

CIVIL SOCIETY IN RUSSIA:

STATE SOCIETY RELATIONS IN THE POST-YELTSIN ERA

An NCEEER Working Paper by

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Executive Summary

What is the role of the state in shaping the costs of civic organization and activism, particularly in societies where there is little previous history of independent organization? While much of the theoretical literature on civil society emphasizes its “separateness” from the state, in practice, governments can dramatically shape the costs of civic activism and organization, through the passage of a wide array of permissive and/or constricting legislative regulations, the establishment of policy machinery that grants access to civic organizations, the provision of funding, and framing public opinion through issuing positive and/or negative public statements.

This paper looks at the emergence of the civic sector in post-Soviet Russia and asks how the institutional context provided by government legislation, regulation, funding and rhetorical positioning impacts the shape of the third sector. Further, the paper delves into how these changes are being implemented by regional and local governments as changes at the federal level trickle down across Russia’s 89 territorial units. The Yeltsin (1991 – 1999) and Putin administrations (1999 – 2008) offer interesting contrasts in how states can raise and lower the costs of different types of civic activism, and in ways which do not always match up with “conventional wisdom” about Russia’s political trajectory.

Introduction

The varied critiques of Vladimir Putin's impact on the quality of Russian democracy (first as President and then as Prime Minister) all essentially converge on the same theme; although Russia still adheres to the institutional forms of democracy (elections, codification of civil rights and liberties in the constitution), nonetheless, the actual democratic content has eroded considerably, if not vanished completely.¹ In 2010, Freedom House downgraded Russia's "democracy score" even further (to a 5.5) and declared that "Russia is not an electoral democracy."² Despite Putin's insistence that these changes reflect an attempt to establish a "sovereign democracy," most believe that Russia's political institutions have been effectively eviscerated.

In addition, critics argue that Putin has attempted a parallel evisceration of Russia's civic sector through a number of policy changes involving the non-governmental organization (NGO) sector. Stating a desire to involve directly Russia's citizens in Russia's regeneration, the Putin administration, among other things, created a federal level Civic Chamber to advise the Duma on social issues, increased government funds for NGOs, pushed through a variety of legislative acts that impact NGOs' activities and citizens' abilities to organize, and increased state oversight of NGOs.

The international reaction to these changes has been overwhelmingly negative; as one critic has argued, these policies are "virtually strangling" NGOs, and by extension, democracy in

¹ For example, see Michael McFaul and Kathryn Stoner-Weiss, "The Myth of the Authoritarian Model: How Putin's Crackdowns Holds Russia Back," *Foreign Affairs* 87.1 (2008): 68-84.

² Freedom House, "Freedom in the World – Russia (2010). Available at <http://www.freedomhouse.org/template.cfm?page=22&year=2010&country=7904>

Russia.³ In this interpretation, these policies towards NGOs are part of a larger effort to stifle all opposition to the state in order to regain some of the political centralization, power, and prestige of the days of the former Soviet Union. In addition, they are part of a broader backlash against the perceived interference of foreign actors on Russia's "sovereign affairs," and represent an organized campaign to counteract the influence of external, prodemocratization forces.

Yet, this blanket prognosis overlooks the complexities of the varied ways in which states facilitate or impede independent organization, and in this case, in post-Soviet Russia. In practice, governments rarely serve as neutral actors that simply respond to pressures from below. They dramatically shape the costs of organization through the passage of a wide array of permissive and/or constricting legislative regulations, the establishment of policy machinery that grants access to NGOs, the provision of funding, and the dissemination of rhetorical statements expressing support and/or disapproval of NGO activities.

The issue in most countries is not whether governments allow civic sectors to exist, but rather, how they attempt to shape that civic sector through the use of regulations and other tactics expressing state authority. Thus, the interesting question to answer for Russia is how the state designs and implements policies to shape citizen activism, particularly within the larger context of a weakly democratic state. In sum, the research question is not, as has often been posed, whether Russia has a civil society, but rather, what kind is it and what has been the impact of these new federal policies on its development? And, how are these changes actually being implemented at the regional and local levels across Russia?

The Yeltsin and Putin administrations present radically different approaches to managing Russia's civic sector. While the Yeltsin administration did not attempt to impede independent

³ Liliana K Proskuryakova. "Russian Civil Society Will Find it Harder to Breathe." *YaleGlobal* December 8, 2005.

citizen organization, it also implemented relatively few policy initiatives to encourage it, and foreign donors stepped in to play a small but critical force in shaping the supply of independent organization. In essence, Yeltsin presided over a “negligent state” vis-à-vis NGOs.

In contrast, Putin during his Presidency presided over a “vigilant state” vis-à-vis NGOs. The larger strategy can best be summarized as an “import substitution” model of development for the third sector in that it provides domestic institutional incentives to replace the role of international donors in shaping Russia’s NGO sector. Thus, the Putin administration designed a system to favor NGOs that work on issues that align with the national interest.

While the government holds the upper hand, the situation is not as dire as pundits predict, and the increased legislative and policy infrastructure has created an increased role for some NGOs, particularly at the regional level. More broadly, the Russian case tells us how states, particularly in newly democratizing countries with little previous experience of anti-statist politics can shape the costs of organization, by lowering and/or erecting legal, financial, and rhetorical barriers to activism.

Two Conflicting Stories about State-Society Relations

What factors facilitate the emergence of nongovernmental organizations, and more broadly, NGO sectors? What is the role of the state in shaping the incentives and costs of organizing? The answers to these questions are complicated by the fact that two threads of scholarship tend to give competing, and sometimes contradictory answers. While civil society literature tends to focus on organizations’ abilities to counter state power, the NGO literature tends to be much more pragmatic, focusing on NGOs’ legal autonomy but simultaneously recognizing the significance of their partnership activities with the state. These two views create

particular problems for interpreting the development of the nonprofit sector in Russia.

On the one hand, civil society refers to the space of “uncoerced human association and also the set of relational networks...that fill this space.”⁴ This focus on the autonomous nature of civil society emphasizes the space’s separation from the state. At the same time, however, the state is actively involved in terms of institutionalizing the space through laws, regulatory frameworks defining the space as well as citizens’ rights to maneuver within it. As Cohen and Arato argue, “both independent action and institutionalization are necessary for the reproduction of civil society.”⁵ And as Michael Walzer points out, the state “fixes the boundary conditions and the basic rules of all associational activity.” He continues: “Civil society requires political agency. And the state is an indispensable agent – even if the associational networks also, always, resist the organizing principles of state bureaucrats.”⁶

In practice, the rise of the nonprofit sector in the post-World War II era has further complicated the theoretical relationship between the state and civil society, for governments have become critical players in influencing both the supply of and demand for NGOs. Governments rarely (if ever) serve as neutral actors that respond to advocacy pressures; rather, they can raise or lower the costs of organization and operation.

Legislation often stipulates conditions for NGO registration, operation, and reasons for dissolution. Further, states can potentially encourage the growth of the nonprofit sector by passing laws, which, for example, grant NGOs tax exemptions, or provide tax deductions for corporate and individual giving to nonprofits. Legislation regulating NGO earned income, allowance to compete for government contracts and procurements are other ways in which states

⁴ Michael Walzer, “The Civil Society Argument.” In Chantal Mouffe (ed.), *Dimensions of Radical Democracy: Pluralism, Citizenship, Community* (New York: Verso, 1992), p. 89.

⁵ Jean L. Cohen and Andrew Arato, *Civil Society and Political Theory* (Cambridge: The MIT Press, 1992), ix.

can impact the shape of the nonprofit sector.⁷ Governments can also impact nonprofit sectors by the selective use and application of any of these mechanisms, particularly legislative ones.

In addition, governments (often in response to citizen mobilization) have added what is known as “policy machinery,” or formal and informal systematic links between policy makers and organized segments of the public. Often, these mechanisms take the form of government bodies, such as commissions and/or panels devoted to promoting particular interests, such as women’s rights, human rights, environmental rights, etc.

