

Olga Olisova

The Role of Public Consultative Bodies in Policy-Making in the Social Sphere in the Samara Region

Title: **The Role of Public Consultative Bodies in Policy-Making in the Social Sphere in the Samara Region**

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Abstract: The working paper investigates the functioning of two public councils in Samara Region (a Federal subject of the Russian federation). Public councils represent a form of civic engagement. Their functioning and interaction with governmental bodies and the wider public are studied within the framework of the policy cycle.

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Preface

The NIBR project on network governance in Russia focuses on collaboration between state and non-state actors in solving complex social problems three policy areas – migration, drug prevention and child welfare – in two Russian regions, St. Petersburg and Samara. This working paper was commissioned in order to obtain more general information on the functioning of Russian consultative bodies at the regional level. Two consultative bodies with a rather general approach to problem-solving in the social sphere were selected for a closer investigation. This working paper, written by Olga Olisova at the Free Opinion Research Group in Samara, illustrates barriers and success criteria for the functioning of two such bodies during different stages of the policy cycle. Though based on a limited number of cases, it still provides important insights into relations between state institutions and civil society in contemporary Russia.

We would like to thank Olga Olisova for bravely taking on the task of collecting the required data and for systematizing the findings in this paper. Thanks also go to informants who allocated time and energy to share their experiences and opinions on the work of the councils. Finally, we thank Frida Tømmerdal and Dag Juvkam for handling the manuscript for publication here at NIBR.

Oslo, April 2015

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Summary

Olga Olisova

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NIBR Working Paper 2015:103

This working paper investigates the functioning of public councils in one of Russia's regions. Large-scale construction of institutions of civic engagement in the Russian Federation started in the first decade of the 21st century and at once it provoked critical feedback in political and social science. It is doubtful whether consultative bodies may represent genuine ways of civic engagement or may influence the political agenda. Such a conclusion is most often made on the basis of institutional or historical and political analysis. In this working paper the interaction of governmental bodies and the wider public within the framework of the councils is studied within the framework of the policy cycle – from the stage of problem formulation to its execution by governmental bodies. The objects of the research are two councils – the Public Chamber of Samara Region¹ and the Council of Non-Profit Organizations under Samara Regional Duma². The working paper consists of four parts.

The first part is devoted to a short description of approaches to the study of consultative bodies in contemporary Russia, with a basis in Russian social science.

¹ The Public Chamber of Samara Region is a consultative body of regional level. It is established as an analogue to The Public Chamber of the Russian Federation. The Chamber functioning is regulated by The Law of Samara Region.

² Samara Region Duma – a body of highest legislative power, which functions at the territory of Federal subject.

In the second part the research methodology is outlined: the interpretation of main concepts is given, the relevance of empirical analysis of consultative bodies is motivated, data gathering methods are described, and a short description of the public councils studied is provided.

The third part introduces the stages of the policy cycle as they are applied within the framework of the public councils. A 7-stage scheme of non-profit organizations' involvement in socially significant decision-making, offered by M. B. Gorny, is applied. Specific features of council activities at these stages are analyzed. Also real practices of the councils are held up against some normative, ideal-type models of civic engagement.

In the fourth part it is concluded that public councils are quite functional. This conclusion is made on the basis of comparing each stage with a normative model of civic engagement. We specify certain barriers and development potential for the functioning of consultative bodies in contemporary Russia.

1 Introduction

In the year of 2005, when the Public Chamber of the Russian Federation was established, a new stage of civic engagement institutional development started. Every federal subject and every level of authority got a newly-established consultative and expert body. They were supposed to solve the problem of taking public opinion into account while making managerial decisions. But researchers are quite critical in their evaluation of this large-scale process. They use such terms as “imitation structures” and “simulacrum” to describe the public councils and Public Chambers. For example, Vladimir Gelman (2010) treats public consultative bodies as subsidiary political institutions. However, he admits that they may reach the status of full value political actors. Such researchers as Sungurov, Raspopov, Zakharova, Petrova, Chernyshov, Tarasenko (Sungurov et al. 2012, Sungurov 2013, Tarasenko 2010, Chernyshov 2008) use Ph. Smitter neo-corporatist conception for describing the functioning of public councils and Public Chambers as examples of mediator institutions with different patterns of interaction between civil society and the state. They concentrate their attention on the historical and political context of public council establishment and development in some of Russia's regions and at federal level. Furthermore, public councils were analyzed in the stream of the public policy concept: here these bodies are treated like institutions of public engagement in “agenda”-setting. This way is represented by such researchers as Yakimets and Nikovskaya (Nikovskaya & Yakimets 2013) in a range of research studies in the period between 2009 and 2011 in thirty Russia's regions.

All the researchers make similar conclusions: they admit minor political weight of such consultative bodies and emphasize the advisory nature of their decisions. Meanwhile public councils keep on functioning in Russia. Consultative bodies are being reshaped

through a realization of their functions of civil society interest representation towards governmental and public (social) control authorities. New normative documents have emerged, such as the Law on Social Control, and working standards of public councils under federal executive authorities (2014). We suppose all of this to be a strong motivation for analysis of the present functioning of public councils at the micro level for a further conceptualization of functions, roles and perspectives of such institutions in the political system.

