**Social Rights in Russia: Past Imperfect, Future Uncertain**

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**Chapter 1 - Introduction**

*Ye who sit in ease, and solace yourselves in plenty, and such there are in Turkey and Russia, as well as in England, and who say to yourselves “Are we not well off,” have ye thought of these things? When ye do, ye will cease to speak and feel for yourselves alone.*

 Tom Paine (1791;2014: 341)

The questions of what the state should provide to its citizens; how expectations of the state’s role in the social sphere are shaped by a country’s political and historical context; and how civil society can attempt to advocate for recognition of citizens’ social rights lie at the heart of this study. The notion that as a citizen of a recognised nation-state one is entitled to the public provision of goods and services such as housing, healthcare and social security has not only been contested for several centuries but remains so today, with social rights constituting ideological, fluid and changing constructions (Dean 2015). Whether the debate concerns the extent to which recipients of state social benefits indicate the appropriate behaviour to be ‘deserving’ of this support, or whether those forced to move to a country as refugees or asylum-seekers should be entitled to similar benefits to those enjoyed by ‘ordinary’ citizens, the idea of equal and universal entitlement has become increasingly politicised and at times dismissed even by those positioning themselves on the Left as outmoded. This tendency has been exacerbated at times of economic crisis, with the most recent global financial crisis of 2008-2009 providing the impetus for the introduction of a new ‘austerity’ agenda in much of Europe, bringing with it swingeing cuts to public spending and an increased reliance on means-testing and other forms of limiting entitlement. While these questions could usefully be applied to any country case-study around the world, exploring them in the context of contemporary Russia has much to tell us in terms of how social rights are perceived in a country with a long history of Communist and autocratic rule. Exploring these issues can also reveal how the relationship between the state and its citizens develops in countries moving from a totalitarian regime to whichever type of political system takes its place, and of how welfare states and citizens’ perceptions of them function in authoritarian regimes. They also raise further questions of civil society organisations in these authoritarian regimes respond to the state’s chosen social policies and attempt to mitigate the effects of changes in welfare provision which impact upon citizens’ enjoyment of social rights. As a result, Russia provides a rich case study for exploring these questions but the issues raised have implications for similar regimes in both the post-Soviet region and the wider world.

**Authoritarian regimes and the provision of public goods**

Despite initial hopes that Russia and other nations emerging from the ruins of the Soviet Union after 1991 would constitute the ‘fourth wave’ of a transition from autocracy to democracy (McFaul 2002), by the 2000s it was clear that democratization in Russia had gone awry. Indeed, whereas countries in Central and Eastern Europe appeared to have made the transition to democracy successfully, Russia and many other post-Soviet states appeared to have become ‘adjectival democracies’ (Greene 2014: 13) which had formal democratic institutions such as elections and constitutions but nevertheless remained authoritarian in practice (Ottaway 2003). Rather than being passing phenomena, these ‘defective democracies’ in fact had the potential to become stable and to be seen by both elites and the population as a solution to the multiple problems that emerged in countries facing the painful transition from an autocratic regime (Merkel 2004:55). Putin’s time in office since 2000 has not only entrenched these tendencies in Russia but has increasingly led to Russia’s political system being characterised as a ‘hybrid’ regime combining elements of democracy and autocracy and an ‘electoral’ or ‘competitive’ authoritarian regime similar to those seen in other post-Soviet states such as Belarus and Azerbaijan and further afield in countries such as Singapore and Zimbabwe (Hale 2010; Schedler 2013; Levitsky and Way 2010). Indeed, as Schedler (2013:1) points out, electoral authoritarian regimes are now '...the most common form of non-democratic rule in the world.' Levitsky and Way (2010:5) define this type of regime as one in which ‘…formal democratic institutions exist and are widely viewed as the primary means of gaining power, but in which incumbents' abuse of the state places them at a significant advantage vis-a-vis their opponents. Such regimes are competitive in that opposition parties use democratic institutions to contest seriously for power, but they are not democratic because the playing field is heavily skewed in favour of incumbents. Competition is thus real but unfair.’ This definition can certainly be applied to Russia, where the formal mechanism for gaining, maintaining, and retaining power remains regular elections; real opposition parties are allowed to exist and, at least some of the time, to compete in these elections; and public opinion matters, yet where clientalist or ‘machine’ politics dominate and thus ‘tilt the playing field’ in favour of the incumbent elite under Putin (Hale 2010:34).