The establishment of this machinery has often been seen as a critical development for nongovernmental groups seeking to gain access to the state. NGOs can influence governments by providing input on initiatives, commenting on legislation, drafting legislation, or providing other forms of expertise. The degree to which the presence of this policy machinery is symbolic as opposed to real often depends on how much governments need the information, expertise, services, or even resources from NGOs as well as the degree to which NGOs may need access, information, or material resources from the state.⁸

Further, the expansion of the welfare state and states’ efforts to offload some of their responsibilities onto NGOs has meant that NGOs now wear many different hats in their relationship vis-a-vis states. With regard to social service provision, they have become critical partners, implementing programs, often with state funding. This source of income for NGOs is significant; worldwide, while fees are the largest source of support for NGO sectors (53 percent), governments provide 35 percent of NGO funding, while the private sector, in the form of

⁶ Walzer, p. 104.

⁷ Elizabeth A. Bloodgood, “Institutional Advocacy and the Emergence of Advocacy NGOs in the OECD,” in Aseem Prakash and Mary Kay Gugerty, eds. *Advocacy Organizations and Collective Action* (New York: Cambridge University Press, 2010), pp. 91 – 129.

philanthropy, provides a mere 12 percent of NGO budgets. Strong state support tends to facilitate NGO emergence; a comparative study of NGO sectors found a positive relationship between the monetary level of state support for nonprofit organizations and the size of the nonprofit sector.⁹

All of these trends certainly complicate the theoretical concept of civil society's autonomous status from the state. This trend has also complicated the actual relationships between nongovernmental organizations, their constituents, and the state. In sum, while many of the various strands of literature addressing nongovernmental organizations stress their roles as a counterweight to the state (expressed primarily through protest), in reality, NGO sectors effectively counter and balance the state by also working with it, and cooperation is as much a part of state-society relations as is confrontation.

A final complicating factor in the emergence of domestic nonprofit sectors is the increased salience of international actors working to promote nongovernmental organizations abroad. Transnational advocacy networks also have impacted the emergence and activities of NGO sectors, particularly in societies where domestic supports for a nonprofit sector are either lacking or weak. In particular, donors, through the provision of moral support, technical assistance, and financial funding to nongovernmental organizations, can provide critical support to domestic NGOs that work in hostile political, economic, and social environments, thus counteracting some of the domestic impediments to organization. International support can help nongovernmental organizations impact policy by providing further pressure on recalcitrant

⁸ Further, the nature of the relationship depends on the comparative advantages of both the government and the NGOs, as well as the complementarity of both sets of players' goals. This relationship may be asymmetric, depending on the degree to which each side needs something from the other and the relative capacity of each. Bloodgood, 2010.

⁹ Lester M. Salamon, S. Wojciech Sokolowski, and Regina List, *Global Civil Society: An Overview* (Baltimore: The Johns Hopkins University Center for Civil Society Studies, 2003).

domestic governments.¹⁰

At the same time, others have questioned how the supply of additional resources and assistance from abroad (often according to the funding themes donors are willing to support) will impact what used to be perceived as primarily a process driven by domestic levels of demand. Donor priorities often overpower domestic demands, creating a set of perverse incentives which often discourage lasting connections between organizations and the domestic populations they represent, and thus threaten their overall long-term sustainability.¹¹ In sum, while states are still the critical players in terms of setting up the institutional and regulatory framework for NGOs, international donors have increasingly played a supporting role in shaping advocacy, and often in unexpected and not always positive ways.

This already complex relationship between society and state is further distorted when one travels east. Newly minted nongovernmental sectors in post-communist countries faced particularly severe challenges. Apathetic (or exhausted) citizens had little time to participate in voluntary civic activism. Governments had to quickly establish the legal parameters defining and supporting a sector, while also completely restructuring the political and economic systems. At the international level, many donors hoped to export patterns of civic associationism to areas of the world that had little domestic preconditions for independent civic activism. Donors funded a variety of projects that provided technical and financial assistance to thousands of newly formed NGOs.

This task was particularly difficult in Russia, where Soviet patterns of associationism

¹⁰ Margaret Keck and Kathryn Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics* (Ithaca: Cornell University Press, 1998).

¹¹ Marina Ottaway, *Funding Virtue: Civil Society Aid and Democracy Promotion* (Washington, D.C.: Carnegie Endowment for International Peace, 2000); Clifford Bob, "The Merchants of Morality," *Foreign Policy*, March/April 2002: 36 – 45; Sarah L. Henderson, *Building Democracy in Contemporary Russia: Western Support for Grassroots Organizations* (Ithaca: Cornell University Press, 2003).

were inculcated the longest, where support for the transition to democratic governance and free market economics by both the population and elites was uneven, and where the logistics of Russia's political, economic, and social transitions perhaps most severe. While it seemed as if Russia was caught in a "gray zone" between democratic transition and consolidation through the 1990s, under President Putin it began to move towards increasingly autocratic tendencies.

In this context, how does the Russian state, through a variety of mechanisms, shape the work of organizations, and determine access to the state? In the next sections, I maintain that while the Yeltsin era represents a relatively indifferent policy stance towards NGOs, leaving early development efforts in the hands of international players, President Putin established a much more vigilant state, designing policies to lessen the impact of foreign donors and increase support from the state for advocacy groups working on issues that align with national interests.

Yeltsin's Russia: NGOs' First Decade

The nonprofit sector during the Yeltsin era emerged from less than ideal domestic conditions, although the international context was relatively conducive to NGO formation. In the first decade following the collapse of the USSR, Russia's continued financial crisis ensured that NGOs faced a relatively hostile socioeconomic environment; Russia's financial deterioration meant that NGOs struggled to find enough social and economic capital to survive. While the Yeltsin administration did not attempt to impede the nonprofit sector and citizen activism more generally, it also implemented relatively few policy initiatives to encourage it. Nor were there many formal mechanisms or channels of communication between the federal government and society, and those that existed were infrequently used. The nonprofit sector that emerged in the first decade of the post-Soviet era was weak, fragmented, and poorly connected with political

elites and with the populations it claimed to represent. Of the organizations that did operate, many were holdovers of the Soviet era, and a small minority was heavily dependent on Western aid and support for their survival.

In the first decade of post-communist Russia, Russia's third sector grew from a rag tag collection of forty or so informal organizations to more than 450,000 formally registered organizations as of early 2001, although this figure is somewhat deceptive.¹² Many NGOs were formed in response to the economic exigencies of the 1990s, trying to fill in the gaps created by a collapsed state. As a result, the economic meltdown provided an initial impetus for organization, and as many as 70 percent of NGOs were involved in some type of social service provision in an effort to cover the social responsibilities of a quickly retreating state.¹³

Many of these organizations were originally state-supported Soviet era groups, representing, for example, strata such as the disabled, pensioners, and veterans. They were now continuing their work as legally independent entities. Leaders of organizations perceived themselves as concerned with preserving the quantity of life, rather than furthering quality of life issues. NGO activists explicitly framed their work as "rights protection" rather than the Western style advocacy rhetoric of human rights. Western-styled advocacy NGOs, that is, organizations that attempted to shape the public agenda, public opinion and/or legislation, were virtually nonexistent. Organizations that self-identified as involved in advocacy often had learned the word (which was transliterated into Russian) as a result of exposure to Western technical or financial assistance.¹⁴

Yet, while the economic climate of the 1990s provided the impetus for organization and

¹² United States Agency for International Development (USAID), *2001 NGO Sustainability Index for Central and Eastern Europe and Eurasia* (Washington, D.C.: USAID 2002).

¹³ Interview with Olga Alexeeva, Director, Charities Aid Foundation, October 7, 2002.

issue focus, it simultaneously kept groups from developing a stable presence. There was a large gap between the statistical presence of NGOs and the substantive reality of their operations. A much smaller percentage of groups carried out their activities on a regular basis. Rather, they operated sporadically when time and money permitted. Groups were often weak and fragmented, or consisted of a membership of one.¹⁵ Outside of the major metropolitan areas, NGOs were thinly stretched across vast swathes of territory, and there were enormous differences in levels of NGO development between and within Russia's regions.¹⁶

Further, there were few incentives to encourage a professionalized staff to fill the NGOs. Citizens rarely chose the nonprofit sector as a career choice; one very optimistic estimate placed the number of people involved in the nonprofit sector at about 1 percent of the country's adult population.¹⁷ In addition, the lack of university programs in nonprofit management made it difficult for NGOs to consistently recruit talented students to a profession in the nonprofit sector.¹⁸ The terminology of nonprofits was unfamiliar to many Russians, who often could not understand the difference between a nonprofit organization and an organization that was not making a profit.

