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**Department of Central & East European Studies**  
**University of Glasgow**

**Women's Perceptions of Human Rights and rights-based approaches  
in everyday life: a case study from provincial Russia**

**By**  
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**Thesis submitted to the University of Glasgow for the degree of Doctor  
of Philosophy**

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## **Abstract**

With the collapse of the Soviet Union, neo-liberal models of governance have become dominant, and have increasingly been justified through the employment of human rights discourses. However, the increased use of human rights discourses has not resulted in the increased realisation of human rights, and feminists have highlighted how the gendered nature of transitions to democracy and the market have, in fact, limited women's access to rights. The profoundly negative impacts of marketisation, particularly for women, have been starkly illustrated in the social and economic transformations taking place in contemporary Russia. While the lack of realisation of human rights in Russia has been well-documented, much of this research has focused on macro-level analyses of Russia's consolidation of pre-defined human rights norms, or in highlighting examples of particular human rights violations. While the recognition and critique of human rights violations is an extremely important area of research, concentrating on pre-defined norms often fails to show the complexity of understandings and uses of human rights discourses in everyday life. Moreover, there is a lack of research that explores women's perceptions of human rights and rights based approaches, which is surprising given the international promotion of rights-based approaches as a means of women's empowerment.

This thesis addresses this gap by critically evaluating the empowerment potential of human rights and rights-based approaches for women in the unique transitional context of post-Soviet Russia. The thesis draws on analysis of Russian press discourses and readers' letters to advice pages, and also from data generated in open-ended questionnaires, ethnographic in-depth interviews and interviews with local community and political elites in the provincial Russian city of Ul'ianovsk. The thesis shows the ways in which, both cultural norms and practical constraints impact on the perceived legitimacy of certain categories of rights, which in turn determine which issues are viewed as legitimate rights claims for women. Analysis of respondents' perceptions of rights indicate that, despite clearly identifiable examples of rights violations against women, the backlash to Soviet enforced equality has delegitimised claims for 'women's rights' protection. Moreover, respondents' also disassociate their claims from human rights, which are perceived to relate to specific examples of violations perpetrated by

the state to predominantly affect men. Thus, women's rights claims have been re-privatised and re-conceptualised as personal problems to be resolved by women individually. While respondents did not perceive their everyday problems to be women's rights or human rights claims, respondents did talk about 'rights' and were attempting to access and claim rights. The thesis shows how the continued legitimacy of Soviet social and economic rights led respondents to employ rights discourses to express a sense of loss of previously held rights, and also to articulate their confusion and frustration over the shifting legitimacy of rights that has resulted in the need to 'claim' what was previously guaranteed. However, respondents' were attempting to negotiate these shifts in legitimacy and attempt to claim rights, but identified several practical constraints that make this a difficult process. I show that while respondents' are attempting to use rights-based approaches, this has not resulted in women's empowerment. Analysis of respondents' experiences of making a legal claim shows the profoundly negative and disempowering effects that legalistic approaches to claiming rights can have for women in transitional contexts.

While the thesis highlights women's experience in transitional contexts, these findings can be used to reassess claims about the empowerment potential of human rights and rights based approaches for women globally. The thesis concludes by arguing that Russian women's lack of rights protection is not a result of women's lack of awareness of, or unwillingness to use rights-based approaches, but a result of their inability to access rights in a neo-liberal cultural and economic climate, which can be applied to the experiences of women globally.

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## **Introduction**

The collapse of socialism resulted in proclamations about the 'end of history' and the triumph of democracy and the market as global forms of governance (Fukuyama, 1992). At the level of international governance, the processes of democratisation have also been increasingly justified by the employment of human rights discourses (Sellers, 2002), particularly those emphasising civil and political freedoms. However, the increased emphasis on 'rights' has not resulted in greater social justice, particularly for women. Molyneux & Razavi (2002: 2) argue that this is due to the 'gulf between the principles and materialisation of liberal governance' whereby a human rights agenda has been used to legitimise the promotion of market-led forms of neo-liberal governance. The impact of neo-liberal policy reform on women's ability to realise their rights has been well documented in the development literature and in analyses of transitional societies, such as Latin America and Africa (Rai, 2000; Molyneux & Razavi, 2002; Elson, 2002). In addition, the mid-1990s saw a high point of campaigning for 'women's human rights' in recognition that the universal claims of human rights were not appropriate for challenging gender inequalities.

While such critiques have made important contributions to theorising gender inequality, research on women's human rights has been dominated by macro-level assessments of the 'impact' that UN tools for empowerment, such as CEDAW and the Beijing Platform have had on improving gender equality. However, as Elson (2002) argues, despite the promotion of international gender justice agendas, the current neo-liberal climate prevents women from enjoying legally enshrined rights. The redefinition of the role of the state as a result of neo-liberal reform has resulted in a reduced commitment from the state for the provision of an enabling context for women, particularly in terms of welfare provision. Thus, a gap in the literature remains in exploring, not what provisions and projects for women's human rights exist internationally, but how women access and claim their rights in everyday life and through interactions with the state.

This thesis aims to contribute to these critiques in two main ways. Firstly, it fills the gap in addressing the lack of micro level analyses of women's perceptions of human rights and rights-based approaches in everyday life. Secondly, the thesis focuses on the unique transitional context of post-Soviet Russia, which offers critical insights for global feminist debates on the cultural, economic and practical barriers that exist to women realising their rights in a neo-liberal context.

### Why analyse women's perceptions of human rights in post-Soviet Russia?

Russia has been criticised by the international community, both during the Soviet Union, for violating human rights in failing to uphold civil and political freedoms, and also throughout the post-Soviet period. In the post-Soviet period, Russia has been criticised for failing to guarantee and protect newly established democratic freedoms, promote the rule of law and also for a series of human rights abuses in specific cases, such as the army, prisons, the rights of ethnic and religious minorities and in failing to tackle the problem of violence against women (Amnesty International, 2003). Existing research conducted by western scholars on human rights in post-Soviet Russia has tended to focus on attempting to 'measure' Russia's compliance with human rights standards. This framework of analysis is however, problematic as it assumes that the consolidation of western norms signify Russia's 'successful transition' to democracy (Mendelson, 2002; Woodiwiss, 2003). They also obscure the negative impact of democratisation and the particular impacts the differing articulations of neo-liberal reforms have had in local contexts (Rozanova, 2003; Smith, 2007).

Shlapentokh (1998) argues that the post-Soviet Russian political elite promoted neo-liberal policies to the extent that democracy and human rights discourses have become equated with privatisation. The political elite has arguably appropriated the discourses of democratisation and human rights to mean 'freedom', in order to both dissociate from the Soviet past (Shlapentokh, 1998; Einhorn, 2000), and in order to meet with international requirements of a modern and democratic state (Woodiwiss, 2003; Piacentini, 2004). Yet, Soviet political and social life was also characterised by a

heavily legalistic rights discourse that emphasised the provision of social and economic entitlements by the state. Therefore, a disjuncture between the perceptions of those in power and Russian citizens exists. Indeed, research analysing Russian public opinion of human rights has raised concerns over the apparent lack of public support for human rights. However these analyses again assume that the promotion of a western human rights agenda that emphasises civil and political freedoms is best practice for attaining democratic consolidation (Howard, 2002; Gerber & Mendelson, 2002). Such assumptions are now being challenged, both in western contexts, and among scholars analysing the ongoing impact of social and economic transformations in the post-Soviet regions.

‘Transition’ theorising is now being critiqued within area studies, particularly among scholars conducting ethnographic studies at the local level. These studies are demonstrating that ‘democratic consolidation’ as understood according to ‘western’ norms is often neither possible or desirable in addressing local social and economic issues arising as a result of the reform process (see for example, Hann, 1999; Watson, 2000; Kay, 2000; Verdery, 2003; White, 2004; Ashwin, 2006; Flynn & Oldfield, 2006; Johnson & Robinson, 2007). Despite this extensive analysis of the impact of democratisation and marketisation, a focused analysis of the ways in which the human rights discourses that have been used to legitimise the transformations are perceived at the local level is largely absent in the literature. The ability of human rights norms to be adapted to the local context in a way that can achieve social justice has received some analysis in particular contexts. For example Piacentini’s (2004: 163) study of the transforming Russian penal system highlighted human rights norms and discourses were largely perceived by Russian prison officials as an imposed ‘administrative exercise’ rather than a means to improve conditions for prisoners. Yet, this study focuses on those ‘administering’ human rights, rather than individuals attempting to claim them in everyday life.

In addition, existing analysis of perceptions of human rights in Russia have also lacked an in-depth analysis of the gendered nature of human rights discourses and how this impacts on women’s ability to access and claim their rights. Research on women’s

human rights in post-Soviet Russia has tended to focus on women's experience of human rights abuses, such as domestic violence or trafficking (Amnesty International, 2005). Research into these violations is extremely important, but it can have the effect of framing women as 'victims', rather than agents (Redhead, 2007). A study of perceptions of human rights that goes beyond a focus on human rights violations in Russia in specific contexts is therefore missing. While research exploring specific instances of human rights violations is of crucial importance, if human rights are to empower women, as international declarations claim, perceptions of human rights must be explored at the local level and in relation to everyday life. Moreover, a focus on women experiencing particular human rights abuses can exclude from analysis women's everyday concerns and their agency in attempting to access rights. To explore the empowerment potential of human rights for women, women's perceptions and use of rights have to be analysed in the everyday contexts in which rights are claimed (Merry, 2006).

