

Eastern Review

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EASTERN REVIEW 2020, T. 9

Introduction

Dear Readers,

We are presenting you the 9th issue of *Eastern Review*. This issue is published in a formula inaugurated last year – entirely in English. Our journal has received funding from the Polish Ministry of Science and Higher Education under the Support for Scientific Journals Program, which aims to strengthen the level of internationalization of both the published content and the editorial team of the journal. Recently, *Eastern Review's* back issues have been made available at Elsevier's Digital Commons publishing and institutional repository platform.

Accordingly, in this volume, the majority of authors are from abroad: Belarus, Georgia, Russia, Norway, Ukraine. It also features authors from such Polish academic centers as: Adam Mickiewicz University in Poznań, AGH University of Science and Technology, Jagiellonian University, University of Silesia in Katowice.

The journal's Program Council and its editorial team are truly international. The editorial process rests largely on the employees of the Chair of Political Systems of the Faculty of International and Political Studies, University of Lodz, supported by other members of the Faculty, as well as researchers from Belarus, Lithuania and Ukraine. The journal is published by the Lodz University's International Center for East European Research (ICEER) in cooperation with the Committee for the Study of Integration of Europe of the Polish Academy of Sciences in Lodz.

Eastern Review is committed to publishing cutting-edge research on the regions of Central and Eastern Europe, as well as post-Soviet area, viewed from political, social, economic, and cultural perspectives.

The volume opens with Sabrina P. Ramet's article *Hegel, revolution, and the rule of law*, discussing "Hegel's stress on the importance of absolute monarchy to protect a liberal political order", since, according to him, "democracy could threaten liberal values or, to put it differently, the fewer constraints on democracy, the greater the potential threat to liberalism". Marek Barański analyzes (*The political party system in Slovakia in the era of Mečiarism. The experiences of the young democracies of central European countries*) the role of political parties in the establishment of the foundations of Slovakian democracy, including the pro-democratic and undemocratic tendencies displayed by Vladimir Mečiar.

The next three articles – Victor Nitsevich, *Subjective grounds for expanding the powers of the President of the Russian Federation*; Anna Jach, *Possibilities for cooperation between the non-governmental, non-commercial sector and the public sector in modern Russia*; Roman Savenkov, *Public contestation practices in Russia in 2000–2020* – focus predominantly on socio-political processes taking place in contemporary Russia, such as the President’s expanding powers, the development of civil society and the Russian political regime’s stability being endangered by growing public contestation.

The following section includes three articles covering problems of international and national security, in the fields of digital security (Vakhtang Maisaia, Alike Guchua, Thornike Zedelashvili, *The cybersecurity of Georgia and threats from Russia*); hybrid forms of contemporary warfare, as exemplified by actions taken by Russia toward former Soviet Union’s republics (Anastasiya Ilyina, *Russia’s hybrid invasion in Belarus during the presidential election campaign 2020*); and energy security (Michał Kumor, Stanisław Porada, *A common gas market for Visegrad Group countries*).

The remaining three articles discuss various socio-cultural phenomena of modernity. Magdalena Bogucewicz (*The consequences of the migration crisis on the Balkan route and human rights: the current situation and prospects in Serbia*) examines cases of human rights violations on the Balkan route as one of the implications of European migration policies, and applies them to the Serbian context. Daria Yashkina (*A sociological perspective on the phenomenon of solo-living in Eastern Europe: An attempt at conceptualization*) looks at the phenomenon of solitary living as a consequence of the processes of individualization that are characteristic of the entire modern world. Finally, Elena V. Lebedeva (*“The right to the post-soviet city”: Analysing communication gaps in the public space*) investigates the communication gaps in the public spaces of post-Soviet cities (from the perspective of business-government-society interaction) through the paradigm lens of urban sociology coupled with the perspective of communications studies.

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Hegel, revolution, and the rule of law

Abstract. Georg Wilhelm Friedrich Hegel was one of the philosophic giants of the nineteenth century. Well versed in both ancient and more recent philosophical tracts, he rejected the individualism of Hobbes and Locke, as well as their notion that the state was an agency set up in the first place to protect life and property, and, drawing inspiration from Aristotle, outlined a vision of the state as an agency bound, in the first place, to protect the weak and the powerless. Hegel further rejected Kant's individualistic ethics and counseled that ethical behavior had to be understood as taking place in a social context, with real duties toward other people. For Hegel, an individual had rights and duties within the context of the family, in the community, and, as a citizen, *vis-à-vis* the state. He emphasized the network of duties in which each individual finds himself, urging political moderation and concern for the good of the entire community. He has been condemned as a proto-totalitarian, lauded as a democrat of sorts, and described variously as liberal, anti-liberal, authoritarian, conservative-monarchist, and constitutionalist. This essay will argue that Hegel came to champion a constitutional-legal order (*Rechtsstaat*) under an autocratic monarch, with protection for liberal values. The absolute authority of the monarch, thus, was limited to those powers which he needed in order to advance and protect the interests of the citizens of the realm.

Keywords: G.W.F. Hegel, philosophy, revolution, rule of law.

Hegel was a towering figure in nineteenth century philosophy, offering a vision of a world moving steadily in a progressive direction, toward greater freedom and ever greater understanding. It was an inspiring vision. But it was his methodology, combining geneticism, that is, a search for the origins of phenomena, and monism, the understanding that all facets of socio-political life are interconnected, with the dialectical method, a method which emphasizing

the interaction of opposing factors in producing change, which influenced some of his contemporaries the most. Among those who were influenced by Hegel's questions and methodology was Karl Marx, and even today Hegel continues to have lingering influence, albeit often indirect, in the way scholars approach questions of historical, cultural, and political change.

In turning to Hegel, one encounters one of the most problematic and controversial thinkers of all time.¹ While Hobbes, Rousseau, and for that matter Plato, as well as others, have seen their share of controversies, in the case of Hegel, commentators have argued over the most basic points, including:

- Whether Hegel was a democrat or an authoritarian.
- Whether Hegel should be seen as part of the liberal tradition or not.
- Whether Hegel is politically on the “left” (secular, pro-working class) or on the “right” (clerical, pro-establishment).
- Whether his methodology (dialectical monism) is inherently “progressive” and whether it can be somehow “separated” from his substantive points and conclusions.
- And even whether he should be understood as an “idealist” or as a “realist”, or as standing somehow outside or above this dichotomy.

This last controversy is a bit surprising, given the intensity of Hegel's attack in *The Phenomenology of Mind* on Kant's idealism.

The French Revolution and the wars which it spawned constituted a watershed in European history and confronted political thinkers with the necessity of rethinking fundamental questions about political life. The French Revolutionary Wars, in which the Holy Roman Empire and Prussia were allied with countries fighting against revolutionary France, lasted from 1792 to 1802, while the Napoleonic Wars, which followed, lasted from 1803 to 1815. In 1819, Hegel wrote to a colleague,² that in his 40 years he had seen too much fear and plenty of (dashed) hopes, and hoped for a time when the fears which had engulfed the continent would dissipate (Ritter, 1965: 18). It would have been impossible for anyone thinking seriously about politics in his day to have avoided reflecting upon the relationship between revolutionary aspirations and war. For Hegel, witnessing 23 years of virtually continuous conflict, war appeared to be a predictable, and in that sense “normal”, recourse for states unable to resolve serious differences by peaceful means (Hegel, 1967a: 24).

¹ Among classic and noteworthy works on Hegel, one may mention (in chronological order): Ritter, 1965; Pelczynski (ed.), 1971; Avineri, 1972; Taylor, 1975; Shklar, 1976; Albrecht, 1978; Taylor, 1979; Wood, 1990; Beiser (ed.), 1993; Patten, 1999. Among recent, noteworthy books dealing with Hegel, one may mention (in alphabetical order): Cristi, 2005; Neuhaus, 2000; Pippin, 2008, 2011; Smith, 1989a; Taylor, 2008, 2015.

² Georg Friedrich Creuzer (1771–1858).

But, in spite of its destructiveness, war was also regenerative, according to Hegel. “War has the higher significance,” he wrote in *Philosophy of Right* (1967a: 210):

that by its agency, as I have remarked elsewhere, “the ethical health of peoples is preserved in their indifference to the stabilization of finite institutions; just as the blowing of the winds preserves the sea from the foulness which would be the result of a prolonged calm, so also corruption in nations would be the product of prolonged, let alone ‘perpetual’, peace.

War also served to unite the citizens of a state the most firmly around the state.

But the French Revolution, also unleashed the ill-famed Reign of Terror in which, between 27 June 1793 and 27 July 1794, some 1,285 persons were guillotined in Paris. In their quest for freedom, the French revolutionaries had let loose a “rage and fury of destruction,” as Hegel put it (1967b: 604). Indeed, in his chapter on “Absolute freedom and terror”, Hegel used the expression “absolute freedom” in a disparaging way, reflecting on how “absolute freedom puts itself on the throne of the world, without any power being able to offer effectual resistance” (Hegel, 1967b: 601). The French revolutionaries had proclaimed *liberté, égalité, fraternité*, and, Hegel noted, in the quest for “absolute freedom all social ranks or classes, which are the component” spiritual factors into which the whole is differentiated, are effaced and annulled” (Hegel, 1967a: 601). But, Hegel would argue later in *Philosophy of Right*, “‘Men are made’ unequal by nature... To oppose to this right a demand for equality is a folly of the Understanding which takes as real and rational its abstract equality and its ‘ought-to-be’” (Hegel, 1967a: 130).

His intellectual development

Georg Wilhelm Friedrich Hegel (1770–1831) read widely in the works of *classical antiquity* (not only Plato, Aristotle, and Thucydides, but also Sophocles, whose play, *Antigone*, he translated into German) and of *The Enlightenment* (including Hobbes, Locke, Kant, Feder, Sulzer, Mendelssohn, and Montesquieu – indeed “the whole tradition of the Enlightenment”) (Avineri, 1972: 1). In reading Kant, the young Hegel was impressed by Kant’s thesis “that it is not possible to know ‘things-in-themselves’ or things as they really are” (Inyang, 2005). Hegel was also influenced by Kant’s demonstration of the limits of human reason (Alcoff, 2010: 287). But already in his early years, Hegel did not find Kant’s appeal to the categorical imperative sufficient, either to induce ordinary people to be moral or to guide people with any certainty to behavior which would be recognized as moral. On the contrary, Kant’s approach to morality struck Hegel as hopelessly formalistic

and ultimately leading to moral subjectivism (Kaufmann, 1954: 6). We shall return to Hegel's criticism of Kant below, in the section devoted to Natural Law.

The young Hegel was also exposed to the ideas generated in classical Greece, both through the works of Schiller and Goethe (especially the latter's *Iphigenie*) and through his exposure to the writings of Aristotle, which he read in the original Greek (Kaufmann, 1954: 14; Ferrarin, 2004: 395). In time he would embrace the Greek thinker's emphasis on the weight to be placed on the mores of the community – a position which represented an explicit repudiation of Kant's individualistic ethics.

In 1801, he was named Privatdozent at the University of Jena. The French Revolution was, by then, far advanced, and in the years 1806–1813, Hegel was broadly sympathetic to the principles for which the Napoleonic army was purportedly fighting. No German nationalist, he endorsed the decision taken at the Congress of Vienna (in 1814) not to establish a unified Germany. For him, the challenge to be met was not unification but political modernization; it was in this spirit that he expressed satisfaction with the reformed states of Bavaria, Württemberg, and Prussia, after the close of the Napoleonic Wars.

Both in his attitude to the Napoleonic code and in his response to German political reforms, Hegel was guided by his belief that the Enlightenment (especially Lockean) concept of the state which served, in the first place, to preserve property, however defined, was simply inadequate. Already in this period, in his manuscript, *The German Constitution* (1802) (Pelczynski, 1964: 13), Hegel shifted the emphasis from the protection of property to the organization for “common action and common defence.” Eventually, in *Reason in History*, Hegel would define the state, or at least the progressive state, as the natural order of things, and insist that humankind realized the fullest freedom by operating within the legal framework of a strong state – a proposition which surely seemed self-evident in the revolutionary times in which he lived.

If the question of religious toleration may be seen as a barometer of left versus right, then, at least on this issue, Hegel was gravitating to the left. On this subject, he wrote that

in religion at least an identity might have been thought necessary, but... [s]imilarity of religion has no more prevented wars or united peoples into a state than dissimilarity of religion has in our day rent the state asunder (Hegel, 1964: 158–159).

In fact, Hegel emphasized that the state's control and regulation of the lives of citizens should be limited to what is necessary for it to function and for the defense of the homeland.

In March 1807, the same year that his *Phenomenology of Mind* was published, he moved to Bamberg to assume the post of editor of the local newspaper, *Bamberger Zeitung*. Marriage in 1811 was followed by the publication of *Die*

Wissenschaft der Logik (*The Science of Logic*) in three volumes (1812–1816) (Hegel, 1969). At this point, he received offers of a post from the universities of Berlin, Erlangen, and Heidelberg. He chose Heidelberg; the major achievement during the years he spent in Heidelberg was the publication of his *Enzyklopädie der philosophischen Wissenschaften im Grundriß* (*Encyclopedia of Philosophical Science in Outline*) in 1817 (Wiedmann, 2003: 59). Then, in 1818, he accepted a renewed offer from the University of Berlin and moved to Berlin, where he lectured on the philosophy of history, the history of philosophy, the philosophy of religion, and aesthetics until his death in 1831. In 1821, came publication of his *Grundlinien der Philosophie des Rechts*, published in English under the title *The Philosophy of Right*. Hegel's last political work was his essay, *On the English Reform Bill*, published in 1831.

In August 1831, Berlin was hit by a cholera epidemic. Hegel left the city and took up temporary residence in Kreuzberg. When the school year began in October, Hegel returned to Berlin but, on 14 November of that year, he passed away. The official diagnosis was that he had died of cholera. At the funeral ceremony held at the University of Berlin, Philip Konrad Marheineke, one of the speakers, “likened Hegel’s death to Christ’s leaving the terrestrial realm in order to return to the ethereal heights of the spiritual kingdom” (Avineri, 1968: 135).

Hegel and natural law

Hegel “was engrossed in the reading of Kant... when the French Revolution broke out,” and Hegel would subsequently define his own position on morality, in part, in response to Kant’s framework (Pelczynski, 1964: 13; Kroner, 1921, 1924, 1941: 188–198). As early as 1802, Hegel published an essay on Natural Law in the *Kritisches Journal der Philosophie*, assaying a critique of Kant’s moral rationalism and of British empiricism (as expostulated among others by Locke and Hume. In this essay, Hegel described what he considered “the breakdown of traditional Natural Law theories” (Avineri, 1972: 83). The heart of the problem, for Hegel, was what to make of the allegedly supreme authority of conscience and how to reconcile this with the claim of the state to political supremacy. Kant had confronted the problem head-on and had adopted the solution favored by Richard Hooker: i.e., where the government issues an immoral order, the individual should choose passive disobedience and, if need be, martyrdom; rebellion and revolution were ruled out. Hegel considered this solution of the problem inadequate. He believed there were at least two problems with Kant’s formulation. The first was that Kant’s categorical imperative can guide individuals only to consider what they, subjectively, believe would be universalizable. However, this pure subjectivity could actually result in actions which would be widely considered immoral,

and could have injurious results (Mertens, 1995: 668). The second problem was that the appeal to the categorical imperative as the criterion for moral judgment elevates individual judgment above the rules and expectations of the community in which the individual lives, which, in Hegel's view, could only lead "to hatred of the law, to the destruction of the ethical community and to the ruin of the public order in which the law is supposed to function" (Mertens, 1995: 670). Now, having critiqued previous efforts to grapple with Natural Law, Hegel proceeded to lodge ethical life not in personal morality, let alone in religiosity, but in civic-mindedness, which is to say that, for Hegel, virtue consisted in an orientation toward the good of the community and an attention to one's concrete duties – to one's family, one's local community, and one's state – quite a difference from Kant's individual-centered categorical imperative!

The Phenomenology of Mind (1807)

Turgid in its prose and often defiantly obscure, *The Phenomenology of Mind* (*Die Phänomenologie des Geistes*) is Hegel's greatest masterpiece. In this work, one sees Hegel torn between his fear "that history is essentially catastrophic" (Lichtheim, 1964: 21) and his hope that history would provide a stage for a growth in humankind's awareness of its potentials and moral resources, and evolution of steadily more progressive forms of political association. It was, thus, with a retrospective glance to Hobbes (whose political philosophy Hegel reviled), that Hegel closed *The Phenomenology...* by constructing history as "at once the recollection and the Golgotha of Absolute Spirit, the reality, the truth, the certainty of its throne, without which it were lifeless, solitary, and alone" (Hegel, 1967b: 808).

In his *Phenomenology...*, he poured scorn on both German idealist Friedrich Wilhelm Joseph Schelling (1775–1854) and Kant, calling the latter's moral system "lifeless" while finding a tendency in Schelling to lead his converts into "the night in which, as we say, all cows are black – that is the very naïvete of emptiness of knowledge" (Hegel, 1967b: 79).³ Against these antagonists, Hegel promised to sketch a path to a higher truth, understood as a "bacchanalian revel, where not a member is sober" (Hegel, 1967b: 105).

The French Revolution, as Hegel understood it, was sparked, among other things, by a widespread desire for what he termed "universal freedom". But universal freedom – or perhaps one might say, the drive to establish universal freedom – can "produce neither a positive achievement nor a deed; there is left for it only negative action" (Hegel, 1967b: 604). Moreover, by shattering the pre-existing social order and proclaiming a doctrine of popular sovereignty in

³ Regarding "lifeless" (Hegel, 1967b: 108).

which “the people” were expected to speak with a single voice, the revolutionaries opened the way for the use of terror against those who disagreed with their policies (Wokler, 1998: 43). In this regard, Hegel’s fear of the consequences of the disintegration of political order was not so different from Hobbes’, even if his solution was entirely different. On the other hand, Hegel differed from Hobbes and Kant in viewing war as not only unavoidable but also salutary, insofar as it induced individuals to think as citizens and to fight to protect the community. But revolution was another matter, because, unlike interstate war, it did not unite citizens in a common cause, but divided them. Revolution, thus, inexorably resulted in a fluidity in, and uncertainty about, social mores, a breakdown in consensus about the business of politics, and a condition in which violence, even against innocent bystanders, could not be excluded. Accordingly, in a passage striking both for its directness and for its clarity, Hegel reflected that, insofar as the aspiration toward “universal freedom” is associated with revolution,

[t]he sole and only work and deed accomplished by universal freedom is therefore death – a death that achieves nothing, embraces nothing within its grasp; for what is negated is the unachieved, unfulfilled punctual entity of the absolutely free self. It is thus the most cold-blooded and meaningless death of all, with no more significance than cleaving a head of cabbage or swallowing a draught of water (Hegel, 1967b: 605).

The reference to the “draught of water” was inspired by the not-so-uncommon practice, in French revolutionary times, of carrying out mass executions by drowning (Schmidt, 1998: 43). As for the cabbage heads – as Hegel saw – the revolutionaries experienced no more anxiety or remorse in guillotining those they came to view as enemies of the people than they had in chopping cabbage!

The problem with universal freedom, as understood by the French revolutionaries, was that it was conceptualized outside the framework of an ethical community, as if the individual should be seen as floating above the community, a law unto himself. Hegel would return to the legacy of the French Revolution in his *Philosophy of Right*, declaring there that

[Rousseau] takes the will only in a determinate form as the individual will, and he regards the universal will not as the absolutely rational element in the will, but only as a ‘general’ will which proceeds out of this individual... The result is that he reduces the union of individuals in the state to a contract and therefore to something based on their arbitrary wills, their opinion[s], and their capriciously given express consent... For this reason, when these abstract conclusions came into power, they afforded for the first time in human history the prodigious spectacle of the overthrow of the constitution of a great actual state and its complete reconstruction ab initio on the basis of pure thought alone, after the destruction of all existing and given material... and the experiment ended in the maximum of frightfulness and terror (Hegel, 1967a: 157).

Hegel, indeed, had welcomed the Revolution initially, but recognized that it had ended in disaster, indeed in the transformation of the First Republic into the Empire established by Napoleon Bonaparte.

Hegel followed developments not only in Europe but also in Saint-Domingue, a French colony in the Caribbean, where black slaves launched a 15-year-long rebellion in 1791, finally establishing the independent state of Haiti in 1805 (Buck-Morss, 2000: 833–835). Coming just two years after the French revolutionaries had unfurled a banner calling for liberty and equality, the Caribbean rebellion drove home the point that calling “the Rights of Man” universal and demanding universal equality could only be hypocritical unless liberty and equality were extended to all humans, regardless of race or color.⁴ In fact, the section on “Lordship and Bondage” in *The Phenomenology of Mind* was inspired, at least in part, by events transpiring in Saint-Domingue (Buck-Morss, 2000: 842–854; Buck-Morss, 2009). Thus, in writing that “it is solely by risking life that freedom is obtained” (Hegel, 1967b: 233), Hegel was thinking precisely of the “life-and-death struggle” (Hegel, 1967b: 232) taking place in the Caribbean. In a passage which has puzzled some readers because of the abstract way it was formulated, Hegel wrote:

just where the master has effectively achieved lordship, he really finds that something has come about quite different from an independent consciousness. It is not an independent, but rather a dependent consciousness that he has achieved... But just as lordship showed its essential nature to be the reverse of what it wants to be, so, too, bondage will, when completed, pass into the opposite of what it immediately is: being a consciousness repressed within itself, it will enter into itself, and change round into real and true independence (Hegel, 1967b: 236–237).

Transposing this into the Caribbean context, it becomes clear that, insofar as the slave-holding class made itself dependent on slavery for its wealth (Buck-Morss, 2000: 847), its consciousness of itself as the dominant class was indeed dependent on holding the slaves in subjection. In this way, while “the master... gets the enjoyment” from this relationship, as Hegel put it, the master finds that his “consciousness... is mediated with itself through another consciousness” (Hegel, 1967b: 234).

⁴ Hegel relied, in part, on the monthly journal *Minerva* for information about political developments worldwide and coverage of the Haitian rebellion in *Minerva* was especially thorough during the period from fall 1804 to the end of 1805, precisely at the time when Hegel, a regular reader of *Minerva*, was fully absorbed with the writing of *The Phenomenology of Mind*. It is likely, thus, that his famous phrase, “the owl of Minerva flies at dusk”, refers not only to the Roman goddess of wisdom but also to the journal, and, in suggesting that wisdom might “fly” only at dusk, he had in mind that people respond to crises in a wise way only when the crisis has reached the point where it is almost too late. Humanity’s belated and still hesitant response, in the 21st century, to the perils associated with global warming and the destruction of the environment and its species may serve as an illustration of what would be included this reference.

The Philosophy of Right (1821)

By the time Hegel assumed his post at the University of Berlin (in 1818), he had completely turned his back on the Enlightenment notion that the state should serve to protect property, which is to say, to protect the propertied classes. On the contrary, for Hegel, it was the state's duty to function as the protector of the weak and the propertyless. In *The Philosophy of Right* (PR), Hegel championed the rule of law, which he believed was gaining ground in Europe. Skeptics notwithstanding, it was not Hegel's intention to portray the Prussian monarchy as the highest embodiment of reason and the rule of law. Rather, his purpose in writing PR was to ground morality in the social context and to explain why freedom presumed and required the rule of law. On his view, moral behavior can be understood to mean behavior consistent with a community's moral consensus. On the surface, this might seem to imply moral relativism. But this is not the point. Rather, the point is that no individual should presume to construct a private morality from scratch, ignoring the moral consensus: such an approach can have disastrous consequences (Smith, 1989: 4–5; Pinkard, 1986: 222–223).

It was precisely here that Kant had erred, according to Hegel. By uprooting moral judgment from social context and appealing to the formulaic categorical imperative, Kant left it to each individual to decide for him – or herself whether a particular choice or action could be universalizable. The result was that Kant allegedly opened the door to extreme subjectivism in both moral and political decision-making (Mertens, 1995: 670; Ramet, 1983: 281–299). Bearing in mind that the political order (the state) was the guarantor of the community, and that it was only within a community that any person could realize his or her full potential, Hegel drew two inferences: first, patriotism, understood as loyalty to the community, had high ethical value; and second, freedom, in the sense in which we normally understand it, is possible only within a state operating according to the rule of law (a nomocracy). (When one considers the most likely alternatives – whether an anarchic society characterized by rivalry between plundering warlords or a dictatorship operating without any legal protections or a theocracy, in which self-designated prophets impose their vision of the will of God on everyone or a plutocracy in which the rich rule a state constructed to function as their agent – nomocracy looks preferable, especially for those who might not be associated with the ruling elites.)

Hegel was also committed to the idea that real equality had to include more than mere equality before the law. Accordingly, he championed progressive taxation as a device which might serve to promote economic equality. Yet, at times, Hegel's notion of the state seems utterly elusive. Consider, for example, the following passage from *The Philosophy of Right*:

What is of the utmost importance is that the law of reason should be shot through and through by the law of particular freedom, and that my particular end should become identified with the universal end, or otherwise that state is left in the air. The state is actual only when its members have a feeling of their own self-hood and it is stable only when public and private ends are identical. It has often been said that the end of the state is the happiness of the citizen. That is perfectly true. If all is not well with them, if their subjective aims are not satisfied, if they do not find that the state as such is the means to their satisfaction, then the footing of the state itself is insecure (Hegel, 1967a: 281).

On the face of it, it might appear that Hegel's call for public and private ends to be rendered identical could be realized only at the expense of the individual. But the emphasis should, it seems to me, be placed on Hegel's notion that the purpose of the state is to foster "the happiness of the citizen" – a formulation not so remote from Jefferson's appeal to "life, liberty, and the pursuit of happiness" – and on his affirmation that "the law of reason should be shot through and through by the law of particular freedom" by which Hegel appears to have meant that the laws of the state should safeguard the particular freedom of each individual – an assertion which betrays agreement with, if not a debt to, Spinoza. But what is this happiness? Hegel tells us – in Charles Taylor's paraphrase – that "the happiest, unalienated life for man, which the Greeks enjoyed, is [one] where the norms and ends expressed in the public life of a society are the most important ones by which its members define their identity as human beings" (Taylor, 1975: 383). Happiness, in brief, consists in contentment with the norms and ends expressed in public life.

This formulation already points to Hegel's conviction that the state did not exist merely, or even primarily, to serve the interests of individuals. In paragraph 258 of *Philosophy of Right*, Hegel rejected the Lockean idea that the ultimate purpose of the state could be reduced to protecting property and securing personal freedom, a notion which, he thought, confused the state with civil society. Where Hobbes and Locke had described the state as a contract between the sovereign and his subjects, Hegel argued that "the state is not a contract at all; nor is its fundamental essence the unconditional protection and guarantee of the life and property of members of the public as individuals" (Hegel, 1967a: 71). Rather, its main function was to guarantee the ethical life of the community – which is say that people behave in accordance with the moral law and respecting their duties to each other (Taylor, 1979: 86). Social contract theory – in which connection he mentioned also Rousseau (Hegel, 1967a: 157) – was founded on an atomistic view of society, offering not so much a false interpretation as one that is only partial. In Hegel's view, "the Enlightenment... sees the world only as a heap of objects, open to human scrutiny and use; it does not see it also as manifestation, the emanation of reason" (Taylor, 1975: 401).⁵ This, in turn, provides a clue as to the affinity of

⁵ I have modified the text, moving "only" from its original position just before "sees".

liberalism for a utilitarian-materialist perspective on the world. But, married to an atomistic model of free enterprise – under the slogan of “the invisible hand” – social contract theory ends in self-contradiction. On the one hand, it preaches that laissez faire economics allows each individual maximum autonomy to chart his or her own course. But, on the other hand, each individual operates within a system to which s/he contributes only minor input, a system which is the product of competition rather than of vision (“will” in Hegel’s terminology). In Hegel’s view, thus, an individual is actually less free in a laissez faire system than s/he is in a society in which the state, acting on behalf of all citizens, fashions rules which operate in the interest of all (Taylor, 1975: 401).

Like many persons in his era, Hegel believed that religion was “an integrative factor in the state” (Hegel, 1967a: 168) and could condition people to ethical behavior. Hence, it is not surprising to find him suggest, in *Philosophy of Right*, that “the state should even require all its citizens to belong to a church”, though he immediately adds, “a church is all that can be said, because since the content of a man’s faith depends on his private ideas, the state cannot interfere with it” (Hegel, 1967a: 168). Thus, the state cannot be confessional, and state neutrality in matters of religion is upheld. In this, he rejected Rousseau’s appeal to a civic religion. Indeed, in an early essay, Hegel had declared that “nothing is more intolerable than publicly employed guardians of morals” (Nohl, 1907: 45 cited in Kaufmann, 1954: 7–8). While he would adopt a more friendly disposition toward Christianity in PR, he had rejected, in his early writings, any doctrines which claimed to “transcend reason without contradicting reason” (Nohl, 1907: 53 cited in Kaufmann, 1954: 8), and seemed, if anything, to admire the Olympian religion of classical Greece.

But Hegel insisted that there could be no tolerance for the non-performance of civic duties, even if the recalcitrants should justify their non-performance in terms of their religious faith. Here Hegel appeared to be criticizing those religious sects which objected to public oaths, to the performance of military service, and so forth. Hegel’s criticism was direct and harsh:

Those who ‘seek guidance from the Lord’ and are assured that the whole truth is directly present in their unschooled opinions, fail to apply themselves to the task of exalting their subjectivity to consciousness of the truth and to knowledge of duty and objective right. The only possible fruits of their attitude are folly, abomination, and the demolition of the whole ethical order, and these fruits must inevitably be reaped if the religious disposition holds firmly and exclusively to its intuitive form and so turns against the real world and the truth present in it in form of the universal, i.e., of the laws... (Hegel, 1967a: 167).

Yet, like Rousseau, Hegel saw the ethical life of the community realized within the framework of the state; for both thinkers, either religious associations support

the state (in which case they are to be evaluated positively) or they undermine the state (in which case they do not deserve to be tolerated and indeed, should not be tolerated). Hegel was quite explicit on this point, telling us:

the state is not a [mere] mechanism but the rational life of self-conscious freedom... On the other hand, the doctrine of the church is not purely and simply an inward concern of conscience. As doctrine it is rather the expression of something, in fact the expression of a subject-matter which is most closely linked, or even directly concerned, with ethical principles and the law of the land. Hence, at this point the paths of church and state either coincide or diverge at right angles (Hegel, 1967a: 170).

The Philosophy of History (1830–1831)

Hegel's point of departure in *The Philosophy of History* was that the world operates according to rationally comprehensible principles. It followed, for him, that "in world history, things have come about rationally" (Hegel, 1953: 11). This did not mean that people should be presumed to act rationally or even that some ultimate rational purpose is served by people's irrational actions. What it meant, for Hegel, rather was that one could understand politics and history in terms of certain scientific laws – which had the consequence that political science could be possible. And yet, Hegel's meaning was not limited to that. In fact, he also wanted to suggest that, in some larger sense, history unfolds in accordance with a rational principle, and hence he wrote that

world history... has proceeded rationally, [...] it represents the rationally necessary course of the World Spirit, the Spirit whose nature is indeed always one and the same, but whose one nature unfolds in the course of the world (Hegel, 1953: 12).

Hegel at once connected this point of view with that of the pre-Socratic philosopher Anaxagoras (Hegel, 1967b: 114), whom he credited with first having viewed reason as a guiding principle in world affairs.

He then asked what is the purpose of history and answered that its purpose was the development of the idea of freedom. Indeed, these two ideas – freedom and reason – are linked in the state, which Hegel described as "that actuality in which the individual has and enjoys his freedom," although he immediately qualified this by adding, "but only as knowing, believing, and willing the universal" (Hegel, 1953: 49). For Hegel, it made no sense to talk of either freedom or duty outside an ethical order, which is to say, outside a community. Hence, "[t]he right of individuals to be subjectively destined to freedom is fulfilled when they belong to an actual ethical order, because their conviction of their freedom finds its truth in such an objective order" (Hegel, 1967a: 109). Moreover, it is in duty that "the

individual finds his liberation... from dependence on mere natural impulse... [and] from the indeterminate subjectivity which... remains self-enclosed and devoid of actuality” (Hegel, 1967a: 107). What he meant more specifically was that it is through “the mutual constraint of all” that “a small space of liberty for each” is assured and that, therefore, “law, morality, the State, and they alone, are the positive reality and satisfaction of freedom” (Hegel, 1953: 50). But if law is the foundation of freedom and the realization of the purpose of history, then one is entitled to ask whether any kind of law will do, and any kind of state, or whether some laws are better than others. His answer is predictable, viz., that those laws are best where the state comes the closest to realizing reason in its codes. He therefore wrote that “The laws of ethics are not accidental, but are rationality itself” (Hegel, 1953: 50). As already emphasized, Hegel did *not* claim that the Prussian state was the highest embodiment of rationality. Indeed, Hegel advocated the use of trial by jury and the idea that all citizens be eligible for civil service – features not found in Prussia at the time (Brooks, 2007: 92).

Hegel’s viewpoint was explicitly teleological, with history seen as a gradual but steady ripening of knowledge, morality, and freedom. Thus, as he put it in *Philosophy of Right*,

world history is not the verdict of mere might, i.e., the abstract and non-rational inevitability of a blind destiny. On the contrary, since mind is implicitly and actually reason, and reason is explicit to itself in mind as knowledge, world history is the necessary development, out of the concept of mind’s freedom alone, of the moments of reason and so of the self-consciousness and freedom of mind. This development is the interpretation and actualization of the universal mind (Hegel, 1967a: 216).

In one of his most famous passages, directed against Kant, Hegel expanded on his vision of law based on reason. Here he offered a vision of the state as

the externally existing, genuinely moral life. It is the union of the universal and essential with the subjective will, and as such it is *Morality*. The individual who lives in this unity has a moral life, a value which consists in this substantiality alone... [This means that the individual’s] particular will has no validity... What counts is the common will (Hegel, 1953: 50).

Even more controversially, as already noted, Hegel added that the state did not exist to serve individuals, and that he would prefer to say that the state is “the end” and the citizens its means! But then he immediately cast this formulation aside, noting that the end-means formula was misleading; instead, he now suggested that “All the value man has, all spiritual reality, he has only through the state” (Hegel, 1953: 52). This passage has given rise to various misconstruals of Hegel as an authoritarian. But such misreadings of Hegel depend upon a misunderstanding of what Hegel meant by the word “*Staat*” (state). As Z.A. Pelczynski (1971: 10),

Leon Goldstein (1962: 61–66), and Kenneth Westphal (1993: 256–261) have noted, Hegel used the term “*Staat*” with a much broader meaning than what we customarily mean by “the state”; in his usage, the term referred alternatively to the political state (the government), to civil society (the citizens collectively), and to the “ethical community”, which is to say the society as a shared culture. By “civil society”, Hegel meant

a system of public authorities and autonomous bodies existing to further the private interests of individuals or their more or less organization groups... [and] also a network of spontaneous, private relations established within the framework of the law by individuals pursuing their particular ends (Pelczynski, 1971: 10).

What Hegel had in mind, thus, in emphasizing “the state” was to stress what Aristotle had previously stressed, viz., that people fulfil themselves within a community and derive their culture from that community; Hegel’s originality here consisted in his further argument that it was only through the cultural and political ties achieved in a state community that a people could aspire toward a higher level of freedom in the fullest sense (Durán De Seade, 1979: 370; Ferrarin, 2007). It followed that notions of freedom which emphasized individual preferences were misguided; true freedom meant only the possibility to live in a moral way (Hegel, 1953: 55; Neuhaus, 2000: 249). And this, in turn, meant that one could be free only if one participated, through informed give and take, in determining the moral standards of the society. By contrast, ignoring the moral views of others or defiantly doing as one pleases could not be a route to any real freedom (as Raskolnikov discovered in Fyodor Dostoyevsky’s novel, *Crime and Punishment*).

But again, there could be misunderstanding in stressing the common will and thus Hegel added the caution that one should not refer anything to “the people”. Hegel did not believe in the Enlightenment notion of popular sovereignty, viewing sovereignty rather as a facet of the state itself. As he had remarked earlier in *The Philosophy of Right*, sovereignty, in his view,

is the strictly individual aspect of the state, and in virtue of this alone is the state *one*... Hence this absolutely decisive moment of the whole is not individuality in general, but a single individual, the monarch (Hegel, 1967a: 181).

A constitution, accordingly, is embodied in the monarch and does not reflect the conscious choices and preferences of a people, according to Hegel, but should be seen rather as a measure of the level of “the people’s spiritual development” (Hegel, 1953: 60).

Hegel and liberal democracy

In *Philosophy of Right*, Hegel stated explicitly his skepticism about the notion that popular election of representatives would conduce to a government working in the best interests of the people generally. In his view, people are simply too ignorant to be trusted to pursue their own interests and are inclined to “irrational, barbarous, and frightful” behavior (Hegel, 1967a: 198). This led him to conclude that “it is not essential that the individual should have a say as an abstract individual entity [in the affairs of government]; on the contrary, all that matters is that his interests should be upheld in an assembly which deals with universal issues” (Hegel, 1967a cited in Tunick, 1998: 517). At the same time, in a passage which may reflect some inconsistency on Hegel’s part or perhaps merely some subtlety on his part, he referred, in his essay *The English Reform Bill*, to “the right of the people to participate in public affairs...The exercise of this right is a lofty duty” (Hegel, 1964: 318). It should be stressed, however, Hegel’s political vision did admit of rights and he allowed that people were under no obligation to respect bad laws or institutions (provided that they did not judge the laws on an individual basis). Insofar as Hegel viewed historical progress in terms of a widening vision of human freedom, it followed that people are free only when they recognize the laws of their community as rational and appropriate. For Hegel, “[a] practice or law is rational, and commands our commitment, if it is part of a system of ethical life that is (1) coherent and (2) functional and enduring, and (3) if we are ‘at home’ in this system of ethical life” (Tunick, 1998: 522). The notion of *home* is crucial here and refers to the community’s consensus, or perhaps, better said, *general sense*, that the laws and institutions of the state reflect the values of the community “in a system of ethical life that promotes freedom” and are broadly speaking rational (which is to say, not obviously irrational, whether in the Aristotelian sense of working solely in the interests of the ruling elite or in a more commonsensical understanding of what constitutes irrationality) (Tunick, 1998: 517–526). Where that is not the case and where the laws and institutions serve as instruments of oppression – as in the France of King Louis XVI or the French colony of Saint-Domingue – then, for Hegel, “the poor have... a right to rebel against the order which prevents the realization of their freedom” (Henrich, 1983 cited in Tunick, 1998: 529).

To understand Hegel’s response to the notion of mass participation in political life, it is critical once again to remember that he was writing during and immediately after the French Revolution and its attendant wars. On the positive side, Hegel saw that the French Revolution marked the first occasion in European history when there was a recognition of “the right of all citizens to have their welfare needs met and their personality respected, and with this the right of all human beings to be free” (Tunick, 1998: 524). He thus justified non-compliance,

resistance, and even rebellion when the state and its laws were unjust and when such actions were necessary in order to put the state (the community and its laws) on a rational footing. But, in spite of its role in making people aware of their rights and in spurring European states to rethink their politics, the French Revolution was a failure, in Hegel's view. As already noted, he recoiled at the terror which that revolution unleashed, blamed Rousseau's writings for having played a "pernicious role" in the revolution, and concluded that the whole notion of popular sovereignty was profoundly dangerous (Suter, 1971: 55–56, 62). Yet, late in life, reflecting on the French Revolution, Hegel commented, with words that sound somewhat nostalgic, "A sublime feeling ruled that time, an enthusiasm of the spirit thrilled through the world, as if we had finally come to the real reconciliation of the divine with the world" (Hegel cited in Taylor 1975: 424).

This musing, whatever else it reveals, confirms once again that Hegel cannot be construed as a conservative in the nineteenth-century understanding of that term.

Against the individualism which he identified with the French Revolution and with Kant's moral philosophy, Hegel posited an organic conception of the state, in which customs, traditions, and ethical life were accorded their place. On this point, he looked to the ancient Greek polis as a model of a society in which there was no diremption between the ethics of the community and the ethics of the individual. Against the notion of mass participation in politics, Hegel advocated a constitutional monarchy with limited popular participation but with government working in the interests of the people. To be sure, Hegel supported the establishment of an Estates Assembly, but his idea was that this would be a consultative rather than a legislative body, affording its deputies the possibility of informing themselves about the affairs of state and offering reflections for the executive to consider (Westphal, 1993: 261). Moreover, Hegel did not want to see such deputies elected as he feared that popular elections would only encourage people to promote their ostensible short-term and particular interests over the interests of the community as a whole (Westphal, 1993: 261). Hegel was, thus, no advocate of democracy. But he was no advocate of authoritarianism either, if, by that term we may understand a system in which a monarch or despot rules in his own interest and without regard to the laws of the land. Hegel was a legitimist, who believed that the monarch should succeed to the throne according to the rule of primogeniture (Christi, 2005: 12), and, far from advocating that the law could be set aside, he urged that the monarch rule within the framework of the constitution and the law. He could be described as an advocate of nomocracy and of legitimate government (as he understood legitimacy), and as hostile to irrational rule, which he equated both with authoritarianism and with mass participation democracy. In this context, it is worth stressing that Hegel *explicitly* called for the separation of Church and state (Hegel, 1967a: 173), and that he, likewise explicitly, endorsed the principle of the separation of powers, championed earlier by Montesquieu. "Amongst current ideas," he wrote in PR,

mention may be made...of the necessity for a division of powers within the state. This point is of the highest importance and, if taken in its true sense, may rightly be regarded as the guarantee of public freedom...[However,] if the powers (e.g. what are called 'Executive' and the 'Legislature') become self-sufficient, then *as we have recently seen on a grand scale*, the destruction of the state is forthwith a *fait accompli* (Hegel, 1967a: 175).

A few pages later, Hegel acknowledged his debt by writing that "here again, as in so many places, we must recognize the depth of Montesquieu's insight in his now famous treatment of the basic principles of... government" (Hegel, 1967a: 177).

Again, Hegel insisted that both the laws and the judicial system itself be comprehensible to the citizens (Stillman, 1980: 630; Hegel, 1967a: 138), that the laws be published and enforced (Hegel, 1967a: 142), that provision be made for public education (Hegel, 1967a: 148), and that individuals have not only duties to the state but also rights against it (Hegel, 1967a: 161). Addressing the issue of poverty, he argued that the best solution was to provide work for the poor, although, to the extent that that might not be possible, they should be supported either by public resources or by having "the burden of maintaining them at their ordinary standard of living... directly laid on the wealthier classes" (Hegel, 1967a: 150).

But what about liberalism? Here the debate remains lively. It is clear that Hegel defended the rule of law and individual rights (Wood, 1993: 221).⁶ He advocated the separation of Church and state with religious tolerance (within some limits) (Hegel, 1967a: 167–168, 173; Jaeschke, 1981: 127–145, 129–131, 134, 142), and one may even find a passing reference to respect for the harm principle (Hegel, 1967a: 206–207). But he imbued these terms with his own meaning and gave them a weighting which is different from, let us say, the Lockean heritage or the Kantian legacy; moreover, he placed these principles within a framework radically different from that of classical liberalism. Furthermore, although he paid tribute to the importance of individual rights, such rights were set in a context in which the individual's duties to the state received equal stress. Again, as we have already seen, Hegel rejected the social contract theory of the state. One of the problems with social contract theory is the notion of the contract itself, which suggests that people may opt in or out, whereas in reality people are born into a state and, unless they emigrate, do not make the decision to opt in or out of one or another state, and even for those immigrating into a state they choose, such immigrants are not in a position to negotiate a contract with that state. Closely connected to this is the assumption, which Hegel attributed to social contract theorists, that the purpose of political association is the promotion of the interests of individuals (Neuhouser, 2000: 176). In Hegel's mind, this construal of the

⁶ See also Hegel's comment, "individuals have duties to the state in proportion as they have rights against it" (Hegel, 1967a: 161).

state was utterly unacceptable; against this individualistic concept of the state he argued that the state, when founded on the rule of law and when committed to the aforementioned core liberal values, had a value in its own right, even to the extent that we might consider the state to be a kind of ethical community (Smith, 1989: 145–147). This meant, as we have seen, that the protection of private property could *not* be construed as a purpose of the state. In his view, it was precisely due to the overemphasis on individual rights and especially the right to accumulate property that the American Republic had gone off track. As he saw it, the culture of the American people was characterized by “the endeavour of the individual after acquisition; commercial profit, and gain; [and] the preponderance of private interest,” with the individual devoting himself “to that of the community only for [his] own advantage” (Hegel, 1962: 85 cited in Kelly, 1972: 6).

Hegel also rejected the classical liberal theory of natural rights which – erroneously in his view – argued that such rights could exist prior to or outside the framework of civil society (Smith, 1986: 122–123). To Hegel’s mind, such a concept of rights was unutterably abstract. This is not to say that Hegel turned his back on the Natural Law tradition. Rather, as Abel Garza Jr. has written, he sought to assimilate it to his concept of the state as an ethical community, rejecting the notion “that natural laws are premised on an asocial, atomistic human nature” (Garza, Jr., 1990–1991: 387). This led directly to a third objection which Hegel registered against liberalism, especially in its Kantian incarnation, viz., that the kind of morality which it encouraged referred only to good intentions and was not grounded either in the customs and practices of the community or in a recognition of the network of concrete relations of obligation in which any person finds him – or herself. Again, for Hegel, social contract liberalism encouraged excessive attention to rights and insufficient attention to duties – Kantian theory notwithstanding. Thus, for Hegel, “It is uncultured people who insist most on their rights, while noble minds look on other aspects of the thing” (Hegel, 1967a: 235). A fourth error committed by classical liberalism, according to Hegel, was that it posited (as per John Locke’s *Second Treatise*) that, in establishing a state, people gave up their natural right to punish offenders; for Hegel, however, to the extent that people have a right to respond to offenses outside the framework of the state, that right takes the form of a right to revenge, not a right to punish, since punishment is, strictly speaking, a function of an organized political authority (Stillman 1974: 1090). A fifth error, of which Hegel found Hobbes and Locke guilty, was that they had attempted to derive rights from needs (Smith, 1989: 68–70) – i.e., to derive an “ought” from an “is” (a derivation generally considered impossible by philosophers). The final error committed by classical liberalism is the argument that the state limits people’s natural freedom and autonomy. According to Hegel, the relationship of the state to freedom is precisely the opposite of what he thought classical liberalism supposed, in that the state is the prerequisite of human freedom and the agency through which freedom may be achieved and guaranteed. And in

considering freedom, Hegel placed especial emphasis on a person's freedom to choose his or her line of work.