This situation was further exacerbated by the lack of legislation creating a friendlier environment for NGO emergence. The Russian Constitution of 1993 granted all of the rights that one associates with fostering a civil society – freedom of speech, assembly, press, etc. A small collection of legislation pertaining to nonprofits would soon follow in 1995 and 1996, with the

¹⁴ Henderson, 2003

¹⁵ Alexander Nikitin, talk given at the Center for International and Strategic Studies, Washington DC, December 13, 2001.

¹⁶ Anna Sevortian and Natalya Barchukova, *Nekommercheskii sektor i vlast' v regionakh rossii* (Moscow: Charities Aid Foundation, 2002).

¹⁷ Alexander Oslon, *Pogovorim o grazhdanskom obschestve* (Moscow: Fond obschestvennoye mneniye, 2001).

¹⁸ Interview with Alexander Borovikh, Moscow, fall 2002.

passage of the law “On Public Associations” (1995), the law “On Charitable Activity and Charitable Institutions” (1995), and the law “On Noncommercial Organizations” (1996). However, the legislation was confusing, and poorly articulated. No single system for registration existed, and NGOs could register, depending on the territory and scope of their operations, at the local and/or regional departments and agencies or through the Russian Federation Ministry of Justice.

As a result, the amount of required paperwork (which even then, was quite substantial) differed, as did the cost of registering. One aspect that was relatively uniform was the lack of regulation of the sector; while the federal law required public associations to submit an annual report to the Department of Justice, the Department did not have any legal basis to penalize NGOs or the staff to enforce regulations. In 1999, with no clear idea how many NGOs were operating at which level (federal, regional, or local), the Department issued a decree requiring all NGOs to reregister in the hopes of finding out how many organizations had dissolved in the previous years. Thus, while there was a legal framework defining NGO rights and activities, it was complex, poorly communicated, and inconsistently implemented across the regions.¹⁹

Nor did the Duma follow up with further legislation that is commonly used in other countries to support a third sector, such as the provision of tax breaks for individuals or businesses engaged in charitable activities. Though businesses could donate up to three percent of their profits, businesspeople were often hesitant to admit to making a profit, and thus inciting state interest in their taxable revenues. Even if the citizenry had money and time to give, there were not legal incentives to stimulate activism, checkbook or otherwise.

Many NGOs also lacked a visible constituency. Organizations were small, insular, and

¹⁹ Henderson, 2003.

wary of outreach to the public. In turn, citizens were ambivalent about joining organizations. While citizens deserted their former Soviet era organizations, they did not immediately run out and join new ones. Russia's rate of associationism in the 1990s, at .65 organizations per person, was low, even for post-communist countries, which, as a bloc, had the lowest rates of organization among democratizing countries.²⁰

Most citizens had neither the time, the money, nor the inclination to devote to organizations, either as workers, volunteers, or as donors. Many viewed NGOs with hostility, mistrust, and at best, indifference.²¹ This distrust was no doubt magnified by a series of scandals involving legally registered nonprofit organizations in the 1990s.²² This was problematic; without domestic sources of support (financial as well as moral), NGOs struggled to sustain themselves, not only in terms of financial resources, but in human resources as well. In addition, the lack of a visible constituency made it difficult for NGOs to be taken seriously by government administrations at the local, regional, and national levels.

This lack of attention was compounded by the lack of policy machinery to allow NGOs access to influencing government policy. There were few formal mechanisms of communication between NGOs and government. NGOs could attempt to establish relations at the federal level with the administrative offices, but it often depended on NGO initiative and personal connections.

The experience of establishing an administrative bureaucracy on human rights is instructive. The 1993 constitution created the office of an ombudsman, a national representative

²⁰ Marc Morje Howard, "The Weakness of Post-Communist Civil Society," *Journal of Democracy* 13, no. 1 (2002): 157 – 169.

²¹ Henderson, 2003; Howard, 2002.

for human rights, to be elected by the legislature, although it could not come into being until the passage of federal legislation defining the parameters of the office. Russia's accession to the Council of Europe in 1996 meant that it needed to enact legislation securing the office. Thus, in May 1996, Yeltsin issued a decree "On the Russian President's Human Rights Commission," establishing the makeup and mandate of the body. Although the Duma could not agree on an ombudsman by absolute majority until May of 1998,²³ in December, after three years of efforts, the legislature passed a law creating an Ombudsman's office. Thus, throughout much of the Yeltsin administration, mechanisms, even if they existed on paper, often did not materialize, or materialized much later than originally planned.

There were more formal channels of communication at the regional and local levels, although the channels were rarely used. Most regional and city governments had an administrative department whose job was to communicate with social actors, often defined as media, political parties, and/or social organizations (the most commonly used Russian term to refer to NGOs). In addition, some of the developments that were to become more formalized under the Putin regime found their origination in the Yeltsin era.

For example, in 1994, the Yeltsin administration had encouraged regional governors to set up Public Chambers (Obshchestvennaya Palatas), where representatives of registered social organizations could participate in the review of legislation pending before the regional Duma and offer recommendations for further revision.²⁴ Regional governors responded to these urgings differently; cities such as Novgorod the Great, for example, already had such an institution,

²² For example, in 1992-1995, the National Foundation for Sports became the biggest importer of alcoholic beverages in Russia, providing for 80 percent of imports to Russia. In addition, the financial pyramid "MMM," which absconded with millions of people's savings, called people's investments "charitable donations."

²³ Sinikukka Saari, *Promoting Democracy and Human Rights in Russia* (New York: Routledge Press, 2009).

while other regions ignored the suggestion. Overall, however, NGOs had difficulty gaining access to governments at the federal level, and gaining access at the regional or local level proved the exception rather than the rule.

Finally, the lack of any kind of stable party system also made it difficult for NGOs to influence state policy. A large percentage of the representatives of the Duma in initial elections had no party affiliation. NGOs complained that this party instability made it difficult to establish relationships with politicians; there was no guarantee that aligning with a party would create greater access, since few parties survived from election to election, and independent candidates were not bound by clear ideological preferences or policy positions with which NGOs could reliably align. What little influence NGOs gained was through making personal connections, for there were few incentives to work with parties.

As a result, bilateral and multilateral donors, as well as a host of international organizations and foundations, were often the only forces working to actively promote a nonprofit sector. While USAID was the most visible actor, the agency was not alone; the European Union, Great Britain, Canada, and Scandinavian countries also sponsored civil society programs through their development agencies. They were joined by international agencies such as the United Nations and the World Bank, and by foundations, such as George Soros' Open Society Institute, the Ford Foundation, the MacArthur Foundation, and the C.S. Mott Foundation.

Donors such as USAID tended to move through phases of funding strategies designed, in part, to create a new, rather than support a preexisting nonprofit sector. This was, in part, because independent organization was not legalized until the early 1990s; thus, there was no preexisting

²⁴ Nicolai M. Petro, "Creating Social Capital in Russia: The Novogord Model," *World Development* 29, no. 2 (2001): 229 - 244.

sector to work with, although, certainly, groups had begun to appear in the Gorbachev era. In addition, Soviet era groups, which were now legally independent and thus technically part of a nonprofit sector, were judged to be too “Soviet” in mentality, approach, and activity to merit Western aid, which was earmarked towards groups that reflected, even if only in rhetorical statements, a new, democratic, pro-Western sentiment. Groups that adapted Westernized NGO rhetoric also sought out international donors in the face of public apathy.

Thus, in the early to mid-1990s, USAID sponsored several partnership programs, which joined Russian organizations with Western counterparts in order to transfer knowledge and skills from experienced Western NGOs to infant Russian ones. Other programs focused on providing training and technical assistance to NGOs on such topics as registration, social marketing, budgeting, etc. USAID then worked to expand beyond the major metropolitan areas, where the larger NGOs were located, by sponsoring small grants competitions to distribute money to smaller organizations scattered all around Russia.