2 Methodological issues

2.1 Theoretical framework

The interpretation of public councils in a classical way as a form of civic engagement serves as a basis for the analysis. The process of interaction between non-profit organizations, civil activists and bodies of power on the basis of public councils serves as an object for the analysis. For an assessment of the effectiveness of consultative bodies, it is reasonable to treat this process of interaction as an administrative cycle – from stating a problem to control over decision-making. Meanwhile, the content of every stage of this cycle is tested for its correspondence to some «ideal» mode of public council functioning. It is not critical for us what term to be used to describe this «ideal» mode: partnership (Sungurov & Nezdyurov 2010), civil control (Arnstein 1969), normative model (Gorny 2006) or some other. In their most basic form all such civic engagement typologies resemble one another. They are similar in the following ways: being a type or an institution of civic engagement, public councils form or participate in setting up a list of significant questions for societal debate. They engage public organizations, i.e. socially and politically active citizens, in decision-making and implementation. They exercise control over governmental institutions, and provide two-way communication between citizens and authorities.

Treating public councils of modern Russia as forms (or institutions) of civic engagement may be judged as unnecessary and useless. The conclusions seem already to have been made in the literature, the labels describing them are fixed («simulacrum», «imitation structures», «drivebelts»), thus the perspectives are unencouraging. But often such conclusions have been made with no or limited empirical analysis. When getting to the empirical level, researchers have discovered public councils which operate in

ways close to the ideal model, and tendencies of the development of public institutions that testify to positive perspectives. That is why there is no reason to suppose that analysis of public council in terms of civic engagement at the level of separate institutions or separate regions should be considered already exhaustive or useless. Our findings will satisfy a question what tasks are set and how they are being solved by public councils, and further – what is the role of public councils in the policy-making process.

2.2 Data and methods

The paper is a part of a 3-year Norwegian-Russian research project on network governance in Russian regions, funded by the Research Council of Norway under the NORRUSS program. The project objective is to analyze if application of theories on governance networks in Russia is feasible by looking into different forms of public councils in three policy fields: integration of migrants, drug policy and child protection. The geography of the project includes two federal subjects – Saint-Petersburg and Samara Region.

During the project activities our interest was attracted to the Public Chamber and consultative bodies under the legislative and executive authorities of Samara Region such as the Public Chamber of Samara Region, and the Public Council under Samara Regional Duma which was renamed Non-Profit Organization Council on October 28th, 2014.

The above-mentioned consultative bodies differ from analogue institutions, established under federal and regional authorities bodies both when it comes to the mechanism of membership formation, and the goals which are stated in normative documents (Statutes).

Field research was carried out from July to September 2014. We conducted three semi-structured interviews with participants of the platforms, but also with two independent stakeholders who do not belong to these public councils. A general interview guide was elaborated for every key audience. Still it was possible to adapt it to the specific nature of the informant and the council. Project researchers were also conducting observations of network meetings. The aim of the observations was to examine agenda-

setting, presence or absence of debate and critical voices, negotiations and decision-making.

Both Councils have a two-level structure; they include committees and divisions formed for a concrete sphere of society. We chose one committee from each Council with topics that correlate. This was the Committee of Communication, Information Policy, Civil Society Development and Charity of the Public Chamber of Samara Region and Civil Human Rights Defense Division of Non-Profit Organization Council. When describing the results of our research we set boundaries to the extension of the findings by specifying whether they are applicable either to a certain committee/ division or to the whole council.

As extra data we have used results of public councils monitoring carried out by Free Opinion Research Group in April and May 2014 with support from the Public Chamber of Samara Region. This monitoring concerned analysis of structural and functional characteristics of consultative bodies established under federal, regional and local government bodies. The analyzed data included official information about activities of each council which they presented in response to a request of the Civic Chamber of Samara Region. The range of monitored questions included work procedures of the council, its information policy, and the way it implements the goals set in the normative documents.

For considerations of privacy informants were promised to be treated anonymously, and for citations in this paper we only refer to a respondent category and the name of the council. We did not investigate any activities that take place outside the council meetings unless such processes were specifically mentioned during an interview. This concerns personal interaction, lobbying for some issues in the bodies of government, and so on.

Although findings in this paper are based on the operations of only two councils we would argue that it is still possible to make some theoretical generalization that builds on extensive project data from previous projects and existing knowledge about the development of consultative bodies in post-Soviet Russia.

2.3 Background and context

In April 2014 thirteen public councils under federal authorities, thirty one public councils under regional authorities and more than thirty public councils under bodies of local self-government were operating in Samara Region.

The system of public councils in federal subjects is determined by the set-up of the governmental system of the Russian Federation, by current political tendencies, and by the configuration of interrelations between authorities and society in each specific region.

The upper level consists of public councils established under the bodies of federal authority. The middle level is public councils under the bodies of regional executive and legislative authority. At the level of municipal units (cities and rural areas) we find public councils under bodies of local self-government.

Besides all these mentioned institutions, the establishment of special public councils for independent evaluation of the quality of social services quality was legislated in 2014 by the Law “On Introducing Amendments to Certain Legislative Acts of the Russian Federation for Issues Relating to Independent Quality Evaluation of Services to Organizations in the Sphere of Culture, Social Service, Health Protection and Education”. Such councils may exist at all the three above-mentioned levels. However, the consultative bodies may also have such an independent evaluation function as part of their own responsibility.

In this structure, formally located at the second (regional) level, two consultative bodies have a certain specific nature. The first of these is the Regional Public Chamber (the Public Chamber of Samara Region), and the second is the Council of Non-Profit Organizations under Samara Regional Duma (until November 2014 its name was the Public Council under Samara Regional Duma).

