinary consciousness consists of political myths. Politicians, parties and corporations use it in their own interests. Usually ordinary people even do not suspect it. Nowadays, everybody is bound to make choices, including political choice. Life goes at a high speed, that is why we always should be alert. In order not to become a victim of manipulation, it is necessary to analyze the political process and make independent decisions.

In Russia, the 1980s–90s became a period where old myths were destroyed and new ones were born. Disharmony between the position of Russia and its potentials deppress every citizen. To explain this situation and to find a way to overcome it, a new development strategy was initiated. As a result, we can see the Russia-2020

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[1] Shestov N. Political myth today and before. — S., 2003. — pg. 23.
[2] Coliev A. Political mythology: realization of social experience. — M: Logos, 2003. — pg. 145.
[3] Moscovichi S. The age of the crowd. — M., 1996. — pg.57.

project which predicts GDP growth and Russia's entering top-5 most developed countries. The project influences people by manipulating with figures.

Regional mythology is a powerful control and mobilization element of the society, since it is able to integrate local community and therefore consolidate its own position in relation to other regions and the federal authorities.[4] The main aim of regional myths is to demonstrate the specificity and peculiarity of the region's population.[5]

For national republics, post-Soviet period in Russia became a stage for the development of new political regimes which actively used ethnic factor to preserve power. To this moment, national-state status of such republics ended as a Soviet legacy. The case of the Republic of Tatarstan that will be shown here is the most compelling for several reasons.

First of all, this republic has established a specific model of relations with the federal center — "the Tatarstan model".[6] Its main feature was a specific development of political and legislative spheres, aw well as of budgetary relations. All of this was reflected in the structure of regional authorities and in the fact of adopting some acts contradictory to the federal laws, espicually in the sphere of tax privileges.

Secondly, the republic's power structures made an attempt to impose an official ideology, the "ideology of Tatarstanism", which was supposed to consolidate regional identity.

National ideology of the local elite took shape in the late 1980s during the advancement of the political and legislative status of Tatarstan and struggle for power redistribution with the federal authorities. The absence of a unified national ideology on common territory with many confessions and ethnic groups gave local elites a chance to take the idea of "Tatarstanism" as fundamental in state ideology. "Tatarstan elite has a clear, structured and systematic vision of local interests with account of traditional features of power and history. Such ideological constructions as "Euro-Islam", "Tatarstan inhabitants is a nation" carry a powerful mobilizing effect because of their consistency and adherence to regional culture.".[7]

In Achkasova's opinion, it is possible to select sevral key components in regional mythologies:[8]

— Historical part, which means permanent reference to significant moments in regional life and events as to symbols. For example, Tatarstan is considered as the successor of such of the Bulgar kingdom, Golden Horde, Kazan khanate. This heritage of the past turns the republic into a "locomotive of history".

— Missionary work which is an underlining of the region's uniqueness, its importance for the whole country. After tha agreement on the distribution of authority between Kazan and Moscow, mass-media began to talk about the

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[4] Nazukina M.V. The construction of political myths as a tool for regions' positive popularity creation / M.V. Nazukina [Electronic address] — Access regime: http://www.fondedin.ru/dok/04_Nazukina_v.pdf, no limits. — Tested 14.03.2009.

[5] Morozov S.A., Morozova E.V. Political mythology: regional aspect / S.A. Morozov, E.V. Morozova // Culture. Politics. Youth. Scientific articles collection. — M., 2001. — Issue 4. — Part 2. — pg.106.

[6] The term firstly used by the president of Republic of Tatarstan M. Shaimiev in his lecture in Harvard University in 1994.

[7] Magomedov A.K. The mystery of regionalism. — M., 2000. — pg. 111.

[8] Achkasova V.A. Political myth creation as tool for regional interests demonstration // The journal of sociology and social anthropology. — 2002. — Vol.5. — #.5 — pg.101.

"Tatarstan model" relations with federal authorities. Subsequently, the local elite created ther image pioneers or leaders in the process of Russian federalism establishment posing themselves as an example for others subjects, particularly in case of situation in Chechen Republic.

— Geopolitical issues (i.e., the geographical location of the region, natural recourses, closeness to means of communications) are very important. In ethnic regions these factors exist along with the search for cultural similarities with other nations.

In the social crisis, Tatarstan's elite tried to integrate and to take the lead among neighboring territories in order to engage them in the sphere of their own particular interests by creating interregional associations. E.g., the Volga-Urals territory, whose population includes Tatars, Russians, Bashkirs, Chuvashs and others, was announced homogeneous and differing from other Russian territories.[9]

The idea of "Euro-Islam" also can be represented as a cultural justification of foreign policy strategy which chosen for the realization of the "Tatarstan model". This concept was an answer to the popular Euroasian theory which, in local elite's opinion, favored only Russian interests and limited geopolitical freedom of Tatarstan. Moreover, such ideas souht to protect the republic's image from frightening associations with Islamic fundamentalism and to raise investment attractiveness of the region.

In the 1990s, the main task of the ruling class in Tatarstan was the legitimization of their own status. That is why local elite hurried to establish its own reformative strategy declaring that it was the only way to take social interests into account.

Tatarstan's president is often praised for stability in the region, particularly for absence of ethnic conflicts. However, many researches claim that these traditions of interethnic harmony have a long history.[10]

Among the most widespread political myths in Tatarstans is, possibly, the one about democracy building. When the old political system was crashing down, local political elites were demonstrating there adherence to global democratic tendencies in order to play up to federal centre. But the majority of staff were former high-ranking officials; therefore, they used traditional power methods and Soviet recruitment strategy. So, as the republican elites became more independent from the federal authorities, they stopped practicing democratic principles.

Another popular myth is the myth about free elections, yet cheating through the use of administrative resources turns elections into a political performance.

Conclusion

So, we can see that the features of myth creation, particularly in the Republic of Tatarstan, are connected with the regime. just like in was in the Soviet period and remained in the post-Soviet period.

Regional mythology can be a very important mechanism in forming regional identity. It helps to regulate the facts of local history, to integrate the local society with

[9] Magomedov A.K. Society of regions // Pro et contra. — 1997. — #2. — pg.51.

[10] Farukshin M.H. The face and the mask (notes about political leadership in Tatarstan, 1989-2005). — Kazan, 2005. — pg.78.

common ideas and values, etc.. Moreover, a positive image of the region is translated to externally thud stimulateing investment. Also, regional myths provide a psychological compensation for the provincialism complex.

Local elites should rely on the functional importance of myths in order to design policy at the regional level. Regional myth construction should be based on regional historical and social features. In these conditions, the federal centre should coordinate the political course in order to stimulate the development of regional patriotism in all Russian regions.

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Alena Pustovalova
Metaphoric Conceptualization of the Global Economic Crisis in the Russian Media

Introduction

The financial and economic crisis that began in 2008 has affected economy, politics, markets, business and society and involved many countries including Russia. Starting from September 15, 2008, the global recession became a top priority subject in the Russian mass-media. In this research project, we will concentrate on the language that is used in different types of print media to describe the economic situation.

The subject of this study is the metaphorical concept "crisis". The goal of the research is the conceptual analysis of the "crisis" in the Russian print media from September 2008 till March 2010. The primary objectives are to reveal, classify and describe the conceptual metaphors and metaphorical fields in the articles about crisis events in different types of editions. The next steps are to analyze the dynamics in metaphors and to compare the results for different types of mass-media.

This research is based on a corpus of 1280 materials dedicated to the economic crisis in three Russian editions — newspaper *Komsomol'skaya Pravda (KP)* and magazines *Den'gi* and *The New Times*. These editions were chosen because they represent different types of mass-media. *Komsomol'skaya Pravda* is a popular newspaper targeted at a wide audience. *Den'gi* is a specialized business magazine. *The New Times* is an opposition socio-political edition. Therefore, analyzing materials in these media gives an opportunity to reveal the differences in the interpretation of crisis events and other peculiarities. The materials were taken from four different time periods: September 16 — October 31, 2008; March 1-31, 2009; September 1-30, 2009 and March 1-31, 2010.

Metaphor was traditionally regarded as a figure of speech. The researchers who stuck to this approach took into consideration mainly creative metaphors used for rhetorical purposes. George Lakoff and Mark Johnson challenged this traditional view and initiated a new study of metaphor as they proposed the idea of the conceptual nature of metaphor. According to it, metaphors are not only subjects of interests for linguists; they are pervasive in thought and action[1]. "Our ordinary conceptual system, in terms of which we both think and act, is fundamentally metaphorical in nature," state Lakoff and Johnson in their famous monograph *Metaphors We Live By*. The concepts do structure our perception and actions and our conceptual system is largely metaphorical.

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[1] Lakoff, Johnson. Metaphors We Live By

Yet, we are not always conscious of the conceptual system that guides our actions. To get to know it we should look at language since "language is an important source of evidence for what that system is like"[2].

Conceptual metaphor is the understanding of one conceptual domain in terms of another conceptual domain. This understanding is achieved by seeing a set of systematic correspondences, or mappings, between the two domains: source domain and target domain. Source domain is the conceptual domain from which we draw metaphorical expressions to understand another conceptual domain. Target domain is the conceptual domain that is understood this way[3].

Metaphorical concept is a discourse form that is structured in terms of different conceptual domains. Metaphorical linguistic expressions are words or other linguistic expressions (e.g., idioms) that come from the terminology of the conceptual domain that is used to understand another conceptual domain. Usually, there are many expressions that reflect a particular conceptual metaphor[4].

Metaphorical fields

It is important that the crisis is not the only target domain that is conceptualized in press. Other domains include government, economy, the crisis situation and the situation before it, employees, money, credits, inflation, prices, budget, quotations of rate, price and share. Let us consider how some of these subjects are understood in the context of the most significant metaphorical fields used in the Russian media.

One of the most popular fields in media is **HUMAN BODY** (11-13%). Economy is understood as a living creature. During the crisis its state is dramatically worsening and it is described using the expressions like *suffer, survive, die, revive*. Mass-media predict the death of economy: *Russian stock market is actually dead, Mirax Group departs from life*. The editions remind its readers about the natural selection: *Only the most powerful will survive the crisis*.

Therefore, in the autumn 2008 some funeral images appear in press: *Investors have already written epitaphs for this bank* (*Den'gi*); *Business newspapers and magazines resemble funeral bulletins nowadays (The New Times)*. However, in September 2009 mass-media start to write about the revival of economy, it is the most typical for *KP*: *the revival of economic activity is inevitable; the economy is gradually reviving*.

Economy suffers from the crisis like organism suffers from a disease**.** Metaphor **CRISIS IS A DISEASE** reflects it. It is a rare metaphor in *Den'gi* (2,6%) since the economists cannot perceive the recession as a lingering illness, it is more or less ordinary situation for them. On the contrary, *KP* (5,3%) and *The New Times* (4,0%) use this image more often. These editions characterize the crisis not only as collapse, shock, depression, fever, paralysis, but also with more creative expressions — thrombus, abscess and dental abscess. *Den'gi* prefers to use specific terms: *toxic assets, reorganize* (literally — *sanitize*) *business structures, sterilizing effect for Russian economy*.

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[2] Ibid
[3] Metaphor — A Practical Introduction
[4] Metaphor — A Practical Introduction

Medical metaphors highlight an important aspect, namely the reason of the recession. *KP* and *The New Times* considers the crisis to be an infectious malady. Moreover, *KP* points out many times the source of infection — it is the USA: *American infection*; *The USA has infected the whole world with the crisis; The focus of infection is across the pond.* Thus, *KP* places responsibility for the crisis on the USA. The disease carrier arouses negative emotions, other countries became his victims. The newspaper tries to blame the USA and to justify Russian authorities — the crisis is not their fault. In *The New Times* this image appears only in one article: *America has indeed infected Russia with the crisis.* The magazine *Den'gi* does not blame the US for launching the crisis.

It is important to note how the authorities are conceptualized in this field. *KP* points out that the government plays the role of doctor and resuscitation specialist: *The government took unprecedented measures to reanimate the market.* In September 2009 *KP* starts to write about the recovery: *Do you believe that our economy is recovering? — If Kudrin says so that means it is really recovering.* Another example — *Putin noted that the first signs of the recovery of global and Russian economy have appeared.* We see that *KP* talks about the end of the recession and the right to verify the fact of the recovery belongs to authorities.

The next widespread field is **NATURE**. One of the sub-fields is POWER OF NATURE. Nature is a great power and can seriously menace people because it can be an unstoppable destructive force such as storm, earthquake, tornado, typhoon or tsunami. These images are used in press to describe the economic situation during the recession. The field is the most popular in *The New Times* — 14,4%; the magazine is seriously concerned about the crisis. Then comes *KP* — 12,8%; the newspaper is less afraid of economic difficulties because authorities take anti-crisis measures. For *Den'gi* — 10,9% — critical situations are natural habitat.

The most popular metaphor in this field is **CRISIS IS SEA AT STORM**. The economy, markets and companies are seen as ships or boats: *We are all in one galley, but how to swim out from the financial storm? (KP).* In the situation of the crisis they are sinking: *drowning market, sinking American economy.* In *The New Times* and *KP* companies and economies are compared with *Titanic*: *Will Mirax Group become Titanic of Russian development?*

The main aim of financial organizations during the crisis is to stay afloat. To succeed it, many companies decided to drop the ballast: *In the situation of the crisis they [employees] are ballast for the company; The ballast is dismissed.* Everybody is trying to find a safe place: *Investors are trying to put their capitals in smooth water where there are no economic storms; Where to find a serene haven for the savings?*

It has to be noted that many metaphorical linguistic expression from this field were set by authorities and only then captured by mass-media. For instance, Minister of Finance A. Kudrin characterized Russia as "*an island of stability in the ocean of the global financial crisis*". In the autumn 2008 *The New Times* and *Den'gi* are criticizing this statement using metaphorical expressions: *How the island of stability has transformed into the island of bad luck; Russia was named an island of financial stability in the rough sea of the global crisis. Yet, this island was flooded soon.*

In September 2009 one of the most discussed topics in the Russian media is the second wave of the crisis because Kudrin warned about it. The editions have different point of view concerning the second wave. *KP* assures its readers that "*we*

can forget about the second wave of the crisis like about an awful dream". *Den'gi* affirms that "*the second wave of the crisis is arriving at our banks*".

Another metaphor in this field is **CRISIS IS FIRE**. It appears only in the autumn 2008 in *KP* and *The New Times* and emphasizes how the crisis is spread. Some "behavior patterns" of the fire are applied to the crisis, for instance the fact that the fire is spread quickly from one object to another: *The crisis spread from the financial sector to real economy*. The things burning are money and resources. The heat of the fire indicates the intensity of the situation: *The mortgage crisis is flaming up*.

KP uses this metaphor to point out the fire source: *The crisis comes from America. If the neighbor's powder depot is on fire, how can you possibly suppress it*? Therefore it is the USA that one should blame for this crisis; other countries are considered to be their victims that did not have sufficient time to do anything.

In this field the authorities alongside with the Central Bank are understood as fire fighters. Anti-crisis measures are regarded as fire tools. For instance, *The authorities are trying to put out the fire; Maybe, the government should take a role of a fire fighter in this situation; The management of the Central Bank like a good fireman did not prepare to extinguish a fire, but was concerned with the prevention of it* (all examples from *KP*). *The New Times* is more critical about the government actions; the magazine emphasizes that the undertaken measures are temporary and that the effect will not last long.

Another sub-field of NATURE is **PLANTS AND ANIMALS**. This kind of metaphors is typical for mass-media. Economy, inflation, rate of exchange, prices are seen as horses: *The currency is not galloping, it has already galloped away*. The crisis is also described as a horse: *It is dangerous to try to curb a nervous runner; What are your suggestions about how to curb the crisis?*

An interesting example is the usage of dead metaphorical expressions *bears* and *bulls* that are used to describe traders on stock exchange. These words are frequently encountered in *Den'gi*. Yet, during the crisis these expressions can be found in *KP* and *The New Times* that is not typical for them.

However, the most interesting is how these dead expressions are played on. *The New Times* writes about the metamorphoses that occur in the condition of the recession: *The moratorium on the operations of this kind isolated the bears from the stock market game, but the remaining bulls have transformed into the same bears as they started to speculate for the decline*. *KP* quotes the words of the financial organization manager. He says: "*We can see not only butchering but cattle extermination on the Russian market*". That means that in the period of the recession bulls have disappeared from the market.