One aspect of policy within electoral authoritarian regimes which remains relatively under-explored is that of welfare policy. Yet this is worthy of further analysis since, as Desai (2009: 93) points out, repression is not enough to explain why authoritarian systems stay in power: some degree of redistribution to citizens is required in order to secure and maintain their loyalty to the regime, forming an ‘authoritarian bargain,’ or ‘an implicit arrangement between ruling elites and citizens whereby citizens relinquish political influence in exchange for public spending' (Desai 2009: 93). This is particularly important in countries which experienced Communist rule as these regimes placed great emphasis on the provision of public welfare such as jobs, social services and subsidised housing and consumer goods in exchange for political quiescence, forming a stable ‘social contract’ between the regime and its citizens. When the regimes in Eastern Europe became unable to fulfil their side of the bargain in the 1980s, this led to protests and the ultimate implosion of the regime (Cook and Dmitrov 2017:8-9). As this study will demonstrate, however, the idea that the state has certain obligations in terms of providing public goods to its citizens has continued to resonate in Russia even after the collapse of the Soviet regime and partial attempts at dismantling its extensive welfare system in the 1990s and early 2000s. As a result, a form of ‘social contract’ continues to apply in the post-Soviet Russian context of electoral authoritarianism, albeit in a much-modified and far narrower form. Cook and Dmitrov (2017:9) describe it as Putin’s ‘market social contract,’ or '...a set of state of state policies and practices that shield some population strata from the effects of market competition, at the cost of economic efficiency and productivity, in order to maintain social stability,' with an emphasis on funding pensions, industrial employment subsidies, healthcare and maternity and family benefits (Cook and Dmitrov 2017:18). While this form of social contract may be effective in keeping some elements of the population loyal to the Putin regime, its relatively narrow focus largely excludes other parts of the population and this has become particularly apparent during Russia’s recent economic crisis which began in 2014. This may in turn have an impact on the levels of public protest in Russia which have already risen in recent years and relate to both social issues such as housing and communal services, as Chapter 4 discusses, and political issues such as the large-scale protests against fraudulent elections in 2011-2012. As Greene (2014:220) points out, even within the constraints of an authoritarian regime Russian citizens are willing to mobilise around certain key issues which resonate with large sections of the public: '...the period of Putin's rule...reveals a citizenry capable of pressing demands against the state and, in some cases, winning; a citizenry capable of trust and mobilization; and a citizenry fully aware of the political realities in which it exists...Russia's election protests did not emerge from nowhere. They had roots.' There is also space for civic organisations which are interested in defending the social rights of particular vulnerable groups to step in and try to mitigate the effects of government social policy on those who do not benefit from the ‘market social contract.’