According to the documents of entitlement, the functioning of the Non-Profit Organizations Council under Samara Regional Duma is aimed at «enhancement of the role of non-government non-profit organizations within the process of Duma decision-making». The Council should guarantee the wider public's participation in

the process of rule-making and analysis, as well as the evaluation of law enforcement effectiveness in Samara Region. In practice, however, the activities initiated by the Council do not match with these stipulated functions. Particularly the Council holds a contest «Best Public Council under bodies of local self-government of municipal units in Samara Region» aimed at «enhancement of the role of public consultative bodies established under bodies of local self-government of municipal units in Samara Region in solving problems of local significance and in citizen engagement to administer local self-government» (Contest Regulation). Here the wide public engagement to the process of rule-making is only one among a wide range of goals. Such an institutional design is determined by the history of the Council establishment and by the specific nature of interactions between non-profit organizations and authorities in Samara Region, as well as by the status of the Council Deputy Chairman as one of the leaders of civil society in the region at the turn of the XX and XXI centuries. One more specific feature of the Non-Profit Organizations Council is its being formed on the base of the principle to represent non-profit organizations, not individuals.

The Public Chamber of Samara Region is a regional analogue to the Public Chamber of the Russian Federation. It has a very wide range of functions – from «shaping public opinion and bringing it to the attention of government and local self-government bodies» to «exercising public inspection of the activities of government and local self-government bodies, as well as of the adherence to the right of freedom of expression in mass media». At the end of 2014 the Public Chamber of Samara Region won the first prize among other regional chambers for its activity level in cooperation with the federal Public Chamber. The principles of the functioning of the Public Chamber and of its interaction with the wider public are governed by federal laws and also by a particular statutory legal act, Samara Region Law. It stipulates a special mechanism of forming the Chamber membership, whereby the Samara Region Governor, the supreme regional legislative body (the Samara Regional Duma), and members of the Council themselves, who select representatives from public councils under municipal authorities – participate as equals. Thus, the regional Public Chamber must act as a coordination body which guarantees interaction between executive, legislative authorities and the wider public.

2.4 Methodology of research on the interaction between public councils and the authorities

We shall in the following describe the process of interaction between non-profit organizations, civil activists and authorities within the framework of the public councils. We use as a framework the steps involved in policy-making, from posing a social problem to taking measures to solve it. Our approach is based on the scheme of stages according to which non-profit organizations engage in decision-making on socially significant issues, a scheme which was formulated by M. B. Gorny and consisting of 7 stages (Gorny 2006, p. 2):

1. Problem identification.
2. Search for alternative solutions.
3. Lobbying.
4. Decision-making.
5. Decision implementation.
6. Monitoring.
7. Control.

We suppose that it is difficult to set the exact boundaries of these stages. Also the specific characteristics of the engagement of non-profit organizations in decision-making specifically within such civic councils should be taken into account. This is why we shall not artificially apply the governance process exactly in accordance with Gorny's seven-stage scheme. Instead we shall group them according to the detected logic of the functioning of civic councils.

3 Interaction between government bodies and non-profit organizations in the process of governance

3.1 Problem identification

Identification, according to M. B. Gorny, is to distinguish of one problem out of many – the problem which has to be discussed and solved within the policy system (Gorny 2006, p.9).

In the context of public councils the stage of identification consists of forming a working plan for half a year or a year, of setting the agenda for particular meetings, including those that arranged ad-hoc or outside of the planned schedule.

How does such an identification of a socially significant problem take place, keeping in mind that the discussion and participation in solving it sets the agenda of the public council?

In an ideal situation each of the public council members, being a representative of a non-profit organization and thus of a certain social group interest, must promote such problems during the discussions at the meetings of the public councils:

“I was recommended by the Association. For 15 year I’ve been the President of Health Insurance Company Association in Samara Region. [...] I mean questions of health care financing, dealing with insurance principle in particular. Here I can give a kind of a

push, or not a push, not some lobbying but more or less adequate idea of what is really going on here.”³

Furthermore, council members introduce to the agenda some topics which are determined by their social and political preferences, goals in life and professional activity:

“As far as I have two educations – medical and economic – I make use of both. I deal with economics in the sphere of health care. As a citizen I'm interested in the process of civil society development and everything relative to this, including its economic aspects. The council deals mainly with economics – conception, development.”⁴

It is suggested that out of the range of socially significant problems and ways of their solving they should distinguish those that will set the overall agenda of the Council and will be promoted through this. But in practice such an explicit selection rarely takes place.

There are no formal barriers which would prevent any topic from entering the agenda. Interviewed members of both councils spoke about freedom to offer any question for discussion. In organizational terms it may be realized in the form of entering an «Other» point to the agenda (it takes place in such a way in the Public Chamber of Samara Region) or adding such an issue to the list of issues for discussion (it takes place in such a way in the committees of Non-Profit Organizations Council under Samara Region Duma).

One of the reasons is low activity level of most council members.