But for all of Hegel's criticism of Locke and Kant, as well as Hobbes and Rousseau, some scholars have argued that it does not automatically follow that Hegel should be seen as outside the liberal tradition. There are at least two other possibilities. The first, argued by Steven Smith, is that Hegel might be seen as having articulated a position midway between liberalism and its critics (Smith, 1986: 121). The second, argued by F.R. Cristi (1989: 717–738), is to view Hegel as having argued for a conservative strain of liberalism, a strain which, to use terminology favored by Hegel's translators, both "cancels and preserves" the most basic elements of the liberal tradition. In Cristi's view, the monarch is an essential linchpin of liberalism in Hegel's system in that the monarch serves as a barrier to the revolutionary chaos which modern civil society might otherwise throw up. What both of these perspectives share is a recognition that Hegel was responding to the challenge posed by the French Revolution as well as to the theories of Montesquieu, Locke, and Kant and wanted to improve on their theories, safeguarding values which these earlier thinkers had considered important. Hegel had considerable esteem for Montesquieu's *The Spirit of the Laws*, which he described as "immortal" (Senigaglia, 2007: 39). But Hegel had some reservations concerning Montesquieu's call for a strict separation of powers, believing that the competition between the Estates-Assembly (the legislature) and the Directorate (the executive) in the first phase of the French Revolution had proven destructive (Senigaglia, 2007: 47).

For Hegel,

The fundamental characteristic of the state as a political entity is the substantial unity, i.e. the ideality, of its moments... That is to say, sovereignty depends on the fact that the particular functions and powers of the state are not self-subsistent or firmly grounded either on their own account or in the particular will of the individual functionaries, but have their roots ultimately in the unity of the state as their single self (Hegel, 1967a: 179–180).

Although there is no suggestion that Hegel was thinking of the young American Republic, it is clear that his perspective on the separation of powers was very different from that of Jefferson and Madison.

A third possibility, which is entirely compatible with Smith's interpretation, is to construe Hegel as emphasizing the social contexts (family, community, state) in which people find themselves. This reflects the brunt of Hegel's charge against Kant who, in his view, sketched out a moral theory in which the individual is called upon to act on the basis of rational consistency and respect for other people, but in which no account is taken of the fact that there are social mores presented ready-made to people already as they grow up (Pinkard 1986: 221–222; Smith, 1989: 71–72). In Hegel's view, duties "are far less a product of deliberate reflection

than of social and cultural development” (Smith, 1989: 72). Hegel, thus, emerges as a champion of reformed monarchism – a formula which saw some currency beginning with the reigns of the liberal Habsburg monarchs Maria Theresa and Joseph II in the late eighteenth century and which continued to be considered viable in some quarters well into the nineteenth century.

Conclusion

One aspect of Hegel’s political philosophy which has attracted comment is Hegel’s stress on the importance of absolute monarchy precisely to protect a liberal political order. In Hegel’s view, democracy could threaten liberal values or, to put it differently, the fewer constraints on democracy, the greater the potential threat to liberalism. For anyone who remembers John Stuart Mill’s warning about the “tyranny of the majority”, Hegel’s own warning should not seem strange. Indeed, as F.R. Cristi has written,

Hegel fashions civil society according to a rigorously liberal framework, conceived in terms of the freedom of individuals. Individual freedom is understood as the right of each person to acquire property and enter into contractual agreements with other persons (Cristi, 1983: 609).

Hegel offered the institution of an absolute monarch, thus, as the anchor of the *Rechtsstaat* (nomocracy) and as “the best safeguard against the democratization of civil society” (Cristi, 1983: 610). Here it is important to emphasize an important distinction between Hegel and Hobbes. Whereas the English thinker placed the monarch *above* the law, for Hegel, the monarch was the embodiment and guarantor of the law. And further, the majesty and authority of the monarch serve as a bulwark against the diremptive even fracturing, atomistic tendencies associated with the self-seeking of the business classes. To cite Cristi once again, civil society, the domain of the business classes, embodies

the dissociation of ethical life and its principles [which] are by definition opposed to those of the family and the state... An absolute monarch in whose hands is concentrated the totality of political power is needed, according to Hegel, in order to secure the total depolitization of civil society (Cristi, 1983: 618).

The monarch is therefore – to reiterate the point for emphasis – is not democratic, but s/he is potentially the best available guarantor of a liberal order. However, all of this would break down, according to Hegel, if the monarchy were to be an elective office. In order to stand apart and even above civil society, the monarch must come to office in accordance with the rules of dynastic succession, in the first place *primo geniture*.

To view Hegel only through the lenses of those who responded to him – whether Feuerbach and the other Young Hegelians, or Marx and Engels, or the so-called Old Hegelians – is to trivialize him. Hegel’s importance, indeed his greatness, must be sought in the corpus of work he left behind, including in his success in grappling with the issues of his day. Here one finds a vision of history as progress in knowledge and growth in moral understanding – ideas which he inherited from Immanuel Kant – but also a vision of a flowering of human freedom to be achieved not by stripping away the functions of the state (a strategy which could only harm the most vulnerable sectors of society), but by refining its normative framework so that politics should become less and less about the rule of men and women, and more and more about the rule of law, with such law corresponding to the moral consensus and level of progress achieved by the given society. What Hegel bequeathed to the world was, in short, an alternative vision of political life – a vision of political life which rejected the notion that the state should be seen “as a necessary evil to be endured for the sake of civil peace and the enjoyment of private goods” (Smith, 1989: 135) and emphasized rather the fact that human freedom itself is realized only within the context of the *Rechtsstaat*. I find myself in agreement, thus, with Steven Smith’s conclusion that “Hegel’s chief accomplishment has been to show that the state and community are not just a precondition for, but [also] a dimension of, freedom” (Smith, 1989: 233). For the state, properly understood, “is ultimately a meeting of minds, since it depends on a common cultural history and a sense of civic identity...[and is charged with] the positive function of promoting a way of life” (Smith, 1989: 233).

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The political party system in Slovakia in the era of Mečiarism The experiences of the young democracies of central European countries

Abstract. This article aims to reconstruct the functioning of political parties that was present during the establishment of the foundations of the democratic system and political practice, from the “Velvet Revolution” to the creation of a competitive party system with a dominant political party – Movement for Democratic Slovakia (HZDS) set up by Vladimir Mečiar; who served as prime minister in the years 1993–1998 (including a hiatus in 1994) greatly affecting the state internal and international policy, and held the post of the sole chairman of the party until its dissolution. V. Mečiar’s rule was marked by the interweaving of the elements *of the wave of democratization with the reverse wave of de-democratization*. The pro-democratic and undemocratic tendencies displayed by Mečiar were determined – apart from objective factors – by the personality traits of the prime minister: his commanding and charismatic leadership style, authoritarianism, making public decisions in a ruthless manner devoid of impartiality, or violations of democratic norms and values. Apart from its scientific purpose, this article may also fulfil a practical function allowing the possibility of using the research findings in social practice/politics.

Keywords: Slovakia, Vladimir Mečiar, party system, democracy, political party.

Introduction

The research issues of this article focus on the processes of democratization of central European countries as part of the third Huntingtonian wave of democratization (Huntington, 2009). Samuel Huntington’s concept developed from the observation

of the political phenomena of 1974–1990. It was noted that in dozens of countries which were moving from undemocratic to democratic political systems the process was marked by the coexistence of a *wave of democratization and a reverse wave of de-democratization*. Such phenomena and processes occur in all countries, although more frequently in young democracies. The third wave of democratization includes a regional group of countries with geopolitical features that greatly encourage comparative studies and allow for the extension of research methods and tools. This in turn increases the quality of research results as regards the internalization of the system of values and democratic institutions, as well as the level of the consolidation of the democratic system. The added value of the evaluation of comparative studies lies in their utilitarian function, which may be applied to social practice.

The thirty-year period of the democratization of the countries of Central Europe is marked by the diversity of the phases of the implementation of the democratic system and the advancement of the system's consolidation process. The systemic transformation was shaped by a group of countries that initiated changes in the region, with Poland at the forefront and Czechoslovakia and Hungary following its footsteps. The democratization process covered all the aforementioned countries, although separatist tendencies quickly emerged in Slovakia, which ultimately led to the breakup of the federation. The democratization of 'Czechoslovakian' Slovakia was consequently extended to include sovereign state-building.

The democratization of the Czechoslovakian Federal Republic was initiated by the "Velvet Revolution" which, contesting the authoritarian regime of real socialism, laid the foundations for parliamentary democracy and a market economy.

This article aims to investigate the role of political parties in the process of building the foundations for a democratic system and political practice based on the standards of the democratic legal state of Slovakia, from the "Velvet Revolution" to the creation of a competitive and hybrid party system with a dominant political party – Movement for Democratic Slovakia (HZDS) – which in the years 1992–1998 greatly affected the state internal and external policy. The research objective will be achieved by way of obtaining answers to the following questions:

- what factors contributed to the slowdown of the democratization process after the success of the first democratic elections in 1990?
- what caused the split of the political movement "Public Against Violence", which led to the formation of the Movement for Democratic Slovakia?
- what phenomena depreciated the stages of the waves of democratization and thus marked the era of Mečiarism?
- what role did Vladimir Mečiar's commanding and charismatic leadership style play in the creation and functioning of the authoritarian system of governance?

The leading theory for the description and assessment of the democratization process in Eastern European countries is the concept of a "wave-like" transition from undemocratic to democratic states, accompanied by the coexistence of waves of progress (democracy) and reverse waves of de-democratization. The thirty-year

period of democratization in Poland, Czechoslovakia (the Czech Republic and Slovakia) and Hungary indicates significant differences in the balance between pro-democratic arguments and de-democratization. The conceptual layer of this article will be strengthened by the category of consolidated democracy as a political system in which democratic mechanisms operate for a relatively long period of time without breakdown. In order to verify the level of advancement of the democratization process, balancing of the waves of democratization and reverse waves, as well as the level of the consolidation of the party system, the following research methods were used: systemic, comparative, neo-institutional and analysis of documents, party manifestos and statistical data.

From the Velvet Revolution to a hybrid party system

The democratization of Slovakia initiated by the “Velvet Revolution” (Slovak: *Nežna revolucia*) within the Czech and Slovak Federation went through many phases, starting with the mass social protest of 17 November 1989 organized in Prague, followed by a meeting of five hundred intellectuals, artists and political figures held in Bratislava two days later. The rally of residents of the Slovak capital supported the Prague strike and the creation of the political movement Public Against Violence (*Verejnost proti násiliu*, VPN). VPN was established by a group of founders (Jan Budaj, Martin Butora, Fedor Gal, Milan Kňažko, Jozef Kučerak and Peter Zajac), and on 20 November 1989 it made a statement rejecting violence in political, cultural and public life, demanding pluralism, freedom of the press, mass media openness, and release of political prisoners. On the same day, the first large meeting took place (attended by popular *Kňažko*) where the establishment of the movement, with priority on leading the country to free elections, was announced. Then a demonstration held on 22 November 1989 attended by 100,000 citizens brought support for the demands of the political movement, and by the end of November the Bratislava VPN centre had registered two million visitors.

Thus, 17 November 1989 marks the beginning of the period of decommunization of the political system in Czechoslovakia, involving two parallel processes. The former (Cibulka *et al.*, 2014: 45) is a return to the standards of democracy effective in the 1940s; the latter concerns redefining within the democratic order the relations between the Czechs and Slovaks in a new federation.

The first legal and constitutional changes in Czechoslovakia were introduced by partial amendments to the existing laws and then by way of detailed acts, starting with the deletion on 29 November 1989 of the clause stipulating dominant role of the communist party,¹ and subsequently followed by the Act of 16 March

¹ Ustawny zakon č.135/1989 Zb. z 29. novembra 1989.

1990 on elections² to the Slovak National Council (Slovak: *Slovenskej narodnej rady*, SNR), change of the name of the state, effected on 29 March 1990, to the Czech and Slovak Federative Republic (Slovak: *Česka a Slovenska Federatívna Republika*, ČSFR),³ and the removal on 18 April 1990 of the provision on the dominance of socialism from the preamble to the Constitution⁴.

In the parliamentary elections to the House of People (*Snemovna lidu*) in 1990, the Slovak Public Against Violence (VPN) gained 32.5% of the vote, whereas the Czech Civic Forum (Czech: *Občanské forum*, OF) led by Vaclav Havel secured 53.1% of the vote.

Following the elections, a coalition cabinet headed by Slovak Milan Čalfa from VPN was formed at the federal level. It included the Czech Civic Forum, the Slovak Public Against Violence (VPN) and the Christian Democratic Movement (Slovak: *Krest'anskodemokraticke hnutie*, KDH). The cabinet had almost 65% support and was dominated by the Civic Forum which controlled as many as 40% of the seats in the Parliament. Within less than 2 years, both forum-type political groups went through a fragmentation process. Thus by the end of 1991, the ruling coalition had increased to five political parties, including three Czech: the Civic Democratic Party (Czech: *Občanská demokratická strana*, ODS), Civic Movement (Czech: *Občanské hnutí*, OH) and the Civic Democratic Alliance (Czech: *Občanská demokratická aliance*, ODA). The composition of the Slovak parties in the coalition did not change, although a split occurred within VPN.

The 8–9 June 1990 elections in Slovakia, with 16 political groups vying for the seats, represented in fact a clash between the authoritarian *ancien régime* and the emerging competitive political environment promoting the standards of freedom and democracy, parties re-established from the 1940s and newly formed groups. The winning election committees formed the first hybrid club of parliamentary parties consisting of the Public Against Violence and, within its framework, the Hungarian Independent Initiative (*Mad'arska nezavisla iniciativa*, MNI), the Christian Democratic Movement, the Slovak National Party (Slovak: *Slovenska narodna strana*, SNS), the Democratic Party (Slovak: *Demokraticka strana*, DS), a Slovak formation of the Communist Party of Czechoslovakia (Slovak: *Komunisticka strana Československa*, KSČ), a coalition of Hungarian formations Coexistence and the Hungarian Christian Democratic Movement (Slovak: *Spolužite-Mad'arske krest'anskodemokraticke hnutie*, S-MKDH) and the Slovak branch of the Czechoslovakian Green Party (Czech: *Strana zelených*, SZ).

² Zákon Slovenskej narodnej rady zo 16. marca 1990 o vol'bach do Slovenskej narodnej rady. Sb 480/1990.

³ Ustavný zákon č. 81/1990 Zb. z 29. marca 1990; ustavný zákon č. 101/1990 Zb. z 20. apríla 1990.

⁴ “[Z]rušenie preambuly ustavy, ktora vyhlasovala, že socializmus v našej krajine zvitazil” in: Ustavný zákon č. 100/1990 Zb. z 18. apríla 1990.

As a result of the elections, an anti-communist coalition cabinet was formed. It consisted of the Public Against Violence with the Hungarian Independent Initiative (led by Bela Bugar), the Christian Democratic Movement and the Democratic Party. Milan Čič served as prime minister of the first democratic Slovak government. Vladimir Mečiar,⁵ who had entered the inner circle of the Velvet Revolution after joining VPN, became one of the ministers in the government. Earlier, on 11 January 1990, upon recommendation of the icon of the Velvet Revolution, Alexander Dubček,⁶ Mečiar became a cabinet member of the noncommunist government⁷ running the Ministry of the Interior and Environment.

With his wealth of experience of authoritarian regimes enhanced by being a member of the new establishment, Vladimir Mečiar had a great deal of political capital. The new rules in the process of exercising power in the conditions of political rivalry posed great challenges to the emerging political class that was then developing its own pioneering styles of governance. These factors played a particularly important role given its lack of proper democratic experience. Moreover, it should be noted that it could rely on the styles formed in the 1940s to only a limited extent in the new geopolitical system.

In the first few months after the government took office, the first conflict within the ruling party occurred between Mečiar, the prime minister and a member of VPN, and Fedor Gal. F, the chairman of the VPN Coordination Center. Gal's efforts resulted in the resignation of Prime Minister Mečiar, who subsequently, on 5 March 1991, formed a faction within VPN – Movement for Democratic Slovakia (Slovak: *Hnutie za demokraticke Slovensko*, HZDS). Insofar as VPN was a modernizing group from the anti-communist opposition, HZDS at the time of its creation had a populist character with a left-wing orientation declaring its support for the federal structure of the Czechoslovak state and the provision of full social protection during the economic reforms. In a short time, HZDS attracted a large part of the membership base of its former party. Following the secession of HZDS, VPN merged with the Civic Democratic Union (Slovak: *Občianska demokraticka unie*, ODU) headed by Martin Porubjak in April 1991.

⁵ Vladimír Mečiar was born on 26 July 1942 in Zvolen. After graduating from secondary school in 1959, he started working as a clerk, then as a secretary, at the Poviatic National Council in Žiar nad Hronom. In 1962, he joined the Communist Party of Czechoslovakia (KSC) and from 1967–1968 he was the chairman of the Regional Committee of the Czechoslovak Youth Union. He was expelled from the party in 1970 for criticizing the invasion of the Warsaw Pact forces in August 1968. Then he worked as a smelter in a factory in Dubnica nad Váhom. He studied at the Faculty of Law at the Comenius University in Bratislava on a part-time basis until 1975. In 1990 he obtained a PhD in legal sciences.

⁶ https://sk.wikipedia.org/wiki/Vladimír_Mečiar (accessed 15.02.2019).

⁷ Although Čič's government formed on 12 December 1989 was nominated as non-communist, it consisted of 10 communists and 11 opposition activists mainly from VPN, numerous former KSC members.

The reorganized cabinet consisted of the remnant members of VPN, the Hungarian Independent Initiative and the Christian Democratic Movement (KDH) which was set up on 30 November 1989 as a result of a merger of Christian Democratic clubs (Kopeček, 2007: 305). The Christian Democrats defined themselves as a nationwide ecumenical political movement which aims to build a fair, spiritually healthy and economically vibrant society. As regards the economy, it advocated a shift towards a market economy, yet ensuring the provision of social protection. With reference to the system of the state, it opted for a grassroots agreement to be reached by the two republics in which they would form a federation, but each would implement its independent foreign policy. Moreover, the coalition also included the Democratic Party (Slovak: *Demokraticka strana*, DS) (Kopeček, 2007: 363) promoting the ideology and policy of the continuation of its predecessor (established before 1948).

The government coalition was informally supported by the pro-Hungarian Coexistence Party (WSEZ) acting for democracy and the rights of national minorities. The largest opposition group of the Slovak Parliament was the Slovak National Party (SNS), established in December 1989. The party opted for pro-market policy, took a pro-social stand in social policy; and as regards the systemic issues, it advocated parliamentary democracy and strongly supported the sovereignty of the Slovak Republic. The party displayed divisive tendencies which led to the creation of the grotesque Slovak National Unity (*Slovenska narodna jednota*, SNJ) after the departure of extreme radicals headed by Stanislav Pánis.

The Communist Party of Slovakia held a peripheral position in the first democratic parliamentary system (as a territorial organization of the Communist Party of Czechoslovakia). KSS changed its name to the Communist Party of Slovakia – the Democratic Bench Party (Slovak: *Komunistická strana Slovenska-Strana demokratickej ľavice*, KSS-SDL') at a party congress held on 20 October 1990. It continued with further modernization (after leaving the federal Communist Party of Bohemia and Moravia) to declare itself to be a social democratic force founded on the tradition of the progressive left aiming to build a democratic, humanist and socially fair society by combining market economy with social security. On 1 February 1991, it changed its name to the Democratic Bench Party (Slovak: *Strana demokratickej ľavice*, SDL').

The weakest entity of the parliamentary system was the Green Party (*Strana Zelených*, SZ) founded at the end of the 1980s as an independent civic initiative movement for nature protection. It stood in the 1990 elections as an independent Slovak branch of the federal Green Party (*Strana Zelených*, SZ). In 1991, it was registered as a separate Green Party in Slovakia (*Strana zelených Slovenska*, SZS).

The support given by the Hungarian parties allowed the existing coalition under the leadership of J. Černogurský, who replaced V. Mečiar as the prime minister on 23 April 1991, to continue the reform process. The government stayed in power until the new parliamentary elections; this was despite a crisis

within KDĽ, from which a radical national wing led by Jan Klepač split off to form the marginal Slovak Christian-Democratic Movement (Slovak: *Slovenske kresťansko-demokraticke hnutie*, SKDH).

The functioning of the first democratic party system was marked by the tremendous dynamics of change stemming from the accelerated process of “adopting” the democratic political culture by people and institutions: the ruling camp and the opposition alike. The political parties grew in number from the start of the term due to the processes of adjusting the structure of the party system to the changing network of the group interests of the civil society which was being overhauled. Ideological, policy and organizational changes of political parties, splits and secessions should be regarded as natural in the process of the replacement and circulation of political elites (including in particular party elites). Personal changes for the most part produced positive organizational and, more importantly, political effects, enhancing the political agenda. One such example was the emergence of the radical-separatist Slovak Democratic and Christian Union (Slovak: *Slovenska demokraticka a kresťanska unie*, SDKU) from the KDĽ, which subsequently changed its name to the Christian Social Union of Slovakia (Slovak: *Kresťanskosocialna Slovenska Unia*, KSU), with the principal aim of Slovakia gaining national sovereignty and leaving the Czech-Slovak Federation. Jan Klepač became the leader of the group.

The fragmentation of the party system during the government’s first term of office was a consequence of varying stances on the change of the political and economic system, attitudes towards the previous system, including the *ancien régime* party, and the choice between Slovak self-determination and Czech-Slovak federalism. The new challenges subjected all the political parties to shocks and disintegration to a varying degree, nonetheless, most managed to regain balance and maintain political influence, allowing the system to sustain balance and function until the end of the term.

A competitive party system with a dominant Movement for Democratic Slovakia

In the 1992 elections, only 5 out of 23 election committees entered parliament. The reason for the decrease in the number of parliamentary parties was the amendment to the electoral law⁸ which raised the electoral threshold for coalition electoral committees to 5%, which resulted in an increase of 23.8% of “lost” votes cast for parties that did not enter parliament (among others, the liberal-democratic SD or ODU; the latter in consequence adopted a resolution on self-dissolution).

⁸ Zákon Slovenskej národnej rady z 26. februára 1992, ktorým sa mení a dopĺňa zákon Slovenskej národnej rady č. 80/1990 Zb. o voľbách do Slovenskej národnej rady.

The Movement for Democratic Slovakia won the elections with 37.26% of the vote and 74 parliamentary seats, choosing to form a one-party minority government. Prime Minister V. Mečiar counted on the support of the Slovak National Party (SNS) without a coalition agreement, appointing SNS leader Ludovít Černák as the Minister of Economy.

HZDS's electoral success and the ease of forming a government overshadowed efforts aimed at broadening the social base of governance and creating a majority coalition. The dominant role of HZDS in the country was confirmed by the election of the first president of the Slovak Republic, Michal Kováč, designated by HZDS and enjoying the support of SNS (demanding in return the position of the minister of defence to be appointed to a civilian not associated with the communist military establishment). For the sake of certainty, SNS put in a request that a coalition agreement be signed. A similar proposal was made by SDL which supported the minority government informally. In the absence of a response from the ruling party, both parties withheld support for the government and Minister Černák resigned. The loss of support for the minority government and internal cabinet perturbations further weakened the ruling camp. Such a blow stemmed from the conflict-provoking commanding leadership style and personnel policy pursued by the prime minister. The first personal conflict between Prime Minister Mečiar and the deputy chairman of HZDS and the Minister of Foreign Affairs, Milan Kňažko (Barański, 1995: 70–72), led to the minister's resignation on 19 March 1993. On the same day, the president also accepted the resignation of the coalition Minister of Economy Ludovít Černák. The reason for that resignation and, as a consequence, the Slovak National Party joining the ranks of the opposition was V. Mečiar's decision to appoint former communist Imrich Andrejčák as Minister of National Defense, which violated the coalition agreement.

As a consequence of the personal conflict between M. Kňažko and V. Mečiar, the unwelcome minister left HZDS and formed the Alliance of Democrats of the Slovak Republic (Slovak: *Aliancia demokrátu Slovenskej republiky*, ADS) in November 1993. Kňažko took with him 7 MPs from HZDS, starting a new parliamentary club opposed to the government.

The one-party, minority (66 seats) HZDS government survived on its own for over half a year. At the same time, HZDS politicians held talks on coalition cooperation with the opposition SDL and the Slovak National Party. The negotiations with the social democrats did not go beyond the level of negotiations, whereas the talks with SNS had a positive outcome in that the conclusion of the coalition agreement on 19 October 1993 led to the strengthening of the government.

The retaining of power by the minimally victorious coalition with the nationalists was accompanied by the polarization of the political scene caused by the divergence of opinions on economic reforms (in particular privatization) and the issue of choosing between the sovereignty of Slovakia or the modernization of the federation. Concurrent with the cross-party program debate, further changes

within the government took place leading primarily to an internal weakening of HZDS. In February 1994, Foreign Minister Jozef Moravčík was forced to resign and upon removal from office, following the steps of his predecessor, launched his own political initiative, an eleven-person platform – An Alternative to Political Realism (Slovak: *Alternativa politickeho realismu*, APR).

To counterbalance the disintegration of the political scene, a merger between the Alliance of Democrats (Slovak: *Aliancie demokratov*, AD) and an Alternative to Political Realism (APR) occurred, forming the Democratic Union of Slovakia (Slovak: *Demokraticka unia Slovenska*, DUS).

Slovakia's economic problems: high inflation and unemployment, economic recession; constant changes within the power apparatus; as well as problems with the Hungarian minority; led to dissatisfaction and criticism of the government, prompting the leader of the Christian Democratic Movement (KDH) J. Čarnogurský to submit a motion for a vote of no confidence in the government, which was accepted by the Parliament.

In mid-March 1994, a coalition minority government (71/150 MPs) was formed, led by J. Moravčík, consisting of MPs from the Democratic Union of Slovakia, the Democratic Bench Party (SDL), the Christian Democratic Movement, the National Democratic Party. This coalition was also informally supported by a coalition of Hungarian parties and five independent MPs. Despite the program differences between the coalition partners representing a wide range of political options from the centre-right, through the Christian Democrat-Liberal party to the post-communist party, the cabinet survived until the next elections (Baraňski, 2004: 150). The shortened term of the Parliament (1992–1994) was marked by the greatest polarization of the political scene since the beginning of the political transition. Due to numerous divisions and secessions, the number of parliamentary parties and clubs increased from 5 to 9. The changes in the Slovak party system mostly affected the governing coalition parties (HZDS and SNS).

A secession within SNS led to the emergence of the National Democratic Party – New Alternative (Slovak: *Narodnodemokraticka strana-Nova alternativa*, NDS-NA). In response to the Slovak National Party rejoining the coalition with HZDS, its leader Ludovít Černák formed a 5-person Club in the Parliament of independent MPs of the National Democratic Party in March 1994.

Under a similar scenario – leaving the SDL ranks – the Workers' Association of Slovakia (Slovak: *Združenie robotníkov Slovenska*, ZRS) was established. The protest of a group of activists of the post-communist social democracy against the liberalization of the party resulted in its shift to the positions held by the radical left, focused on protecting working people in the process of economic transformation.

On the whole, the second term of the Slovak Parliament was dominated by personal conflicts, ideological crises within the party and secession processes, as well as the formation of new parliamentary groups and the emergence of minority governments with hybrid structures.

HZDS dominance in the conflict-ridden and polarized political system

The first elections to the newly sovereign National Council of the Slovak Republic (Slovak: *Narodna rada Slovenskej republiky*, NRSR) was won by the coalition Movement for Democratic Slovakia and Farmers' Party of Slovakia (Slovak: *Koalícia Hnutie za demokraticke Slovensko a Rol'nicka strana slovenska*, HZDS-RSS), winning the support of 35% of voters and thus confirming its dominant position in the Parliament. V. Mečiar was appointed prime minister for the fourth time. He invited ZRS (7.34%) and SNS (5.40%) to participate in the creation of a government coalition which commanded a narrow majority of 83 seats in the 150-member parliament. The opposition consisted of the four-party coalition Joined Choice (Slovak: *Spoločna volba*, SV) made up of the Democratic Bench Party (SDL'), the Social Democratic Party of Slovakia (Slovak: *Socialnodemokraticka strana Slovenska*, SDSS), the Slovak Green Party and the Movement of Farmers of the Slovak Republic (Slovak: *Hnutie pol'nospodarov Slovenskej Republiky*, HPSR) winning 10.4% of the vote, and the Hungarian Coalition (*Mad'arska koalicia*, MK) including the Hungarian Christian Democratic Movement (MKDH), the Hungarian Citizens Party (Slovak: *Mad'arska občianska strana*, MOS) and Coexistence Party (WSSE) which secured 10.2% of the vote. The opposition benches were also filled by KDH with 10.1% support and the Democratic Union of Slovakia, gaining 8.6% of the vote.

The ruling coalition was to a large extent consistent as regards its views and actions to be undertaken in order to slow down the liberal reforms while strengthening the role of the state in economic and social policy. On the other hand, being ideologically more diversified than the government coalition, the opposition was united by the will to continue market reforms and build a civil society by limiting the omnipotence of the state, stopping the process of breaking the constitution and suspending the political war declared on the opposition by the ruling camp. A significant factor that fuelled the conflict between the coalition and the opposition was the authoritarian style of politics, dominated by the personality of V. Mečiar, who "turned" his charisma into the style of an overbearing doctrinaire.

Violation of the rules of the democratic legal state

The ruling coalition resorted to adopting laws which were in breach of the Constitution in terms of restrictions on civil liberties (including freedom of speech), freedom of association and the exercise of the parliamentary mandate. The most glaring action was the rejection by the parliamentary majority of the decision reached by the Constitutional Court stating that depriving two MPs from the

government coalition of their parliamentary mandate for resigning from their party (HZDS and SNS) was incompatible with the constitutional principle of understanding the parliamentary mandate. The ruling camp went as far as limiting the rights of the opposition, monopolizing access to the media, and organizing and using state institutions to discredit political opponents by means of negative campaigning. The operations of the ruling coalition were also directed against the president, sparking off the most serious political crisis of that period related to the kidnapping of President M. Kovač's son which allegedly was the result of a conspiracy by the secret services and Prime Minister Mečiar. The Slovak version of "the war at the top" consisted of limiting funds allocated to the presidential office by the parliamentary majority, conducting psychological warfare with the president, accusing him of treason and demanding several times that he leave office.

The authoritarian style of politics within the ruling coalition and in relations with the opposition as well as the arrogance towards the president devalued the previous achievements of the entire political class and went well beyond internal policy contributing to a delay in Slovakia's accession to NATO and the European Union (Cichosz, 2010: 115–121). As a result, the political landscape of Slovakia in the second half of the fourth term of V. Mečiar's government met the standards of a hybrid regime on the border between democracy and authoritarianism (Kopeček, Spáč, 2010: 117), with Vladimir Mečiar as its main *spiritus movens*, whose surname was used to coin the term „Mečiarism” to denote a clash of democratic and authoritarian values and systems, a *differentia specifica* of the political system in Slovakia in 1990–1998.

Formation of the opposition Blue Coalition

The opposition reacted to the authoritarian policy of the prime minister and the government by forming in the autumn of 1996 the so-called Blue Coalition which included the centre-right parties DS, DU and KDH. Its purpose was to build a platform for the development of methods of joint action and the coordination of non-parliamentary political actions aimed at returning the country to democratic standards, restoring effective control over executive power by the opposition parties, and ensuring that the secret services were not used by the government in political disputes.

The preparations for the rivalry between the opposition and the ruling camp led to the formation of the Slovak Democratic Coalition (*Slovenska demokraticka koalicia*, SDK) in July 1997 and extending the Blue Coalition by the Social Democrats (SDL) and the Green Party. Deputy head of the Christian Democrats Mikulaš Dzurinda became the leader of SDK.

In their fight against Mečiarism, the parliamentary opposition began collecting signatures on a petition for a referendum on introducing a constitutional

amendment to lay down a principle that the president be elected in general elections. That was to prevent the scenario of Prime Minister Mečiar taking over the presidential powers in the event where no joint candidate managed to collect 76 votes. The referendum on the constitutional change in the rules for electing the president was extended on the initiative of the government to include a proposal concerning Slovakia's accession to NATO, which gave rise to greater scepticism among the citizens than the issue of the direct election of the president and could have contributed to maintaining the *status quo*, as expected by the Mečiarites.

Seeking to boost its chances of electoral success a few months before the elections, the government put forward a legislative initiative to amend the electoral law on electoral coalitions. Under the new initiative, each electoral group within a coalition would be required to exceed the threshold of 5% of all votes, which posed a big risk of blocking the institution of electoral coalition altogether. Nonetheless, the political parties found a solution to that problem by transforming a coalition into "electoral" political parties. The Slovak Democratic Coalition and the Hungarian parties pursued that path forming the Hungarian Coalition Party (Slovak: *Strana mad'arskej koalície*, SMK). Prior to the elections, the anti-Mečiar camp was strengthened by the Party of Civic Understanding (*Strana občianskeho porozumienia*, SOP) established in February 1998 and led by its founder, a very popular Košice mayor, Rudolf Schuster. SOP advocated the democratization of the Slovak political scene, distancing itself from the "undemocratic" politics of HZDS and its coalition partners, declaring a pro-Western course and support for the "Coalition".

A characteristic feature of the party system of the third term of office was the substantive and organizational consolidation of the anti-Mečiar opposition. At the beginning of June 1998, the first meeting of the leaders of the Slovak opposition took place and the principles of cooperation between the democratic forces, following the autumn parliamentary elections, were formulated. The first "opposition round table" initiated by the Slovak Democratic Coalition (SDK) was attended by the leaders of the Hungarian Bloc, the Slovak Democratic Left, the Christian Democratic Movement and representatives of trade unions, the third sector and student unions.

The integration of the opposition against the government coalition proved to be sustainable during the pre-election campaign and in the process of forming a new government coalition. The 1998 elections brought a Pyrrhic victory to HZDS which was in fact defeated by the parties of "the Blue Coalition". They won 93 seats in the National Council of the Slovak Republic and formed a government of a broad democratic coalition composed of the Slovak Democratic Coalition (SDK), the Democratic Bench Party (SDL'), the Hungarian Coalition Party (SML) and the Party of Civic Understanding (SOP). SDK leader Mikuláš Dzurinda became the Prime Minister of the majority coalition. The opposition benches were filled by HZDS and the Slovak National Party.

The fourth term of office (1998–2002) was difficult from the perspective of both domestic and international affairs. The dynamic process of privatization ground to a halt at the halfway point of the term; no significant economic growth was achieved and the unemployment rate began to rise sharply (only to drop slightly afterwards). The difficult economic situation becomes the dominant subject of socio-political debate shifting the dispute between Mečiarism and anti-Mečiarism further down the agenda. The socio-economic problems became the axis of the socio-political divisions that led to the fragmentation of the party system as a result of conflicts and splits in almost all the political groups, except the Hungarian Coalition Party (SMK). The program and organizational crisis that affected almost all the parliamentary parties did not hinder the formation of a broad democratic coalition with a high level of relevance, indicating Slovakia's path to becoming a consolidated democracy.

Conclusions

The Czechoslovakian “Velvet Revolution” led the society of the Czech Republic and Slovakia to build the foundations for the democratic system, putting an end to the authoritarian regime by conducting the first democratic parliamentary elections to the parliaments of the federation and the Czech Republic and Slovakia, with very high turnout exceeding 95% of eligible voters. The high turnout in Slovakia dropped to 76% in 1994 only to rise to over 84% in the elections between the antagonistic groups: the dominant Mečiar circle and the democratic “blue opposition”.

The “replacement” of old elites with new ones formed in the process of competitive elections should surely be considered a democratic phenomenon, as opposed to a displacement whereby the pro-reform *ancien regime* elites join the democratic transformation. A positive development was also the upholding of the democratic traditions from the interwar Czechoslovakian period during the formation of new political parties. Notably, a positive feature of the competitive party system was the maintenance of a balance between the confrontational “Mečiar” parties and democratic opposition groups.

The negative features of the reverse wave include first of all the ambivalent attitude to liberal values, in particular in economics. The processes of privatization, the introduction of a market economy, and Slovakia's entry into the eurozone were all treated as sensitive issues to be used in the political struggle against liberal and central groups. Economic liberalism was not the subject of political manifestos and, in the opinion of the ruling camp, it was not associated with democracy or the postulate of the demo-liberal state. Another negative feature defining the rule of the Movement for Democratic Slovakia was the domination over the coalition

parties achieved by an arbitrary personnel policy based on loyalty, obedience and opportunism. The dominance of the ruling coalition subsequently shifted to the parliament, whose legislative function was subordinated to the interests of the ruling camp, seeking to amend and manipulate the law; numerous breaches of the law were then committed to create the conditions favourable for re-election (for instance, amendments to the electoral law). The omnipotence of the state was on the rise as it took control over many public affairs inherent in other administrations, including local government.

Government administration and its agencies pursued an administrative and political policy and dealt with other state organs (e.g. the president of Slovakia) and public mass media in a manner conducive to further state omnipotence. The third term of office of the HZDS government reached the level of a hybrid regime on the border between authoritarianism and democracy leading to a political crisis which was resolved only after the 1998 parliamentary elections. The victory of the broad front of democratic forces forming the “blue coalition” and the creation of a broad parliamentary coalition created the conditions for the introduction of constitutional changes, thus raising the democratic standards of the election of the president by means of a general election; the introduction of supra-municipal national self-governments; active Euro-Atlantic policy of political and military integration within NATO; and integration with the economies of Western European countries.

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Subjective grounds for expanding the powers of the President of the Russian Federation

Abstract. The article is devoted to a little-studied side of authority, in particular the authorities of the President of Russia. Exploring the constitutional scope of power, we can say that the President of Russia has a sufficiently large amount of power, backed up by the legal provisions of the Constitution. However, in practice, it has turned out that not only their influence but the power of the President has a wider scope. First of all, the article notes the subjective grounds and mechanisms of power over the chairman of the government and the terms of his appointment. In this case, the key role is played by the political party United Russia, which was created by the President, although the President is outside the party system of Russia. A substantial expansion of the power of the President occurred as a result of the creation of federal districts and the formation of an institution of plenipotentiaries. The rationale is given that the change of legal norms for the election of governors, where the President plays the main role in nominating candidacy, and the procedure for registering them is entirely determined by the United Russia political party under his control, ultimately expanded the scope of authority of the President. In disclosing the subjective grounds for expanding the power of the President of the Russian Federation, so-called “approvals” of candidacy for various senior positions of state and municipal service, as well as of the security and control bodies play a part. The rating of the President was a massive subjective basis that allowed him to expand the scope of his power. The study of public confidence in the President allowed one to see the dependence of the expansion of his power on the level of his support by citizens of the Russian Federation.

Keywords: President, authorities, plenipotentiaries, political parties, public confidence, election of governors.

Introduction

First of all, we should research the constitutional powers, because it is through them that it is possible to see the expanding volume of power. The powers of the President are determined by the Constitution of the Russian Federation and the scope of such powers must be comprehensive.

According to Article 83 of the Constitution of the Russian Federation the President has the following powers towards the Government of the Russian Federation:

- to appoint the Chairman of the Government with the consent of the State Duma. Moreover, in the case where the State Duma rejects three times the candidacy nominated by the President for the post of the Chairman of the Government of the Russian Federation, he can dissolve the State Duma and call for new elections;

- to chair meetings of the Government of the Russian Federation, to determine the main directions of the domestic and foreign policies of the State;

- to dismiss the Government in some cases: Government submission of resignation, State Duma's expression of no-confidence in the Government of the Russian Federation.

The President of the Russian Federation has special powers provided by this Article. According to that, he has the right to appoint and dismiss federal officials of the Russian Federation.

Regarding legislative power (Article 84) the President has a right to:

- announce elections to the State Duma;
- use conciliatory procedures and other methods for overcoming crises and solving disputes among the three Power Branches, which are the levels of government as well;

- announce a referendum, which, along with free elections, is the highest direct expression of the public will;

- submit bills to the State Duma;
- make proposals on amendments and review the provisions of the Russian Constitution.

The President of the Russian Federation has special powers to govern the foreign policy of the Russian Federation. They are:

- to hold negotiations and sign international treaties and agreements of the Russian Federation;

- to receive credentials and letters of recall of diplomatic representatives accredited to him;

- to sign international agreements.

As the Supreme Commander-in-Chief of the Armed Forces of the Russian Federation, the President of the Russian Federation shall:

- determine the guidelines of the military policy of the State;
- govern Russia’s military structures;
- appoint and dismiss the supreme command of the Armed Forces of the Russian Federation.

The President holds the final word in any issues of citizenship of the Russian Federation and of granting political asylum.

Other powers of the President include the following:

- to issue decrees and orders, which are classified as regulatory and individual. However, the Constitution does not define exactly on which issues (on constitutional powers or on any others);
- to introduce a state of emergency in the territory of the Russian Federation or in its certain parts, with the proviso that he must immediately inform the Council of the Federation and the State Duma about this;
- to decorate individuals with state awards of the Russian Federation;
- to pardon specific individuals.

Strictly speaking, the powers mentioned above constitute the authority of the President (Constitution of the Russian Federation, 2018). However, the practice of rule shows that in addition to formal, above all, legal powers, there are other possibilities to rule. This means that there are opportunities to expand the scope of the power of the President without changing the Constitution of the Russian Federation.

According to the opinions of many researchers, the powers of the President of the Russian Federation have already been expanding for some years (Guseva, Pavlova, 2018).

It is obvious that power is always a process of interaction among people, human groups. In the process of such interaction, a subjective power appears, something that flows and depends on specific people, officials. In this regard, it is the subjectivity in the expansion of the power of the President that is of theoretical and practical interests.

In this case, the most important subjective grounds are:

- the subjective choice of candidacies for the post of the Prime Minister and his Deputies, Federal Ministers, the Head of the Central Bank, the Prosecutor General, the Chairman of the Supreme Court and other officials;
- the possibility of creating Federal Districts and the subjective choice of Plenipotentiaries in these districts, as well as the appointment of Plenipotentiaries to the State Duma and the Federation Council;
- the subjective choice of candidacy for the post of governors (heads of regions);
- the creation of the “institution of coordination” for the appointment of key positions;
- subjective influence on the party system;
- formation of the level of public confidence.

Expansion of the powers of the Russian Federation's President from the perspective of a presidential form of a constitutional regime

Let us consider the above-mentioned subjective grounds for the expansion of the powers of Russia's President.

Practically the President, having the absolute parliamentary majority of the All-Russian political party "United Russia", headed by Prime-Minister D. Medvedev, fully demonstrates subjectivity in the appointment of the Prime-Minister of the Government of the Russian Federation (Nevinskiy, 2018). The Chairman of the Government is proposed by the President of the Russian Federation and must be approved by the State Duma of the Russian Federation. However, experience has shown that not all candidacies were approved by the State Duma. For example, in December 1992, the Congress of People's Deputies refused to approve the candidature of Yegor Gaidar for the position of Prime-Minister of Russia's Government due to dissatisfaction with the course of economic reforms (Gavrilkov-Alekseev, 2018).

It was this experience that stimulated the subjective additions to the legal mechanisms introduced by B.N. Yeltsin to the Constitutional Meeting. The issues of the formation of the Head of Government were as follows: the Chairman of the Government of the Russian Federation was to be appointed by the Council of the Federation within two weeks after the nomination by the President of the Russian Federation. In the case that the Federal Council of the Federal Assembly of the Russian Federation rejects the candidate nominated by the President of the Russian Federation, the latter, within a week, submits a new candidate to be approved by the Federal Council. If the Federal Council rejects the candidate submitted by the President for the second time then the President submits a candidate for the Prime-Minister to both Chambers of the Federal Assembly for their joint consideration. In this case, the appointment of the Head of the Government shall be not later than a month from the date of the candidate's submission by the President. If during this period the Chairman of the Government was not appointed by the Federal Assembly, the President could make a decision on the early dissolution of the Federal Assembly and the appointment of an Acting Prime-Minister (Article 106).

The advantage of this model, in comparison with the Soviet ones, was that the question of the formation of the position of the Head of the Government, and the whole Government as well, were resolved in the context of the separation of powers and the system of checks and balances with the use of the institution of parliamentary dissolution. It proves how important the position of the Head of the Government is. Regarding its disadvantage, the downside is that the Federal Council took a very decisive role in the appointment of the Prime-Minister of the Russian Federation, which functionally was not adapted to the formation of a Government.

In the aftermath of the changes, the questions of the formation of the position of the Chairman of the Government of the Russian Federation became a subject of heated debate at the Constitutional Conference. A lot of participants of the meeting proposed providing the President of the Russian Federation with the right to appoint the Prime-Minister. These proposals were made in the context of a discussion concerning the formation of a semi-presidential system where the Head of the State forms the Government.

To that end, during the meeting of the Working Commission on finalizing the draft of the Russian Federation's Constitution of June 22, 1993, the Director of the Institute of State and Law of the Russian Academy of Science, B.I. Toporin, noted:

First of all, we have a question if the State Duma or the Parliament need to appoint the Chairman of the Government?... The appointment of the Chairman should not be a matter for the Parliament because it puts too much responsibility on the Parliament; imposes and changes, in general, the system that we took here as the original one (Krasnov, Shablinskij, 2008: 27).

In the final edition of the new Constitution of the Russian Federation, the formula of appointment of the Chairman of the Government of the Russian Federation acquired the following form: the Chairman of the Government of the Russian Federation shall be appointed by the President of the Russian Federation with the consent of the State Duma (part 1, Article 111, Constitution of the Russian Federation).

This form is generally consistent with the presidential-parliamentary rule, where a government is formed by the Head of the State with the indirect participation of parliament.

The advantage of this model is that the position of the Head of Government is formed with the participation of different power branches of government, which ensures the relative independence of this State figure.