An exploration of women's perceptions of human rights in the Russian context provides critical insights to the gendered impact of extensive social and economic changes occurring as a result of marketisation and democratisation in Russia. An abundance of research has been conducted exploring women's experience of the transition to a market economy (Bridger et al, 1996; Bridger & Pine, 1998; Kuehnast & Nechemias, 2004) and also understandings of women's rights (Funk & Mueller, 1993; Gal & Kligman, 2000). While this research acknowledges the barriers that culturally specific understandings gender equality have presented to attempts to promote women's rights campaigns (see Chapter 2 this thesis for more detailed discussion), it says less about how women themselves perceive rights in relation to what they define as everyday problems. This is unusual given the increasing use of human rights discourses to frame international discussions of promoting women's empowerment via rights-based approaches. As rights exist as a discursive resource, as well as legal entitlements to be claimed, an exploration of perceptions of rights is crucial to uncover how local cultural norms and structural constraints legitimise certain rights and processes for claiming rights.

## Aims and Contribution of the thesis

The research conducted for this thesis was therefore not designed to attempt to 'measure' compliance with international human rights norms, or to assess respondents' level of knowledge of the provisions enshrined in international human rights law. Rather, the thesis seeks to address a gap in the literature by exploring women's perceptions of human rights discourses and use of right-based approaches in everyday life. It is important to address this gap given that rights-based approaches are being promoted as a means to empower and enable women at the international level, despite feminist critiques about the limitations of this approach in a context of neo-liberal policy reform. This thesis's micro-level case study approach to analysis also starkly highlights the problematic nature of the promotion of human rights discourses and rights-based approaches for women in local contexts. Conducting the research in a provincial city in Russia provides insights into how the various international, national and local (re)definitions of rights and the processes of claiming rights are perceived, negotiated and employed in everyday life. Exploring the ways in which the various elements of rights discourses are understood and employed in discussions about everyday problems offers new insights into the promise of rights for women, moving theorising beyond internationally or western defined objectives.

The study therefore highlights the importance of understanding local perceptions of rights by foregrounding the continued legitimacy of social and economic rights and state provision of 'rights', as well as exploring newer, 'western' rights discourses and approaches to claiming rights that have been imported. This offers an analytical tool in which to unpack the complex nature of perceptions of human rights in post-Soviet Russia and also enables a critique of the tensions evident in reconciling rights-based approaches for women in neo-liberal contexts globally.

## Theoretical and conceptual issues framing and emerging from the thesis

Several theoretical and conceptual debates have been drawn upon in designing and conducting the research for this thesis. The next section outlines the key tensions within feminist theorising and activism that have emerged in attempting to deconstruct claims about the universal applicability of human rights discourses. The limitations of these analyses for understanding women's access to rights, both in the post-Soviet context and beyond are considered.

### **Exploring perceptions of 'Universal Human Rights' in a transitional context**

Human rights discourses carry a moral and political legitimacy that has grown globally since the collapse of communism. However the applicability of human rights in 'non western' contexts has been debated (Pollis & Schwab, 1979, Donnelly, 1982). It is argued that as human rights emerged in Western Europe as a response to the aftermath of WWII, they were based on western, liberal and individualist traditions, which influenced the inherent values inscribed in human rights discourses, making them less appropriate to other contexts (Chandler, 2002). Thus, attempts to universalise human rights have been interpreted by some as a form of cultural imperialism that privilege western liberal cultural norms. However, such criticisms are now generally perceived to be redundant, as the processes of globalisation have allowed multifaceted interpretations of human rights to emerge across and within cultural contexts (Preis, 1996: 288). More significantly, such culturally relativist debates have been seriously undermined by developments in understandings of the concept of 'culture' itself (Markowitz, 2004) and claims that human rights concepts are 'embedded' in all cultural contexts (Ignatieff, 2003). The uptake of human rights talk across cultural contexts as diverse as Latin America, the United States, Africa and India has demonstrated the moral appeal and flexibility of rights discourses far beyond the borders of Western Europe (see for example, Macaulay, 2002; Merry, 2003; Englund, 2004; 2006). However, human rights not only exist as moral ideals, but also as legal entitlements to be claimed. Therefore,

the uptake of rights talk does not necessarily equate with the possibility that the rights being talked about are accessible or are being claimed. Accordingly, a gap between theoretical declarations and the practice of rights-based approaches remains (Markowitz, 2004). Molyneux & Razavi (2002: 36) argue that while the uptake of human rights is not determined by any 'cultural barrier', it is nonetheless determined by differential levels of state provision of the necessary political and economic conditions in which to exercise rights.

While it has been argued that culturally relativist debates about human rights are largely redundant, it is worth highlighting at this point that, in relation to women's *access* to human rights protection, the issue of culture remains an important one. Some nation states have been able to use appeals to 'cultural differences' as a means to justify a lack of commitment to the protection of human rights provisions for women. Brems (1997:143) argues that some male heads of state and religious leaders have allowed for the continuation of practices considered as harmful or restrictive to women to be justified on grounds of culture or religion, without women's defence or rejection of practices being heard (Rao, 1995: 168). It is worth noting that more recently, feminists have themselves been criticised as essentialising the female 'victims' of such practices by not taking into account their perceptions of practices deemed harmful by western observers (Ghosh, 2006:121). This has been particularly evident in the discourses on women's rights in Muslim societies that have emerged as part of the justification for the 'war on terror' and interventions in Afghanistan (Abu-Laghod, 2002; Hunt, 2002; Wylie, 2003). As a related issue, western states' concern with women's human rights in non-western contexts should be explored as this focus has limited debate about women's loss of rights as a result of neo-liberal reforms in western states, particularly as a result of reductions in welfare provision (Kingfisher, 2002). Therefore, a distinction has to be made between the moral appeal of human rights discourses that may be imbedded across cultural contexts, and women's access to these rights. Furthermore, in transitional societies, the way in which human rights discourses have become embedded has a great impact on women's ability to claim them.

Arguably, human rights discourses in post-Soviet Russia have been related to wider processes of social and economic transformation and often the economic impetus of

globalisation and the market (Piacentini, 2004: 155). In post-Soviet Russian, human rights discourses were promoted by western economists and the Russian political elite in a context of the collapse of communism and in conjunction with a period of extensive neo-liberal policy reforms (Smith, 2007). Accordingly, human rights are inextricably linked to marketisation and the promotion of 'freedoms' above other categories of human rights, processes which have resulted in the immense social stratification of society. As a result, human rights talk has not been taken up by the majority of the population in post-Soviet Russia because it is regarded to have done little to alleviate conditions of inequality, and for many conditions of material and physical want have worsened (Markowitz, 2004).

Following on from the last point, while human rights in the contemporary Russian context have become associated with civil and political freedoms and the negative impact of marketisation for many, Soviet society was also characterised by the predominance of rights discourses that outlined legitimate rights as social and economic entitlements (Jordan, 2005). Moreover, the Soviet state used human rights discourses to justify the suppression of civil and political freedoms, claiming that the prioritisation of social and economic rights offered Soviet citizens a superior level of human rights protection from the West (Hawkesworth, 1985). While relatively few Russian citizens desire a return to Soviet rule, confusion over the legitimacy of rights persists and is exacerbated for those who have lost out in the transition period. As Watson (2000: 203) so eloquently sums up, 'rights have become conditional capacities dependent on the outcome of an interplay of social factors...they now describe the horizons of possibility, rather than self-standing entitlements under ostensible state guarantee'. As a result of the implementation of neo-liberal policy reforms, rights have increasingly become contingent on access to the market, a point that will be returned to in the following section.

Before continuing analysis of the impact of neo-liberal policy reforms for women's realisation of human rights, it is necessary to highlight the second key critique arising from the western origins of human rights discourse. The next section reflects on feminist critiques that have argued the coding of the human subject as 'male' resulting in women rights being viewed as a 'different' and secondary concern (see for example,



Bunch, 1990; Peterson, 1990; Charlesworth, 1994; Peterson & Parasi, 1998). The implications this has had in the theorising and practice of realising women's human rights are discussed.

### The gendered nature of human rights discourses

The relative ease with which states have been able to appeal to a notion of 'culture' as justification to apply reservations on their commitments to human rights for women discussed in the previous section links to a broader area of concern within feminist theory; whether women have the same or different needs and rights to men. Feminists are united in a shared, but sceptical, commitment to rights, but there has been considerable debate over the most effective means by which to frame rights in order to improve the lives of women. Throughout the twentieth century, two theoretical and policy approaches to realising women's rights dominated, but have often been misrepresented as representing competing and opposite views (Scott, 1988: 38). The debate has hinged on whether formal legal equality and equality of opportunity in education and employment with men is enough to ensure an improvement in women's position in society. On the other hand, it has been argued that women are not the 'same' as men as women's reproductive capacity requires differential treatment and rights (Alcott, 1988: 407-408). Brown (1993, cited in Zivi, 2005: 379) however, argues that for women, 'rights are suffered as paradoxes' as neither formal equality nor identity-based claims have been able to address the structural causes of inequality. Brown (2000: 232) further asserts that despite gains in formal equality for women (such as the rights to education, employment, voting and defence from violence), formal legal equality has only represented a 'minimal redress' because 'rights almost always serve as a mitigation - but not a resolution - of subordinating powers', in this case the broader social, economic and cultural context that prioritises a 'male' standard (Charlesworth, 1994).