“With the exception of four to seven organizations which [...] do the real job, the remaining ten only show up and sit there quietly. To them to come four times in half a year just to sit quietly is already quite a lot of effort.”⁵

³ Interview with a member of the Public Chamber of Samara Region

⁴ Interview with a member of the Civil Chamber of Samara Region

⁵ Interview with a member of Non-Profit Organizations Council under Samara Region Duma

Agenda-setting and planning is the prerogative of the council chairman and a close circle of activists, motivated to get some benefit from active participation in council work, or characterized by an active civic stand, some engagement:

“As a matter of fact I’m not an indifferent person, in general. Perhaps it’s in vain, and maybe it’s too much, but I engage in about anything worth engaging in at this moment. That’s why I thought that the Public Chamber is a platform where, when conditions are right, we may get something useful done.”⁶

Also there is no evident mechanism of preventive nature which could limit any citizen’s (not a member’s) capability to identify a problem and to introduce a topic for discussion. It is easy to find information about the councils: both the above-mentioned councils have public information sources (Internet sites, newspapers, TV programs) showing contact information and meeting schedule. Administrative buildings where the Public Chamber of Samara Region and Non-Profit Organizations Council under Samara Region Duma meet are in the historic center of the city and easily accessible for pedestrians and for transport. Entering the Public Chamber building requires no special permit, unlike the building where the Non-Profit Organizations Council under Samara Region Duma is located. Here one needs to declare one’s desire to participate in a meeting or to make an appointment in advance to get a permit. But as our research informants stated there have never been any refusals:

“Has anyone been refused to register to our meetings?
No, no one ever has.”⁷

But there are some mild informal barriers which minimize the possibility that any topic from “people from the street” may enter the agenda as well as that such people may enter a meeting.

Such barriers include low accessibility of information about planned meetings. How does it take place? Normative documents of both councils set no order of informing about working plans except the General Meeting of the Council under Regional Duma

⁶ Interview with a member of the Civil Chamber of Samara Region

⁷ Interview with a member of the Civil Chamber of Samara Region

which takes place twice a year. As for the existing practice of informing the general public, announcements appear only one to three days before the event while long-term plans are not published at all:

“To my mind, I may be mistaken, but the Public Chamber Internet site here, not sure, let’s check if there’s a working schedule of our committee or not. I’m not sure there’s any.”⁸

As a consequence an organization or a citizen, who wants to participate in a meeting, has no objective possibility to analyze the agenda, and to get prepared for a competent discussion:

“Do you suppose that we must every day, every hour keep a close watch on all the documentation which is issued at your Internet site just to grab in time an idea of a project we are welcomed to discuss? More often than not, probably, the needed document is really issued but on the very eve of the meeting. Or you simply, due to some circumstances, you do not visit the site, had no chance, and at that very moment the document appears and disappears again.”⁹

“How should I prepare myself? For example, the next meeting is tomorrow or even in a week. [...] Very often many people simply do not have enough time to prepare some questions. Do not know and do not have enough time to get prepared.”¹⁰

Such an uninvited participant, not prepared to discuss the scheduled topic of the meeting, introducing ideas which are irrelevant to the agenda, functions and working format of a committee or a division, is treated negatively by the council members:

“Then some uneducated elderly people arrive, with due respect to them. [...] When we ask if there are any questions in the audience they stand up and say: “Our

⁸ Interview with a member of the Civil Chamber of Samara Region

⁹ Interview with an independent stakeholders, scientific community representative

¹⁰ Interview with a member of the Civil Chamber of Samara Region

hearts swell with hurt and anger! And to such an extent!” And they start telling things which have nothing to do neither with the agenda nor with ways of solving a problem. [...] So they are absolutely ignorant about a topic or the form, rules of procedure or about the authorities.”¹¹

“I mean our technologies are not yet sufficiently developed and worked through in order to deal with any accidental participant from outside. Moreover he comes not alone – N. always comes with a group of students. This may turn into a farce, you see.”¹²

In practice, according to informants among members of these councils, in the everyday operations of a particular committee of the Public Chamber or Non-Profit Organizations Council, there were no situations when uninvited persons had participated actively in forming the agenda of issues to be raised. Combined with a low activity level of members themselves the issues included on the agenda are initiated by the chairman of a committee or a division, or by some active member of the committee/division. Using the terminology of Gorny, and with the above-mentioned limitations and barriers in mind, we have explained how problem identification takes place in the two regional consultative councils studied.

3.2 Search for alternative solutions and lobbying

After identification of the range of problems to be solved or promoted by a public council comes the stage of formulating problems in the form of goals, and of preparations for how to reach these goals. This complex of activities in Gorny’s classification belongs to the stages of search for alternative solutions and lobbying.

Due to the nature of councils as a form of civic engagement, an ideal instrument of a search for alternatives is discussion during a

¹¹ Interview with a member of Non-Profit Organizations Council under Samara Region Duma

¹² Interview with a member of the Civil Chamber of Samara Region

council meeting. Public solving of socially significant problems must fulfil a goal of reaching consensus, all-round analysis of the questions included to the agenda, and figuring out ways of solving the problems. But neither the Civil Chamber of Samara Region, nor Non-Profit Organizations Council under Samara Region Duma has this function of discussion fulfilled completely.

Public discussion is seldom followed by offering any alternative solutions except those announced by the speaker. A number of comments may be added to a record of a meeting prepared beforehand or to a resolution. But these comments do not represent any alternative solution. They are only additions, specifications of a project, prepared in advance:

“As usual, we have either an addition or simply a new point introduced to the question – the point that appeared during our discussion.”¹³

When different solutions are introduced and being discussed it surprises even members and invited guests themselves – they expect a meeting to have a typical form of informing:

“My interventions appeared significant. Two thirds voted for this proposition. Mothers shed tears; they did not expect such a strong support. They thought it would again be a kind of “we approve” style.”¹⁴

In practices of both researched councils there are no formal barriers which limit freedom of expressing one’s opinion directly during a meeting. Each participant who has a will also has a possibility to speak.