The proposal of the candidate for the Prime Minister of the Russian Federation is made by the President no later than two weeks after taking office, following a presidential election; or after the resignation of Russia's Government; or within a week from the date of the rejection of a candidate for the Chairman of the Government by the State Duma (part 2 Article 111). The State Duma must consider the candidate for the Chairman of the Government submitted by the President of the Russian Federation within a week from the date of submission (part 3). In the case where the State Duma rejects three times the candidates for the post of the Chairman of the Government of the Russian Federation, the will President dissolve the State Duma and call new elections (part 4).

The obvious lack of a constitution mechanism ensuring the formation of the post of the Head of the Federal Government is the lack of a fixed term for the dissolution of the State Duma in the case of the triple rejection of the

candidates submitted by the President. It can delay the process of dissolving the Lower House or, on the contrary, make it transient, precluding the parties from reaching a compromise that could help to avoid parliamentary dissolution.

The decision of the State Duma to give consent to the appointment of the Chairman of the Government of the Russian Federation is made at the discretion of the State Duma through a secret ballot or using an electronic vote-counting system or open voting if such a decision is made by the majority votes of the total number of deputies of the State Duma. The consent of the State Duma to the appointment of the Chairman of the Government of the Russian Federation is considered received if the majority of the deputies of the State Duma voted for the proposed candidate (Article 146).

In the case where the State Duma twice rejects the proposed candidates for the post of the Prime-Minister of the Government of the Russian Federation, within a week from the date of the rejection of the second candidate, the President has a right to submit the third candidate. Discussion about and approval of the third candidate for the post of the Prime-Minister of the Government of the Russian Federation takes place according to the procedures for the discussion and approval of the previous candidates (Article 148).

In practice, the President presents his candidate to the State Duma by a special letter addressed to the Chairman of the State Duma, who reads it out at a Plenary Session of the Chamber. However, to submit a candidate for the post of Prime-Minister of the Government of the Russian Federation on May 8, 2008, the President of the Russian Federation Dmitry Medvedev personally participated in the Plenary Session of the State Duma of the Russian Federation. Such a step was unprecedented.

First of all, D.A. Medvedev is the Chairman of the party United Russia that maintains a dominant position in the State Duma. It automatically means the consent of the State Duma with this candidate by virtue of party discipline. However, even if the President submits a different candidate, a mechanism of the provisional elections of this candidate as a chairman of the United Russia Party may work due to the strong prestige and impact of the President, or the State Duma may approve it to stop the President from dissolving the State Duma after three rejections of the candidates by the President, or if the Party United Russia supports a non-party candidate as it happens at the regional elections. This can be seen in the fact that despite the strong dissatisfaction of the population with D.A. Medvedev, and the demands of his dismissal, the President did not change the Prime Minister (Lebedintsev, Isakov, 2018).

An important subjective basis for expanding the scope of the power of the President is that the President appoints Deputy Prime-Ministers and ministers (Chepus, 2015). For example, It is well known that the President appointed O.Yu. Vasilyeva as the Minister of Education and Science of the Russian Federation without coordination with the Government.

Certainly, the power of the President is expanded by the appointment of the Ministers of the “power bloc”, practically from due to his own subjective considerations.

Furthermore, the President appoints some key executives, among them: the Head of the Central Bank, the Prosecutor General, the Chairman of the Supreme Court, and other officials. On the one hand, this is his legal right, but on the other hand, the President makes such appointments, regardless of the preferences of the political party that won the parliamentary elections. This means that the winning party’s power is limited, and, perhaps more worrying, the President’s subjectivity can create a crisis.

With such subjective influence of the party system, creating the vertical power, the President got an opportunity to dominate the political parties. This became possible through regulatory, administrative, and organizational measures, as well as through the strengthening and domination of the United Russia party. In the framework of this process, there was an attempt to establish a two-party system (United Russia and Fair Russia) which unfortunately failed. However, it allowed the Communist Party of the Russian Federation and the Liberal Democratic Party to gain influence, both parties which cautiously criticize the President.

Since the non-parliamentary opposition does not even have a majority in any legislative assembly, they are forced to get some permissions in order to maintain the visibility of their influence in front of the electorate. Alas, the price of that is the avoidance of any sharp criticism and demands on the President.

Thus, several governors who were representative of the parliamentary opposition got appointed. Besides, the United Russia party did not nominate its candidate in the elections and asked people to vote for the Presidential appointee. It proves the existence of “agreements” regarding the political struggle between the President and political parties.

The expansion of the power of the President of the Russian Federation from the perspective of federal relations in Russia

The expansion of the power of the President was accompanied by the formation of the Federal Districts which are not stipulated by the Constitution of the Russian Federation regarding territorial division. However, such districts were established by a presidential decree. Such a step subjectively expanded the scope of his power. The Federal Districts are not the subjects or any other constitutional part of the administrative-territorial division of the Russian Federation and were created as if analogous with military districts and economic regions, but did not coincide with their number and composition (Cherkasov, 2008).

However, the Districts, or rather, the Representatives of the President in the Districts, are charged with the task of monitoring, influencing, and evaluating the activities of the authorities in the regions of the Federation located in the Federal Districts, and coordinating candidates for a number of key positions.

At the same time, the President subjectively appoints these Presidential plenipotentiaries. The political parties, governors, or mayors of cities do not participate in this process. These are the sole decisions of the President (Abaeva, 2016).

The main tasks of the Presidential Plenipotentiary are:

- the organization of the activities of the regional authorities aimed at implementing the directions of national and foreign policies determined by the President;
- control over the implementation of decrees of the government apparatus of the Federal Districts;
- assistance in the implementation of staff policy as determined by the Head of the State for the Federal Districts;
- regular reports to the Head of State about the level of national security in the Federal District, the social, economic, and political situation in the region (Abdulbarova, 2019).

It is important to emphasize that a plenipotentiary, not having a regulatory function, is able to impact the decision made by the President: including both the appointment of and dismissal of officials.

The competences of the Presidential Plenipotentiary includes the following functions:

- the coordination of the work of the executive power of the region;
- analysis of the effectiveness of regional law enforcement bodies;
- building a dialogue-bridge between the federal executive power and the governing apparatus of the region, local governments, political parties, religious and public associations;
- assistance in developing a program for the economic and social development of a Federal District;
- approval of candidates for the federal civil service, but only if this appointment is made by the Head of the State;
- approval of those decisions of the executive power of Federal Districts, which are in the interests of the whole region or its part;
- delivery of a certificate to federal judges in a number of arbitration courts;
- appeals to the President with an initiative to award officials of the executive office of a Federal District; approves awarding documents as well as personally gives certificates of merit, awards, conveys gratitude from the President;
- taking part in the work of regional State bodies, local government bodies;
- agreement of a candidate to Cossack detachments (Atamans). In the case where acts of local legislative power are contrary to the Constitution, federal laws, decrees of the President, then a Presidential Plenipotentiary sends a proposal to the Head of State to suspend these decisions (Abdulbarova, 2019).

It is obvious that a Presidential Plenipotentiary has a very wide power in a Federal District. Furthermore, although the participation of a Presidential Plenipotentiary in the work of the State Duma and the Federal Council is not provided for by the Constitution, they appeared on the basis of the President's Decree to impact the legislative process or other questions by representing the President's position. It is very difficult to imagine that the dominant political party, United Russia, will place itself contrary to the position of the President.

The election of governors is another subjective basis for expanding the power of the President. Further to that, Articles 71, 72, 73 of the Constitution of the Russian Federation establishes the areas of jurisdiction as well as the joint areas of jurisdiction. That means that the population is free to choose the way to fill the post of governor. Initially, it was like that. During the period 1996–2004 the elections of heads of Russia's subjects (regions) were held in all subjects of Russia, with the exception of Dagestan (where the national elections were supposed to be held in 2006, but were cancelled due to changes in federal law. As a rule each 4–5 years a governor was elected by direct and secret ballot. But the requirements for candidates allowed the nominating of citizens who were not always desirable for the Federal Government. Furthermore, there were also excesses and not always worthy and effective candidates got to be governors.

Therefore, in September 2004, the President of Russia came up with an initiative to change the procedure of empowering senior officials of the Federation's subjects, proposing the approval of them by decisions of legislative bodies based on the President's proposals. The selection of candidates was subjective, no objective criteria were made public. As a rule, the main and passable candidate was accompanied by two other impassable candidates. This was how the mechanism of the appointment of senior officials of Russia's regions worked.

In April 2012, at the initiative of the successor, D.A. Medvedev, the Federal Law on the return of direct elections of the regional Heads was adopted.

First, subjectively, according to the law, the President of the Russian Federation independently determines the need and procedure for holding consultations on candidates for governor and not only with parties offering candidates for this post, but also with self-nominated candidates.

Secondly, candidates must pass the municipal filter (5–10% of municipal deputies or Heads of municipalities in the Moscow Region and get $\frac{3}{4}$ support in the municipalities or Heads of municipalities); that is another subjective mechanism where the main role is played by attitudes in a political party.

Self-nominated candidates for registration at the elections have to collect from 0.5% to 2% (at the discretion of the region) voter signatures in their support.

Besides, there is one more practice, as a rule, the President appoints acting governors who work until the elections. As a result of this subjective selection, the President influences the election of heads of regions. In fact, until 2018, the choice of the President was confirmed by the population's election.

The impact of the subordination of the party system was vividly characterized by V.G. Semenova. Thus, despite keeping liberal rhetoric, the democratic procedure of citizens to elect and to be elected is very limited. This fact is proved by the introduction of various unconstitutional barriers at the nomination stage, the effect of “municipal” and “presidential” filters, control by higher authorities and so on. In fact, the main result of the adoption of the researched Law can be full predictability of elections at all stages. Moreover, this predictability can be ensured in the legal field without gross violations such as the falsification of votes: with the refusal of registration, the inability to overcome the “municipal filter”, unequal access of candidates to the media and other similar measures. As a result, political elites will keep control over elections and political activity in the State (Semenova, 2014).

With regard to the creation of the “approval procedure” for appointing people to key positions, it should be emphasized that approval procedures have no the legal implementation at the federal level, but have at the regional one. Thus, the candidates to the Deputy-Governors are approved by the legislative assembly. Since the majority of representatives in the legislative assemblies are the representatives of the United Russia political party, it is obvious that not all candidates can pass this subjective filter.

Of course, the approval procedures are available in almost every ministry, department, at the federal, regional and municipal levels. Such procedures are held not only to place people in the positions of the civil (municipal) service, but also for other ones. For example, for a candidate to become a rector of a university they must be approved by the regional head and afterwards by the Presidential Plenipotentiary in the federal district. That said, such approvals are within the system of the vertical power of the President, therefore, the “approvals” can be viewed as a subjective extension of the President’s power.

The level of public confidence as a subjective basis for expanding the powers of the President of the Russian Federation

The level of public confidence in the President is a very important subjective basis. The public confidence in the President is still one of the most important factors to legitimise the power of the governors (Semenova, 2014).

The Russia Public Opinion Research Center presents electoral confidence ratings in politicians and evaluations of the activities of State bodies, which indicate that the approval rating of the President’s activities is consistently high. When answering an open question the answer comes: “All of us trust one, and do not trust others”. And when talking about politicians, and asking whom the public trusts, and who would not be entrusted with solving important State issues, 50.1%

of Russians named Vladimir Putin (VTsIOM) as being someone they could trust with decision making. These are the results of a poll conducted from August 28 to September 3, 2017, among 4,200 people in 80 regions. Approval of the activities of the President in August 2017 was on average at 83.5%, whilst according to the data from August 28 to September 3, 2017, it was 84.4% (Kondratenko, 2017).

The confidence coefficient in relation to the President of The Russian Federation is considered as the difference between the part of the population who have confidence in the President and the part of the population who have none. The dynamics of the confidence coefficient is presented in Figure 1. In the period 2003–2006, the results of the two polls overlap in time and are different a bit. Therefore, this period is presented with a dotted line.

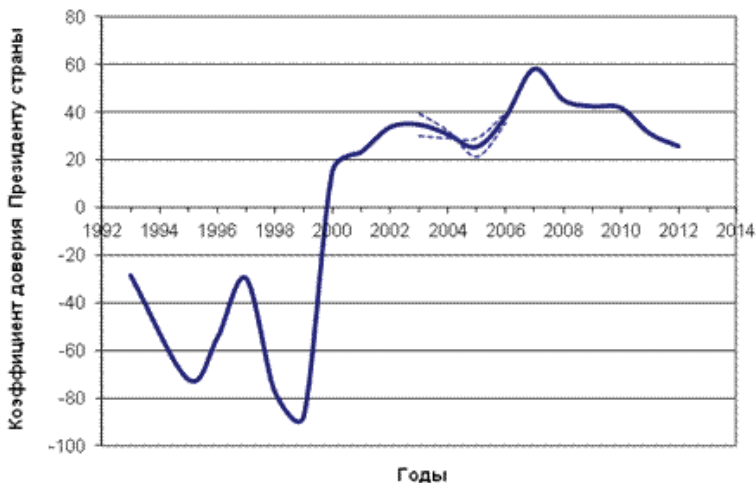


Figure 1. Public Confidence in the President of the Russian Federation Coefficient
Sources: Perov, 2014.

As a result, it is visible that until 2000, the attitude towards the current President of the country (B.N. Yeltsin) was negative. This has its explanation. B.N. Yeltsin's activities aimed to destroy the existing economic system. However, this period was delayed and the population was tired of economic and political uncertainty, lower incomes and unemployment. After the election of V.V. Putin as President of Russia, and until the end of the analysed period, although the attitude towards the current President changed, they remained generally positive.

The attitude of the population towards the Government is reflected by the indicators characterizing trust and approval of its activities. The level of confidence in the Government of Russia was monitoring by various sociological polls between 1993–2006. Respondents answered the question “To what extent, in your opinion, is the Government of Russia credible?” They chose one of the poll's answers – not credible at all; not very credible; very credible; hard to answer. The

approval of the current Government has been evaluated since 2003. Respondents answered a question which reflected the approval of its activities. In this case, the proposed answers were the following: definitely, yes; rather, yes; probably not; certainly not, hard to answer.

The greatest confidence in the Government (fully credible) was noted in 2008. However, this year demonstrated that only a third part of the population (32%) had confidence in Russia's Government. The period 1995–1999 was marked by the highest level of no confidence in the Government (not fully credible; not credible at all). During these years, three-quarters of the population (73–79%) believed that the Government was not credible.

The approval of the current Government's activities (certainly, or rather, yes) increased from 28% of respondents in 2005 to 62% in 2009, with a subsequent decrease of this indicator to 49%. Accordingly, in 2005, half of the population (50%) did not approve of the activities of the Government. In subsequent years, the proportion of the population that did not approve of the activities of the Government decreased to 23% in 2008, with a subsequent increase of this indicator to 42% in 2012.

As a result of the changing outcomes of the polls, three groups of answers, characterizing the attitude to the current Government (negative attitude, positive attitude, hard to answer), were formed, and a general coefficient of the positive attitude of the population towards the Government was made (Figure 2). This coefficient was created from the difference between positive and negative evaluations. During the period 2003–2008 the outcomes of two polls overlap in time and differ, therefore the interval of the evaluating outcomes of these years is demonstrated by the dotted line.

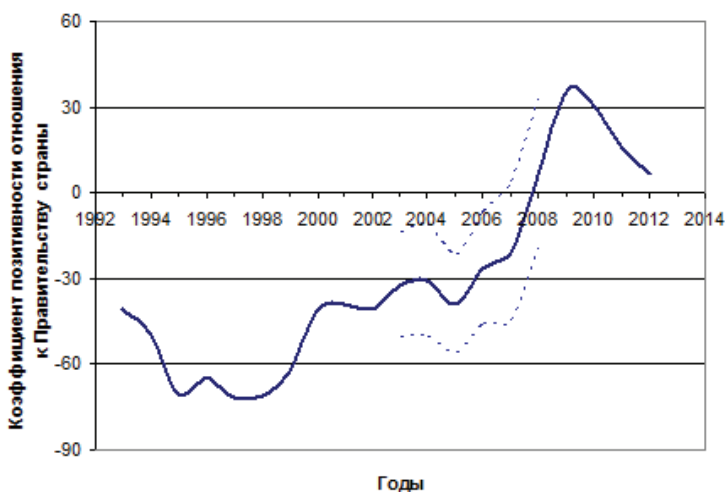


Figure 2. Ratio of the positive public attitude towards Russia's Government
Sources: Perov, 2014..

Figure 2 demonstrates that the attitude towards Russia's Government was generally negative until 2008, but from 1999 the level of negativity decreased. And by the end of the period, it is obvious that the negative attitude turns into a positive one (Perov, 2014).

During the last 5 years, the rating of the President was consistently high and ranged from 60 up to 90%. Such a high level of confidence allowed the President to make decisions and to implement them relying on the population despite the very high corruption level throughout the power vertical, including all the three power branches and police, prosecutor's services and so on proved by lots of cases. Even such unpopular activities as raising the retirement age, increasing taxes, amongst a number of others, were successfully implemented due to the speed of decisions and the non-resistance of opposition. Moreover, the opposition contributed to that process by dragging out the time through all kinds of referendums, non-essential meetings, protests, etc. This subjective basis demonstrates clearly the consequences of unpopular decisions. Thus, despite the successful implementation of controversial policies, the rating of the President collapsed and according to some estimates it at 27% (39%) of confidence. Further to this, there was a protest vote in the elections of governors, wherein a number regions the population voted contrary to the President's position.

Conclusions


It can be thus assumed that the volume of the power of the President can be expanded, as practice shows, through subjective means. Obviously, there are several important points. First, for democracy, it is necessary to regulate more strictly the volume of the President's power, since he does not belong to any power branch in the system of the separation of powers, but stands above them, which can lead to the usurpation of power, with absolute subordination to the President. Secondly, such deviation largely ensures the dependence of the political system on one official. Thirdly, when there is subjectivism in the framework of conditions of transition from the industrial structure of the economy and life to the postindustrial one, where the diversity of interests inevitably begins to dominate, freedom of information and the society's "demassification" might take place, according to E. Toffler. It can be however viewed as positive if mobilization for a breakthrough is needed, and as negative, if it will slow down the development of society.

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Possibilities for cooperation between the non-governmental, non-commercial sector and the public sector in modern Russia*

Abstract. The model of three-sector synergy in a contemporary state rests on cooperation between the first (state) sector, the second (commercial) sector, and the third sector – the civil one, also referred to as the non-commercial sector. The quest for an optimal solution and the establishment of mutual relations is underpinned by the concept of the reorganization of Russian society with regard to its political modernization; this is accompanied by a variant of social agreement that guarantees citizens equality before the law, and the protection of their rights along with simultaneous compliance with the law. What complements the image of Russia's contemporary reality is the goal of non-governmental, non-commercial organizations – not only to survive but also to develop a *modus vivendi* in the circumstances of an authoritarian state.

Keywords: Russia, non-governmental, non-commercial sector, society's modernization, cooperation, inter-sectoral synergy.

The concern over the survival of civil society institutions is expressed not only by the citizens themselves, directly interested in this issue, but also by the representatives of the business environment and the state's authorities, both at the central and territorial level. Thanks to the interest expressed by the academic

* This article on the possibilities of cooperation between the non-governmental, non-commercial sector with the state sector in contemporary Russia (i.e. a state undergoing transformations whose vector is as yet unspecified) is an abbreviated version of a section of the book published by Anna Jach (2019).

and scientific centres (think tanks), in the issues related to effective management in the 21st century, Russian politics witnessed the development of the most optimum variant of three-sector synergy, which is to result in an increase in the efficiency of the functioning of the state's structures. The following article discusses the conditions and potential for cooperation between the state, private, and non-governmental, non-commercial sectors in contemporary Russia.

Introduction

The model of three-sector synergy in a contemporary state rests on cooperation between the first (state) sector, the second (commercial), and the third one – the civil sector, also referred to as the non-commercial sector. The possibility of cooperation between the three pillars of a contemporary, modern state should be based on the principle of balance, yet explicit parity is not the case here. The literal equality of the three sectors is impossible due to the scope of their influence related to their core functions. The question which should be addressed regards the nature of this cooperation, particularly in circumstances where the consolidation of the state's political system is still an ongoing process.

Since it was assumed that the state's structures cannot function when isolated from the other two sectors – commercial and non-governmental structures and political organizations – the decision which followed was to develop an individual model of cooperation between these three sectors of the political system. The fulfilment of certain state functions is only possible when there is balanced interaction between its participants. In such circumstances, policy-makers were forced to re-establish relations with these entities which are the core of civil society – the non-governmental, non-commercial organizations.

The conditions which more precisely determine cooperation between the state, business and non-governmental, non-commercial organizations, understood as an emanation of civil society in contemporary Russia, can be traced when looking at tasks assigned to the two of them – the state and civil society organizations. The nature of their mutual relations can be discerned in the following principles:

- 1) state registration, regulation of legal grounds for cooperation;
- 2) the indication of the areas in which non-governmental, non-commercial sector organizations would be vitally interested in getting involved;
- 3) the elimination of the premises hindering the development of cooperation;
- 4) the establishment of inter-mediatory structures for cooperation;
- 5) the definition of the methods and forms of cooperation of the non-governmental, non-commercial sector with state structures.

The assumption underpinning this model of cooperation is the concept of the reorganization of Russian society in the context of its political modernization,

accompanied by a variant of a social agreement that guarantees the citizens equality before the law and protects their rights, while respecting the law. On the other hand, based on their previous experience (successes, failures, problems in the cooperation between society and non-governmental organizations; and non-governmental organizations and the state; as well as non-governmental organizations and business), representatives of the civil sector developed optimal mechanisms for cooperation with other entities of Russian civil society, which are designed to ensure not only the survival of NGOs in the non-profit sector, but also the implementation of tasks and fulfilment of the functions for which they were established by their founders. The awareness of the complexity of the position of the social sector in Russia resulted, and still stems, from its dependence on the political will of the policy-makers, who – contrary to the widely proclaimed postulates constituting the quintessence of civil society – are far from making both the commercial and non-commercial sector equal to the state sector. They allow some freedom of civil activity, as long as such does not endanger not only the vital interests of the ruling elite, but also the reserved sphere of political management.

In contemporary conditions, a state's functioning focuses around a primary state-centric goal and assumes control of interactions between an individual, the society and the state because both social structure and the condition of the legal organization of social life depend to a great extent on achieving this goal. Adopting the "national interests of the Russian Federation" as the entirety of the internal and external needs of the state with a view to ensuring the safety and sustainable development of an individual, the society and the state (Ukaz Prezidenta Rossijskoj Federacii "*O strategii nacional'noj bezopasnosti...*", 2009), forced the policy-makers to develop their own model of cooperation between the three sectors of the political system. This in turn necessitated activities aimed at raising citizens' legal awareness, according to the guidelines set in the policy of the modernization of Russian politics and statehood. Speaking about coordinating or harmonizing the interests of an individual, the society and the state, a priority task focused on developing a model of state laws; what the rulers actually had in mind was a project concerning society's modernization (Kertman, 2007: 120). Its foundation became the version of the social contract in which the state ensures that its citizens are equal before the law and that their rights are protected; in turn, the citizens abide by the law, solving their problems not with bribes or other illegal means but by using legal mechanisms (*Osnovy gosudarstvennoj politiki Rossijskoj Federacii...*, 2011; Shhuplenkov, Shhuplenkov, 2013: 1–55).

State registration

One of the forms of cooperation between the state and the society in contemporary Russia, with regard to the procedure of legitimizing legal entities and non-governmental organizations is state registration. This has been of great interest to other entities involved in cooperation with a public partner, as well as other natural or legal persons interested in various forms of participation in the society and state as a whole. If the foundation of such cooperation is to be a model based on the social contract concluded between the government and the society, which implicates the mutual duties of both parties and the full responsibility of the government before its citizens, then the development and implementation of a procedure for controlling the activities of non-governmental organizations has become an urgent issue (Polnyj tekst vystuplenija Dmitrija Medvedeva..., 2008). This is particularly the case in light of the large number of unregistered non-profit structures with shadowy financing (Kozhevnikov, 2012: 194; Zaključenje na proekt federal'nogo zakona..., 2005). Local and foreign experiences with implementing registration and control procedures for organizations of the non-commercial or non-governmental sector, were used during the preparations for the introduction of the Unified State Register of Legal Entities (*Yedinyj gosudarstvennyj reyestr yuridicheskikh lits – YEGRYU /the USRLE*) (Federal'nyj zakon "O gosudarstvennoj registracii...", 2018). As a result, the cooperation forms were classified as the following models:

- **the liberal model** (*razreshitel'naya model'*) (characteristic for imperial Russia in its post-absolutist period, showed signs of quite an open – to wit, liberal – approach to the institutions of the emerging civil society in the second half of the 19th c. and in the early 20th c.) (*Svod zakonov Rossijskoj imperii...*, 1857: 425–438);

- **registration by declaration** (*registratsiya zayavitel'naya, uvedomitel'naya*) – characteristic for the USA during the period of monopolist capitalism and the emergence of post-industrial society as well as for Russia after 2000 (Kozhevnikov, 2012: 200–201);

- **the safe model** (*yavochnaya model'*) – a very simplified procedure leads to balancing the interest of the general public with the freedom to create new legal entities, adopted in Germany and the United Kingdom (*Companies House*);

- **the administrative model** (*rasporyaditel'naya model'*) – a legal entity is created solely through its founder's decision while an organization does not require state registration – tsarist Russia, the USSR, the RF (Ugolovno-ispolnitel'nyj kodeks Rossijskoj Federacii, 1997; Popechitel'noe o tjur'mah obshhestvo, 1890–1907: 546–547; Kozhevnikov, 2012: 206).

In the wake of legal solutions regulating these two spheres of cooperation, the policy-makers split the general state registration procedure into the

general registration procedure for legal entities (registration of all commercial organizations) and the special registration procedure for legal entities (registration of non-profit organizations, civic associations, mass transport institutions, credit unions, religious organizations and a number of other legal entities). This led to the development of detailed criteria describing the documents required for registration, its special time limits and the registration refusal procedure; the criteria took into consideration the differences existing, in terms of the status of legal entities, between those wishing to form entities of the non-governmental, non-commercial sector and the institutions authorized to perform registration. This became the basis for developing guidelines for various legal and organizational types of entities in the Russian third sector that prescribed the rules of cooperation between the state and the social sector; unfortunately, the guidelines increase the legal chaos surrounding the state registration procedure. Furthermore, its implementation was tasked to two different state bodies – the Ministry of Justice of the Russian Federation (RF) with its regional branches (Ukaz Prezidenta RF “*Voprosy Ministerstva justicii Rossijskoj Federacii*”, 2004) and the Federal Tax Service of the RF (*Federal'naja nalogovaja sluzhba*). The question remains which organs will be held accountable for violating the state registration regime. When this function is assigned to two separate authorized government bodies, it turns out that such a division of accountability *de facto* fully corresponds to the powers assigned by the lawmakers both to the Ministry of Justice and the Federal Tax Service with regard to fulfilling the function of institutions responsible for registration itself, as well as for entering relevant information into the Unified State *Register* of Legal Entities (Postanovlenie Pravitel'stva RF..., 2006; Prikaz Minjusta Rossii..., 2012).

The subject of the governance process

The characteristic features of the non-governmental, non-commercial sector in this respect make such entities a peculiar institution. The difference between commercial and non-commercial organizations as to their products – both material (goods and services) and immaterial (health products, good mood, acceptance of spiritual values by people, social objectives) – is irrelevant in the case of state corporations. Running non-profit activities does not mean a negative attitude towards the business sphere. As the social sector is one of the most dynamically developing sectors of social economy both in Russia and in the wider world, its structures can assign their profits for their own statutory purposes. Pointing out the existence of the two subjects of the governance process – the needy and the donors (funders) (Tul'chinskij, Shekova, 2009: 36), where it is impossible to determine which of them appeared first,

was a reference to the theory of governance adopted in other states with regard to the non-commercial sphere. In public goods production theory (*teoriya "proizvodstva obshchestvennykh blag"*), the instruments of administering the non-governmental, non-commercial sector include social marketing, fundraising and volunteering. Referring to the elements of the earlier concept, the contract failure theory (*teoriya "nevypolnennogo kontrakta"*) supplements it by introducing limitations in the distribution of the profit of non-commercial organizations; with an obligation to channel the profit into primary business activity, and control over the distribution of the profit of a non-commercial organization in the society. The last governance theory, the stakeholder control theory (*teoriya "kontrolya steykholderov"*) (Jach, 2019: 309–314), influences the non-governmental civil sector by means of stakeholders exercising control over the activities of non-commercial formations through establishing boards of trustees (*popечitel'skiy sovet*) for particular social structures (Federal'nyj zakon "O nekommercheskih organizacijah", 1996; Shekova, 2014: 250–251). Russian institutions where the methods and means of managing the non-governmental, non-commercial sector have been successfully applied are the State Hermitage Museum (Tul'chinskij, Shekova, 2009: 46; Shekova, 2014: 248–250), the State Russian Museum in Sankt Petersburg and the State Tretyakov Gallery in Moscow (Shekova, 2003: 40). After the successful implementation of remedial actions, these two cultural and scientific institutions of special standing not only emerged from a state of collapse but also began to support other non-profit institutions, in particular cultural and scientific ones (Ukaz Prezidenta Rossijskoj Federacii "O dopolnitel'nyh merah...", 1999; Popечitel'skie sovety: stanovlenie, razvitie, opyt...). One of many peculiarities, in this case, is that this important and successful experiment has not been widely publicized in Russia; this is due to the deeply rooted conviction that the dominant role in this sphere belongs to the state, which is not going to compete with other subjects in this field.

State control

Public authorities acting as controllers is an inherent element of public administration; its efficiency determines in advance the effectiveness of the state in performing duties assigned to its governing bodies. As an important characteristic of the non-governmental, non-commercial sector is the level and dynamics of the development of civil society; to that end lawmakers defined its constitutional principles regarding bringing the third sector under state control:

The universal rules include the following: **the principle of legality** (*printsip zakonnosti*) and **proportionality** (*printsip sorazmernosti*).

In turn, the canon of the so-called **special rules** consists of the following:

- 1) **the principle of control function unity** (*printsip yedinstva kontrol'noy funktsii*);
- 2) **the principle of completeness and of horizontal and vertical division of control rights in accordance with the constitutional beginning of organization of public government in the RF** (*printsip polnoty i raspredeleniya kontrol'nykh polnomochiy po gorizontali i vertikali soobrazno konstitutsii*);
- 3) **the principle of the balanced ensuring of basic rights and competences on which the rule of law is founded** (*printsip sbalansirovannogo obespecheniya osnovnykh i kompetentsionnykh prav, kotoryy, yavlyayas' fundamentalnyy*);
- 4) **the principle of coherence** (*printsip sistemnosti*);
- 5) **an unacceptability of interference in the activities of the controlled subject** (*printsip nedopustimosti vmeshatel'stva kontroliruyushchego organa v operativnuyu deyatel'nost' proveryayemogo*);
- 6) **the principle of presuming the goodwill of the controlled subjects** (*printsip prezumpitsii dobrosovestnosti kontroliruyemykh sub'yektov*);
- 7) **the principle of rationality** (*printsip ratsional'nosti*);
- 8) **the principle of transparency** (*printsip transparentnosti*) (Kozhevnikov, 2012: 239–245).

The fact that the Russian reality does not adhere to the above norms can be seen in many legal regulations published by the Ministry of Justice of the Russian Federation, which, alas, has not found any application for these principles. This leads to a conclusion that there is a gap between the letter and the spirit of the law, which is reflected in the practical application of the norms defining not only the functioning of the Russian civil sector but also that of the two other sectors, the public and the private, which are closely connected with the former. The situation reveals the blatant arbitrariness and, consequently, instability of Russian legislation, which is entirely dependent on the political elites currently in power. The lack of the stability of the broadly defined social system leads in practice to the worsening dysfunction of all the other subsystems: the political, civil, economic and religious ones.

As regards state control over the non-governmental, non-commercial sector, the Russian legislature provides for the supervision of finances and statistical reports, as well as of current activities; the legality of which is analysed on the basis of a given entity's instruments of incorporation (Prikaz Ministerstva justitsii Rossijskoj Federacii "Ob utverzhdenii Admini-strativnogo reglamenta...", 2011). Institutions responsible for the state supervision of the third sector in Russia do so through the use of the following tools:

- 1) **control of non-commercial organizations' activities** (*Kontrol' za dejatel'nost'ju...; Plan proverok...; Prikaz Ministerstva justitsii Rossijskoj Federacii "Ob utverzhdenii Administrativnogo reglamenta..."*, 2011; *Edinyj portal gosudarstvennyh uslug i funkcij (EPGU)*);

2) **procedure of auditing non-profit organizations** (*Provedenie proverok...*; Federal'nyj zakon “*Ob osnovnyh garantijah izbiratel'nyh prav...*”, 2002);

3) **analysis of the control subject (an organization) directly related to the characteristics of this formation; and analysis of activities directly related to spending funds and using property, in terms of compliance with the objectives defined in the instruments of incorporation** (Charykova, 2018; Federal'nyj zakon “*O buhgalterskom uchete*”, 2011; Ukaz Prezidenta RF “*Voprosy Ministerstva justicii Rossijskoj Federacii*”, 2004; Prikaz Ministerstva justicii Rossijskoj Federacii “*Ob utverzhdenii Administrativnogo reglamenta...*”, 2011; Federal'nyj zakon “*O nekommercheskih organizacijah*”, 1996; Federal'nyj zakon “*Ob obshhestvennyh ob'edinenijah*”, 1995; Federal'nyj zakon “*O blagotvoritel'noj dejatel'nosti...*”, 1995; Federal'nyj zakon “*O buhgalterskom uchete*”, 2011; Ukazanie Banka Rossii..., 2014).

The peculiarity of Russian reality in the sphere of state control over the non-governmental, non-commercial sector can be encapsulated in the statement that an audit is not a simple operation, so a large number of employees are tasked with it. The sluggishness of the control procedure results from ambiguities in legal solutions that are the basis for the establishment and functioning of non-commercial operations. A separate issue is regulations which, contrary to the premises included in the principles, at each stage of administrative cooperation between the civil and the public sector enable the latter to intervene if the authorities demand it. This can directly paralyse a given organization, especially as even the Law “On public associations” authorizes, besides the Ministry of Justice of the RF and its local branches, other bodies that are a part of the bureaucratic apparatus of the Russian Federation: ecology, fire protection and epidemiological services, as well as other services to which the lawmakers assigned supervisory and control functions (Federal'nyj zakon “*Ob obshhestvennyh ob'edinenijah*”, 1995). However, the reorganization of this sphere of NGOs' activity brought also positive results: their registers are kept correctly, and their expenditures and other assets are used in compliance with the statute objectives set in the documents of incorporation.

Spheres of activity of the non-governmental, non-commercial sector

The main areas within which civil organizations fulfil their tasks, as declared in the mission and objectives included in their documents of incorporation, remain the following spheres of activity: social assistance (to the homeless, the disabled and the social groups incapable in dealing with life); socio-cultural activities (science and education; culture; leisure); human rights protection (legal aid, prevention); historically oriented and military-patriotic activities (reviving the memory of past events through competitions, school contests and tournaments, presentation of

historic events by reenactment groups); activities focusing on ecological issues and environmental protection (social campaigns for saving endangered species of fauna and flora; countermeasures against the threats resulting from nuclear energy use); activities focusing on children and youth (orphans, adoption processes, domestic violence prevention); activities focusing on health service, health protection, and the prevention of health problems (screening tests and related information meetings, health awareness campaigns).

There are of course a multitude of factors that can influence the emergence of the non-governmental, non-commercial sector, including but not limited to: the role they can fulfil; involvement of Russian citizens in the activities of NGOs; the balanced three-sector model of a modern state; expectations of different bodies regarding the duties of both the public and the civil sector; the role of individuals in the process of the emergence or functioning of a civil society; and the typology of legal and organizational forms of NGOs. When considering the aforementioned peculiarities, it is possible to make a synthetic presentation both of the functions fulfilled by non-governmental, non-commercial organizations and of their *modus operandi* types. Such functions of the non-governmental, non-commercial sector as affiliative, expressive, aid (functions related to satisfying needs, interests and demands of associated persons), integrative, childcare and educational, regulatory, lobbying and society-building (functions related to fulfilling the needs of broader communities) are accompanied by specific basic types of *modus operandi* (Gliński, 2006: 51–260). The latter include such models as third-sector (Gliński, 2006: 52–53), **leadership** (Gliński, 2006: 99; Wierzchosławski, 2006: 82–109), **nostalgic**, **“convert”** (Gliński, 2006: 152; Klejmjonova, 2005), **phantom** (Gliński, 2006: 159–160; Antoszewski, 2003: 53), **dispersive citizens’ enclaves** (Putnam, 1995: 258–275; *Sojuz blagotvoritel’nyh organizacii...*; Larichev, Batalin, 2017; Timofeev, Gogolev, 2012), **para-political** (Komarov, Mal’ko, 2004: 157; *Public Policy Research...*, 2017; Hasmath, Hildebrandt, Hsu J., 2019: 4–5; Cook, Vinogradowa, 2006: 14; *Molodezhnye politicheskie organizacii Rossii*, 2010), **sybiotic** (Gliński, 2006: 211), **business** (Gliński, 2006: 233; Zakon RF “*O potrebitel’skoj kooperacii...*”, 1992; Federal’nyj zakon “*O kreditnoj kooperacii*”, 2009; *Chto takoe kreditnyj potrebitel’skij...*, 2018; *Gosudarstvennyj reestr...*) or **communal ones** (Siellawa-Kolbowska, 2002: 82; Putnam, 2008: 40; Grootaert, Van Bastelaer, 2002: 2; Gliński, 2006: 244–245, 260).

Factors hindering the development of cooperation between the non-governmental, non-commercial sector and the state

The obstacles to the emergence of a partnership-based civil society result either from the institutional and structural weaknesses of the state (exogenous obstacles) or from the weaknesses of the self-organizing society (endogenous

obstacles). They lead to the atrophy of the very idea of political representation, the source of which are mental barriers regarding the perception of actors on the political stage. The foundation of transformations in this sphere is social capital, which – as a factor determining social activity – is a key to understanding civil society, its institutions and the character of actions undertaken in its sphere (Marody, 2011: 439; Masłyk, 2007: 127). Among a number of problems hindering cooperation between the non-governmental, non-commercial sector and the state there are obstacles of an organizational, legal, financial, personnel (including the person of the leader), communication/information and mental nature. Their classification was possible because the functioning of the third sector in Russia has been regularly monitored since the 1990s (Mersijanova, Jakobson, 2007; Mersijanova, 2007; Kozhevnikov, 2012; Sungurov ed., 2002a, 2002b; Maksimova, 2014; Haritonova, 2018).

Although the citizens' behaviour considered by the policy-makers as most desirable during state modernization is the syncretic type of political participation – which means a combination of autonomous, rational, independent and mobilized activity of all citizens – the implementation of this model is hindered by the degree of trust or mistrust towards all representatives of the authorities (Radikow, 2015: 77). This results from the process of differentiation of generations whose interests and expressed issues were directly related to experiences in governance during the past years. What had the greatest impact on the perception of the political system and the society was the experiment of building communism. As a result, in modern Russia, whose inherent feature is transience, there emerged a cultural dissonance within society in the sphere of social values. The symptoms of the realist socialism culture – represented by collectivism, egalitarianism, mediocrity, certainty and security, fate, protectiveness, system blaming, passive privacy and living in the past – were juxtaposed with the values of democratic and market culture: individualism, meritocracy, success, risk, agency, making one's own decisions, public participation and focusing on the future (Sztompka, 2012: 336–337). The overlapping of three axiological systems of Russian society (pre-industrial, industrial and post-industrial) had implications entirely different from those intended, because in many spheres of social life the concepts that served as the basis of the moral evaluation of words and actions of a given person – and which ultimately determined the state's stability – have disappeared. This led to the appearance of factors hindering effective cooperation between the non-governmental, non-commercial sector and the first sector; those detrimental factors included:

a) a perception of politics as a sphere of activity that was alienated from society and belonged to the “ruling elite” and their closest circle (activists and volunteers from political parties, employees of the media, analysts, public relations specialists);

b) the disavowment of the idea that stability had been achieved and of the clear upward trend in all the spheres of social life;

- c) the change of the existing model of citizens' mobilization to one of increased citizen participation;
- d) the emergence of informal grassroots self-organization, volunteering and single-postulate movements;
- e) young people as active participants of protest movements, vividly reacting to different innovative policy changes;
- f) new possibilities of non-political citizens' activities;
- g) the nationalization of local self-government as an obstacle to the self-organization of the Russian society at the local level;
- h) protest movements being perceived as forms of civil self-organization;
- i) the increased participation of virtual communication in organizing citizens' activities (Radikow, 2015: 72–77).

One of the processes of policy and statehood modernization, the clash between the interests of the Russian state and the Russian society, produces a sense of co-responsibility for the common fate, personal benefit, personal interest and the state. Although in the relation of the state and the civil sector it is the former that still has the dominant position; this relation does not reflect a growing asymmetry but rather resembles a striving to develop and maintain a *modus vivendi* that would guarantee effective state governance, which will result in an increased sense of safety and better living standard for Russian citizens.

The models of interaction between the state and the non-governmental, non-commercial sector in contemporary Russia are the result of traditional relations between the first (public) sector and the third (civil) sector; whilst both originating from the practices of Western and Eastern societies, and recreating local experiences. Thus on the basis of the Western models of the functioning of the third sector (residual, continental, Scandinavian, Mediterranean and that of Central and Eastern Europe), together with organization forms acceptable in these models (Wygnański, Gumkowska, 2005: 112–114; Anheier, Mertens, 2006: 76), Russia developed foundations for these NGOs which undertook the tedious task of satisfying its citizens' social needs. The so-called socially oriented non-commercial organizations (*sotsial'no oriyentirovannye nekommercheskie organizatsii* – SO NKO) – working in the following fields: social, representation and protection of the socio-economic, political, spiritual-cultural, and information rights of citizens – were considered as bodies of special status. Their position in the structure of the non-governmental, non-commercial sector was marked by separate regulations defining their acceptable legal and organizational forms (with the exception of state corporations, state companies and civic associations which are political parties); their spheres of activity; and the auxiliary regulations regarding the support can receive from the state. The very broad spectrum of SO NKO activities meant that they were entrusted with the tasks of solving the everyday problems neither the state nor municipal authorities were able to cope with (Federal'nyj zakon “*O nekommercheskih organizacijah*”, 1995; Federal'nyj zakon

“*Ob obshchih principah organizacii...*”, 1999; Federal’nyj zakon “*O zashchite konkurencii*”, 2006; Kozhevnikov, 2012: 42–48; Federal’nyj zakon “*O vnesenii izmenenij v otdel’nye zakonodatel’nye akty...*”, 2014).

The concern the Russian policy-makers (e.g. Vladimir Putin) (*Poslanie Prezidenta...*, 2012; 2013; 2014) showed as to whether socially-oriented organizations discharged their duties with due diligence resulted from the state’s problems in the area of state governance, leading in turn to its low efficiency. The search for an interaction model optimal for the Russian reality turned to local experiences as well as concepts that could facilitate such a change of the cooperation strategy that would allow the achievement of the intended goals. On the grounds of the social group theory (von Beyme, 2007: 238–241), pluralist approach (Heywood, 2006: 96–98) and neo-corporatism (Galkin, 2000: 148; von Beyme, 2007: 246), it was concluded that the form of cooperation most efficient in Russia is that based on solutions accommodating native conditions. All political actors were considered as specific “corporations”, striving to gain access to the decision-making process (Shmitter, 1997: 14); this was accompanied by focusing on the integration of two variations of neo-corporatism that have occurred in Russia: the state (patron-client relations) and the civil one (partner relations). These approaches focused on developing a hierarchical system of relations between the authorities and the civic institutions, which in practice meant that the state maintained a decisive advantage in their mutual relations (Tarasenko, 2015: 36–37).

What turned out to be the key to developing the *modus vivendi* between the state and the non-governmental, non-commercial sector was the presidential model of governance (the so-called presidential monism) (Jach, 2011: 376; O’Donnell, 1997: 70–72) that emerged during the system transformation and was strengthened further by the post-2000 centralization of power. As the democratization initiated in 1991 did not end in consolidation, Russia is still considered to be in the process of transition: a transforming state. This means a co-existence of elements from two systems: democratic and authoritarian, which in the hybrid system of governance directly translate into the organization of the mutual relations between the state and the third sector (Noble, 2018; Truex, 2014). This issue has been the focus of the research of different academic groups and universities (the Public Policy Department established by Nina Bielyayeva at the National Research University Higher School of Economics in Moscow – Natsional’nyy issledovatel’skiy universitet “Vysshaya shkola ekonomiki” or the HSE University (Kafedra publichnoy politiki) and by groups of experts (the Saint-Petersburg Centre for Humanities and Political Studies “Strategy”, whose president is Alexandr Sungurov – Sankt-Peterburg SPB tsentr “Strategiya” (SPB tsentr “Strategiya”). After numerous debates, joint projects and specialist conferences, the specialists ascertained that the framework for all the forms in which the state fulfils its duties will be the concept of public policy (Solov’ev, 2018: 52), which defined the entirety of the programs and priorities of government bodies as well

as the mechanisms and technologies employed in their implementation. This was developed on the basis and in consideration of the social expectations of different social groups voiced by their representatives (Sungurov, 2008: 126). Thus the defined concept was used to determine not only the components of public policy¹ (Sungurov, 2017: 10) but also the *sine qua non*-condition of its functioning in Russian reality.

Conclusions

Defined on the basis of strictly Russian conditions, the models and forms of cooperation between the non-governmental, non-commercial organizations and the state administration correspond to the development of the contemporary civil society. Including both the historical perspective and the transformations of the citizens' perception of the functionality of the Russian state and society, it can be concluded that firstly, the civil society (understood as the organizations of the non-governmental, non-commercial sector) cannot exist entirely independently from the state as it emerges from the state's foundations. Secondly, the state influence the activity of the civil society institutions; this involves mainly ensuring the optimal conditions for their effective functioning. Simultaneously, the civil society institutions are also able to influence the activities of the state in order to achieve significant results, represent the interests of citizens, and protect their rights and freedoms. Thirdly, the current situation in Russia is only a stage in the development of relations between the state and the civil society institutions.