In order to make the gendered nature of rights visible, feminists have advocated theories of 'synthesis' (Sarvasy, 1992; Lister, 1997; 2000). Arguing the case for a 'synthesis' of approaches to conceptualising women's rights, Lister (2000: 51) states that 'equality and difference are not incompatible, indeed the very notion of political equality implies difference to be discarded, so that, despite them, people are treated as equal for a

specific purpose'. In this approach, differences between men and women, such as reproductive and structural gender inequalities are incorporated. However, it is not only differences between men and women that create patterns of gender inequality, but also differences between women. Post-colonial feminist theorists have long highlighted the predominance of western, white and middle class academic feminists imposing their understandings of gender equality on different contexts (see for example, hooks, 1981; Bhopal, 1995, cited in Hall, 2004: 134). To a certain extent, the transnational feminist campaigning on human rights for women that emerged in the 1990s has been viewed as offering a conceptual and activist tool to bridge the divisions within the feminist movement (Yuval-Davies, 1999). The extent to which such campaigning has been successful in universalising understandings of women's human rights or ensuring women's equal access to rights is discussed below.

### The development of 'women's human rights'

Women's rights had been included within United Nations (UN) human rights treaties since their inception, with the Universal Declaration of Human rights (1948) outlining a commitment to equality between men and women. In addition, the Commission on the Status of Women was established in 1945 to offer special attention to women's rights within the context of international human rights (Fraser, 1999: 884). However, this treatment of women's rights within the UN was seen as unsatisfactory. At the First World Conference for Women (1975) the existing provision for women's rights was critiqued for framing women's rights as a separate, and secondary concern to mainstream human rights issues (Evatt, 2002). At the time, human rights were framed as a mechanism to protect private individuals from the state in the public sphere, which was viewed as the male arena of agency and women's ascribed role was in the private sphere of the family. Accordingly, women's rights concerns were framed primarily in relation to their 'status' as recipients of welfare provision, rather than requiring protection from the state. Thus, women's rights were regarded as being outside of the remit of 'mainstream' human rights protection. As a result of criticisms raised in the 1975 Conference, the UN Decade for Women (1975-1985) followed and oversaw the ratification and implementation of the 'fullest statement on women's equality' under

international human rights law (Reanda, 1999; Tang & Chung, 2000), the Convention for the Elimination of all forms of Discrimination Against Women (CEDAW).

The Convention for the Elimination of all forms of Discrimination Against Women (CEDAW) (1979) was a comprehensive statement against any form of discrimination on the 'basis of sex' that prevented women's realisation of equal rights in any form<sup>1</sup>. Yet, CEDAW was subsequently critiqued for entrenching notions of difference between women's rights and 'mainstream' human rights due to its marginalised institutional and financial status and lack of investigative powers within the UN system (Oloko-Onyango & Tamale, 1995; O'Hare, 1999; Kettel, 2007)<sup>2</sup>. Moreover, and returning to a point made earlier, while most states have ratified the convention, CEDAW has the most reservations on its recommendations than any other human rights treaty and states have been able to do so with relative ease in the name of 'cultural difference' (Nash, 2002). Despite a decade of campaigning and the ratification of the principle human rights treaty for women, the distinction between women's roles in private meant that many women's human rights were still unprotected.

By the 1990s, the omission of the private sphere from human rights protection became a central campaigning tool of transnational feminist movements, who at the Fourth World Conference on Women in Beijing (1995) arguably transformed the jurisdiction of human rights protection by arguing for the incorporation of rights violations occurring between private individuals to be included (Young, 2003)<sup>3</sup>. As a result of the

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<sup>1</sup> United Nations (1979), 'The Convention for the Elimination of all forms of Discrimination Against Women' (1979), Article 1, [www.unhcr.ch/html/menu3/b/e1cedaw.htm](http://www.unhcr.ch/html/menu3/b/e1cedaw.htm). For the full text of the Convention and optional protocols, refer to, [www.un.org/womenwatch/daw/cedaw/text/econvention.htm](http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm).

<sup>2</sup> For a discussion of the monitoring and investigation powers of CEDAW, see K. L. Tang & J. T. Y. Cheung, 'Guaranteeing Women's Rights: The UN Women's Convention', *International Social Work*, 43 (1) (2000): 7-20 and E. Evatt, 'Finding a Voice for Women's Rights: The early days of CEDAW', *George Washington International Law Review*, 34 (2002): 515-553. For details of the additional investigative powers the optional protocol gives the CEDAW monitoring committee see, [www.un.org/womenwatch/daw/cedaw/protocol](http://www.un.org/womenwatch/daw/cedaw/protocol).

<sup>3</sup> For a discussion of the attendance and composition of activists at the Fourth World Conference for Women in Beijing, 1995, see E. J. Friedman, 'Gendering the Agenda: The impact of Trans-national Women's Rights Movements at the UN Conferences of the 1990s', *Women's Studies International Forum*, 26 (4) (2003): 313-331. For a discussion of the presence of Russian feminists at the Beijing Conference and their involvement in the development of the Platform for Action, see M. Liboriakina, 'Ochen' sekretnaia zhenskaia politika: Rossiiskie vlasti ne khotiat priznat' nepravitel'stvyie organisatsii ravnopravnymi partnerami', *Segondnia*, No. 204 1995: 5 and also R. Kay, *Russian women and their organisations: Gender, Discrimination and Grassroots women's organisations, 1991-1996*, (Basingstoke: Macmillan Press, 2000).

Conference at Beijing, a Platform for Action (hereafter the Platform) was developed, which drew on previous declarations on violence against women<sup>4</sup> to highlight that domestic violence in particular was a human rights violation that occurred in private and disproportionately affected women. In addition, the Platform attempted to broaden the human rights protection offered to women in CEDAW by supplementing this with the language of ‘empowerment’ and ‘social justice’ in the Platform, recognising that formal legal equality was not sufficient in redressing structural gender inequalities<sup>5</sup>.

Kabeer (1999: 437) defines empowerment as ‘...about change, it refers to the expansion of women’s ability to make choices in a context where this ability has been previously denied them’. Einhorn (2000: 111) is less optimistic about the conceptual power of ‘empowerment’ arguing that while it includes the private sphere and a wider range of activities as ‘agency’ than had previously been acknowledged, this may ‘trap’ women in conditions of subordination. She argues that uncritically describing women’s agency in the private sphere as empowerment disguises the ‘gaps’ public provision and responsibility for welfare resting on the individual (this point is returned to in more detail below and also in Chapter 6 of the thesis). Indeed, recent analysis of the implementation of the Platform and the follow up ‘Beijing +10’ Platform for Action (2005) has shown little evidence to support claims about the promotion of human rights resulting in women’s empowerment.

#### The limited success of women’s human rights: the problems of gender mainstreaming

As part of the Beijing Platform’s commitment to empowerment, gender mainstreaming was proposed as a means to incorporate the impact of structural gender inequalities into policy making in order to address tackle the structural causes of inequality and improve women’s (and men’s) ability to realise their rights (Moser & Moser, 2005). Gender mainstreaming has however attracted a raft of criticisms from feminists, particularly among those analysing the impact of international development programmes. Molyneux & Razavi (2005) argue that despite evidence of gender mainstreaming in

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<sup>4</sup> United Nations (1993) *Declaration on the Elimination of Violence Against Women*, [www.unhchr.ch/html/menu3/b/21.htm](http://www.unhchr.ch/html/menu3/b/21.htm)

<sup>5</sup> For the full mission statement of the Beijing Platform for Action refer to, [www.un.org/womenwatch/daw/beijing/platform/plat1.htm#statement](http://www.un.org/womenwatch/daw/beijing/platform/plat1.htm#statement).

international and the national legislation of most states, this has not resulted in addressing substantive issues of gender inequality, which are actually deepening in most contexts. They go on to show that states have been able to use the rhetoric of gender mainstreaming whilst being under no obligation to develop projects to implement the action (Molyneux & Razavi, 2005; see also Moser & Moser, 2005). At present, international commitment to achieving women's equality and empowerment is contained within the Millennium Development Goals (MDG), which have focussed on the need to improve economic development and the provision of healthcare by 2015 (UNHCR, 2005). However, Steans and Ahmadi (2005) caution that, even within the United Nations, discussions about how to implement women's rights projects have reached stalemate as both attempts to treat women's rights as separate and as mainstream rights are perceived to have failed to make substantive improvements to women's everyday lives.

Along with feminists analysing gender equality in both western and 'developing' contexts, this thesis argues that the particular articulation of the global promotion of neo-liberal forms of governance has to be further problematised in the context under study in order to address the reasons why structural gender inequalities in Russia are deepening.