So what are the reasons for downgrading the role of public discussion as a way of searching for alternative solutions and their selection? We can identify at least two of them. The first is the low activity level of most public council members who use this institution to solve, among others, problems of their personal status in the sphere of social activity. The second is the spreading of bureaucratic, routine methods of operation in the council, when

¹³ Interview with a member of Non-Profit Organizations Council under Samara Region Duma

¹⁴ Interview with a member of Non-Profit Organizations Council under Samara Region Duma

a public speech takes the form of a report, and when the process of transforming a socially significant theme from a problem to a project of solution is performed by the responsible person before and not during the presentation at the meeting.

The Regional Public Chamber and Non-Profit Organizations Council differ in the degree of bureaucratization of this stage of search and selection of an alternative solution to the social problem. The Public Chamber is closer to a routine and bureaucratic style. Here not only the chairmen but also average members treat the meetings as a certain report event:

“Real work is performed not in the form of meetings, no way. As for the meetings themselves, they must give the general direction, they must give the council members the impression that they are being listened to.”¹⁵

The Non-Profit Organizations Council more often uses meetings as a discussion platform. However, a low activity level of most members in a number of committees downgrades this achievement too.

Instead of public discussion (or together with it) both councils use such mechanisms as agenda setting (plan of work) and meeting record-making (resolution) for alternative solutions search, selection and lobbying. It is while these documents are being prepared that the selection of topics or solutions and clash of opinions take place.

The procedure of preparation of these documents and the circle of participation in it depend on specific characteristics of the council and also on a council or its division chairman’s perspectives on the goal and the objectives of this very consultative body.

The Chairman of the Committee of Communication, Information Policy, Civil Society Development and Charity of the Public Chamber of Samara Region sees the goal of this body as to perform an obligatory number of activities per year. For other topics which are not in frame of activities, the committee must, at

¹⁵ Interview with a member of the Civil Chamber of Samara Region

least, formulate and present some plans for their solution to governmental bodies:

“And for my committee, I said, we must get pragmatic decisions, at least once a half year we must do something solid – easy to touch [...] It’s natural that the main aim of a committee chairman is to lead a committee to a decision during a meeting – a decision which we may then fulfil.”¹⁶

In the Civil Human Rights Defense Division of Non-Profit Organization Council under Samara Regional Duma the role of the council is viewed as informing the general public about relevant questions, discussing these questions with participation of non-profit organization and authorities:

“We want to have a dialogue, and to get maximum information and to reach some concrete results after the division meeting [...]. As for the meeting itself it is mostly discussing some questions, making recommendations.”¹⁷

The starting point in the formulation of topics for discussion in both councils is the initiative of the council members. But these proposed topics are being controlled and corrected in order to reach the Council’s goals in the way the chairman understands them. Who performs the function of editing the proposals? It is the committee or division chairman, the council chairman, the central representatives of the council, who, as in the case of Non-Profit Organization Council, are employees of a state governmental body – the Regional Duma:

“The agenda is being set by the committee chairman together with the head of information and organization support, I believe, of the Regional Duma. Because we still may announce some questions, yes, but we need to formulate them in a competent way, in a language, so to say, which is needed within this kind of work. Surely Regional Duma staff members help.

¹⁶ Interview with a member of the Civil Chamber of Samara Region

¹⁷ Interview with a member of Non-Profit Organizations Council under Samara Region Duma

[...] So we make such a project out of the agenda setting, we present the agenda to them. Then they do the same with theirs – I do not know who, with whom they approve it, but they seem to approve it with someone too.”¹⁸

“As usual, it’s one person who prepares it, but in any case he/she addresses it to the committee chairman, asking for support in this or that way. And he/she gets this support.”¹⁹

We cannot say that topics which are politically sensitive or unpleasant for the authorities are excluded from the agenda. There is no confirmation of this neither in our interviews nor in monitoring reports. However, what we can say for sure is that some topics which do not coincide with a chairman’s perspective of the goals and objectives of a consultative body (a committee or a division) are filtered out:

“There is a committee where they explained to me in a well-reasoned way that my opinion mattered but that it would not become the topic for discussion because others are not interested in it. It did not matter what my personal reaction to this was. I understand that it is true – none of those who sit here at the table is interested in it.”²⁰

For example, at the Committee of Communication, Information Policy, Civil Society Development and Charity of the Public Chamber of Samara Region and at a plenary meeting of the whole Regional Chamber topics which would not be developed to the level of managerial decisions in the context of the current political and economic situation were filtered out:

“You simply know what to miss. I may say about the Committee of Environmental Protection and Ecological Security. They present almost all the

¹⁸ Interview with a member of Non-Profit Organizations Council under Samara Region Duma

¹⁹ Interview with a member of the Civil Chamber of Samara Region

²⁰ Interview with a member of Non-Profit Organizations Council under Samara Region Duma

projects, all the decisions to the presidium and as a rule [...] they all vote “against” them. Because mostly these decisions are very immature, blue-sky – “let’s close, let’s prohibit, let’s break the dam”.

At the committee of Non-Profit Organizations Council there is practically no selection of problems because it is the chairman’s prerogative to set the agenda (that is to identify problems).

