

Russian Civil Society Development & Repression

Rachel Mohr

“Civil society” in social science research may be interpreted as broadly as any civic engagement existing in the space between the citizen and the state, or as narrowly as a formal organization with a clearly designated purpose and structure (Javeline & Lindemann-Kamarova, 2020; Putnam, 2000). Most definitions of civil society include key characteristics such as a not-for-profit

purpose, voluntary engagement by members, and some sort of organizational structure. A robust civil society is seen by many experts in academia, politics, and the non-profit sector as a key attribute of a healthy democracy (Levitsky & Way, 2002; Putnam, 2000; Burnell & Calvert, 2004; Henderson, 2003). As post-Soviet Russia was largely expected by the Western world to embark upon a democratic transition, interest in its budding civil society sector has produced a proliferation of research from the 1990s until the present day. Some of the most studied civil society organizations focus on causes most closely tied to democratization: human rights, good governance, and media freedom. But the environmental movement, while less directly political, has also attracted academic attention. This section will trace the literature on Russian civil society from its hopeful beginnings until today, demonstrating the eventual constriction and cooptation of the burgeoning civic field in a consolidating authoritarian context wherein sovereignty and control trump globalized values. Using legal nihilism and alternative civic support structures, the Putin regime has effectively eliminated the possibility for independent civil society to make any impact in Russian society.

Examining the development of Russian environmental civil society from the Soviet era is key to understanding the current relationship between the authoritarian Putin regime and climate-focused organizations. Artificial civic activity mandated by the Soviet government still taints modern Russians' conception of volunteer work and activism. The Party-sanctioned civil society groups simulated civic engagement by "volunteering" citizens to do work for community benefit outside of normal working hours in Saturday "субботники", sometimes to supplant labor shortages; the compulsory nature of such civic engagement created a lasting bias against volunteerism in post-Soviet societies (Pride Brown, 2018, ch 3). While some nascent environmentalist advocacy existed among intellectuals during the Soviet period, meaningful civil society could not emerge until the end of the Communist Party monopoly over civic power. Although Yanitsky (2010, Foreword) describes the student and scientist-run nature protection groups that mark the initial environmental movement as having been more or less "tolerated" by the Communist Party because of their seemingly benign and apolitical nature, Pride Brown (2018, ch 2) contends that in a field of power so thoroughly dominated by the Communist Party, only those environmental advocacy organizations that were seen as non-threatening to the Party's monopoly on civic engagement and non-confrontational to the state's resource-extractive, polluting economic model were permitted to operate. The advent of гласность and перестройка (openness and restructuring) in the 1980s under final Soviet leader Mikhail Gorbachev brought sweeping change to the Russian environmental movement. Diverse grassroots organizations proliferated, and notably, these groups engaged in protests that successfully prevented the construction of a number of potentially harmful infrastructure projects (Yanitsky, 2010, preface; Pride Brown, 2018, ch 2). Tysiachniouk et al (2018) describes the environmental movement of this time as being at the forefront of globalization in the Russian civil society sector, engaging with transnational networks promoting conservation, sustainable development, watershed protection, and nuclear safety while actively lobbying to improve environmental policy.

However, the collapse of the Soviet Union in 1991 precipitated a decade of economic hardship that saw millions facing existential insecurity, grinding civic progress to a halt. The immediate aftermath of the Soviet collapse saw a frenzy of expectation among Western experts that the newborn post-Soviet societies would soon transition naturally into mature democratic, capitalist nations with all the standard accompaniments, including active and meaningful civil

