



Civil Society Institutions in Russia: Current Status and Future Development

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Abstract

The appearance of the concept, meanings, and types of institutions of civil society is quite common in the scientific literature. However, these works are mostly focused on dogmatic topics; the particular people's associations that exist in the Russian Federation and their derivative components, as a rule, remain outside the scope of research. The purpose of the conducted research was to highlight and describe the most significant institutions of civil society at the domestic level, as well as to identify possible trends in their development. The objectives of the study were to briefly review the main ideas of civil society from the moment of their origin in Russia to the present days; to determine the content of the concepts of 'civil society' and 'institute of civil society' in relation to the article presented; to analyze the significance of a number of people's associations and their derivative components for the development of civil society; and to highlight the prospects of domestic civil society institutions. The methodological basis of this work was represented by dialectical materialism as a universal method of cognition. The following general and specific scientific methods such as analogy, observation, description, modeling, historical and legalistic research methods were also used in the study. Resting on the research of a numerous scientists, investigative journalists reports and personal practical experience, the authors came to the following conclusion: the fundamental institutions of civil society in the Russian Federation are represented by non-profit organizations, the media, scholars associations, as well as by various forms of social activity focused on the implementation of human and civil rights; it is also fair to assume that civil society institutions will partly change and increase their influence on the power structures in the future.

Keywords: Civil Society, Civil Society Institution, People's Associations, Non-Profit Organizations, Mass Media, Scholars Associations, Forms Of Social Activity.

1 Introduction

There are quite many scientists addressing the topic of civil society in Russia in their recent scientific publications. This fact is largely due to the lack of meaningful competition in state power, ineffective governmental economic policy, low level of social security and the lack of social demand for moral and (or) religious norms on the background of prevalence of nihilistic views among the population; the latter phenomena has been on the rise in recent decades.

However, the majority of research papers are still devoted to historical and legal aspects of the development of civil society and its general theoretical structural features. The current state and development prospects of particular civil society institutions in Russia are practically not discussed in peer-reviewed scientific journals.

Therefore, the achievement of goals and objectives of the presented study will not only make a certain contribution to the

doctrine of civil society but also draw attention to the state of affairs with the civil and political rights and freedoms in the Russian Federation.

The ideas of civil society appeared in the Russian political and legal thought in the XIX century and were expressed in the writings of Mikhail Bakunin, Nikolai Korkunov, Peter Kropotkin, Boris Chicherin, and other researchers (3, 5, 10, 17, 19, 22). Up to the 1917 Revolution timeline, Russian legal experts and political scientists (Maksim Kovalevsky, Fyodor Kokoshkin, Veniamin Khvostov, Gabriel Shershenevich et. al) developed the theory of civil society; Russian academicians suggested terminology, clarified the content, evaluated the interrelationship with the state and its institutions, and determined the role of each individual in the socio-legal community (4, 12, 16).

In the period from 1917 to 1985 the topic of civil society was not even mentioned by the official scientific press,

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however, the particular issues of interaction between the state and society, and of the implementation of human and civil rights and freedoms were repeatedly discussed in samizdat (the latter was a form of dissident activity in which individuals reproduced underground publications by hand and passed the documents from reader to reader). The issues of civil society were addressed, in particular, in the famous samizdat collection 'From Under the Rubble' (featured articles by Aleksandr Solzhenitsyn, Igor Shafarevich, and other dissidents).

Nevertheless, the domestic scholars have returned to the study of civil society as a kind of the system of people's self-organization only with the beginning of economic and political reforms in the USSR, initiated by Mikhail Gorbachev. The issues of civil society development back at the time were actively discussed (in addition to scientific work) in the media, namely, in newspapers (the most famous was the article by Nina Andreyeva, clearly addressed to the authorities) (1) and in television programs (such as '600 seconds', 'Glance').

2 Materials and methods

The study was outlined to analyze the views of domestic researchers on the topic of civil society in Russia, define the concepts of 'civil society' and 'civil society institution', attribute the particular people's associations and their derivative components to the factual domestic institutions of civil society, and to determine the prospects for the development of civil society institutions in the coming years.

The research process was sequenced from the selection and source-study of factual evidence to the interpretation of the gathered information, the hypotheses and the formulation of conclusions.

The case study was dialectical materialism, which allows considering the institutions of civil society in Russia in their development and interaction.