The next instrument of the selection of alternative solutions and also of lobbying is to invite social organizations and scientific community representatives to the meetings. Such a practice is widespread and is used practically at every meeting.

In addition to functions of mobilization, informing the general public about certain matters, providing all-round analysis of a sought problem, reaching inner goals actual for a speaker, the invitation of the so-called “experts” functions as support of the topic being promoted by a speaker:

“Trying to bring a consolidated position to the according authority’s attention, well-reasoned, supported by experts, some expertise, conclusions, some other forms of support”.²¹

As far as formulating a topic takes place in cooperation with the chairman of a committee or a division and with the council permanent staff as well, a list of those who are invited is set up also by these persons. The initiative is with the speaker, but if he or she expresses no preferences, a circle of invited experts is formed by the chairman together with the council permanent staff:

“The decision is made by the chairman. If a member of the committee is preparing some topic he addresses their chairman about it and about invited persons as well.”²²

Common criteria for both councils’ selection of invited public representatives are their competence on the topic of discussion

²¹ Interview with an independent stakeholders, scientific community representative

²² Interview with a member of the Civil Chamber of Samara Region

and their status, which gives the possibility for the council to demonstrate its own status.

As was also the case for agenda-setting, choosing the number of invited guests and selecting concrete personalities is determined by the chairman's perspective upon the goal and objectives of the consultative body. In the Committee of Communication, Information Policy, Civil Society Development and Charity a specification and detailing of a topic to the level of a managerial decision has to accompany the list of invited experts. In the Civil Human Rights Defense Division the invited have to represent different subjects interested in the announced topic. This elevates the status of an identified problem to the rank of being "socially significant":

"We invite some specialized professional organizations which we need while discussing this or that question if their presence is right from the practical, pragmatic point of view."²³

"We always invite, we try to gather a varied audience."²⁴

Representatives of large organizations, leaders in specific sectors, are being invited to committees of the Public Chamber. This supports the status of the council. To the divisions of Non-Profit Organizations Council there are no such strict requirements to the status of the invited but a requirement to their competence and interest in a sought question is underlined.

Besides the preliminary preparations of topics for presentations and public discussion the Public Chamber has yet another instrument for selection of issues to be brought up: This is the appraisal of the projects' decisions by members of the council who have working experience from a government or local self-government institution or collaborated with them for a long period of time. Such experts know the stages which a document passes within a power institution, the limits of a particular official's possibilities, as well as his or her personal characteristics. All this

²³ Ibid

²⁴ Interview with a member of Non-Profit Organizations Council under Samara Region Duma

makes the chances that a problem will be identified and promoted by the council higher – chances to be heard and in an ideal case to be implemented by the authorities:

“As for me, for example, I’m really glad to have N. in the committee. He is a really well up guy: “Let’s address it to this one rather than to that one. Because this one will influence in this way, and that one – in another”. I mean, these are experienced people.”²⁵

In the operations of the public councils there is a mechanism for inviting representatives of the authorities to the meetings. Apart from providing a possibility for non-profit organizations and citizens to interact with authorities and realizing control over authorities’ activity, this also helps to provide better opportunities for bringing the information directly to those who make the decisions. Such a way of lobbying is stated in the statutory documents of both councils. In particular in the Statute of the Public Chamber of Samara Region it is stated that “the procedure of considering a question with the presence of an official involves hearing the invited official and his/her answers to the questions of the Public Chamber members.”²⁶

We must point out an important aspect of the councils’ activity procedure which is the selection of invited representatives of power. Such selection needs certain competence, clear understanding of each invited official’s functions and of inner processes within bodies of the government. A successful solution to a problem depends to a great degree on who was invited and motivated to come:

“He reads carefully, he will examine, he will ask the necessary questions. If he thinks “no”, he says: “Address this to deputies”. [...] But this is again related to a personality. And our chairman is a man who orients himself. He spent his life within these

²⁵ Interview with a member of the Civil Chamber of Samara Region

²⁶ the Statute of the Public Chamber of Samara Region, article 16, point 4 <
http://www.op63.ru/index.php?option=com_content&view=article&id=166&Itemid=41>

structures, he orients himself. [...] Each question deserves a certain level.”²⁷

As a consequence, the selection and specification of the list of invited representatives from the authorities is the prerogative of the committee or division chairman together with the council permanent staff. This mechanism is being realized not because of council members desire to please authorities but because of the need to invite competent persons, who really make decisions or influence decision making.

“The thing is – if an official can’t come and sends some senior specialist who will monotonously read the text and then will answer every question like this: “I’m from a different department, it’s not my authority”, then a wave of emotions arise within us.”²⁸

3.3 Decision-making and execution

After approval of a meeting agenda and enlisting of activities needed for promoting a topic to the authorities comes the stage of decision-making and decision execution. At this stage the role of public councils as institutions is minimal. We agree with Gorny (2006) that in this case only direct personal contacts of public council representatives with decision-making persons is effective.

When it comes to some informal contacts outside council meetings, as well as ways of lobbying outside the framework of the councils, this has not been part of our research. We shall pay our attention to what is important at this stage: was an interaction and mutual understanding between a chairman of a division, a committee or a council and a head of a sectorial governmental institution responsible for decision-making reached or not?