Starting in the mid-1990s, USAID began to focus more intensively on funding networking projects, and on supporting resource centers in order to spread knowledge and expertise to regional NGOs located far from Moscow.²⁵ Many of these centers evolved into civil society development organizations, and focused on facilitating government interaction or community activism, rather than simply providing services to regional NGOs. At the end of the Yeltsin era, USAID, in addition to its work with NGOs, moved towards stimulating citizen activism in the hopes of fostering the emergence of a civic culture as well as building social

²⁵ These efforts to strengthen regional development evolved into the Pro-NGO Program, which linked over twenty resource centers in four regions in an effort to further institutionalize NGO development in the far corners of Russia. In addition, a separate project run by ISAR in the Russian Far East also linked NGOs across a broad expanse of territory.

capital.²⁶ The approach to develop grassroots activism was, in many ways, top down; build a few large NGOs from the start, then hope they spread and multiply from the center outwards.

The combination of weak domestic supports for a nonprofit sector, coupled with Western and Westernized support, created a strange mix of voluntary organization. On the one hand, international assistance was invaluable in terms of helping to create a weak, but functioning nonprofit sector that did not exist ten years previously. These efforts created an entirely new vocabulary for activists as well as a new way of visualizing and creating linkages with the state, political society, other actors on the civic sector, and the private citizen. Concepts such as advocacy, government transparency, the idea of women's rights as human rights, even terms such as NGO all entered the discourse within the small NGO community.

It was not as though Russians could not grasp the ideas behind the terms; however, foreign donors helped teach the specific language of advocacy, even if the translations were figuratively and literally quite awkward. (For example, there is no real Russian word for advocacy; activists simply transliterate it into Russian.) However, donors' emphasis on "Western" NGOs that promoted issues such as human rights, women's equality, often meant that they were working with a relatively narrow and unrepresentative group of NGOs. For example, the majority of "human rights" organizations were Soviet era groups that worked to protect the rights of vulnerable groups, such as the disabled, the developmentally delayed, or the elderly; yet, to donors, supporting human rights meant supporting a small group of activists dedicated to exposing the crimes of the Soviet system and the weaknesses of the new Russian one.

Further, donors' efforts to supply funding for projects which they wanted to see, rather

²⁶ The second Civic Initiatives Program, located in the Russian Far East, as well as Pro-NGO funded grant competitions, marked the shift away from a solely NGO focus to one with a broader definition of civic participation. Programs such as "You the People," as well as the Community Service School Program, further move USAID away from the narrower NGO approach.

than responding to domestic NGO demand, often created a civic sector heavily reliant on Western funding and divorced from the Russian clientele it claimed to represent.²⁷ Issues, such as combating domestic violence and establishing safe houses for abused women, were well-supported by donors such as USAID and the Ford Foundation during the 1990s, but had difficulty finding resonance in a Russian public caught up in an economic and social transition of unparalleled magnitude.

In sum, the domestic environment for NGOs under the Yeltsin administration can best be described as one of benign neglect. While the economic conditions provided the stimulus for organization, a lack of legal regulation, policy machinery, as well as a pervasive culture of apathy meant that NGOs struggled for survival. Western aid was the predominant player in terms of encouraging Western style versions of a third sector; however, in the absence of amenable domestic conditions, the impact was limited, and at times, subversive. These conditions were to change significantly under the Putin administration.

The Putin Presidency

Reflecting the centralizing trends in the realm of institutionalized politics,²⁸ President Putin established a much more directed approach towards citizen activism. This was supported by a changing international environment in the post 9/11 era in which many states were able to leverage national security concerns into rationales for revisiting fundamental civil rights and

²⁷ Henderson, 2003; Sarah E. Mendelson and John K. Glenn, eds., *The Power and Limits of NGOs: A Critical Look at Building Democracy in Eastern Europe and Eurasia* (New York: Columbia University Press, 2002); Valerie J. Sperling, *Organizing Women in Contemporary Russia: Engendering Transition* (Cambridge: Cambridge University Press, 1999).

²⁸ For example, the change to the presidential appointment of governors, the change in the electoral laws to proportional representation with a 7% hurdle, and the increased hurdles for political parties to register and contest elections, all of which combine, in addition to the selective use of “rule by law” to create a Duma dominated by United Russia.

liberties.²⁹ If the Yeltsin administration presided over a negligent state vis a vis civil society, President Putin established a vigilant state, paying much more attention to NGO trends and also proactively trying to shape the sector into one that could assist state goals.

The creation of new policy machinery, such as the Public Chamber, increased government funds for NGOs, in addition to a number of legislative changes all establish or further delineate formal mechanisms of communication and financial support between the state and society. At the federal level, these changes have been met with dismay among academics and policy practitioners interested in promoting democratic development in Russia.³⁰

Yet, these changes, rather than eradicating the space for autonomous citizen activism, reshaped that space, and often in interesting and unexpected ways. Legislation governing NGO organization and registration, state support and funding for NGOs, and the establishment of formal channels for citizen input in and of themselves are not unusual in advanced industrialized (and stable democratic) societies;³¹ thus, the question lies in the design and implementation of these policies within a weakly democratic state rather than necessarily the presence or absence of them. The following section discusses the Putin administration's policy preferences vis and vis NGOs, and how these policy preferences translate into a redefined civic sector in Russia.

Unlike Yeltsin, during his Presidency, Putin talked quite extensively about NGOs and more broadly civil society in a variety of speeches. Putin's overall statements reflect, like other areas of his political vision, a different view of civil society and democracy, in which he wants to both join Europe while maintaining a commitment to Russian cultural values and traditions of

²⁹ Mandeep Tiwana and Netsanet Belay, "Civil Society: The Clampdown is Real. Global Trends 2009 – 2010." CIVICUS, December 2010. http://www.civicus.org/content/CIVICUS-Global_trends_in_Civil_Society_Space_2009-2010.pdf

³⁰ Kathryn Stoner-Weiss, "Russia," *Countries at the Crossroads 2007* (Washington D.C.: Freedom House, 2007); USAID, "Russia," *2006 NGO Sustainability Index for Central and Eastern Europe and Eurasia* (Washington, D.C.: USAID, 2007).

centralized power and paternalism.

Certainly there is a tension between these two. Putin's vision of civic activism, for example, is one in which "people, participating in civil society, will regard as primarily important, not so much the idea of freedom, not so much the idea of interests, as the idea of service to a certain common cause."³² In his view, civic groups can create unity and overcome distrust among social groups and serve as a force to pull together the nation in agreement on the main strategic tasks facing the country. The value of various actors within civil society are in their abilities to serve as potential helpmates and midwives to the state. Putin's vision is one that emphasized patriotism rather than political protest as a mobilizing theme. Thus, in speeches since 1999, he has simultaneously bemoaned the underdevelopment of civil society and the inability of various organs of the state to effectively communicate and collaborate with it.

This interest in harnessing Russia's social organizations that work primarily on issues to improve the direct quality of people's lives has been coupled with a suspicion of those Russian organizations that work on larger democracy themed issues that have found support from the myriad of Western organizations and foundations promoting civil society and democracy in Russia. Putin addressed this issue in his State of the Union address of May 2003; some NGOs, he maintained, were primarily concerned with obtaining financial resources from abroad, or served "dubious group and commercial interests." As a result, he argued, these civic groups do not serve the real interests of the people, in contrast to the thousands of organizations on the ground who continue their work unnoticed.

This contrast between the "fake" nonprofit sector, which is motivated solely by money

³¹ Salamon, Sokolowski and List, 2003.

³² as quoted in Alfred B. Evans, Jr., "Putin and Civil Society," paper, Annual Convention of the American Association for the Advancement of Slavic Studies, Boston, MA, December 2004.

and career aspirations, and the “real” nonprofit sector, toiling away out of patriotic concern for the fate of the country, was reinforced in a meeting with the Kremlin friendly youth group “Nashi.” Putin declared that “[w]e need a civil society, but it must be permeated by patriotism, concern for one’s country, and should do things not for money but from the heart, eager to put right those problems that we indeed have and do this, I repeat, not for money but as the heart dictates.”³³

This suspicion of Western donors soon turned to hostility as a result of the color revolutions in the neighboring countries of Georgia, Ukraine, and Kyrgyzstan in 2003 - 2005. In each country, massive protests, in reaction to disputed elections, led to the resignation or overthrow of the previous, more authoritarian leadership. Western funded prodemocracy NGOs often led the opposition forces, and were widely credited with playing a pivotal role in pushing for a more democratic (and proWestern) electoral outcome. Suspicion of Western donor motivation in Russia soon turned to hostility against Western interference in Russia’s informal “sphere of influence” as well as Russia’s “sovereign affairs.”