**Civil society and social rights**

Despite the often problematic relationship and well-documented tensions which exist between the Russian authorities and certain civic organisations which are discussed in Chapter 6, this study reveals that where social issues in particular are concerned, civil society in Russia has an important role to play in raising and advocating for the state’s constitutional social rights obligations to be upheld. An authoritarian political regime clearly imposes a number of constraints on the work of such organisations, particularly those which are overtly critical of the authorities and which label themselves explicitly as defending the rights of ordinary citizens. Yet, as Greene (2014:224) argues, civic groups can still find ways to work around such constraints: '...even if we remain within an authoritarian context, civil society must recognize shifts within authoritarian rule and find ways to engage with the state along those front lines where the state continues to engage its citizens.' As a result, the relationship between the state and civil society in Russia is a key focus for this study. ‘Civil society’ as a broad concept encompasses a number of different societal actors: Faulks (1999:18) defines it as ‘…those institutions and associations, including the media, economic organisations, political parties and social movements, which are not clearly part of the state apparatus and are themselves crucial alternative sites of power. The state and civil society coexist in a relationship that is both dynamic and inherently tense.' Rather than exploring the role of these many different categories of civil society actor, this study concentrates on non-governmental organisations (NGOs) which are organised, recognised as formal groups by the public and the authorities, and advocate for the rights and better treatment of specific groups within the population, as discussed below. The assumption that such organisations can have no input into decision-making by government officials and no influence on the development of public policy within such regimes can be misleading. As Bogdanova and Bindman (2016) argue, NGOs can in fact act as valuable sources of information and expertise for policymakers and are often treated as such, particularly where social policy is concerned. Duckett and Wang (2017:94;105) point out that where policymaking in authoritarian regimes is concerned, it is not simply a question of the ‘top leader’ taking decisions: '…political institutions may work differently, but they still shape access to policy influence, and not only electoral institutions are important...policy actors in authoritarian regimes are potentially just as susceptible as their counterparts in democracies to the influence of contingent external shocks and to the complex mix and flow of ideas around them… even if they are bureaucratically dominated - policy communities can be influential in autocracies.’ In China for example, a whole range of different civil society actors, including domestic and international NGOs alongside journalists and academics, helped put the issue of rural social policy on the agenda and influenced the development of policy solutions through discussion and debate (Duckett and Wang 2017:105). In Kazakhstan, Knox and Yessimova (2015:14) point to evidence of ‘…much greater interaction between state organs and the non-governmental sector both in the delivery of contracted public services and direct participation on key consultation and decision-making fora.’

Where social policy in authoritarian regimes is concerned, the relatively close relationship between social-sector NGOs and the authorities at various levels of government and the regime’s reliance on such organisations to deliver certain goods and services to the population has led to concerns that these NGOs could be or have been co-opted by the state and to varying degrees absorbed into the state bureaucracy, thus voiding their ability to really challenge state policy. In the case of Kazakhstan, for example, NGOs operating in the social sphere tend not to see their main role as challenging the state, but rather as '...a partnership model in which they felt comfortable expressing alternative opinions and views which may or may not be accepted.' (Knox and Yessimova 2015:312). In addition, shifting social service provision onto the shoulders of NGOs allows the authorities to devolve responsibility to the third sector and to blame such organisations if the services they provide do not meet expectations in terms of quality (Knox and Yessimova 2015:311). As Chapter 7 discusses, this is a particularly salient issue in Russia where the tendency to outsource the provision of public services to NGOs is becoming increasingly pronounced and where such organisations frequently rely on government funding for their survival. However, this study argues that many of these organisations in fact attempt to preserve at least some degree of independence from the authorities and often prove skilled in negotiating a relationship with regional and local government which allows them to advance their goals without antagonising those in power.

**Research questions and methodology**

This book explores how social rights have come to be acknowledged as ‘human rights’ in the contemporary era, how such rights are conceptualised in the context of contemporary Russia, and how NGOs in Russia attempt to advocate for such rights. It focuses on the following questions:

• How are social rights defined and why do they remain contested in contemporary political discourse?

• How do Russian state and civil society actors and the general public in Russia conceptualise the meaning and significance of social rights?

• What has been the impact of the social reforms implemented by the various presidential administrations since Putin’s election in 2000 on the realisation of social rights in Russia and on civil society activity in the social sector?

• To what extent do civil society organisations in Russia working on social issues engage with the relevant State and State-affiliated structures such as the regional human rights ombudsmen and local policymakers and with the language of ‘rights’ to promote the realisation of social rights?