The field **WAR** is typical for mass-media and it is predictably actively used in all three editions to cover the crisis (9-11%). The crisis is seen as an enemy, for instance *Crisis at the Gates (KP)*. It corresponds to the title of the film *Enemy at the Gates* about the Battle of Stalingrad. The authorities, banks and markets are fighting against this enemy, for instance *Every bank will struggle*. Some countries joined the coalition to beat the crisis: *The countries of Commonwealth will battle the crisis together*. The most common expression is *to fight the crisis*. In September 2008 *KP* uses military metaphor to explain once again the source of the global recession: *Does America have any tools to land its nasty crisis in our country?*

It is interesting that *KP* and *The New Times* can use the same metaphorical expression, but play on it differently. For instance, in the autumn 2008 *KP* assures its readers that *Russian government meets the global crisis armed to the teeth. The New Times* uses the same expression, but speak ironically: *Judging by the rhetoric of our authorities, Russia proves to be the only country that meets the crisis armed to the teeth.*

In the autumn 2008 the main goal of *KP* is to assure its audience that the country is well protected. The government is seen as a defender. The newspaper quotes the Minister of Finance Kudrin who says: *If you lead your army to a fight and throw all the reserve at the beginning, you will lose the battle!* Kudrin is understood as an army commander. *The New Times* is skeptical about such defenders. For instance, the magazine names the Ministry of Economic Development *the last bastion of optimism*. The expression reflects that it is not a real bastion that is able to protect but an optimist who maybe does not have any grounds for its expectations.

In September 2009 *KP* celebrates the crisis retreat: *It is evident that financial problems began to retreat*. The appearance of these expressions should persuade the audience that the situation is getting better. However, *The New Times* does not support this point of view. On the contrary, it writes about the fight against the crisis and the wide-front attack of the global recession. *Den'gi* shares this point, even in March 2010 the magazine continues to discuss the maneuvers that are necessary to undertake against the crisis.

In *Den'gi* the war against the crisis is seen differently. It is not something abstract but the necessity to adopt the business and the strategies to the new economic conditions. The magazine often writes about the defense. Yet, the defender is not the government but the company owner, stock holder or investor. The discussion of the appropriate strategies during the crisis does not refer to the government plans. The magazine is more concerned about specific recommendations of how to conduct the business during the crisis: *The tactics may be different, yet the strategy is the same — to keep working; The strategy during the crisis is universal. Don't go to Courchavel, don't sit at one place or drink at your yacht, do stay at office and do work!*

Moreover, some of the metaphorical expressions in *Den'gi* are special terms, for instance the word *echelon*. The banks, obligations, shares are divided into the first, second and third echelons: *The second and third echelon [of banks] may not get the money.*

The field **DAILY LIFE** is widespread in *KP* (8,6%) and in *The New Times* (5,6%). It is the least popular in *Den'gi* (3,9%). This specialized edition does not need to refer to the ordinary images of this field to explain the economic situation. On the contrary, for *KP* it is an extremely appropriate metaphor because the newspaper has a wide audience that may not understand well what happens with the economy. This field includes some sub-fields that are food, hunger, fabric, bubble and knife.

Money is seen as **food**, at the same time economy, markets, crisis, inflation are **overeaters**. All these subjects *eat* money, *digest* them and are *sated* with them: *The market swallowed the financial aid at once but it isn't full; Banks and stocks will receive the dripping roast*. The crisis helps itself too: *The global financial crisis is eating the income*.

The economic situation before the crisis is described as SATIETY — the organizations have enough food that is money. It is also named *the years of plenty*

(first mentioned by Kudrin). However, with the beginning of the crisis the situation is changing. The access to the food is becoming restricted. The new economic situation is characterized as HUNGER and therefore thinness. *The years of famine* has come. The common used expression is *financial hunger*.

As the result some businesses have to curb their appetites. Economy, markets, banks, companies, indexes are forced to lose weight: *STOXX thinned down by 13 per cent*. According to *KP*, all these subjects will have to *tighten the belt* — that is the newspaper's favorite expression used in this domain.

The economy before the crisis is characterized as a BUBBLE. *KP* writes: "*The soap bubble that was blown up by Wall Streeters*". This metaphor creates an understandable and bright image that illustrates the origin of the crisis. It also highlights that the economic system was too fragile. The bubble looked great and impressive, but the recession revealed its insecurity. It is not surprising that when the crisis it blew out.

In the sub-field FABRIC the government is conceptualized as a tailor. The crisis leads to the appearance of holes in the budget, the authorities have to patch them and to darn rents in state treasury.

The field **SCIENCE** is the most popular in *Den'gi* (5,4%) and it is less used in *The New Times* (3,6%) and *KP* (2,1%). The wide audience of *KP* prefers more clear images. *The New Times* that is targeted at more educated readers afford themselves to use scientific metaphors. Let us consider some examples: *The market is a derivative of real economy; The progression in spite of everything is decreasing; Acceleration of unfree fall (Den'gi); The world is situated at a bifurcation point (The New Times)*.

One more widespread field is **CONSTRUCTION**. It is most used in *KP* and *The New Times* (10-11%), but it is also popular in *Den'gi* (7%). The economy is regarded as a building. Markets, prices, rate of exchange have corridors, ceilings, structures, constructions etc: *The pillar of the global economy dollar has discredited itself*. At the beginning of the recession the main question is the steadiness of these constructions. The editions analyze how the economy was built. *The New Times* reveals that the foundation of our economy is credits: *The whole real sector was built on credits*.

KP criticizes the American financial system that is described as a *house of cards*. This expression underlines the insecurity of the US economic structure. The newspaper also uses the expression *financial pyramid* that has negative connotations for the Russian audience when it refers to economy: *American authorities don't like to confess that they have built the pyramid like our Mavrodi*.

The crisis means DESTRUCTION. With the beginning of the recession economy starts to fall to the ground: *Mortgage suddenly crashed down; The news crashed the global stock markets; Insecure financial construction crashed down; Slump on the oil market*. After the crisis is over, there will be the need to construct new buildings: *Banks need reconstruction; It is possible to find the economy only by one way: to bring down everything and to build again; Russia could propose new architecture of the global monetary and financial system*.

The field **EMERGENCY** is used to show the actions that states and governments undertook due to the crisis. Economy needs someone to save it. This metaphor is the most widespread in *KP* (5,4%), then go *The New Times* (4,4%) and *Den'gi* (3,7%).

The rescuers are the governments: *The governments of the world leading countries rushed to rescue the economies of their countries.* *KP* even specifies who the main rescuer is: *We are used to the situation that our prime minister travels around the country as the main rescuer.* The governments launched rescue operations: *States undertook various and sometimes unprecedented measures to save the whole economic sectors.* The survival equipment is money: *The ring-buoy for the Russian financial system in the form of trillions of money thrown by the state (KP).*

The field **FAMILY AND ROMANTICS** is used to emphasize the relationships between companies or financial organizations and authorities. It is a significant metaphor for Russian mass-media.

In September 2008 *The New Times* writes about the government financial aid that should go to three Russian banks. The choice of the particular organizations is motivated by the family metaphor. Gazprombank was selected because it is a *government's granddaughter*: "*The choice of Gazprombank represents the redistribution of budgetary funds in favor of relatives*", writes the magazine. VTB got the government help because since the winter 2007 it has acquired many subsidiary companies (literally — daughters). The bank is compared with the family with many children, it needs help and protection. Thus, the family metaphor underlines that the relationships between business and authorities are built according to the principle friend-or-foe.

Conclusion

In the research, 6500 metaphorical linguistic expressions were analyzed, classified and united in 18 metaphorical fields. These are war, life, construction, emergency, science, family life, religion, teacher, technique, sport, games, art, family and romantics, journey etc.

As the result we revealed the key conceptual metaphors that are used to describe the crisis, economy, government, markets, companies and etc.: Crisis is an enemy; Economy is human body; Crisis is a disease; Economy is a building; Crisis is destruction; Crisis is sea at storm; Crisis is fire; Money is liquid; Crisis is an emergency; Money is food; The situation before the crisis is satiety; Crisis situation is hunger and thinness; Crisis is a knife; Economy before the crisis is a bubble; Economy is a machine; Government is a pump; Market is a spring; Economy is a race; Stock markets are auto racing; Crisis is a barrier; Market is a game; Economic development is a journey; Overcoming the crisis is a journey.

Many metaphors that are used in mass-media to cover crisis events are traditional; they appeared in press before the recession. These are metaphors of war, nature, disease, sport. It is interesting to notice how they are changing during the crisis, for instance the metamorphoses with bulls and bears on the stock market.

The metaphors that were handed down by authorities are realized in all three editions. These metaphors were first pronounced by politicians, then appeared in press and were finally overgrown with more metaphorical elements. We can site as the example the words of Kudrin about serene havens, an island of stability in the rough sea of the global crisis, the second wave of the crisis. Another example is the speech of Kudrin in which he retold the parable about the years of plenty and the years of famine. This metaphorical expression became very popular in the Russian mass-

media. Previously it was encountered in press extremely rare that can be proved by the search in the National Corpus of the Russian language.

In addition, we can make a conclusion about the dynamics of the fields. Some conceptual metaphors serve to fulfill particular functions. For instance, there are a number of metaphors that are used to explain the reasons of the recession, where it arose and how it was spread. These are infectious disease, fire, a house of cards and Mavrodi pyramid in the field "construction", bubble in the field "daily life". They are widespread at the beginning of the crisis; in other periods of time they are used less.

It is important to note the peculiarities of the crisis conceptualization in different editions. *KP* and *The New Times* have many popular fields in common. For instance, fields like "disease", "sea at storm", "construction" ("destruction") are more widespread in *KP* and *The New Times* than in *Den'gi*. It can be explained by the fact that these two editions are politically motivated, and the information they provide is politically loaded. Yet, they use the same metaphorical fields with different assessment. When *KP* — a patriotic edition targeted at a wide audience — writes seriously about something, *The New Times* — an opposition magazine — may speak ironically. For instance, the latter wrote many a time ironically about the optimism of authorities.

Besides, it is worth mentioning that *KP* and *The New Times* use more expressive metaphors. Their readers are not experts of markets and finances; they need more understandable images to realize what is happening. It is significant that one of the most widespread fields in *KP* is "daily life".

Den'gi uses more neutral and more functional metaphors. It has a professional approach. The widespread fields in the magazine are science, games, family and romantics, sport (auto racing). Moreover, the magazine often uses special terms.

For *KP* and *The New Times* the conceptualization of authorities is typical. The editions regard authorities as a defender against the enemies, doctor, fire fighter, rescuer, conductor who knows where to go, pump, tailor, gamer, breadwinner. Mass-media specifies the heroes: Putin and Kudrin are seen as head doctors, Kudrin plays the role of army commander, Putin is named a rescuer (in *KP*).

Finally, *KP* is the most optimistic edition of these three. The newspaper first starts to write about the end of the crisis using such metaphorical expressions as *the revival and recovery of economy, the retreat and the death of the crisis*.

Thus, the analysis of conceptual metaphors in three Russian editions showed that there are some differences in interpretation of crisis events; metaphors are dynamic. Apart from this, mass-media often use traditional images that were widespread before the crisis.

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Maxim Bogachev

"Singing Together": using pop songs in political campaigning.

Introduction

Av oter's declaration of will and their political choice are considered not free even in the societies with developed democratic institutions, leave alone Russia where "the irony of social, psychological and political situation is that the majority of people are not able to realize their political choice on the basis of their own interests" [1]. The fact is that there is no stable social and political structure in Russia, and its political culture is low. The electorate is unable to adequately reflect its political choice, to represent the possible results of its will, and in voting major part of our society is guided to a large extent by emotions, feelings, ephemeral sympathy and antipathy experienced to some leader. In modern Russia "personification has a hypertrophied character: without clear political programs, logically carried out by certain parties, people have to orient to some particular figures" [2]. "The answer to the question "Whom do you support?" depends upon the freak of casual and sometimes really emotional and personal preferences"[3]. That is why "the essential and even determinative part of an election campaign is played by political advertising that is able to integrate the influence of both factors on the electorate behavior, to organize it and to place under the electoral strategic command" [4].

Advertising is very important in politics, and here are different types of it. Sometimes we even do not realize that we are under the influence of this or that electioneering team/ As a result, many of us do not consider music as a means of political influence.

Politically oriented music was used during the presidential elections of 2008. The candidate who seized the opportunity of using that type of political influence became a president. Of course, the suggestion that people were more inclined to elect certain person as a president because of some music track cannot be proved. But this fact should discourage us from the analysis of methods and techniques used to create political propaganda by means of music as well as the level of its influence upon the Russian electorate.

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[1] Грачев Г., Мельник И. Манипулирование личностью: организация, способы и технологии информационно-психологического воздействия. — [Электронный ресурс]. — http://www.philosophy.ru/iphras/library/manipul.html (дата обращения 05.09.10).

[2] Дилигенский Г.Г. Социально-политическая психология: Учеб. пособие для высш. учеб. заведений / Ин-т "Открытое о-во". — М.: Наука, 1994.С.294.

[3] Афанасьев М.Н. Поведение избирателей и электоральная политика в России // Полис. — М.: Б.и., 1995. № 3. С.113.

[4] Лисовский С.Ф. Политическая реклама. — М.: ИВЦ «Маркетинг», 2000.- 156 с. — [Электронный ресурс]. -http://polbu.ru/lisovsky_politadvert (дата обращения 05.09.10).

The object of my research is the use of music as a means for the purposes of political influence in Russia. The subject of the research are the style, syntax, and contens of the song "Just like Putin" by "Singing together".

Pop music as means of propaganda

Ancient Greek philosopher Plato once wrote: "One needs to avoid any new introduction of music because it affects the whole state and the change of musical style is always accompanied by important changes in politics" [5]. Aristotle also affirmed that "music possesses such a force which can form a character, with the help of music every man can train himself to develop some true feelings" [6].

Surely any capable man can remember the situation when a melody or a tone of some accidentally heard song has been cyclically playing in their head. Usually it is absolutely impossible to escape such a confusing composition, leave alone the fact when one and the same song is continuously humming from every radio set, every recorder, every TV and other means of progress. Like it or not, it is sticks and, the worst thing, it remains in mind. So, it is the main advantage of music as a means of advertising and propaganda because music is an information given in a soul language, imprinted at subconscious level, uncontrollable by will.

Music is one of the mass-media means of influence on the audience, and it uses all the main psychological influence techniques:

1. "Infection as a specific means of influence that can integrate a lot of people in some certain way. <...> Infection is considered to be an instinctive susceptibility of a person to some specific psychic conditions.

2. As a task-oriented stimulation of subconsciousness, suggestion can lead to the change of behavior due to some preselected program.

3. Imitation is a means of reproducing other people's behaviour." [7]

Political influence in addition to direct appeals to some action tends to create certain attitudes in the audience. During election campaigns, political PR services also use some other strategies: fooling the audience, defamation of the opponent in front of the electorate, misleading the opponents regarding one's own intentions, deception of an opponent about the plans of other opponents, counteraction to intrigues of the opponents[8], etc.

If reality can be simplified by engaging certain stereotypes, than it can be virtually reconstructed by creation of images. It means that with the help of mass media, someone is able to develop and popularize an image which can strongly influence the public. The great attention is devoted to the psychological analysis of public expectations related to the coming arrangements. The analysis of the people's values should be taken into consideration because of their impact on the perception of

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[5] Цитата по: Бородай Т. Ю. Рождение философского понятия. Бог и материя в диалогах Платона. — М.: Изд. Савин С. А., 2008.-284 с.

[6] Цитата по: Новичева Ж. Влияние музыки на сознание народов//Сириус. — 2009. — №1 (763). — [Электронный ресурс]. — http://r.sirius-ru.net (дата обращения 05.09.10).

[7] Науменко Т.В. Психологические методы воздействия на массовую аудиторию // Вопросы психологии.- 2003.- № 6. — [Электронный ресурс]. — http://xpomo.com/ruskolan/tolpa/psih.htm (дата обращения 05.09.10).