society participation (Николаевская, 2011). However, the unexpected “failure” of civil society organizations to take hold in post-Soviet societies in a way that resembles existing Western democracies drew the attention of many researchers. Various social, economic, and political conditions of the Soviet era and its immediate aftermath created an environment wherein civil society struggled to take hold. Evans (2012) emphasizes the negative effects of the 1990s economic crisis on citizens’ time, energy, and financial resources needed for civil society development, but also points out a deeply-rooted distrust of and disinterest in the public sphere, except when it seeks to remedy Russians’ concrete socioeconomic concerns. Fish (1994) notes the subsequent dormancy of groups that shot to success in the late 1980s and points to state institutional weakness as preventing environmental concerns from actually being addressed by the authorities. Howard (2003) points out that the public’s disillusionment with mandatory Soviet-era civic engagement, the significance of informal support networks as an alternative to formal civic organizational structures, and overall dissatisfaction with the new post-communist order precipitated a mass withdrawal from public life. Pride Brown (2016) attributes the limitations of citizen’s imagined horizons of activity to weak state government, high levels of corruption, and lacking rule of law, but Treisman (2018) offers a more optimistic outlook on Russian civic activism, pointing out growth in the sector and recognizing more repressive government measures as a response to successful civil society endeavors. This measure of success was made possible by improving economic conditions in the 2000s under the new President Putin.

A key and contested factor in the next phase of Russian civil society development was the presence of significant financial and organizational support from Western governments and global NGOs eager to prop up grassroots Russian organizations. The widespread assertion about the importance of civil society to the democratization process described by Levitsky & Way (2002) likely played a role in developed countries offering civil society-focused assistance to post-Soviet countries. Henderson (2002) discusses a real increase in organizational capacity among Russian NGOs as a direct result of this aid; however, she notes that the patron-client character of these relationships has fostered NGOs which are dependent on Western aid but have little stake in their local Russian communities. Yanitsky (2010, 2.1) agrees that the Russian environmental movement no longer carries environmental values, instead beholden to a top-down relationship with Western financial and technical aid which has limited and de-mobilized the movement. Pride Brown (2016) portrays Western aid as a definite impediment to local constituency-building among civil society organizations, citing a responsiveness to the wishes of Western donors rather than local community members. However, in Pride Brown (2018, ch 4), the author notes a positive transnational collaboration effect wherein defamiliarization helped Russian activists overcome mental barriers established by fatalistic domestic conditions. Therefore, the patron-client relationship between weak Russian organizations and strong Western ones can be said to have mixed results that certainly fall short of the strong, independent civil society envisioned along Western lines.

The previous reliance of the weak Russian NGO sector on foreign aid is an important factor to consider when discussing civil society repression by the Putin regime. After a series of amendments to the Russian Federation’s laws regulating NGOs, the sector was effectively crippled when the 2012 Law on Foreign Agents was passed, cutting off Western aid sources. Goncharenko & Khadaroo (2020) characterize the Foreign Agent Law as a form of accounting regulation that successfully disciplined civil society organizations, reduced their activism, and

compromised their missions by rewarding them for reorienting towards government funding sources. This law represented a decisive step in a series of incremental policies representing the regime's fear of foreign involvement in Russia's domestic sphere after several Color Revolutions in the near abroad and anti-regime protests in 2011-2012. With the new leverage gained by clearing the civil society field of its foreign involvement, the Russian authorities have deployed the principle of legal nihilism to hand-select civil society groups for either cooptation or marginalization, leaving them with difficult choices to make in order to survive.

The text of the Law on Foreign Agents stipulates that all NGOs participating in political activity and receiving financial assistance from abroad must register with the authorities as "foreign agents", a derogatory term connotating espionage. Although the organizations in question initially refused to comply, understanding that the intentions behind the designation were likely malevolent, a court order eventually forced their hand, resulting in 104 organizations being listed by 2016 (Treisman, 2018, ch 10). This group included Memorial, an organization dedicated to preserving the memory of Soviet repressions; The Levada Center, a long-respected independent public polling agency; Baikal Ecological Wave, an environmental organization dedicated to the protection of Lake Baikal in Irkutsk; and the Dynasty Foundation, a funder of scientific research. The Foreign Agent Law required designated organizations to submit income and expenditure reports at frequent, regular intervals, and also opened them up to surprise audits with tight turnarounds. In this way, the regime levied legal power at selected organizations and burdened them with additional work that bogged down their organizational capacity. Additionally, designated organizations were required to apply to a regulatory authority to seek permission before engaging in so-called "political activity", effectively giving the state veto power over any activity deemed undesirable. Lastly, designated foreign agents must attach to each instance of published material, including internet posts, a ludicrously long disclaimer proclaiming their status as a foreign agent. Because the consequences of being designated a foreign agent were potentially catastrophic for Russian NGOs, many opted to sacrifice their foreign funding sources completely in order to dodge the designation.