¹ Defining the term "public policy", when it first appeared, was problematic within Russian political science. There existed concomitantly such Russian terms as "*sotsial'naya politika*" ("social policy"), "*otkrytaya politika*" ("open policy"), and "*obshchestvennaya politika*" (which can be translated as "public/social policy"). In practice, it was possible to develop one position on the meaning of the term "public policy" (*publichnaya politika*). One Russian word "*politika*" corresponds to two, or even three terms in English – **politics** (struggle for gaining and maintaining power, *bor'ba za zavoyevaniye, uderzhaniye vlasti*), **policy** (the development and implementation of political programs by authorities at various levels aimed at solving certain social problems, which can be shortly referred to as "political-managerial activities", *razrabotka i realizatsiya programm deyatel'nosti vlasti razlichnogo urovnya, napravlennykh na resheniye tekh ili inykh obshchestvenno znachimykh problem, chto kratko mozno opisat' kak „politiko-upravlencheskiye resheniya*) and **polity** (a politically organized community, i.e. "the political world", *politicheskii organizovannoye soobshchestvo, ili "mir politicheskogo"*). The greatest trouble is caused by the first two terms as in practice it resulted in introducing to Russian law such changes as the law on spying, aimed at tracing potential enemies of the state. The branch of political science called in Russia "*Gosudarstvennaya (publichnaya) politika*" can be translated into English as "state's public policy", i.e. "*politika*" in its second meaning – a process of making and implementing political decisions regarding management. *Vide*: Sungurov, 2017: 10.

Conscious actions of both sides, aimed at developing and strengthening the civil society institutions, should in time result in the increased productivity of their operations (Kolesnikova, Rjabova, 2016: 74).

Seeing the development of the contemporary civil society as a result of agreement and dialogue, one cannot forget, however, that the emerging civil society is unable to adopt the destruction or weakening of the state authorities as its objective. On the contrary, it needs the state, which protects national interests and acts as an arbitrator between various bodies. The quality and variety of discussion platforms between the civil society and the state determine to a great extent the perspectives of further growth of the civil society. Based on this assumption, specialists and researchers from many academic centres, think tanks and expert institutions determined the conditions optimal for cooperation between the non-governmental, non-commercial sector and the government bodies, which predominantly use ways, methods and means provided by the concept of public policy.

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Public contestation practices in Russia in 2000–2020

Abstract. The article analyzes the influence exerted by the limitation of legal opportunities for public contestation in the 2000s on the scope of mobilization and the repertoire of public contestation practices. The term ‘public contestation’ is used to describe forms of individual and collective political activity focused on criticizing, denying and resisting the current government project, including by introducing alternative projects. The public contestation includes constructive actions of political actors not related to causing damage or disposing of political opponents. The paper is based on political and legal analysis and on some elements of event analysis. In the 2000s, the scale of public contestation on discursive and protest platforms was smaller than over the next decade, which did not create any needs for detailed regulation of such activities. At the same time, changes in political and legal opportunities in the electoral and party field were quite intense throughout 2000–2020. The most popular forms of public contestation were public events (in 2011–2018), as well as discursive activity on the Internet and in mass media (after 2018). During the above mentioned period, we see the biggest changes in legal opportunities in this field and increasing penalties for respective violations. The electoral field shows the pendulum dynamics: decreasing and increasing opportunities in 2000–2011 and 2012–2019, respectively. A meaningful factor of narrowing legal opportunities for public contestation is the potential financial, organizational and information support of public contestation practices by foreign entities.

Keywords: Contestation, political opportunity, protest, political party, non-government organization.

Introduction

Political processes in the contemporary world show the revival of collective political action and the decline of institutional political engagement in countries with various political systems. New forms of political self-expression extend

the boundaries of politics beyond the narrow scope of electoral campaigns and party activity. Citizens of postindustrial states are getting more actively involved in politics than ever before and the forms of this involvement are changing (Inglehart, Welzel eds., 2005: 43). The global financial crisis of 2008, as well as new technical capabilities for public action, provoked ‘global political awakening’ and growth in the number of protests in both competitive (Van Vossle, 2015) and non-competitive regimes (The Legacy..., 2016).

Since the 2000s, the Russian Federation has been showing the wave dynamics of protest activity with demands for improving democratic institutions and practices. Some Russian social and political scientists recorded an increase in social and economic tensions and the scale of protests in 2011–2012, 2016–2017 for both socioeconomic and political reasons. A significant factor of all-Russian mobilisation of big-city residents discontented with the government was the social and political activity of Alexei Navalny who managed to create a broad network of regional organisations in 2017–2018 and conduct all-Russian protests with political demands. The government introduced considerable changes in legislation, limiting not only public protest events but also the demonstration of disagreement in other formats. The goal of our study is to analyse how the limitations of legal opportunities for public contestation in Russia in the 2000s influenced the scale of mobilisation and the repertoire of practices used for the expression of public discontent.

Operationalisation

The concept of ‘contestation’ was used by B. Jouvenel for the first time who meant the constant capability to articulate publicly the arguments against the policy pursued by legitimate authorities. According to the term’s author, contestation is characteristic for democratic political regimes, i.e. for systems sensitive to criticism and able to discuss publicly the drawbacks and alternatives of the political agenda. According to Jouvenel, contestation includes only well-reasoned and substantiated disagreement. The subject of contestation is represented by ordinary citizens and spontaneous associations based on interests and affinities and who are eager to destroy the authoritarian instinct (Zhuvenel, 2011: 385) of the authorities who aim to increase their powers and extend the range of their influence under any political regime.

Institutionalised political opposition in the form of competing parties is one of the contestation tools in citizens’ hands since it allows citizens to ‘threaten’ the ruling party with a prospect of losing votes at elections were they to implement a certain policy and with giving preferences to its rivals. However, the party and the electoral mechanism is not sufficient to have an impact on the government decisions: citizens’ capabilities to oppose are now much broader and do not imply only the replacement of the ruling party or group (Jouvenel, 1966: 164).

The notion of ‘contestation’ is more clearly defined by G. Ionescu who applies it to the analysis of non-competitive political regimes lacking the institute of party and political opposition. According to him, contestation means anti-system practices, the semi-legal and illegal actions of ‘dissenters’ based on fundamental ideological differences. Alternative (opposition) groups only criticise the authorities in force, since they are not able to win at sham elections and to become an opposition in the classic sense of liberal democracy (Ionescu, 1966). Later on, contestation practices in non-competitive regimes were considered as a mechanism for protest mobilisation (Beinin, Frédéric, 2013) and as a way to extend citizens’ participation in conflict political processes (Jayasuriya, Rodan, 2007) and in decision-making processes (Katsaura, 2012; Harriss, 2010).

A broad interpretation of public contestation was given by R. Dahl who understood it as one of the parameters characterising the democratic or authoritarian nature of political regimes. According to Dahl, to “contest [...] means to make something the subject of dispute, contention, or litigation, and its most immediate synonyms are to dispute, challenge, or vie” (Dahl, 1971: 9). A substantial attribute of democracy is the continuous government’s capability to respond to citizens’ preferences. In order to provide this attribute, citizens should be able to: formulate their preferences, express their preferences to fellow citizens and the government through individual and collective actions, and have their preferences equally treated by the government. In Dahl’s opinion, public contestation includes the whole variety of actions taken by citizens, professional politicians, political opposition aimed at the presentation of their disagreement with decisions being prepared or made by authorities or with their actions.

Following Dahl’s tradition, A. Trantidis believes that “contestability is the necessary element of a democratic system that enables citizens to exert political influence and protect themselves from political domination” (Trantidis, 2016: 78). Studies in the history of the development of democracy in the USA and Great Britain allowed considering ‘contestation’ as a form of legal political engagement (Avril, Neem, 2015).

C. Tilly, S. Tarrow and D. McAdam use such a term as ‘contention’ and include political engagement and action in the concept of ‘contentious politics’. The ‘contentious politics’ may be observed when ordinary citizens place demands on the government and conduct public campaigns by using existing forms of collective action and devising new ones, forming alliances with influential political actors, relying upon the existing capabilities of the political and legal framework and creating new ones, and combining institutional and non-institutional methods for advancing their demands. Contentious politics may be observed in the point of the intersection of three spheres of social life: competition, collective action and politics (Tilly, Tarrow, 2015: 8–10).

According to the above-mentioned scientists, public contestation (contention) includes such non-routinised types of political struggle as revolutions, social and

nationalistic movements, industrial conflicts, wars, and actions of interest groups. At the same time, the category of ‘contentious politics’ does not include routinised political actions: electoral campaigns, parliamentary sessions, adoption of laws, administrative process, etc., though these events may accelerate it (McAdam, Tarrow, Tilly, 2001: 6). The ‘contentious politics’ may be triggered with changes in political capabilities and limitations allowing social groups deprived of access to representative democracy the institutions to create new resources for their actions or to use available ones in a new way. Such new resources may include organisations, ideas, as well as the technical means for coordination of collective actions.

Our understanding of the ‘public contestation’ phenomenon is based on the broad interpretation given by R. Dahl and applicable to various types of political regimes. Public contestation means forms of individual and collective political activity aimed at criticising, denying and resisting the projects being implemented by dominant actors, including by introducing alternative projects. In our opinion, public contestation includes the constructive actions of political actors not related to causing damage or the disposing of political opponents. Traditional and new digital types of public contestation create a wide range of opportunities for all stakeholders to communicate, specifying their stances and finding a compromise. As for political project, we understand it as an intellectual product formulating a vision of the future, a goal and program of long- and short-term actions.

The category of ‘public contestation’ does not include aggressive non-conventional forms of resistance and protest – destructive actions blocking communications and conflict resolutions. At the same time, the full cycle of contesting actions may include the individual practices of non-conventional actions aimed at attracting public attention to particular problems and forcing the parties to open a dialogue. Public contestation is considered as a special case of a political conflict playing a positive role in the political system.

On the one hand, public contestation practices ensure that opinions of parties not represented in the official discourse are taken into account while specific decisions are made, and, on the other hand, they shape a system of relations between the government and the society, where the government will keep an impetus and a capability to respond to citizens’ preferences. The diversity of practices and efficiency of public contestation depend on the political regime, political and legal opportunities and established socio-cultural traditions and the forms of dialogue between the government and the society.

At the first stage, we focus on conventional practices of public contestation used by citizens, political parties and movements contesting government projects. The public discussion of political projects is arranged on various political and administrative platforms. As J. Habermas said, the modern public sphere covers various platforms for more or less discursive disputes and the expression of opinions (Habermas, 2017: 13, 18). In this paper, we will discuss discursive,

protest and electoral platforms. They differ in the status of interaction participants and the scale of mass mobilisation. The contestation of political projects may switch from one platform to another, increasing the number of its supporters and opponents, finding new arguments and counter-arguments.

The most available and socially approved contestation method is discussion. Contestation on the discursive platform is carried out by citizens verbally (or with the use of texts or images) without meaningful political and legal implications for a project being contested. The articulation of citizens' opinion is considered by them as a non-conflictive way of interaction with authorities and thus not causing any retaliatory sanctions. Participation in discussions does not require any special skills, knowledge or status. Discursive platforms represent an assembly point for all possible opinions and estimates with regard to political projects.

Brand new opportunities for public contestation have been created by the rapid development of the Internet, the invention of technical capabilities allowing a mass audience to create and distribute information content. Owing to online communications, the public space has become much more liberal and turned into a platform for voluntary, informed and open dialogue based on horizontal links and participation equality; allowing citizens to have a 'soft impact' on the government. The specific character of the protest platform manifests itself in the offensive form of actors' interaction, in the confrontational way of influencing political decisions through publicly voicing demands and persuading government actors to satisfy them. The protest behaviour represents a form of collective action where the activity of citizens is coordinated and aimed at achieving a common goal (Sztompka, 2012: 208–209). The protest platform is more norm-regulated than the discursive but less than the electoral one.

Contestation of the protest platform may be reactive, **protective** (when new projects disrupting the status quo are contested) and **active** (when the *status quo* is contested, demands to change political rules are made and capabilities related to the political leverage of outsiders are extended). Active contestation provides the basis for establishing a new political project. The protest contestation may be either **loyal** (participants acknowledge the legitimacy of authorities and propose to right injustice with their decision) or **confrontational** (contestation subjects do not acknowledge the legitimacy of authorities, do not believe in their just decision in this matter, and therefore demand political changes and reforms).

The electoral platform of public contestation resembles the discursive (there is a dispute, a conflict) and the protest one (there are public events with a call to vote for or against a candidate or a party). The contestation results in voting for or against candidates and their projects or the electors' refusal to vote. The results of contestation have legal implications, and allow the assessing of the popularity and vigour of candidates' arguments and projects, as well as consolidate the party and political balance of power until the next election.

The electoral platform of public contestation is conventional and the least costly for all citizens having the right to vote. Voting represents the mass behaviour of electors who act on their own, but the results of this action have a macro-social impact (Sztompka, 2012: 202–203). The autonomy of citizens' actions encourages candidates to articulate new ideas, create their own alternative political projects, 'snatch away' interesting political innovations from their competitors with a view to winning over potential voters. Electoral programs represent the definitive variant of political projects aggregating social problems. Government authorities, incumbents are especially sensitive to citizens' opinions and their disagreement on the electoral platform, since ignoring the electors' stance may result in losing their votes (Gluhova, 2020: 24) irrespective of the regime type.

The range of public subjects on the electoral platform is limited by the laws: normally, these are political parties, electoral blocs, social movements. Electoral support is a measurable and predictable indicator, which allows the estimation of the capabilities of an opposition party: the vigour of its arguments and the ability to mobilise its supporters and sympathisers.

At the second stage, we discuss changes in laws and regulations, regulating practices of public contestation on discursive, protest and electoral platforms with the use of political and legal analysis. The legal component implies the analysis of laws and regulations for the compliance of the government's decisions and actions enshrined in them with the constitution. The political component involves the analysis of the political orientation of the government's decisions enshrined in laws and regulations that may be aimed at solving problems in favour of either all citizens and social development or individual persons or groups (Nisnevich, 2011).

Public contestation practices in Russia in 2000-2020

The development of e-democracy is transferring politics to an online space and decreasing the importance of traditional formats of relations between governmental and public institutions (Volodenkov, 2020: 8), while the importance of the **discursive platform** for public contestation is growing. The conventional form of public contestation in today's Russia is an online petition implying an application, an appeal or a complaint from a citizen or a group of persons to local, regional or federal authorities filed with the use of special portals. The main advantage of online petitions is their availability, each citizen's opportunity to support a proposed petition or create a new one (Porshnev, Lyachina, 2018: 118). In 2013, the Presidential Decree created a portal called Russian Public Initiative (ROI). Petitions may be supported with the signatures of Russian citizens aged over 18 registered on the Gosuslugi (Government Services) portal. A petition that collects more than 100,000 signatures should be transferred to an expert group for consideration (Rossijskaya..., 2020).

Over seven years (by July 2020), the portal has been used to file 17,371 petitions. Only half of the 36 initiatives transferred for consideration collected the required number of votes, while the rest were considered by authorities without achieving the threshold of 100,000 signatures (Vidyasova, Tensina, 2017: 60). In spite of the fact that 18 initiatives have been approved (less than 1% of all the petitions filed), the number of initiatives that caused a public outcry and collected the required number of signatures is next to none. The observers are sceptical about the contesting potential of ROI and present it as a public manifestation of the traditional Russian institution of ‘formal replies’ (Shul’man, 2014: 129). Therefore, Russian citizens got a formal opportunity to advance constructive ideas and projects for the government.

An influential subject of public contestation on the discursive and protest platforms is a movement headed by Alexei Navalny. Video messages from this opposition politician criticizing representatives of the political and economic elite forced the latter to respond in the media space and publish their own video responses. The film *Don't Call Him "Dimon"* (2017) made by the Anti-Corruption Foundation received 36 million views on the Internet and provoked protests in major cities in March 2017. The film *A Palace for Putin* was watched by 85 million people, and on January 23 major Russian cities saw confrontational unauthorised protests demanding the politician, who had been arrested for violating the terms of a suspended sentence in a 2014 criminal conviction, be released.

After a series of federal protests (March 2017–May 2018), A. Navalny's organizations in regions conducted a strong and offensive information campaign aimed at revealing deficiencies and mistakes in the actions of authorities and members of the United Russia party. Key awareness-building efforts in 2018–2019 were made online, on the official website of regional headquarters and on popular social networks. Navalny's network structure is actively disputing both federal and local problems and seeking support from the electorate of other parties during elections. Navalny conducts investigations and publishes the respective findings, but cannot propose any alternative political projects that would gain support from large segments of voters since he is banned from elections due to an outstanding conviction and cannot register his own political party.

The analysis of public discussions on the Internet suggests that the institution of public criticism has not been developed in Russia yet. It requires not only enshrining the right to fair and correct public criticism in laws and moral codes but also turning it into a natural and everyday practice. The institutionalisation of public criticism will be promoted by the authorities' systematic response to the critical feedback from the general public (Timofeeva, 2020).

Public contestation on the **protest platform** in Russia was characterised by wave dynamics: Period I (2000–2011) – the growth in income of most citizens and low protest activity (so-called “fat 2000s”), Period II (December 2011–2020)

– growth in protest activity at the national and local levels, articulation of both socioeconomic and political demands.

In the 2000s, the protest activity of Russian citizens was not large-scale and was characterised by fluctuating dynamics. Before 2005, the major portion of protests was constituted by labour strikes and political mobilisation was generally caused by economic problems (Graeme, 2011). The largest protests were represented by the collective actions of pensioners against the government's project of "benefits monetisation" in January-February 2005 that mobilised over 430,000 people across Russia (Pod'yachev, 2012). The contestation resulted in the indexation of pensions and the increase of monetary compensations paid by regional authorities in some subjects of the Russian Federation.

Starting from 2004, there has been an upturn in public contestation in the political sphere, on the part of professional politicians, extra-parliamentary opposition: protests were organised by the National Bolshevik Party (banned in Russia), the Vanguard of Red Youth, the United Civil Front (G. Kasparov), etc. From late 2005 to 2008, the Other Russia coalition held street demonstrations called the Dissenters' March. Starting from 2009, the format of protests has changed: they were timed to coincide with the 31st day of each month symbolising the protection of Article 31 of the Russian Constitution concerning the right to assemble peacefully. Protesters demanded V. Putin's resignation, but did not have the grassroots support and, trying to gain the media attention, provoked the use of force by law enforcement agencies (Kertman, Miryasova, 2010: 109–112).

In general, the public contestation on the protest platform in 2000–2011 was conducted with the use of traditional protective actions, without the large-scale making of political demands and without demands to change the established system of relations between the government and the society. The opposition only tactically responded to mistakes and the corrupt practices on the part of authorities.

A new stage of the upturn in public contestation on the protest platform started in late 2011, with a huge wave of large-scale protests in the major cities of Russia that was provoked by media reports on violations in vote counting at the elections of deputies for the State Duma on December 4. According to organisers, the collective actions were participated in by over 100,000 people. In 2012, demands for a vote recount and the resignation of V. Churov (head of the Central Election Commission) advanced in 2011 were replaced by demands for the re-election of deputies and the resignation of V. Putin (Volkov, 2012: 73).

The large-scale collective actions in Moscow on December 10 and 24 showed that citizens and authorities are able to interact via collective public actions, in a civilized form, without violence and aggression (Doklad..., 2012: 6). The movement For Fair Elections marked a short-term shift in citizens' concern from the personal space to the protection of public interests. The protest movement turned into a kind of political project, since protesters did not turn to the protection of particular interests, but actualised a civil request for political democracy and

fair political procedures, which gave rise to a number of metaphors concerning the ‘awakening of civic awareness’. The fact that protest leaders were elected to the Coordination Board in autumn 2012 did not help to expand the public support of the aforementioned demands. However, in terms of scale, it was one of the largest movements in contemporary Russia.

From 2015–2018, there was some increase in the number of public protests in Russia. The increase in the number of all-Russian protests, starting from July 2018, was mainly organised by the largest parliamentary Communist Party of the Russian Federation (CPRF) which was mobilising the opponents of the government’s project of pension reform. These acts were aimed at an attempt to initiate a referendum procedure and cancel the plans to increase the retirement age. The Central Election Commission of Russia twice refused to hold the referendum proposed by the CPRF. The CPRF was the most active organiser of protests related to socioeconomic and political issues (Savenkov, 2019).

The second influential subject of public contestation on the protest platform in 2017–2018 was A. Navalny’s movement. In 2017–2018, Navalny established a broad network of regional organisations in all major cities of Russia. Contemporary Russia did not have any political movements (except for political parties) which were able to hold long-term all-Russian protests. The federal-level of protest events and the high popularity of Navalny’s video content allows us to consider his movement as an influential political organisation with a stable structure and an established (though small) core of supporters. According to *Kommersant*, the unauthorised protests on 23.01.2021 demanding the release of A. Navalny were held without a formal leader in more than one hundred Russian cities and towns (Protesty 23.01. Glavnoe, 2021).

The third subject of public contestation was represented by spontaneous groups of citizens formed with regard to specific problems, without any alternative political projects. The all-Russian movement of heavy-duty-truck drivers “Anti-Platon” (November 2015) and the march to Moscow organised by Krasnodar farmers on tractors (August 2016) were quite unexpected for the Russian authorities. The “Anti-Platon” protesters published video addresses to V. Putin requesting the abolition of “Platon”. Negotiations with the federal authorities resulted in a temporary concession: the reduction of fares for trucks. May 2017 saw a series of large-scale collective protests in Moscow against a renovation program (providing for the demolition of old houses and the resettlement to new houses in different districts). Traditional rallies had from 4,000 to 20,000 participants. In 2018–2020, there were high-profile protests in Volokolamsk and Kemerovo (spring 2018), Khabarovsk (2020). The protesters in Volokolamsk endeavoured to persuade V. Putin to close a landfill site in their town as he ‘closed’ the landfill in Balashikha in June 2017. A fire accident in a cinema in Kemerovo, which resulted in the death of 41 children, provoked a spontaneous hours-long rally in the city. The protesters demanded truthful information on the tragedy, penalties to those

responsible for the accident and the resignation of Aman Tuleyev (governor of the Kemerovo Oblast in 1997–2018). There is a weekly campaign in Khabarovsk against the detention of Khabarovsk Krai governor S. Furgal (LDPR) who had been accused of serious crimes allegedly committed in 2004–2005.

A series of protests called “For Fair Elections” was held in Moscow in July 2019. The protesters demanded that candidates removed due to complaints against signatures and other collected documents which had had to be admitted to elections to the Moscow City Duma. The authorised protest on June 20 and unauthorised protests on June 14 and 27 were participated in by about 20,000 and 3,000–5,000 Muscovites respectively. The last unauthorised protest ended with the violent arrest of more than 1,000 people. The arrests of organisers and leaders prior to the protests did not demoralise protesters and demonstrated the potential of decentralised social structures. The Muscovites’ protective protest contestation did not make the authorities admit protest candidates to the elections or give clear explanations to the ‘non-system opposition’. Furthermore, the Muscovites’ civic stance is not converted to political dividends or transformed into the large-scale social movement (*Akciya za chestnye...*, 2019).

In general, most social and economic protests in Russia were local, not large-scale, all-Russian ones and demanded only to solve specific non-political problems. The protesters emphasised their loyalty to V. Putin and asked him to protect their corporate interests, which limited their capabilities to mobilise supporters and diminished the moral support from non-involved citizens. Regional authorities invited the action organisers to dialogue and coerced them into compromise, while law enforcement agencies prevented campaigns on legitimate grounds. The political protests were held in large cities and towns (A. Navalny movement, Ivan Golunov supporters, “For Fair Elections”) and involved a small fraction of unsympathetic urban dwellers.

As for the federal electoral platform, in 2000–2020 there was no considerable public contestation. The State Duma was dominated by United Russia, while the opposition consisted of the Communist Party of the Russian Federation, LDPR and A Just Russia. The opposition parties did not establish coalitions and often competed with each other. Other parties could not clear the threshold and were not approved for the allocation of deputy seats based on election results. The number of parties having the right to field candidates for elections decreased from 46 in 2000 to 7 in 2011 and then increased to 78 in 2016; in 2020 it amounted to 42.

Therefore, the public contestation on discursive and electoral platforms has not originated any constructive alternative projects nor any rewarding experience of dialogue between the government and society. The protest activity of citizens during the period in question was of a local and protective nature and was aimed at non-political concessions from the government. The political protests in 2011–2012 forced some liberalisation of the political system, but clashes with the police resulted in the instigation of criminal proceedings against about 20 protesters.

Dynamics of legal opportunities for public contestation in Russia in 2000–2020

We distinguish two periods in the transformation of legal opportunities for public contestation: Period I – 2000–2011 and Period II – 2011–2020, as differing by the intensity and scale of public contestation, as well as by the intensity of changes in respective legal opportunities arranged by government authorities. It is generally agreed among social and political scientists that the first period of economic growth was characterised by a lower scale of public contestation on discursive and protest platforms than the following decade, which did not create any needs for detailed regulation of such activities. At the same time, changes in the political and legal opportunities on the electoral platform were intense throughout the period. During the second period (2011–2020), the number of public contestation actions increased, which created the need for the more detailed regulation of protest rules. The political sphere, by contrast, showed the formal regulatory relief with regard to the potential participants of the electoral platform.

During the first period, there were three minor amendments made to the federal law No.54-FZ “On Rallies, Meetings, Demonstrations, Marches and Picketing” dated 19.06.2004 (hereinafter referred to as No. 54-FZ): on December 8, 2010, February 7 and December 8, 2011 (54-FZ).

As for changes in the institutional opportunities for political contestation on the electoral platform (laws on elections and parties), they are, by contrast, characterised by the toughening of requirements. In 1998, a notion of “political public association” was included in the law “On Public Associations” and was defined as

a public association, the charter of which must provide for participation in the political life of the society through exerting influence on the shaping of citizens’ political will, participation in elections to the bodies of state power and local self-government by means of nominating candidates and organising their electoral campaign (Borisov *et al.*, 2015: 57).

The federal law No.95-FZ “On Political Parties” dated 11.07.2001 vested parties with the exclusive right to field candidates for federal and regional elections. Parties could be only all-Russian ones and had to have at least 10,000 members and branches at least in half of all subjects of the Russian Federation. The law also introduced the government financing of political parties winning at least 3% of votes at elections to the State Duma.

In 2002, laws on elections were amended: instead of collecting signatures, while registering candidates, it was made possible to deposit an electoral pledge, the nomination by a group of electors was abolished, and only the self-nomination procedure was kept for non-party contenders. In September 2004, the requirement

of the minimum membership of political parties was increased fivefold – from 10,000 to 50,000 members. At the same time, the direct election of heads of federal subjects of Russia was abolished, and in 2005 elections to the State Duma were completely transferred to the proportional system with a seat allocation threshold of 7%. In 2005, electoral blocs were abolished, non-party public associations were deprived of their right to send observers to polling stations, rules for registration based on signatures were toughened, and two single voting days per year were introduced.

In 2006, the “none of the above” field and the minimum voter turnout requirement were abolished, the nomination of party members from lists of other parties and the criticising of rivals on TV were prohibited, and additional limitations of the right to be elected were introduced. In 2009, the electoral pledge was abolished, and non-party public associations lost their right to field candidate lists at municipal elections (Borisov, Korgunyuk, 2015: 57–61). As a result, at the end of the 2000s, the opportunities for party and political contestation were limited considerably, while opposition parties were disoriented and weakened.

Therefore, during the first period, the reduction of political and legal opportunities for public contestation was about institutionalised forms – activities of political parties. Amendments in laws on elections and parties reduced the number of parties able to be institutionalised participants of public contestation in the political sphere. Such actions cannot be interpreted as repressions, but they significantly decreased the opposition’s opportunities to mobilise its supporters, to contest political projects, to secure the legal implications of its actions.

Government authorities did not virtually amend laws on contestation on discursive and protest platforms (public criticism, public events, activities of NPOs). It is related to the marginal impact of public self-organisation and activity on the intensity of public contestation and political competitiveness in general. Even large-scale protest events of the 2000s did not contest the established authority distribution system. The authorities could demobilise protests through the partial satisfaction of contestation subjects’ demands.

The second chronological period started with a tidal wave of large-scale protests in major Russian cities in late 2011, which was provoked by reports on large-scale vote-counting violations during the elections of deputies for the State Duma on December 4. The scale of collective actions of ‘angry city-dwellers’ in 2011–2012 had a twofold impact on the political system. On the one hand, the protests in the capital were interpreted by the authorities as a failure in established political and electoral practices, which resulted in a reshuffling in the Russian Presidential Executive Office. In March 2016, the new composition of the Central Election Commission was announced: chaired by Ella Pamfilova, a former chairwoman of the Presidential Council for Civil Society and Human Rights. On the one hand, it restored some opportunities for citizens’ electoral influence on political decisions, but on the other hand, the civic life started to show the

transformation of such political and legal opportunities as rules for holding public events, activities of NPOs taking part in politics, and public discussion rules.

The most numerous amendments were made to No.54-FZ in the summer of 2012. The organiser is obliged to take measures to limit the number of event participants. Public event participants may not conceal their faces, including through the use of masks, means of disguise or other items specially intended to make them more difficult to identify. Regional authorities are obliged to establish ‘Hyde Parks’, places for collective discussion of socially important issues and the expression of public sentiments. In 2012, the administrative penalties for the violation of rules for holding public events outlined in the Code of Administrative Offences were increased. Moreover, new articles were introduced with sanctions for the violation of public contestation rules.

These amendments constituted the basis for an appeal filed by a group of deputies of the State Duma to the Constitutional Court of the Russian Federation since the innovations “contain unjustified and excessive limitations of the right to free peaceful assembly not caused by constitutionally recognised goals and entrenching upon the essence of this constitutional right” (Postanovlenie..., 2013). The Constitutional Court of the Russian Federation generally recognised most innovations as corresponding to the Constitution but interpreted them for the benefit of citizens, their right to peaceful assembly, rallies, meetings, demonstrations, marches and picketing.

In the summer of 2014, criminal liability was introduced for repeated violations of rules for organising and holding of public events. Violators may face up to five years of imprisonment or a fine of up to RUB 1,000,000 (V. Putin uzhestochil..., 2014). In 2018, a penalty was introduced for the encouragement of minors in participating in unauthorised public events – up to RUB 50,000, or an administrative arrest for 15 days. A federal law adopted in December 2020 states that public events may be represented by any integrated large-scale simultaneous stay and (or) movement of citizens in public places aimed at the expression or generation of opinions, the advancement of demands regarding various political, economic, social, cultural and foreign policy issues (497-FZ, 2020). It has constrained single-person protests not requiring the approval by authorities.

Therefore, according to lawyers, the laws in force and law enforcement practice with regard to the freedom of public assembly are quite restrictive (Salenko, 2019: 52).

Non-profit organisations that may potentially be the subjects of public political contestation were also legally regulated. On July 20, 2012, federal law No.7-FZ “On Non-profit Organisations”, dated 12.01.1996, was supplemented with a notion of “non-profit organisation serving as a foreign agent” – a Russian NPO receiving money from foreign states and participating in political activity in Russia. The political activity meant political actions focused on affecting the government authorities’ decisions aimed at changing their public policy, and on

shaping the respective public opinion (121-FZ, 2012). Later, the notion of ‘political activity’ in this law was changed several times and was eventually interpreted quite broadly in December 2019. In accordance with the law, the political activity includes public events, participation in elections and referendums, public appeals to government authorities, dissemination of opinions about government authorities’ decisions and policy, shaping social and political views, etc. (179-FZ, 2016).

Russian NPOs serving as foreign agents have to report more frequently and indicate their status while publishing their materials. The law provides for introducing a register of non-profit organisations serving as foreign agents (7-FZ, 1996: art. 24, 32). The Federal Law issued in 2014 allows the Russian Ministry of Justice to include Russian NPOs in the register of foreign agents at its own discretion (121-FZ, 2014).

The federal law “On Sanctions for Individuals Violating Fundamental Human Rights and Freedoms of the Citizens of the Russian *Federation*” adopted in December 2012 empowering federal authorities to suspend activities of non-profit organisations taking part in political activity in the territory of Russia and receiving money and other property of U.S. citizens (organisations) on a non-reimbursable basis or implementing projects, programs or conducting other activities posing a threat to the interests of the Russian Federation. The activity of the organisation may be resumed if it refuses to receive money from U.S. citizens (272-FZ, 2012: art. 3). In December 2018, some important amendments were made regarding the participation of foreign NPOs in the electoral process and the organisation of referendums:

activities of a foreign or international non-governmental organisation posing a threat to the foundations of the constitutional system of the Russian Federation, its defensive capacity or national security, including those promoting or preventing the nomination of candidates, candidate lists, the election of registered candidates, the advancement of referendum initiatives or the holding of referendums, the achieving of certain results at elections or referendums, may be recognised as undesirable in the territory of Russia (555-FZ, 2018).

In spring 2015, the Federal Law on so-called ‘undesirable’ foreign organisations in Russia was adopted. The law stipulates that any foreign or international, but only non-governmental organisation “posing a threat to the foundations of the constitutional system of the Russian Federation, its defensive capacity or national security” may be recognised as such (signed by Putin, 2015). In May 2015, some amendments were made to the Criminal Code of the Russian Federation introducing criminal liability for control over activities of foreign or international non-governmental organisations recognised as undesirable in the territory of Russia (129-FZ, 2015). In the summer of 2020, court hearings began on the first criminal proceedings against Anastasia Shevchenko, a member of the board of Open Russia, UK, recognised as an undesirable organisation (Ya ne ponimayu, 2020). The proceedings have not yet finished.

A number of laws and regulations adopted in the spring of 2019 curtailed the freedom of public discussion and criticism. Amendments made on March 18, 2019, prohibited distributing “indecent information insulting human dignity and public morality, expressing obvious disrespect for the society, state, official national symbols of the Russian Federation, Constitution of the Russian Federation or the government authorities of the Russian Federation” on the Internet (30-FZ, 2019). The law prohibits the distribution of information “containing calls for mass riots, extremist activities, participation in mass (public) events violating the established procedures, as well as misleading socially significant information distributed as trustworthy reports” on the Internet (149-FZ, 2019: Article 15.3).

According to amendments made to the Code of the Russian Federation on Administrative Offences, the distribution of deliberately misleading socially significant information as trustworthy reports posing a threat of personal injury, property damage, mass disorder is punishable by an administrative fine (Kodeks..., 2001: Article 13.15). The law also prescribes the blocking of resources publishing fake news. If a media provider does not remove misleading information upon request from Roskomnadzor, the access to the website will be restricted.

Amendments made to the Federal Law “On Mass Media” in December 2019 introduced a notion of ‘a mass provider serving as a foreign agent’. Mass media having the ‘foreign agent’ status and receiving money from foreign states are obliged to meet the requirements applied to NPOs recognised as “serving as foreign agents” (46-FZ: art. 1). A law adopted in December 2020 provided for the recognition of citizens (individuals) as serving as foreign agents if they are involved in public activities in Russia on behalf of foreign states and financed from abroad (481-FZ: art. 2’).

Therefore, some strengthening of the regulation of public contestation practices on discursive and protest platforms and the toughening of sanctions against rule-breakers can be observed. The key argument for developing a strategy focused on the ‘reduction’ of opportunities to hold public events was the protection of public order. According to legislators, Russian non-profit organisations funded from abroad and some foreign non-profit organisations pose a serious threat to the constitutional system. Political demands increase the polarisation of citizens and may result in spontaneous (or planned) mass riots. The discourse of actors supporting the ‘reduction of opportunities’ shows protests as a political technology that may be used by shady politicians and foreign governments to destabilise the political system and act against the interests of Russian society. The second argument was the incompetence and credulity of ordinary citizens taking part in public events under the influence of manipulative technologies used by ‘rogue politicians’. The third argument was the need to ensure the security of protest organisers themselves. And the fourth one was the enforcement of the rights and interests of other citizens who may be incommoded by public actions (Patrushev ed. 2016: 222–225).

In contrast, the political sphere shows increasing opportunities for the activity of political parties. Under the influence of protests in December 2011, Dmitry Medvedev, the then President of Russia, came up with proposals to 'liberalise' the laws on parties and elections. In 2012, the minimum membership of political parties was decreased from 40,000 to 500, while all registered parties were dispensed from signature collection; annual reports were replaced with triennial ones; parties not taking part in elections have to be dissolved not after five, but after seven consecutive years of such non-participation (28-FZ). Moreover, gubernatorial elections were restored, with the introduction of the 'municipal filter', a need to collect signatures of regional and municipal deputies in furtherance of particular candidates, which constrained the registration of protest candidates. The elections of deputies for the State Duma in 2014 saw the restoration of a mixed system, five-per cent threshold, and the "none of the above" field at municipal elections by the decision of regional legislators. Laws on elections adopted in 2012 introduced the single voting day – the second Sunday of September (Borisov *et al.*, 2015: 57).

However, the increase in the number of parties (42 in November 2020) has not resulted in any changes in the political landscape of the State Duma after the elections held in 2016 or in any considerable growth of representation of non-parliamentary political parties in regional legislative bodies (Gayvoronskiy, 2018). A massive public outcry was caused by the victories of CPRF and LDPR candidates at the gubernatorial elections in 2018, but in general, it did not change the rules and results of public contestation on the electoral platform.

Therefore, after 2012, public contestation on the protest platform became a common, but not a mass phenomenon. The Federal Assembly of Russia introduced many restrictions for public event organisers and for mass media. At the same time, the protest activity was concentrated in major cities and was not large-scale in smaller cities and towns (*Grazhdanskoe...*, 2013: 401). The specific 'institutionalisation' of protests initiated the transformation of the structure of political and legal capabilities: on the one hand, the period in question saw the reduction of opportunities for public contestation on discursive and protest platforms. At the same time, the limitation of opportunities for public contestation by NPOs providing for the mass mobilisation of citizens, political demands and reliance on foreign funds promoted the launch of government programs focused on the support of loyal civil initiatives not related to public contestation. The largest government support is received by volunteer organisations and projects.

The strategy of federal authorities with regard to public contestation practices was focused on adding greater punitive measures for unauthorised public actions, and on the limitation of opportunities for political activity of NPOs and mass media funded from abroad. The simplification of the procedure used for the registration of political parties increased their number, but did not change the political landscape in the State Duma and regional legislative bodies. During the period in question,

parliamentary parties contested the policy pursued by the government but did not propose alternative projects and teams.

As a result, citizens are giving up on using the protest platform to contest political issues. According to opinion polls, 80% of Russians are willing to take part in elections (both residents of major cities and other settlements). To a large extent, this willingness is declarative, since the practice shows that this right is exercised only at federal elections, while the turnout at local elections does not exceed 20–30%. The second acceptable type of social and political activity is the scrutiny at elections (it was mentioned by about 15% of respondents). The willingness of people for other types of social and political activity is less than 4–5%. The least appealing ones are participation in party work, as well as radical forms of protest. “Any mass action is now perceived as a political and, therefore, prohibited one”, says Mikhail Vinogradov, the head of the Petersburg Politics Foundation. “The society received a series of clear messages regarding the readiness to crack down on any actions, even authorised ones. Therefore, the willingness for such actions requires larger radicalism” (Rossiyanam..., 2019).

Conclusion

Public contestation is a legal form of criticising and counteracting the current government’s project by citizens and professional opposition. The main advantage of contestation is an opportunity to introduce alternative ideas and projects. We believe that public contestation includes constructive actions of political actors not related to causing damage or disposing of political opponents. Public contestation may be carried out on discursive, protest and electoral platforms. The expansion of public contestation on the Internet and the increase in the number of protests in Russia after 2011 resulted in the adoption of a number of restrictive laws and the subsequent decrease in the number of large-scale protests. Unsympathetic citizens are looking for new legal and non-legal opportunities to express their stance on the discursive and protest platforms, in loyal and confrontational forms. At the same time, we see some liberalisation of the laws on elections and parties with the formal simplification of party formation and participation in elections. However, citizens feel suspicious about opportunities for public contestation on the electoral platform. To keep the political system stable, citizens should retain real opportunities to criticise and contest the authorities’ decisions in constructive and legal form.

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The cybersecurity of Georgia and threats from Russia

Abstract. The world is living in a state of constant psychological warfare, technological advances and development; in the 21st century Internet governance has become a puzzle for scientists and practitioners. Virtual warfare is an alternative to real warfare, one of the biggest threats to global security. In discussing the issue, we must consider the capabilities of the world's leading countries, and first of all, identify the threat posed by Russia, which is the core of unpredictable aggression. This state is trying to influence almost the whole world with large-scale cyber-hacking attacks and continuous disinformation and fake news. Today it is difficult to find out where the theoretical war begins and where the practical military aggression ends, so new research, recommendations, scientific papers, and defence strategies are needed. Defensive mechanisms are created for cyber-attacks and this is always followed by more powerful attacks; that is why NATO enacted Article 5 of the Washington Treaty or the principle of "collective defence." The article discusses Russia's aggressive policy towards Georgia during and after the Russian-Georgian war in August 2008. The features of the Russian hybrid war and cyber attacks are discussed.

Keywords: Asymmetric threat, Technological advances, Cyber war, Information war, Hybrid war, Georgia, Russia, International security, Virtual space, Global security.

Introduction

Technologies are evolving in international politics and their use also poses a threat to malicious activity. The era in which we exist is within the daily regime of technological revolutions. With new technologies, powerful and more flexible defensive and offensive mechanisms are born. Cyber-attacks have become an integral part of our lives and an accompaniment to all military wars.

Cyberwarfare, as an event, began with the invention of the computer and the Internet. How was the computer created? This did not happen suddenly – it was based on the development of calculating technologies. The effective work of science in the twentieth century led to a technological revolution. For example, paper, magazine, newspaper, book, movie, and television have become as accessible as ever. This was followed (from 1950) by the serial production of computers and (in 1969) the first Internet connection. In 1989, the concept of the World Wide Web, known as the Web, was introduced in Europe. The idea of this concept meant not only the exchange of information through the Internet but also the posting of information by users. This is how websites are created, which is of great importance today. That's how we got to computer viruses, cyber-attacks and cyberwars. (National Academies Press, n.d.: 169–182).

What is the situation today and what problems has the technological revolution posed to us? Humanity has no way to slow this down – the fact is that the higher the level of computer technology, the greater the danger posed by cybercriminals. To better understand what we are dealing with let us consider the theory of cyber warfare and its place in modern politics. An important factor is the consideration and analysis of cyber threats and risks that Russia poses to the international community.

The main goal of the study is to discuss cybersecurity in Georgia, as well as analyze and present the threats posed by Russia. The research process uses comparative historical analysis and policy analysis to better identify and analyze Georgia's cybersecurity, as well as threats and risks from Russia.

The theory of cyber warfare and its place in modern world politics

When we talk about cyber warfare, we must first explain what event we are dealing with. It is one country's use of digital attacks on another (computer viruses or hacker cyber-attacks) to damage, liquidate and destroy computer infrastructure.

Experts have different opinions about the term “**cyberwar**”. Some say that the term “**cyberwar**” is incorrect because no cyber-attack recorded so far can be described as “war”. Whilst the second group believes that this is exactly the

appropriate name because a cyber-attack causes physical harm to people and objects in the real world.

Is cyber-attack considered a product of war? It depends on many factors – what they do, how they do it and what damage they do to the target object. Attacks must be of a significant scale and severity. Attacks by individual hackers or a group of hackers are not considered cyber warfare unless the state assists or directs them. Nevertheless, the virtual world is still vaguely represented in the direction of cyber-attacks. There are states that support hackers in carrying out malicious actions. This is a dangerous but common trend.

For example, cybercriminals who destroy banking computer systems while stealing money are not considered to be committing cyber warfare, even if they are from another country, but state-backed hackers doing the same to destabilize another country's economy are considered to be conducting cyber warfare.

There is also a difference between the target object and the scale: the “spoilage” of an individual company's website is not considered cyber warfare, but the malfunction of missile defence systems at an airbase is perceived as cyber warfare. In this case, it is important what weapon the attacker uses. For example, launching a rocket at a data centre would not be considered cyber, even if the data centre contained secret government records. Using hackers for espionage or data theft does not imply cyber warfare and it is defined by cyber espionage qualifications. There are many dark holes in cyber warfare.

Although there are differing views in this regard, today many countries – for example, the United States, Russia, Britain, India, Pakistan, China, Israel, the Islamic Republic of Iran and North Korea – already have enhanced cyber capabilities for both offensive and defensive operations.

Cyberwarfare is becoming an increasingly common and dangerous phenomenon in international conflicts. The fact that there are no clear rules may make virtual space uncontrollable in the nearest future.

During cyber wars, for the most part, computer systems are not the ultimate target, they are aimed at the infrastructure in the real world managed by such systems – airports, power grids, military units, and so on; such infrastructure is important for all countries. Pressing a button can close airports, subway stations and cut off electricity supplies.

There are many scenarios of cyber warfare: you may wake up one day and your bank accounts get lost because someone hacker wanted to cause this. In the case of mass attacks, it is possible to cause chaos in any country.

There are three main methods of cyber warfare: diversion, electronic espionage or stealing information from computers through viruses and attacking power grids. The third is probably the most alarming, implying a cyber-attack on critical infrastructure (Lewis University, 2016).

The methods of cyber-attacks are growing and improving every year. Back in 2006, the **Russian Business Network (RBN)** began using malicious programs to

steal personal data. Since 2007, the **RBN** has completely monopolized the online theft of personal data. By 2007, a virus called **Storm Worm** was operating on about one million computers and sending millions of infected emails every day. In 2008, cyber-attacks shifted from personal computers to government institution systems. On August 27 of the same year, **NASA** confirmed that a “storm worm” was found on laptops in the International Space Station. We cannot say for sure, but three months later the Pentagon computers were allegedly hacked by **Russian hackers**. Then there were the financial institutions, on December 25, 2008, there was an attack on the State Bank of India (Lewis University, 2016).

Russia has carried out and continues to carry out combined military and cyber-attacks against both **Georgia** and **Ukraine**, using various components of a hybrid war. The Kremlin did not change the Soviet methodology, it only changed the technologies. If we look at the issue in terms of crimes committed by Russia and still “not committed”, probably everyone recognizes that in this regard we are dealing with an unpredictable state. The leading countries of the world are obliged to turn the actions of this unpredictable country into a unified system and to resist.