### **Women's access to human rights: neo-liberal reform and the privatisation of rights the global context**

The 'logic' of the market has resulted in a new role for the state – to facilitate the development of the market, rather than to provide protection, as demonstrated in the reduction in the provision of welfare (Turner, 2004). Individuals have differential access to the market and now have to use this to secure welfare provision at an individual level. Securing welfare can be seen in the privatisation of property, but also increasingly in healthcare, pensions and education. The negative consequences of securing welfare at the individual level are that individuals become complicit in the expansion of neo-liberalism and in shifting disempowerment to other groups or regions. Kingfisher (2002) and Elson (2002) argue that neo-liberal forms of governance have particular gendered effects, with women becoming among the majority of the disempowered. The

neo-liberal context is particularly damaging for women as access to rights is largely determined by access to the market, which many women are finding increasingly difficult to balance in light of the increased demand for women's unpaid caring roles as a result of state restructuring (Lister, 1997; 2000; Elson, 2002; Kingfisher, 2002). This has led to critiques of democratisation as creating the 'myth' of free choice as it is women who are replacing the state in supporting families, which allows the broader structural causes of inequality to continue (this point is returned to in more detail in Chapter 6). As a consequence, Kingfisher (2002) argues that patriarchal patterns and the re-inscribing of the public-private dichotomy have emerged.

The redefinition of the role of the state in a context of the rise of rights discourses represents a fundamental tension. At the time when rights-based approaches are being promoted, particularly as a means of empowerment for women, women's opportunity to access the rights that enable them to make claims on the state are declining. Therefore, claiming rights in the neo-liberal context has become more and more associated with the process of making individual legal claims. This is evident in conceptualisations of women's empowerment that have focused on the promotion of 'legal literacy' as a means to enable women to access their rights. It is argued that by making women aware of what rights protection they are legally entitled to, they will be able to 'identify deficiencies and activate for change' (Macaulay, 2002: 85). While information about rights is important, legal literacy approaches appear to pay less attention to the structural and cultural barriers to accessing the legal process that exist for many women. This can be especially problematic in transitional contexts where the legal system and the legitimisation of individual rights claims are in the process of development. An emphasis on an individual's ability to make a legal claim moreover assumes that individuals' problems are perceived as 'resolvable' through the legal processes, which often rules out claims linked to broader collective social and economic structural issues (Merry, 2003; Englund, 2004).

In post-Soviet Russia, the gendered effects of the market are perhaps more pronounced and visible to outside observers. However, pre-existing and emerging cultural norms within may be serving to obscure the structural effects.

The myth of democratic choice for women may be more pronounced in post-soviet Russia, not only in economic terms, but also in the redrawing of the public-private divide and the re-emergence of 'traditional' essentialist attitudes about gender roles (Einhorn, 2002). In the Soviet period, as a result of women's ascribed responsibility for fulfilling both productive and reproductive roles, the state provided extensive welfare provision to enable this duality. The requirement of women to fulfil dual roles resulted in the blurring of women's location between the public-private spheres to some extent. While the realities of the 'double-burden' of combining roles has been well documented (Corrin, 1989; Buckley, 1992) as has the lack of 'real' equality in the Soviet period, women's position in contemporary Russia has arguably worsened, particularly as a result of the emergence of a 'newly formed' private sphere.

The freedoms of democratisation and the market that allowed for the development of women's movements (Kay, 2000) have also ironically allowed the re-emergence of 'traditional' attitudes towards men and women's roles. As a result, the female carer/male breadwinner model that had characterised many western societies has emerged as the ideal form (Kay, 2004a; Rands-Lyon, 2007). The emergence of 'traditional' attitudes to gender roles can also be related to the backlash against discourses of 'equality' that characterised the Soviet period, but have subsequently been negatively framed as 'unnatural enforced emancipation' (Funk & Mueller, 1993; Gal & Kligman, 2000a; Johnson & Robinson, 2007). The emphasis on the individual responsibility, read women's responsibility, for the provision of welfare has resulted in the privatisation of women's problems and a resulting lack of discussion of women's rights issues in public discourses. Although, the promotion of women's 'choice' to stay at home and fulfil their role as carer has been accepted by many women (Kay, 2004a), women's location in the private sphere has become increasingly insecure. A stark example of the lack of protection afforded to women in the private sphere in the contemporary period is illustrated by the withdrawal of state intervention in issues of domestic abuse and divorce. Field (1998) argues that during the Soviet period, women had some recourse to the state in intervening in abusive relationships. In the post-Soviet

period however, the emphasis on the individual and desire to move away from 'oppressive' state intervention, has resulted in the idealisation of the private sphere as 'refuge' from the state. Yet, this has resulted in the emergence of attitudes about 'private life' that place many women at risk (Attwood, 1999).

It can be argued therefore, that cultural norms, particularly the backlash against the 'enforced' equality of the Soviet period mean that women's formal equality is less accessible than ever, as the state desires to move away from providing 'preferential' treatment for women. In addition, the transformation of the workplace from state to private sector has resulted in a reluctance of employers to fulfil obligations for maternity, childcare and healthcare on grounds of cost (Clarke, 2000). This has served to push women's rights further from the public, but also from women's own everyday agendas, as the majority of women have had to continue to work in order to fill the gap in welfare provision, often by taking on insecure and low paid forms of employment (Ashwin, 2006; Rands-Lyon, 2007). The privatisation of the workplace in the post-Soviet context has reduced women's access to previously held rights, further undermining western conceptualisations of access to rights in a market economy as accessible through paid employment (Lister, 1997; Elson, 2002; Kingfisher, 2002). Accordingly, access to 'rights' is dependent on access to informal networks for many women. As a result, women's access to rights in the post-Soviet context is doubly contingent on the market and networks that mediate access to employment (Szalai, 2006; Tartakovskaya & Ashwin, 2006). In addition, women's ability to access the legal processes to claim rights necessary for empowerment is problematic in the post-Soviet context.

The reasons for the privatisation of women's rights claims, and the implications for women's ability to access their rights in the post-Soviet context is returned to in greater depth in each chapter of the thesis as follows.



## **Structure of the thesis**

The first chapter of the thesis outlines the methodological and ethical issues that arose when designing, conducting and analysing the empirical data. The thesis begins with a discussion of the methodology in order to highlight the important contribution that pre-fieldwork analysis of readers' letters to advice pages in a Russian magazine had in shaping the research questions; moving from a study of women's perceptions of human rights to an exploration of the multiple perceptions of various rights discourses and women's access to rights-based approaches in everyday life. The chapter describes the ethnographic methods employed during the period of field research and reflects on the ways in which these methods shaped my experiences in the field and in turn informed my analysis of the data in writing the thesis. The importance of integrating into the context under study through an engagement with the language and everyday social interactions was crucial as the personal experience of the cultural and practical constraints that determined women's access to rights-based approaches in the case study location enabled the structural constraints to be clearly problematised.

Chapter 2 provides an in-depth analysis of existing literature on the promotion of women's roles in Soviet and post-Soviet society. An in-depth analysis of women's roles is essential in understanding women's access to rights in the contemporary period as ascribed roles serve to legitimise certain rights claims for women. The key themes to emerge in this chapter, and that act as a framework for discussion of the empirical data, are in highlighting the myth of formal equality and the reality of inequality, identifying women's responsibility for 'resolving everyday problems' and charting the shift in discourses in the late Soviet period that have resulted in the privatisation of women's rights. Chapter 2 also contains an analysis of national press discourses in the contemporary period and demonstrates the limited nature of public discussions of women's issues to 'reproductive health'. Thus, there is a lack of articulation of women's rights discourses, despite the continuation of structural gender inequalities, particularly discrimination at work, which has wide ramifications for women's access to the market, and in theory their ability to secure rights.

To further develop the contextual framework in which to analyse the empirical data, Chapter 3 discusses the results of the pre-fieldwork analysis of the local press discourses that were pivotal in the research design. The analysis of readers' letters to advice pages demonstrates two approaches to rights realisation exist in the post-Soviet context, one approach draws on Soviet perceptions of rights and processes of claiming, but also exists alongside and merges with 'newer' forms of rights discourses, such as individual legal claims. The co-existence of these two approaches and conceptualisations of rights and the processes of claiming rights is a recurrent theme in the empirical data, particularly in Chapter's 6 and 7. Chapter 3 also presents analysis of the local rights discourses and activism employed by experts in the research location. The findings from these interviews again highlight a lesser focus on women's rights, despite an increased commitment to the promotion of human rights in the city, suggesting gendered perceptions of human rights.

Discussion of the empirical data begins in Chapter 4 by unpacking respondents' perceptions of the various categories of rights discourse, including human rights, women's rights and rights. This chapter shows that each element of rights discourse has particular connotations and is applied to certain circumstances. The key findings of this chapter are the gendered nature of human rights discourses (applied to violations against men occurring in the official public sphere) and also the 'remoteness' of human rights discourses from everyday concerns. Chapter 5 explores the perception of 'remoteness' by exploring further the distinctions respondents made between their everyday concerns and rights violations. The analysis shows that despite distinctions at the level of perceptions, there is in fact an overlap where respondents talk about attempts to claim rights. The chapter argues that the continued legitimacy of Soviet social and economic rights results in the employment of rights discourses as a symbolic resource to express a sense of disempowerment from a lack of state protection and an inability to access new forms of claiming rights, particularly legal approaches.