Russia's desire to expel foreign influence in the name of sovereignty has been attributed to pro-Western political upheaval in Russia's neighborhood in the form of Color Revolutions in Ukraine, Georgia, and Kyrgyzstan (Crotty, 2014; Pride Brown, 2018, ch 7). The subordination of civil society to the state can be understood as a new tool of repression in a modern form of autocracy in which violence is considered too costly to use until the last resort; the illusion that civil society approves of the state creates an impression of legitimacy (Treisman, 2018). Another key factor in the Russian state's relationship with civil society are the protests that flared up in 2011-2012 in response to Putin's announcement that he would run for a third presidential term after a short interim period in which Dmitry Medvedev occupied the presidency. Петухов (2012) claims the protests represented the political activation of a new middle class intent on participation while distancing themselves from the derided "big politics" of state institutions, while Flikke (2018) interprets the 2012 crackdown on Russian society after the protests as the outcome of a transition from Medvedev-era bureaucratic modernization, which demands strong civil society, to legitimization through patronal politics, which calls for subordination of the civic sector to the state. The Putin regime can even call on its handpicked civil society groups to provide mass mobilization to oppose anti-regime street protests, which Robertson (2009) describes as an innovative technique of authoritarian regime control; this integration of civil society organizations into state

structures may constitute a major redesign of state-society relations. While much has been made of the 2011-12 protests, Cheskin & March (2015) feel that a previous legacy of subtle contention in modern Russia has been overlooked in favor of more public forms of contention. In historical context, Applebaum (2015) finds civil society repression to be not a new phenomenon of the Putin regime, but a legacy of the Leninist idea that all organizations are inherently political and thus must be banned. Whether the wave of civil society repression under the Foreign Agent Law in the 2010s truly represented a new paradigm for the Putin regime or not, it was certainly critically injurious to the civil society sector, which has often had to compromise on its values to survive in a hostile environment.

In the era of the Foreign Agent Law, the Kremlin developed a dual policy of both bullying civil society organizations it deems threatening and supporting co-opted organizations expressing values it wants to nourish in the populace, such as patriotism. This ties in with Putin's desire to replace foreign ideas and influences with patriotic, Russian-centric ones, which would require replacing foreign funding sources with domestic ones as well. Daucé (2015) points out that two new institutions for grantmaking were created to replace foreign funding sources for select civil society groups: the Presidential Council for Civil Society and Human Rights and the Public Chamber. Robertson (2009) describes the activities of Nashi (Ours), a Kremlin-supported patriotic youth movement that engaged in World War II victory celebrations, summer training camps, and pro-regime demonstrations. This brings in broader questions about the role NGOs are meant to play in modern society; the Kremlin seems to view the civic sector as a friendly helper to the government that should remedy some social issues without challenging authority. Henderson (2011) describes the Kremlin replacing foreign funding as a form of "import substitution" for well-behaved organizations that provide social services for the wellbeing of the population, while Lewis (2013) finds that some civil society groups may actually increase the legitimacy of the state by helping it rise to the challenges of twenty-first century societies. Cheskin & March (2015) agree that "consentful" civil society is utilized by the state for the provision of goods and social services, and points out that environmental NGOs are often seen as social rather than political organizations and are thus not often targeted as threats. Pride Brown's (2018, ch 7) case study of the forced closure of Baikal Ecological Wave in Irkutsk as a result of its foreign agent designation provides a counterexample to this, noting that the organization was more confrontational to the state than similar, more accommodating organizations that were not targeted by the authorities. Toepler et al (2020) characterizes the resulting divided NGO field as an "uncivil society" wherein invited organizations receive access, funding, prestige, and information from the state, while other politically-focused groups find their space in society to be significantly constricted.