In August 2008 (during the Russia-Georgia war), the largest cyber-attack was carried out by Russia on the websites of Georgian state, television and news agencies. A similar example can be given in relation to the Russia-Ukraine war in 2014, where the military war was accompanied by various components of the hybrid war – the so-called use of unidentified “Titushki” and cyber-attacks on government agencies. A few years later, in 2017, the internal system of the Cabinet of Ministers of Ukraine was attacked by hackers. Ukraine’s Deputy Prime Minister, Pavel Rosenko, wrote on Twitter: “It seems that the Secretariat of the Cabinet of Ministers of Ukraine has been attacked by hackers, the network is currently down” (Independent, 2017).

At that time, not only the Cabinet of Ministers of Ukraine was the subject of attack by hackers, but also the work of energy companies and the National Bank. At the same time, the media holding “Lux”, the Kiev metro, the Ukrainian Post and others were victims of cyber-attacks. As it was later reported, among the targets was the Boryspil airport system, through which flights can be delayed.

The concept of cyber warfare and the 21st century international security system

When we talk about the concept of cyber warfare and security, we must consider it in the context of the North Atlantic Alliance program – security and cyber defence are directly related to NATO. The need to strengthen cyber defence was first discussed by NATO members at a summit in Prague in 2002. This topic has since become an important component of the NATO agenda. In 2008, the

first cyber defence policy document was adopted. The process of integrating cybersecurity into the NATO defence system has been active since 2012. At the Wales Summit in 2014, the Allies made cyber defence a key part of their collective defence, saying that a cyber-attack could lead to the application of Article 5 of the Collective Defense Treaty set out in the NATO Treaty. At the 2016 Warsaw Summit, Alliance member states recognized information and communication network security as a key area of defence and agreed that NATO must defend itself as effectively in cyberspace as it does on land, sea and air. NATO's main partner in the field of cybersecurity is the European Union, with which the Alliance signed a technical agreement on mutual assistance and cooperation in February 2016 (RIAC, 2016).

The main issues discussed at the Warsaw Summit were how to allocate resources on cybersecurity to achieve the best effect – recognizing that large resources were needed to address this problem. Also, there were questions about how much money should be spent, – what would be the minimum level of investment? For example, since 2014, the budget of “**Pacte Défense Cyber**” in France has included 1 billion euros for cyber defence. In 2016, the UK announced it had allocated 1.9 billion pounds sterling to strengthen its cybersecurity program (Reuters, 2014).

At the 2018 Brussels Summit, the Allies agreed to set up a new cyberspace operations centre. Taking into account common challenges, NATO and the EU are strengthening cooperation in the field of cyber defence, especially in the exchange of information. Joint trainings and studies are conducted (NATO, 2018).

Of particular note is the merit of the United States, which spares no effort to develop new regulations on cybersecurity and also spares no funds. Expenditures on cybersecurity in the US budget increase every year, in 2015 the Barack Obama administration officially allocated \$14 billion, and then there was information that much more would be spent (CNet, 2015). Worldwide defence spending is rising day by day, but U.S. finances are impressive. It is already known that by 2021 this sector will be funded with \$18.8 billion (Homeland Security, 2020). Let us consider an important issue called the national security strategy that every country has and where it clearly shows the attitude of this or that country towards security. The national security strategy is the most important document for creating a safe environment for the state. Cyberwarfare plays an important role in the security strategies of the world's leading powers – for example, the United States, the United Kingdom, Russia, China, Iran, France, Spain, etc. This issue also occupies an important place in the National Security Strategy of Georgia.

What is interesting, is the view of the Russian government in terms of global threats. In the 2015 version of the Russian National Security Doctrine, the 16th and 17th paragraphs consider the United States and NATO as the main opponents, while the 7th paragraph directly states the role of the Russian Federation in the maintenance of world order (Russian National Security Strategy, 2015: 1–4).

The Russian Federation says it does not even pose a threat to other countries, but is itself a victim and has systems in place to deal with threats from the US and NATO. The real facts, however, prove the opposite. For example, it was Russia that used the elements of “hybrid warfare” to deal a serious blow to the United States, adding signs of political instability to the monolithic political system of that country during the presidential election. Even if the story of hacker interference in the presidential election is a complete lie, at least Russia is benefiting, this fact shows that it is omnipotent, which is what causes the nihilism of the people of the United States. But why only the population of this country? When the whole of Europe, Asia or Africa sees that even a superpower is vulnerable at certain moments, everyone feels frustrated and helpless. One example is the terrorist attacks of September 11, 2001, in the United States. This is where not only “American nihilism” but “world nihilism” first appeared. It was during this period that the United States had the so-called Reset Policy – Secretary of State Hillary Clinton arrived in Moscow and presented a symbolic reset button to Russian Foreign Minister Sergei Lavrov. Whilst the security doctrine directly states that constructive cooperation with Russia is necessary, NATO-Russia security is essential. As we have seen later, such an approach did not work.

What exactly is written in the US National Security Strategy, published in December 2017? In the introduction to the strategy, it is stated that the well-being and security of the United States depend on how it responds to the opportunities and challenges in cyberspace. It also notes that critical infrastructure, national defence, and the daily lives of Americans rely on computer and information technology (United States of America, 2017: 1–2). That is, on the very first page of the US National Security Document, focus is placed on the important factors of cyber technology, which means that threats from cyberspace affect all areas and damage both tangibly and intangibly.

The world’s leading research and consulting firm **Gartner** publishes data on cybersecurity expenditures, which are compared and discussed by the 2017–2019 global cybersecurity expenditure segment.

We see in the table (Table 1) that in terms of cybersecurity, worldwide, very large sums of money are spent and this is growing every year. For example, spending in 2017 was \$101,544 billion; by 2018 it had increased to \$114,152 billion, and in 2019 it reached \$124,116 billion. According to **Gartner**, in 2022 global cybersecurity spending will reach \$133,7 billion. What is noteworthy, however, is the fact that the damage done to the world far exceeds the amount spent on security (Gartner, 2018).

The **Cybersecurity Ventures** report also estimates that cyber-attacks will cost \$6 trillion by 2021, up from \$3 trillion in 2015 (Morgan, 2017: 3).

Table 1. Data of the world-leading scientific-consulting company “Gartner” for 2017–2018–2019 in terms of cybersecurity costs

Market Segment	2017	2018	2019
Application Security	2,434	2,742	3,003
Cloud Security	185	304	459
Data Security	2,563	3,063	3,524
Identity Access Management	8,823	9,768	10,578
Infrastructure Protection	12,583	14,106	15,337
Integrated Risk Management	3,949	4,347	4,712
Network Security Equipment	10,911	12,427	13,321
Other Information Security Software	1,832	2,079	2,285
Security Services	52,315	58,920	64,237
Consumer Security Software	5,948	6,395	6,661
Total	101,544	114,152	124,116

Sources: Gartner, 2018.

Russian cyber attacks against Georgia

In August 2008, Russia carried out acts of aggression against Georgia on two fronts – a real military attack and a surreal, that is, virtual attack on the Internet. Before the real war started, Russian hackers actively attacked the websites of state agencies. According to official information, the cyber-attack took place on about 60 websites. Most of them featured propaganda exhortations, photos of former President Mikheil Saakashvili being equated with Adolf Hitler.

Was this cyber-attack unexpected for Georgia and the international community? As further assessments showed, the attack was not unexpected, but no one expected such a strong attack. It was later evaluated as a lesson. Former government officials say that then, with the help of international partners, state websites were transferred to American servers and the problem was solved, but the issue remained open – Russia reached its goal, seizing both the real military training ground and the Internet. The investigation of the Ministry of Defence of Georgia revealed that the attack was prepared two years before the war. Former Deputy Defence Minister Batu Kutelia says there are a number of facts to prove this:

Cyber-attacks were carried out from web platforms that previously served criminals. Specifically, these were dark webs that are a platform for Russian organised crime. The deface used in the attack included specific keywords: NATO, Georgia and the United States, and military cooperation. In addition, several defaces, made two years before the war, were simply activated in 2008 (Agency “on”, 2019).

According to Andria Gotsiridze, a cyber-security expert, the DoFS cyber-attacks against Estonia and Lithuania in 2007–2008 were a punitive operation and a kind of political message aimed at provoking civil and mass unrest. However, it was not related to the performance of this or that military task, nor did it serve as information support for hostilities. As for the Russia-Georgia war, the use of the cyber element here was a process directly accompanied by conventional actions aimed at facilitating the fulfilment of Russian Armed Forces military objectives, creating an information vacuum, and thus gaining an information advantage and establishing a Russian narrative of the conflict (Gotsiridze, 2019).

Cyber-attacks from Russia do not happen every day. However, the fact is that Russian propaganda is constantly growing and is also recorded at the official level in the reports of the State Security Service. According to experts, the Kremlin has not only softened the tone but also applied the principle of decentralisation – creating small marginal groups that spread radical views. This is like an attack when a lot of information comes together, the server overloads and stops. Pro-Western NGOs also point out in their reports that another important support of Kremlin propaganda in Georgia is the recent proliferation of pro-Russian NGOs, most notably the **Eurasian Institute** and the **Eurasian Choice** (IDFI, 2016).

According to them, these organisations are distinguished by their anti-Western rhetoric and rely on Russian sources when publishing analytical papers or articles. According to the public registry, the list of founders and heads of pro-Russian NGOs often includes the same people. The link between the organisations is also indicated on their websites. In addition, a network of pro-Russian NGOs has links to anti-Western rhetorical media. Pro-Western NGOs may not be lying in part, but the organisations they name claim that the opposite is true – the Western course is being thwarted by organisations that are presented with fake pro-Western packaging. If the so-called “Eurasian” organisations do not hide their orientation and often say that they are doing business, not for Russia, but for Georgians, in pro-Western organisations, it is often really difficult to find out – there are cases when personal interests are clearly observed in the research of this or that issue.

Some non-governmental organisations also write that pro-Russian political parties have multiplied in Georgia. Statements are often made as if a number of political parties and politicians, directly or indirectly, are spreading propaganda useful to the Kremlin. Political parties are divided into two parts: firstly – they have an openly pro-Russian agenda, meet with Russian politicians and visit Moscow; Secondly, parties that, at the declaration level, distance themselves from the Russian political elite and instead declare themselves pro-Georgian, pro-neutral parties. Despite the differences, the basic messages of both political parties are the same – their calls for membership of European and Euro-Atlantic structures arouse scepticism. Georgia’s aspirations towards Western institutions are presented as fruitless, like a dream. Instead, the idea of pro-Russian sentiment and Georgia’s neutrality is being popularized.

Some of the non-governmental organizations suspect that clergymen are also involved in the anti-Western campaign. They spread the myth that Georgian traditions are incompatible with Western culture. Some clerics in their sermons develop the idea of civilizational unity with Russia and ideological or moral opposition to the West. Indirect or direct dissemination of Kremlin propaganda messages is a serious problem, and the clergy have high trust and influence in Georgian society. According to pro-Western NGOs, this cannot be accidental. It turns out, the public likes and recognizes their orientation. If the public is fascinated by such sermons, then the problem is partly with the population.

It is obvious that Russia is the source of many problems for Georgia, but in a small part of the society there is another kind of illusion: firstly, many preach that Russia will be disintegrated day by day, emptied and we will be saved; secondly – a democratic government will come to Russia and we will annex the territories without any problems; thirdly, Russia will soon run out of oil, go bankrupt and we will also be saved. Maybe someday everything will happen, but with such considerations, we cannot go far. What will be in store for humanity following the collapse of Russia and also what will follow the advent of democratic government in Russia, no one knows yet.

On this background, there is a virtual threat – cyberwar and the information front, which is open in several directions. One is open propaganda, the other is disguised propaganda, that is, pursuing Russia's interests through pro-Western shields. Russia attacks the United States, the Baltic States, Ukraine, Georgia, Europe, and the rest of the world with cyber-methods, pre-processed hybrid methods and disinformation. For example, Russians in Slovakia and the Czech Republic are critical of US energy policy and try to portray the US as acting solely in its own interests, provoking conflicts in various parts of the world. In Romania, Russian-funded media outlets are trying to misrepresent EU membership and undermine democratic institutions. In Sweden, the government is portrayed as a follower of sexual depravity. Propaganda supporting the premise of corruption, poverty, disorder and the Western-backed “puppet” regime is spreading in Ukraine. In Lithuania, Latvia and Estonia, the propaganda machine works on how discriminated against Russians are in these countries because of their ethnic or linguistic characteristics (Institute for Development of Freedom of Information, 2016: 5–33).

Despite Russian aggression, it must be said of all post-Soviet countries that mass persecution of Russians and the Russian-speaking population did not occur after the collapse of the Soviet Union, no bloodshed and cruelty took place. Perhaps the decisive factor, in this case, was the fact that at least 70 years of kinship and other cultural or social relations were formed. Instead of Russia taking care of these relations, it began to create a space similar to the Soviet Union, where it is constantly carrying out military aggression and waging a hybrid war. It is known that the main driving force of Russian propaganda in the Baltics is the “First

Baltic Channel”, as well as the online site **Regnum.ru**, which has been operating for more than 10 years. Recently, the Russians launched the site Baltnews, which anonymously publishes information and news in the Estonian, Lithuanian and Latvian languages (Agency “Independence”, 2015).

According to the German edition of *Bild*, citing its own sources, if the United States had openly intervened in the 2008 Georgian-Russian war, the Russians had decided to attack the Baltic States and if the Americans were to help the Baltic States, then they would consider using nuclear weapons. The *Bild* reviewer also writes that as part of a large-scale military exercise – “Western 2017”, Russia rehearsed not in the fight against terrorism, but in the war against NATO, and they have this information based on Western intelligence. The publication claims that the training scenario was based on the occupation of the Baltic States and Belarus in a few days. The exercise also involved a “shock campaign” against NATO member states, including Germany, the Netherlands, Poland, Norway, neutral Sweden and Finland. According to the source, Russia was training to neutralize and control the airports and ports of the Baltic States. There is an excerpt from the publication:

If the war were to actually take place, their goal would be to build critical infrastructure, including airports, ports, stations and other infrastructure, to cause shock in these countries and for locals to demand a truce from the government (German newspaper *Bild*, 2017).

According to the publication, as part of the exercise, Russia tested the bombing and capture of the Norwegian city of Spitsbergen. As we have seen, this plan did not materialize, the United States did not succumb to Russian provocation in the events of 2008; but since there is a similar model plan, Russia is still doing its job with hybrid warfare and cyber-attacks. Do not rule out that the same crisis situation will arise again.

In June 2018, the Pentagon acknowledged that in the event of a Russian invasion, it would not be able to defend the Baltic States and Poland. According to the “Washington Post”, this conclusion was reached at the Pentagon as a result of simulating military resistance between EU countries and Russia. According to the publication: “Russia will be able to occupy the Baltic states before the US Army headquarters completes 17 forms to move NATO advanced forces from Germany to Poland.” The newspaper writes that another major problem for the US military is the narrow streets and unreliable transport infrastructure, even the bridges are so weak that they cannot withstand the weight of American equipment. European bureaucracy also creates problems at the borders (*The Washington Post*, 2018).

Russia has opened several fronts in the post-Soviet space, involving high-ranking government officials. For example, in September 2019, Foreign Minister **Sergei Lavrov** noted that the Baltic States are still living on EU subsidies and their assistance will soon cease (Iagorashvili, 2019). Of course, this is deliberate

disinformation, through which the Russians are trying to install nihilism and despair in the people of the Baltic States – Hey, the EU is helping you today, you are on the provision of the West, but tomorrow it will stop helping you – Russia is exerting constant ideological, pressure for example the Kremlin has consistently argued that the sovietisation of the Baltic States was in accordance with international law and that the term “**occupation**” could not be used there. The Kremlin is hiding the fact that when the foreign ministers of these countries did not want to sign the so-called agreement, they feared that Russia would violate their neutrality. After the refusal, **Molotov** addressed the representative of Estonia as follows:

We cannot wait long. I advise you to agree to the Soviet Union’s wish to avoid worse. Do not force the Soviet Union to use force (Iagorashvili, 2020).

This is the same “invitation” of the Russian troops as the Bolsheviks under the command of **Sergo Orjonikidze** were “invited” to Georgia. Falsifying history – this is another direction of Russia, or part of a larger strategy, which “fits” perfectly within the framework of the hybrid war.

Russia is at the forefront in terms of cyber capabilities. What is the Russian cyber power and what is its role? Russia has been really innovative in various conflicts. Due to the specific geopolitical environment, Russia has successfully adapted cyber-attacks to expand its interests. One of them is the 2007 cyber-attacks against Estonia. It was a simple **DDoS** attack that did not cause significant damage but had a positive impact on **strengthening Estonia-NATO relations in terms of security**. The same thing happened in 2008 during the **Russia-Georgia war**, which has been discussed in-depth in our article. As well as in **Ukraine**, where cyber-attacks have been more “sophisticated” and damaging. There are many examples that point to **Russia’s** enhanced cyber capabilities. Cyber-attacks carried out by **Russia** are mostly used in conditions of asymmetric conflict. However, the interference of hackers in the **US** presidential election in 2016 was different in the sense that it was intended to test cyber capabilities in order to influence the election. Naturally, **Russia’s** capabilities also have a limit. When carrying out a cyber-attack with a certain strategy, potential opponents have the opportunity to prepare in a defensive direction. **Russia’s** cyber-attacks on **Georgia** and **Ukraine** may be considered experiments, but it **allows leading countries** to fully explore the so-called **Russian** methods in technological terms. And then it becomes easier to improve defence mechanisms. For example, the interference of **Russian** hackers in the elections in **France, Italy, the Netherlands** and **Germany** was not as effective as it may have been in previous cases. The threats posed by Russia are multifaceted, both in terms of cyber warfare and the use of information and propaganda disinformation. The phenomenon of **the information-propaganda** war is not new, it just progressed and probably will continue to progress with the development of technology.

Propaganda – means the planned use of any form of communication to influence people’s minds, behaviours and emotions. This means is considered by many to be the most effective and common means of persuading people to engage in political activity. Intelligence services have thus been employing propaganda for a long time. The full force of the **propaganda war** was revealed during the **Second World War** and is still relevant today. In this regard, we can say that Russia has a long history of information, propaganda and disinformation, but in the era of technological revolutions, this activity has become more effective. Russian **propaganda** is not truth-oriented, but that does not mean that everything is a lie. Here we have a mixed-method when mixed misinformation is spread encompassed in truth. There are cases when we are dealing with complete disinformation and “**fake news**”. For example, a fake report on September 11, 2014, informing us that a **chemical** plant in **Louisiana** had exploded (Manufacturing, 2015). At the time this information seemed credible, it appeared on almost every social network. Generally, fake news spreads quickly and is easily believed, especially when the information is spread by not one, but several media outlets. In this case, it is important to warn the public about impending misinformation.

The mainstay of Kremlin propaganda in Georgia is the media and social networks. At least one television station, several Internet TV stations, print media and a web site feature anti-Western message boxes that rely heavily on Russian sources of information. The active use of social networks by Russian propagandists is also noticeable in the viral dissemination of disinformation or anti-Western narrative materials.

In May 2013, the President of Georgia signed the **Cyber Security Strategy of Georgia** for 2013–2015, which is the main document defining state policy in the field of cybersecurity (Administration of the President of Georgia, 2013: 1–9).

Georgia’s National Cyber Security Strategy states separately that it is necessary to raise public awareness and establish an educational base. It is also emphasized that our public awareness is quite low. Raising awareness is also a big challenge for the public sector, where a significant part of the employed officials do not have the knowledge of the basic norms of cybersecurity and need to be trained. The Georgian security strategy or plan openly recognizes that today it is impossible to ensure cybersecurity on its own, because cyber incidents have already become transnational and in this case, it is necessary to join the international system. Here again, we go to the plans and experience developed by NATO and the US, and then to the cooperation (Resolution of the Government of Georgia № 14, 2017: 6–7).

On February 6, 2014, on the basis of order No. 8 of the Minister of Defence of Georgia, the LEPL “**Cyber Security Bureau**” was established and its statute was approved. Cybercrime investigation is one of the most important issues in terms of the proper functioning of the state. This requires a proper technical and legal framework, qualified staff, cooperation with partner countries and so on.

Given Russia's aggressive intentions and policies in modern times, it is imperative that Georgia, Ukraine and their Western partners strengthen their defences and share their experiences and technologies.

Conclusion

The trend of cyber wars and covert cyber-attacks has recently taken on a larger scale and is undergoing a transformation. At a closed meeting of the UN Security Council in 2020, the United States and Britain openly blamed Russia. The facts were also presented. Estonia, Ukraine and Georgia were discussed at the meeting. Since Estonia is a member of NATO, it automatically shares the concept that has already been developed and provides for inclusion in the collective defence system (Georgian Public Broadcaster, 2020). As for Georgia and Ukraine, the NATO plan works effectively in this case as well, but in the end, at least individual methods of defence need to be strengthened. Especially when the Georgian state is a constant target for Russia. The fact is that Russia in the post-Soviet space feels like a fish in water, which can be controlled only through international efforts. Georgia has high hopes for its European partners and the United States in protecting Georgia from cyberattacks and hybrid wars. While it is difficult for rather powerful states to cope with the threats and risks posed by Russia, the support of Western partners is important to protect and strengthen Georgia's security. As a result of the study, we can say that the cybersecurity environment of Georgia reacts to a certain extent to the threats posed by cyberspace.

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Russia's hybrid invasion in Belarus during the presidential election campaign 2020

Abstract. There are various instruments for Russia to have influence on its neighbours, such as using opinion leaders (authorities), intellectuals, and journalists to create a favourable informational context or to place the ordered materials in the media so as to have an impact on public opinion. These are the types of information attacks that can lead to the loss of statehood or the substantial limitation of sovereignty. This hybrid aggression strives to precisely this result. The main questions are: how the Russian information space, mud-slinging and troll farms functioned in Belarus during the presidential election? How the fake news which is produced in Russia impacts societies? Which political scenarios appeared in Belarus following Russia's informational influence? It is a fact that today the Russian authorities use tools of *fake news* and propaganda; combined with the extra possibilities of social media. The appearance of *fake news* is connected with national safety because they jeopardize democratic institutions, lead to the radicalization of society, and change the balance of authority. In the research, the methodologies were used from the sociology of communication, political science and content analysis.

Keywords: fake news, an Internet shutdown, information warfare, a hybrid war, new media.

The Russian's hybrid invasion and informational impact on Belarus

The issue of Russian's hybrid invasion and informational impact on Belarus is hugely relevant. That is because Russia was an active actor in the internal political changes in Belarus during the presidential election campaign of 2020 and the post-election period. It's worth mentioning that previous research was devoted to the waves of disinformation and propaganda launched by Russia to try

and influence public opinion in Belarus. Firstly, the research of Andrei Yelisieyev *Fundamental Shifts in Anti-Belarusian Disinformation and Propaganda: Analysis of Quantitative and Qualitative Changes* (EAST Center, April 2019) and *Sputnik Belarus's Propaganda and Disinformation: Narratives, Methods, and Trends* (EAST Center, March 2020); secondly, the collaborative study by Vasil Naumau, Anastasiya Ilyina, Katsiaryna Shmatsina entitled *The stalemate of deepened integration: analysis of the Russian anti-Belarus disinformation campaign in 2019* (College, 2020); thirdly, the research of the International Strategic Action Network for Security by Andrei Yelisieyev (*Bela*)*Ru(s)ian propaganda: three key ways to discredit Svetlana Tikhanovskaya* (2020), by Alexey Kovalev, Yan Avesyushkin *How the Russian state media rescued Belarusian broadcasters from political pluralism* (2020) and Maria Avdeeva's *The Kremlin's Influence Operations: Working Out Countering Mechanisms for Eastern Partnership Member States* (2020) fourthly, the analytic reports of the Atlantic Council and Chatham House. Also, I would like to mention the 4th/2020 volume of *New Eastern Europe* which is launched by The Kremlin's hybrid war. Moreover, we need to take into account the books of Ukrainian authors *Hybrid war* by Yevgen Magda (2015) and *The war of Reality* by Dmytro Kuleba (2019). Definitely, the list of research about fake news is quite extensive, but I focused on the sources that deal with the region of Eastern Europe.

In my research, I would like to establish how Russia has actively been using the instruments of information and hybrid warfare in Belarus during the presidential election and especially the post-election period. The research hypothesis is that the Russian hybrid invasion is a continuation of Russian aggression against Georgia in 2008 and Ukraine in 2014. In this article, I provide analysis of existing relevant reports and research on the degree of misinformation and propaganda in Belarus as well as analysis of the content of selected articles from journalists, experts, and bloggers.

Internet connectivity was significantly disrupted in Belarus on election day and the following days. Belarusians have faced the reality of how to meet new challenges. There were two main reasons for the Internet's shutdown: to prevent alternative vote counting – Tikhanovskaya's united campaign called on voters to send ballot pictures to the Voice platform, where almost a million voters registered; and to prevent communication and coordination after the election. The internet and new media have never played such an important role as during this year's presidential campaign. First, alternative candidates actively used social networking during the campaign. In particular, the candidates Viktor Babariko and Valery Tsepkalo were promoted in the new media. The style of work of the SMM-team was similar to the work of a bot farm. While the media face of Valery Tsepkalo on social networks was his wife Veronika. Also in the first days after the election, thanks to telegram channels, the coordination of actions was carried out; and most importantly in the situation where independent media

was blocked, telegrams became a source of information for TV-channels (Belsat TV, TV Rain, Current time TV) as well. However, social media have traditionally been good places for fake news, bogus stories or Russian trolls.

In support of Lukashenko, the activity of pseudo-accounts in the comment sections of popular sites and social networks has noticeably intensified in the past couple of months. Tens and hundreds of “commentators” with the same type of posts suddenly swoop on individual news reports and notes. Even more interesting, according to researcher Andrei Yeliseyev, is that the largest of the groups of bots operating under the post of Krivosheev consistently promote the posts of Russian MP Leonid Slutskiy, head of the State Duma Committee on International Politics, which legitimized the Crimean referendum in 2014 by bringing in marginal European politicians.

Not only soft power

Ten days before elections, Belarusian authorities announced a criminal investigation against 33 mercenaries of Wagner PMC, a Russian security contractor involved in nefarious activities in places such as Ukraine, Syria, and Libya. A unit of the Belarusian KGB arrested the Russians in a sanatorium near Minsk, the Belarusian capital. Belarusian authorities claimed that 170 other militants are still at large across the country. It was a good picture for the state media, after the elections, all 32 mercenaries of Wagner PMC were transferred to Russia.

On the evening of the vote count, during a peaceful protest, Russian military correspondent Semyon Pegov was detained among the protesters. Media photos show Pegov being dragged by a Belarusian police officer into a police vehicle in an unconscious state. A week before the election, Pegov claimed on a Russian propaganda show, hosted by Vladimir Solovyev, that there were some training bases for nationalist militants in the east of Belarus, similar to the Ukrainian “Right Sector”.

Following the announcement of the results of the vote and the lengthy protests, Lukashenko continues to manipulate the Russian threat. However, despite the strikes of employees, it is the Belarusian state TV channels that have adopted a rhetoric that Belarusian-Russian relations are under threat: as Lukashenko's opponents are ready to leave the CSTO, the Eurasian Union and the CIS. At the same time, telegram channels show that troops of the Russian National Guard, without identification markings, have already entered Belarus.

Pro-Russian forces in Belarus have begun to act and deliver plan B. The Kremlin has begun to use an alternative plan in case Lukashenko does not control the situation in the country. Among the main actors – The Republican Party of Labor and Justice (RPTS), The Liberal Democratic Party of Belarus (LDPB), and

the Civil Initiative “Union”. Alexander Lukashok from RPTS whilst on-air on “Russia 1” unambiguously stated, they say, that healthy (read: pro-Russian) forces “will definitely join the game tomorrow”. Oleg Gaidukevich, head of the LDPB and member of the Belarusian parliament, issued a statement on the creation of the “People’s Patriotic Movement of Belarus”. He stands for “the unconditional preservation and development of the Union with Russia and the CSTO” and the convening of an extraordinary parliamentary session. It was announced that “The People’s Patriotic Movement is beginning to prepare and conduct constituent assemblies in all regions of the country and in Minsk”. One of the points is to strengthen the role of the parliament. The most interesting thing is that in past elections Gaidukevich was Lukashenko’s confidant.

Moreover, the Civil Initiative “Union” issued a statement, which says that in order to overcome the political crisis, a dialogue of the authorities “with all social movements of the country” is necessary. True, after a couple of sentences, there was clarification: such a dialogue should, first of all, go with civil forces and movements “united by a common Russian culture”.

After more than 70 days of protests, Lukashenko’s meetings with political prisoners and the release of some of them, the Union Civic Initiative has stepped up and announced the creation of a party which supports integration with Russia, and even recognizes the independence of South Ossetia and Abkhazia. This tendency is very dangerous because Lukashenko announced the Constitutional reform, and Russia is interested in this reform too, trying to expand the role of parties in the Belarusian parliament. Again we can see the Russian hybrid invasion because it will try to lead the pro-Russian elements into the Belarusian Parliament on the model of the Ukrainian example (oligarch Viktor Medvedchuk and his party Opposition Platform for Life). The second challenge could be Russia’s use of its “sleeping network”, which covers the whole of Belarus (sites that promote the Russian world, or the same civic initiatives that receive Russian grants) (College of Europe, 2020).

At the same time, Lukashenko and the state Belarusian media continue to warn of the “Western threat”. In the situation when workers of state media (National State Television and Radio Company of Belarus) go on strike, Russia sends its professionals to replace these strikers.

According to the research of the International Strategic Action Network of Security (iSANS), Russia has begun a hybrid operation to establish control over the media, public space, security forces and the administrative institutions. Besides the Russian specialists who were invited to the country by Alexander Lukashenko to replace the Belarusian workers on strike, there has also been the activation of pro-Russian political elements of the network of Russian influence in Belarus – including the creation of the “People’s Patriotic Movement of Belarus” by LDPB leader Oleg Gaidukevich and others. The experts of iSANS drew attention to the active coverage and support of all movements and statements of Valeriy

Tsepkalov by RIA Novosti, which de facto already serves as his press service. iSANS specifies who came to Belarus as a Kremlin landing party. On Tuesday, August 18, a mobile television station (PTS) of the RT channel (MIA Rossiya Segodnya) was spotted in Minsk. On Wednesday, August 19, Internet users began to publish photos of the propagandist Irada Zeynalova in Minsk. The specialists from Russia were brought to state TV channels BT and ONT to replace striking and retired journalists and technical staff. Thus, television in Belarus, which was previously under the full control of the Belarusian authorities, has already been taken under Russian control. High-ranking curators from Moscow were also sent to the Sputnik Belarus office on August 19 with the task of “unifying the presentation of information” on the model of the Ukrainian agenda in 2014–2020. We can already see the first results of this work – wild propaganda videos that were launched on another state channel, STV, with the aim of demonizing Svetlana Tikhanovskaya. In fact, now the role of state TV channels is reduced to inciting civil conflict in Belarus. The posters and posts of a similar nature appeared on the streets of Belarus and on social media. Moreover, there have occurred “for Bat’ka” rallies, organized by activating pro-Russian forces. Their main aims are the formation of the Belarusian version of the “anti-Maidan”, structuring the activities of the pro-Russian political wing on the territory of Belarus, juxtaposing the East and West of the country.

The European's position in relation to the Belarusian election

Against this background, Europe's position “that the situation in Belarus is exclusively an internal conflict” looks faded. The consequences of this position may be stimulating direct contacts between the EU and Russia on the “Belarusian issue”. Some EU officials have already expressed their readiness to take into account the interests of Moscow, and the influence of politicians who are inclined to solve the “Belarusian issue” not in Minsk, but in Moscow, is growing more and more. The strategic interest of the EU in Belarus is the absence of political conflict on its borders, the observance of human rights at an acceptable level, and the preservation of formal sovereignty. Russia's strategic interest is in keeping Belarus in its orbit and, at least, the status quo in bilateral relations (SG, CSTO, EAEU). The manoeuvring schemes between the West and Russia, which were used in 2008–2020, will not work. All this makes the positions of the officials in Minsk extremely vulnerable even in the short term. And this is without taking into account the sanctions and the economic consequences of the EU decision. But what is important is that the leader of democratic Belarus, Svetlana Tikhanovskaya, had meetings with two European leaders: President of France Emmanuel Macron and Chancellor of Germany Angela Merkel, which gives her subjectivity in the international arena.

Russia recognizes the presidential election as legitimate and Alexander Lukashenko as the winner. This was stated by Russian President Vladimir Putin in an interview broadcast on the program “News on Saturday” on TV channel “Russia-1”. Prior to this statement, it was reported that Russia prepared a police force to assist Lukashenko if necessary. Responding to this, German Chancellor Angela Merkel said that she hopes that Russia is not using the law enforcement reserve created by Moscow. The Western countries still declare that a key task for the European Union (EU) is to help the Belarusian people without providing a pretext for further violence and Russian intervention. In addition, there are major anxieties about agreements with Russia, namely that the fate of the country will be decided without the participation of Belarus, at the level of Putin and Western negotiators. As a result, Belarus may become more dependent on Russia, losing all or part of its sovereignty. I remark that Putin supports Lukashenko as he supported Bashar al-Assad in Syria or Nicolás Maduro in Venezuela because he understands that Lukashenko will continue the integration process (I mean fistful diplomatic and economic help but also with a readiness for military support). It is clear that the vision that Lukashenko is the last bastion before Russification and the absorption of Belarus by Russia was completely false. The United States and Russia had competing geopolitical interests regarding Ukraine, but that was not the case with regard to Belarus. Steven Pifer also underlined that “there was no push in Minsk to join the European Union, and zero Belarusian interest in NATO” (Atlantic Council, 2020). This is characteristic of the Belarusian protest 2020 that the protest is definitely not for geopolitical choice as it was in Ukraine; it is for the right to have free and fair elections. For instance, the protestors still do not use the flags of the EU, U.S., or Russia, except during the rallies of regime supporters. This is a protest about democracy.

Lukashenko is drawing attention to the north-west corner of Belarus, singling out the city of Grodno near the border with Poland and Lithuania as a supposed target for Western efforts at destabilization. All this feeds his narrative that Belarus is in danger from NATO and the West who are supposedly both stirring up the protests and seeking to exploit disorder – and that this danger extends to possible military clashes (Chatham House, 2020).

The Kremlin’s strategy

Some experts’ voices say that the Kremlin will not use military intervention to support Lukashenko. This is in part due to the fact that Russia is already providing assistance to Lukashenko: by offering its media resources, public criticism of Tikhonovskaya and the Coordination Council, as well as political statements demanding non-intervention of the European countries into Belarusian

affairs. All this is not because the Kremlin is interested in keeping Lukashenko in power. It's because now any support increases Lukashenko's debt to the Kremlin. If Lukashenko remains in power, he will be forced to pay off this debt for the rest of his term. Military intervention is directly opposite to what the Kremlin wants. After Lukashenko lets the Kremlin's operating managers into his realm, Putin has the opportunity to take control over both the civil and military administration in Belarus without any use of military forces. The experts of iSANS suggest considering the following scenario of the Russian impact on Belarus:

1. Non-intervention of the West and discredit of any European support to Belarusian society to make sure no Western alliance will be built around the demands for new and fair elections. This line is being pursued by Sergey Lavrov and the Kremlin's media.

2. Imposing a change in the composition of the Coordination Council: to include a group of high-profile politicians, loyal to the Kremlin instead. Such people on the Coordination Council will clearly ensure the preservation of relations between Moscow and Minsk in the Kremlin's interest. These people will completely fit Putin's expectations should Lukashenko be 'hospitalized' (thus making new elections inevitable). Removing Tikhanovskaya from the scene or completely side-lining her.

3. Driving Lukashenko deeper into debt to Kremlin.

4. Sending more Moscow media workers, political strategists, FSB groups, cybersecurity experts (etc.) to Minsk to seize control over all the state apparatus (regardless of whether Lukashenko remains in power in the next three months or not).

5. Shaping an attractive image of further integration with Russia within Belarusian society (Morozov, 2020).

I suggest considering the following scenarios for the development of the Belarusian political crisis. The pessimistic scenarios imply that Lukashenko remains in power, Western countries don't recognize the election result but *de facto* continue to be in contact with the usurper. First of all, Lukashenko is being harassed by personal sanctions. The next negative scenario is that Lukashenko remains on his post for a transitional period, up to one year (something like that was offered to the former Ukrainian President Viktor Yanukovich in 2013). The Belarusian regime uses this time to hold a referendum to legalize or withdraw financial savings. One of the negative scenarios could be that new elections are scheduled, in which the winner is not an open but a pro-Russian candidate. The realistic scenario could be some hybrid scenario. And the last – the optimistic scenario that a new election is scheduled as a result of which the independent candidate wins, holds parliamentary and local elections, returns to the 1994 Constitution (given that some experts compare the events in Belarus with the Ukrainian Maidan 2004, such a scenario is possible in a few years).

Whatever scenario unfolds, today we can conclude that due to protest against the false result of the presidential election the nation has awoken (thousands of

people accept national symbols and struggle for the democratic values). One more result of the Belarusian revolution is the strengthening of the working movement (Despite the repression, dozens of factories joined the national strike). And another interesting thing is that this revolution has a women's face. I mean that not just the main opponent was a woman, Svetlana Tikhanovskaya, or her united campaign consisted of women but that the Belarusian women and girls actively organized women's chains of solidarity and marches against police violence and election fraud. This can lead to changing the role of women in Belarusian society, to developing women's empowerment in political leadership and policymaking.

In the situation of Lukashenko keeping his power, the main challenges will be the huge waves of emigration from the country, first of all, competitive and highly-skilled workers. And the most obvious risk is that the Belarusian regime will remain a military dictatorship with signs of totalitarianism. And it is not only a matter of strengthening the powerful repressive apparatus, but achieving total control of the Internet and the destruction of independent media and the public sector.

In conclusion, it is noted that the Kremlin does not intend to release Georgia, Ukraine, and other post-Soviet countries, even after the military conflicts in the territories. The Kremlin does not intend to leave Belarus. Although the hot stage of the conflict in Belarus has not begun: Russia has not openly introduced an army. Vladimir Putin is using the tactics of "creeping occupation", which has been actively deployed through the tools of information warfare, the involvement of Russian propagandists, and the promotion of pro-Russian political initiatives. All these activities are elements of a hybrid invasion, honed as the Kremlin reviewed the lessons after Georgia and Ukraine. These lessons alas were not learnt by the Belarusian society regardless of the fact that it does assess the political changes in their own country through a geopolitical prism.

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A common gas market for Visegrad Group countries

Abstract. The construction of the North-South Gas Corridor, regional energy integration and international cooperation in the Visegrad Group (Poland, Hungary, Czech Republic and Slovakia) can be determinants for the creation of a common gas market for four Eastern Europe countries (V4). The starting point for this work is concerned with the technical possibilities, chances, threats and necessary steps for the development of the existing infrastructure. The import capacities of countries neighbouring the V4 territory and the internal gas transmission potential inside the indicated group of countries have been presented in this paper. Special attention was paid to the international possibilities of using underground gas storage. The V4 countries, in particular, were examined due to their location between the Russian Federation and Western European gas consumers, and due to the need to ensure the security of supply, volumes and directions of import and export for each from. The bringing online of the gas connection between Norway and Poland, along with the construction of the Croatian LNG terminal, and the establishment of a common gas market for deliveries inside V4 may significantly contribute to determining a new physical direction of the gas flow in this part of Europe.

Keywords: gas market, natural gas, Visegrad Group.

Introduction and aim of the study

The idea of building the North-South Gas Corridor (Trubalska, 2016: 191–20) connecting the Baltic Pipe, the LNG terminal in Swinoujście with the Czech Republic, Slovakia, Hungary and the planned Croatian LNG terminal and also the technical start of the first cross-border gas market in northern Europe (Jakstas, 2019: 10; Wyganowski, 2019) may lead to the implementation of a similar solution in the region around Poland. International cooperation between Poland, the Czech Republic, Hungary and Slovakia is mainly based on the Visegrad Group – V4 political alliance (Hudec, 2016: 26–35). Cooperation within the framework of V4 is focused primarily on increasing the level of regional integration. Energy integration, including the natural gas (NG) market, should be a basic element of the aforementioned regional integration. The creation of a new international common market, inspired by the Finnish-Estonian-Latvian solution, would allow for the easy and free trade of natural gas within an area inhabited by nearly 64 million people (Schmidt, 2017: 113–140). Combining 4 countries into one macro-area would allow to optimize tariff costs on cross-border connections, increase the availability of underground gas storage facilities and facilitate access to potential fuel suppliers from countries with which V4 participants are not directly connected.

The aim of this article is to analyse the possibility of creating a common natural gas market and gas balancing area in Central and Eastern Europe, based on the Visegrad Group. The presented work aims at 1) indicating development opportunities for such a market; 2) assessing its strengths and weaknesses; as well as 3) identifying necessary infrastructure investments. The paper is analytical and combines many data sources.

Methods of research and analysis

The analysis carried out focused on three aspects of high-methane gas transmission and consumption, i.e.: transmission systems' technical capacities and the main directions of NG physical flow; the demand for fuel in each of the V4 member countries; and the possibility of storing gas in underground gas storage facilities (UGS).

The first step covers aggregating import abilities through the interconnection of entry points to transmission systems in Poland, Czech Republic, Slovakia and Hungary from neighbouring countries. Two different directions of NG deliveries were indicated – “western” from European Union countries and “quasi-eastern” (Romania is EU member, but is located on the eastern border of V4) from non-EU

members like Ukraine and Belarus. Data concerning gas transmission possibilities and technical capacities within V4 countries were essential for carrying out this analysis. Measurements and data used in the first part of the article are published in the official ENTSOG database – European Network of Transmission System Operators for Gas (European Network..., 2020).

The second section of this paper focuses on analysing the current demand of member countries for natural gas. This part of the article is based on fuel demand, regardless of the direction of its origin.

The final stage of the research constitutes an analysis of the potential use of underground gas storage facilities, in particular for facilities covered by the rules on TPA (Third-party access) and for operators affiliated with GSE – Gas Storage Europe (Gas Infrastructure Europe, 2020).

For full and complex analysis it is necessary to indicate the price changes of gas products available on regulated trading platforms and also their interdependency. Short term supply market – SPOT, with delivery during the day after the transaction day (Day Ahead) (Zajdler, 2014) was used as a product that reflects the prevailing moods and trends on the indicated markets best. For the purpose of this work, the period between 1.01.2016 and 1.01.2020 was analysed. Market regulations and legal issues were not a part of this study.

Transmission systems characteristics

Countries network characteristics

Poland

The high-pressure natural gas transmission network in Poland can be described as three cooperating subsystems. The first and best-known subsystem is the transit gas pipeline YAMAL, which is a gas bridge connecting the Russian Federation with the European Union. The entry point to the Polish part of YAMAL, and at the same time the EU import point, is Kondratki (1P). The exit point from Polish territory is located in Mallnow (2P). The Polish section of the transit pipeline is 683,9 [km] long and connected to the NG high-methane transmission system by the Punkt Wirtualnego Polaczenia (PWP). PWP is a virtual combination of two physical hydraulic connectors in Lwowek (3P) and Wloclawek (4P) (Ruszel, 2017: 5–22). The second subsystem – the NG high-methane transmission system – is the main transmission network in Poland. The network is physically connected to the transmissions systems of neighbouring countries: Belarus (Wysokoje) (5P), Ukraine (Hermanowice/Drozdowicze) (6P), Czech Republic (Cieszyn) (7P), Germany (Lasow) (8P), Gubin (9P), Kamminke (10P). The three last interconnection points, which connect with the German

transmission system, are working together to form a virtual point called GCP – Grid Connection Point (Platforma informatyczna GAZ-SYSTEM..., 2018). It is worth noting that hydraulic connections with the Czech Republic, Germany and Ukraine are bi-directional, entry/exit points, which makes import and export of NG possible. The Polish transmission network is connected with the LNG terminal in Swinoujscie (11P) – “gas window” to the world. It is a unique facility for the whole V4 territory and is definitely an advantage for the transmission system, which is connected to the worldwide LNG market now. Figure 1 presents another entry point (12P) called Tietierowka, which is a supply point for the distribution system and has local importance. The third subsystem located on the territory of the biggest V4 member is a low-methane NG transmission system. Low-methane and high-methane transmission systems are hydraulically connected by blending-plants and nitrogen-removal plants.

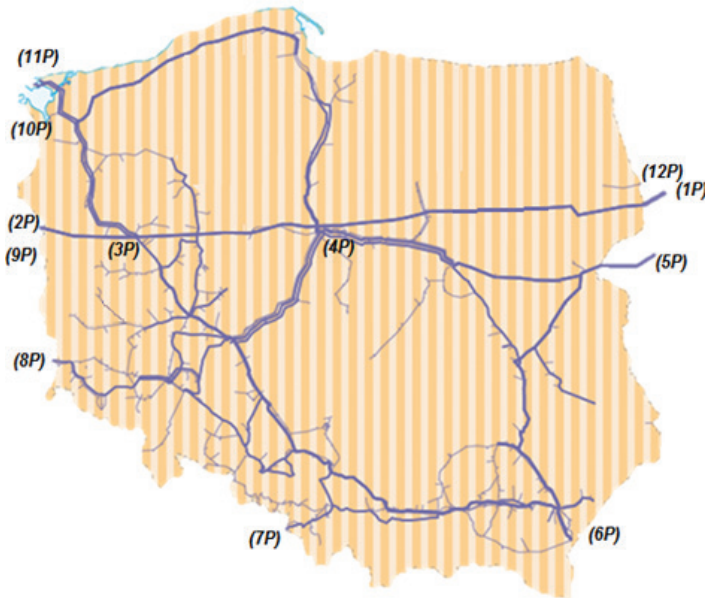


Figure 1. The natural gas transmission system in Poland
Sources: European Network..., 2020

The Polish gas transmission system is dominated by supplies from the east and from the LNG terminal. The Polish transmission system operator (TSO) is building an interconnection point with Slovakia (*Budowa gazociągu Polska-Słowacja...*, 2019). The technical capacities, and the physically transmitted volumes of NG through the Poland-Czech Republic interconnection point are presented in Figure 2. Based on the presented data, it can be concluded that this point, despite the possibility of a reverse-flow transmission service, works only as an import point to Poland

from the Czech Republic. Deliveries through the connection point with the Czech Republic are characterized by an intensity of use during the winter season. The Cieszyn point has become more popular and has been frequently used since the 2017/2018 winter season. It was only used on a few single days before that date.