“It’s even more evident that with those ministries which are interacting somehow with a head, a chairman of a committee – there it comes easier.”²⁹

²⁷ Interview with a member of the Civil Chamber of Samara Region

²⁸ Interview with a member of Non-Profit Organizations Council under Samara Region Duma

²⁹ Interview with a member of the Civil Chamber of Samara Region

The second factor which influences the effectiveness of the interaction between a public council representative and a governmental institution in the process of decision-making and decision execution is coincidence of a problem, identified and promoted by a council, of mechanisms of its solution and of the departmental interests of governmental institutions:

“It’s evident that they have certain departmental priorities. And if they see that the question belongs to their sphere of interest they do the job. If not – so they don’t.”³⁰

Institutional participation of the public in decision execution, particularly in the organization of events, and in the distribution of subsidies and grants, is possible only if a legal framework exists for this purpose. If the interaction between a governmental institution and the public is limited only to participation in execution of decisions made by authorities, it is characteristic of an instrumental model of interaction between power and civil society which is described in quite a detailed way by Yargomaskaya and others (Yargomskaya et al. 2004). This form of civic engagement to the solution of socially significant problems narrows the way of interaction between governmental institutions and representatives of non-profit organizations even more than the above-mentioned mechanisms of limitations to public involvement.

3.4 Monitoring and control

The last stages in Gorny’s typology are monitoring and control of decisions that have been made. We shall use the definitions by Gorny. Monitoring is “regular scrutiny of how a made decision is being executed, and informing about the results of such scrutiny” (Gorny 2006, p. 14).

Both councils include the practice of monitoring the response of the authorities to decisions or recommendations made by the council. This function is performed by the council permanent staff. Monitoring takes place every half year or every year.

³⁰ Ibid

“As a rule at the end of the year we get a report from the Regional Duma that a certain number of recommendations was received, and that a certain number of them was executed.”³¹

Due to the fact that the Public Chamber and, in particular, the analyzed committee seek to get recommendations of the council accepted by the authorities, they follow the practice of monitoring the feedback to every request addressed to governmental bodies:

“When I return from a committee meeting, I have some recordings with me. Then I go through it all. If I have missed anything, I add it all to the file. The chairman stands up: “Do you remember here, we discussed placing an airplane next to the Samara Cosmic³²?” I see. I take the “Samara Cosmic” file and show – this one and this one. Here is a letter addressed to the police, the access number is the following, the reference number is the following, here is their reply, here is my letter to a deputy of Samara Region Duma.”³³

This practice is quite different from the one of the Council division under Samara Regional Duma, the main function of which is seen by its chairman and activists as the organization of a discussion and informational platform. As a consequence monitoring is performed here in the form of getting some generalized information which shows some final figures over the number of recommendations from the division and the replies to them from the authorities:

“As a rule, at the end of a year we get a report from the Regional Duma that a certain number of recommendations was received, that a certain number

³¹ Interview with a member of Non-Profit Organizations Council under Samara Region Duma

³² Exhibition Centre in Samara devoted to space exploration and space industry

³³ Interview with a member of the Civil Chamber of Samara Region

of them was executed, of quite a generalized character.”³⁴

The strength of the decisions made by social and consultative bodies is small. They have the character of recommendations which makes it possible for researchers to say that such institutions have no real power and political weight (Sungurov et al. 2012). According to the Public Chamber of Samara Region Law, the Public Chamber makes decisions of an advisory nature, except organizational decision on the Chamber’s activity (The Law of Samara Region 2014). Analogue point exists in Thesis on of Non-Profit Organizations Council under Samara Region Duma (outdated edition) where it is stated that “decisions of the Council have an advisory nature and are issued at the Duma’s Internet site” (The Statute of Non-Profit Organizations Council under Samara Region Duma 2014, article 4, point 4.4).

As a consequence, authorities have no need to report to the councils and to respond to their requests. So they often do not:

“Two years ago we checked everything we did during a year in a lump. Checked everything that had been written, then written additionally and what feedback there was. And, if I’m not mistaken, the percentage of execution was around twenty.”³⁵

Often the authorities’ responses to recommendations and requests from the public councils have a general form. At the time of writing of this paper there were no accepted regulatory legal acts which would oblige governmental bodies to report to councils on details of decisions made.

“Unclearly defined mechanisms – they give the opportunity to write a response, like “yes, examined”, [...] “taken into consideration”. But what exactly followed, I mean exactly?”³⁶

It is likely that this weak point will be responded to when the previously mentioned Social Control Law comes into force. In this

³⁴ Interview with a member of Non-Profit Organizations Council under Samara Region Duma

³⁵ Interview with a member of the Civil Chamber of Samara Region

³⁶ Ibid

law the subjects that should control authorities are, among others, public councils.

The stage of control which, according to Gorny (2006), presupposes evaluation of the decisions made on the basis of a council's recommendations for their implementation and of their social impact, is realized to a certain degree only by the Regional Public Chamber, and not by the division of the Council under the Regional Duma.

In general during our monitoring of public councils we found that the control function appears on the stated list of objectives of the consultative bodies only in every second case. As a consequence every second council does not have the right to control if decisions made on socially significant issues are taken into consideration by governmental authorities or not. Moreover they do not have the right to assess the impact of these decisions.

Surely, governmental bodies do need to demonstrate their attention to civil society because this is part of the current "agenda". We also do not deny a constructive approach of some authority representatives to consultative, collective bodies, who acknowledge their usefulness. But the engagement of public councils regarding the discussion of some matters is not the same as to say that they have access to controlling the activities of the authorities. Governmental bodies are not ready to accept such a function of the councils. Often the councils themselves are not ready to accept such a function as well:

“- Is this the nature of the Public Council? Is it stated in writing that there's no feedback?