Chapters 6 & 7 consolidate the analysis of respondents' perceptions of rights by discussing women's experiences of both informal and formal rights-based approaches.

Women's continued use of informal networks is analysed in Chapter 6 as informal networks were identified as the main means by which to access rights in the post-Soviet context. However, respondents had differential access to informal networks, particularly those connected to the local administration, which accordingly impacted on access to rights. The use of informal networks to access legal advice also emerged within the data. Although this enabled respondents to access legal advice, the advice received was problematic and most respondents were unable to put legal advice into practice. The consequences of differential access to informal networks and rights are returned to in Chapter 7 with a particular focus on the negative consequences for women attempting to make legal claims. The data showed that it was women without additional sources of informal support who were most likely to pursue a legal claim. This is not however read with optimism as the consequences for vulnerable women attempting to access legal claims can be extremely damaging where they do not result in a sense of rights protection.

The thesis concludes by arguing that the rhetoric of rights-based approaches as empowerment has not been founded in the post-Soviet context. Rather women's rights issues have been relegated to the private sphere and human rights are associated with specific conditions that predominantly affect male victims. The issues on which women can make rights claims have shrunk, leaving little opportunity for women to access rights to address issues of structural gender inequality. While the data paints a bleak picture of women's ability to access rights in the post-Soviet context, the thesis concludes that it is important to hold onto the promise of rights for women as they have an important legitimising effect. The problem is not with rights per se, but with the political and economic context, in which perceptions are framed, rights are implemented and the processes of claiming rights are determined. Thus, problematising neo-liberal policy agendas as well as highlighting the existence of multiple rights discourses is required in order to highlight the structural constraints that determine women's level of access to rights.

## **Chapter 1**

### **Methodological and ethical considerations in cross-cultural feminist research**

#### **Introduction**

This chapter outlines the methodology of the research process before, during and after the period of fieldwork. It addresses the ways in which unpacking and problematising the promise of rights for women informed the methodological approach, and how the methodological approach, in turn, influenced the nature of the research findings. A discussion of the methodology appears at the beginning of the thesis as it is important to discuss how my commitment to a feminist research agenda shaped the entire research process. The methodological and ethical issues associated with feminist cross-cultural research are discussed in the first section of this chapter, highlighting the tension between the need to represent, but also interpret women's views. This discussion is followed by a reflection on the methods employed during the pre-fieldwork research and those employed whilst in the field. The process of post-fieldwork analysis and 'writing-up' is also considered and related to issues of representation. The conclusions of this chapter discuss the extent to which the methodological design was successful in facilitating an exploration of women's perceptions of the various elements of rights terminology and access to rights without essentialising or obscuring respondents own constructions and meanings of their rights or denying the importance of their own strategies and forms of agency when generating insights on the broader debates framing the study.

#### **Ethical dilemmas in feminist cross-cultural research**

This thesis argues that it is vital to uncover the ways in which women understand, talk about and ultimately access various types of 'rights' in their everyday lives. These insights can highlight the ways in which rights can assist, or indeed may limit the forms of choice and forms of agency available to women in contemporary Russia. As discussed in the introduction, my own understandings and concerns about the promise

of rights to facilitate women's choice and equality are informed by a commitment to a feminist research agenda which seeks to represent, but also interpret women's perceptions and actions. This impacted on my choice of methodology at a basic level in the use of a qualitative research design. While feminist research does not always use a qualitative research methodology and methods<sup>6</sup>, a qualitative approach was deemed most appropriate for this thesis.

Qualitative research is grounded in an understanding of social 'reality' as constructed and continually evolving. It is therefore crucial to understand the dynamics in a given social reality, and see that reality from the viewpoint of those living in that social reality (Blumer, 1969: 40 cited in Churchill, 2005: 23). Qualitative methods also enable the research to capture the fluid nature of social reality. This allows the researcher to take account of, and to analyse the *differences* in the experiences of individuals depending on age, gender, location, ethnicity and religion (Travers, 2001:9).

In addition to the commitment to conduct feminist research, the thesis is also an example of a cross-cultural study. The suitability of qualitative methods for this kind of research has been demonstrated in the wealth of existing studies conducted by western scholars in contemporary Russia (Humphrey, 2000; Kay, 2000; Kay, 2006; Flynn, 2007), as well as collaborative projects with Russian academics (for example, Pilkington et al, 2002; Ashwin, 2006). In addition, Russian methodological literature is emerging from excellent qualitative studies conducted by Russian scholars in provincial areas (Pilkington & Omel'chenko, 1997; Omel'chenko, 2004). These studies have demonstrated the fruitfulness of a qualitative approach in highlighting the ways in which the ongoing social and economic transformations in contemporary Russian society have impacted variously on individuals and determined the multiple strategies utilised to negotiate social and economic transformations.

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<sup>6</sup> I did not employ quantitative techniques in my research design, but existing quantitative studies were useful in providing an overview of public opinion trends on human rights, which informed the focus of the design of some of the research questions. For selected examples see, C. J. Anderson, 'Political repression and public perceptions of human rights', *Political Research Quarterly*, 55 (2) (2002): 439-456; T. Gerber & S. Mendelson, 'Russian Public Opinion on Human Rights and the war on Chechnya', *Post-Soviet Affairs*, 18 (4) (2002): 271-305; VTsIOM, 'Which human rights are most important?', *Russian Life*, 47 (1) (2004): 8.

## Potential issues arising in using a feminist research methodology in cross-cultural research

Hall argues that feminist research methodologies developed out of the qualitative research paradigm's recognition that the research process is not a 'value-free, neutral, uninvolved approach' (2004: 133). Early discussions of feminist research methodology, such as Oakley (1981) and Finch (1984) focused on the use of interviews as a tool to comment on the lives of women, and give a voice to women's subjective experiences of living in a patriarchal society (Oakley, 1981: 49). As with feminism writ large, early feminist methodological approaches that highlighted women's 'shared oppression' have been critiqued for ignoring differential power relations between women of different class, race and location (Bhopal, 1995: 166, cited in Hall, 2004: 132). Concerns about the ability of 'women to interview women' without objectifying the respondent has thus become a central concern in feminist research design (Oakley, 1981: 41).

As a consequence, a defining aspect of feminist research design is the scrutiny of power relations within the research process and the interview (Millen, 1997: 390). Building reciprocity and rapport with respondents during the research process are often cited means to achieve a more equal balance of power within the research process (Watts, 2006: 385). Ensuring the researcher answers respondents' questions, makes their own position on the topic clear in writing up, involves themselves within the research process and 'actively listens to respondents' experiences can result in some degree of reciprocity and mutuality of power (Millen, 1997). However, conducting feminist research presents additional ethical considerations when conducting research with women who may not share the feminist research agenda of the researcher (Millen, 1997).

A wealth of reflective accounts by feminist researchers highlight the ethical and methodological dilemmas of conducting cross-cultural research, and research with respondents who may be potentially hostile to the researcher's feminist agenda (Millen,

1997; Andrews, 2002; Franks, 2002; Hall, 2004; Watts, 2006). These accounts not only raise concerns about essentialising and objectifying the experience of the women taking part in the research, but also discuss the potentially damaging impact of imposing the researcher's own agenda on respondents' responses. Millen cautions that 'too orthodox a definition of feminism may inhibit rather than facilitate research that could lead to helpful insights for women' (Millen, 1997: 390). Millen goes on to argue that feminist researchers aims of empowering women through their research can cause undue distress if these do not match respondents understandings of their situations,

What feminists see as empowering by giving women tools to analyse their situations in terms of gender and power, may actually disempower them in the short term by undermining immediate coping strategies which do not involve any long-term structural change for women (Millen, 1997: 392-393).

Millen stresses therefore, the need for feminist researchers to conduct gender-sensitive research that takes into account structural context in which the observed inequalities for women arise. This should allow more sensitive questioning and reading of choices, rather than disregarding women's choices and agency simply as 'false consciousness'.

I was aware of backlash to 'feminism' in the post-Soviet context. While not wanting to make assumptions about whether potential respondents would have, or not support any particular feminist agendas, it was important to design the project in such a way that respondents would have enough information about the project for informed consent, but would not be deterred by the perceived feminist aims of a western researcher, which may have negative connotations in the local context (Watts, 2006: 390). Thus, I chose to frame research questions in relation to various rights terminologies (human rights, women's rights, rights, problems)<sup>7</sup>. In addition, as part of my commitment to conducting culturally sensitive feminist research, I incorporated an analysis of rights

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<sup>7</sup> A sample interview schedule is attached as Appendix C. The questions listed are the key questions asked to most respondents. The questions were not necessarily asked in that order, nor does the schedule represent an exhaustive list of questions asked, which varied according to individual interview dynamics.

discourses appearing in selected Russian media sources as part of preparation for fieldwork.