The research undertaken within this study sought to ascertain and interpret the views of Russian NGO representatives and a small number of relevant Russian officials, academics and members of the public on a range of issues connected to the understanding and implementation of social rights in Russia. It took an inductive and interpretivist approach to the data it has generated, rather than beginning with a set of clear hypotheses to be tested. In undertaking the fieldwork aspect of this research, qualitative research methods appeared to be the most appropriate methods to employ since such methods are concerned with exploring how people interpret the social world around them (Bryman 2008). Qualitative interviews appeared to offer the time and space to explore my respondents’ attitudes and beliefs in a way that, for example, questionnaires could not. Interviews are capable of providing access to the meanings people attribute to both their experiences and the social world around them (Miller and Glassner), while Holstein and Gubrium (1997: 122) talk of ‘the interview situation’s ability to incite the production of meanings that address issues relating to particular research concerns.’ The degree of flexibility provided by using interviews was also an important consideration when it came to choosing my methods for the study. Adopting a semi-structured approach by using an interview guide of possible questions or themes to raise during the interview rather than using a completely structured approach with a list of ‘closed’ questions or an unstructured approach seemed to provide the most scope for exploring meaning and allowing the respondent to lead the interview in different directions. As Holstein and Gubrium (1997: 123) point out, ‘the objective is not to dictate interpretation, but to provide an environment conducive to the production of the range and complexity of meanings that address relevant issues, and not to be confined by predetermined agendas’. In addition, opting for a semi-structured approach allows the interviewer to seek clarification of responses if necessary and thus provides greater flexibility for probing those responses. The interview thus becomes a ‘co-production’ between the interviewer and interviewee in a way that would not be possible using an unstructured or fully structured approach (Wengraf 2001: 3).

The main group of respondents with whom I was keen to make contact were representatives of two different types of Russian NGO: those working on issues more related to social rights such as social care for the elderly and disabled and assisting children living in state-run institutions; and those focusing on civil and political rights issues such as freedom of speech and assembly, police and judicial reform, the prevention of torture, and prison conditions. NGOs which focus on tackling specific social problems which affect vulnerable groups in society such as elderly people, disabled people and children in the state care system are concerned, tend to conform to Cook and Vinogradova’s (2006) typology of ‘Grass-roots I’ NGOs which conduct activities aimed directly at solving the problems or satisfying the needs of members of that organization; and, more commonly for those organisations involved in this study, ‘Grass-roots II’ NGOs concerned with the needs of a specific population category or social problem which have formal structures, professional staff and a corps of volunteers. All of those interviewed for this study had extensive experience of working with their local authorities and some had also had contact with federal-level officials. In terms of funding, they relied primarily on municipal- and federal-level state funding and donations from local businesses and individuals, although some also ran small specific projects in cooperation with international NGOs and/or with foreign governmental aid agencies. Since 2010 this type of organisation has come to be known as a ‘socially oriented’ NGO (SONGO), a definition which first appeared in the 2010 Federal Law No.40-F3 which amended the 1996 Federal Law on Non-Commercial Organisations. According to the new law, federal and local government bodies should provide priority financial support, subsidies and consultations to socially oriented non-commercial organisations involved in a range of activities such as the provision of social support to, and protection of, citizens; assisting the population in overcoming the consequences of poverty and ecological, industrial or other catastrophes and providing aid to victims of these phenomena; protecting animals and the environment; and promoting a healthy way of life.[[1]](#endnote-1)

The second group of NGOs I was interested in talking to were what Cook and Vinogradova (2006:31) categorise as policy and/or advocacy organisations ‘…dedicated to the formulation and implementation of policy, or to defending the interests of a social group,’ a category which includes ‘traditional’ human rights organisations which have existed in Russia in various forms since the late 1980s and have often become well-known outside of Russia, as well as other more recently established ‘rights-defence’ organisations. All of the organisations I spoke to in this category had extensive experience of cooperation with international NGOs, philanthropic foundations and often foreign government aid agencies. When it comes to NGOs’ activities and their approach to interacting with the authorities, Ljubownikow and Crotty (2014:762) see these two categories of NGO (socially oriented and rights-defence organisations) as falling broadly into two camps: ‘…politicized organizations, which often challenge and attempt to influence decision-making within state institutions (e.g. promoting human rights or environmental protection) and apolitical organizations, which engage primarily in the provision of services and/or the delivery of public goods (.e.g working in areas of health and education).’ However, as Cook and Vinogradova (2006: 36) point out, it is not just human rights and environmental NGOs who recognise the need to establish and maintain contacts with the authorities in order to advocate for their chosen target group: Grass-roots II organisations also frequently pursue contacts with local and regional government in order to advance their causes. While human rights organisations do indeed often challenge and try to influence official decision-making, not all see cooperation with the authorities as helpful or desirable: ‘…some try to maintain contact with the authorities, others avoid any contact with government, limiting their activities to severe criticism, often of a quite general character. The most important civic potential is embedded in the few orgs that try to carry out a dialogue with government while at the same time preserving their independence.' (Cook and Vinogradova 2006:37). This study argues that rather than falling into a neat category of ‘apolitical,’ socially oriented NGOs involved in social service delivery in fact engage consistently and sometimes effectively in lobbying policymakers and advocating for the social rights of their constituents, even as they take pains to avoid being labelled as engaging in explicitly ‘political’ work.