In addition, the Beslan school hostage crisis in September 2004, which resulted in the deaths of over 380 people, had wide reaching repercussions for both political and civic institutions. Putin cited national security concerns as the primary motivating factor behind various political “reforms” which centralized power back in the hands of the federal government, and more specifically, the presidency.

This focus on national security, and the need for increased state oversight and control on politics, formal and informal, was not just a Russia phenomenon; globally, the post 9/11 era is one in which governments in long standing democracies, emerging democracies, and

³³ BBC monitoring, “Full Text of Putin’s State of the Nation Address to Russian Parliament,” May 26, 2004.

authoritarian states have all increasingly use their legal authority to further regulate civil society actors, often under the rationale of fighting terrorism.³⁴ The use of “rule by law” – selectively using legislation to punish opponents, as well as the use of the legal system in general to silence opposition – has become a favored tactic of governments around the world.

In response to these developments, President Putin launched substantive policy changes, which reflect an “import substitution” model of civic development. NGO policies embody a nationalist approach to reducing foreign dependency through the “local” production of advocacy, which is driven by an active and interventionist state. For example, President Putin has steadily increased and formalized corporatist mechanisms of communication between NGOs and the state through the creation of policy machinery. Putin revived the Yeltsin era idea of civic chambers as a way to facilitate state society collaboration, although this time at the federal level.

In 2001, the Kremlin organized the Civic Forum, a conference that brought together 5,000 civic activists and key government personnel from across Russia. This was the first time that government officials and NGO representatives from throughout Russia met to discuss various pressing social issues in an effort to create more channels of communication and a potential for greater NGO-state cooperation. In November 2004, the government unveiled legislation to create a Public Chamber at the federal level in order that “citizen’s initiatives could be presented and discussed.”³⁵ This legislation was subsequently passed and went into effect on July 1, 2005.

The key function of the Chamber is to submit recommendations to members of the Duma about domestic policy, propose legislation, and request investigations into potential breaches of

³⁴ Civicus, “Civil Society: The Clampdown is Real. Global Trends 1009 – 2010,” December 2010.

³⁵ BBC Monitoring, 2004.

the law, as well as request information from, and monitor, state agencies.³⁶ The members of the Chamber also serve on one of seventeen commissions that examine bills or provide advice and expertise to the Duma on a variety of pressing issues, such as public control over the activities of law enforcement, reforming the judicial system, communications, information policy and freedom of expression in the media, culture, health care, environmental policy, and so on.³⁷ Membership is driven from the top down; the president designates one third of the membership, and those appointed members will, in turn, appoint another third of the members. The two thirds then will pick the final third nominated by regional social groups. This federal level Public Chamber has been replicated in many of Russia's eighty nine territorial units.³⁸

In addition, in 2002, the President reconfigured the existing Commission on Human Rights to create the Presidential Council on Civil Society Institutions and Human Rights, with thirty three members drawn from human rights and broad based social organizations, as well as individuals from other institutions of civil society.³⁹ While some feared that this was an attempt to dilute the human rights element of the committee, the Putin administration pointed out that it already had the equivalent of a Human Rights Commissioner (and resulting policy machinery) within the office of the Human Rights Ombudsman.⁴⁰

President Putin also unveiled a series of laws that impacted the NGO sector. In 2003, the

³⁶ Alfred B. Evans, Jr. "The First Steps of Russia's Public Chamber: Representation or Coordination?" *Demokratizatsiya* 16, no. 4 (2008): 345 – 362.

³⁷ The number of committees used to be 18 in 2008, but was cut. <http://www.oprf.ru/ru/structure/comissions/comissions2010/>

³⁸ See James Richter, "The Ministry of Civil Society? The Public Chambers in the Regions." *Problems of Post-Communism* 56, no. 6 (2009): 7 – 20. The webpage for the Federal Public Chamber has contact information for 56 regional chambers. <http://www.oprf.ru>.

³⁹ This body was reorganized again by President Medvedev. On February 1, the President signed an executive order reorganizing the Council once again, although the impact of this reorganization is, as of yet, unclear. See <http://kremlin.ru/acts/1705>.

Duma adopted legislation, which though not specifically directed at NGOs, will potentially impact their activities. The Federal Law on Local Self-Governance further delineates the division of legal and financial authority between federal and regional power structures and local government.⁴¹ In particular, chapters 3 – 6 of the law provide avenues for citizen participation on issues of “local significance,” either directly or through local self-government bodies.

In practice, the legislation provides avenues for citizen input on issues such as the formation and execution of municipal budgets, provision of utilities and other government services, and input on housing reform and city planning. It allows for local referenda sponsored by citizens where the outcome is binding, and establishes mechanisms to recall deputies or other elected officials of local self-government. While still largely untapped, this legislation provides additional formal opportunities for NGOs and citizens to organize and mobilize around particular interests.⁴²

Most controversially, in 2006, the Duma passed legislation that increased the regulatory framework within which NGOs operate. The law amended four existing laws that govern the nonprofit sector. It introduced several new requirements for public associations, noncommercial organizations, and foreign NGOs. The new requirements restrict who may form an organization in the Russian Federation, expands the reasons for which registration may be denied, and increases the supervisory powers of the state.⁴³ Of particular concern is the stipulation that foreign NGOs may be denied registration if their “goals and objectives...create a threat to the

⁴⁰ Which as of 2007, was fielding 48,235 complaints. Commission for Human Rights in the Russian Federation, Annual Report of the Commissioner for Human Rights in the Russian Federation for the year 2007 (Moscow: 2008). However, the current webpage for the organization is not working.

⁴¹ Vitalii Shipov, “Perspectives in the Development of Local Self-Governance,” in *Local Self-Government and Civic Engagement in Rural Russia* (New York:World Bank, 2003).

⁴² Debra Javeline and Sarah Lindemann-Komarova, “A Balanced Assessment of Russian Civil Society.” *Journal of International Affairs* 63, No. 2 (2010), p. 176

sovereignty, political independence, territorial integrity, national unity, unique character, cultural heritage and national interests of the Russian Federation.”

Further, foreign NGOs can be barred from transferring funds or other resources to recipients for purposes of “protecting the basis of the constitutional system, morality, health, rights and lawful interests of other persons, and with the aim of defending the country and state security.” Finally, the law increases the number of documents that the government can request from organizations, and allows the government to send a representative to an organization’s meetings and other events.

In sum, the law expands the grounds upon which an organization can be denied registration and deepens government supervisory powers over both domestic and foreign NGOs. Thus, some maintain, while previous legislation, though confusing, unclear, and poorly drafted, and not particularly proactive, was guided by the principles of information, the current legislation is inspired by the principle of permission.⁴⁴ In other words, the government now has the ability to more selectively pick and choose who can operate and under what conditions.

The federal government has also provided financial support for NGOs, in part, perhaps, to counter Western assistance. In 2006, the federal government authorized the Chamber to distribute 500 million rubles (\$15 million) to NGOs in a grant competition. The following year, the amount was more than doubled to 1.25 billion rubles (\$50 million) to fund grant competitions in projects related to youth; health; civil society; socially disadvantaged groups; education, culture and art; and to support social related research. In 2008, the number was raised again to

⁴³ Natalia Bourjaily, “Some Issues Related to Russia’s NGO Law,” *International Journal of Not-for-Profit Law* 8, no. 3 (2006): 4 – 5.

⁴⁴ www.sovetpamfilova.ru.

1.5 billion rubles (roughly \$70 million).⁴⁵ And most recently, under the current Medvedev administration, the Duma has tackled the idea of direct state support for NGOs. In January 2010, the State Duma approved a bill in its first reading to support “socially oriented NGOs,” including those focusing on charity, the environment, historical and cultural preservation, welfare assistance, and human rights. Government support can potentially consist of grants and other kinds of financial help, tax remissions, use of state or municipal property, and tax benefits to donors who support NGOs financially.⁴⁶

In addition, Putin instructed business leaders to become more socially responsible, and declared 2006 the year of philanthropy to encourage businesses to support the government’s four national projects – improving Russians healthcare, housing, agriculture, and education. This social responsibility has its limits; they have not encouraged the philanthropy of Khodorkovky’s Open Russia Foundation (modeled after George Soros Open Society Institutes), which promoted the much more explicit political goal of developing civil liberties. In March of 2006, it froze the bank accounts of that Foundation. Nonetheless, the development of Russian philanthropy has also been bolstered by the passage of Federal Law No. 275 “On Endowments,” which lays out the conditions under which Endowments may be established and operated.