[8] Лукашев А. В., Пониделко А. В. Черный PR как способ овладения властью, или бомба для имиджмейкера. 3-е изд. СПб: Изд. дом Бизнес-Пресса, 2002 г. С. 96.

the future PR product. For example, creating an image of a good family man is important for middle aged people, an image of a person who love his parents is necessary for the elderly, an image of one who loves pop music is important for youth, while impressive appearance is necessary for women.

In general, the aim of music and arts as a means of political influence is to form some definite public attitudes, to arrange them in a hierarchy of values (what or who is bad or good), to libel the opponents and whitewash necessary persons or events. In other words, the main aim is promotion or propaganda.

A. Oparin defines the notion of propaganda in the following way: "Under the influence of propaganda every person behaves as if their decisions were their own. <...> Propaganda is a kind of hypnosis based on the emotional components of a psyche, not the rational ones." [9]

In my article I will analyze a very popular song called "He must be like Putin" by "Singing Together" as a means of propaganda. The reasons of my choice are the following: firstly, this song heads the top list of songs about Putin[10], secondly, this song is considered to be purely propagandistic. I will start my analysis from the description of song's presenter.

"Singing Together" music band

"Singing Together" is a Russian pop band which performs socially oriented and propagandistic songs. Alexander Elin is the poet and composer, he also wrote texts of songs for another famous Russian rock band "Aria". Nikolay Gastello, the producer, is a grandson of the famous Soviet pilot, and currently serves as a press secretary of the Supreme Court of Russia.

Members of the band are: Irene Kozlova, the former dancer of Igor Moiseev's dance group, Yana Koslova (Daineko), a daughter of the singer of a famous soviet band "Pesnyari", and Larisa Lichagina.

During the election campaign of 2000, Putin's campaign assistants decided to surprise people and proposed to write a song about him in order to draw attention. Once the song had been created, different girl bands started to sing it all over the country. The singers' names were kept in a secret. Later it was decided to form a band and name it "Singing Together"; this was an allusion to the pro-Kremlin political movement "Marching Together".

Here is the opinion of the producer N.Gastello: "I have been searching for ideological strategies long enough. I even thought of teaching at school. Then I understood that pop bands were really popular and decided to make a promotion team playing pop music»[11].

Having created such a band, the organizers of Putin's electoral campaign simultaneously killed two birds with one stone: radio waves were full of promotion, money was saved, and the public was told that "Putin didn't spend money from

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[9] Опарин А. А. Манкурты XXI века. Археологическое исследование Второй книги Царств. — Харьков: Факт, 2004.-70 с. — [Электронный ресурс]. — http://nauka.bible.com.ua/mankurt/index.htm (дата обращения 05.09.10).

[10] См.: Иванов К., Бояринов Д. Песни про Путина. — [Электронный ресурс]. - http://www.openspace.ru/music_modern/projects/112/details/593 (дата обращения 05.09.10).

[11] Братерский А. Поющие вместе//Известия.Ру. — [Электронный ресурс]. - http://www.izvestia.ru/russia/article22872/index.html (дата обращения 05.09.10).

elections fund for the pre-election media campaign"[12] and that "the registered candidate Putin refused live-air broadcasts both on all-Russian and regional channels"[13].

Here is the English version of the song "He Must Be Like Putin"[14] together with the original text.

Мой парень снова влип в дурные дела:
My boyfriend is dumb, he smokes and he's drunk
Подрался, наглотался какой-то мути
My boyfriend is dumb, more than Powers Austin
Он так меня достал и я его прогнала -
I told him get out, I need a new boy
И я хочу теперь такого, как Путин!
I think and I know he must be like Putin.

Такого как Путин полного сил!
He must be like Putin, that to begin!
Такого как Путин чтобы не пил!
He must be like Putin, then I'll give in!
Такого как Путин чтоб не обижал!
You must be like Putin, there's just one way!
Такого как Путин чтоб не убежал!
You must be like Putin, you'll not run away!

Я видела его вчера в новостях.
I saw him yesterday on the TV.
Он говорил о том, что мир на распутье.
Global affairs are the President's routine
С таким как он легко и дома, и в гостях
With a similar guy I'll be feeling OK.
И я хочу теперь такого, как Путин!
I have decided he must be like Putin.

Такого как Путин полного сил!
He must be like Putin, that to begin!
Такого как Путин чтобы не пил!
He must be like Putin, then I'll give in!
Такого как Путин чтоб не обижал!
You must be like Putin, there's just one way!
Такого как Путин чтоб не убежал!
You must be like Putin, you'll not run away!

[12] Выборы Президента РФ. 2000. Электоральная статистика. — М.: Весь мир, 2000. С.114.
[13] Выборы Президента РФ. 2004. Электоральная статистика. — М.: Весь мир, 2004. С.63.
[14] Такого как Путин. English version. — [Электронный ресурс]. —
http://technorati.com/videos/youtube.com%2Fwatch%3Fv%3DgncW1zqMFgs (дата обращения 05.09.10).

At the very beginning the author uses a synecdoche, so he is trying to represent the whole by means of its parts. We see a common Russian woman who personifies all or at least the majority of Russian women. The effect of trust and unification with the audience is reached by the use of simple melody and informal words: "to get into a mess", "to pester", "dregs". The song builds listeners' confidence, invites to the chummy manners; we see that "the communicators' language plays a great part during the process of communicative influence upon public. The usage of evaluative words pretending to be neutral is adopted by people as the assessment of this or that problem, event, phenomena."[15]

A woman complains about her former boyfriend who was addicted to alcohol, a "classical" Russian feature, and maybe even to drugs. The whole situation presented in the song is wide spread in Russia, that's why the singer advises everyone to follow her example:

"I told him to get out, I need a new boy.
I think and I know he must be like Putin!"

She tries to escape the reality by means of ignoring, forgetting about it (it should be said that such a way of "reality escape" was stated in 1941 by E.Fromm in his work "Escape from Freedom"). Moreover, emotional and sensual perception channels are used in the song to put pressure on the listener, forcing her or him to the indicated candidate as the future president.

Then the refrain comes; in the woman's eyes, it depicts an ideal image of man: strong in all the spheres, indifferent to alcohol (all the facts should disprove the statement that all abstainers are poor and purposeless people). These two characteristics of a new leader are adhered to him due to the past experiences of middle-aged women. Besides, some other features are added: "He must be like Putin, then I'll give in! You must be like Putin, you won't run away!" You see a kind, loving, tender man devoted to one woman, he is a real dream, an ideal. And it's not true that such man does not exist: Putin is such a man!

In the refrain, there is also a phrase that makes listeneres think: it's a ready-made statement "He must be like Putin". The public is informed that they need Putin, they should be like Putin, though the purpose is not explained. May be they need him for the household, may be for the presidential post, but in any case he is someone universal, someone who is able to help in any situation if you choose him. Such incompleteness, multiple meaning inspires feeling, that a person is choosing Putin on their own, without any outer influence. Such incomplete statement supports the candidate much stronger than a direct call to vote for him because in the latter case one can feel that an opinion is imposed on them.

In real life, we witness that Putin is actually very different from our previous leaders, who used to be old, bald, speechless and sometimes addicted to alcohol. Instead, we see a stately, blue-eyed, not bald, fair-haired model man, who is laconic, athletics, and has no bad habits. A little bit later the same political advertising team will try to make the president a sex symbol.

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[15] Опарин А. А. Манкурты XXI века. Археологическое исследование Второй книги Царств. — Харьков: Факт, 2004.-70 с. — [Электронный ресурс]. — http://nauka.bible.com.ua/mankurt/index.htm (дата обращения 05.09.10).

Putin's surname is also important. In Russia "Putin" sounds similar to the word "putyom", that means "in a right way". The authors deploy such a rhetorical figure as puns. The surname was used in the refrain 4 times, and if we count all the words in the song, we can observe the following: there are 108 words including pronouns and prepositions, and the word "Putin" is used 10 times, which makes it 9.259% of all the song.

Moreover, there are only 24 pronouns, 3 of them are connected with the ex-boyfriend, 3 were used to describe a girl, and 13 are used for Putin. So, if to take into account all the words which represent Putin in the song, they will be equal to 21.296%. It means that almost every fourth word in the song is Putin. In my opinion, it is also necessary to mention the unusual pronunciation of the surname in the song. The word Putin consists of two syllables, "pu" and "tin", in Russian we put the stress onto one of the syllables, but here the singers create a kind of double-stressed word. The vocalists stress the first syllable, the back vocalists stress the second one, so it creates an effect of vivid importance of the hero.

In the second paragraph the singers speak about the popularity and significance of the new leader: "I saw him yesterday on the TV". Then we come to the word "crossroads", which means something difficult and reveals the idea of choice. Basically, the whole world should face this challenge because Russia, being one of the leading global actors, is able to change the world policy. That is why it is important to make a right choice. So, of course, it is necessary to explain everything from the very beginning.

The next phrase depicts the hero further, saying that "global affairs are the president's routine". These words leave no doubtthat he is able to make a life of a Russian woman easier because he will be able to make decisions and be strong, distinct from the modern young men.

Maria Zvedre, an administrator of one of the marriage agencies, said: "If Vladimir Vladimirovich [Putin] were to come to our agency, he would become an ideal client. All women are looking for stability, all they need is a reliable man, and Putin creates an impression of a very reliable person. Just a dream of any woman!"[16] As a result, women should come to an obvious conclusion: come and vote!

The epiphoric and anaphoric repetitions also contribute to the formation of a positive image: "And I want such a man like Putin, such a man like Putin!" There are few epithets in the text of the song, and the one constant "bad business" can be interpreted as a slogan "less talk — more work".

Women are Putin's engine

It`s clear from the lyrics that the song is gender-oriented. Its goal is female audience (which comprised 53% of the whole population of the country in 2000).

Putin's electoral staff tried to draw women's attention by all means during the whole race for the presidency. All Russian women with the traditional views on the place and role of woman in the society were targeted by them. Putin didn't shock people, he neither promised to involve women in all echelons of the power (in contrast to another candidate, Ella Pamphilova), nor did he promise gender equality (in

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[16] Поющие вместе/Люди.People.ru. — [Электронный ресурс]. —
http://www.peoples.ru/art/music/pop/pouschie_vmeste (дата обращения 05.09.10).

contrast to Grigory Yavlinsky and Stanislav Govorukhin). However, in addition to the statements about the importance of the moral principles "which a citizen finds in the family"[17], he made a trip on Women's Day to Ivanovo, the so-called town of brides, where he visited the weavers and orphanages, plus Putin proposed Lybov Sliska as a candidate for thechairperson of the State Duma. He also supported Valentina Matveenko when she ran for the governor of Saint Petersburg because, in his view, "it's impossible to develop the society without women" and "a woman will stop a galloping horse, enter a burning house"[18]. It goes without saying, that such words are pleasant for women. More than that, he was one of the 5 men out of 12 candidates for president who responded to the women nongovernmental organizations consortium's formal letter.

Putin's staff made a right choice by giving more attention to the women population because they dominate in the society: in 2000, 145.6 mln people were registered in Russia, including 77.4 mln women (53%) and 68.2 mln men (47%). Women also are more active politically than men. In 2000, 56% of the women and 44% of the men went to the presidential elections[19]. Thirdly, women are more gullible. S. Aivazova and G. Kertman report in their work "Women and Men at the Elections. The Gender Analysis of the Russian Election Campaigns in 1999 and 2000" that women trust official information more often than men. A critical attitude to mass media is more typical for men than to women, who more often make decisions by advice from TV.

In addition, women have less stable election preferences because of they basically have no political views between the elections and are rapidly brainwashed during the election campaign period. During these campaigns, the level of the political commitment of ladies is increasing and therefore the real political picture is obscured due to large politically-oriented information gaps. Little stability is also caused by the affective perception that is intrinsic to women. "It's significant, for instance, that on the elections' eve women declared more often than men that they on the one hand expected the results with hope but, on the other hand, with anxiety, concern and fear"[20].

It is very important because "the gender approach in advertising and marketing puts the emotional comfort alone any other factors versus balance a rational appraisal of the separate characteristics of the product"[21]. Such companies as "Oxygen Media" and "MediaCom" carried out a survey devoted to women's sense of humor[22]

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[17] Путин В. Открытое письмо Владимира Путина к российским избирателям // Деловая пресса. — 2000. — № 8 (39). — [Электронный ресурс]. — http://www.businesspress.ru/newspaper/article_mId_40_aId_14277.html(дата обращения 05.09.10).

[18] Цитата по: Айвазова С., Кертман Г. Мужчины и женщины на выборах. Гендерный анализ избирательных компаний 1999 и 2000 гг. в России. — М.: Ратайк, 2000. С.42.

[19] См.: Айвазова С., Кертман Г. Мужчины и женщины на выборах. Гендерный анализ избирательных компаний 1999 и 2000 гг. в России. — М.: Ратайк, 2000. — 68с. — [Электронный ресурс]. — http://www.owl.ru/win/books/election/chapter2.htm#П2 (дата обращения 05.09.10).

[20] Там же.

[21] Андреева М.М., Розанова Т.П., Полянская И.Л. Женская аудитория как объект рекламного воздействия//Маркетинговые коммуникации. — М.: Б.и., 2010. — №1. С.55.

[22] Женщины предпочитают смешные ролики. — [Электронный ресурс]. - http://www.advertology.ru/article3416.htm (дата обращения 05.09.10).

and came to the conclusion that women are more sensitive to sound and humor in the advertising. Despite the fact that the survey focused on TV commercials, its conclusions in, my view, are valid for radio as well and the song "He must be like Putin" in particular. It goes without saying that sound track is humorous, makes you smile, and, taken together with the statement that women are more sensible to a sound design, stresses the gender-oriented approach of the composition to the voters.

Conclusion

The song "He must be like Putin" is a pre-election song which targeted a female audience. But here are many examples of music being used in social movements and subcultures experiencing the influence of this or that music style, semiotic and linguistic meaning. Hippy, heavy-metal, punk, goths, emo, rappers, ravers, hindies, rocks — all have some influence on a certain social target group. These movements may involve millions and millions of people and play an important role in the modern world. Day after day commercials and political advertisements penetrate our life, literally making us zombies and making us "dance to a someone else's tune'" The penetration of political messaged into music can cause the deprivation of rights and freedoms of the listeners. That is why I believe that this field should be researched.

As far as "Singing Together" are concerned, a weighty argument is the fact that nobody in the Russian Federation has ever used such a method of influence on the voters. Modern mass media technologies have made the transmission of such information to the consumer practically non-stop, which increased the efficiency of this pro-Putin audiotrack.

I believe that the project "Singing Together" and their song "He must be like Putin" reached their goal and the political influence of the track was tremendous. It is a good example of employing new political tools that should be closely studies by every political strategist and PR-manager striving for success.

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Chapter Seven. Human Rights

Introduction of Research Working Group

This chapter presents papers by the participants of the working group "Human Rights". Natalia Kravchuk, PhD, Ass. Prof., HSE Department of Public Policy; and Claudia Lenz, Caroline Gebara, of the European Wergeland Centre (Oslo, Norway) were the academic supervisors of this group.

They explored the following research agenda. The international system of human rights protection, which has been built over the past 50 years, is based on the understanding that human rights are universal, inalienable and belong to all human beings in the world. All major international human rights treaties, which have been ratified by Russia and European countries, reflect this principle. However, in spite of this, the universality of human rights continues to be challenged. Among others, officials, intellectuals and church representatives in Russia have questioned the validity of international human rights standards by arguing that these standards are products of "Western" society and contradict Russian cultural and moral values. They therefore believe that human rights must be understood and implemented differently in Russia. To what extent, and in what ways, are views of this kind reflected in official Russian policies? Are they endorsed by the public? What are the implications for relations and cooperation between Russia and European countries on human rights? How does this impact the efforts of civil society to promote human rights?

The aim of the project was to study and analyze attitudes, actions and practices affecting the implementation of international human rights standards in Russia and European countries, as well as Russian-European relations in this area from the political, legal, social and other perspectives, as well as to identify and understand the major challenges of the universality of human rights norms in modern Russia.

These issues were explored by Claudia Lenz and Caroline Gebara in "Building Human Rights Cultures Through Education — The contribution of The European Wergeland Centre", Lola Shamirzaeva in "Ratification of Protocol No. 14 to the European Convention on Human Rights", Denis Yurchenko in "Electoral Rights and Political Technologies : gaining supporting votes in the US", and Natalia Kravchuk in "Child's Views and Child's Rights: insuring young people Democratic Participation".