Other general and specific scientific methods included:

- Observation: direct and purposeful perception and recording (in a natural context) of the most significant manifestations of the activities of domestic civil society institutions;
- Description: determining the admissibility of attributing various people's associations and their derivatives to domestic civil society institutions, and presenting the relevant characteristics;
- Analogy: extending the knowledge obtained in the process of studying the most characteristic ways of popular participation in the domestic civil life to other people's associations and their derivative components;
- Modeling: forecasting the prospects for the development of domestic civil society institutions;
- Historical: studying the dynamics of the development of the ideas of civil society among domestic researchers;
- Legalistic: comparing the definitions of the 'civil society' term against each other.

3 Results and discussion

A unified approach to the definition of the concept of 'civil society' and its substantive characteristic still has not been formed in the research environment over the past decades. Currently, there are many definitions of this inter-scientific

category, expressing its abstract and concrete nature, and uniting and delimiting with other phenomena and institutions of social life, as well as determining its value for each person.

As scattered examples of the definitions of the above-mentioned concept, which are contained in the monographic and periodical legal literature, one can quote the following:

1) 'Civil society is 'a society of concerned citizens and active participants in social processes; there is an internal unity in the name of strategic social and political goals, provided no existing conditions for irreconcilable propensity towards conflict of various social classes, groups, or forces; the existence of independent social mechanisms of public affairs management is assumed; the society is not opposed to the state, but proceeds from the need for mutual constructive interaction, and manifests the utmost attention to the problems and concerns of the individual, thus fostering citizens in the spirit of a combination of individual and public interests' (1);

2) 'Civil society can be briefly defined as a system of non-governmental organizations, associations, institutions, establishments, political parties, professional and other unions, and other non-governmental structures that interact with the official authorities on the egalitarian basis' (15);

3) 'Civil society is represented by a system of social relations and institutions that function independently of political power and are capable of influencing the latter' (Konstantin Strus) (14).

With reference to the topic of our research, the most common definition also seems to be the most successful: civil society is 'a set of civil society institutions' (16).

In turn, one has to agree with the Soviet and Russian legal scholar, professor Yuri Tikhomirov, that the institution of civil society may be considered as 'a structural-legal way of legitimate self-actualization and socialization of an individual, determined by the constitutional principles of democracy and the priority of human and civil rights and freedoms; the method of direct expression of opinions, suggestions, positions of citizens on issues of public concern; the way of direct participation in making decisions of social significance' (21).

The prime institutions of civil society are considered to be the following people's associations and their derivative components: political parties, public organizations and movements, professional and artistic unions, non-profit organizations (including religious), forms of direct expression of will of citizens (referendum, elections) and other forms (including case-specific) of public activity (meetings, rallies, marches, demonstrations, vigils, etc.), as well as media, local communities, public councils under the state and municipal authorities, labor collectives, and families (clans, kinships, etc.) (8, 18, 21)

Among the various criteria for attributing any of people's associations or their derivatives to the institutions of civil society (24), the determinants are the ones providing the opportunity of influencing the adoption of managerial decisions, as well as political and economic independence. However, there are only a few institutions of civil society that meet these criteria in current Russia.

These subjectively include the following: non-profit organizations, the media, and scholars' associations, as well as various forms of public activity, focused on the implementation of civic and political rights and freedoms.

Authors tend to believe that other domestic civil society institutions (described in the literature) such as civil forums, local associations, religious organizations, the All-Russia People's Front, and the Russian Union of Industrialists and Entrepreneurs, are depended upon state (or municipal) authorities and largely focused on business activities, solving minor issues (6, 7, 9, 11, 13, 20,).

In the absence of an effective state policy aimed at ensuring the implementation of constitutional norms in Russia, the non-profits are, in fact, the most important institution of civil society. Created to achieve social, charitable, cultural and other purposes, non-profit organizations voluntarily assume the functions of the state (or municipal) authorities, carrying out assistance to people in difficult life situations, performing educational work, rendering free legal assistance, etc., thus taking charge of the 'home front' situation.² A special place is occupied by human rights organizations that contribute to the disclosure of the facts of corruption at the highest levels of power, and also supervise the objective counting of votes at elections of various levels thus engaging in the activities that actually are not implemented by political parties.³ An extremely negative domestic trend has emerged in recent years on the part of government bodies, aimed at systematically opposing independent non-profit organizations of various human rights aspects,⁴ and entailing a decrease in the possibilities of effective protection of individual rights and freedoms in litigations against the state.