The external reaction to the application of these varied mechanisms connecting state and society has been primarily negative. As Celeste Wallander noted in her testimony before the US Commission on Security and Cooperation in Europe, “civil society organizations can operate

⁴⁵ In 2008, the most money was budgeted towards education, art, and cultural initiatives (320 million RU), followed by youth initiatives (250 million RU), health (230 million RU), protection of socially disadvantaged groups (200 million RU), and social research (100 million RU). The number of applications has increased; in 2006, the Civic Chamber awarded 1054 grants out of 3500 applications, and in 2007 1225 projects were funded out of 4,200 applications. While the first grant competition was organized by the Social Chamber and the Presidential Representatives of the Federal districts, the following two competitions have been run by the Chamber, who has then contracted the work out to six NGOs. Public Chamber, “Struktura palata: kommissii 2008 god,” www.oprf.ru/ru/structure/commissions2008/.

only if their activities and objectives are non-political. The Kremlin has created onerous requirements for NGOs seeking foreign funding, and most Russian NGOs subsist on donations from Kremlin approved businesses, or from the government's NGO monitor, the Civic Forum."⁴⁷ Similarly, Human Rights Watch declared that the Putin Administration's policies (which they consider to be continued under President Medvedev) represent the "deliberate weakening of key institutions of a pluralistic democratic society..."⁴⁸ And according to USAID's NGO Sustainability reports (annual reports and rankings of NGO sectors across post-Communist Europe and Asia), the sustainability of Russia's NGO sector slowly but clearly declined along seven of eight indicators during the Putin Presidency.⁴⁹

Certainly, high profile examples, such as the government closure of the Soros Foundation supported European University for violating fire safety regulations, indicate a similar "rule by law" tactic originally used on businessman Mikhail Khodorkovsky to reign in other potential wayward oligarchs. Many feared that the 2006 law governing NGO legislation would mark the beginning of a selective campaign to close NGOs deemed incompatible with national interests.

What has been the impact of the Putin administration's policies on NGO development? The lion's share of international attention focused on the effects of the 2006 NGO legislation. It is hard to measure the impact of the law, given that so many organizations are "dead souls;" they exist on paper but they have ceased to function. Thus, it is unclear how many organizations are

⁴⁶ Svetlana Kononova, "Money for the Needy?" *Russia Profile*, 25 January 2010. http://russiaprofile.org/politics/a1264450336/print_edition/

⁴⁷ Celeste A. Wallander, "Russian Power and Interests at the Next Stage in U.S. – Russia Relations." Testimony before the US Commission on Security and Cooperation in Europe, United States Congress, May 8, 2008.

⁴⁸ Human Rights Watch, "An Uncivil Approach to Civil Society: Continuing State Curbs on Independent NGOs and Activists in Russia," June 2009.

⁴⁹ The indicators are: NGO sustainability, legal environment, organization capacity, financial viability, advocacy, service provision, infrastructure, public image. Scores range from 1 – 7, similar to Freedom House methodology, in which lower scores indicate higher levels of "progress." The one area where there were some small levels of improvement were in service provision. See USAID, "The 2009 NGO Sustainability Index: Russia."

being shut down because they simply no longer exist.

However, a December 2007 survey of NGOs in twenty of Russia's regions, designed to measure the impact of the new requirements on NGOs, found that the majority of NGOs had not complied with the new regulations. According to the Federal Registration Service, only 32 percent of NGOs had submitted the required paperwork. As of the time of the report, the FRS has yet to apply involuntary liquidation to NGOs that have failed to submit reports (and the FRS had expanded the deadline for submitting paperwork yet again).

Nor did NGOs report any penalties for lack of submission. Nonetheless, as of the end of 2007, the biggest cost to them of the legislation, according to Russian NGOs themselves, was time spent in filling out the paperwork. Neither survey respondents nor focus group participants felt that the law had been disproportionately applied against human rights or advocacy groups. Instead, respondents felt that all groups were suffering equally from the demands of new paperwork and confusion over ambiguity of the requirements.⁵⁰ In May 2008, President Medvedev transferred NGO registration and oversight back over to the Ministry of Justice, and in April 2009 he called for (and appointed a working group to work on) reform of the NGO law.⁵¹ At the same time, individual activists have faced the selective use of the state's prosecutorial arm.⁵²

Nonetheless, the international focus on the potential ramifications of the NGO law often obscure the impact of the whole set of policy mechanisms discussed in the previous section, and most interestingly, the application of these policies at the regional level as federal mandates

⁵⁰ International Center for Not-for-Profit Law, "Analysis of the Impact of Recent Regulatory Reforms on Non-commercial Organizations and Public Associations in Russia," 2007.

⁵¹ Human Rights Watch, 1.

⁵² For example, in 2010, Oleg Orlov, chairman of the Memorial Human Rights Center, stood trial for criminal slander, a charge that carries up to three years in prison.

trickle down to Russia's 89 territorial units. In order to get at this question, we looked at the development of legislative regulations, establishment of policy machinery, provision of funding, and the rhetorical position of regional and local governments vis-à-vis nongovernmental groups in 10 regions within Siberia.

What is the quantity and quality of state-society relations at the regional (and more easily measureable) level? In the following section, I discuss the following findings. While it is important not to overstate the gains of a relatively weak sector in the context of a weak, and weakly democratic state, nonetheless, the design and implementation of actual policy machinery has provided NGOs with increased visibility and institutionalized access to policy makers.

Secondly, this impact has been particularly significant for NGOs in the regions. The impact has diverged in interesting and unexpected ways; federal envoys, regional governors, and mayors have interpreted the changes at the federal level in differing ways, leading to an increased role for NGOs in policy making, advocacy, and service provision in some regions, as well as potential increased cooptation in others. Rather than confirming President Putin's legacy as the consolidator of an all-powerful state, the experience of NGOs indicates that there are numerous interests at work in shaping the civic space, and the variation in advocacy paths indicates a lack of monolithic state control, rather than an excess of it. Local, regional, and federal elites all have different agendas, as do the NGOs that attempt to leverage the increased points of access in the system. While the state plays an important role in shaping civic activism in Russia, the larger challenge facing Russian NGOs is an apathetic public and a weak civic sector, rather than an all-powerful state.

Changing State-Society Relations at the Regional Level

An earlier research trip by the author, during the first Putin administration, had revealed an ambivalent optimism among NGO leaders about some of the initial changes impacting the sector. NGO leaders themselves noted the importance of Civic Forum and the (at the time) proposed Civic Chamber in reestablishing languishing formal mechanisms of communication as well as creating new policy machinery.⁵³ During the Yeltsin era, NGOs had to rely on personal contacts to wrest an audience with the appropriate vested interests.

For example, Charities Aid Foundation Russia noted how Civic Forum granted their lawyers access to the Working Group of the Ministry of Finance, giving them more routine ways to push for improved taxation benefits, as well as the Department of Labour and Social Development to discuss writing federal legislation regulating the provision of social services.⁵⁴ For ANNA (association of Crisis Centers for Women “Stop Violence,” it also improved spotty access to the Committee of Women and Children, and their abilities to have input on the drafting of legislation on domestic violence.⁵⁵ For Oleg Zykov of NAN, No to Alcoholism and Drug Addiction, it helped formalize the years of work he had put into fostering personal connections with the Head of Commission of Human Rights (at the time, Ella Pamfilova), and encouraged the hope that its more formal representative bodies of communication could develop.⁵⁶

Further, this machinery, whatever the intent, has also given the NGO sector the institutional space to advocate on policies, either within the seventeen subcommittees or the advisory councils attached to nine ministries and fourteen agencies. While there are limitations

⁵³ Workshop for NGO participants to compile USAID, “Russia,” *2004 NGO Sustainability Index*, Moscow, November 21, 2004.

⁵⁴ Interview with Larissa Avrorina, Charities Aid Foundation, Moscow, June 4, 2004.