### **Preparing for fieldwork: analysis of rights discourses in the Russian media**

As a means of gaining insights into the context under study before conducting fieldwork I conducted a discourse analysis of readers' letters pages and local newspapers over the period of my thesis research (2003-2006). In this thesis, rights are understood both as legally enshrined entitlements to be claimed, but also as a discursive resource. Discourses (written and spoken) can be understood as a form of 'social practice' (Wodak & Fairclough, 1997: 55, cited in Titscher et al, 2000: 147). An insight into the discursive construction of events is crucial as 'discursive acts' contribute to the constructions of the parameters of 'knowledge, situations, roles and identities between various interacting social groups' (De Cilla et al, 1999: 157). Discourses can legitimise certain constructions of social reality, but discourses can also challenge the status quo in transforming understandings of particular issues (De Cilla et al, 1997: 157). An analysis of the texts of readers' letters thus provided insights into the discursive construction and legitimisation of particular forms of rights and processes of claiming rights through their public discussion in media sources.

#### Analysis of readers' letters appearing in *Sel'skaia nov'*

Analyses of reader's letters appearing in Russian media sources can provide important insights into how rights and the processes of claiming rights are understood as letter writing represented a key means of citizen's redress during the Soviet period (Riordan & Bridger, 1992: 11). Fitzpatrick notes that during the Soviet period, letter writing was often used to access a 'legal' assistance from the state by women using the practice of letter writing to appeal for intervention in divorce or alimony payment cases (1996). As many Soviet practices continue to have influence in the post-Soviet period, albeit in an adapted form (Ledeneva, 1998; Burawoy & Verdery, 1999), it was reasonable to



assume that an analysis of contemporary readers' letters would provide insight how rights terminology was being used in relation to problems experienced in everyday life.

Most Russian media sources feature some form of advice pages, and some women's magazines established in the Soviet era continue to publish, such as *Rabotnitsa* or *Krest'ianka*. However, I decided not to conduct a systematic analysis of the letters pages in these magazines as they have undergone substantial transformation from their Soviet format and are now similar to western glossy magazines. While *Rabotnitsa* still features letters pages, including letters containing direct appeals for assistance, they appear in a much reduced form. For example, recent issues of *Rabotnitsa* have only printed one appeal for direct intervention on their readers' letters pages, and rather than the magazine intervening, other readers are invited to offer assistance (see, 'Rossiia- eto my', *Rabotnitsa*, Issues 2004 – 2005). *Rabotnitsa* also featured a legal advice column 'Vash advokat' and legal advice columns can provide key insights into which rights are being claimed. However, this column appears to be a more sporadic feature, and over the period consulted for the thesis (2003-2005) the space allocated to the column decreased, and was only featured in the January & February issues for 2005.

I decided to select a source that focused on providing information and advice about rights issues, as this would provide insight into the vocabulary of rights, but also the rights issues deemed as priorities by readers. It was also important to choose a source that was aimed at everyday concerns of women living in provincial towns and villages. The Russian periodical *Sel'skaia nov*<sup>8</sup> is committed to providing readers with information about rights and promoting awareness of rights-based approaches to readers living in provincial areas. Alongside a wealth of advice based articles<sup>9</sup>, the magazine

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<sup>8</sup> The magazine is published monthly and celebrated its 40th anniversary in 2005. It has a circulation of around 750, 000, but actual readership is thought to be much higher due to the number of library subscriptions, and the practice of friends splitting the cost of subscription and sharing copies of the magazine (Interview with editor of *Sel'skaia nov*', Moscow, 25th October 2005).

<sup>9</sup>The magazine often responds to issues of major concern to readers with extended articles discussing the ways in which to negotiate and manage these problems in terms of knowing rights and the processes for claiming them. For selected examples see, N. Stuchkova, 'Dolgaia doroga k alimentam', *Sel'skaia nov*' 4, 2004: 32-33; N. Alekseeva, 'L'gotinaia revoliutsiia: bol'shoe oskorblenie malen'kim rublem, *Sel'skaia nov*' 3, 2005: 2-3; G. Xobanskuii, 'Strasti po zhil'iu: novyi zhilishchnyi kodeks nuzhdaetsia v sushchesvennykh dorabotkakh, *Sel'skaia nov*' 8, 2005: 6-7; R. Khandamov, 'Ia grazhdanin?' *Sel'skaia nov*' 3, 2006: 18-19; A. Vasil'ev, 'Shok eto po nashemu: reforma GKH dlia luidei ili za schet luidei?',

features two letters pages devoted to providing readers with advice on how to resolve their problems.

The letters page '*Zhurnal pomog*' offers intervention in cases where previously held social and economic welfare entitlements have not been upheld. This can be interpreted as representing a continuation of Soviet practices of letter writing and resolving problems as readers tend to appeal to the magazine for intervention in their individual case. By contrast, letters appearing on the page '*Pravovaia neotlozhka*' differ in their approach and framing of their problems. Here, readers are often seeking legal advice or clarification of their legal entitlements to specific rights. Here readers are seeking advice before attempting to pursue individual rights claims, rather than seeking intervention on their behalf. It was therefore important to analyse both pages in order to understand that perceptions of rights remain informed by Soviet practice, but that newer legal approaches are increasingly being discussed. *Sel'skaia nov*' was therefore an ideal resource for analysing differing understandings of rights and the processes of claiming rights emerging in contemporary Russia.

#### Supplementary analysis of rights discourses in the local and national press

In addition, a local newspaper from the research location, *Simbirskii kur'er*, was analysed throughout the period of research. As with the analysis of letters appearing in *Sel'skaia nov*', an analysis of local press discourses was conducted to gain an awareness of how women's rights, human rights or rights were placed on the public agenda in the research locale, and which rights discourses were being legitimised or sidelined (Fairclough, 2002). In addition, analysis of local press discourses provided invaluable insight into current concerns in the research location. I was able to incorporate my awareness of local issues into in-depth and expert interviews, which assisted in creating a good dynamic within interviews as respondents saw that I was aware of and engaged with issues of local

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*Sel'skaia nov*' 3, 2006: 15. A high volume of articles also appeared in relation to the rights of young men called for military service see for example a series of articles by the same author, T. Znachkovy, 'Trubat soldatu sbor', *Sel'skaia nov*', 4, 2004: 24-25, 'Plan voenkomata', *Sel'skaia nov*', 9, 2004: 24-25 and 'Uchis', student!', *Sel'skaia nov*', 9 2005: 22-23.

concern. This further helped to dispel any perceptions that I was there to ‘judge’ respondents’ experiences from a remote standpoint.

The newspaper has four weekly editions and has a circulation of 8,000 for Tuesday and Thursday editions and 12,000 for Saturday. This paper was selected because of the broadly similar agenda to that of *Sel’skaia nov’* in attempting to promote awareness of rights, for example in publicising the work of the newly created Committee for Citizens’ Appeals and Human Rights<sup>10</sup>. It also published a weekly legal advice letters’ page, *‘Konsultatsiia po chetvergam’* (Consultation on Thursday). The newspaper has an online archive that allowed access whilst not in the field, and this was convenient for searching for key words or issues that emerged as themes for further investigation during the period of analysis.

To provide some broader contextual data to complement to local understandings of rights, I also conducted a selective analysis of national press discourses appearing in English translation in the Current Digest of Soviet Press and the Current Digest of Post-Soviet Press for key issues, for example providing an awareness of federal level policies and declarations on women’s rights. It is important to stress that while I discuss findings from the discourse analysis of these media sources in Chapter 3, press discourse analysis does not represent the methodological core of my thesis. Thus, the findings from the press analysis should be read as providing insights in the broader cultural context in which respondents’ perceptions of rights can be understood. The analysis of rights discourses in letters pages enabled me to gain insights into the ways in which non-experts talked about rights before conducting fieldwork. As well as providing context, the analysis of rights discourses also offered access to an appropriate vocabulary for constructing contextually sensitive questions about rights for use in the in-depth interviews which formed the core of my data (Foddy, 1993: 53; Arksey & Knight, 1999: 93).

### **The research location**

As discussed in the introduction, a provincial location was chosen in order to explore women’s perceptions of rights and social changes out side of major cities. Women’s

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<sup>10</sup> See for example, *Dumaem vmeste: novosti’*, *Simbirskii kur’er*, 17<sup>th</sup> December 2005: 166.

experience of transformation and forms of agency through survival or 'livelihood' strategies (Pickup & White, 2003) in major cities, and increasingly in provincial areas, have received extensive analysis (Lonkila, 1997; Schleuning, 1998; Shevchenko, 2002; Pickup & White, 2003; White, 2004). However, the link between women's perceptions of rights and forms of agency has not been fully explored. The rationale for choosing to explore and analyse perceptions of rights and impact on agency in a provincial location was informed by an understanding that location impacts on understandings of, and the processes for claiming rights. Women living in provincial areas have to negotiate international, federal and local provisions for rights and the processes of claiming. This is often problematic where local governments do not have the resources to provide basic welfare entitlements (White, 2004; see also Chapter 3 this thesis), suggesting that international provisions for women's human rights would be less likely to be accessible in provincial locations.