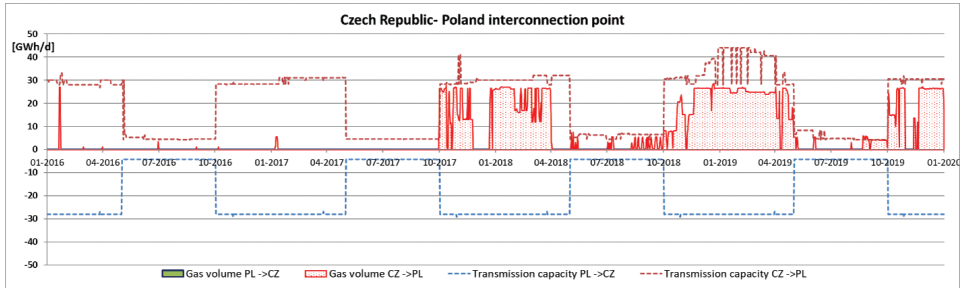


Figure 2. The utilisation rate of the Cieszyn interconnection point
Sources: European Network..., 2020.

Czech Republic

The Czech transmission network is hydraulically connected with three neighbouring countries. The interconnection point with Poland (Cieszyn) (1C) is described above, whilst the connection point with Slovakia is located in Lanzhot (2C) and was built according to a bi-directional idea.

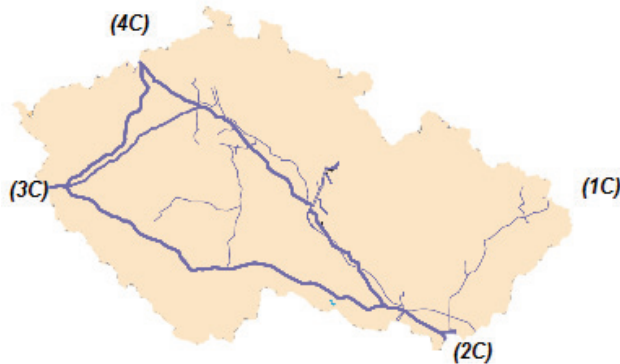


Figure 3. The natural gas transmission system in the Czech Republic
Sources: European Network..., 2020.

The western border of the Czech Republic is more interesting because it is connected to German gas pipelines at two points. The connection to the NCG German market area was constructed in Waidhaus (3C) and is primarily a fuel export point. NG is transmitted to the Czech Republic from the second German

market GASPOOL via OPAL and STEGAL gas pipelines, these are connected to the Czech system through points near Hora Sv. Kateřina (4C). Access to the German gas markets and high-capacity inter-connectors provide an opportunity for the development of a competitive gas market beyond the eastern German border.

Whilst describing the Czech transmission network, one must also mention that the underground gas storage facility located in the Czech Republic is connected with the Slovak transmission system in Dolni Bojanowice.

Hungary

The Hungarian high-pressure natural gas transmission network is presented in Figure 4. Similarly to the Polish system, it is connected with two non-EU countries i.e. Ukraine and Serbia. At the border with Ukraine, two interconnections were built, the larger one called Beregdaroc/Beregovo (1H) functions as an import point, and the other one (2H) has the main task of exporting gas in an eastern direction. Another cross-border connection point, Csanadpalota (3H), was designed and built with bi-directional technology, but it is usually used as an export point to Romania. Serbia is connected to, and supplied from, the Hungarian network by the Kiskundorozsma (4H) exit point. The interconnection point with Croatia in Dravaszerdahely (5H) was extended at the beginning of 2020 and since then it provides for the import of gas fuel from the south.

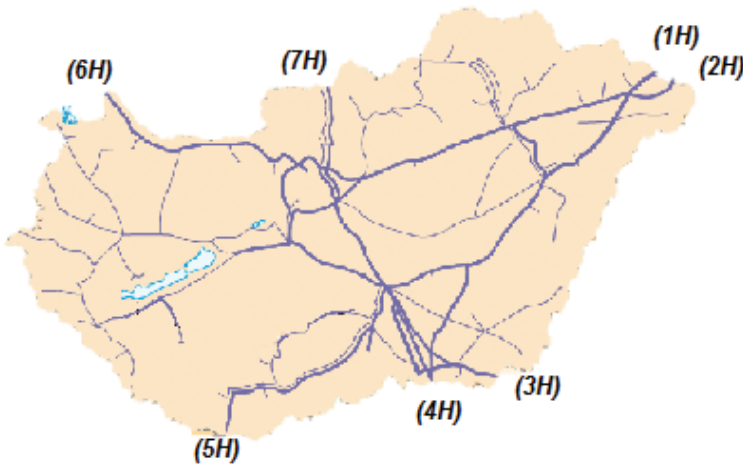


Figure 4. The natural gas transmission system in Hungary
Sources: European Network..., 2020.

It is worth noting that the most important entry point, and one used at almost full capacity, is located at the Austrian border – Mosonmagyaróvár (6H). The last point on the map is the reverse connection with Slovakia – Balassagyarmat/Velké Zlievce (7H). The Hungarian gas transmission system is dominated by

supplies from Ukraine. The other main entry points are located in the north of the country and are also supplied from the east, which is strongly reflected in the maximum fulfilment level of high methane storage facilities. This is in part due to the looming threat of transit interruption through the territory of Ukraine (Ruszel, 2015: 49–58). Technical capacities, and physically transmitted volumes of NG through the Hungary-Slovakia interconnection point are presented in Figure 5.

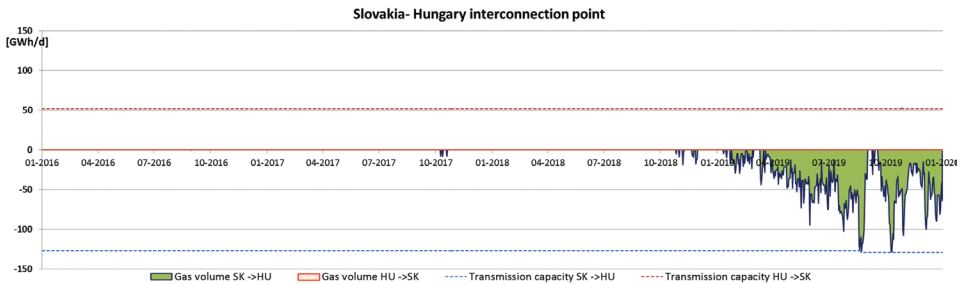


Figure 5. The utilisation rate of the Balassagyarmat/ Velke Zlievce interconnection point

Sources: European Network..., 2020.

The collected data may indicate that the Balassagyarmat/Velke Zlievce interconnection point is used by Hungarians as an import point, despite the possibility of changing the direction of transmission. The technical infrastructure allows for the flow of a maximum capacity of 1,8 [bln m³/year] – 20,088 [TWh/year] in the northern direction as well.

Slovakia

The Slovak natural gas transmission network is presented in Figure 6. It probably is the simplest and least expansive system of all V4 countries. However, it is worth remembering that the well-developed gas distribution network makes Slovakia the second-best gasified country in Europe (the Netherlands has the highest gasification rate) with high natural gas availability for end-users (SPP – distribúcia..., 2020). The reverse gas interconnection point with Ukraine – Velke Kapusany (1S) is equipped with the largest compressor station in Europe, which can be described as the beginning of the largest land route for the transmission of Russian fuel to Western Europe (160 years of gas industry..., 2016). A second interconnection point – Budince (2S) – is located right next to Velke Kapusany and works as an export point. A bi-directional connection point with Hungary – Velke Zlievce (3S) was built in 2014 and it began operating commercially during the second half of 2015. This entry/exit point was used only occasionally before 2019 when its utilization was significantly intensified.



Figure 6. The natural gas transmission system in Slovakia
Sources: European Network..., 2020.

Two bi-directional hydraulic connections: Baumgarten with Austria (4S) and Lanzhot with the Czech Republic (5S), are located at the Western Slovak border. Cross-border connection with Austria operates mainly as an export point for NG injected at the Velke Kapusany, and it is a supply point for the largest gas hub in Europe, from which fuel goes through Austria to Germany, Italy, Slovenia and Hungary. Transmitted volumes and directions of NG through the Czech Republic interconnection point are presented in Figure 7.

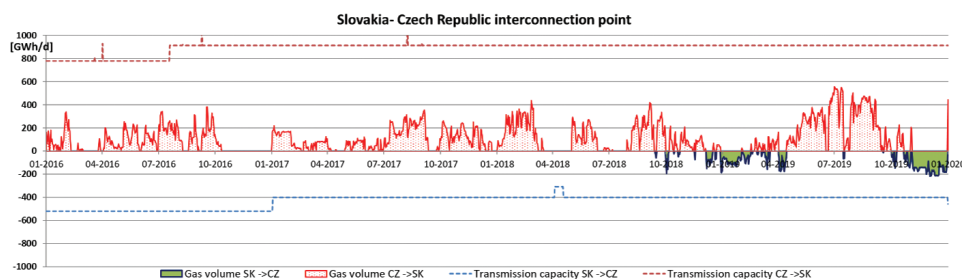


Figure 7. The utilisation rate of the Lanzhot interconnection point
Sources: European Network..., 2020.

It should be noted that the technical capacities of the Lanzhot point are being used only partially and mainly as an import point for the Slovak network. This connection has only occasionally worked in the reverse direction, with particular emphasis on the winter months of 2018 and 2019.

Currently available and planned cross-border interconnection points with members of the European Union

Possible V4 import volumes are presented in Table 1. Natural gas supply from EU countries, which are not V4 members, is mainly possible from the West, but it should be kept in mind that cross-border connection with Romania also

exists. It should be pointed out that YAMAL pipeline can be used in the reverse direction to transmit fuel from Germany.

Table 1. Parameters of accessible gas network interconnection points with EU countries

Point	Supplier	Recipient	Technical capacity [GWh/d]	Technical capacity [mln m ³ /d]	Reference GCV [kWh/m ³]
Mallnow	Germany	Poland	184,8	16,682	11,078
GCP	Germany	Poland	48,7	4,368	11,150
Hora Sv. Kateřiny	Germany	Czech Rep.	287,7	25,644	11,219
Hora Sv. Kateřiny	Germany	Czech Rep.	95,0	8,471	11,219
Brandov	Germany	Czech Rep.	951,9	85,065	11,190
Baumgarten	Austria	Slovakia	246,5	22,088	11,160
Mosonmagyaróvár	Austria	Hungary	153,1	13,609	11,250
Dravaszerdahely	Croatia	Hungary	12,1	0,990	12,270
Csanádpalota	Romania	Hungary	21,5	1,951	11,020
TOTAL	EU	V4	2 001,4	178,867	11,189

Sources: European Network..., 2020.

The maximal reverse transmission possibilities of the YAMAL pipeline is limited by the measuring system located at the PWP entry/exit point; which is the actual import point for the Polish transmission network. As technical capacities of PWP are still higher than the Mallnow entry point, Mallnow has been listed in Table 1 as an import bottleneck.

Some new cross-border interconnections are planned to be built and launched during the next few years. They may serve as new alternative sources of natural gas supply for the gas markets of the V4 members. In the northern part of the region gas connections between Poland and Lithuania (GIPL pipeline) and Denmark-Norway (Baltic Pipe) (Gas Interconnection Poland-Lithuania..., 2012) are under construction. These investments are part of the North-South Gas Corridor. In the south, an expansion of the Romania-Hungary cross-border point is planned. The aforementioned investment in interconnections, and the planned construction of the Hungary-Slovenia-Italy pipeline (FGSZ International Projects, 2020), are important elements of the East-West Gas Corridor.

The currently available and planned cross-border transmission network interconnection points with non-European Union countries

To broaden the analysis of import capacities, data published by ENSTSO were used. Technical parameters of import points are presented in Table 2.

Table 2. Parameters of accessible gas network interconnection points with non-EU countries

Point	Supplier	Recipient	Technical capacity [GWh/d]	Technical capacity [mln m ³ /d]	Reference GCV [kWh/m ³]
Terminal LNG	World	Poland	158,0	13,680	11,550
Tietierowka	Belarus	Poland	7,3	0,648	11,270
PWP	Yamal	Poland	275,5	24,869	11,078
Wysokoje	Belarus	Poland	169,1	15,005	11,270
Drozdowicze	Ukraine	Poland	135,6	12,000	11,300
Velke Kapusany	Ukraine	Slovakia	2 028,0	181,720	11,160
Budince	Ukraine	Slovakia	249,6	22,366	11,160
Bregdaróc	Ukraine	Hungary	526,6	45,839	11,410
TOTAL	NON-EU	V4	3 549,7	316,127	11,229

Sources: European Network..., 2020.

Tietierowka is the smallest entry point used by a local group of end-users near Białystok city. The biggest point, Velke Kapusany, supplies the transmission line to Western Europe. Budince on the Ukraine-Slovakia border currently fulfils the role of an export point towards Ukraine and despite bi-directional technology provides no import nowadays.

The expansion of the LNG terminal in Swionujście is the only planned investment that should increase connections with suppliers from countries outside of the European Union. Planned investments are focused on building a third cryogenic-storage tank for liquefied gas and increasing vaporization capacities by approximately 79,0 [GWh/d], that is nearly 6,890 [mln m³/d] (*Program Rozbudowy terminalu LNG*, 2020).

Carrying out the LNG investment will increase the annual import capacity of the V4 to the level of 117,901 [bln m³/year] corresponding to 1 324,476 [TWh/year]. That value however should be corrected by the Velke Kapusany capacity, which is mainly dedicated to long distant transit. If total transmission possibilities would ignore this cross-border connection, the Visegrad Group supply possibilities will amount to about 51,573 [bln m³/year] equivalent of 584,255 [TWh/year].

The currently available and planned cross-border transmission network interconnection points inside V4

The analysis of active and planned cross-border connections between the Visegrad Group members is necessary, in order to examine the potential common V4 gas market. The current situation on internal borders needs special attention. Only isolated interconnections on Poland-Czech Republic and Slovakia-Hungary borders are ready to use. The transmission capacities look best on the border of Slovakia and the Czech Republic, where two hydraulic connectors with high capacities are working continuously. Table 3 presents the active interconnection points currently used.

Table 3. Parameters of accessible gas network interconnection points inside V4

Point	Supplier	Recipient	Technical capacity [GWh/d]	Technical capacity [mln m ³ /d]	Reference GCV [kWh/m ³]
Cieszyn	Czech Rep.	Poland	28,9	2,576	11,220
Lanzhot	Czech Rep.	Slovakia	913,7	81,873	11,160
Dolni Bojanowice*	Czech Rep.	Slovakia	95,6	8,566	11,160
Lanzhot	Slovakia	Czech Rep.	400,4	35,878	11,160
Dolni Bojanowice*	Slovakia	Czech Rep.	74,3	6,658	11,160
Balassagyarmat	Slovakia	Hungary	127,0	11,380	11,160
TOTAL	V4	V4	1 470,0	131,707	11,161

* Capacity used for underground storage facility, not for transmission.

Sources: European Network..., 2020.

There is a plan to expand the Cieszyn cross-border connection, which may reach the transmission capacity in the Czech direction of equal to 5,0 [bln m³/year] – 56,100 [TWh/year], and 6,5 [bln m³/year] – 72,930 [TWh/year] in the opposite direction. Once construction has finished, the Polish-Slovak inter-connector may enable gas transmission in a southernly direction of 4,7 [bln m³/year] – 52,452 [TWh/year] capacity, and 5,7 [bln m³/year] – 63,612 [TWh/year] in a northernly direction.

In February 2020 the Slovak and Hungarian governments signed an agreement on increasing the cross-border connection capacity by up to 5,3 [bln m³/year] – 59,148 [TWh/year] in both directions. Previous press information mentioned bi-directional capacities of the level of even 7 [bln m³/year] (*Hungary, Slovakia sign MoU...*, 2020; *Hungary & Slovakia to Boost Gas...*, 2019). Slovak-Hungarian inter-connector development is particularly important regarding the possible TurkStream gas usage in the V4 territory.

The aforementioned investments aim to significantly improve the bottlenecks on the Slovak-Polish and Czech-Polish borders.

Natural gas consumption

The Visegrad Group's natural gas consumption during the last 8 years (covered in the global BP Statistical Review data report – *BP Statistical Review...*, 2018) was stable and oscillated around the level of 40 [bln m³/year]. BP data published in a volumetric measurement unit were converted to energy units using the GCV reference as detailed in Table 3. The V4 average demand after recalculation corresponds to 446,723 [TWh/year]. The annual consumption expressed in TWh broken down by group members is presented in Table 4.

Table 4. Annual natural gas demand inside V4 – [TWh]

Country	2011	2012	2013	2014	2015	2016	2017	2018
Czech Republic	88,385	88,994	90,166	80,245	84,148	91,073	93,471	89,096
Hungary	121,806	108,708	101,343	90,623	97,220	104,202	110,875	107,259
Poland	183,627	194,417	194,318	189,889	190,840	203,773	214,072	220,304
Slovakia	60,190	56,663	62,493	48,966	50,356	50,562	53,695	51,929
V4	454,007	448,782	448,320	409,723	422,564	449,611	472,113	468,588

Sources: *BP Statistical Review...*, 2018.

Polish gas market during the analysed period was characterised by the largest increase of end-user demand. Total country demand in 2018, when the Polish share of the V4 gas market reached 47%, corresponds to 120% of the 2011 country consumption. Hungary is the second-largest consumer of fuel and accounts for 23% of the V4 market, but in this case, there has been a 12% decrease in demand during the past 8 years. A similar trend can be observed in Slovakia, which in terms of area and fuel consumption is the smallest consumer – 11% of the V4 market. The most stable situation is in the Czech Republic, where both in 2011 and 2018 the market share, in relation to other members, was at 19%.

Underground gas storage facilities

At the end of 2019, underground gas storage facilities with a working volume (volume available for commercial use) of 182,626 [TWh] were located in the Visegrad Group territory. Interestingly the lowest storage capacities, located in salt caverns and depleted gas fields, are available in Poland. The ratio of the UGS working volume to the final country consumption was barely at the level of 15% in 2018. It is worth pointing out that the biggest gas consumer in the V4 is currently focusing on developing this part of gas infrastructure. Over

the last 8 years, UGS facilities have been almost doubled, reaching the capacity of 34,356 [TWh]. Hungary has the largest storage capacities (about 69,637 [TWh]). At present investments are not being made to develop fuel storage installations, contrary to Poland. Both Slovakia and Hungary have storage facilities with a capacity exceeding half their annual demand.

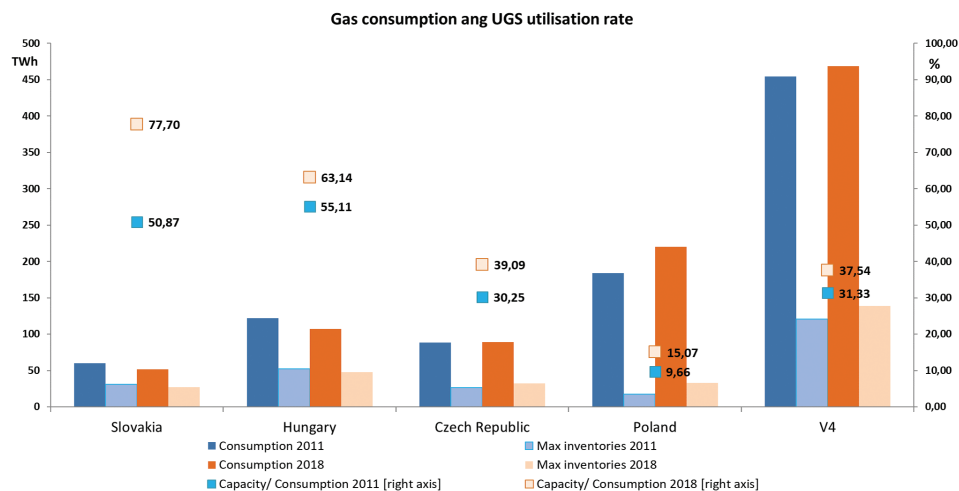


Figure 8. Annual gas consumption and utilisation rate of UGS
Sources: Gas Infrastructure Europe, 2020; *BP Statistical Review...*, 2018.

It is worth noting that in Slovakia, where full gas storage facilities can cover over 77% of annual fuel demand, storage system operators are still intensively expanding their working volumes, withdrawal and injection capacities. The Visegrad Group has storage capacities that can satisfy almost 38% of its annual demand. Data on UGS work parameters and gas consumption are presented in Figure 8.

Storage facilities in the V4 territory have not been fully used over the last 8 years, which is presented in Figure 9. The average stored level at the end of the withdrawal period was close to 23% and Slovakia had the lowest UGS fulfilment levels. At the end of an injection period, when maximum levels of stored fuel before winter can be reached, the average stock level was close to 82%. Countries with the highest level of stored fuel were Poland and the Czech Republic. “The highest level of unused” volume space remained in the Danube river area, which can be an explanation for both the lack of development of existing infrastructure, as well as any new construction of there. The exception from the presented average situations was the winter of 2019 when due to the uncertain situation regarding the gas transit through the territory of Ukraine, the storage facilities in Slovakia and Hungary were almost 100% full.

Underground gas storages play an important role in supplying gas to end-users in all four countries. There are significant differences in the energy policies for the storage of natural gas between the Visegrad Group countries; some of them are the results of geological circumstances.

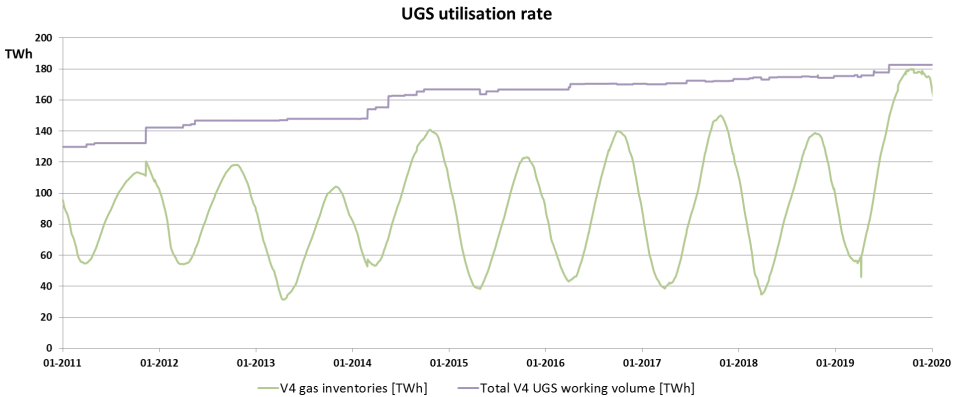


Figure 9. Working curve and utilisation rate of UGS working volume
Sources: Gas Infrastructure Europe, 2020.

It is necessary to underline that energy and natural gas cooperation in the scope of storage facilities among V4 countries is still peripheral (Skrzyński, 2020: 21–40).

High-methane natural gas prices on Visegrad Group markets

The biggest gas market closest to the V4 territory is definitely the German gas hub. Prices of short-term gas products quoted on GASPOOL and NCG markets can be used as benchmarks for NG prices on organized trading platforms in the Czech Republic, Hungary and Poland. Price changes in those markets during the last four years are presented in Figure 10. The graph clearly shows that all prices are closely related. As expected, the natural gas SPOT products with the lowest prices were available in Germany. High transmission capacities on Czech cross-border interconnections and the proximity of the German markets caused the lowest fuel prices among the V4 to be available in the Czech Republic.

Polish and Hungarian markets were only occasionally cheaper than the Czech market during the 1,461 days examined. When comparing TGE (Poland) and CEEGEX (Hungary) prices one should note, that in 53% of cases TGE indexes were lower. The average difference in SPOT prices amounted to only 0.11 [EUR/MWh].

The creation of a common V4 market may lead to the levelling of prices for all participants, therefore Poland and Hungary have the chance to be the biggest beneficiaries of the new market.

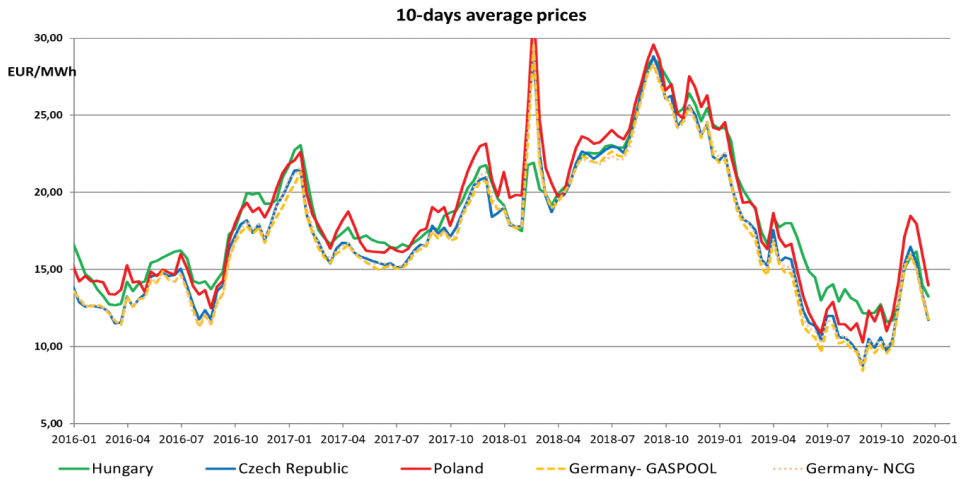


Figure 10. Average prices on SPOT market

Sources: OTE Short-Term Markets; POWERNEXT Spot Market Data.

Political and legal background

The presented data concerns the technical parameters of pipelines and storage systems. Previous studies concerned the political and partnership aspects of regional cooperation. Some authors underlined that the new infrastructure connecting the energy systems of V4 is the first step of building an integrated regional gas market. The V4 common gas market, new infrastructure and regulations will have a positive impact on the Central European region and improve the security of supply (Kochanek, 2019: 19–38). There are several scientific papers concerning the lack of political will of the V4 countries to harmonize their energy policies, which is the foundation of a common gas market. All Visegrad Group members declare common goals related to the supply chain and energy security, but there are no common policy stances shared by all the countries (Jirusek, 2020: 8). A common V4 gas market has to override any particular diverging interests and national policies. The next step is to achieve full market liberalization, which has not been completed in some members countries (Osicka *et al.*, 2018: 184–197).

The first step towards the creation of a common gas market for the Visegrad Group is related to the legal conditions in all member countries. There are three basic elements which should be unified before taking any further measures. It is necessary to set up a common and international institution which will establish concessions for the transmission, distribution and trading for shippers, as well as the fees resulting from them. The second preparatory phase would involve the

preparation for normalising Transmission Network Codes, and measurements standards e.g. methodologies for the calculation of heating values. The last preparatory phase should redefine the concept of energy security and security of supply which have to be common for all V4 countries.

Conclusions

Establishing cross-border cooperation leading to a common gas market for countries in Central and Eastern Europe requires a lot of technical, legal and economic analysis. Legal and regulatory analysis has not been described in this work, nevertheless, they are also necessary to define the requirements of a potential V4 common gas market.

Total import technical capacities of the cross-border connections of Visegrad Group participants with non-EU countries exceeds the level of the average demand for natural gas for the entire group. Cross-border connection capacities with EU members are also higher than the average demand, and it is a very favourable situation as it ensures an appropriate level of security and diversification of supply directions. The analysis presented does not take into account domestic production inside the V4, which should further strengthen the positive impact on supply balancing and energy security.

Existing and planned cross-border connections inside the V4 group allow to fully satisfy the gas consumption needs of the Czech Republic and Slovakia. Gas transmission from Visegrad Group members to Poland and Hungary can reach the maximum level, which constitutes almost half of their annual demand. This, in turn, may become a significant problem in the V4 area from the balancing point of view, as the technical capacities at internal borders may not be sufficient to send the fuel purchased at the V4 borders to other member countries (e.g. purchase using Baltic Pipe for Hungarian customers).

Expanding the market may open access to Hungarian storage facilities for shippers and market participants from the Czech Republic and Poland, where UGS facilities are almost at full capacity. Storage facilities in Slovakia have to ensure the security of gas transit, which makes access to them more difficult than to Hungarian UGS facilities.

The potential V4 NG market may reduce the price of available gas products in Poland and Hungary – countries that consume 70% of the total V4 NG volumes.

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The consequences of the migration crisis on the Balkan route and human rights: The current situation and prospects in Serbia

Abstract. This paper reflects on reports documenting human rights violations on the Balkan route as one of the implications of European migration policies, and applies them to the Serbian context. The Republic of Serbia is considered as one of the main transit countries for the migrant traffic on the Balkan Peninsula and eventually has become an unlikely gatekeeper of European Union when many migrants got stranded on its territory as a result of gradual border securitization. Further politics of closed borders have caused a serious concern of non-governmental organizations and activists when violent practices of security forces and smugglers got revealed. Serbia, in its pursuit of EU accession, must prove its respect for fundamental human rights while not losing sight of its national interest.

Keywords: migration crisis, human rights, Serbia, Balkan route, push backs.

Introduction

In 2015, hundreds of thousands of migrants began to move through Europe along the so-called Balkan route. The wars in Syria and Iraq, conflicts in Libya and Afghanistan, and the political situation in Sub-Saharan Africa forced citizens of these countries to search for safety and survival outside their homelands. As a result of the decision by Hungary to seal its borders in 2015, followed by Slovenia, Macedonia, and Croatia in 2016, migrants began to seek new routes to get into Western and Northern Europe. Consequently, many of them got stranded on the Europe's doorstep in Serbia. The European Union, the foundations of which

are based on an undisputed respect for human rights, has to find a balance between the safety of its borders and the protection of people in need.

The problem of how the international community is to maintain a balance between humanitarianism and pragmatism has been discussed by many researchers. In *Kryzys migracyjny 2015+: między solidarnością a partykularyzmem* Anna Potyrała notes that states and international organizations focus their activities on securing their own interests by limiting the influx of migrants, while refusing to help and protect them (Potyrała, 2019: 170). Political decisions made by EU member states trigger a domino effect along the Balkan migrant route, which not only strain the reception capacities and procedural systems of other countries involved, but also result in “heavy-handed responses by security forces” (Santic *et al.*, 2017). The above-mentioned responses, including physical and mental abuse (which will be proven in further parts of this essay), seem to be supported by national governments by allowing acts of xenophobia and racism without drawing any consequences against police officers or border guards. From the perspective of human rights, Witold Klaus concludes that “asylum seekers find themselves at the receiving end of measures that infringe basic humanitarian laws and human rights and that are so inhumane, no one would ever dare deploy them on their own citizens” (Klaus, 2017).

On the one hand, Stephen Castles and Mark J. Miller predicted that the intensified migrations in today’s world may contribute to the gradual degradation of nationalism, whilst on the other hand, in the event of political or economic crisis (as exemplified by the current migration crisis), the emergence of backward trends is possible (Castles, Miller, 2011). One of these backward trends is the implementation of a state-centric vision of security by the countries affected (directly or indirectly) by the migration crisis, while at the same time refusing to guarantee adequate protection in accordance with such acts of international law as the 1951 Geneva Convention Relating to the Status of Refugees, the European Convention for the Protection of Human Rights and Fundamental Freedoms of 1950 or the Charter of Fundamental Rights of the European Union.

The phenomenon of emigration is an integral part of the history of the Serbian nation. Occurring practically since the occupation of Serbian lands by the Ottoman Empire, it has accompanied Serbs through the subsequent centuries. The reason for successive waves of emigration of the Serb population was to escape from repression and persecution, including for political or ideological reasons, as well as military and economic push factors. Often, as in the case of the wave of emigration in the first half of the 1990s, these motives overlapped and it is difficult to distinguish them clearly. The sequence of their own experiences with migrations resulted in expressions of Serbs’ solidarity with refugees and migrants after the first large-scale wave of irregular migration in 2015 (CeSid, 2019: 12–13). Due to its ethnic and religious setting, The Republic of Serbia (RS) can be described as a multicultural country, with a large diaspora abroad

(Milovanović, 2019). The literature emphasizes the role of ethnicity, Orthodoxy and Slavic heritage in Serbian culture, but it also considers RS as a European state that nurtures liberal and civic values (Babić, 2012: 13). Due to such an identity dichotomy, Serbia is at a crossroads in terms of the choice of priority directions of foreign and security policy. Furthermore, as the consequence of events of the end of the 20th century, Serbia is trying to rebuild its image, for which human rights are of great importance. Aleksandar Vučić often emphasizes that the actions of the Serbian administration taken in response to the migration crisis are in line with the EU's axiology: "I think that we have acted in a very European way and that we have shown a good, human, European face to the refugees and migrants" (*Aleksandar Vučić...*, 2015).

In this paper, the above-quoted declaration will be confronted with reports and statements provided by representatives of third sector organizations, both national and international. The purpose of this article is to determine whether the rights of migrants have been respected during the migration crisis in Serbia. The analysis will be preceded by an overview of migration and asylum policies, and the degree of their implementation in RS. A descriptive and explanatory study of the main human rights violations will follow. Although this research is not supposed to be comparative, it will be necessary – in some cases – to refer to the overall situation in the region, in order to take into account the complexity of the migration crisis and the interdependence of countries affected by it. Prior to said analyses, the last part of the introduction will clarify the terminology used by the Author in further research.

The Republic of Serbia is considered as one of the main transit countries for migrant traffic on the Balkan Peninsula – it is estimated that in years 2015–2016, Serbia was a transit country for over a million people travelling to Western and Northern Europe (UNHCR, 2019). However, the defining of Serbia as a transit country may be dubious. A transit country is a state through which refugees and migrants travel through to reach their preferred asylum destination. It is worth noting that no transit country can be recognized as such under all and every circumstance. There might always be a number of people interested in seeking protection in that country, and the status of a country as a transit country may also change with the development of the situation in the region (Kilibarda, 2017). Since the borders of Hungary, Slovenia, Macedonia, and Croatia have been closed, the scenario in which Serbia ultimately changes its transit status to the country of enforced stay has become increasingly likely. This means that temporary solutions designed by Serbian authorities will have to be adapted to deal with the long-term stay of migrants who are unable to continue their journey.

In terms of both international law and national legislations, it's crucial to name all participants of migratory flows in a proper way and enable their status to be established. The very issue of "categorizing" participants in migratory movements, in the understanding of some researchers, deserves the name of

“categorical fetishism”, which is intended to marginalize groups that do not meet all the standards required to be asylum seekers. They emphasize how these categories are used during a crisis to provide a rationale for a policy of deterrence and exclusion. The authors argue that the dominant categories – used by both media and policymakers – do not take into account the complex factors of migration of a political, social, and economic nature (Crawley, Skleparis, 2018). In response to these gaps, Alexander Betts created the *survival migrant* category, which fits between the definitions of a migrant and a refugee (Betts, 2013). Another interesting division is presented by Magdalena Kmak by referring to three groups of migrants as “the Good” (highly educated third-country nationals or EU citizens), “the Bad” (migrants employed in EU states), and “the Ugly” (asylum seekers and illegal migrants) (Kmak, 2015). In accordance with Giorgio Agamben’s philosophy, the last group could also be called “*homines sacri*” (Agamben, 2008). “*Homo sacer*” is a concept derived from ancient Rome and in modern times refers to those without legalized residency rights and remaining in limbo; “they exist, but their lives are of no value; they cannot be sacrificed but can be killed without committing a murder” (Pietryka, 2019). This symbolic and tangible violence does not end with the migrants themselves, but also applies to those who help them; there are arrests of volunteers and attempts are also made to criminalize aid initiatives for immigrants (see: Reggiardo, 2019; Cantat, 2019).

For this analysis, only in order to keep compliance with terms used throughout asylum procedures in Serbia, migrants were divided into three groups: refugees, migrants, and asylum seekers. According to the Geneva Convention of 1951 and the Protocol of 1967, a refugee is a person who

owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it (UNHCR, 2010).

These documents constitute a legal basis for the granting of refugee status and describe the fundamental rights of refugees. Additionally, Article 33 includes the non-refoulement principle, which prohibits the expulsion or return of a refugee against their will to territories where their life or freedom would be threatened (UNHCR, 2010). The principle also has a broader interpretation, according to which a person applying for refugee status cannot be refused entry on the border (Potyrała, 2005: 72–73). In contrast to the determination of refugee status, which has been regulated by international law, the term “migrant” is defined by individual countries separately. The term usually denotes people who voluntarily leave their country of origin due to, for instance, economic reasons (Cymbranowicz, 2017: 53–54). The third group includes foreigners seeking asylum who are covered

by international laws concerning protection during the processing of their applications. In its further part, the article discusses details of the asylum law and procedures as applied in Serbia.

Asylum in Serbia: policies, procedures and statistics

In the aftermath of the war in 1992–1995, in post-Yugoslav states such as Serbia, the migration crisis is a continuous and real phenomenon that has lasted for over 20 years (Krysieneł, 2020: 25). In 1992 Serbia adopted the Law on Refugees and established the Commissariat for Refugees (later renamed the Commissariat for Refugees and Migration – CRM) with the main responsibility of organizing accommodation for displaced persons. After the year 2000, in pursuit of the goal of becoming an EU member state, Serbia has been gradually transforming its national policies related to migration and asylum. The 2006 Constitution of the Republic of Serbia provides for the right to asylum¹ and includes the prohibition of discrimination². The role of the CRM as the main operator of asylum centres was extended after the introduction of the Law of Asylum in 2007, Alien Law in 2008 and eventually the Law on Asylum and Temporary Protection (LATP), adopted in March 2018 (Stojic Mitrovic, 2018). The LATP amended the Serbian asylum system as part of EU accession negotiations commitments, reflecting the structure and procedures set out in the EU asylum *acquis*.

The crucial role of the EU's influence in Serbia is visible not only through the legislative changes but also by financial mechanisms which supported the country's response to the refugee crisis. The European Commission indicates that over €80 million has been provided to Serbia between 2015 and 2017 in the form of EU migration-related funding, which means that the EU has been the largest contributor of emergency aid in this country (European Commission, 2017). Additionally, in response to the increase of migratory flows in 2015, the Serbian government established the Working Group on Mixed Migration Flows, which involved the representatives from the Ministries of Labor, Employment, Veteran and Social Affairs, Interior, and Health; as well as the Ministry of EU integration. The Group also cooperates with the KIRS and EU Delegation in Serbia, with the

¹ “Any foreign national with reasonable fear of prosecution based on his race, gender, language, religion, political opinions, national origin or association with some other group, shall have the right to asylum in the Republic of Serbia” – Constitution of the Republic of Serbia. 2006, Article 57.

² “Persons belonging to national minorities shall be guaranteed equality before the law and equal legal protection. Any discrimination on the grounds of affiliation to a national minority shall be prohibited” – *ibidem*, Article 76.

main task of providing humanitarian aid to migrants (Santic *et al.*, 2017: 225). Therefore, migration management has become one of the priorities for European and Serbian authorities. The first step to effective organization is to examine whether a person qualifies for refugee status or not; the main tool to decide on that matter is an effective asylum procedure.

The asylum procedure in Serbia is regulated by the Law on Asylum and Temporary Protection which came into force in June 2018. A foreigner wishing to seek asylum in Serbia may express such intention within Serbian territory or at border crossings before an authorized police officer. As a proof of expressing such intention, a foreigner receives a certificate, then has to check-in at a designated asylum centre within 72 hours and make an official asylum application. The Asylum Office (first-instance authority) is obligated to make a decision on the application within 3 months (AIDA, 2019). In practice, migrants are often not informed properly about their rights or denied access to further procedures (Petrović, 2020).

In response to intensified migratory flows, the Serbian government established Asylum Centres (AC) and Reception/Transit Centres (RTC) throughout the RS, coordinated by the previously mentioned CRM. Due to the European integration process, accommodation provided to migrants has to be in accordance with the EASO standards (see: EASO, 2016). There are currently 14 RTCs in Serbia and 11 of them were active in 2019³, with a total capacity of 3,240 persons (Petrović, 2020). Asylum Centres have been created for migrants applying for asylum, whereas Reception Centres are for the short-term stay of migrants who intend to continue their journey and treat Serbia as a transit state. Rooms in Reception Centres are usually fitted with more than 30 beds and are tailored to accommodate foreign nationals for a short period. With the closure of the Balkan route, which consequently prevented the further movement of migrants in Serbia, these Centres became places of long-term stay (Belgrade Centre for Human Rights, 2017, C). It has to be noted that not all migrants staying in Serbia use the infrastructure provided by the authorities. The Amnesty International report shows that in January 2018 approximately 1,800 migrants resided in abandoned warehouses where the temperature often dropped below 0°C. Eventually, they were forced to transfer to government Centres which low standards and overcrowding prevented the fulfilment of their essential social needs (Amnesty International, 2018). This information is also confirmed by the Belgrade Center for Human Rights which indicates that the majority of Asylum Centres in Serbia are overcrowded and do not provide sufficient sanitary conditions (Belgrade Centre for Human Rights, 2017, A). Many migrants still choose to find shelters in old warehouses or along the border with Croatia, often accommodated in tents or other provisional housings.

³ The RTCs in Preševo, Dimitrovgrad and Divljan were inoperative during 2019 due to cost-cutting efforts.

Table 1. The number of migrants expressing an intention to seek asylum in Serbia in 2008–2019

Year	Number of people expressing an intention to seek asylum in Serbia
2008	77
2009	275
2010	522
2011	3,132
2012	2,723
2013	5,066
2014	16,490
2015	577,995
2016	96,117
2017	6,199
2018	8,436
2019	12,937

Source: Author based on Petrović, 2020: 14.

In 2019, 12, 937 migrants expressed their intention of seeking asylum in Serbia. The largest groups were Afghans (3,847), Pakistanis (2,766), Syrians (1,976) and Iraqis (1,560). The Ministry of the Interior (MI) confirms the intention to grant asylum by issuing a certificate which allows migrants to benefit from assistance centres, where their basic needs can be satisfied, including accommodation, food, and medical and psychological care. In 2019, only 254 persons of over 12,000 made further asylum applications, which means that only a minor percentage of migrants was genuinely interested in receiving asylum in Serbia and the majority of them used certificates to move freely in and around Serbia, treating the RS as a transit zone (Petrović, 2020). Refugee status was granted to 17 persons and another 18 applicants received subsidiary protection in 2019 (AIDA, 2020). On the basis of the above findings, migrants in Serbia can be classified into four groups (number of migrants in each category in brackets; the data refers to procedures in 2019 and are not accumulated with those of previous years):

- migrants expressing their wish to seek asylum (12,937),
- migrants seeking asylum (254),
- migrants who are granted refugee status (17),
- migrants who received additional protection (18)⁴.

⁴ The Serbian asylum law distinguishes between the status of a refugee and a person benefiting from additional protection: “A refugee shall be understood to mean a foreigner who, owing to a well-founded fear of being persecuted for reasons of race, sex, language, religion, nationality, or membership of a particular social group, or political opinion, is outside the country of his/her origin,

The current migratory flow in the Republic of Serbia decreased significantly after the explosion of arrivals in 2015 and 2016 (see: Table 1). Nonetheless, the number of asylum seekers has increased gradually again since 2018, which is caused mainly by the closure of international borders and results in a growing number of migrants stranded in the Balkans. The situation on the Route is already changing while this essay is being written and the new dynamics (collapse of EU–Turkey deal and COVID-19 pandemic) will shape further developments in this region.

Dangerous *game*: push backs and smugglers

The securitarian turn in European migration policy had many practical repercussions for Serbia. Consequently, it has also affected the rhetoric about migrants coming from the MENA region. The discourse entitled “we were refugees too” from the beginning of the migration crisis has shifted to “Serbia is not, and cannot be, a parking lot for everyone” (*Vučić o migrantima...*, 2020). These narratives opened the door for practices which are not in line with neither fundamental human rights nor the values of the European Union.

From the migrants’ perspective, stricter border controls along the Balkan Route created significant difficulties in further migratory movement and made the passage more dangerous. *Médecins Sans Frontières* reported that from January to June 2017, 78 migrants died while trying to pass through the borders of Turkey, Serbia, Croatia and Hungary. According to data collected from the media, non-governmental organizations and public authorities, deaths were caused by drowning (38), car accidents (12), hypothermia (7) and suicide (4) (MSF, 2017). The self-organized attempts to cross the border are called a *game*: “If you go, you succeed. If you don’t go, you lose. That’s why they call it a game,” says a 20-years old Afghan migrant who reached Serbia after three *games* (Taylor, Cardi, 2017). Major dangers faced by migrants attempting to cross the border on the Balkan route come from two groups: police officers and smugglers.

The previously described asylum procedure in Serbia starts with a foreigner’s expression of an intent to seek asylum, made by in front of an authorized police

and is unable or, owing to such fear, is unwilling to avail himself/herself of the protection of that country, as well as a stateless person who is outside the country of his/her habitual residence, and who is unable or owing to such fear, unwilling to return to that country”. “Subsidiary protection shall be understood to mean a form of protection granted by the Republic of Serbia to a foreigner who would be, if returned to the country of his/her origin or habitual residence, subjected to serious harm, and who is unable or unwilling to avail himself/herself of the protection of that country, in accordance with Article 25 of this Law”; more in: Law on Asylum..., 2018.

officer. It is very important to emphasize that communicating this intention not only provides the basis for the aid, but it also confers the right to remain in the territory of a given country, which protects a migrant from the so-called *push back*. The term *pushes back* is used to describe practices applied by authorities that prevent aliens from applying for protection on the territory of a country by the compulsory expulsion of migrants to another country. By expelling those who seek safety and dignity abroad, a state waives its responsibility to examine individual cases. This is not consistent with the Universal Declaration of Human Rights⁵ and the European Convention on Human Rights⁶. Expulsions violate international and EU laws, since they undermine the right of migrants to seek asylum, and refuse people the right to a fair trial before a decision is taken to expel them. Finally, they carry the risk of sending refugees, and other people in need of international protection, back to locations where their life or health are threatened.