Claudia Lenz, Caroline Gebara

Building Human Rights Cultures Through Education — The contribution of The European Wergeland Centre

The field of Human Rights Education (HRE) has grown and diversified during the last decades. The Council of Europe is an important player in this development, linking HRE to the vision of sustainable democratic societies. In this paper, the work of the European Wergeland Centre, a resource centre for Education for intercultural understanding, Human Rights and Democratic Citizenship, will be presented.

The EWC was established in 2008 as a resource centre on education for human rights, democratic citizenship, and intercultural understanding. It is the result of an initiative between the Norwegian government and the Council of Europe. The CoE is an inter-governmental organization founded in 1949 that currently comprises of 47 member states and whose aims include protecting human rights, pluralist democracy and the rule of law, and finding solutions to problems such as discrimination against minorities, xenophobia and intolerance. The establishment of the EWC is linked to the fact that there often is a considerable discrepancy between policies adopted internationally, states' commitments in the field of Education for Democratic Citizenship (EDC) and Human Rights Education (HRE), and the reality on the ground, in schools[1] and local communities in many European countries.

The Council of Europe has for some decades been doing an important work preparing the ground for effective Citizenship and Human Rights Education in its member states. Political recommendations and documents have been agreed on by the heads of states. Most recently, in 2010, the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education has been adopted by the Committee of Ministers. It states:

"Human rights education means education, training, awareness raising, information, practices and activities which aim, by equipping learners with *knowledge, skills* and understanding and developing their *attitudes and behaviour*, to *empower* learners to contribute to the building and defense of a universal culture of human rights in society, with a view to the promotion and protection of human rights and fundamental freedoms."[2]

This educational vision has also been transformed into valuable concepts and materials for educational practice throughout a number of projects and programmes. Many of these resources have been developed and translated into many national

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[1] Osler, A. and Starkey, H.: Education for democratic citizenship: a review of research, policy and practice 1995-2005. Academic Review, BERA, 2005; Osler, A. and Starkey, H.: Teachers and Human Rights Education. Trentham Books, UK, 2010.

[2] Recommendation CM/Rec(2010)7:8; http://www.coe.int/t/dg4/education/edc/Source/Pdf/Downloads/6898-6-ID10009-Recommendation%20on%20Charter%20EDC-HRE%20-%20assembl%C3%A9.pdf

languages. The EWC aims at "*Filling the gap between policy and practice, by working more towards and with the grass-root level*".[3] Its services are open to the 47 member states of the CoE, and its neighbor countries as well. The main target groups of the EWC are education professionals, such as teachers and teacher trainers, but also NGO representatives, researchers, policy makers and the public at large.

The EWC:

— offers capacity building activities with a blended learning approach that features online and face-to-face trainings and workshops, and include a research component;

— disseminates resource materials, good practices and project outcomes through a comprehensive online library;

— facilitates interaction, dialogue and exchange through customized online sites for networking;

— facilitates interaction, dialogue and exchange through conferences and seminars.

The EWC Approach

The EWC fulfils its mandate through putting emphasis on interactive and participatory processes. The inclusion of different/ or a variety of stakeholders involved in education for sustainable democracies — including the individual (knowledge, attitudes and skills), the classroom, the whole school as well as the local community perspective is of major importance. This approach is based on principles such as participation, inclusiveness, critical thinking and multi-perspectivity. Which means, the principles of human rights and democracy are applied in educational processes.

Given the above, Human Rights Education goes beyond the cognitive part of learning. The transfer of knowledge ("learning about"), is just one part of a learning process that prepares the learner to become an autonomous subject, respecting the dignity and rights of others. In order to prepare and empower learners, education needs to include another dimension: "learning through", which means, that the learning outcome is informed by the learning experience in itself: the principles and values of Human Rights can be understood, where interaction is based on mutual respect and non-violent conflict resolution and where institutional settings are transparent and allow participation. Thues, the learning environment enables the learners to develop the skills and attitudes they need in order to act as citizens. This is closely related to the next dimension of Human Rights Education: "learning for" is about making learning relevant and meaningful regarding active participation in realizing a societal vision of justice and equal rights.[4] It is evident, that all three dimensions must be in place in a holistic educational vision informed by the values of human rights and democracy.

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[3] Terry Davis, 29 May 2009 (video message) during the EWC Inauguration event.

[4] See Eckmann, Monique: Exploring the relevance of Holocaust education for human rights education Prospects, Volume 40, Number 1, March 2010 , pp. 7-16(10).

With regard to an *empowerment process*[5], work in the field of formal education — be it primary or secondary school education, vocational training or higher education — should consider the following principles:

— *Learners as agents of their learning*

The basic unit of every learning process is the individual learner and her/ his experiences of reality, needs and personal ways of *getting involved*. Everyone has a different 'human rights story' to tell, which means a different starting point from which interests, the desire to develop skills and to get engaged, and the openness to interact with others emerge. Taking this into consideration would pave the ground for an educational process, which learners could create more actively, and through which they would develop an awareness of their personal dignity and autonomy. In order to become an agent of their own learning processes, learners have to be offered tools for self-reflexivity as well as for cooperation and dialogue. Only if learners can make sense of human rights related to their specific and personal experiences, they will be able and willing to engage.

— *Teachers and trainers as learners*

Within such a learning process, the teacher assumes the role of a moderator and facilitator rather than the provider or even possessor of knowledge. She/he is actively involved in sharing her/his/views such as other participants do. Consequently, the often hierarchically shaped teacher-learner relationship is rather flat. Education professionals need to be provided with knowledge, and skills, and not to forget: they need to be supported in developing attitudes necessary to create a learning environment which integrate and empower all learners. One possibility for teachers to engage in self-reflexive practice is to associate as "action researchers" using theoretically informed perspectives to improve their educational practice. In this way, teachers themselves get involved in life-long learning processes.

— *Education institutions as democratic environments*

Human rights and democratic principles can most easily be learned within institutional structures, where participation is encouraged, and where views of students and teachers can be expressed and discussed freely. The learning environment is decisive for children, young people and other learners to practice democracy and respect for human rights. Critical reflection, respect for others and egalitarian communication can be learned *through* experience. Education institutions can strengthen democratic learning though school governance and classroom management. Consequently, the principles which structure teaching and learning, the methods and materials, and the attitudes of all stakeholders involved in education should reflect democratic values, and foster the active participation of students, educational professionals and parents.

— *Community perspective*

Schools and universities need to be actively involved in the life of their community. Empowerment cannot occur without the active participation of individuals in social and political affairs mattering to them. Learning processes dealing with human rights issues have to provide opportunities for students to

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[5] See as well Meintjes, Garth: Human Rights Education as Empowerment — Reflection on Pedagogy. In: Andreopoulos, George, J./ Claude, Richard, P. (Hrsg.): Human Rights Education in the 21th Century. University of Pennsylvania Press, Philadelphia, Pennsylvania 1997: 64-79.

experience that they can engage and influence to certain extend their living environment. Thus, non-governmental organizations, businesses and other stakeholders such as religious and cultural organizations should be involved as important partners in the development of curricula and learning activities in- and outside of the classroom, the exchange of teaching resources, and the clarification of good practices.

In the following paragraphs, we will demonstrate how the approach outlined above is put into practice through the activities of the EWC.

The Summer Academy

The Summer Academy *'Democracy at School'* was sucessfully held for the first time in July 2010 in Poland, and developed into a yearly event. It is organized in cooperation between the Polish Ministry of National Education, the Polish Centre for Education Development, the Council of Europe and the EWC.

The Academy aims at training education professionals to act as multipliers and to help them to incorporate the principles of human rights and democracy into different aspects of school and community life. Based on a whole school-approach to HRE/ EDC with a strong focus on local community involvement, the one-week training course is open for teams consisting of a school head, a teacher and a NGO or parents representative from the same school and local community. Participants from the following countries are addressed: Armenia, Azerbaijan, Belarus, Denmark, Georgia, Germany, Finland, Moldova, Norway, Poland, Russia, Sweden and Ukraine.

The training program is based on several CoE manuals, which have been specifically designed to support those involved in formal and non formal education.[6] In accordance with the manuals, the training addresses multiple levels of change, working from individual to community levels:
  — the individual teacher (knowledge/understanding, values/attitudes, skills/behavior);
  — the classroom (teaching and learning in action);
  — the school (curricular practice, policies, practices and relationships among members);
  — the community (as the context in which schools operate and as potential partners/supports of the learning process).

The academy also offers an opportunity to share and exchange experiences and good practices with participants from other countries. In 2010, ten teams from Azerbaijan, Belarus, Georgia, Poland, Russia, Sweden and Ukraine took part in the training, the total number of participants being 30. An experienced team of trainers was carrying out the training, which was held in Russian and English.

It started with a variety of workshops on different learning styles, methodology, school climate, and participants could choose those that best matched their individual interest. One of the highlights was a session which through a role play

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[6] Democratic School Governance, How can all teachers support citizenship and Human rights education: A framework for the development of competences:
http://www.coe.int/t/dg4/education/edc/3_RESOURCES/EDC_pack_en.asp
Compass — A manual for HRE with young people, as well as Compasito — A manual on HRE for children:
http://eycb.coe.int/compass/

allowed participants to explore different kinds of school culture, hierarchical as well as more liberal types. This initiated personal reflections among the participants on the kind of leadership style typical of their own schools. Another day centered on community involvement, including an active contribution from pupils/ students. The Warsaw Youth Council and School Councils were presented as concrete examples of how partnerships between schools and local community actors can work.

Building on previous discussions and sessions, each team was asked to draft a one year action plan on how to improve the HRE/EDC competences at their school. This team work inspired valuable reflection on the situation in their schools and communities as well as concrete ideas for implementation. Among other plans, it was mentioned to conduct a school-level survey on democratic structures as a starting point to identify needs for improvement, to run training sessions for colleagues, pupils and parents on human rights issues, and lobbying local media. The majority of the action plans referred to future work involving the own school and a wide range of actors in the local community: e.g. parents and families, other schools, NGOs. The teams will share reports on the development and implementation of their action plans on a designated online working space where all participants have access.

The training week was packed with activities, and the enthusiasm and high motivation of participants indicated that the program served its purpose well. 71% of the participants perceived the training as *very relevant* for their own practice. Valuable learning experiences were among others, practical approaches that are useful for one's own work: school climate, types of school culture, different teaching styles, methodology; partnership with local community; cooperation and exchange with others; reflect on situation in one's own school and community through discussions, exercises and sharing.

Once put into practice, the experiences and various action plans will not only benefit schools and local communities, but could serve as good local practices and be inspirational for other practitioners working on democratic school development and governance.[7]

The intercultural glossary project

The intercultural glossary project aims at the development and testing of a learning/educational tool related to the investigation, negotiation and reflection of concepts in the fields of Education for Democratic Citizenship, Human Rights Education and Intercultural Education. It wants to promote reflexivity and multi-perspectivity with regard to key concepts in the fields of EDC/HRE and ICE.

The projects has several main elements:
— Development of an online glossary of terms;[8]
— Development, testing and documentation of learning methods related to the glossary;

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[7] The SA 2011 just started, find updated information here:
http://theewc.org/ucontent/summer.academy.democracy.at.school/
[8] The development of the online-glossary will build on the existing resource "Confusing Conversation", established by the bpb and the Network of European Citizenship Educators (NECE), http://www.confusingconversations.de/mediawiki/index.php/Main_page

— Realization of learning activities that will lead to the generation of glossary content (face to face and peer to peer/online).[9]
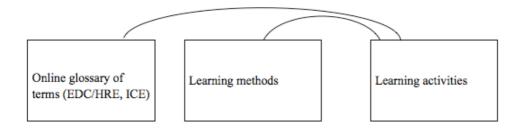

Figure 1

Why dealing with concept-learning when teaching humans rights and democracy? Key concepts are important to public debate, and mastering them is part of becoming an active citizen. At the same time, they are often "fuzzy" and convey different (and sometimes conflicting) meanings, dependent on their geographical, social and cultural context and the age, political views and personal convictions of the user. Finally, due to their wide range of possible meanings and uses, key concepts are always contested. They are matters of social, political and cultural disagreement and even conflict. Instead of presupposing the existence of universal definitions, our starting point will be that the variety of ways of "making sense" of terms and concepts is an important resource for learning processes aimed at critical thinking, reflection and intercultural competence. Peer-learning is central for the project: investigation and reflection of existing understandings and definitions (both one's own and others', both contemporary and in a historical perspective) through interaction. The rationale behind the project embraces the ideas of "learning about", "learning through" and "learning for". The aim is to foster social, political and (inter)cultural knowledge, cooperative and (self)reflexive skills and attitudes through concept learning.

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[9] In a first phase, the project will work with some initial groups of participants, mainly multipliers (university teachers and students, teacher trainers and teacher students, NGO activists) in order to develop content and methods. For the moment, the following institutions are represented in the project group: Higher School of Economics/Moscow; University of Hamburg; Federal Agency for Civic Education/Germany (bpb); University of Oslo; Centre for Human Rights Education University of Teacher Education Central Switzerland/ Lucerne; Norwegian University of Science and Technology; The European Wergeland Centre.

Lola Shamirzaeva
Ratification of Protocol No. 14 to the European Convention on Human Rights

Introduction

Modern institutions and mechanisms of international control of human rights are a product not only of legal, but often a political compromise. Moreover, the purpose of international control could be achieved only if there is a genuine political will of the appropriate state, as well as its willingness to follow recommendations passed in respect of it.[1]

One of the documents aimed at the reform of the European Court of Human Rights (ECHR) is Protocol No. 14 to the European Convention of Human Rights and Fundamental Freedoms, adopted in 2004. For several years Russia was the only and the last state not ratifying it for so long. Most of the other member states of the Council of Europe ratified it within the first few years after its adoption, and by 2007 all countries had ratified it except one. All those years the countries pending the reform stayed alarmed because the reform was "frozen" without a unanimous ratification. Owing to ambiguous attitude of Russia towards ratifying the Protocol (it was signed in 2006), blocking the Court's reform, its unrelieved overload of appeals, the Council of Europe was forced to search for a decision in this situation. After mutual consultations with the CoE and some important explanations given, as a result of an active dialogue between two sides, Russia reviewed its position and ratified it on the 15 January, 2010. But this happened later, when the first green light was thrown in connection with the adopted Protocol No. 14bis (which includes certain provisions to Protocol 14) in 2009 not requiring the unanimous ratification.

A logical question arises: what caused such a long non-ratification by Russia? Obviously, there were some reasons and obstacles for it. But the Protocol fixes that no reservations could be made upon signature and ratification. The article will show you that several provisions of the document caused a serious Russian controversy and resulted in many arguments «against» — that is why the state was not in a hurry to ratify it.

It's interesting and very important to analyze arguable provisions of the Protocol and to consider the ratification in the context of the dialogue between Russia and the Council of Europe, which allowed Russia to revise its primary position.

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[1] *S. Osman-Zade* Evropejskij Sud po pravam cheloveka i ego vlijanie na gosudarstva Soveta Evropy. M., 2008. — P. 176.

Ratification of Protocol No. 14:
History of events

The process of Russia entering the Council of Europe has a long history characterized by both positive and negative moments. This road was not always straight, nevertheless, due to mutual interests and searching a political compromise, sharp edges were smoothed, and in 1996 Russia was admitted to the Council of Europe. So, many years of cooperation between Russia and the CoE have not gone by without problems and controversial positions. However, practice shows that as a rule finally both sides achieve mutual understanding and continue collaboration[2]. Especially striking example — the interaction between Russia and the CoE on the background of reforming the European Court of Human Rights.

In November 2000, the Committee of Ministers of the CoE (CMCE) established an Evaluation Group including representatives of the Court, the Secretariat and the Committee of Ministers. The Evaluation Group also had consultations with civil society, a big number of NGO, and national human rights institutions. The main task of the working group concerned urgent measures which had to be taken in order to improve the efficiency of the Court and to reduce its workload, as well as to ley the Court concentrate on those cases that raise important human rights issues. It was important to find an efficient compromise between the realization of the right of individual petitions and their proper consideration within reasonable time. As a result, in May 2004 the CMCE adopted Protocol No. 14 to the ECHR. Main novels include increased requirements for admissibility of applications (a new admissibility criterion concerning cases in which the applicant has not suffered a significant disadvantage), measures for dealing more efficiently with repetitive cases, faster proceedings in the committee of three judges reinforcement of the Court's filtering capacity to deal with clearly inadmissible applications. Also the Protocol provides an article that fixes the right of the Court to undertake an investigation for the effective conduct of which the member States shall furnish all necessary facilities.