⁵⁵ Interview with Natalia Abubikirova and Marina Reshtova, Association of Crisis Centers for Women, Moscow, June 3, 2008.

on this – we don't know much about what the nature of this input is, or how effective it is – this has at least granted a sector access to policy making where previously it had none.⁵⁷ Particularly for NGOs working in the regions, the organization of the Civic Forum, and the efforts to establish Civic Chambers signaled to regional governors and mayors that they were to be included in the political dialogue. Nearly all NGOs interviewed representing eight cities in five of Russia's *okrugs* argued that the Civic Forum and Civic Chamber signaled to local and regional leaders, many of whom had previously ignored them, that they now needed to work with them in some capacity. For many NGOs, this provided a political opening for them to develop more regular avenues of communication.

In many regions, Putin's policies vis-à-vis NGOs at the federal level revitalized previously underutilized government offices whose job was to liaise with public organizations and created the stimulus for the creation of similar policy machinery, such as regional public chambers, at the regional level. Thus, for example, Tatarstan (a republic within the Volga district) established a Public Chamber to encourage public hearings and civic involvement in questions of broad concern. In addition, a public office and telephone hotline were also established so that citizens could communicate issues and concerns directly to “not only help individual citizens defend their rights...but ...to reveal and systematize common problems in the operation of the state bureaucracy.”⁵⁸ Similarly, in Samara, the organization Povolzhe was able to use the impetus created by President Putin to formalize communication with the regional

⁵⁶ Interview with Abubikirova and Reshtova, 2008.

⁵⁷ One of its first actions was to oppose the registration law. While we don't know what impact it had on the final product, we do know that when legislation was first introduced governing NGO reregistration, the first version of the law was much more punitive. Proposed draft amendments to the tax code (which eventually failed) imposed registration requirements on all types of grants, which would have further complicated the work of foreign donors and recipient NGOs. Also, see Alfred B. Evans, Jr., “The First Steps of Russia's Public Chamber: Representation or Coordination?” *Demokratizatsiya* 16, issue 4 (2008).

government by establishing formal roundtables comprised of NGO and government leaders to cooperate on social policy.⁵⁹

In particular, activist presidential envoys, governors, and/or mayors interpreted Putin's remarks as a green light to also attempt to stimulate citizen activism from above by passing regional and local legislation – in the absence of federal legislation – to allow NGOs to implement social policy. This was particularly evident in the Volga district, where, envoy Sergei Kirienko interpreted Putin's call to foster economic and social development and combat corruption as a need to establish better connections with the citizenry and NGOs.⁶⁰ This manifested itself in a variety of ways: the creation and use of mechanisms to relay citizen and NGO concerns; the effort to create grant competitions which drew on government, business, and private funds; and the effort to further regional legislation allowing for social service contracting for NGOs. Further, Kirienko was one of the first envoys to provide government funding through grant competitions to NGOs, as well as organize a yearly Civic Forum conference for NGOs in the region.⁶¹

In other regions, governors and mayors interpreted the creation of the Civic Forum and Chamber as a potential way to co-opt NGOs. Thus, for some NGOs in places such as Rostov or Krasnodar, the changes at the federal level, which indicated that they might now be taken more seriously by local and regional administrations, led to bitter disappointment as the administrations used the opportunity to allot money to NGOs, but behind closed

⁵⁸ Lynn D. Nelson and Irina Y. Kuzes, "Political and Economic Coordination in Russia's Federal District Reform: A Study of Four Regions," *Europe – Asia Studies* 44, no. 4 (2003), p. 515.

⁵⁹ Interview with Valentina Pestrikova, Povolzhe, June 18, 2004.

⁶⁰ Nelson and Kuzes, 2003.

⁶¹ Interview with Elena Malitskaya, Siberian Center in Support of Civic Initiatives, November 15, 2004.

doors.⁶² Similarly, in Vladivostok, the Moscow Civic Forum served as a highlight for NGOs interested in breaking into working with regional governments; they were sadly disappointed to find that the regional government wanted to work only with select NGOs.

In other areas, such as Irkutsk, the city government and NGOs had tentatively started a dialogue, and had begun to hammer out relatively transparent policies to distribute funds to NGOs in a competition. This was a learning curve for both sides; the government was disappointed that NGOs had not accomplished more with the small sums they were given (grants were approximately \$1000 each). NGOs in turn were frustrated that the administration wanted them to accomplish miracles with small pots of money that often could not cover salary costs.⁶³ Further, NGO activists were frustrated that initially, they were invited to participate in judging grant applications that were to receive government funds; however, in the recent competition, they were only invited to give feedback but were not allowed to participate in the final decision.

In sum, initial research in 2004 indicated that NGO activists, while wary of the intent and meaning of changes at the federal level, were nonetheless cognizant that these emerging mechanisms provided a political window for many of them that had not existed previously. For many NGOs, after spending the 1990s fighting for access to government administrators, the new opportunities offered by Putin's changes meant they had to walk the fine line between cooperation and cooptation, but that this was an improvement from standing on the sidelines, watching policy made without their input. In their eyes, administrations were unsure whether they wanted to build civil society versus working with the "real" one that existed; yet, they all admitted that they had had increased interaction, and thus, potential impact, on the administration

⁶² Interview with Svetlana Chernishova, Southern Russia Resource Center, Krasnodar, September 28, 2002; Interview with Rostov Community Foundation, June 15, 2004.

and their policies.

There was also already interesting divergence in terms of implementation of these policies at the regional level. Politically moderate or progressive figures interpreted changes at the federal level towards NGO as signs to either initiate dialogue with or deepen preexisting relationships with NGOs, develop channels for policy input, or design relatively open, government funded grant competitions. Other regions interpreted these moves as opportunities to co-opt civic actors and direct their activities. Still other regions became mired in conflict between an activist political figure on one level (say, the governor) and a conservative intransigent on the other (i.e. the mayor).

Changing State-Society Relations at the Regional Level, Part II

Following up on these countervailing tendencies, I wanted to learn how some of these mechanisms for state-society interaction developed at the federal level were being implemented at the regional and local level. I surveyed NGOs in 10 regions in Siberia in 2010 in an effort to roughly quantify and qualify NGO-state interaction at the regional level. I chose to focus on Siberia, an area larger than the continental United States, for several reasons. For one, I had already established a good working relationship with an NGO, The Siberian Center in Support of Civic Initiatives, which is located in Novosibirsk.⁶⁴ The Center acts as a “hub” organization for NGOs all over the *okrug*, and maintains the largest and most well-developed network of NGO resource centers (ten) in the country.⁶⁵ The range of political climates and levels of NGO

⁶³ Interview with Alexander Vasiliev, Head of the Committee of Relations with Society, oblast’ administration, Sakhalin, June 8, 2004; interview with Elena Tvorogova, Rebirth of the Land of Siberia, Irkutsk, June 8, 2004.

⁶⁴ In particular, special thanks go to Sarah Lindemann-Komarova, co-founder of the organization, as well as the Siberian Center, for managing the survey at all points of the process, from survey design to survey distribution to data collection and tabulation. It would have been impossible to do this project without Lindemann-Komarova’s knowledge, contacts, and skills.

⁶⁵ In addition to Novosibirsk, the network covers Tyumen, Omsk, Tomsk, Altai (2), Krasnoyarsk, Kemerovo, Irkutsk, Buryatia, and Chita.

development in these ten regions provide ample opportunities to view diverging patterns of citizen organization and cooperation at the subnational level.

The survey was six pages long and was developed in conjunction with the Siberian Center, which did several pilot versions with NGOs to perfect the questions. The survey asked questions about the frequency and range of interactions between NGOs and government officials and offices at the local, regional and federal level. For example, it collected data on the varied ways in which the government provided moral, technical, or financial support for the organizations' activities. It also asked about ways in which NGOs had interacted with policy makers, informally and formally, as well as the impact of that interaction.

In addition, the survey addressed issues of government oversight, in terms of establishing and following a legal framework for NGO registration, operation, etc. Finally, the survey enquired into the nature of these state-society interactions from the perspective of the NGOs. Were their interactions primarily involving just an exchange of information? Did it involve policy dialogue? Did it result in collaborative ventures? Or a relationship dominated by efforts to control the NGOs' activities? NGOs were also encouraged to submit materials, information, and additional resources that might convey the quantity and quality of their interactions with local and regional governments. After collecting the surveys, the results were tabulated into a database in 2010. The database is posted on the webpage of the Siberian Center in Support of Civic Initiatives.