Aid organizations pay special attention to the humanitarian situation in Croatia and Hungary since there the rights of migrants are most often violated. Although little has been said about Serbia, when in fact the country attracts cohorts of migrants after they fail to cross borders. Moreover, the abusive behaviour of the security forces and smugglers has also become a common practice in this country. According to local NGOs, on the border of Serbia in 2017, the authorities recorded 110 illegal expulsions of more than 850 migrants and 52 cases involving minors (Hall, Pantovic, 2018). In its report, Oxfam describes a number of abusive behaviours, of which two are selected to illustrate the practices of police officers in Serbia:

1. On 17 December 2016, an unidentified group of uniformed officials stopped a bus with seven Syrians of Kurdish origin who were officially registered in one of the local Asylum Centres. The migrants, including a 16 years-old girl unaccompanied by an adult and a 2 years-old child, were dragged from the bus and taken to a police car. In the middle of the night, the group was transported to a forest and left there despite temperature being -11°C . One of the group's members used GPS and managed to locate the group and contact Info Park, an organization that provides assistance to refugees in Serbia. The group was saved with the help of activists and a local police officer from a nearby village. Two victims suffered from hypothermia and lost consciousness (OXFAM, 2017).

2. At night between 2 and 3 February 2017, a group of Afghans crossed the border of Serbia and succeeded in registering as asylum seekers at a court in Pirot, Serbia. After receiving their certificates, they were taken by police officers to be transferred to an assigned aid centre. After 90 minutes of driving, the officers

⁵ Article 14 of the Universal Declaration of Human Rights reads: "Everyone has the right to seek and to enjoy in other countries asylum from persecution" (Bierzanek, Symonides, 2005: 265).

⁶ Protocol 4, Article 4 of the European Convention on Human Rights: "Collective expulsion of aliens is prohibited" (Grzymkowska, 2015: 66).

abandoned the group in the forest and destroyed their certificates. After spending the whole night in the cold, the group of migrants realized that they had been taken to Bulgaria. After further action taken by officials, they were taken back to Serbia on 10 February. One of the group's female members had to be taken to hospital as a result of injuries and fatigue (OXFAM, 2017).

A further part of the report based on interviews with 140 migrants (100 staying in Serbia and 40 in Macedonia) confirms numerous cases of abuse by state officials, not only in Serbia:

- Hungarian officers forced migrants to undress and sit in the snow while pouring cold water onto them;
- Bulgarian police officers confiscated migrants' belongings, including shoes, before they were pushed back behind the border;
- Croatian police officers forced a group of migrants to undress, took their clothes and shoes, and requested them to walk along a railway track back to Serbia. Migrants also had to pass a row of 10 officers who stood along the track and beat migrants with batons.

Even when it's not clear if migrants have expressed their intention to seek asylum or not, violent acts of police officers should not take place. One of many examples included in the Human Rights Watch report concerns a 16-year-old Afghani boy travelling alone as his parents had died in Afghanistan:

I tried to cross the Hungarian border when the Serbian police caught me. They asked me to give them money. They took €100 from me and my two mobile phones. But, then one of the police officers said he wouldn't let me cross even though I gave them money. He started kicking me. He was kicking me in my ribs and in my legs. He was shouting, "fuck you" and "no border" in English while he was kicking me. I fell down on the ground. I was on the ground and he was still kicking me. Then, another police officer grabbed the collar of my jacket and pulled me up. Then they searched my clothes and took all the money I had (Human Rights Watch, 2015).

In the case of expulsion, civil and police officers often instruct migrants to move along railway tracks in the dark and leave the country – even if migrants have expressed their intention to receive asylum. One of the most tragic expulsion cases involved 6 years-old Medina who died on tracks shortly after she and her family were expelled on the border of Serbia and Croatia (Zebić, 2017). According to representatives of *Médecins Sans Frontières*, in 2017, seven people (including three children) died in the area of the same border crossing on the railway line between Tovarnik (Croatia) and Šid (Serbia), as they were hit by trains or electrocuted (Zivanovic, 2017). As a consequence, migrants deprived of hope and strength after multiple attempts to cross the border on their own turn to smugglers.

Nowadays, the term *the Balkan Route* is associated mostly with a passage for migration flows; however, after the disintegration of Yugoslavia, this route served as a channel for transnational arms and drugs smuggling operations (UNODC,

2015). Therefore, a network of organizations engaged in criminal activities related to smuggling and trafficking already existed in the region and could adapt easily to the new demand for illegal services after border closures. In 2016, in Serbia alone, 6,050 people were seized on borders and 349 allegations of trafficking were pressed against 604 perpetrators who attempted to smuggle 5,181 people. In 2017, the number of people stopped at the border was 2,638; 161 criminal charges were pressed against 269 perpetrators who attempted to smuggle 1,188 foreigners. Migrant trafficking networks in Western Balkan countries remain active and continue to smuggle migrants (European Commission, 2018).

Depending on the means of transport, the risk involved, or season, the price for smuggling varies from 1,500 to 3,000 EUR (Dimitriadi *et al.*, 2016). For comparison, Reuters indicated that the rates may reach 3,500–5,000 EUR. In the latter case, the smuggling includes the flight from Istanbul to Sarajevo or Podgorica, then a trip to Croatia and to Western European countries (Zuvela, 2017). According to the MSF branch in Serbia, the cost of smuggling from Afghanistan to Italy is approximately 5,000 to 7,000 EUR (MSF, 2017). It is estimated that prices increased on average 33% after securitarian measures were implemented by the EU in 2015 and 2016. This means that anti-smuggler repressions made the illegal practices more lucrative for smugglers (Mandic, 2017). Nonetheless, migrant journeys became riskier and in the further hunt for profits, the *modus operandi* of smugglers can reach higher levels of danger.

Surprisingly, according to an MSF report, the authorities pose a greater risk for migrants than smugglers. Based on information collected from underage migrants taken care of by this organization, only 8% of reported cases of fraud and abuse were committed by smugglers. At the same time, as much as 76% of reports point to the authorities as perpetrators (MSF, 2017). From April to July 2016, the MSF helped 188 migrants who went through traumatic situations, such as ill-treatment and torture, imprisonment, kidnapping and sexual violence by smugglers or the police. Of those people, including women and children, 65% were reported to have experienced physical violence from police officers and 35% claimed that they had experienced aggression from others (e.g. smugglers or other migrants (MSF, 2016)). In 2016, OXFAM documented 77 expulsions, totalling 1,411 migrants, from Serbia to Bulgaria (OXFAM, 2017). For comparison, from July to December 2016, Hungarian officers at the border with Serbia refused entry and the possibility to seek asylum to 19,219 migrants, frequently resorting to physical violence. The refusal also applied to those coming from war zones in such countries as Syria, Iraq, and Afghanistan (Voynov *et al.*, 2017). As time goes by, these practices continue – in 2019, Serbian MSF treated 116 patients for intentional physical violence; 104 of them reported that the perpetrators were either border or state authorities (MSF, 2020). It seems that violations perpetrated by smugglers, compared to these committed by police officers, are not only less frequent, but also less violent; they include minor theft, or lying about standards of transportation

and accommodation along the route. Similarly interesting is the study conducted by Danilo Manic, who describes *migrant-smuggler* relations as based on trust and mutual understanding. Furthermore, most of the Syrian respondents taking part in this survey (over 73%) were “very satisfied” with cooperation with their criminal ally (Mandic, 2017). Nevertheless, abuse and human rights violations from both police officers and smugglers rise an equally serious concern, particularly when minors are on the receiving end.

Unaccompanied minors

One of the most vulnerable groups of migrants exposed to human rights violations on the Balkan Route is unaccompanied children. In Serbian legislation (LTP) an unaccompanied minor is understood as a “foreigner under 18 years of age who was not accompanied by their parents or the guardians, nor an adult who is responsible for them, on their arrival to the Republic of Serbia” (Law on Asylum..., 2018: Article 2). Ratification of the Convention on the Rights of the Child and the optional protocols with the Convention obligate Serbia to take responsibility for the special care of all children under its jurisdiction, including child refugees or migrants. Furthermore, the Law on Asylum and Temporary Protection introduces the principle of the best interest of the minor (Article 10), requires the appointment of a guardian to an unaccompanied minor (Article 12) and gives priority to processes related to unaccompanied minors (Article 12). While the legal framework seems to be at a high level and in line with international standards, the provisions guaranteeing the protection of minors are not always respected. In practice, guardians are appointed too late, the decision-making process regarding asylum applications is excessively long and many children stay in informal refugee settlements, outside of the protection system.

According to the Belgrade Centre for Human Rights, in Serbia, in 2016, 5,390 children sought asylum, including 177 unaccompanied minors (Krasic *et al.*, 2017). In the middle of 2018, the number of children was 682, of which 75 minors were unaccompanied by adults (Zivanovic *et al.*, 2018). These figures do not match with those included in the report by the Council of the European Union, which estimated that in 2016 in Serbia more than 1,000 unaccompanied children were identified and many of them stayed in the centre of Belgrade in very difficult living conditions (Council of Europe, 2017). During the first six months of 2019, the Belgrade branch of Save the Children helped 1,842 underaged migrants, including those who travelled unaccompanied by adults. According to the reports by the organization, 40% of unaccompanied minors were victims of illegal expulsions and one-third of them reported the use of violence by government

officials during the process – the police and border guards humiliated them using various forms of verbal and physical violence, threatening, sneering, seizing valuables and personal items, destroying their phones, and ignoring attempts at filing asylum applications. Minors reported that they were not asked about their age and were treated as adults, although every fifth child who claimed to have been returned at the border was 13 or less; and 12% alleged acts of violence involved children in this particular age group (Save the Children, 2019).

Children unaccompanied by adults come mostly from countries with widespread violence, such as Afghanistan, Syria and Iraq. Based on interviews conducted by the Belgrade Center for Human Rights, in the period of July 2016 to May 2017, the vast majority of minors ultimately failed to seek asylum and merely expressed such an intention only to formalize their temporary stay in Serbia. Compared to statistics from 2015 (25,000 children, including 5,753 without adult care (Save the Children, 2015)), it may seem that the crisis has been averted. However, this most susceptible social group still struggles with brutal treatment by the police and traffickers, while trying to pass dangerous mountainous and forest areas at night in temperatures below 0°C. European Union authorities have confirmed that all children without adult care who stayed in the Obrenovac Center, Belgrade, repeatedly tried to cross the border with Croatia and Hungary using services provided by smugglers (Council of Europe, 2017).

The 2017 report by the European Council draws attention to the fact that the age of children is often recorded at random, which in some circumstances leads to accommodating boys below 18 with adult men. Tomáš Boček, the Special Representative of the Secretary General for Migration and Refugees in Serbia, warns that it raises serious concerns about the exposure of children to violence and sexual exploitation (Council of Europe, 2017). Activists from the Info Park, a previously mentioned Serbian NGO, claim that young boys are particularly vulnerable to exploitation by smugglers: “They adopted a practice of renting houses in Belgrade and other parts of Serbia and locking people in flats until their family sends additional money.” After interviews with migrants and refugees, employees of the Info Park confirm that minors are taken also advantage of by other migrants and local Serbs. Most often boys of Afghan or Pakistani origin are the victims, because their financial resources are scarce and they need to sacrifice more to continue their journey through Europe (Janaurova, 2018). Jelena Besedic from the Save the Children Serbia warns that despite reduced migrant traffic, minors still remain at a huge risk:

It’s simply a more dangerous route, especially for children. The EU-Turkey deal has given smugglers a firmer grip on a hugely profitable business, incorporating increasingly dangerous tactics to circumvent authorities. We are seeing injuries such as dog bites and people wounded by brutal treatment as they are pushed back (Save the Children, 2017).

The situation didn't get better in 2019 when the Centre for the Protection of Victims of Trafficking in Human Beings identified 15 migrant children as alleged victims of human trafficking (Petrovic, 2020: 131) and an Afghani boy was killed in one of the Asylum Centres (Belgrade Centre for Human Rights, 2019; *Cucić: Ubijeni migrant...*, 2019). It is estimated that the overall number of unaccompanied children in Serbia exceeded 3,000 in 2019 and temporary legal guardians worked with only approx. 1,300 of them (AIDA, 2020).

Despite the changes and improvements in asylum law introduced by the RS in 2018, the situation of unaccompanied children in 2019 didn't seem to improve. As long as children are placed in ACs and RTCs together with adults, while not supported by properly trained guardians, their perspectives of entering adulthood in a decent manner are unlikely. While not offered proper support from state authorities, children turn to smugglers, risking being victims of human trafficking, exploitation and other forms of abuse. On the other hand, based on reports on violent push backs, it is not surprising that minors don't trust the authorities and prefer to turn to criminal agents instead. The abusive practices of border control officers are clearly supposed to discourage migrants from further attempts at crossing, however applying them to minors as well, deserves strong condemnation and punitive consequences.

Conclusions

Like most other crises involving refugees, the migration crisis along the Balkan route is the result of a compromise between the necessity to respect international human rights and the desire to protect national interests. The lack of effective solutions results mainly from the fact that individual states avoid fulfilling their commitments, and often violate fundamental human rights and international law. Migrants are pushed back to Serbia after multiple attempts to get to neighbouring countries. The further escalation of the closed borders policy may generate a rebellious attitude among migrants who struggle against misinformation, discrimination and helplessness. Moreover, they might become aggressive to others and to each other as well – psychologists from the MSF report that instances of illnesses, such as depression, PTSD and anxiety, have been growing among migrants as the crisis continues (Squires, 2017).

Migrants coming to Serbia lack essential information about the possibilities of gaining international protection in the Balkans and encounter difficulties in their contact with government authorities. Many of them have obtained certificates confirming their intention to apply for international protection, but they failed to submit asylum applications because their ultimate goal is to reach other European countries. Thus, the vast majority of migrants stay in Serbia for several months,

or even years, without any formal legal status, while awaiting the opportunity to cross the border with Hungary or Croatia. The critical situation of migrants is regularly taken advantage of by smugglers. However, this criminal activity is not the only threat to migrants. Humanitarian organizations meticulously record incidents of violence against migrants carried out by police officers and other public officials. “Push backs” are often the norm, practised by public officials on migrants applying for asylum. Such a practice is a clear infringement of the Universal Declaration of Human Rights and the European Convention on Human Rights. The truthfulness of migrants and activists reporting expulsions and frauds might be debatable, although evidence in the form of pictures⁷, recordings from hidden cameras⁸, and confirmation by top state authorities⁹, leave no doubt that violations of human rights take place on the Balkan route.

Serbia, which in 2012 received the official status of a candidate state for EU membership, needs to meet not only the formal conditions set by the Union but also meet the standards of the EU’s axiology. Article 2 of the Treaty on European Union defines fundamental values of the organization and it deserves to be quoted in full:

The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States, in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail (*Consolidated version...*, 2012).

It is worth emphasizing, however, that EU member states, such as Hungary, Croatia, and Bulgaria, are guilty of gross negligence themselves.

Despite efforts by Serbian authorities, humanitarian organizations and local NGOs, the rights of migrants are repeatedly violated, not only by smugglers, but also by local police officers and government officials in neighbouring countries. Whilst perpetrators encounter often impunity and general approval; beatings, theft, and the property damage are the migrants’ reality. It is also worrying that a large number of minors arriving in Serbia unaccompanied by adults are particularly vulnerable to exploitation and violence. Furthermore, the continued stigmatization and marginalization of asylum seekers obstruct or prevent the integration of migrants with local communities, especially for those who choose to, or are forced to remain in Serbia.

⁷ Meticulous reports containing pictures of injuries can be found on the website of the *Border Violence Monitoring*, 2019.

⁸ The recording can be viewed on the website of a UK newspaper *The Guardian*: Tondo, 2018.

⁹ The President of the Republic of Croatia, Ms. Grabar-Kitarović, confirmed that Croatian officers are responsible for expulsions, including the use of force: Walker, 2019.

The European Commission has recommended for several years that Serbia prepares an action plan, due to the change of the migration situation. In connection with illegal expulsion cases, Serbs should develop a firm scheme for the return of migrants and increase their ability to respond to the specific needs of unaccompanied minors (European Commission, 2017). One may suspect that with further sealing and closing of borders a large number of migrants will unintentionally remain in Serbia. The majority of them, however, do not want to give up their *European Dream*, regardless of threats involved, since they flee from war, persecution, and poverty. For them, every possible solution is worth trying and each risk worth taking.

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A sociological perspective on the phenomenon of solo-living in Eastern Europe: An attempt at conceptualization

Abstract. This article examines the phenomenon of solitary living as a consequence of the processes of individualization that are characteristic of the entire modern world. The urgency of this problem arises from the increase in the number of individuals who prefer to live alone. Although this trend is typical for Eastern Europe, as it is for the rest of the world, it is not widely considered in scientific circles. Whilst analyzing scientific literature in different spheres (philosophy, economics, psychology, sociology) and statistical data on solitary living, the author has come to the conclusion that to describe the phenomenon in a sociological vein, it is most appropriate to consider solitary living as a “solo-living” lifestyle. The article also examines the main studies of solitary living in Eastern Europe, and through such work, it was concluded that there is not enough research: current research mainly considers single living among the older generation, despite the fact that the number of young people who prefer this lifestyle continues to grow. In the course of the study, the author was faced with the problem of layering related concepts: solos, singles, solo-living, single-person households, and others. To avoid this problem, the author distinguishes between these concepts and makes an attempt to conceptualize the concept of “solo-living”, offers the author’s definition, and outlines further research prospects.

Keywords: individualization, lifestyle, solo-living.

In the social sciences, the concept of individualization is considered from different methodological and worldview positions, but the fact remains that individualization is a significant process and a consequence of social changes that characterize modern societies. Almost all social sciences pay attention to the study of individualization. So, in philosophy, this process is considered as a process of an individual’s self-knowledge in the context of the cognition of the essence of being as such: as a process of an

individual gaining freedom (S. Kierkegaard, H. Berdyav, M. Buber)¹; psychology studies the process of individualization in the context of personality development, the implementation of individual inclinations, the course of the corresponding mental processes (K. Jung was among the first to work on individualization as the key of psychology, A. Mindell, G. Simondon); economics examines the impact of individualization processes on market relations and the market as a whole, as well as the individualization of production processes – F. Hayek (Khayyek, 2000), J. Pine, V. Radaev. Sociology, on the other hand, considers the processes of individualization as a complex phenomenon that influences the life of society in all spheres of social life, its influence on the style characteristics of life, the formation of new ways of living, etc. (U. Beck and E. Beck-Gernstein, Z. Bauman, R. Sennett, A. Hochschild).

As a consequence of such scientific popularity, the concept of individualization has a fairly wide spectrum of definitions, each of which focuses on one or another characteristic of the process. In our view, individualization is a process characteristic for the society of the second modernity (according to U. Beck), which is a consequence of social changes and represents a change in the stylistic characteristics of the lifestyle of individuals in the direction of the individual's isolation: one of the main characteristics of individualization is the expansion of the choice of the individual (according to E. Durkheim).

At the same time, individualization itself leads to many different kinds of consequences, to which many studies are devoted. So, for example, individualization leads to the emergence of new forms of partnerships, a modification of the forms of partnerships: relationships at a distance (for example, in the work of Sandra Krapf, she divides relationships at a distance into either long or short, and considers, which type of relationship turns out to be the most durable (Krapf, 2017), weekend families, polyamory, etc.

Separately, a category of people is distinguished who, one way or another (forced or not; consciously or unconsciously), refuse to enter a relationship, or do not refuse, but distance themselves from them. Also, there are more and more people who prefer living alone, this trend covers almost the whole world. Thus, 40% of American households consisted of 1 person as of 2012 (Klinenberg, 2018), and in 2019 the number of single households reached 36.48 million (Statista, 2020b). According to the forecasts of the director of the Center for Family and Population Research of the University of Singapore: Wei-Jun Jean Yeung, by 2020 4 out of 10 households will be single-person. Furthermore, leading in the number of single households will be Asian countries: as of 2015, 28% of Japanese households consisted of one person (Yeung, 2020). This trend is observed not only in the US and Asia, but also in Europe. As of 2019, the number of people living alone in the UK has increased by 20% since 1999 to reach 8.2 million

¹ For example Berdyav, 1994.

(Office for National Statistics, 2020). The largest number of singles in Europe is found in Scandinavia: in 2017, 51% of households in Sweden were single (Ec.europa.eu, 2020b), and in Norway as of 2019, single households make up 43% of all households (Statista, 2020a). Of course, even though the trend is common for everyone, each region has its specifics, due primarily to cultural characteristics.

Eastern Europe is of particular interest in this context. Eastern Europe is a region of Europe, a significant part of which is made up of post-Soviet countries. Accordingly, this region is characterized by both cultural and value specificity, which affects both the development and course of individualization processes in general, and the trend towards an increase in the number of individuals who live alone, in particular. Considering the value slice of the European Study of Values, the Russian researchers V. Magun and M. Rudnev concluded that among all the studied countries, the citizens of Eastern Europe are the least open to changes and place the highest value on preserving, while their value of self-resistance remains at the average level (Magun, Rudnev, 2011)². In Western European countries, the indicators are opposite, and, it would seem, in these conditions, the dynamics of growth in the number of people living alone should be different in Eastern European countries. However, in Eastern Europe, the percentage of single households is quite high: in Estonia – 40%, Slovakia – 43% and in Latvia – 44% – in 2017 (Ec.europa.eu, 2020b). And for the period from 2010 to 2019, Lithuania became one of the leading European countries in terms of the dynamics of decreasing household size (Ec.europa.eu, 2020a). Despite the statistics, studies on this issue of Eastern European countries are practically absent.

Thus, we see that single households are becoming more and more common and, accordingly, the question of the consequences of such changes is becoming more and more urgent.

When analysing scientific literature on the topic presented, many different concepts describe a similar phenomenon: solos, singles, solo-living, single-person households, and others – each of them carries an adjacent, but at the same time, different semantic load. The problem in this situation is that there is no clear distinction between them, and more and more such concepts are emerging; moreover, there is a kind of layering of some concepts on others. In our opinion, the most “suitable” concept for considering solitary living in a sociological vein is that of “solo-living”, however, the concept does not have a clearly established definition and, as a result, requires conceptualization and operationalisation.

The purpose of this article is an attempt to conceptualize “solo-living” and delimit it from related concepts.

² The research *Basic values: similarities and differences between Russians and other Europeans* by V. Magun, M. Rudnev, was conducted on the basis of the 4th wave of the European Social Research (2008–2009).

To realize this goal, the logic of the presented article will be structured as follows: the general conditions for the emergence of the phenomenon of “solo-living” from the sociological point of view will be considered, which will determine the framework for studying the phenomenon from the standpoint of this science. Further, it will be determined how exactly solitary living in the social sciences are considered and what place among the different readings and understandings of solitary living is occupied by “solo-living”; also the ratio of various related concepts will be considered. Based on the information received and its analysis, a conceptualization of “solo-living” will be proposed.

Speaking about the conceptual foundations of the sociological study of solitary living, one should pay attention to the fact that despite the generally accepted ideas about man as a collective being, Georg Simmel, one of the founders of sociology, argued that a person is not a purely collective being or a purely individual one (Simmel, 1909), so we should talk about the balance of these traits or the prevalence of one over the other. Over time and the development of society, the individual has more and more weight relative to the collective. Emile Durkheim expressed a similar idea: he linked individualization with the division of labor. The sociologist said that with the transition to an industrial society, the type of solidarity of individuals changes: from mechanical to organic solidarity. And if the first type was based on the similarity of members of society, then the organic type of solidarity presupposes a functional division of members of society in joint work, thereby the formation of the individual and the awareness of oneself as separate. However, there also comes the realization that freedom and independence inherent in the cult of personality, according to E. Durkheim, are possible only when individuals are united (Durkheim, 1996). Individualization is a process that accompanies social development. At the same time, the conditions of modernity cause adjustments to the processes of individualization. Modernity is considered by W. Beck (who considered it as an increase in risks) and Z. Bauman (who spoke about fluidity and variability) as having entered the era of the second modernity and is characterized by instability, including social institutions, practically impossible long-term planning, where the solution of the problems and difficulties that an individual faces in life become an exclusively individual’s business. In such conditions, the processes of individualization cover all spheres of life in a society, the main prerequisites for such an all-encompassing influence of individualization are the division of labor, the development of legal consciousness, and urbanization, etc. Thus, the foundations of the perception of oneself as being separate from others and the awareness of one’s rights and freedoms, as well as the delimitation of one’s freedom are formed from the freedom of another. But apart from the fact that the individual defines freedom, he also sees the need to cope with “life challenges” (Bauman, 2008) on their own. And here a kind of family crisis arises in the sense that the interests of the family begin to contradict the interests of the individual, and the interests of the individual

become higher than those of the family. This is the basis for the transformation of family forms. And the family becomes, in essence, a partnership/union based on an unspoken agreement for predominantly emotional exchange, while individual goals: education, career, etc., are in the first place. Under such conditions, non-family forms of partnership develop. So, considering the era of developed modernity, Sigmund Baumann, Wilrich, and Elizabeth Beck say that a single man or a single woman takes the place of the family as a unit of society.

Such changes can be perceived optimistically or pessimistically, both to the family, as to social institution, and interpersonal relations as such: loss or weakening of social ties, due to radical individualism (following the logic of Z. Bauman), increased feelings of risk (according to W. Beck). From an optimistic point of view, living alone is not cutting off social ties as such, but creating a foundation or platform for maintaining close relationships with others: it is about expanding the space for building and strengthening social ties, outside of established norms and traditions. The phenomenon of singles and single households or single living gradually begins to develop and spread. Also, the emergence of this phenomenon is associated with the active processes of urbanization in the same period of industrialization. For example, the American family researcher William Goode argued that as the level of urbanization increases, nuclear families are gaining more popularity and crowding out extended ones, and as household sizes are shrinking, nuclear families are more effective (Burova, 2010). In modern conditions, we see how households are shrinking down to single-person ones. The aforementioned G. Simmel saw in urbanization a mechanism that drives the development of individualization processes. According to the sociologist, a large city provides an individual with more opportunities and removes restrictions, unlike a small village, a city gives freedom of movement, the opportunity to visit groups of interests, etc., which contributes to individualization. American sociologist-urbanist Richard Sennett also spoke about urbanization and the reduction of household size. He said that with the development of urban space, the formation of the nuclear type of family comes to the fore (Vershina, 2012). This type of family was the most rational for running a household in an emerging urban culture: feminism had only just begun to develop, the traditional distribution of roles still worked, and the maintenance of extended families in the city was already economically disadvantageous (Yashkina, 2020). Accordingly, in the era of the so-called second modernity, the tendency for an increase in the number of people living alone can be explained by the processes of individualization in the conditions of urbanization and the “fluidity” and instability of modern life as such; the active development of feminist movements and the formation of a female individuality also play a separate role in these processes. However, this is only a general framework and conditions for the emergence and spread of this phenomenon.

Looking at the studies of single living, we see that the main studies of singles in Eastern Europe are, as mentioned previously, about ageing populations and changes in family structure. Eastern Europe is seen as the region with the most

rapid social and economic changes over the past few decades. Naturally, people there associate the concept of the family with communist vulgarity. Thus, the family, which was one of the main values of Soviet society, is undergoing the most radical changes: a decrease in the birth rate, an increase in the number of divorces, an increase in the number of single parents, etc. This is largely due to the economic situation in which the countries found themselves after the collapse of the Union – exorbitant levels of poverty, unemployment (Robila, 2004). However, against the backdrop of research on the decline of the family, there is little research on the phenomenon of solitary living, except for those related to the ageing population. This is due to the fact that the ageing of the population is an urgent problem for the countries of Eastern Europe: among all lonely people in Eastern Europe, the predominant part is the elderly population. In Slovakia, for example, young people living alone (aged 15 to 29) represent only 1% (OECD, 2019) of the population.

A Polish study of the living standards of elderly people living alone suggests that

a single household is run by married people who manage their family budget separately. Older people who want to maintain their independence in terms of budget and property deliberately take on a one-person household, despite the fact that they are in a relationship with a partner. With regard to these households, the highest standard of living was demonstrated (51.2 points), among divorced persons the standard of living was slightly lower (50.3 points), and among widowed persons, even lower (49.6 points) (Piekut, 2020).

That said, the study found that elderly people do not always live alone because they have to, but also as a conscious choice: the choice not to move to relatives after the death of their spouse, the choice to live separately from their spouse, the choice to remain without a spouse, etc. The study of older people in Latvia *Older People Living Alone: Trends, Profiles and Challenges of Intergenerational Integration* (2019) suggests that the situation of choice for older people is very illusory, since more often older people simply do not want to impose themselves on relatives and so on, and thus this part of the population is most at risk of social exclusion:

The study showed that the frequency of communication with other people for many elderly people in Lithuania actually fluctuates on the verge of what many researchers consider social isolation since it does not even reach one person a day (9 people in 10 days) for single people. And for those who live with others, it is slightly higher (13 people in 10 days). 5.7% of single people aged 60 and over in Lithuania did not communicate with anyone in the week before the survey. Almost one-fifth of elderly people in Lithuania (18%) have unstable social relationships, that is, they do not have relatives or friends to ask for help in difficult times (Mikulioniene, Rapolienė, 2019).

Therefore, the research mostly comes down to the socio-psychological aspects of living alone. At the same time, the growth of single-living elderly people is associated not only with the death of a partner but also as a result of the

increased rate of divorces. As already indicated, there is a fairly large percentage of people living alone in the Baltic States – it is worth noting that in the Baltic countries the number of divorces has increased more significantly after the collapse of the Soviet Union, than in other countries of Eastern Europe. This is associated with the influence of liberalization that came from Western European countries. Separately, it should be noted that the possibility of divorce has not only legal but also economic aspects. Divorce can be afforded by an individual who can independently provide for their life (Härkönen, Billingsley, Hornung, 2020). When we talk about living alone as “solo-living”, the possibility of economic self-sufficiency is the defining condition. This is probably the reason why young people in Eastern Europe tend to be “solo-living” less than other young Europeans.

The Russian researcher Ksenia Abanokova, while examining the impact of macroeconomic shocks on the number of households, (*Changing the structure of the household as a strategy to overcome the macroeconomic shock*) concludes that during crises, the size of households tends to increase. However, at the same time, considering the dynamics of the number of single households, it was determined that they turned out to be the most stable: 0.9 is the share of single households among the studied, which did not change its status for the period from 1994 to 2013 (Abanokova, 2015). This indicator may indicate the satisfaction of those living alone with their position – on the one hand, whilst on the other hand, this may indicate the difficulty of changing this status. In Russian studies, the single form of households is regarded as “non-family”: until 1994, in the censuses, individuals living separately from the family were divided into single individuals and those who live separately from the family, but have regular communication with it. Later, the census began to take into account another parameter – the economic one – and single households are those that provide for themselves. However, the researchers say that, despite the global trend, the growth of single households, as in the rest of Eastern Europe, is still observed only among the elderly population (Mironova, Prokofieva, 2018).

Thus, we see that Eastern Europe is characterized by a decrease in households, a decrease in the number of families, as such, an increase in the number of elderly people living alone. At the same time, research has been carried out mainly in demographic, economic, and psychological sections. Despite the fact that there are more elderly people among the single-living East European residents, the trend of an increase in the young population preferring to live alone has not bypassed Eastern European countries. For example, in Estonia, the percentage of young people aged 15 to 29 who live alone reaches 15% (OECD, 2019).

Researchers in the study of solitary living from other regions went a little further. In the UK census, living alone is considered as people who live alone, do not live with a partner or other family member, and do not use house-sharing (cohabitation) (Wilkinson, Tomlinson, Gardiner, 2018). According to the ONS (Office for National Statistics) forecasts, the number of single people in the UK

will reach 10.7 million by 2039 (Ons.gov.uk, 2020). Solitary living is used here as a designation of the size of the household, while quite often in studies dealing with single households, the phrase “solo-living” is used. It replaces a single living or a single household, but, as a rule, it does not differ in substance from them, that is, it is simply used as a synonym. Thus, in the 1985 study *Societal Development, Familialism and Solo Living: A Cross-National Study*, the Solo index denotes “the percentage of households with one person (that is, households consisting of one person)” (Baranwal, Ram, 1985).

The very concept of a “household”, most often referred to in censuses, as well as statistical and economic reports, is defined as

a person living alone, or a group of people (not necessarily related) living at the same address, who share kitchen equipment and share a hallway, living room or dining room. A household can consist of one family, more than one family, or no families in the case of a group of unrelated people (Office for national statistics, 2019).

That is, the consideration of single-living as a type of household implies an actual fixation that does not take into account either social or socio-psychological conditions and the reasons for its occurrence. The growth in the number of such households has attracted the attention of researchers around the world. For example, the study of London households *The rise of living alone in Inner London: trends among the population of working age* examines the dynamics of the increase in the number of single households depending on the area of residence, demographic characteristics, etc., also describing single living as a type of household (Hall, Ogden, 2003). It was the beginning of the search for the reasons for the growth of solitary living, outside of exclusively the economy and demography, that led to the emergence of the concepts of “solo-living”, “solo”, “living solo” and others.

Solitary living raises questions that are difficult to answer if staying within the household survey alone. So, for example, sociologists have a question about the relationship between the concepts of “family” and “household”. The essence of the issue lies in the fact that these concepts are often interchangeable in everyday life since the family is perceived as one when its members live under the same roof. In the context of family relationships, living alone can be referred to as “extrafamilial life” or “post-family life” (Chandler *et al.*, 2004). Such definitions are left exclusively within the framework of family logic, dividing life into “before”, “during”, “after” and, separately, “outside”, but may not be related to households in any way, since in the modern world spouses do not always live together.

The more the idea of “social” is present in the study of solitary living, the more often we see the consideration of solitary living as a special model of behaviour/way/lifestyle/life course. The project of the Research Center for Family and Relations of the University of Edinburgh *Solo living across the adult life course* (2005) considers life alone as a life course and designates it

as “solo-living”, thereby indicating the social component of this phenomenon. Researchers point out two aspects that are important for us: “solo-living” can be either a life choice to live without a partner, or be the result of something, for example, a break in relations; at the same time, such a course in life, despite its prevalence, is still perceived as a “departure”, “deviation” from the “normal” family course. However, the study indicates that “solo-living” can also become the foundation for maintaining close relationships and is not always a “cutting off” of social relationships. It is worth noting that such a life course is not permanent and is considered as one that can be chosen, and thus in the same way can be changed (Era.ed.ac.uk, 2005).

Researchers at the same university, Lynn Jamieson, Fran Wasoff, and Roona Simpson, point to the need to separate the concepts of “solo-living”, “singles” and “solos” – considering them as living conditions, marital status, and partnership status, respectively. That is, they move away from using the concept of households as such in the study of single living, but they see the problem in the fact that just going into the social sphere, the greatest confusion of concepts appears. Scientists have also concluded that the use of “single” when describing both households and, in general, single living, in essence, does not give anything, since in the UK “single” can mean both a certain legally fixed marital status, and vice versa lack of marital status. Single living cannot be designated as “single” also for the reason that long-distance relationships are quite common. That is, living alone does not necessarily mean that an individual has no partner or is not married, in the same way, that an “unpartnered” person can live with their parents, relatives, colleagues, or rent apartments with friends. Based on these subtleties of definitions, researchers have come to adopt/use the concept of “solo-living”, which means alone. The researchers also point out that an essential characteristic of “solo-living” is that it is a category into which one can enter and also leave, similar to the legal and *de facto* status of a partnership (Jamieson, Wasoff, Simpson, 2009).

The American researcher E. Kleinenberg also, when considering solitary living, saw in it an initially social phenomenon and introduced the concept of “going solo”, where the metaphoric nature of the concept is clearly visible. Rather, the author himself uses “solo life” as a metaphor that leads away from viewing solitary living as a household (Kleinenberg, 2018), but leads to considering solitary living as a particular lifestyle. Russian researcher E. Lyubimova, analysing E. Kleinenberg’s research, defines “solo life” as

a separate residence of a city dweller, characterized by the presence of personalized living space (separate housing), without a partner, children and other relatives, independent household management (does not share expenses and incomes) (Lyubimova, 2018).

In this definition, we see several significant characteristics:

- 1) “solo life” as the life of a city dweller;
- 2) “solo life” as the life completely economically independent, which excludes, for example, the phenomenon of a family at a distance, which involves the division of expenses and income.

The consideration of solitary living is also dependent on age cohorts. So, in the framework of considering how traditional families are changing in Britain, researchers S. Duncan and M. Phillips approach the question of determining single residence. In their works, the authors point out that solitary living is often associated with older people whose spouses have died or cannot live outside nursing homes or other institutions with full social support (such as hospice), but the growth of single people arises precisely due to more young people living this way. The authors point out that this category of young people is quite often stereotypically viewed as people who are unlucky in relationships, and simply cannot create a married couple and, accordingly, a familiar nuclear family (the authors immediately note that the explanatory models of such failures are different for different regions). Despite the fact that the processes of individualization penetrate more and more deeply into social life and the family is weakening in its importance, individuals who do not have the official or unofficial status of “in a relationship” are stereotypically perceived as not having achieved success in life and in official documents are designated as “single”. This still has negative connotations. Researchers use in this case the concept of “solo-living” as being neutral and not having a negative connotation. They wonder if “solo-living” can become a consciously chosen way of life and be socially equal to those who live in pairs (Duncan, Phillips, 2008).

B. DePaulo, a researcher and specialist in the field of the social and psychological aspects of loneliness, also addresses the problem of stigma. For her, “solo-living” is again described as a concept opposed to “single”. Since “single” can include anyone who is not married (again according to the legal definitions of different countries and official documents), and has a negative connotation, B. DePaulo uses “solo”. Citing statistics, according to which people living alone make up more than a third of all unmarried people in the United States, B. DePaulo points out the difficulties of “solo-living” in the couplist world: discrimination (Unmarried.org. 2020).

Returning to the age category in the study of lonely people, K. Gartveit also includes young people in the definition of “solo-living”. She speaks of “solo-living” as a privileged lifestyle for young professionals who can afford to live alone (Garthwaite, 2012). The characteristic of privilege is based on the fact that economically self-sufficient individuals who are able not only to pay for utilities, but also completely independently provide for their life, can afford to live alone.

We see that the definitions of “solo-living” are generally close to each other, but still have some differences. Common to the above definitions is the social

conditioning of the phenomenon, all of them, one way or another, consider “solo-living” as a style, way, or strategy of life. Most of the definitions point to “youth”, and also indicate the emergence of a concept in opposition to the stereotypical and negatively coloured term “single”.

In addition to the confusion of concepts that we have already considered, which directly relate to “solo-living”, there is a problem with related concepts. The point is that many researchers consider certain aspects and phenomena associated with solitary living (without considering “solo-living”). However, in the study of lonely people, these aspects should also be taken into account: thus, intersecting with psychology, the phenomenon of “solo-living” comes into contact with the concepts of loneliness (lonely, loneliness); in the study of families and intimacy, we inevitably come across the concepts of a relationship at a distance, living together apart, never partnered, ever married, polyamory and so on. In jurisprudence we find the single status, which we have already talked about, but it is used in other areas of research. Concepts such as singlism and sologamy are considered separately. All of them seem to be close, but at the same time, it is necessary to clearly distinguish between these concepts in order to avoid inaccuracies and inconsistencies that may arise in the study of each of them.

In psychology, health research, and social history, as well as philosophy in the study of lonely people, we see the most frequent use of the concepts lonely – as a socio-psychological characteristic of the individual, loneliness – as a state of the individual, and social isolation. All of these concepts are common in public discourse and are often used in everyday discourse: journalists, academics, and healthcare professionals often combine living alone, loneliness and isolation, and the result is widespread confusion about each condition.

In general, modern discourse in scientific circles on loneliness is focused on the fact that the postmodern era is inextricably linked with the isolation of the individual from society. The Ukrainian researcher N. Panina drew attention to the absence of a common system of values inherent in the previous (pre-modernization) *lifestyle*, and this is precisely what provokes a feeling of breaking ties with society (Panina, 2008). Social isolation is seen as the alienation of an individual or social group from other social groups. Social isolation is associated with the integration of individuals (and groups) into a wider social environment. This concept includes “objective” indicators of the number, type, and duration of contacts between people and the wider social environment. Therefore, a key component of isolation is the size of an individual’s social network (Victor *et al.*, 2000). That is, in essence, social isolation is a reduction in social contacts, a narrowing of the circle of communication and interactions between individuals, it can be both forced and voluntary, but for us, the main characteristic is precisely the narrowing of the individual’s social networks, which separates social isolation and “solo-living”. Since none of the considered “solo-living” studies consider the narrowing of social ties as its characteristic. As already mentioned, E. Kleinenberg,

considering the combination of the phenomena of social isolation, loneliness, and solo life, says that these are three different states, and being in one of them does not necessarily mean the presence of the other two. In his research, he drew attention to a correlation that is atypical for common ideas about loneliness: for example, among 300 interviews with single Americans, many said that “nothing causes more feelings of loneliness than living in a bad marriage”. E. Kleinberg also says that lonely people are more likely to meet with friends and lead a more active social life (volunteering, participation in public organizations, etc.) (Klinenberg, 2016).

Speaking about the category of loneliness, the concept itself is also considered and, accordingly, defined in different ways: as a conflict between the desired and perceived quantity and quality of social ties; a lack of strong emotional ties (Smith, Victor, 2018). Sometimes loneliness is equated with social isolation, but, as a rule, loneliness is a psychological category based on the inner feelings and experiences of the individual. Social isolation is a socio-psychological category that considers the quantity and quality of social ties and the individual’s satisfaction with them.

In addition to the collision of the phenomenon of “solo-living” with the concepts of loneliness and social isolation, “solo-living” is also inseparably accompanied by concepts derived from the study of families. Thus, the greatest contact can be observed with the concept of “lifelong singles”, also referred to as “never partnered” or “permanently single”. They are defined as “persons who did not enter into a foundational partnership (marriage or cohabitation) before the age of 40” (Bellani *et al.*, 2017). This category, again, does not reflect the social context, formally fixing the history of the family status of individuals. Separate questions are raised by the age restriction of this category and reflect more the problem of intimacy and intimacy of relationships, which has nothing to do with living alone *per se*. On the other hand, studies of single life in middle age look at two paths to single life – “having no experience of cohabitation” and “having experience of cohabitation”. On the basis of such a division, again according to formal criteria, a kind of classification of the living alone can be seen below.

This diagram shows the possible formal statuses of single people and helps to structure them by dividing them into subgroups. From the presented diagram, we also see that life-long loners are only a part of people living alone.

The problem of closeness and intimacy in conjunction with living alone arises when we turn to a fairly common form of relationship: the relationship at a distance. The problem comes from the fact that researchers cannot clearly correlate formal statuses (single, lifelong single) and long-distance relationships. The Lithuanian researcher I. Jurkan-Hobain talks about what kind of relationships can be at a distance; an additional problem of such relationships is that the issue of maintaining these relationships is actually hushed up. In her work, she identified several types of relationships at a distance: 1. Living Apart Together – relationships where each individual lives separately, but within the same city/district, while identifying themselves as a couple. 2. If we are talking about long-

-distance relationships: different dialects, countries, etc., then they are defined by the concept of Long-distance relationships. 3. The third most common type of non-coexistence is commutes – partners can have a commonplace of residence, but each of them has their own separate housing where they live, most often this can be associated with the career of partners.

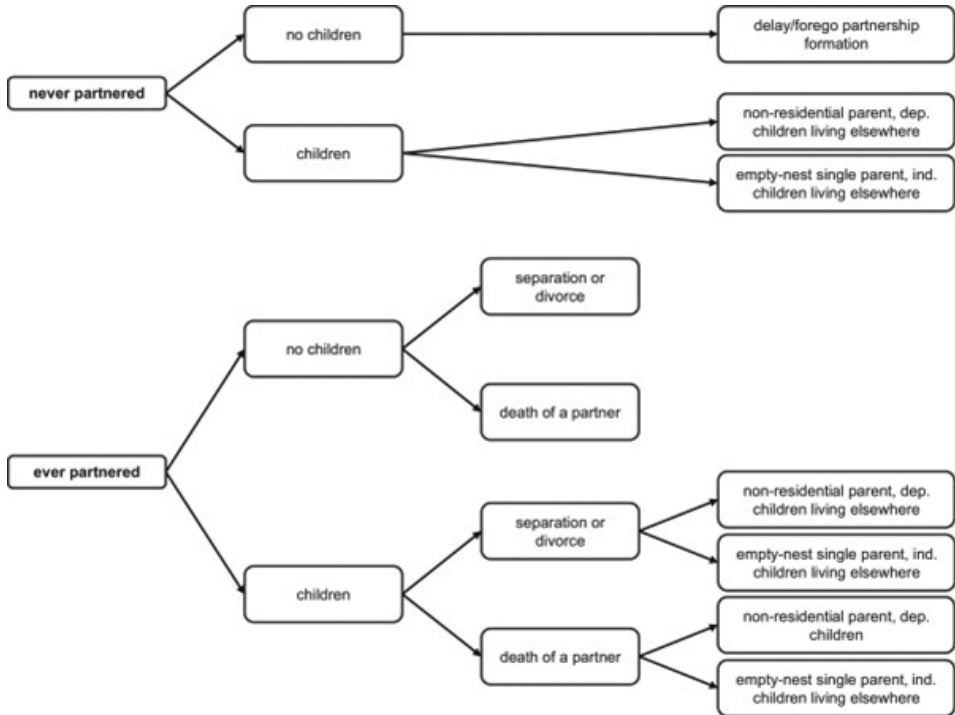


Figure 1. Pathways into living alone
Sources: Demey *et al.*, 2013: 164.

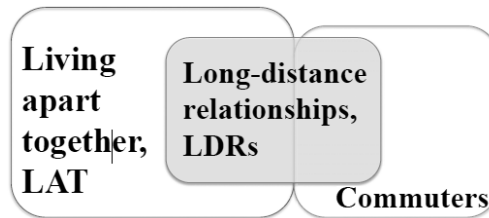


Figure 2. Main terms used to describe non-residential relationships and their relationship to one another as seen by the author/as discussed in the literature
Sources: Jurkane-Hobein, 2015.