In terms of selecting the locations for the fieldwork, the two main cities of Moscow and St Petersburg were obvious choices since numerous socially oriented and rights-defence NGOs are based there, and they were locations I was familiar with and where I had existing links. However, I also wanted to interview respondents outside of these two cities in order to gain greater perspective on the work of organisations operating in a more regional setting and to explore their experiences of interacting with regional and local government. As I was repeatedly reminded by my respondents, there are huge differences between the socio-economic conditions of those residing in the two largest urban centres and those affecting the vast majority of the population who live in Russia’s regions. Brade and Rudolph (2004: 72), for example, point to the success of these two ‘capital city regions’ in consistently attracting political and economic resources even as many Russian regions fell into long-term decline as a result of the economic and political changes following the collapse of the Soviet Union. Based on the presence of both socially oriented and rights defence organisations and my existing contacts, the locations of Nizhniy Novgorod, Ryazan, Perm and Kazan were also included in the study. A total of 19 SONGOs were interviewed in Moscow, St Petersburg, Nizhniy Novgorod and Kazan between 2011 and 2016. In addition, two consultants working on social policy for think-tanks in Moscow and Perm were interviewed, and 7 representatives of organisations which identify explicitly as human rights advocacy organisations. I was also able to interview two regional human rights ombudsman in the North-West and Moscow regions, a senior adviser to a third regional human rights ombudsman in the North-West Federal District, and a senior adviser to a regional child human rights ombudsman in the North-West Federal District. 5 academics in St Petersburg specialising in human rights law and practice in Russia were interviewed in order to provide contextual detail for the study, and 4 focus groups were carried out in Nizhniy Novgorod in partnership with the Lobachevskiy State University there in May 2016 involving 6-8 participants aged 24-77.[[2]](#endnote-2)

**Structure of the book**

This book is divided into 3 parts. The first, theoretical, part of the book explores how social rights have developed and been defined and how and why they remain contested in contemporary political discourse. Chapter 2, ‘A brief history of social rights,’ provides an account of the historical development of the idea of ‘social rights’ in political thought and their changing status, beginning with Tom Paine’s elaboration of proposed welfare entitlements in 1791. It then traces the relationship between the concept of social rights and ideas about state welfare provision through the 19th century and the rise of the labour movement to the development of the welfare state in Britain, TH Marshall’s concept of social rights as an integral part of citizenship in a modern democratic state, and the inclusion of social rights in various major international and pan-European human rights conventions.

Chapter 3, ‘Social rights, neoliberalism and austerity,’ explores the contested nature of social rights in the contemporary period against the backdrop of neoliberal economic, political and social policies and the post-2008 period of recession and austerity in Europe. Ongoing debates over whether or not social rights constitute ‘real’ human rights point to wider debates about the nature of rights claims, obligations on the part of the State and the individual right-holder, and the extent to which the behaviour of an individual should influence their ability to claim certain rights. The emphasis has gradually shifted from state provision of various social services being a matter of right and entitlement to the individual responsibility of the person seeking to access these services, turning them into ‘market citizens’ (Pieterse 2003:7). All of these debates have become more heightened in the context of the global economic crisis and what Farnsworth and Irving (2012) describe as the ‘new age of austerity’ currently influencing the policy discourse in a number of European countries including the UK, Ireland and Greece.