The Russian Federation as a member state also actively participated in the drafting of the Protocol.[2] Subsequently, however, it turned out that it actually blocked the reform of this international organization for judicial protection and then reasonably brought heavy criticism from the European Community.[3] For nearly four years Russia remained the only country not ratifying it, and the Protocol could not come into force.

Here is the chart showing the consequence of events:

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[2] See the speech of G. Karasin on the State Duma`s session dated 20.12.2006 // Stenogramma zasedaniya ot 20.12.06 http://wbase.duma.gov.ru/steno/nph-sdb.exe

[3] It is interesting to mention the approach of the British Parliament concerning the ratification of Protocol 14. In 2004 году Joint Committee on Human Rights presented the Report with analysis of new provisions and a program of required tasks to do. Thus, the Report fixes the necessity of improving national mechanisms for human rights` protection and iimplementation of the Convention on the national level. // A. Chertov Evropejskij Sud po pravam cheloveka i razvitie mezhdunarodnyh prav cheloveka. M., 2008, Dissertation for a Ph.D in law. P. 41.

Date	Event
2000–2004	Work on the project of Protocol No.14
12 May 2004	Declaration of the Committee of Ministers, in which the Committee of Ministers called on member states to take all necessary steps to sign and ratify Protocol No. 14 as speedily as possible, so as to ensure its entry into force within two years of its opening for signature (by 2006)
13 May 2004	Protocol No.14 was opened for signature
04 May 2006	Russia signed the Protocol
20 December 2006	The State Duma did not ratify the Protocol (138 votes "against" the ratification and only 27 "for") (the subject of legislative initiative — the President of the Russian Federation)
2007–2009: two stages 1st stage: from 2007 to September 2009 (Statement of the State Duma dated 23.09.2010) 2nd stage: from 23 Septe,ber 2009 to December 2009	Search for a compromise with the Council of Europe In 2007 Vladimir Putin highlighted, that "Russia is still in business relations with the Strasbourg Court. And we'll think together with our colleagues from the Strasbourg court one what to do to make our relations better".
March 2009	ECHR issued a decree ordering Russia to take steps during six months to eliminate delays in the execution of final judgments of the Court.
30 April 2009	At PACE session Protocol No.14bis was approved.
23 October 2009	The State Duma, in its statement expressed the intention to return to the issue of ratification under the following condition: "if the Duma's concern will be met by an adequate reaction of the European partners".
November 2009	Russia received the letter with the explanations, signed by the Chancellor of the Court.
December 2009	Explanations from the Committee of Ministers were received. In the end of 2009 President Dmitry Medvedev put an emphasis on the problem of protocol. According to him, "Russia is an important and responsible member of every European Protocol and in European political process and Russia also express consent to reform ECHR". It was highlighted that results of consultations between Russia and Council of Europe took us to the question of ratification.

15 January 2010	The State Duma adopted the Federal Law on Ratification of Protocol No. 14 (unanimously). On 27 January 2010 the Council of the Federation approved the law, and the President signed it on 04 January 2010.
08 February 2010	Federal Law on the ratification came into force
01 June 2010	Protocol No. 14 entered into force

Year 2006: Voting against the ratification of Protocol No. 14

On 13 May 2004 Protocol 14 was opened for signature. The same year, 38 countries out of 47 signed it.[4] Russia was not among these countries, its signing of the Protocol occurred two years later — on 4 May 2006, when most other countries had already ratified it. Nevertheless the signing showed the positive mood of the state towards the reform of the ECHR. But six months later at a meeting of the State Duma on December 20, 2006,[5] only 27 deputies voted for theratification, while 138 other parliamentarians were against the ratification of the Protocol.

During the discussion the arguments against prevailed, although it should be noted that much attention was paid to the political aspects of the issue and the implications of the political nature, which may be caused by ratification.

Due to the fact that ECHR practices aren't always ideal, the discussion turned out very emotional. Unfortunately there were very few legal arguments against the ratification.

Thus, only the Profile Committee of the State Duma identified several provisions of the Protocol, which contradicted basic principles of the Convention according to its opinion.

Now let's consider these and some other arguments against the ratification of the Protocol.

D. Eremin, State Duma Committee on civil, criminal, arbitral and procedural legislation: not to ratify (point 1–4)

— Article 7 of the Protocol allows a single judge to declare inadmissible applications and this decision shall be final. The commencement of proceedings is a very important element of the right to judicial protection because at this stage the probability of judicial error is very high but that could be made lower if it is a collegiate decision In Russia, the admissibility of an appeal in higher courts is considered by a collegiate composition of the court. Sole determination of the admissibility by judges in lower courts is compensated by the applicant's right to complain against the judicial act.

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[4] See list of signatures and ratifications // http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=194&CM=7&DF=&CL=ENG

[5] By this time Russia was the only country which had not ratified it. Among the penultimate were Turkey and Polanda, which ratified it in September 2006 — with a long time lag from others (except Russia). See list of signatures and ratifications.

— The new admissibility criterion of a "significant disadvantage" is evaluative and proposes not procedural, but substantive estimation of an appeal. The target of filtering unacceptable complaints which is mentioned in the Explanatory Report to the Protocol merely underlines a high probability of violation at this stage.
— The provision fixing a period of nine years in terms of office is unreasonable. There is no explanation how such a measure will contribute to efficiency of the Court.
— The explanatory report mentions the compromise and the temporary nature of the protocol implying the necessity for further improvement of the ECHR. This nature is not compatible with the subject of regulation of the Protocol — the fundamental human rights and freedoms.

V. Zhirinovsky, leader of the Liberal Democratic Party of Russia: not to ratify[6] (point 5–7)

— In Russia there are too many problems concerning human rights, all references to the ECHR are primarily against Russia and, therefore, from the point of view of protection of national interests, it is disadvantageous to ratify the Protocol.
— Russia entered into the Council of Europe, paid 200 million euro but receives only criticism.
— We need to improve domestic legislation in order to reduce the number of appeals to the ECHR, which undermine Russian authorities.

Among the legally reasonable arguments, only two may be really important for discussion: the one about a single judge declaring an appeal inadmissible, and the one about the new criterion of sufficient disadvantage. Speaking of the argument of unreasonable increasing the term of office of judges from 6 to 9 it should be noted that according to par. 50 of the Explanatory Report, this measure, along with the fact that judges will not be re-elected, is aimed at increasing independence and impartiality of judges[7]. Also this measure is aimed at reducing the impact of Member States on the judges.[8]

Some comments on the two main legally reasonable arguments

"The right of a single judge to declare an application inadmissible or strike it out of the Court's list of cases. This decision shall be final." (Article 7 of the Protocol)

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[6] At the same time he agreed that Russia would be of criticism due to non-ratification and from the moral point of view Russia was responsible for blocking the reform. Also he noted that the profile Committee of the Duma did not agree with the President`s representative (the bill was introduced by the President) was a positive moment. in displaying legal will. «It`s well that the Committee gave for the first time the negative pronouncement!» — said V. Zhirinovskij// Stenogramma zasedaniya ot 20.12.06 http://wbase.duma.gov.ru/steno/nph-sdb.exe
[7] See Explanatory Report to Protocol No. 14 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending the control system of the Convention // http://conventions.coe.int/Treaty/EN/Reports/Html/194.htm
[8] *A. Chertov* Ibid at p. 36.

Of course, having many judges means more independence and justice, yet, we could say that in the Russian legal system, in 2003 and 2004, Russian civil and criminal legislation was amended to the effect that lay judges were excluded from the administration of justice. And as a result civil cases and the majority of criminal cases are now to be heard by a single judge, not to mention the admissibility issues.[9]

Moreover, according to par. 58 of the Explanatory Report, single-judge formations will be assisted by rapporteurs with knowledge of the language and the legal system of the respondent Party and case law of the Court. The decision itself remains the sole responsibility of the judge and in case of doubt as to the admissibility; the judge will refer the application to a committee or a Chamber.[10]

L. Wildhaber writes that the meaning of this novel is to enhance the possibility of the ECHR to select cases and to filter out with lack of prospects cases[11].

"Dismissal of appeals is possible in cases when the applicant has not suffered significant damage." (Art. 12 of the Protocol)

However, it is worth mentioning that such a procedure of enforcement is accepted with regard to less dangerous acts and is familiar to the legislations of many countries. So, part 2 of Art. 14 of the Criminal Code of the Russian Federation provides as follows: "An action (inaction) although formally having characteristic features of any act provided by this Code but posing no risk to the public due to its low significance is not a crime" (the court dismisses such cases — point 2 part 1 of clause 24 of the Code of Criminal Procedure of the Russian Federation).[12]

Moreover, application of this criterion of acceptability is possible under the two following conditions: a) observance of the principle of respect for human rights and b) provided that the appeal cannot be declared unacceptable if it has not been considered in court at the national level in an appropriate manner (Art. 12). That is why in the literature we can read some opinions that the practice of application of this criterion on the basis of the mentioned principles will not satisfy the skeptics' concerns.[13]

As the Protocol itself does not include the concept of "unsufficient disadvantage" (this term is open to interpretation), it establishes a serious addition aimed at a gradually framing a definition of this term. Besides, it is recalled that single-judge formations will be assisted by rapporteurs. The application of the new admissibility criterion is reserved only to Chambers and the Grand Chamber in two years following the Protocol`s coming into force. The new admissibility criterion could not be applied to applications declared admissible before the Protocol had come into force[14]

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[9] *A.Burkov* Ratification of Protocol 14 to the Convention on Human Rights // http://www.eu-russiacentre.org/our-publications/column/ratification-protocol-14-convention-human-rights-forced-measure-decision-reform-european-court-human-rights.html

[10] Explanatory Report to Protocol No. 14 to the Convention for the Protection of Human Rights and Fundamental Freedoms

[11] *K. Terehov* Procedura rassmotrenija del v Evropejskom sude po pravam cheloveka. M., 2010, Dissertation for a Ph.D in law (e-resource, not published yet)

[12] *I. Petruhin* O reforme Evropejskogo Suda po pravam cheloveka. // Advokat, 2008, № 6 (e-resource)

[13] *K.Terehov* // Ibid.

[14] Final and transitional provisions Article 20 of the Protocol // http://conventions.coe.int/Treaty/EN/Treaties/Html/194.htm

The Explanatory Report to Protocol No. 14 notes that the establishing of the new criterion does not limit the right of individuals to appeal to the ECHR and does not violate the principle of considering all individual complaints on a basis of the admissibility even if the complainant has not suffered sufficient disadvantage. Such complaints will be considered by the Court.[15]

Despite the fact that ratification failed in 2006, legislators and other Russian specialists understood the basic mission of the Court, and, as our analysis will show further, mutual consultations and negotiations with representatives of the Council of Europe in search for the compromise were held.

The process of mutual consultations between Russia and the Council of Europe

In 2007, the process of mutual consultations with the Council of Europe in order to find a mutual solution towards the Protocol began. In 2007 Vladimir Putin highlighted that "Russia is still in business relations with the Strasbourg court, and we'll think with our colleagues from theStrasbourg court on what we can do to make our relations better".[16] However, a unified approach to the settlement of the conflict was not found fast.

On March 22-23, 2007, a Colloquy took place in San-Marino; it was devoted to the discussion of future developments of the ECHR. Secretary General of the CoE Terry Davis said that Protocol 14 had not come into force three years after its adoption.[17]

In March and April 2007 in Moscow during the visit of the rapporteurs of PACE Monitoring and chairman's of the PACE Committee on monitoring and Legal Affairs and Human Rights the issue of the ratification of Protocol No. 14 was also discussed. [18]At these meetings, Russian officials explained their position and, as noted by the Research report of the Department of the State Duma, this position found some understanding from the Europeans but they continued insisting on the ratification[19].

As described in the report, the debate on the Protocol was held during the visit of the new chairman of the ECHR in May 2007 to Russia. Later that year, debate on the reform took place in Strasbourg.

On June 9-10, 2008, another Colloquy took place in Stockholm. The topic was devoted to the implementation of the ECHR at national levels. Veronika Milinchuk, the Russian state Agent at the Court said that failure to execute and delays in execution were one of the most pressing issues addressed to Russia.[20] This criticism added fuel to the fire of common criticism for such a long delay in ratifying Protocol No. 14. Finally, in March 2009, the ECHR issued a decree that ordered Russia to adopt legislative measures to eliminate long delays in execution within six months —

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[15] Explanatory Report to Protocol No. 14

[16] Stenograficheskij otchet o vstreche Prezidenta Rossii Vladimira Putina s chlenami Soveta 11.01.2007 // www.sovetpamfilova.ru.

[17] *B.Bowring* The Russian Federation, Protocol № 14 (and 14 bis), and the Battle for the Soul of the ECHR. // Goettingen Journal of International Law 2 (2010) P. 599.

[18] Analytical review on Protocol 14 (composed by the State Duma`s machinery), M., 2010 http://wbase.duma.gov.ru:8080/law?d&nd=981605705&mark=r981605008

[19] Ibid.

[20] *B. Bowring* Ibid at P. 600

otherwise Russia's membership in the Council of Europe could be found questionable.[21]

Immediately after the refusal to ratify Protocol 14 in 2006 the Council of Europe and the ECHR began searching for the reform's solution in the situation where one country had blocked the Protocol`s entry into force.

Particularly, at a 2008 workshop that celebrated the tenth anniversary of the entry into force of Protocol 11, the participants agreed that in order to save the right of an individual petition there was a necessity to provide the reform even by passing the "dead" Protocol 14. The solution revealed itself in the adoption of the Statute of the Court to incorporate procedural issues. As regards the provisions on material rights — they would be left to the Convention and Protocols.[22].

However, another solution was found. Russia's delay in ratification of the Protocol finally gave rise to a considering response. It forced the CoE and ECHR to take the unprecedented step of recommending the adoption of a Protocol No. 14bis which did not require unanimous ratification.[23].

On the 30th of April 2009, Parliamentary Assembly of the Council of Europe issued Protocol 14bis, which was an additional protocol that had to be ratified by a certain number of member states but not all of them. This document allowed one judge to declare any application inadmissible, and if declared inadmissible, a committee of three judges would consider applications on their merits. [24] The Protocol came into force on October 1, 2009. Before this date it could be used on a temporary basis for those countries which gave their consent to be bound by the Protocol.[25] After Protocol 14bis coming into force, Protocol 14 lost time its force. So, in order to preserve the right of the individual to apply for 800 million Europeans of the CoE continued to reform the ECHR without the agreement of Russia[26].

On the same date the Assembly expressed regret in connection with the long delay of the State Duma to ratify it. As a consequence, the reform was blocked. The Assembly said that the Duma "significantly aggrave the situation of the Court" and appealed for the Duma to review its position[27].

As we can see, by May 2008 common approach to the resolve the conflict of interests had not been found. Therefore, on September 23, 2009, the lower house of the Russian Parliament State Duma — adopted a special statement that outlined the official position with the clarifications towards the provisions of the Protocol that caused concern and did not allow to ratify the document. The Duma marked that Protocol 14 could not achieve its goal of improving the efficiency of the ECHR and

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[21] Strasburgskij sud prigrozil Rossii priostanovkoj chlenstva v Sovete Evropy
http://lenta.ru/news/2009/03/02/kovler/_Printed.htm We should mention that on 30 April 2010 is adopted Federal Law about compensations for breaching the right for legal procedure in reasonable time or right for execution of judicial acts in reasonable time.

[22] *A. Burkov* // Ibid.

[23] *B Bowring*. Ibid at p. 59.

[24] *A. Burkov* // Ibid.

[25] Protocol 14bis // http://conventions.coe.int/Treaty/EN/Treaties/Html/204.htm

[26] *A. Burkov* // Ibid.

[27] Odobren vremennyj plan uskorenija raboty Evrosuda // http://www.espch.ru/content/view/165/36/

was only a step in this direction[28]. These explanations essentially extended the few arguments that were quoted earlier.