The mass media organizations, despite the existing self-administered censorship (inherent in many TV and radio broadcasters and printed sources)⁵ in covering topical issues of the daily life of the country (or a particular subject of the Russian Federation, municipality, community, etc.) still represent a significant institute of civil society. The potential of mass media consists from following components: media standards are based on the classic constitutional ideals of freedom of speech and pluralism; the media are born to create an atmosphere of productive public debate; the media team is a group of professionals working with socially relevant information; media editorial offices (as well as journalists and

staff) employ additional security guarantees; the media also has the right to conduct journalistic investigations (25-28). However, the official media are largely focused on the international agenda, and the internal problems of the Russian Federation are often ignored and, as a rule, objective data on the factual state of affairs in the country is provided only by independent Internet portals.⁶ Special attention among the media deserves the indie cinema, which vividly and artistically demonstrates the life of ordinary people in the Russian outback and their relationship with officials of various authorities, employees of medical, educational and social institutions, and also with the church.⁷ On the big picture, the independent media, covering topical issues of defense for rights of citizens and legal entities (as well as similar non-profit organizations), are under constant pressure from the lobbying advantages of administrative offices inherent to government institutions.

With respect to academic freedom still remaining in higher educational institutions and scientific organizations, the scholars associations are a specific institution of civil society; they are featured by the opportunity to discuss various theoretical concepts and practical matters among themselves, including the issues that often unofficially discommended by the authorities for public consideration (other than professional case conferences).⁸ Among the scholars' associations that have real opportunity to influence the adoption of state (or municipal) decisions are public scientific-creative societies,⁹ scientific schools,¹⁰ and one-time (or periodic) creative unions featuring particular academicians.¹¹ At the same time, the results of scientific research of the majority of scholars associations remain unknown to a wide range of concerned parties, since they are published in various unnamed collections of virtual conferences or similar journals and are distributed only among the authors of these articles.

Meetings, rallies, demonstrations, marches, vigils, and other public events¹² conducted on various issues of community life are the only form of direct expression of the will of the people remaining available in the face of the actual impossibility of holding a referendum in Russia and, as a result, they represent the foremost unaffected institute of civil

² The 'Fair Aid' humanitarian NGO established by Elizaveta Glinka (also known as Dr. Liza) is probably the most world-known Russian non-profit organization.

³ Such as the Movement for Defense of Voters' Rights "Golos" (the only NGO election watchdog active in Russia that is independent of the Russian government), the Anti-Corruption Foundation established by Alexei Navalny, etc.

⁴ This opposition consists in the unreasonable bringing to administrative and criminal responsibility of the leaders of non-profit associations, the inclusion of legal entities in the register of NPOs performing the functions of a foreign agent, conducting unreasonable inspections of the activities of particular organizations by the state (or municipal) authorities, etc.

⁵ Self-censorship is most common in regional and local mass media; the latter, under conditions of a lack of funding, may become dependent upon government and business entities.

⁶ With the few exceptions such as Russian newspaper Novaya Gazeta (lit. New Gazette), well known for its critical and investigative coverage of Russian political and social affairs; the print edition of this newspaper is still published 3 times a week.

⁷ In particular, these movies include *The Fool*, *Living*, *Pagans*, etc.

⁸ For instance, within the framework of forensic investigations, such issues include specific algorithms for committing certain crimes and methods for their detection, features of special software used by law enforcement agencies, etc.

⁹ A good example is the Russian Academy of Natural Sciences, which 'brought together scientists of very different disciplines - naturalists, high-tech innovators and humanities, all driven by a common desire to promote self-expression, creative personality, development of education, and expansion of fundamental and applied scientific research'. See: Lagutkin, Trubnikov, Grudtsina; *Op.cit.*

¹⁰ The authors tend to broadly share the skepticism towards the scientific schools (including juridical ones), which is based on the fact that the most of the subject matters on which representatives of these scholars associations continue to work for several decades are exhausted; the influence of old and eminent scholars on the problems studied by young researchers is quite negative, and leads to their general bureaucratization and commercialization as well.

¹¹ As a rule, such scholars associations are launched for joint discussion of one or several interrelated scientific problems and the subsequent publication of the obtained results.