The second part of the books takes an historical and empirical approach to the relationship between social rights and the state in Russia specifically. Chapter 4, ‘the development of social rights in Russia,’ explores the ways in which social rights were and are understood in the imperial, Soviet and contemporary Russian periods. It traces their development from the 19th century when these rights first began to be properly defined and agitated for in Russia through their elevation to a position of particular social, political and constitutional importance during the Soviet era. This emphasis on social rights and the development of an extensive system of state-sponsored welfare provision has led to a high level of public expectation regarding the state’s role in guaranteeing such rights. The chapter considers the relationship between the contemporary Russian state and the implementation of social rights by examining the Russian authorities’ rhetorical approach towards social welfare and the state’s role in its provision. This stance contrasts with a practical approach to social policy which includes strong elements of neoliberalism that in practice make the individual responsible for securing their social rights. This chapter traces the evolution of social welfare reform in the post-Soviet period and draws out the contrasts between Putin’s first term from 2000-2005, which was characterised by market-driven reforms to Russia’s crumbling but still-extensive state welfare system, and the Medvedev and Putin administrations from 2005 onwards which have been characterised by a new strategy of recentralization and increased rhetoric emphasising the role of the state in providing social services.

Chapter 5, ‘Defending social rights? The human rights ombudsmen and NGOs,’ looks at the institution of the regional human rights ombudsmen in Russia - state representatives charged with dealing with complaints of human rights violations submitted to them by members of the public. Empirical evidence including interviews with several of the ombudsmen themselves is used to show that the majority of complaints they receive relate to social rights issues, and that the ombudsmen see the bulk of their work as relating to the protection of social rights. There is also a relatively high level of cooperation between the regional ombudsmen and local NGOs working on issues relating to social rights which contrasts with the often distant relationship between the ombudsmen and those NGOs which define themselves explicitly as ‘human rights’ organisations. This highlights a number of issues including the state’s formal and informal stance on social rights and the ways in which officials and members of the public negotiate changes in welfare provision which have had an impact on the realisation of social rights in Russia.

The third part of the book takes an empirical approach to the question of how civil society actors in Russia view social rights and how they attempt to advocate for them. Chapter 6, ‘Civil society, socially-oriented NGOs and the utility of a rights-based approach to advocacy,’ explores the extent to which Russian NGOs working on social issues have adopted the ‘language of rights’ in order to meet the needs of the clients they work with. Based on extensive interviews with NGO representatives in a number of different towns and cities in Russia, it examines the attitudes of these representatives to the concept of ‘social rights’ and the degree to which they apply this concept to their work. It also explores wider issues relating to the problematic political situation in which many Russian NGOs which identify themselves explicitly as ‘rights-defending’ organisations find themselves and the extent to which this may dissuade more socially oriented NGOs from utilising a rights-based framework.

Chapter 7, ‘Socially-oriented NGOs and the new social policy,’ explores the work of Russian NGOs carrying out work with clear implications for social rights. Whereas Russian human rights NGOs have struggled to attract widespread public support and have had to contend with a largely hostile political environment, ‘socially oriented’ organisations appear to be embedded in the local community in terms of their success in attracting volunteers and financial sponsorship from local businesses and their focus on issues such as housing, healthcare and general living standards which resonate with a large proportion of the public. They also generally adopt a highly pragmatic and cooperative position on engagement with local authorities and other State bodies, including the regional human rights ombudsmen. Yet they have also had to contend with the implications of sweeping changes in welfare provision in the post-Soviet period and increasing government interest in working with the third sector on social issues which has coincided with a rhetorical reassertion of the role of the state in relation to social policy, a situation which has created both opportunities and potential problems for these NGOs.

Finally, Chapter 8 reflects on what this research has demonstrated and can contribute to the field. It focuses on the theoretical and empirical insights generated by the research in relation to the meaning, protection and promotion of social rights in the post-Soviet space and the impact of the various welfare reforms carried out in the post-Soviet period on the realisation of these rights and the strategies employed by state and civil society actors in the social sphere.

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2. See Appendix One for a full list of interviews and focus groups conducted and Appendix Two for a list of interview and focus group questions used [↑](#endnote-ref-2)