First, we were interested in the number, frequency, and type of what we termed "mechanisms" for state-society relations. NGOs were presented with a list of varied ways in which NGOs can interact with local and/or regional administrations (i.e. receive varied sources of financial support, cosponsor or participate in government sponsored events, participate in

some form of administrative structure that channels NGO feedback on specific policies; provision of infrastructure services, etc.). NGOs could only check items that were recurring (it couldn't be a one-time incident) and there had to be some kind of paper documentation.

In terms of interaction, there has been a dramatic increase in both the number, frequency, and type of interaction between NGOs and local and regional governments. The sense among NGO leaders in 2004 that President's Putin nod of approval was interpreted as a sign for governments to interact more with NGOs is reinforced by the data. When asked to report the number and type of "mechanisms" for interaction (described above), respondent NGOs reported a smattering of interactions in the 1990s (with 1998 as a "peak" year for some reason) but with more dramatic growth in the next decade.

| Year | Number of mechanisms |
|------|----------------------|
| 1993 | 1 |
| 1995 | 2 |
| 1996 | 5 |
| 1997 | 6 |
| 1998 | 11 |
| 1999 | 8 |
| 2000 | 8 |
| 2001 | 7 |
| 2002 | 6 |
| 2003 | 17 |
| 2004 | 7 |

| | |
|------|----|
| 2005 | 27 |
| 2006 | 34 |
| 2007 | 46 |
| 2008 | 29 |
| 2009 | 10 |

There is a noticeable spike in activity in 2005, which is when Putin began to increase both his rhetorical statements as well as his policy efforts vis-à-vis NGOs, which continued through 2006 and peaked in 2007. 61.7% of these mechanisms existed at the regional level, 35.2% of the city level, and 3.2% at the district level. In other words, the governor and the regional administration are still the main focus and locus of activity.

Very initial analysis of the surveys indicates that there is wide variation in the 10 regions with regard to the quantity and quality of state –society interactions. Of the 10 regions surveyed, NGOs in the Tomsk and Krasnoyarsk regions reported the widest range and number of mechanisms for interaction with the government (40 and 36) respectively, while regions such as Irkutsk (20), Omsk (20), and the Altai Republic (18) trailed behind a middle pack of Altai krai (28), Novosibirsk (26), Kemerovo (21), and Zabaikalsk (21). When asked to identify who initiated the “mechanism” (i.e. grant competition, day of service, etc.), 28.9% of the mechanisms were introduced by the local or regional administration; 23.3% were initiated by NGOs/citizens; and 45.8% were categorized as a joint initiative. In terms of evaluating levels of access to regional or local administrations, 34.8% of NGOs felt that they had good access, 51% felt they had access; 11.9% felt they had constricted access, and .4% of NGOs felt they had no access to local and regional administrations.

There is a wealth of specific data to cull from the surveys; unfortunately, at this point in the project, I haven’t sifted through it all. Nonetheless, we can certainly say that the NGO sector looks substantially different today than it did in the 1990s, and while we don’t know much yet about the nature of state-society relations at the regional level (increased communication and cooperation could be positive or negative, depending on the nature of the relationship, the goals

of the administration and/or the particular NGO, and outcome – or lack of - of this increased access), the levels of communication and cooperation have increased fairly dramatically in the past decade. If we expect Russian NGOs to function as they do in other industrialized societies (social service providers, advocacy promoters, policy expertise sources, etc.), understanding how this relationship is developing (or not) in the larger institutional framework of the Putin era, is crucial.

Conclusion

Governments make the rules within which NGOs operate; they set the formal and informal costs for organization. Whether it's through rhetoric, drafting and redrafting legal frameworks, establishing formal channels that provide access to advocacy organizations, or providing funding, governments can provide incentives and place constraints on the emergence and shape of nonprofit sectors. In contrast to President Yeltsin, who put relatively little policy infrastructure in place to regulate NGOs, President Putin implemented a much more directed, and many argue, repressive approach.

Yet, this paper maintains that the Putin administration's strategy is a bit more complex. It has designed a complex of policies to encourage and select for NGOs that are likely to support, not so much the Kremlin, but the national projects that the Kremlin has deemed compelling and important. These policies have been designed to reward "good" behavior for NGOs whose advocacy originates out of performing valuable social services that have the potential to improve the social and economic well-being of the population. Legislative policy also provides enough stipulations that the administration now has the capability of punishing (if it so chooses), or at least deterring, NGOs that pursue issues about which it is less than enthusiastic, which many

argue are related to political rights and liberties.

In other words, the government, rather than being anti-advocacy, is trying to select the advocacy that it prefers to see. However, particularly in the Russian context, where there is little pre-existing tradition of independent advocacy, particularly of the antistatist variant, the federal administration has, by far, the comparative advantage. Yet, given that Russia is a federalist system, the policy changes initiated from Moscow have been interpreted in varying ways across Russia's regions, sometimes in ways that were more favorable to NGOs than perhaps originally intended by the federal authorities.

Thus, the largest problem facing NGOs today is not potential capture and cooptation by an all-powerful state, but the inability to captivate the average Russian citizen, who still remains suspicious and leery of organizational activity. Part of this is due to the fact that after nearly two decades with independent organizations in existence, Russians still know relatively little about the sector. When asked in October 2007 if they had heard anything or knew anything about the activities of NGOs or social organizations in their region, about 55 percent of the population knew nothing – a figure about seven percent higher than when asked in 2001.⁶⁶ Nor are citizens particularly knowledgeable about the work of bodies such as the Federal Public Chamber.

According to a VTSIOM poll in 2009, 57% of Russians do not know the Public Chamber exists; 37% reported they had “heard something,” and only 5% considered themselves well-informed of its activities. Those that knew something of the Chamber, almost half (47%) had a hard time understanding its function. But ignorance about the sector is only part of the problem; a larger issue is that citizens don't like what they do know about the sector. The 2008 Edelman Trust Barometer reported that in Russia, when asked on a scale of 1 – 9, “How much do you trust

⁶⁶ Public Chamber, 2007.

each institution to do what's right?" only 29 percent of respondents answered 6 – 9 on a sliding scale, behind government (38 percent) and business (42 percent). This was in marked contrast to Western Europe, where NGOs came in as the most trusted institutions in all countries surveyed except Sweden and the Netherlands (where, nonetheless, 59 percent of respondents answered in the 6-9 range).⁶⁷

Russia is in the strange position of having a nonprofit sector organizing on behalf of a society that has shown a lesser interest in organizing itself. Few organizations have developed mass constituencies. Other issues that have mobilized the population (such as government attempts to overhaul Russia's outdated pension system) have not turned into formal organizations. Certainly, Russia does not lack for supply of potential issues and problems around which nongovernmental organizations could emerge. Through the 1990s and first decade of the twenty first century, foreign donors stepped in to supply financial and technical assistance, as well as funding areas that they were willing to support. In contrast, much of the Putin administration has been about countering Western supply of what they deem Russians should demand with their own supply of themes and projects. On top of this, they have supplied various mechanisms by which NGOs can choose to operate. But what is still missing is the basic demand at the citizen level for organizational representation.

In the case of Russia, President Putin regulated the formation and operation of advocacy NGOs in order, not to strangle the entire sector, as some charge, but to encourage the supply of some types of advocacy and deter the formation of others. The administration has done this by using its power to write legislation to raise the entry costs for NGOs, to increase access to policy making for some advocacy themes but not others, and to provide financial and moral support for

⁶⁷ Edelman, 2008.

causes that align with state interests. Thus, in some ways, collaboration between NGOs and government has increased, resulting in increased influence for some advocacy organizations.

Only time will tell whether Putin's NGO development strategy of "import substitution" will run a similar course to economic development strategies of import substitution industrialization in Latin American countries in the 1950s – 1980s. We now know that in the Latin American case, initial decades of growth were ultimately unsustainable over time, and also incurred significant economic and social costs.

While Putin's import substitution model of civic development has created some short term gains for some NGOs, the long term costs imposed by increased regulation can potentially decrease the range of perspectives and issues appearing on policy agendas, particularly if they do not match those of the Kremlin. Regardless of the long term impact, the policies of the Putin administration point to the significant role that governments can play in setting the short term costs for activism, particularly in countries where domestic civic impulses are underdeveloped and weak.