¹² Such as online civic and social initiatives; creation of community groups monitoring the implementation of public demands by government authorities and officials; forming a Deep State from among representatives of independent parties and non-profit organizations, leading experts in various fields of knowledge, etc.

society. The most recent characteristic feature of nearly all forms of social activity should be considered the disinclination of people to put up with specific illegal or unfair decisions, as well as with antisocial statements by particular representatives of the state (or municipal) authorities.¹³ It should be also acknowledged that civil society activists are increasingly confronted with the unfriendly attitude from all levels of government, and also become the object of manipulation by various political forces that are seeking to use popular discontent to upgrade their ratings. The outlined characteristic of the current state of the prime people's associations in Russia and their derivative components allows assuming that on retention of current domestic and abroad conditions, the institutions of civil society will acquire the following consistent development trends in the nearest future:

First, it will be the growing confrontation between the authorities and the majority of civil society institutions, which will be expressed, on the one hand, in an effort to fully subordinate all people's associations and their derivatives to the interests of the state (including the use of quasi-social 'bikeshedding' organizations); on the other hand, such confrontation will also be manifested in radicalization of the vox populi expression.

The second major forecasted trend will be the revival of a number of fundamental institutions of civil society (political parties, public defenders, etc.) and the emergence of new ways of people's interaction (such as virtual and telecommunication networks, etc.), focused on building a law-bounded state in Russia.

And the last but not least, the third trend will be represented by the formation of the willingness of the overwhelming majority of the country's population, which constitutes the institutions of civil society, to accept responsibility for the future of the Russian state regardless to internal and external opposing factors.

4 Conclusion

The schematic description of the prime institutions of civil society in Russia, as well as the described trends of their development, allows drawing the following conclusions:

- The prime domestic institutions of civil society are the non-profit organizations, the media, and scholars associations, as well as various forms of public activity focused on the implementation of civic and political rights and freedoms;
- Acting people's associations (and their derivatives) that defend civic and political rights and freedoms often experience problems of interrelations with authorities that seek to restrict their activities in certain spheres of public life;
- An increase in the social activity of the population is forecasted for the coming years, namely, the radicalization of voicing, the revival of the fundamental and emergence of new civil society institutions, and acceptance by compatriots of responsibility for the future of the country.

The results of the study can be used by members of the Presidential Council for Civil Society and Human Rights in their advisory and human rights activities. Summing up the conducted research, it should be noted that the very being of every citizen largely depends on the functioning of the institutions of civil society, which is the basis of any free and people-governed state. Therefore, it is the common responsibility of the current and future generations to support the various independent people's associations and their derivatives, focused on the defense for human rights.

References

1. Avakyan SA. Constitutional Law of Russia: textbook, Vol. 1. Moscow. 2007;719.
2. Andreyeva NA. I Cannot Forsake My Principles [Ne mogu postupit'sya principami] / newspaper Sovetskaya Rossiya, March 13. 1988;60:3.
3. Baybakov VYu. The state and society in the theory of Russian liberalism of the XIX - early XX century [Gosudarstvo i obshchestvo v teorii rossiiskogo liberalizma XIX - XX veka]. SWSU Bulletin, Series History and Law. 2013;3:94–99.
4. Borisova ID, Oshmarin AA. The formation and development of civil society in the Russian Empire and contemporary Russia: on the issue of continuity and discontinuity. Bulletin of the Moscow State Regional University, Series Jurisprudence. 2018;2:8–18.
5. Boyarskih AV. Stages of formation of theoretical concepts of civil society. Administrative and municipal law. 2012;1:12–18.
6. Vorobyeva YuYu. Religious organizations as an institution of civil society: features of legal status. Administrative and municipal law. 2015;8:865–871.
7. Galkina EV. Citizens' Forum as a form of civil society development in modern Russia [Grazhdanskie forumy kak forma razvitiya grazhdanskogo obshchestva]. SSU Bulletin. 2006;44:212–219.
8. Grudtsyna LYu. The content and classification of civil society institutions in Russia. Modern Law. 2007;12–1:21–28.
9. Zhichkina SE. Civil Society: Theoretical-Legal Model and its Implementation in the Present-day Developments of Society and the State. SWSU Bulletin. Series Law. 13(2):16–20.
10. Zobnina TV. Development of civil society in the Russian state. Journal 'Tambov University Review. Series Humanities'. 2008;8:301–303.
11. Kiseleva AM. Local community as the basis for the formation of a civil society in Russia. Herald of Omsk University. Series Economics. 2007;1:64–68.
12. Korolev BI. Elements of civil society in Russia in the context of the political crisis of the beginning of the 20th century [Elementy grazhdanskogo obshchestva v Rossii v usloviyakh politicheskogo krizisa nachala XX veka]. 'Vestnik of Lobachevsky University of Nizhni Novgorod' journal. 2014;3-2:101–104.
13. Lagutkin AV, Grudtsina LYu, Trubnikov VI. The dual social and legal nature of a phenomenon of civil society in Russia. Modern Law. 2013;5:11–16.
14. Malko AV, Strus KA. Legal basis for the formation of civil society in contemporary Russia (review of the all-Russian scientific and practical «round table»). 'State and Law' scientific journal. 2011;9:112–121.
15. Matuzov NI, Malko AV. Theory of State and Law: course of lectures. Moscow. 2011:528.