- The thing is that this does not influence its work at all. The next meeting will be devoted to a new agenda, which is in no way linked to the previous meeting.”³⁷

If there is no formal monitoring of whether a problem has been solved in accordance with the decision of the council or not, there are other accessible ways for council members to determine whether a problem has been solved: whether it appears on the

³⁷ Interview with a member of Non-Profit Organizations Council under Samara Region Duma

agenda a second time is the first, the second is through informal contact with representatives of the authorities:

“The fact that they turn back to the made decisions and in their speeches they say “do you remember” gives us an opportunity to guess that in general decisions are being executed.”³⁸

³⁸ Interview with an independent stakeholders, scientific community representative

4 Concluding remarks

We have described the process of interaction between non-profit organizations, civil activists and governmental bodies as a governance cycle based on our study of two committees of two regional public councils. A scheme of stages of engagement of non-profit organizations in socially significant decision-making offered by Gorny served as a framework for our study.

Our research gave us an opportunity to analyze the functioning of public councils, a topic which is often left beyond the scope of articles and research devoted to civil activity and public policy institutions in contemporary Russia.

By analyzing public councils as an institutionalized form of civic engagement we presume that they have to mobilize non-profit organizations and active citizens, to unite the opinions of all the subjects interested in the solution of socially significant problems, to contribute to an understanding of the general public of processes and mechanisms of preparation and decision-making by responsible offices, to control and estimate the implementation of such decisions, and to inform general public about this.

Our research has shown that an identification of the widest possible range of problems and needs is not the way the public councils function. In the Public Chamber this is caused by some specific ways of appointing council members and also by some barriers which diminish the possibility that some topics, offered by representatives of the general public but not members of the Chamber, would be considered. In Non-Profit Organizations Council the gathering of opinions of all interested citizens is not limited by barriers that are typical for the Public Chamber. Nevertheless, its effectiveness is low due to a low level of activity of most members.

Exchange of opinions, search for alternatives, their evaluation and selection seldom takes place in a form of discussions during meetings in the councils and their committees. Instead of public discussion (or together with it) councils rather use communication between their members in the process of agenda-setting and resolution-making. During such communication problems are being formulated and solutions are being selected. Such communication, however, takes place only among a limited number of council members. The leading role in this communication belongs to the chairman of a council, a committee or a division and representatives of the permanent staff which is responsible for the organization and support of council activities. Meetings often take the form of report presentations, and they may result in supplements but not fundamental changes to a project.

The invitation of public organizations and scientific community representatives to meetings represents an instrument of generalization and the preparation of solutions to the problem. Moreover, this helps to demonstrate the status of the council as a consultative, collective body. The circle of those who are invited is formed by the same personalities who participate in agenda-setting. This reduces possibility of introducing any alternative perspectives, but at the same time it enhances the possibility for a topic to be promoted to governmental bodies.

Lobbying, a legal way of influencing authorities, as well as some processes which are left behind closed doors outside the scope of the meetings, are made possible through the invitations of representatives of interested offices to meetings. The main requirements to the representatives of governmental bodies are their competence within the relevant area and their status seen in relation to the level of the council.

Decision-making and execution are the function of governmental bodies. At this stage the engagement of public councils is possible if there is a well-organized interaction between a council, a committee or a division chairman and the relevant government office, and also if a topic promoted by a council corresponds to departmental interests of state or municipal bodies.

Though there are challenges and limitations in the functioning of consultative bodies in the form of identification and general

analyses of significant problems performed by councils, the function of control is the weakest point among the activities of collective consultative bodies. This is not because the regional Public Chamber and the Council under Regional Duma do not put efforts in this direction. Rather it is because neither the authorities nor the councils themselves are ready for such control.

Nevertheless, some significant questions identified and worked through by the councils are taken into consideration by the authorities. Some managerial solutions are made for these questions, and the implementation of such decisions is monitored by the councils. What contributes to this besides factors of structural and institutional nature?

First, it depends on the personal power of council members. This is confirmed both by previous research on civic engagement in Russia and by our informants. This power may be expressed in terms of an interest in solving a problem, in some “burning desire” or in a competent approach to a problem solution by means of interaction with governmental bodies, understanding of “possible” and “impossible” boundaries, and being ready to cooperate.

Second, there are some contextual factors. As stated by Jann and Wegrich, “Lots of research in western countries shows that the main criterion of success, when a problem enters political agenda, is not factors of “the objective need to solve a problem” but a lucky situational constellation of interested actors, institutes, the current state of public opinion and ideas on strategies of solving a problem”(Jann & Wegrich 2003 cited in Gorny 2006, p.10). We made an analogue conclusion: when the current state of public opinion and policy agenda coincide, and all procedural requirements are followed, this increases the chance that a problem would be solved with the help of a public council.

To conclude, we would not be pioneers to say that public councils at the regional level do not fulfil all the functions of civic engagement. However, the empirical data collected during our research has helped us to identify the barriers and potential for improvements when it comes to the functioning of consultative bodies. These data, through further examination at the level of theoretical generalization, can contribute to the analysis of Russian political institutional design, and to the development of a terminology that adequately can describe perspectives on civil

public engagement in contemporary Russia. Research on changes in the configuration of various political institutions, determined by the transformation of the functioning of public councils towards public control and expertise, is therefore highly relevant.

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