The ethnographic research for this thesis was conducted in the city of Ul'ianovsk, Russian Federation. I had previously visited the city in 2003 whilst attending a summer language school, and again in June-July 2004 in order to conduct a small pilot study. I therefore had a small circle of friends and contacts, and this helped enormously in facilitating snowballing and integration into the research location where personal recommendations remain vital in virtually all forms of social interaction in the post-Soviet context (Ledeneva, 1998). My department at the University of Glasgow has established links with members of staff at the Region Sociological Research Centre based within Ul'ianovsk State University<sup>11</sup>. This provided an extremely valued base during fieldwork with colleagues who were most helpful in assisting with the recruitment of respondents and in facilitating contact with locally based researchers and their projects.

Ul'ianovsk oblast is located in the European part of the Russian Federation in the Volga region. The city is approximately 893 kilometres southwest of Moscow. The 2002 Federal population census estimated Ul'ianovsk city as having a population of approximately 657,000 residents (Ul'ianovsk Oblast Government website, 2006). The

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<sup>11</sup> See [www.region.ulsu.ru](http://www.region.ulsu.ru) for details of centre's work and research interests.

Autonomous Tatar and Chuvash Republics border the Ul'ianovsk oblast, and there is a high degree of ethnic and national diversity within the city due to in-migration from these republics and also the surrounding agricultural areas of the oblast itself. In terms of socio-demographic and economic development indicators, Ul'ianovsk appears to be typical of other provincial regions in the Russian Federation in the contemporary period. While not one of the poorest regions in the Russian Federation, federal statistics indicate that as with many provincial regions, Ul'ianovsk has experienced decline in the agricultural sector and that the costs of living and acute services are rising in relation to incomes (Goskomstat, 2006). Thus, Ul'ianovsk has experienced similar downward trends as seen in other provincial areas as a result of the social and economic transformations of the post-Soviet period.

However, respondents in this study perceived the region to be one of the lesser developed regions, certainly in comparison to the surrounding larger provincial cities within the Volga region, such as Samara and Saratov. Thus, Ul'ianovsk represents an interesting case study not only in comparison to international and national level perceptions of rights, but also of regional variation as respondents' key points of reference on their standard of living were often based at the local level. There is also a considerable degree of out-migration of younger people with higher education from the city to Moscow in light of the perceived and real lack of career prospects and low level of wages and standard of living for young people, especially young families, which is a trend common to many provincial regions (White, 2004; White, 2007), and certainly impacted on perceptions of rights as is discussed in Chapter 4.

The Ul'ianovsk oblast was also an ideal research location because of its history as an agricultural region. The oblast has many surrounding villages' small rural towns and I had intended to conduct research in the smaller towns and rural areas, which have arguably disproportionately experienced the negative aspects of transition (White, 2004). The reason why research was then conducted within Ul'ianovsk city, rather than these rural areas is returned to later in this chapter in the discussion of access issues.

Returning to the same research location over a number of years also enabled me to observe any changes in the social and economic development of the city. Over the period, changing levels of affluence as well as increasing social stratification were evident. This impacted on perceptions of rights as respondents had differential access to the emerging private sectors providing both acute services and consumer commodities. Respondents' differential access to these services also impacted on the ways in which respondents used the various elements of rights discourses in relation to their everyday lives as shown in Chapter 5.

## **Sampling**

Sampling in qualitative research is not designed in order to generate a 'representative' sample of respondents. However, it is important to consider the impact that the characteristics of respondents interviewed have in shaping the data generated (Devine & Heath, 1999: 207). Women from a variety of different age groups, occupations, backgrounds and family structures were interviewed for a number of reasons. Firstly, exploring the perceptions of a variety of respondents ensured that I was not treating 'women' as a homogenous category and essentialising their experiences (Ludvig, 2006). Secondly, interviewing women of different age groups, occupations and socio-economic positions provided insights into how women variously experienced the social and economic transformations of the post-Soviet period. This in turn impacted the forms of agency available to them, and thus their perceptions of rights.

While I wanted to understand how the differing experiences of women impacted on perceptions of rights, I did set some parameters on the sample. I chose not to interview women who were seeking assistance for internationally defined examples of women's human rights abuses, such as domestic violence, trafficking and migration. Choosing not interviewing women seeking assistance in these instances does not deny the important recognition of these abuses as women's human rights violations; rather the aim of the thesis was to allow women to define human rights violations for themselves, rather than according to current international priorities. Although issues such as

domestic violence were not the focus of the research questions, it was important to gain some insights into the issue as this is an 'everyday' crisis situation for many women. Given the taboo nature of the topic, as well as limited sources of assistance, I consulted the wealth of excellent research on the subject of domestic violence in Russia in the analysis of 'crisis' centre provision in order to have awareness of the contextually specific issues (Hemment, 2004; Johnson, 2004). I also interviewed the director of the local domestic violence support centre *Luch' nadezhdy* (Ray of Hope) in order to investigate whether domestic violence was perceived as a rights violation and whether women attempted to seek redress through rights claims. Interviewing service providers on the issues also avoided causing distress to clients. The findings from this interview are discussed in Chapter 3. Moreover, some respondents discussed the issue of domestic violence in interviews as an example of a rights violation affecting women – albeit 'other' women. This highlighted an area for further research that could explore which rights violations are 'named' as personal experiences, and which are viewed as 'women's rights' in an abstract sense.

In taking a broader approach to the design of interview questions, my own perceptions of what can be classified as a 'crisis' situation and a women's human rights violation shifted further from international definitions over the course of fieldwork. It became apparent that many everyday issues not conceptualised as women's human rights violations internationally were described as rights violations that were directly linked to the personal experiences of respondents. In the post-Soviet context, crisis can be much more broadly defined, and often perceived as affecting the whole of society, rather than women in particular in the post-Soviet context (Bridger & Pine, 1998). However, women's continuing experience of the ramifications of social and economic transformations and attempts to 'survive' their impact has to a certain degree 'normalised' examples of crisis (Pickup & White, 2003).

For example, one respondent in particular felt that it was crucial for me to talk to single mothers and unemployed women who would be able to comment more fully on the topic of human rights and violations. The respondent organised interviews with women who were lone parents or had additional caring responsibilities, some of whom were

also unemployed. Interviewing these women provided great insights into how rights violations affecting women were perceived locally, and were often linked directly to lack of state support in fulfilling caring responsibilities. This highlighted the importance of moving beyond international definitions of women's human rights violations as examples of 'crises', to an approach that also considered social and economic rights and the need for material protection.

### The sample of respondents

In addition to the five questionnaires and nine interviews generated in the pilot study conducted in 2004, I conducted forty-nine in-depth interviews with 'non-expert' respondents, and seven 'expert' interviews with members of the local administration, social services and non-governmental sectors. In addition, twenty respondents from the in-depth interviews also completed an open-ended questionnaire and another fifteen respondents completed an open-ended questionnaire but declined to take part in a formal interview. This section discusses the impact that the characteristics of the respondents taking part in in-depth non-expert interviews had on the data generated. Respondents' were aged between seventeen to sixty-eight years and represented a variety of occupational, socio-economic and family backgrounds<sup>12</sup>.

It was anticipated that the age of respondent would have an impact on respondents' perceptions of rights and forms of agency in accordance with their level of direct experience of the Soviet system. In addition respondents had differing caring responsibilities, which would also have an impact. However, most of the respondents taking part in an in-depth interview shared a common characteristic in that the majority had a higher education, or specialist training linked to a profession. Many of my respondents were initially recruited through contacts at the sociological research centre. I was concerned that due to these respondents high level of awareness of the issue of human rights, responses to my questions would be related to abstract international debates, rather than discussing everyday life experiences. While this provided insight

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<sup>12</sup> Refer to Appendix A, Table 1 for details of level of participation in the study and Tables 2 & 3 for respondents' socio-demographic details.



into how these terms were perceived by respondents in academia, I wanted to further investigate how everyday issues were discussed in terms of rights.

The majority of my respondents could be viewed as belonging to what was previously known as the Soviet 'middle class' of urban professionals and the lower level intelligentsia (White, 2004). Respondents tended to be educated and trained as librarians, teachers, doctors and employees within the culture industries (Fitzpatrick, 2001; White, 2004). While in the Soviet period, employees in these sectors had a relatively secure standard of living, the social position and relative privilege previously attached to these professions has not remained in the post-Soviet period. Cuts in employment in the state sector and the denigration of the status of these professions in terms of pay have impacted mainly on women who represent the majority of employees within the budget sector. Indeed, many of the respondents were no longer currently employed in their specialist field because of the reduced number of available jobs and also the low wages in the state sector. This had a particularly devastating affect on the older respondents in the sample who had been educated and trained to work in these professions during the Soviet period.

Respondents experiencing loss of previously held professional status had attempted to diversify in order to negotiate the consequences of social and economic transformation. For example, some respondents who were previously teachers now worked in the private sector as market researchers, private tutors and entrepreneurs. However, the ability to change and meet the demands of employment in the new private sector was limited for older respondents because of the demand for 'youth' and 'new' IT skills. Thus, respondents over 35 who were no longer working in the state sector were often reliant on friends or insecure private contracts. These respondents had experienced greater losses, both in terms of economic security and also professional identity (Fitzpatrick, 2001), than younger respondents.