¹³ The decisions of the authorities to raise the retirement age and issues of garbage recycling in certain regions of the Russian Federation were the most discussed topics on the public agenda over the past year, causing a sharp increase in civic engagement. Among the official statements of a number of post holders, noteworthy is the flagrant anti-social declaration by Olga Glatsky, made on October 24, 2018, at a meeting with schoolchildren in Kirovograd, Sverdlovsk region. See: The Ural official explained to the children that the state does not ask anyone to give birth and owes nothing to young people // Newsru.com: news portal, Nov. 5, 2018. URL: <https://www.newsru.com/russia/05nov2018/olga.html>

16. Nikitina EE. Institutionalization of civil society in Russia: historical and theoretical aspect. *Journal of Russian Law*. 2017;2:30–41.
17. Nikitina EE. The development of idea of 'civil society' in the works of Russian legal experts of the late XIX - early XX cc. *Journal of Russian Law*. 2017;3:29–40.
18. Nikitina EE. System of Civil Society's Institutions in Russia: the Constitutional and Legal Aspect. *Journal of Russian Law*. 2017;6:37–49.
19. Parasyuk EA. The idea of civil society in Russian jurisprudence of the late XIX - early XX cc. *Journal of Russian Law*. 2010;12:101–109.
20. Pribudagova DSh, Musalova ZM. The role of civil society institutions in counteracting extremism in Russia. *Russian Journal of Criminology*. 2017;11(4):784–793.
21. Tikhomirov YuA. Civil society in focus of law [Grazhdanskoe obshestvo v fokuse prava]. *Journal of Russian Law*. 2013;10:35–45.
22. Treskov AP. Opinions of some Russian legal experts of the XIX – XX cc. on civil society in Russia [Vzglyady rossiiskikh pravovedov XIX–XX vv na grazhdanskoe obshestvo v Rossii]. *"Leningrad Law Journal"*. 2015;3:43–52.
23. The Ural official explained to the children that the state does not ask anyone to give birth and owes nothing to young people // Newsru.com: news portal, Nov. 5, 2018; 5 URL: <https://www.newsru.com/russia/05nov2018/olga.html> (acc. date: 02.01.2019).
24. Usvatov IS. To the question of the structure of civil society: defining the concept of the institution of civil society [K voprosu o strukture grazhdanskogo obshestva: opredelenie ponyatiya instituta grazhdanskogo obshestva]. *Gaps in Russian legislation*, 2009;4:82–84.
25. Sheverdyaev SN. Opportunities of the Mass Media as an Institution of the Public Anticorruption Control . *Journal of Russian Law* 2017;9:142–150.
26. Shital, P., Mirza, M., & Kadam, M. (2018). Thoracic manifestations of Gynecological tumors: Airway and lung parenchymal involvement commoner in endometrial and ovarian cancers while pleural and interstitial involvement is predominant in cervix malignancies. *European Journal of General Medicine*, 15(1).
27. Çanakçı SE, Turkdogan KA, Dağlı B, Aköz A, Avcil M, Duman A. Retrospective Investigation of Treatment Protocols for Drug Poisonings Admitted to Emergency Department. *J Clin Exp Invest*. 2018;9(1):14-20. <https://doi.org/10.5799/jcei.413055>.
28. Kurmanali, A., Suiyerkul, B., Aitmukhametova, K., Turumbetova, Z., & Smanova, B. (2018). Analysis of the proverbs related to the lexemes " tongue/language". *Opción*, 34(85-2), 97-115.