Figure 1 reflects the relationship of concepts and indicates that Long-distance relationships include some characteristics of the other two: for example, couples in such relationships can be married or not, their main distinguishing feature is the

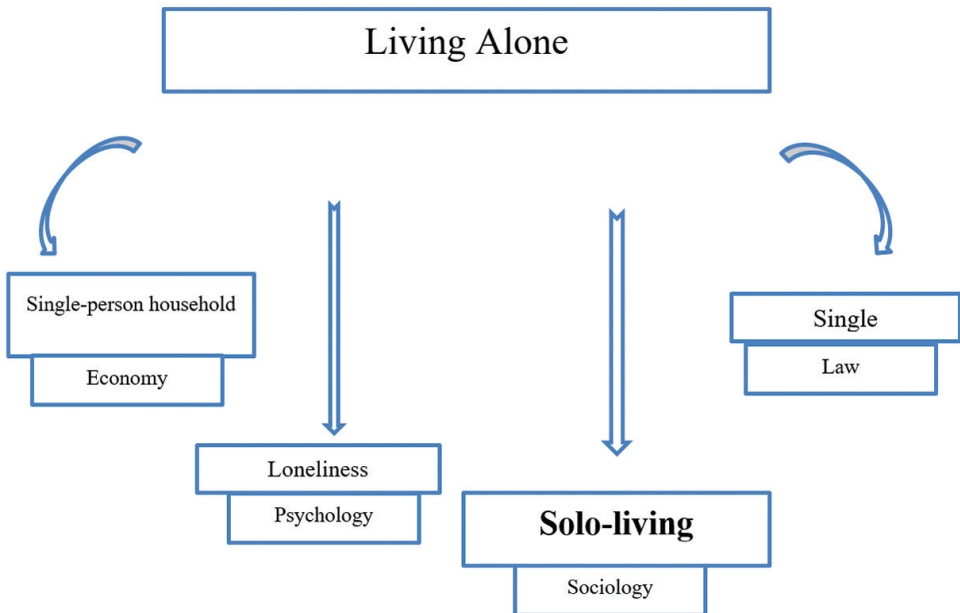
distance between partners. Moreover, these definitions do not regulate in any way whether partners live alone or have cohabitants, live with their parents, and so on.

Moving away from relationships at a distance towards the processes of individualization, we are faced with the increasingly popular phenomenon of “sologamy”. The term itself is used mainly in journalism and is rarely found in scientific discourse, but it is a rather ambiguous phenomenon: marriage to oneself. The phenomenon is prevalent mainly among women and is justified as the institutionalization of self-love. It is worth noting that marrying oneself does not exclude the existence of other relationships (Cabalza, 2018).

Closely related to the concept of solitary living is the concept of “syngilism”, it was introduced by the American researcher B. DePaulo. She defines it as stereotyping, stigmatization, and discrimination against people who are not married. In his works, the author defends the idea that the inequality of single people in relation to family people is unfairly hushed up (Gross, 2020).

Based on what was considered above, we can move on to the definition of the concept of “solo-living”, but first we will schematically consider how it fits into the general system of concepts:

Table 1. “Solo-living” in the general system of concepts



Sources: own elaboration.

The basis of the presented basic concepts, which are most often used interchangeably and synonymously, is solitary living. However, the difference between the presented four concepts lies in the fields of application and field of

study. So, single households are used in economics, statistics, and demography, formally fixing their number. “Loneliness” is used in psychology to refer to the inner sense of self and the strength of emotional connections. “Single” – reflects the official marital status in official documents, and is used in jurisprudence. “Solo-living” is used in the social sciences to describe individuals who deliberately chose living alone and their practices. At the same time, “solo-living” includes the concept of a single household and the “single” status (the problem is that the relationship between “single” and relations at a distance remains unconsidered – an individual in a relationship at a distance is formally still considered “single”, but in fact is not). However, “solo-living” does not include the “lonely” category.

Considering “solo-living” in relation to the other concepts, we can distinguish three main fields in which they can be considered and “solo-living” can be defined as a category that cannot be found and explored within different areas, but rather it is at their intersection. So, we distinguish single households, family/intimate relationships, and social ties.

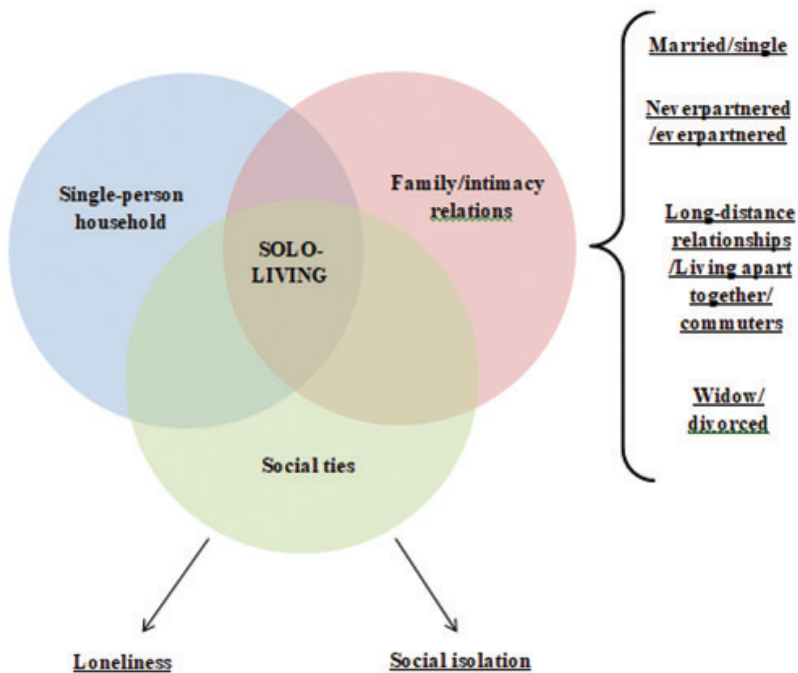


Figure 3. “Solo-living” in relation to related concept
Sources: own elaboration.

Thus, we define “solo-living” as a certain lifestyle, which is characterized by a conscious choice of living alone; a lack of an officially fixed marital status “married”, a lack of desire to create a family; and economic and social independence.

From the above, we see that the category “solo-living” is a complex concept that combines elements of concepts from other areas of study, but is not limited to them. If, in economics, the study of single people consists of examining the structure of household income/expenditures, studying consumer behaviour; in psychology, the study of the mental state of individuals and their adaptive abilities; in jurisprudence, in considering the rights and freedoms of individuals living alone; then sociology considers the phenomenon of solitary living, bringing it to the level of social perception/interaction, including the totality of all the above aspects.

Within the framework of this article, we saw that the study of the “solo-living” phenomenon is relevant for many countries and regions, whilst alas not much attention is paid to it, for example, in the countries of Eastern Europe. This observation opens up prospects for further research in this area in the post-Soviet space, and the consideration of “solo-living” as a separate sociological concept makes it possible to study the phenomenon more accurately and in detail. At the same time, one can also highlight the limitations of this study: for example, the topic of the peculiarities of the influence of the cultural context on the choice of the “solo-living” lifestyle and the peculiarities of its manifestation is still not disclosed – this will become a topic for further development.

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“The right to the post-Soviet city”: Analysing communication gaps in the public space

Abstract. The paper investigates the *communication gaps in the public spaces* of post-Soviet cities (from the perspective of business-government-society interaction) through the spatial paradigm lens of urban sociology coupled with the perspective of communications studies. The author analyzes the particularities of the spatial organization of post-Soviet cities; describes the main features of their urban public space; and examines their impact on the patterns of social interactions. The paper presents the results of empirical research into the government-business relationship, using the case of Minsk, the capital city of Belarus. The author specifically focuses on the instances of communicative dysfunction (i.e. communication gaps) as the manifestation of social distance, exploring its nature from the perspective of the concept of “a Stranger”. The findings point at a need to supplement the local communities with local public communication channels and content.

Keywords: spatial paradigm, post-Soviet urban space, “The Right to the City”, communication gaps, Stranger concept, local communities, business-government-society interaction.

Introduction

There is a long history of the exploration of the complex relationship between government, business and society by philosophers, sociologists, political scientists. As far as the interaction between state and business is concerned, Adam Smith, Max Weber and Thorstein Veblen were among the first to apply a scholarly approach to studying such interaction. However, most of the available scholarship in this domain reflects upon the dominant role of the free market

and political elites (with less emphasis on civil society) in the Western context (e.g., USA, Western Europe) as exemplified, for example, by Charles Wright Mills, Giovanni Sartori, Joseph Schumpeter, and Roger-Gérard Schwartzberg. Under communism, the state, to differing degrees, controlled all the major spheres of social interaction. Thus understandably, there could be no free academic discourse on that topic among local scholars, with the first meaningful studies appearing only in the 1990s and examined the emergent entrepreneurship. Sociologically speaking, the existing studies are often too empirically informed, lacking grounded conceptualization; and are mostly focused on the empirical measurement of specific parameters of the relationship between the state, business and society (such as, public awareness about government activities, entrepreneurial climate, and public participation in decision making). The research exploring the “spatial impact” on such relationships – that is, within the defined space-time boundaries – is still rather rare. From this angle, studying the city, as the classical case of government-business interaction, a place where it first emerged, further developed and acquired disparate, often controversial, manifestations, can be promising.

It is generally understood that social and human relations in big modern cities are less impersonal and rational. In a multicultural urban environment, the anonymity of city dwellers rises while their responsibility for personal actions declines. Some social groups lose their mutual connections which in turn distances them from one another and prompts the emergence of communication gaps. The established patterns of the relationship between local communities, business and authorities disintegrate, leading to the disputed decisions being made usually and exclusively for economic benefit. As a consequence, the urban infrastructure, landscape and the broader living environment deteriorate – offices are built instead of medical and social facilities; historical legacy is lost; green areas are turned into construction sites when city development strategies opt for profit generation without considering the possible negative impacts on social life. However, the most adverse effect is felt in the citizens’ growing apathy and political disengagement, as they are neither able to participate in policymaking nor influence its outcomes.

An enquiry into the government-business relations of a post-Soviet city, which is the main objective of this research, involves the following tasks: firstly, to describe the nature of the post-Soviet urban space; secondly, disclose the problems arising in the interaction process between city authorities and entrepreneurs (using Minsk, the capital city of Belarus, as a case study); and, thirdly, offer possible solutions to address such problems.

Sociology of urban interactions: a theoretical framework of analysis

The end of the 20th century was marked by the growing significance of a so-called “spatial turn” (understood as the strengthening of the geospatial component) in the social sciences and humanities, e.g. philosophy, sociology, anthropology, literary studies, that has invoked a diverse range of space-related metaphors as a distinctive social construct, as an outcome of economic and cultural development. The French thinkers Henri Lefebvre (1974) and Pierre Bourdieu (1984), as well as the American postmodern geographer Edward Soja (2011) conceptualized the “spatial paradigm” which was further advanced by geographer and philosopher David Harvey (2003).

The essence of these contributions can be summarized as follows: the immediate space of human habitation is socially constructed and socially reproduced in the process of economic and cultural development. Inasmuch as the origins of most of the “spatial paradigms” lie in Marxism, a priority is given to the city’s physical aspect of spatial organization as its core (i.e., the city’s “means of production”) that creates particular types of social practices that in their own specific way exploit and regenerate the city’s physical “body”. The changes in the “production mode”, coupled with the ensuing transformation of the urban space, form new social practices and advance new forms of urban life. However, the reverse might also be true when “new” social activities transform “old” urban territories, and therefore it may be apt to compare this endless transformation process with the writing of the “spatial code” (Lefebvre, 1974).

E. Soja (2011) argues that the uneven “production” of urban space under capitalism inevitably brings about gaps between the economically advanced parts of the city with the less developed parts, since the capitalist production mode needs fewer territories which can supply labour and also serve as the market place for produced goods, as “commercial accumulation tended to generate uneven development among buyers and sellers” (Soja 2011: 176). Capitalism creates the “global spatial division of labour” that leads in turn to the rigid segregation of urban space (the working-class areas, commercial centres, retail zones, expensive residential quarters, slums) (Soja 2011: 157). In other words, the city space becomes another springboard for the continued class stratification and exploitation, while the struggle for the “right to own the city” often spills over to the street in the form of mass disorder and thus reveals the acute social, gender, racial injustice (the 1992 Los Angeles riots described by E. Soja in this context are a case in point). E. Soja further reasons that such an unevenness of economic development has a negative impact on urban space as “the evolution of urban forms (the internal spatial structure of the capitalist city) has followed the same periodizable rhythm of crisis-induced formation and reformation that has shaped the macro-geographical landscape of capital” (Soja, 2011: 173).

D. Harvey deepens Soja's spatial concept further by shifting its focus from large-scale transformations of the spatial landscape to more discrete localities and other stand-alone geographic objects by introducing into the urban sociology the term "place" as opposed to a higher-level "space". "Place" in this context is a cumulative effect of certain social, political and economic forces. Moreover, Harvey underlines that the rights and liberties of any individual are mediated by the patterns of the spatial organization of political authorities; that is, how the political power is represented in the city's urban space (Harvey, 1996).

The *public space concept* is essential for the study's aims.

Rights have to be exercised somewhere, and sometimes that "where" has itself to be actively produced by taking, by wresting, some space and transforming both its meaning and its use – by producing a space in which rights can exist and be exercised (Mitchell, 2003: 129).

All the different approaches towards the public space can be broken into two groups. One group of scholars (J. Habermas, H. Arendt, H. Lefebvre among others) define the

publicness as a meeting space for free citizens who – using a public communication media free from coercion – form opinions regarding common public issues beyond their private interest (Pachenkov, 2012).

The public space in this perception draws on the ancient Greek agora as a place for citizens' assembly or on the Roman concept of a forum for a place where negotiations occur and commercial deals are concluded. In this interpretation, the notion of the "public space" is politically loaded as an argument in the struggle for "right to the city" in the context of policy negotiation and decision making.

Another approach (Richard Sennett, Jane Jacobs, Lyn Lofland, Ray Oldenburg etc.) is based on the assumption that publicity is a form of sociability viewed as a capability to interact socially, while the public space is a place where multiple unplanned interactions happen, where strangers meet forming thereby new patterns of social interaction (Sennett, 2002). These are the spaces playing the role of the "social leveller" – "a place that is a leveller is, by its nature, an inclusive place, it is accessible to the general public and does not set formal criteria of membership and exclusion" (Oldenburg, 1999: 24); or, additionally, serving as a stage to present one's self in everyday life (Goffman, 1959). Such places also can take the form of an "intermediate" (urban squares, streets, pavements, alleys, parks) or the "third" space (cafes, pubs, clubs).

However, the actual form of the space is less essential when compared with the importance of its contents and of the events that are unfolding or can unfold there. According to the American sociologist Sharon Zukin, the public space – thanks to its free access for all – allows undertaking one's activity and setting the

rules to direct it (Zukin, 1995: 32–38). A fundamentally important motivation to “visit” a public space cannot be reduced to personal material gratification or public duty. The goal of the urban public space fulfilling the function of an “anchor” of the public life is rather through hosting citizens’ informal and voluntary communication, “the core settings of informal public life” (Oldenburg, 1999: 16), as well as to make communication possible between disparate individuals and groups as a source of a socially positive cosmopolitanism (Lofland, 1998: 214). To serve this function, such a space should contain reasons for its visitors to start communication in an easy and convenient way.

This description relates to the conventional understanding of the public space, which is rare for a modern city. Commentators agree that the urban public space is now in crisis due to expanded privatization and commoditization (Zukin, 1995: 35–37), combined with growing anti-urbanism and the increasing fear of the Stranger. This is further exacerbated by the information technology revolution that replaced the “space of places” with the “space of flows”. As a result, the urban sociology has introduced such new notions as the “pseudo” public spaces and “non-places”. These spaces facilitate the emergence of “social civility” that hampers the culture of communication and interaction among citizens (Sennett, 2002: 299). Lyn Lofland argues that the very urban architecture creates the spaces that control the public sphere, making it less public, homogeneous, “sterile” and predictable (Lofland, 1998: 200). Such a control can be exercised either directly, with the help of video surveillance, or symbolically via architectural design. These “non-places” may include, on the one side, large unwelcoming and “supercilious” central squares filled with cars but void of people, “they discourage the thought of “settling in”, making colonization or domestication of the space all but impossible” (Bauman, 2000: 102); on the other side, there are spaces of consumption occupied by retail and entertainment facilities that create an illusion of community that does not require genuine communication and interaction.

The post-Soviet urban space can also be described in the above terms. The recent process of profound political and economic changes has transformed the urban landscape beyond recognition. Harvey calls such a transformation a “spatial crisis” when the legacy landscape (i.e., that created under socialism) becomes a barrier for further development (under capitalism). In order to overcome this barrier, “old places... have to be devaluated, destroyed and redeveloped while new places are created” (Harvey, 1996: 296); this is despite the existing resistance for change and an intention to continue reproducing the “old” social practices. Understood as such, many post-Soviet cities are still “alive”. To check our hypothesis suggesting that the actual condition of the city’s public space determines the character of social interactions, we will first look inside the Soviet public space. In this light, we intend to study the interaction of authorities with businesses in a post-Soviet context by applying the key principles of the spatial paradigm as understood in urban sociology.

The rational principles of the centralized economic planning under communism did significantly influence the spatial organization of Soviet cities.

Older cities whose urban landscape was formed well before the 20th century were rather an exception; however, their subsequent emerging residential areas, as well as the new towns that were founded during the Soviet time, became a vivid example of the application of the rational planning' principles (Cheshkova, 2000: 16).

These principles were implemented in real life and formed the actual urban landscape of a Soviet city, thus creating also a *general model of the typical Soviet city*. Its main features were: equal and even distribution of public consumption facilities within the urban space; the maximal reduction of travel time from home to work and the rationalization of transportation routes; and the rigid zoning of the use of territory. These rational principles of urban planning were not entirely novel and were already described in the work of western city planners (e.g., Christaller's net). Yet whereas, in the 1960s, such a positivistic approach was replaced in the West with more humanistic and anthropocentric principles of urban planning, in the USSR this approach prevailed for much longer. "According to the Soviet planning ideology, social differentiation could not happen due to the universality of spatial patterns" (Cheshkova, 2000: 19). Those fairly insignificant social, spatial and cultural differences that still existed were gradually eliminated. The Soviet city did not know such urban phenomena as "elite" and "ethnic ghetto" areas, which were typical for the West. The only factor of differentiation at that time was a difference in the status of industrial production. Despite some exceptions – such as the access of the high-ranking status groups to certain parts of urban space – the ideology of social equality and the priority of production interest clearly prevailed, creating thereby its image and the functional use of urban space.

It should be noted that the term "public space" was not in official use in Soviet urban planning, for the entire territory of the city was considered public anyway, public by default; that is, it belonged to all dwellers in equal measure. Instead, Soviet architects used such notions as the "vacant" and "open" space for areas free of any buildings. In some cases, the term "public space" was used with the intention to specifically underline the importance of collectivism in the Soviet city's life. "Public spaces were divided in three groups: a system of social/public centres; a street system; and a green system" (Engel, 2007: 287). Yet, as mentioned above, it wasn't the form of the public space that was important but its internal events and their purpose that mattered most. This public space was strictly subordinated, first and foremost, to the communist political and ideological aims that dominated the planning and design process manifested in the construction of large and monumental urban squares, parks and avenues; which were in turn filled in with numerous political symbols.

As a rule, the classic public space of the Soviet city took the physical form of wide avenues and grand squares intended "to serve as a visual symbol of the

power of the Communist Party” (Engel, 2007: 288): “huge boulevards for tanks, windswept squares looked down on by scowling statues, and scrubby open space between concrete slabs – alienating, inhumane, authoritarian” (Hatherley, 2016). The role of the Soviet public space was to demonstrate the power of the state and “substitute the chaos of urban life with a logical organization of space and human activities, one fitting the particular mould of ideological reasoning” (Engel, 2007: 289). The formal meaning of the “public” did not pertain to the real opportunity of citizens actually using these public spaces. It simply meant a place designated by authorities for certain collective action. Even though Soviet urban planning included a wide range of options for recreation and sports – for example, parks, skating rinks, other sports facilities – their existence was seen as part of the socialist lifestyle to show that the state takes care of its citizens, not as a space to encourage citizens’ voluntary local civic activism and self-governance so as to improve their neighbourhood and exercise their city rights.

On the contrary, the emergence of the pseudo-public spaces in Soviet cities was a manifestation of “the transparent desire of the government to control people’s lives and activities at all times and all places” (Engel, 2007: 289). As a consequence, the manufactured and controlled public space could not function as a “social melting pot” to enable the free and voluntary interaction of city residents among themselves; rather than occurring in the city’s centre, this function was by necessity moved elsewhere, with residential areas on the city outskirts becoming an “informal public space”.

As people’s gatherings outside government control in the centrally located open areas wasn’t sanctioned by authorities, citizen’s everyday encounters took place in the private sphere: such as kitchens, garages, backyards, or in empty, uninhabited places or abandoned territories; forming there an alternative type of public life in opposition to that imposed by the state (Zhelkina, 2014: 269).

That led to the substantially reduced ability of city dwellers to organize themselves locally within a Soviet public space. They voluntarily withdrew from deciding how to improve their living environment, leaving it to the city government.

This legacy still exists, revealed by the fact that residents of post-Soviet urban areas have a very limited desire to improve the territory adjacent to their private living places (stairs, entrances, children’s playgrounds, courtyards). According to a sociological poll conducted in 2014 in Minsk, less than 10% of its residents participated in some form of collective action aimed at improving the city’s ecology (e.g., clean-ups, tree planting, or filing complaints about environmental legislation breaches) (Titarenko, 2015: 112). The number of environmental activists is estimated to be at a level of 7–8%, which can lead to the conclusion that the overwhelming majority of city dwellers believe that city improvement is the government’s obligation (just as housing and communal services are) while

their personal role in it is minimal and can well be represented by a handful of urban activists. This is typical for other post-Soviet countries (Russia, Ukraine) as well.

An enquiry into the communication gaps in the post-Soviet public space, which is the main objective of this paper, involves the following tasks: firstly, to describe the nature of the post-Soviet urban space. Secondly, disclose the problems arising in the process of interaction between city authorities and entrepreneurs. And, thirdly, outline possible ways of developing the communication sphere of post-Soviet cities. Minsk, the capital city of the Republic of Belarus, was chosen as a case study to collect empirical data. It was viewed as the best exemplification of a classic Soviet city that was created almost from scratch after 1945; as a “mythical-symbolic Sun City, i.e. an ideal city of the Soviet dream” (Titarenko, 2009: 33).

The working hypothesis that was put forward argues that the social (public) urban space is the primary element that determines the ways people are becoming active in civic terms, their lifestyle and worldview. Urban space eventually defines the dominant model of social interaction in general and between business and the state in particular. In 2015, a sociological study into the phenomenon of communication gaps in a post-Soviet urban space was undertaken in Minsk to answer the following research questions:

- What are the dominant features of the urban public space in a post-Soviet city?
- What is the specificity of social interaction in such a city?
- How could the interaction between business and government be described in a post-Soviet urban space (typical patterns, actors, external circumstances)?
- What are the barriers hampering government-business communication, and how could such barriers be removed?

The study is based on the results of the qualitative and quantitative research undertaken in Minsk through December 2015–February 2016. The research was done conducting nine interviews with experts (the first phase), and by polling 502 students (the second phase). The sample size for expert interviews was established by using a “snowball” method when respondents could not provide new unique information which meant that the answers were adequately and fully describing the typical status of the sought phenomena. Such a method of determining the sample size is considered as one of the most effective (Shtejnberg, 2009). The second phase dealt with the identification of the most typical aspects of the urban public space pertinent to a post-Soviet city. University students studying in Minsk served as the survey respondent. The rationale behind this choice was as follows. Firstly, university students have enough time to organize their leisure and entertainment activities in an urban space since only 31.1% of all the polled were employed on a regular basis, while 82.6% spent their leisure time outside families. In addition, young students are actively engaged in establishing their networks and feel a need to expand them by adding new contacts. That can be done in urban

public spaces as they are “universal special melting pots”. Also, the scarcity of financial resources at students’ disposal encourages them to make their leisure more diverse, going beyond the time spent in cafes and restaurants traditional for older population groups. As many as 502 students, representing Minsk’s five major universities, were polled in groups at the place of their study. The Belarusian State University accounted for 45.4% of all surveyed students, the Belarusian State Pedagogical University – 19.9%, the Belarusian National Technical University – 16.1%, the Belarusian State University of Informatics and Radioelectronics – 10.6%, and the Belarusian State University of Economics – 8%. The distribution of the polled students by gender (the ratio between female and male students was 57.7% and 42.3% respectively) and universities matched the actual broader statistics and thus made the sample sufficiently representative. The survey contained, *inter alia*, the questions asking about specific parts of the urban space where students spend their free time; how they interact within this space, and what was their attitude towards the city’s public space (for example, whether they felt responsible for the quality of urban space, intended to transform it and influence a decision making process).

Below, we present and discuss the survey results (respondents’ original answers obtained during expert interviews are in italics).

The next chapter explores in more detail how this context manifests itself in the case of the interaction between authorities and businesses.

Communication gaps: real threats or mythical fears?

Viewed from the sociology perspective, the notion “social interaction” implies two distinct types of structures: internal and external interactions. The former are pertinent to those well-defined groups whose members are mutually intertwined to signify unity by the virtue of being part of the group. The latter are the interactions that extend beyond the group to connect with other individuals and groups (Krasnopolskaya, Solodova, 2012: 25). The research results demonstrate that the relationship between business and city authorities is defined by external interactions largely in the form of service provision (e.g. getting permits for certain activity). Typically, such interactions are “forced”; that is, it is a reluctant response to a conflict since “business is always dependent upon government and communicate with it if and only it can bring about profit; entrepreneurs approach the government to lobby their private interests”. The commercial sector interacts with authorities in a highly depersonalised manner by sending formal letters via postal mail to a specific government official (“the major communication channel and carrier for us are the postal mail letters”). Approaching the city government through e-mail, phone call or a personal appointment is practised as well but it

is seen rather as a supportive measure meant to explain the reason of addressing authorities – “we are going to send you a letter, please give us an advice how to do it better” or “we have sent you a letter, please check it in and read it”. The traditional paper-based interaction is popular because, as entrepreneurs explain, it is the only communication channel that guarantees feedback (“no paper – no request from supervisors; no request – no obligation to do anything”; “sending an official inquiry guarantees receiving a response”). While internal interactions are usually simple and clear within one group, external communications are far more fragmented and intermitted. However, with more experience in external interactions members of the group are able to discover unwritten rules and procedures enabling such interactions. On the contrary, an “unprepared” communication diminishes its effectiveness (“approaching authorities without being prepared may result in unnecessary, futile activity”). For example, an official letter addressing city authorities should be written according to certain specific rules: firstly, it should raise a clearly formulated problem falling under the addressee’s mandate (“if the letter does not contain a request, then the response will be useless”; “no government official would do anything unless it is part of their official duty”); secondly, it must be succinct but substantive; thirdly, it should not be “typical” since a typically written letter would prompt a similarly typical reply (“if rejection is possible on the purely formal grounds then it is very likely the answer will contain a rejection as no one will go any deeper to look into details”). As many of the surveyed respondents attest, the acquisition of knowledge in external interactions is always a very personal “hit and miss” experience – “once you know the rules, all goes smoothly; if not, then the ‘football’ game starts when your letter is endlessly moved back and forth from one office to another”. The dominance of external, short-term and fragmented interactions alienates individuals from the events of public life and further increases the social distance to them. The attitude towards other individuals becomes increasingly depersonalised despite the ongoing interaction with many other individuals and their groups. Such a behaviour influences the way the relationship with city authorities is perceived within the business community – “city administrators do not have time to deal thoroughly with the issues raised by each individual”.

Let’s put this into the context of the Stranger notion, as proposed by Georg Simmel (1976). The classic interpretation views the Stranger as a person who resides in the city’s certain territory but is not integrated into its social life; someone who does not resemble the majority of other residents, who in turn don’t accept that person as theirs. Physically, the Stranger interacts with others but the social and symbolic distance with them remains significant. Strangers do not consider themselves members of the urban community, their interests do not intersect with the interest of the city they live in, they lack the feeling of being included in the urban social space.

In different contexts, any of the interacting group – business, authority or urban dwellers – could become the Stranger. When, for example, the Stranger

is the city government, its representatives are perceived by local businesses as “temporary bureaucrats” who just “hold office” (“just performing the assigned duties, without a mission to represent the city’s soul and make the city better in earnest”). According to Simmel, the emergent, and often irrational, feeling of fear typically accompanies the interaction with the Stranger. The fear of being accused of corruption prevents city officials from establishing closer contacts with the business community (“The invitation to visit our enterprise and get familiar with our products is more often than not considered as an attempt to bribe them”). On the other hand, when entrepreneurs compete for the market with city-owned companies, urban authorities are viewed as a threat to local businesses (“All city officials always, almost maniacally, protect the state-run business”). This feeling of fear is part of any communication with the Stranger regardless of whether or not the threat is real or just perceived.

The main features of the Stranger emerging in the process of government-business interaction are as follows. Firstly, there is a territory-free mobility, a lack of dependence on a particular area. In the past, the typical Stranger was someone who did not belong to a territory-based group (for G. Simmel, these were traders and the Jewish residents who could not own the land). However, for the modern Stranger, the impossibility to own the urban land is less important than the inability to “possess” a private part of a social environment. Mobility in this context takes the shape of a freedom to change the distance towards any social subject in the social space. The resulting outcome of the authorities playing the Stranger’s role vis-à-vis entrepreneurs is that the latter are excluded from discussing with them vital business-related policies (“city officials who prepared a policy document did not even want to listen to us, maintaining a »we know better« position while lacking a deeper understanding of what they are trying to regulate and what will be the effects of that”).

Secondly, this is a new objectivity that emerges as a result of the detachment of the Stranger from the dominant group and the large social gap between them. The Stranger by default cannot belong to any grouping and therefore does not share its unique history, experience and interaction modes; there is no feeling of solidarity and community that have created the group over time. The Stranger is not “embedded” in intra-group relations and has weak ties with the group members’ interests. There is no need to follow the group’s internal obligations and rules that connect the group members among themselves. That leads the Stranger to observe intra-group relations from the outside in an objective manner and has a position to regulate such relations by, for example, settling internal conflicts. In the context of our case, the city government and a local business community distance themselves from one another when the latter employs the strategy of “ignoring” the former (“entrepreneurs do not know how to communicate to the authorities their problems... it is easier to close the business down, sell it and change the country of residence”), whereas city officials avoid communicating

with a business that attempts lobbying the decision-taking process (“we met, talked but that was a formality with zero effect on the actual state of play... they might seem to be prepared to listen but it does not mean hearing and doing something”).

Thirdly, the Stranger experiences the imbalance between the physical and psychological closeness. On one side, there is such a closeness in sharing with other groups the common urban territory. Accordingly, the group members are capable of developing a solidarity sentiment and feeling a certain psychological closeness and kinship with the Stranger (“we have common goals – profit, taxes, new jobs”). However, on the other side, that does not happen in real life as the Stranger is someone who physically should be kept at a distance, should not interfere (“*Why is this regulation needed in the first place?*”). That confuses group members and they start artificially curtailing their interaction with the Stranger who becomes an abstract figure, a symbol; function as opposed to the solidarity-based relations within the group (“responds only when asked a question”, “provides a formal response to a request within the established timeframe”, “acts according to a certain strategy”, etc.). When the group members interact with the Stranger, the latter’s activities are less clear for them than those of other people and not tied to specific issues and practical competencies (“simply moving papers on the desk”). Thus even when the group boundaries are crossed, the Stranger keeps the distance from the group, avoiding in-group solidarity (“does not see and hear and does not want to see and to hear”).

Lyn Lofland distinguishes between the “formal” and “real” types of Strangers (Lofland, 1985). The formal Stranger is the one who is culturally and value-wise close but not personally acquainted. The real Strangers are those who belong to an unknown or even hostile culture (“people who came from another world”). A degree of fear (nervousness) when in contact with the “formal Stranger” is lower, with the social distance reducing as the acquaintance deepens; while the “real Strangers” have little chance to get integrated into the city’s social life. Viewed through the lens of a government-business relationship, we could assume that it is the “formal” type of Stranger that is meant (as communication intensifies, the social distance gets reduced).

The concept of social distance is not measured in spatial (territorial) terms; it is rather as a reflection of the Stranger’s dual nature that is manifested either in the closeness or remoteness from the group. The distance is short because the Stranger interacts with more members of the group (entrepreneurs tend to approach city authorities often). Yet this distance is also large as the Stranger – as an external observer – shapes the interaction modality upon demand, making it context-dependent, whereas the group members interact following mutual expectations cemented by kinship relations, community responsibility and joint activities. External interactions and communication with the Stranger do not reduce the social distance between them (due to the Stranger’s duality and the ability to be both close and far away at the same time, as noted by Simmel). This

situation can be defined as a “*communication gap*”. In other words, it is “the lack of insufficient understanding between communicators, representing different cultures, manifested in the language and worldview differences” (Zhukova, 2013: 168). Until now, the term “communication gap” has been used to describe intercultural communications and denote communicative dysfunction as revealed in the course of inter-ethnic interaction. However, our study provides evidence of communication gaps within the same ethnicity and residents of the same city. Employing Harvey’s interpretation of the spatial paradigm, we note that the urban landscape dating back to a certain historical past can become a barrier for the further transformation of the established social interaction patterns (for example, in the case of political regime change). Despite the significant political and economic changes that occurred in Minsk in the wake of the fall of the Soviet system, the external representation of the urban environment (architecture, the location of the mayor’s office and district authorities) has remained unchanged, which might explain the difference between the worldviews of the “new” business community and the “old” city bureaucracy.

Nonetheless, there are mechanisms to overcome the communication gaps between citizens, businesses and city authorities. We believe that it can be done by, firstly, *place-making and tactical urbanism* and, secondly, by *event organization*. Both of these mechanisms involve the active participation of *local communities*. We will now look at these opportunities in greater detail.

The alleviation of residents from local urban communities

A city is a place where complex communications connect various individuals and groups in real-time and ensure the rapid dissemination of new ideas and practices (Zukerman, 2013). Olga Chernyavskaya (2015) identifies several conditions that help integrate people into their city’s communication space and thus close communication gaps in the urban social space; there should be: (a) a large number and diversity of local communities that are capable of transforming the urban space to fit their interests, and (b) a large number of various venues that activate social contacts in local communities. The key here is the extent to which an urban space is suitable for channelling communication, for organizing events that activate communication inside the urban environment. In other words, to develop a sense of public awareness of being an integral part of the urban community. Robert E. Park, Ernest Burgess and Louis Wirth (Chicago School of Sociology) view local communities as an environmental entity uniting people (environmental agents) living in a certain area, which determines the most important aspects of their public life (e.g., the pattern of settling within the city). According to Park, every community is, to a certain degree, an independent cultural entity with

their own standards, notions of good and bad, of acceptable behaviour and what does or does not deserve respect (Park, 1952). Alternatively, the anthropological tradition defines an urban community through the uniqueness of lifestyle, a special cultural environment and the established practices that individuals follow in a particular urban community which may differ from everyday practices within a larger majority. The identities of such communities are based on the emotional connection between its members (affinity with fellow members and hostility towards outsiders). Its main features look as follows (arrived at by combining the methodological findings of anthropologists and sociological theorists, e.g. within the research area of *community studies*):

- an urban community should be locally embedded where its members consider one another “theirs”;
- local communities are built and united on the basis of common interests, values, and lifestyles – common memories from the past, common behavioural patterns of the present, common plans for the future;
- local communities are capable of self-organizing and generating autonomous power structures by putting forward local leaders;
- local communities depend on the emotional connection between their members, which can last for a long time through many generations;
- local communities are capable of taking responsibility for actions in the areas of their interest.

In the context of this study, we believe that the revealed communication gaps can be closed only locally at the community level. Urban communities serve both as a conduit and a catalyst of such communication.

In traditional (primarily Western) urban sociology, any population living in a given area is assigned, if potentially, the status of a local community (with the ability to organize itself, common interests and responsibilities, etc.). There is no question of whether or not such a community exists – it certainly does – and is regarded as the necessary condition for people living in any neighbourhood. However, when it comes to the post-Soviet cities, that approach does not seem to apply, for the institution of local communities was considerably weakened in the Soviet time. The following factors directly or indirectly contributed to the process: assigning rather than electing municipal officials from the “above” (moreover, a hired head of a municipality had to be an outsider with no social relations with residents); the lack of power of local councils (their functions primarily concerned registering births, deaths, marriages and issuing various certificates); work-related social links (people made friends in the workplace rather than in their neighbourhood); the active organization of people’s leisure (Soviet people did not need to act in order to organize their free time, because this was the responsibility of trade unions); and finally, the centralized provision of housing (which prevented intergenerational relations in the neighbourhood). All that gradually resulted in voluntary neighbourhood relationships becoming

virtually non-existent or non-consequential (city residents tended not to know their next-door neighbours). If we also bear in mind the distinct features of the Soviet public space we discussed earlier, it becomes clear why the culture of local communities is still visibly lacking in many post-Soviet cities. This Soviet legacy is believed to be the main reason for the social passivity of many urban residents living in post-Soviet cities. This is further complicated by the difficulty experienced in interpersonal social interactions; which is most vividly manifested in the perceived presence of “strangers” and communication gaps. A survey among university students conducted in January–February 2016 in Minsk demonstrates that only half of the respondents (52.4%) felt any responsibility for how their city (including their neighbourhood) looked (Table 1).

Table 1. The involvement of urban residents in local affairs (based on polling University students, %)

Level of involvement	Totally Agree	Partially Agree	Partially Disagree	Totally Disagree	Not Sure
I feel responsible for the look and attractiveness of the city of Minsk (including my neighbourhood)	12.2	40.2	21.6	8.4	17.6
I could act as the organizer of a city event (including in my own neighbourhood) if I had the chance.	7.0	17.8	25.5	36.9	12.8
I can influence decision-making in regards to changing the city of Minsk as a whole and my neighbourhood in particular.	2.2	6.8	26.2	50.0	14.8
I can transform (change, clean and decorate) my city (my neighbourhood) to my liking	5.2	15.4	26.4	38.8	1.,2

Sources: Lebedeva, 2017: 88.

Even fewer people (24.8%) felt that they could act as an organizer of any city event, including in their own neighbourhood. And still fewer respondents (20.6%) accepted the possibility of being able to transform (change, clean and decorate) the city to their liking, or in the words of David Harvey, actively exercise their right to the city. Against this background, just 9% of young people believed that they could influence decision-making regarding changing the city either as a whole or just their neighbourhood. It must be mentioned that the respondents were born around 1994–1995, i.e. they did not have experience living in a Soviet city, but nonetheless, they already display the traits of alienation from the urban public space.

Those people interviewed, in their turn, acknowledge the existence of an alleviation challenge. They stressed the need to create and develop their communities to bridge the existing communication gaps between business and government by asserting that:

- “Business and government need a common goal; they need to sit down at the negotiation table and look at each other as partners”;
- “Mutual interest areas should be found to reach the right decisions and make things work”;
- “Contact should be established when there are no problems. When an official knows about your company, what you are and what you do, he will be more willing to help you”.

Recognizing the importance of a common goal, which is necessary for the members of any community, makes it possible to overcome the passivity demonstrated by entrepreneurs (“I pay taxes”; “I do not owe the government anything, so it must please me”), and the unwillingness of businessmen to get involved in legislation (“Why waste my time; it is futile”). Meanwhile, creating various communities does not only give extra weight to business, but also makes communication safer. It lowers the level of fear that inevitably accompanies any interaction with “strangers” and increases the level of trust between business and government. As a result, the social distance between the two communication partners becomes shorter.

To become a functioning community, its members have to have certain qualities: 1) initiative; 2) an ability to set goals and achieve them both as a team and individually; 3) a feeling of owning the personal and common causes and bearing responsibility for them; 4) the willingness to show solidarity and so on. There need to be certain conditions in place to make it possible for collective subjects to exercise their common will. Ray Oldenburg (Oldenburg, 2014) stresses, for example, the importance of the so-called “third places”, i.e. informal public gathering places making a community a living public space. Cafes, bars, small shops, pharmacies, post offices, libraries and even schools can serve as these third places. If necessary (in special circumstances) such physical places or “gathering points” for local communities are being supplemented/replaced by virtual spaces – groups in social networks, chats and channels in messaging applications, etc. In turn, regular events at such “gathering points” help communities to maintain stability. In fact, this is a kind of “roll call” for members of a particular group – “we are still together, we have the same views, we are ready to continue to support each other”.

Discussion

The results of this survey indicate that the development of local communities in post-Soviet cities can be a useful mechanism in bridging communication gaps in society. However, further studies are needed to better understand the barriers

hampering government-business-society communication in the post-Soviet urban space and mechanisms to overcome them. At the moment, we can state that our underlying hypothesis that the internal conditions of the urban public space determine the character of social interactions within it (including those between government and business) has been only partly confirmed. Indeed, while the prevailing conditions have an important role to play, the Soviet legacy still dominates at this particular time juncture the patterns and level of civic activism, on the one hand, and the relationship between city authorities and business, on the other.

We have found evidence suggesting that the dominance of social interactions in influencing business-government relations manifested, for example, in the presence of “strangers” and communication gaps. Nevertheless, the question as to whether such gaps are caused by the spatial organization of a city’s life – which in turn fixes these gaps in the physical built-in environment – remains unclear. The following question demands further research: is it enough to change the political regime in order to transform the city’s life in the direction of greater and more responsible civic activism and stronger and inclusive urban communities or will the “old legacy” space resist this transformation, keeping the rudiments of the regime and passing them on from generation to generation?

The events that took place in Minsk after August 2020 emphasized the importance of having effective mechanisms to bridge communication gaps between government, business and society. Observing the practices of spontaneous social activity helps to identify the most popular citizen’s “self-advocacy” mechanisms. This is *place-making* (the organization of an informal memorial at the site of the first person killed as a result of mass actions, the installation of flags with alternative state symbols, the application of graffiti etc.), and the *organizing of events* (protest marches, performances by musicians, athletes and theatre artists) which take place right on city streets and in residential yards). It seems as if the previously disunited citizens have begun to perceive themselves as *members of the same community* and are trying to defend their “Right to the City”.

As a consequence, the character of social interactions in the post-Soviet city began to change rapidly. Today we are seeing a departure from the stereotypical ideas about the life of a post-Soviet city (residents’ reluctant involvement to improve the city they live in; weak internal solidarity leading to socially weak local communities that do not adequately participate in both city life and decision-making that concerns the transformation of the surrounding urban space; a perception of the authorities as the ultimate power able to tackle any problems or eliminate the “undesirable” etc.).

Further deeper comparative analyses of the role of local communities on social relations in the Western and post-Soviet cities would provide better answers to these and other debating points, taking into account specific political conditions and the governing business-government relations of the cities compared.

Conclusion

Designing this study, we asked a number of research questions, the key one of which was associated with the emergence and overcoming of communication gaps in cities. However, we did not attempt to find complete answers as to what all the main patterns and character of social interactions in a post-Soviet urban space are. One of the study's limitations was the predominant focus on university students chosen as the survey's respondent in one city – Minsk, the capital of Belarus, with almost two million inhabitants (although we interviewed experts too, although to a less extent). The survey's sample thus left out other important categories of urban residents whose interaction patterns might substantially differ, just as adding other cities, of smaller size for example, to the survey might produce results which differ somewhat to those we have received by studying the Belarusian capital city. Yet we believe that the research results provide valuable answers to the questions asked in a more general sense, being indicative of those typical challenges that many in post-Soviet cities have to overcome in adjusting to market conditions.

That said, the evidence is quite convincing; allowing us to generalize that, for instance, establishing a two-way government-business dialogue is a daunting task in a former Soviet urban space. Our analysis of the spatial organization of the post-Soviet urban space illustrates the persistence of the so-called general model of a Soviet city. The way a public space looks and functions determines the character of the urban social interaction that takes place within it. It reveals a spatial equality in the distribution of consumer facilities; rationalized traffic routes, with the main aim to cut down the amount of time needed to get home from work; a strict zoning policy. According to this model, the public urban space is primarily used to perform political and ideological functions. It reflected the communist ideas and values, either serving as a "stage" for government-sponsored collective action such as parades, political rallies, etc., or as an integral element of the Soviet way of life, emphasizing the state's patronage of its citizens (e.g., recreation parks and sports grounds). Neither in the first case, nor in the second one, did it serve as a venue for civic activism or provide opportunities for free self-expression. Being used for informal and voluntary interaction was never implied. As a result, the Soviet public space decreased the urban residents' ability to organize themselves at the local level. People voluntarily delegated their right to address their local needs to authorities. Many cities of the former Soviet Union still show the remnants of this model. Minsk has been arguably one of the most vivid examples of this. These factors exert a significant influence on the appearance of a communication gap in post-Soviet cities.

Moreover, the urban landscape itself could be a source of communication gaps. As a legacy of the historical past, this landscape has become a barrier to

transforming urban social interactions. Bridging such communication gaps would include the activation of various local communities that serve as a link between business and local authorities. We also would like to highlight a need to fill in the post-Soviet urban space with new, digitally enabled, public communication channels and renewed content reflecting upon essential local needs, including those related to government-business interaction. Making such communication public would help engage civil society as a valuable “third actor” intermediary and unite the often divergent intentions of urban authorities and business for greater synergy. That could manifest itself, for example, in the process of integrating business sector resources and the local government’s economic planning. It could potentially result in the form of mutually beneficial public-private partnerships in order to demonstrate good implementation practices. The eventual outcome would help transform the urban landscape into a social, public communication-based, space and accommodate into it the alienated “strangers” via public discourses by providing them with local media communication channels to connect with other groups and communities. The sustainable development of a city is possible only on the platform of the common interests of all subjects of urban communication – business, city authorities and local communities. In the event of a “loss” of one of them (the emergence of communication gaps), the synergetic effect will be absent, which will require a significant increase in the efforts and resources spent on the development of the city. Inter-sectoral communication technologies play a decisive role in bridging communication gaps, enabling citizens to exercise their “Right to the City”.

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