Analysis of other contentious provisions of the Protocol: Statement of the State Duma of September 23, 2010

The right of a committee of three judges to make decisions and judgments without the mandatory inclusion of a national judge in the examination of a case. (Art.8 of the Protocol; Art. 28 of the new version of the Convention)

According to the State Duma this provision can imperil rightfulness and justifiability of decrees to be issued by the European Court of Human Rights. Due to non-membership of a judge from the respondent state in the correspondent committee the decrees may be adopted without comprehensive account of special factors relating to the legal system of this state[29].

We can assume that the issue suggests average standards which are supposed to be applied in case of collegiality, while quite different standards are applied in case of decisions adopted at a judge's sole discretion (the most illustrative example is the interpretation of the "abusive treatment" term by a judge from Turkey and by a judge from Switzerland).

However the Article provides a mitigating provision (par. 3) according to which the committee may at any stage of the proceedings invite the judge of the High Contracting Party which is a contestant to take the place of one of the members of the committee taking into account all relevant to the case factors[30].

Right of the Court to undertake an investigation while examining the case for the effective conduct of which the High Contracting Parties concerned shall furnish all necessary facilities together with the representatives of the parties. (Art. 14 of the Protocol; Art. 38 of the new version of the Convention)

The State Duma has interpreted this provision as the right of the Court to carry out an investigation before settling the issue of acceptability of an appeal. It has suggested that the European Court of Human Rights using this right before it particularly ascertains exhaustion of domestic legal remedies is fraught with interference with the national investigation of the case and even with its substitution. As the Duma has pointed out, this can hardly be considered reasonable due to the fact that the role of the European Court of Human Rights towards national courts of justice is subsidiary[31].

If the Committee of Ministers considers that a High Contracting Party refuses to abide by a final judgment in a case to which it is a party, it may refer to the Court

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[28] Postanovlenie Gosudarstvennoj Dumy № 2546- GD ot 23.09.2009 «O zajavlenii Gosudarstvennoj Dumy Federal'nogo Sobranija Rossijskoj Federacii «Po povodu ratifikacii Protokola № 14 k Konvencii o zawite prav cheloveka i osnovnyh svobod, vnosjawego izmenenija v kontrol'nyj mehanizm Konvencii o zawite prav cheloveka i osnovnyh svobod». http://www.duma.gov.ru/index.jsp?t=ums_zayavlen/z_2.html

[29] Postanovlenie Gosudarstvennoj Dumy № 2546- GD ot 23.09.2009 // Ibid.

[30] Including whether that Party has contested the application of the procedure under paragraph 1.b. of the par. 1 art. 28 of the new version of the Convention — the right of a committee to declare the application admissible and render at the same time a judgment on the merits, if the underlying question in the case is already the subject of well-established case-law of the ECHR (Art.8 of the Protocol).

[31] Ibid.

the question whether that Party has failed to fulfill its obligation to execute the final judgments.

If the Court finds a violation of the execution, it shall refer the case to the Committee of Ministers for consideration of the measures to be taken. (Art. 16 of the Protocol; par.4-5 Art 46 of the new version of the Convention)

In its resolution the State Duma writes as follows: according to Articles 10 and 16 of the Protocol, the ECHR "shall have in certain cases a possibility to decide through official interpretation and conclusions at the requests of the Committee of Ministers in what manner the state shall execute the decrees of the European Court of Human Rights".[32] The State Duma has decided that this also contradicts the subsidiary role of the European Court of Human Rights.[33].

Although the Explanatory Report underlines that the aim of the new paragraphs is to enable the Court to give an interpretation of a judgment, not to pronounce on the measures taken by a High Contracting Party to comply with that judgment[34].

Also, Art.16 of the Protocol fixes that the Committee of Ministers must send formal notice on that Party and by decision adopted by a majority vote of two thirds of the representatives entitled to sit on the Committee before it refer to the Court the question whether that Party has failed to fulfill its obligation towards the execution.

Following our approach, these provisions are aimed at non-admission of abusing the right of the Court.

In the literature, on the contrary, we can see the same point the practice of the CM on supervision for the execution of final judgments presents a particular interest because the right to appeal will be illusive if its decisions remained non-executed by respondent States[35].

There is one other opinion, according to which the right of the Court to point out the concrete measures on execution with the course of time will be in the competence of the Court as a result of future reforms of the Court. The author makes an example of the Inter-American Court of Human Rights which points out in its decisions actions which should be done by states in order to remove violation of human rights and freedoms and to prevent new violations.[36]

So in compliance with the Statement of the Duma just that rules of the articles 8, 14, 16 of the Protocol No. 14 aroused a serious anxiety in Russia and became the obstacle to pass a favourable decision during the consideration of the ratification in December 2006[37].

In its decree the State Duma declared that it would take into consideration the explanations of the executive power and structures of the CoE on how the provisions of the Protocol should be implemented through the highlighted problems. Also there was an official announcement that mutual decisions would be found during

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[32] Ibid.

[33] Ibid.

[34] Explanatory Report to Protocol No. 14 // Ibid.

[35] *S.Osman-Zade* Evropejskij Sud po pravam cheloveka i ego vlijanie na gosudarstva Soveta Evropy. M., 2008. — P.178.

[36] *A. Nikolaev* Problemy reformirovanija Evropejskogo Suda po pravam cheloveka na sovremennom etape. // Konstitucionnoe i municipal'noe pravo, 2008, № 15 (e-resource)

[37] Postanovlenie Gosudarstvennoj Dumy № 2546- GD ot 23.09.2009 // Ibid.

consultations with the partners. The Duma intended to return to the ratification "only with the understanding of the partners that the Russian concern will meet the adequate reaction of the European partners".[38]

After the publication of the Duma's statement, work on the problematic aspects of the Protocol continued. The apogee of successful consultations and negotiations with the Committee of Ministers fell on the second half of 2009. Russian Foreign Ministry undertook additional consultations with the CM and the ECHR and the Duma`s "concern" met for more than «adequate response», which ultimately became a catalyst in the process of ratification.

So, in November 2009 a letter with the explanations, signed by the Chancellor of the Court Eric Friberg was received. It explained that a national judge would participate in a committee of three judges when considering applications from Russia. If the Russian judge found the application not appropriate to well-established judicial practice and did not give a visa, it would be brought to the Chamber of seven judges, which includes a national judge in any case. The Chancellor also assured that the mechanism for the investigation on the admissibility of an application will not be used, and the ECHR will not receive additional authority regarding the mechanism of execution its decisions, which will be, as always, performed in accordance with a national legislation.[39]

Not long afterwards, this letter was followed by the explanations contained in the decision of the Committee of Ministers, adopted at the 1073 meeting on December 9, 2009. The essence of the contained guidance in that document is reduced to an explanation of how would be considered problems which cause Russian claims as well as to an explanation that the opinion of Russia on concerned issues will be taken into consideration in further work of theECHR.[40]

Official interpretation by the Committee of Ministers of the Council of Europe and reaching compromise

According to the verbatim records of the two hundred sixty-second meeting of the Council of the Federation dated 27 January 2007[41], the following official interpretation was received resulting in the dialogue between the representatives of the Russian Federation and the Committee of Ministers of the Council of Europe.

In case the appeal is considered in any chamber or in the Grand Chamber, participation of a national judge shall be obligatory.

According to the Protocol No 14, the extended authorities in making decisions shall be granted to the committees of three judges. However, the essential feature restricting the authorities of the committees is the fact that the comm

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[38] Ibid.

[39] Vlasti otricajut, chto ratifikacija 14-go Protokola svjazana s rassmotreniem v Evropejskom sude po pravam cheloveka dela JuKOSa.
http://www.polit.ru/news/2010/01/12/esp4_print.html

[40] Ratifikacija Gosdumoj Protokola № 14 — mnenija ekspertov.
http://www.conventions.ru/view_news.php?id=27

[41] See Stenogramma 262 zasedaniya Soveta Federacii //
http://council.gov.ru/lawmaking/sf/report/389/index.html

Committee's decisions shall be made on the basis of the firmly established case law, that is to say, on the basis of evident appeals. Along with this, under certain conditions, the committee is entitled to invite a national judge to participate in the procedure at any stage of proceedings. At the same time, the authorities of the committees do not cover appeals that are not included in the mentioned category due to their newness or complexity. Such appeals pertain to the competence of the chambers.

For the purpose of getting a comprehensive idea of the procedure and participation of a national judge in it, the interpretation is given regarding the inner operation of the ECHR. In particular, all the appeals subject to consideration by the court composed in one or the other manner are originally related to one of the two categories: "for consideration by the chamber" and "for consideration by the committee". Besides, the Secretariat of the court shall additionally relate the appeals to these categories.

A reporting judge shall be appointed for all appeals considered by the chamber and for validated appeals. In many cases it shall be a national judge. The exceptions are cases in which appeals "involve delicate political issues at the national level, as well as for practical reasons and for the purpose of fair distribution of cases among the judges, when there are a lot of appeals against the state".[42]

In accordance with the general rule, appeals are communicated to the government against which the appeal is made. The decision to communicate them is made by the chairman of the section on the initiative of the reporting judge and after the national judge has expressed his opinion. Consequently, the national judge's opinion shall always be taken into account before any appeal is communicated to the respondent state. In case consensus between these parties is not reached, the non-resolved issue of communicating the appeal is referred to the Chamber for decision.

The other interpretations given by the CMCE are as follows: the national judge has a real possibility of participation in consideration of appeal.

Moreover, the Committee of Ministers agreed with the statement of the Russian Federation, made at a meeting of the Committee of Ministers on December 9, 2009 that the Russian side proceeded from the understanding that before referring to the Court questions in accordance with paragraphs 3 and 4 of Article 46 of the Convention (Article 16 of Protocol No. 14) the Committee of Ministers would consult with the State in respect of which a decision was taken to elaborate mutually acceptable future actions, and the Court was not empowered to direct a particular method of execution of the Court`s judgments by a state[43].

The received explanations, according to the State Duma Committee on civil, criminal, arbitral and procedural legislation proved to be sufficient to resolve the problems emphasized in the Statement of the Duma dated 23 September 2009[44].

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[42] Ibid.

[43] Zakljuchenie Komiteta Gosudarstvennoj Dumy po mezhdunarodnym delam ot 25 dekabrja 2009 goda na proekt FZ № 362484-4 «O ratifikacii Protokola № 14 k Konvencii o zawite prav i osnovnyh svobod, vnosjawego izmenenija v kontrol'nyj mehanizm Konvencii, ot 13 maja 2004 goda» // «ConsultantPlus»

[44] Zakljuchenie Komiteta Gosudarstvennoj Dumy po grazhdanskomu, ugolovnomu, arbitrazhnomu i processual'nomu zakonodatel'stvu po proektu Federal'nogo Zakona № 362484-4 «O ratifikacii Protokola № 14 k Konvencii o zawite prav cheloveka i osnovnyh svobod, vnosjawego izmenenija v kontrol'nyj mehanizm Konvencii, ot 13 maja 2004 goda» http://asozd2.duma.gov.ru/

The Committee considered that many of the issues were already resolved and would be reflected in subsequent documents of the Council of Europe. Ratification of the Protocol would help to reform the European Court of Human Rights, thereby contributing to the development of relations with European partners and, in general, creates a favorable environment for the continuation of epy judicial reform in our country.[45]

In the end of 2009 President Dmitry Medvedev put an emphasis on the problem of protocol, saying that "Russia is an important and responsible member of every European protocol and in European political process, and Russia also expresses consent to reform the ECHR". It was highlighted that the results of consultations between Russia and Soviet of Europe took us to the question of ratification.[46] And after a while, on January 15, 2010, the Duma, as it was already noted, on adopted the Federal law on ratification of the international agreement unanimously, which was published and came into force on February 8, 2010[47].

The Protocol is ratified. What are the following steps?

In spite of the fact that Russia has finally ratified the document, the accusations addressed to the protracted ratification will be coming for a long time in the future because the ECHR system is now in a deep crisis. The obvious question appears: could ratification of the Protocol in principle play a significant role in reducing the crisis of the ECHR, which B. Bowring in his work calls "crisis of success"? [48]

The ECHR is facing new challenges, which are also necessary to resolve. We may say that to some extent, the delay in the ratification by Russia caused the idea to create the Statute of the Court in order to change the procedure of the Court quickly, without complicated procedures of the ratification of protocols to the Convention.[49] Protocols should be left only for the material provisions dealing with specific cases.[50]

The work on improving the efficiency of the structure and activity of the ECHR has not stopped after the adoption of Protocol 14. In May 2005 , the Committee of Ministers decided to establish Group of Wise Persons (consisting of acknowledged experts in law) to develop proposals for long-term program to increase the efficiency of the ECHR.[51] The Group of Wise Persons noted that the changes introduced by the Protocol No. 14 could increase the efficiency of the ECHR, at best, only by 25%. The court needed more radical changes. These changes are intended to allow the Court to function normally in the long term These suggestions and proposals subsequently will

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[45] Ibid.

[46] D. Medvedev zapustil reformu ESPCh http://www.pravo.ru/News/view/24066

[47] 18 February 2010 Russia published declaration to Protocol 14, which includes several provisions. See.: Declaration contained in the instrument of ratification deposited on 18 February 2010 // http://conventions.coe.int/Treaty/Commun/ListeDeclarations.asp?NT=194&CM=8&DF=23/09/2010&CL=R US&VL=1

[48] *B Bowring*. Ibid at p. 590

[49] Ibid.

[50] Significant that in the Declaration to Protocol 14 on 18.02.2010 Russia fixed that procedural rules relating to examination of applications by the ECHR must be adopted in the form of an international treaty subject to ratification or to another form of expression by a State of its consent to be bound by its provision. See: Declaration contained in the instrument of ratification deposited on 18 February 2010 // Ibid.

[51] *K.Terehov* // Ibid.

be reflected in the new Protocol No. 15, the work on the development of which has already begun.[52] As L. Caflish wrote after the reform of 1998, even after Protocol No. 14, there will appear a desire to change fixed parts of Protocol No. 14[53].

Conclusion

The Preamble of the Convention expressly declares that the aim of the Council of Europe is the achievement of greater unity between its members and that one of the methods by which that aim is to be pursued is the maintenance and further realization of human rights and fundamental freedoms. Moreover, the governments of European countries are like-minded to take the first steps for the collective enforcement of rights stated in the Universal Declaration. That is why the cooperation of Russia with other Member States is urgently necessary, because it affects directly the quality of decisions and the prosperity on the arena of human rights protection depends mostly on it.

The process of the dialogue and finding common understanding on important issues is precisely the mechanism that promotes the quality of relations between Russia and the Council of Europe. It favors Russia to move from one level on the political arena to higher. Denoted President's aim concerning the improvement of the ECHR was reflected in reaching compromise but died out in the ratification of the Protocol.

The analysis shows us different reasons for non-ratification in different periods of time, what steps were taken to find a mutually acceptable solution, as well as what kind of political environment accompanied Russia and the Council of Europe on the way through hardship to ratification.

As we can see, the highlighted explanations allowed Russia to review its position and adopt Protocol 14. It's quite reasonable, taking into account Russian liabilities to CoE and understanding position between other counties.

Despite the fact that {rotocol 14 is not able to solve many problems, still it is an essential building block, without which further the development of an efficient and challenge-proof Court is impossible. The ratification of Protocol No. 14 is necessary for our country in order to reach the European level of justice, and this successful result of negotiations will make another page in international relations. We should hope that the mutual understanding between Russia and the Council of Europe will grow in the future and it will be seen an increasingly as productive, based on the fundamental principles of human rights, dialogue.

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[52] Ibid.

[53] *L. Caflish* The Reform of the European Court of Human Rights: Protocol № 14 and Beyond // Human Rights Law Review 2006. № 2. P. 415.

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Denis Yurchenko
Electoral Rights and Political Technologies: gaining supporting votes in the US

Political advertising as part of political campaigns.