The Foreign Agent Law had disastrous effects on the independence, legitimacy, and capacity of Russian civil society and forced NGOs to adopt various disruptive strategies to survive in a hostile political environment, with varying levels of adaptation needed depending on the goals and communication strategies of each organization. Crotty (2014) describes groups previously reliant on overseas funding needing to find new financiers or recast themselves as friendly to government interests, while marionette organizations controlled by the Kremlin have begun to dominate the civil society landscape. Ермолаева (2020) gives an example of a form of climate-focused activism that does not challenge the state's resource-extractive economic model and is thus permitted: volunteer response to and prevention of climate-related natural disasters in urban

settings. Moser & Skripchenko (2018) identified survival strategies including the creation of small support ecologies by shifting the relative importance of various audiences and by seeking new forms of legitimacy, namely as solvers of social problems. In a study of disability rights advocacy groups, Toepler and Frohlich (2020) observed successful continuation of advocacy premised upon the supremacy of the state, using techniques of appealing to the state's responsibility to care for its citizens without questioning the regime outright. Tysiachniouk et al (2018) offer a typology of NGO strategies, including compliance (avoidance of political activity), simulation (engaging in political activity only privately), informalization (remaining outside the scope of the law by not registering), and diversification (generating affiliate groups to dilute the impact of one being targeted). Schlaufer et al (2022) illustrate a communication strategy in which an "angel-shift" is often used to direct focus to an educational and service provision model that provides solutions, rather than confrontational policy advocacy. While some groups were willing to compromise on their values or simply avoid criticizing the state, others found this survival strategy repugnant. Skokova et al (2018) highlights a loss in solidarity among Russian NGOs as a result of the purposive division of the sector into state-supported and state-repressed groups; many NGO representatives expressed support for the foreign agent law, seeing it as a necessary measure to prevent foreign influence even while acknowledging that some organizations might be unfairly targeted. The passage of the Foreign Agent Law has thus resulted in a divided, weakened, and unstable collection of NGOs that sometimes must betray their convictions and accept cooptation by the state to survive. The Kremlin's endeavor to rid Russia of foreign influence in civil society has been largely successful.

Russia is not alone in its repression of civil society groups. Rutzen (2015) studied other examples of governments restricting NGOs' access to foreign funding via the Paris Declaration on Aid Effectiveness under the guise of improving the effectiveness of aid and aligning it to recipient state national security priorities. Richter & Hatch (2013) compare the state's relationship with civil society in Russia and China and find that both have actively promoted civil society organizations to assist effective governance, but Russia's preference to dominate and repress the civic sector has prevented robust autonomous civil society from emerging. Scheidel et al (2020) highlight the prevalence of global repression of environmental activists and the widespread use of foreign agent designations to delegitimize and stigmatize such groups. Matejova et al (2018) explore this phenomenon from the perspective of civil society groups, identifying a common "boomerang strategy" wherein activists in Russia, India, and Australia have tried urging their transnational allies to pressure the state on their behalf; this strategy often precedes harsh backlash against the NGO sector. Orlova (2019) finds that this global trend of restricting NGOs' foreign funding can be attributed to the pressure states receive from these "boomerang strategies" and a movement to reinforce the divisions between insiders and outsiders in an attempt to preserve national identity in a globalizing world. Russian identity has been somewhat adrift since the end of the Cold War, so regaining sovereignty over its civic sector may be an attempt to claw together a more united front, which in turn maintains the regime's legitimacy in the face of global democratization efforts.

Russian civil society has been effectively subordinated to the Putin regime by the Foreign Agent Law. The sphere is securely dominated by organizations that are either directly run by or accepting interference from the authorities. Pride Brown (2018) summarizes the 2012 law as attacking three crucial elements of civil society (its organizational capacity, its worthiness and

legitimacy in society, and its global funding connections) through legal nihilism wherein the vague wording of the law is applied selectively to key groups identified as challenging state power. The result is effective consolidation by the regime and a “managed” civil society in which NGOs are too weak to occupy the space between citizens and the state, or to hold the authorities to account (Crotty, 2014). Yanitsky (2010) describes this as an essential resumption of the state of play during the Soviet Union by a resurgent state with the capacity to once again bring most civic activity under its purview. Both the state’s top-down attempts to subdue the civil society field and the international environmental community’s attempts to support it ultimately resulted in the failure of the citizenship from below ideal in modern Russian civil society.

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