In the recent years, political advertising has become increasingly important in political campaigns in general. The US attitude towards political advertising is ambiguous. This is due to the fact that, unlike commercial advertising, which has long been a part of American culture and perceived as a legitimate way to promote products and services, political advertising is more intrusive, meddlesome. Here, of course, we must take into account the fact that political advertising is significantly different from commercial advertising. In the US, the content and presentation of information in political advertising is practically not regulated by any rules. There is no any institution that might be held accountable for false information or foul play. Many commercials are an example of contrasting advertising when the candidate is compared with his opponent, while criticizing the latter. In this case, the opponents do the same thing. And "...an official establishment where you can bring a complaint on an advertising attack that does not exist. From time to time media acts as an arbitrator, monitoring an evaluation of promotional materials of various candidates. Unfortunately, these surveys are often aggressive themselves, that adversely affects the turnout for the elections".[1]

The discussion among professionals of the fact that the involvement of the experts on political advertising is vital and that the absence of any rules of conduct in this market seriously harms the image of the profession of a specialist advertising continues to this day.

Recently, it became apparent that the prognoses of political technologists regarding the increase in the length of political campaigns have come true. More and more candidates for elective office, particularly at the federal level, make their choice in favour of a continuous and ongoing fundraising campaign. In the US, for example, members of the House of Representatives are elected every two years. Such a short term forcing them to conduct political campaign continues from the moment of re-election until the re-election. US senators are elected every six years, so they are less concerned about this problem, but, as experts note, this situation will change too in the foreseeable future because more and more senators are aware of the need for continuous fundraising and political campaigns.

"The total value of the US elections (all campaigns in the aggregate) in 1996 amounted to 2.5 billion dollars."[2] This figure is less than the advertising budget of major US corporations. In the midst of a political campaign in 1996, "less than 1% of

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[1] Ansolabehere S., Iyengars. Going Negative: How Attack Ads Shrink and Polarize the Electorate. P. 37

[2] http://www.opensecrets.org/pubs/bigpicture/overview/bpoverview.htm

all TV commercials (750 000 of 93 million) were paid for by candidates or political organizations". [3]It is no secret that the audience does not like political advertising. And the dislike of this is related, as we see, not to the number of commercials and other materials, but primarily to the way they sound. One of the distinguishing characteristics of modern political advertising is its negative connotation. Often the materials are built on the principle of comparing a candidate with their rivals, comparing the program with the opponents', usually in such a comparison that an opponent is being fairly criticized or even ridiculed. In such a form, more attention is paid to identifying and criticizing opponents weaknesses, rather than reporting their own political positions and programs of the candidate on whose behalf this advertisement is being prepared. Recent studies show that such advertisements constitute one third of all advertising materials that were used during the presidential elections.

We should not forget that what we have seen before: in contrast to activity in the commercial advertising market, activities of political advertising are not regulated by any code of conduct or rules that would protect the audience from aggressive and misleading information. In the US the First Amendment to the Constitution makes it nearly impossible to identify the standards for political advertising from outside, not by experts on political advertising. Therefore, the scope of political advertising has become a battleground of candidates with each other, where the main weapon is aggressive advertising messages.

Political advertising on television

TV advertising in presidential campaigns began in 1952, first political slots, though simplistic by today's standards, often took the form of reports from press conferences or evidence known to the citizens. Many were made "in the style of "talking head", in which candidates (or their supporters) look directly at the camera and spoke for 30 or 60 seconds without any editing, graphics, animations, or slicing shots taken in different places and on different occasions". [4]

Modern advertising, in contrast to the former, is attractive to the eye. Technological advances allow manufacturers to advertise using colourful images and a complex assembly technique in order to make the spots more attractive. The images can be superimposed on each other, linking a visual image to another. Using animation allows you to visually "transform" one person to another in a second.

These changes have caused a sharp increase in advertising volume and increasing its role as a communication tool. Advertising now accounts for about 60% of the major campaigns of presidential candidates. TV spots not only represent a major item of expenditure in election campaigns, they are the main source of information for voters and an instrument of influence on the style of journalistic coverage of political races.

Advertising can be used for many purposes: from undermining the positions of political opponents by associating them with an unpleasant visual imagery to enhance the attractiveness of the candidates through their identification with the

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[3] Goldstein K. What Did They See and When Did They See It? Measuring the Volume, Tone, and Targeting of Television Advertising in the 1996 Presidential Election //Journal of Politics. 1998. № 74. P. 18

[4] Handbook of policy advice. Ed. prof. David D. Perlmatter: trans. with English. P.18

positive image, such, for example, as the national flag or the family. Moreover, advertising influences the style of coverage in the media. One of the most striking trends of the modern period was an active participation of journalists in the preparation of advertising policy materials. Executive Director of the network news programs William Small characterizes it as the most important trend in recent years, noting that "advertising is now considered as part of news stories". Many news channels even run programs with reviews of advertising such as "Ad Watch". Advertising, broadcast during news broadcasts and in newspapers, goes along with the comments regarding the accuracy and effectiveness of advertising messages. The most effective advertising is the one most important message is reinforced in the news media.

Increase the share of advertising in news broadcasting has been washed away or even destroyed the former division between the free (news) and paid (advertising) media coverage of election campaigns and elections. Now it is commonplace on network news programs to retransmit advertisement that entertains, provokes, and engages in the discussion.

The advertising which is transmitted free of charge during the news or discussed in leading newspapers has several advantages over a purely commercial. First, the audience traditionally believes the news in the media much more than paid advertising for their impartiality and objectivity. William McGuire showed that the credibility of sources is one of the factors determining the credibility of the information. The high degree of confidence to the media attaches advertising, going to the newscasts, a significant advantage over advertising is clearly going on a commercial basis.

Eylz Roger explains it thus: "The effectiveness of advertising increases by 30–40% if you insert it into the news. You get more viewers, more confidence; you get a frame for advertising."[5]

Secondly, advertising in the news warrants campaigners a large audience and free airtime. Public opinion polls have recorded that nearly two-thirds of Americans called the TV main source of information. This is especially true on a group of spectators that Michael Robinson defines as "random audience, which is less interested in politics, as well as the most fickle in their opinions".

Nothing better illustrates the power of advertising is not as effective tool of political struggle than a shot in the 1964 movie "Daisy", which is considered by many the most unethical advertising in television history. The plot, devised by Tony Schwartz, begins with a display of a little girl standing in a meadow and tear off the petals and chamomile. After her count "1, 2, 3, 4, 5, 6, 7, 8, 9", an ominous voice begins his own count "10, 9, 8, 7, 6, 5, 4, 3, 2, 1". With the score of zero, the figure of the girl disappears and the screen fills the mushroom cloud. The plot concludes President Lyndon Johnson warned: "Those are the stakes. Make a world in which all God's children can live or go into the darkness. Or we will love each other or perish."

At first this movie was shown only once on September 7, 1964, during the airing of the movie "David and Betcheba" on NBC-Sea under the heading "Movies on Mondays". Almost immediately the movie was restricted. Press reaction was swift. According to Lloyd Wright, adviser to Johnson on the advertising strategy, "the

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[5] Thurder J.A., Candice J.N. Campaigns and Elections American Style. Boulder: Westview Press, 1995. — P.99

first advertisement is done so much noise that the next night it showed all the news for all three channels."

This video was never demonstrated as paid advertising because journalists treated it as a news story, thus provided it with a broad audience. In conjunction with other videos, e.g. the Democrats depicting Barry Goldwater, the presidential candidate of the Republicans, unbalanced extremists who cannot be entrusted with America's future, "Daisy" Johnson helped to achieve a convincing victory. The case clearly demonstrated the birth of a new era of election communications.

By the 1990s, after a series of elections filled with aggressive advertising, voters had become increasingly tired of the negativism. Always feel the changes in audience attitudes, the team of Bill Clinton effectively used "contrast" ads, which criticized both the opponent and explained what their own candidate to meet the expectations of voters.

After finishing the party fighting for their nomination, and Clinton and Robert Dole in the period from May to July, began to attack each other's advertising. Just as they did in 1992, the Clinton people used the "vaccination" strategy to prepare the electorate for "continuous attack" of negative advertising and misinformation from the Republicans. Speaking in front of thousands of women in a traditionally female Democratic pre-election political caucus "Emily's List", First Lady Hillary Clinton had predicted: "Get ready for this and do not be surprised. If you do not know how to make a better world for themselves and their children, then you turn to negativism."[6]

Clinton's aids protected themselves from retaliation charges in a negative campaign run by the use of contrast ads. Recognizing that voters did not approve of negative ads, presidential advisers combined negative and positive stories. An example would be the advertising launched in response to accusations of Clinton's long-going drug use. Dole criticized the movie "for opposing the establishment of the post of commissioner for drug trafficking, Congress — for a reduction in funding for programs to prevent the spread of drugs in schools", and then went on to explain how Clinton seeks to develop school curricula and to extend the application of the death penalty against drug lords. Using offensive advertising as a surgical tool, rather than forging hammer, Clinton advisers put the "negotivists" label on the opponents while defending themselves against accusations from voters who were dissatisfied with overcritical of the roller.

Political campaign on the Internet

According to the study Annenberg Digital Future Project, conducted by The University of Southern California, more than 3/4 of Americans are active Internet users, 77.6% of Americans aged 12 and older use the Internet. 2/3 of Americans are using home computers to access the Internet. The average amount of time an American spends on the Internet is about 8.9 hours a week. In this case, 69% of registered voters are Internet users. These data dictate candidates and political activists in the US need to take into account this feature of the contemporary electorate.[7]

The main feature of online communication is that the decision to establish and break most communications takes the user network. In other words, a political

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[6] Handbook of policy advice. Ed. prof. David D. Perlmatter: trans. with English. P.97;
[7] Zaburdaeva EV Political consulting in the US and Russia. — P.95

consultant is not possible to force the user to read, listen, watch offered him information. The user decides whether to go to the site of any political campaign on a regular basis, to click a suggested link, he decides whether to participate in the proposed survey of public opinion, subscribe to a newsletter campaign, to tell friends about the site, etc.

Due to the nature of the Internet space, myriads of different resources appear and disappear in the network at the same time, there is a constant change of leaders (some sites, portals are becoming popular, some are losing visitors). Constantly changing fashion to one or other online service (not so long online diaries (blogs) enjoyed great popularity, and now resources to host one's own online videos, animations, music videos, films (e.g., YouTube) have become popular; tomorrow there will be something else). This feature allows political consultants to choose a way to supply materials that suit the target audience of a specific political campaign, which will be most effective in achieving its own goals. For example, in 2007 the team of Hillary Rodham Clinton posted a YouTube "appeal to users with an appeal to compete for the best variant melody campaign".

Environment of the Internet does not preclude using dirty political tricks. But as mentioned above, users always can save all negative materials in their own archives and eventually organize online campaigns against those who use them. In the US, for example, there are already some analytical portals, which collect archives of documents on each of a political campaign and give them their own assessment, for example, Pew Research Center or IPDI (The Institute for Politics, Democracy and the Internet).

Experts in political consulting, the US gives Internet strategy a separate block in the overall strategy of the political campaign. Internet strategy of a political campaign is an interrelated set of long-term measures and approaches for establishing relations, effective communication and creating the preconditions subsequent expansion of the target segment online audiences/ politics / candidate / party / social association / lobbying group.

Those who are sceptical about the conduct of political online campaigns, argue that the Internet is impossible to provide high quality audience and to spell out the political agenda. In their view, the traditional methods of persuasion and political ads are more effective and creating the site is not one of the most effective tools for the overall strategy, but merely fashion. The history of campaigns in the Internet since 1996has proven that it's not the case.

Basic quantitative studies conducted over the Internet give the participants a set of answers to proposed questions, communicating in an Internet chat room is a variation on the theme of the focus groups that use technology to identify trends through analysis of individual phrases and keywords. Thus, experts get a hybrid method of public opinion research, which combines the advantages of both quantitative and qualitative research. Internet polls still lack interactivity,but with advances in technology this shortcoming, of course, will remain in the past.

The role of fundraising in political campaigns of the US

In the US, fundraising is very important when conducting a political campaign. Without the necessary funds for the candidate is almost no chance to reach

the goal, i.e. to be elected. Of course, this does not mean that the one who can raise the most money will win, but the truth in this assertion is still there. In 2004, 95% of campaigns for the position of the congressman and 91% of campaigns for the post of US Senator were won by those candidates who spent very large sums. We must also take into account the fact that is already at elective office, it is much easier to collect the necessary sum for the campaign, and the re-election is much easier than trying to be elected for the first time. Not surprisingly, in these circumstances the issue of fundraising has become one of the most important for any candidate for elective office, and that priority can not affect positively on the performance of a candidate / elected official of their direct responsibilities for representing the interests of their constituencies.

The high cost of modern political campaigns and the need to attract large sums of money poured into the problem of corruption and illicit funds. The US has the Federal Election Commission (FEC), which aims to ensure the ordering process of raising financial resources, control over expenditure of these funds. In addition to FEC, there are several non-governmental organizations which also monitor the collection and disbursement of funds teams of political campaigns. These include the Election Watchdog and Open Secrets.

During the 2004 election campaign, George Bush and John Kerry raised nearly half a billion dollars in private donations. The total of all donations to all candidates was over $850 million in the primaries and the special elections. Analysts assume that, to have a chance "to win the 2012 US presidential election, candidates must collect 600 million dollars each". In the past 14 years, private donors contributed about one billion dollars on account of political campaigns of candidates for federal and political parties. This is the main source of investment in American politics.

Among legal entities, in the list of 100 most active contributors are 51 corporation, 27 unions, 17 trade and professional associations. 6 out of 10 are trade unions that outnumber the other groups. AFSCME (American Federation of municipal, county and state level) has been the largest donor (30.7 million dollars) from the beginning of the 1990 electoral cycle. The top ten also includes the National Association of Educators, the International Brotherhood of Electrical, union truck drivers, Union service workers, union workers and communications industry of America. Next come the three professional associations: realtors, lawyers, doctors, and the bottom of the top ten donors to political campaigns is Tobacco Corporation Philip Morris. About 60% of all funds collected by the Democrats are donations from labour unions and professional associations. Unions donate 94% of their money to the Democrats, while 59% of all money donated by businesses go to the Republicans. Among the leaders of such businesses are companies dealing with finances. followed by telecommunications (56.7 million), pharmaceutical firms (24.4 million) and tobacco companies (36,9 million dollars).[8]

Speechwriting and debates in a political campaign

The practice of speechwriting has a very rich history. More speakers of the ancient world used help of the people who knew how to write an effective political speech. In the US, the practice of speechwriting is known since the days of George

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[8] http://www.opensecrets.org/

Washington, who had at least four speechwriters, including Alexander Hamilton. Abraham Lincoln turned for advice on writing speeches to his Secretary of State William Steward. Although both Calvin Coolidge and Herbert Hoover also used the services of speechwriters, the society became aware of how much political decisions and the choice of voters can be influenced by well-written speech only when Franklin Delano Roosevelt came to power. He used a team of speechwriters. One helped him with factual information, while others (Robert Sherwood, John Steinbeck) with style. Dwight David Eisenhower was the only US president who had work experience as a speechwriter before holding high office: he worked for General Douglas MacArthur.

Despite the fact that the media share from time to time available information about policy makers using the services of speechwriters, this fact is refuted or hushed by the politicians. This lasted until the day when Richard Nixon publicly admitted that he has special staff engaged exclusively in writing speeches for him.

The general public accepted such a situation, but still in the minds of voters there is certain distrust to the profession of speechwriting. However, there are at least two objective reasons justifying the use of speechwriting in major political campaigns.

Firstly, the number of speeches is rising steadily from campaign to campaign. For comparison: in 1948 during a political campaign for re-election, Harry Truman gave 73 speeches in 15 days. In 1992, Bill Clinton said so many speeches during the campaign that by the end he physically lost his voice.

The second reason for the candidates themselves is that a speech written by a professional writer or journalist who produces a much more favorable impression has a stronger impact on the audience. Of course, this sounds unconvincing for voters. The controversy on the ethics of using speeches written by professionals is continuing. Some think that the use of speechwriters is quite acceptable but only if the basic ideas of the speech are proposed by the candidate him or herself. Some disagree and believe the use of speechwriters in a political campaign is unethical. The result was a compromise, and Ernest Bormann suggested the following rule for determining the ethical conduct of the candidate on the speechwriting: the boundary between ethical and unethical behaviour goes "where it begins to change the character of the candidate. Language differs significantly from what would have used a candidate if he wrote it independently. Structures of speech, semantic nuances are different from those that would have been if the candidate has worked himself."[9]

If before that a US candidate had a chance to think everything over twice, to decide whether to participate in political debates, whether to risk losing everything or win it all, now there is no choice. It is basically impossible to win without participating in open debates with the opponents. Now the voters and the media expect all candidates to participate in debates, and if the candidate refuses, then it raises suspicions on the part of voters and attacks from opponents.

Public opinion polls show that voters like the debates because they provide an opportunity to make their vision of a candidates positions and understand how this position differs from that of his opponent. Such polls also revealed that voters pay more attention to what the candidates say, not their appearance or manner of speaking. Of particular importance to the voters is how the candidate meets criticism

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[9] Bormann E. Ethics of Ghostwritten Speeches// Quarterly Journal of Speech. 1991. #47.

from opponents. It is important to understand the peculiarity of the debate format: when giving a speech, the canditate is protected from unexpected aggressive questions from the audience, while during the debates he or she should be alert to the possibility that responses to the words will follow immediately.

Conclusion

The US is one of the few stable democracies of the world, and both its citizens and leaders never changed the underlying values of the Constitution. Nevertheless, its political system and, consequently, political tools are continuously evolving.

One of the most significant trends in American political science is an attempt to establish a more reliable mechanism of controlling campaign expenses. This problem is being developed by a number of research centers, whose publications show concern over the increasing coverage of American political space. However, statistics show that the policy will only reflect the general trend of widespread penetration of advertising into our space.

In the US, the Internet resources are used for political advertising, public opinion research and fundraising. Obviously, the Internet makes political process more decentralized and non-linear, it increases (or pretends to enhance) the influence of citizens in political decision-making. Each voter is provided with unlimited opportunities to support parties, from participating in online discussion boards to making financial donations online.

For us, the prospects of adapting American experience to Russian conditions is very important., even though the American political process differs a lot from the Russian one, and this issue should be addressed in future research.

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Natalia Kravchuk
Child's Views and Child's Rights: insuring young people Democratic Participation

The main focus of this paper is the link between the right of the child to express his/her views and the democracy in Russia. With this in view I will give a brief overview of the international framework of the child's right to express his/her opinion. Further, I will examine the current legal situation as well as practice of the implementation of the principle of child participation in Russia. Analysing the main problems in promoting child's participation I will explore the traditional attitudes towards children in Russia and will consider if these attitudes are only specifics of Russia or represent a common European problem.

International framework of the right of the child to express his/her views

One of the four guiding principles of the UN Convention on the Rights of the Child (CRC)[1] is the respect for the views of the child. The Convention upholds the rights of children to participate in decisions that affect their lives. As a party to the Convention, Russia is legally obliged to realize this right for those under 18 y.o.

Article 12 of the Convention reads:

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

The Committee has consistently emphasized that the child must be regarded as an active subject of rights and that a key purpose of the Convention is to emphasize that human rights extend to children. The Committee has rejected what it termed "the charity mentality and paternalistic approaches" to children's issues. It invariably raises implementation of Article 12 with the States Parties and identifies traditional practices, culture and attitudes as obstacles.[2]

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[1] Ведомости СНД и ВС СССР 1990. № 45. Ст.955.

[2] Implementation Handbook for the Convention on the Rights of the Child. United Nations Chidren's Fund/ 2007. P.149

The principle of child participation has been set in a number of the international instruments. The Universal Declaration of Human Rights[3] states: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers" (Article 19). And the International Covenant on Civil and Political Rights[4] states: "Everyone shall have the right to hold opinions without interference" (Article 19(1)). The significance of Article 12 of the Convention on the Rights of the Child is that it not only requires that children should be assured the right to express their views freely, but also that they should be heard and that their views be given "due weight".

In 2006, following its Day of General Discussion on "The right of the child to be heard", the Committee adopted detailed recommendations on the issue, with a preamble emphasizing that:

"The Committee considers that recognizing the right of the child to express views and to participate in various activities, according to her/his evolving capacities, is beneficial for the child, for the family, for the community, the school, the State, for democracy.

"To speak, to participate, to have their views taken into account: these three phases describe the sequence of the enjoyment of the right to participate from a functional point of view. The new and deeper meaning of this right is that it should establish a new social contract. One by which children are fully recognized as rights-holders who are not only entitled to receive protection but also have the right to participate in all matters affecting them, a right which can be considered as the symbol for their recognition as rights holders…" [5]

Children are a significant part of civil society and have much to contribute to the governance of their world. Children make up 50% of the population in many countries of the world and their views and capacities can make a crucial contribution to the development of their societies. In sharing their knowledge, insights and creativity, young people are also assisted in developing important life skills such as problem analysis, democratic decision-making, developing feasible solutions and seeing these through. It is essential that society foster opportunities for children to learn and practice throughout their development.[6] The participation of boys and girls in decision-making about their lives represents the broadening and deepening of how we practice (or, in the case of Russia I would still say: "build") democracy.

International organizations working in the field of child participation classify the types of Child Participation according to the extent of the child's involvement in the process:

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[3] Российская газета, 10.12.1998.
[4] ВВС СССР. 1976. №17. Ст.291
[5] Committee on the Rights of the Child, Report on the forty-third session, September 2006, Day of General Discussion, Recommendations, Preamble. For full text, see www.ohchr.org/english/bodies/crc/discussion.htm
[6] RBM and Children's Participation: A Guide to Incorporating Child Participation Results into CIDA Programs. Canadian International Development Agency (CIDA), 2006. P.2.

Types of Child Participation[7]

Non-involvement

The project is designed and run by adults. Children are either not consulted or the consultation is tokenistic.

Example: Children are consulted on how to better sensitize youth against AIDS but no feedback is ever provided to them on their input and their involvement in the initiative ends there.

Assigned but informed

Adults decide the project but children volunteer for it. Children understand the project and know who decided to involve them and why. Adults respect children's views.

Example: Adults enlist the help of children in cleaning up a nature reserve and children organize their own group initiatives.

Consulted and informed

The project is designed and run by adults but children are consulted. They fully understand the process and their views are taken seriously.

Example: A School Improvement Committee is chaired by teachers although the views of student representatives are considered before the decisions are taken.

Adult-initiated, shared decisions with children

Although adults have the idea, children are involved in planning and implementation. Children are involved in challenging outcomes and taking decisions.

Example: Children are invited to participate as researches on child rights violations and then work with community leaders to design responses to the problems identified.

Child-initiated, shared decisions with adults

Children have the idea, set up projects and come to adults for advice, support.

Example: Youth raise the need for a peer-to-peer counseling service on suicide in their community — community leaders ask the local community center to work with youth in establishing one.

Child-initiated and -directed

Children have the idea and decide how the project will be carried out. Adults are available but do not take charge.

Example: A youth-led organization initiates a campaign against family violence in their community and seeks the assistance of a women's rights NGO for advice on advocacy and lobbying.

Law and practice in the field of child participation in Russia

The end of the Communist era was marked by a change of perception of the state's role in child's life on a political level. Russia ratified the UN Convention on the Rights of the Child in 1990,[8] and thus undertook an obligation to respect and observe

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[7] Ibid P.10.

[8] Резолюция ВС СССР от 13 июля 1990 (ВВС СССР 1990, №26. Ст. 497).

globally-acknowledged children's rights. During the following years legislators have undertaken significant efforts to bring the Russian legislation concerning the rights of the child directly or indirectly into compliance with the UN Convention.

The Constitution of the Russian Federation[9] adopted in 1993 contains several articles related to the child's right to express his/her views: on the freedom of conscience and freedom of religion (Art.28), on the freedom of ideas and speech (Art.29), on the right to association (Art.30), on the right to participate in managing state affairs both directly and through their representatives (Art. 32), on the right to participate in cultural life (Art. 44).

The Family Code of the Russian Federation[10] — the key law, regulating the legal status of the child in Russia — sets the right of the child to contribute his/her opinion in any family decision concerning his/her interests, and the right to be heard in any court or administrative proceeding. The law refers to the obligation of the authorities to "take into account the opinion of the child over 10 y.o." which is in accordance with the CRC's provision that "the views of the child being given due weight in accordance with the age and maturity of the child". However, setting this obligation the Family Code immediately releases the authorities from it stating that the child's opinion should be ignored when such an opinion contradicts his best interests not actually identifying the concept of "the best interests of the child". As for the right of the child to express his/her views within the court's proceedings, it should be noted that the existing Civil Procedure Code[11] also does not ensure the child's access to justice, and thus the absence of a law which would provide for procedural status of a child in court proceedings makes this right illusory.

The child's right to express his/her views through the participation in various activities relating to their lives set in the number of other laws, like the law "On the basic guarantees of the rights of the child in Russian Federation"[12], the law "On public associations"[13], the law "On state support to the youth and child's public associations"[14]. All these provisions, however remain to be declaratory as the child can not claim their realization of protection from violation in courts or through the administrative procedures.

Speaking about the practice of the child voicing his/her views it should be noted that almost all the initiatives in this field were "top-down" initiatives. Most of them have been initiated by the NGOs, working in the field of child protection or by the bureaucrats of different levels. The good example here would be a Child's Public Counsel, instituted by the Child's Ombudsman under the RF President in 2009 with the aim to hear and to consult children on different topics.[15] Youth Parliaments, Child's Public Legal Chamber, Child's Ombudspersons instituted in various subjects of Russia although effective from the point of the child's rights protection can not be seen as child's initiated bodies. They contribute to the informing the children on their

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[9] Российская газета, N237, 25.12.1993

[10] СЗ РФ N 1. Ст. 16

[11] СЗ РФ N 46. Ст. 4532

[12] СЗ РФ №31. Ст.3802

[13] СЗ РФ N 21. Ст. 1930

[14] СЗ РФ N 27. Ст. 2503

[15] Child participation in activities on the protection of their rights: Interregional thematic report. — M., Institute of the family and Upbringing RAO. 2010. P. 18.

right to express their views to a certain extent but are not designed to expand the culture of the responsible decision-making.

Several problems were noted in the 2010 Child's Ombudsman under the RF President' report on child's participation[16] as obstructing a further development of the child's participation in Russia:

legislative shortcomings that allow authorities a widest discretion as to taking a decision with regard to whether the child's opinion should be or should not be taken into the account;

lack of information about the child's right to participate in family, public and political life of their country;

lack of professional staff trained to implement the principle of child's participation in practice;

lack of state funding of initiatives involving child's participation.

The Committee on the Rights of the Child while considering the Russia's third periodic report on the situation of children recommended that:

"further efforts be made to ensure the implementation of the principle of respect for the views of the child. In this connection, particular emphasis should be placed on the right of every child, including children who are members of vulnerable and minority groups, to participate in the family, at school, in other institutions and bodies and in society at large. This right should also be incorporated in all laws, judicial and administrative decisions, policies and programmes relating to children. The State party should also ensure that adults who work with children and young people show them respect and are trained to ensure that children are effectively able to express their views and that their views are taken into account..."[17]

Addressing the issue of the child's right to express his/her views on the Day of the General Discussion on "The right of the child to be heard" the Committee highlights the obstacles that might be caused by the traditional and paternalistic attitudes and notes that the realization of this particular right *"implies, in the long term, changes in political, social, institutional and cultural structures."* [18] Indeed, the certain traditional societal attitudes towards children in Russia as they stand now should be considered to be the main problem in promoting child's participation.

Cultural context affecting the right of the child to express his/her views and to have his/her views taken into the account

Traditionally in Russia a child was seen as an object of property rights rather that a subject of any rights. The old Russian language had the same word identifying the "children" and the "slavesIt was only in the middle of the 17th century when the state started to form its structures of childcare. By the 19th century the state system of

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[16] Ibid. P. 16.

[17] CRC/C/RUS/CO/3, p. 7

[18] Committee on the Rights of the Child, Report on the forty-third session, September 2006, Day of General Discussion, Recommendations, Preamble. For full text, see www.ohchr.org/english/bodies/crc/discussion.htm

the childcare and protection was already formed but it was still too early to speak about a child's right to have any views not to mention to voice them. The Soviet ideology was not helpful to upbringing of a person with independent opinion or judgment either. It was the view of the Soviet state that a child should live and get education within the state care institutions. "One way or the other we will force mothers to agree with the nationalization of children," the Bolshevik A.G. Badayev said[19]. This aim was not unachievable, bearing in mind that every person was obliged to work full-time under the Soviet law and parents had to give their children to day care institutions from the age of one year or even earlier. This way, an average child in the overwhelming majority of families would start his/her education at the age of one year in the nursery, then continue to a kindergarden and, and at the age of 7 years — to school, where after regular classes (from 9 a.m. till 1 p.m.) many children had to stay for "prolonged hours" (until 6 p.m.) in order not to be left at home without a family supervision. By the time a child reached the age of maturity, he/she had limited emotional contacts with parents and was largely influenced by the state/group values one of which was that the majority's opinion is always the correct one.

Now when we are in the 21 century and while we have access to the international community's experience in child participation brought up in the comments of the international or regional human rights bodies or within the frame of international dialogs, Russia still preserves the paternalistic attitude towards its children. The words said by Volodya Ulyanov: "We will go our own way," became a motto during the Soviet times and seem to be perfectly applicable to the present situation with child participation as well. We deny children their right to participate with the reference to a traditional "Russian" understanding of this issue.

The group of the UNICEF experts conducted an analysis of models of child participation in Russia within the frame of the UNICEF initiative "Cities fit for children" in 2010. The study noted that the discussion on whether it is feasible to involve children into the decision-making is still on in Russia. Those against the child participation refer to the lack of the child's capacities to effectively participate in the decision-making process: certain development level, susceptibility to influence by adults, legal status, communicational barrier between children and adults etc. In addition to scientifically based arguments there is a set of myths preventing child participation practices from spreading. Among other: "Children should get their obligations first and rights after", "Our traditional culture does not presume consideration of the child's views", "To give children their civil rights would mean to deprive them of their childhood", "Child participation in the political processes decrease their parents' influence on them" etc.[20]

Surprisingly, these traditional attitudes are not unique and quite widespread in Europe as well. The researches and practitioners note, *inter alia*, the following obstacles to the promotion of child participation:

— different values and habits of young people and adults;

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[19] Ibid C.89.

[20] Калабихина И.Е., Ионцева С.В., Козлов В. Анализ моделей участия детей в процессах принятия решений по вопросам, затрагивающим интересы ребенка (на примере российских городов, присоединившихся к инициативе ЮНИСЕФ «Города, доброжелательные к детям»). Электронное издание ЮНИСЕФ — www.unicef.ru.

— place of youth in the social hierarchy (in some cultures young people have traditionally very low position and influence);
— patronizing youth by adults;
— negative stereotypes (all the young people are…; all adults are…), mutual misconceptions and biases;
— belief that it is a job of someone else to work on youth participation;
— belief that nothing will change, even if young person participates;
— young people who participate are not representative for the whole youth.

It is obvious from the list above that the stereotypes preventing children and youth from participation are very much shared by Russia and Europe. This gives us an idea that if Russia would follow some European experience in the field of promotion of child and youth participation the definite positive changes could be achieved.

Noting the problems in this area the CoE notes a growing number of initiatives promoting and strengthening youth involvement at very different levels in Europe — international, regional, national and the local one.[21] The experience of development organizations working in traditional environments shows that there are efficient ways of dealing with the challenges. They stress the role of the community organizations and youth organizations in involving young people in their activities, in initiating a constructive dialogue between young people and older people and in creating tools for efficient co-operation. Another important goal to achieve in communities based on hierarchical structures and submission to authority is working on attitudes of people who hold positions of power, so that young people can be perceived as partners.[22]

One of the main problems of the democracy in Russia now is the lack of the will of citizens to actively participate in life of the community and political life of the country as a whole. It is absolutely true that the participation does not just happen; it does not develop out of nothing. You can hardly expect a child who was never allowed to form and express his/her views to suddenly turn into an active citizen upon reaching the age of majority. The culture of participation has to be developed together with an ability to have the views and to express them. The due respect to the views of the child will not only support their formation as active citizens of their country free of traditional biases but will also start the chain reaction of the child participation.

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[21] Have your say!/ Manual on the Revised European Charter on the participation of young people in local and regional life. CoE Directorate of Youth and Sport. P. 5.
[22] Ibid P. 17.

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