Respondents in the sample who were under 35 were either in higher education, both at undergraduate and postgraduate level, or had completed their higher education. Many

had trained as teachers, but were often not working in their chosen specialism due to the extremely low wages within this sector. While the younger respondents were in most cases able to find alternative work within the private sector, this was not secure and also was often perceived negatively as not being 'according to specialism'. For all respondents, therefore, there was a perceived lack of opportunity to use their higher education and training to improve social position. This was perceived both as a loss of social and economic rights and the lack of opportunity for professional and personal development.

While higher education did not necessarily offer economic security or professional development, it can provide other forms of social capital important in the post-Soviet period for some respondents. Teachers and doctors have been described as some of the most well networked professions (Lonkila, 1998; Patico, 2000). Patico (2002) argues that as providers of a key service, teachers have been able to form and maintain effective informal networks, which have enabled members of these professions to negotiate the challenges of social and economic transformation. In this study, the key benefit respondents attributed to having a higher education was in their ability to access information, often through resources available in the workplace, such as access to the Internet. It could be argued that higher education gave respondents confidence in their ability to access information and understand their rights and issues. Indeed, few of the fifteen respondents who completed questionnaires, but declined to take part in an interview had a higher level of education. This may indicate their lack of confidence in their literacy on rights issues. While respondents with higher education taking part in interviews did position themselves as being better informed and able to consider rights issues than respondents without higher education, in reality they had little or no confidence that this knowledge would better enable them to access and claim rights.

Moreover, respondents who had lost previously held social and economic status often felt more disillusioned because they had a direct experience of loss of social and economic rights and had not been able to take advantage of the alleged opportunities brought about by democratisation and privatisation. Levels of confidence in ability to claim rights was clearly related to caring responsibilities, where the withdrawal of

welfare support and lack of protection in the private sector was acutely felt. For respondents with children, experiences of attempting to negotiate work life balance in the post-Soviet period was especially difficult. Many respondents with school age children remained employed in the state sector despite low wages because of the relative security of guaranteed hours and minimal welfare provision. Most of the respondents over 35 had one or two children and this clearly influenced their perceptions of rights in terms of welfare provision and economic security. In contrast, many of the younger respondents, who were still studying and did not have children of their own, expressed confidence in their own ability to 'resolve problems' and assert their rights. It may be that these respondents not experienced any direct challenge to their rights and they were influenced by the discursive construction of the 'successful woman'. However, this has been demonstrated to be a myth for all but a few women in the post-Soviet period (see for example, Zhurzhenko, 2001; Metcalfe & Afanassieva, 2005).

### **Contacting respondents: snowballing and open-ended questionnaires**

I began the period of fieldwork with the contact details of several women who had offered to participate in an interview with me during the pilot study in 2004<sup>13</sup>, but due to the short period of time available had not had the chance to participate in an interview. These contacts had been keen to take part in an interview at a later date, and I started fieldwork by contacting these women. I was also renting a room with the same family I had stayed with during the pilot research and was therefore in the fortunate position of having a contact that could facilitate introductions with potential respondents, which is especially important in the post-Soviet context (Ledeneva, 1998). The importance of personal contacts can also be problematic when researching, and the gate-keeping issues that arose from the use of personal contacts during my research are discussed below.

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<sup>13</sup> The small study conducted in 2004 piloted the use of open-ended questionnaires and in-depth interviews as well as the formulation of questions relating to the various elements of 'rights' terminology (women's rights, human rights, citizenship rights, rights). I conducted nine in-depth interviews with women and collected five questionnaires. The responses to these questions flagged up issues with translation of questions and were invaluable in tailoring the research questions for the period of fieldwork in 2005.

Snowballing techniques worked well and many respondents passed my details to their friends, neighbours and family members (Burgess, 1990: 55).

### Open-ended questionnaires: gaining access and informing respondents

To complement snowballing and to ensure some of the ethical concerns were mitigated, I distributed open-ended questionnaires to potential respondents. Open-ended questionnaires were chosen over closed questionnaires because closed questions can reflect the ‘so-called dominant rhetoric’ (Herzog, 1995: 174), in this case the possibility of assuming the meaning of human rights. Thus, open-ended questionnaires allow respondents the ‘opportunity to express their own experiences and their own way of interpreting the world’ (Oakley, 1981 cited in Herzog, 1995: 174). As well as generating socio-demographic data, and responses to key research questions, questionnaires were also used to inform respondents about the aims of the project. Providing respondents with accurate information about the researcher, the purpose of the research, and future use of the data, (for example as a PhD thesis or as conference papers and publications), is of vital importance in gaining informed consent from the respondents, in that they participate in the project freely and understand what their participation in the project involves.

Obtaining traditional signed consent forms may be less appropriate in the post-Soviet context, where people are often suspicious of signing consent formally. In order to meet the ethical standards of consent required by feminist research practice, my funding body and my department, the questionnaire also acted as an invitation to take part in an interview. A modified ‘consent’ slip was incorporated into the questionnaire, with respondents provided space to leave name and contact details if they wished to participate in an in-depth interview (for example, their first name, telephone number). My contact details were also provided on the questionnaire, so that respondents could contact me by telephone or email for further information about the research project,

without obligation to complete the questionnaire or take part in an interview<sup>14</sup>. Respondents were also invited to add comments and make suggestions on the research topic. This was intended to disrupt any potential power imbalance by inviting respondents to be the ‘expert’ on the topic.

Respondents were guaranteed the anonymity of any data generated from their involvement in the project. Where respondents are cited some general demographic data is given to outline the context in which women understand and attempt to exercise their rights, but not sufficient to be able to identify the respondent. This was particularly important as some of the respondents interviewed were based within, or were relatives of colleagues at the Region sociological research centre. As I am currently involved in pursuing collaborative research projects with the centre, it was important to ensure respondents could not be identified when sharing research findings. Respondents were also given the opportunity to withdraw consent from the use of data generated at any point.

In addition to ensuring informed consent and generating data, the questionnaires also played a key role in the development of the research questions. Several respondents ‘corrected’ or added useful suggestions on the content and design of the questionnaire. The integration of respondents’ views into the questionnaires informed the nature of the research, for example in expanding the rights terminology explored. This again avoided simply extracting data or imposing interpretive frameworks from a remote standpoint. The questionnaire format was re-developed three times during the period of fieldwork in order to filter in respondents’ comments as my awareness of the cultural specificities informing respondents understandings developed<sup>15</sup>.

Questionnaires were distributed through the Region sociological research centre and also via existing respondents. Distributing through an organisation acts as a personal introduction, and may remove some pressure to agree to complete a questionnaire, or

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<sup>14</sup> Seeking consent in this manner is approved by the faculty research ethics guidelines. Refer to [www.gla.ac.uk/lbss/ethics](http://www.gla.ac.uk/lbss/ethics).

<sup>15</sup> Copies of an English translation of all versions of the questionnaire used are attached in Appendix B.

agree to an interview for fear of offending the researcher in person. However, I did have some ethical concerns over the potential imbalance of power involved. Recruiting potential respondents where the research centre was the institution of education or employment could have been problematic if respondents felt under obligation to participate in an interview.

It was important in these cases to reassure the respondent that they were free to choose not to take part in the interview, or to talk about what aspects of the research, or my experiences were of particular interest to them. In one interview arranged through the research centre, we initially discussed music and popular culture in the west as opposed to the interview questions as it was clear the respondent was not particularly interested in taking part in an interview. Openly discussing music and culture put the respondent at ease and she began to engage with the research questions of her own accord towards the end of the interview (Field notes, 28<sup>th</sup> September 2005). 'Giving something back' clearly assisted in developing a more reciprocal research process in this instance (Watts, 2006: 387).

### Gatekeepers

As discussed above snowballing can be a good technique for widening the circle of potential respondents, but it relies on gatekeepers to facilitate access to respondents (Hammersley & Atkinson, 1983). A gatekeeper may exert social or personal pressure on others to agree to take part in an interview as a favour to the person acting as contact with the researcher. In the post-Soviet context with the practice of informal networks and exchange relations based on favours (Ledeneva, 1998), the issue of gate keeping was perhaps more obvious. Treweek & Linkogle (2000:17) argue that researchers often experience a sense of a 'lack of control' over the research process when using snowballing techniques. Gatekeepers may attempt to present a positive picture of the research locale, or protect members of the research locale from research agenda. Thus, gatekeepers 'may attempt to exercise a level of surveillance and control, either by blocking off certain lines of inquiry, or by shepherding the fieldworker in one direction

or another' (Hammersley & Atkinson, 1983: 65). Gate-keeping issues affected the direction of my research, as I was unable to access the rural villages as I had originally intended.

In the initial stages of research design, I wanted also to interview women living in the more rural parts of the oblast because the social and economic effects of transformation had been more acutely felt. On previous visits, respondents had urged me to conduct research in rural areas for this reason. During the pilot study in 2004, I had visited the relatives of friends living in the surrounding villages when visiting their dacha (summer house and small plot) and was invited to return the following year. However, on arrival in the field I realised that access to these more rural areas might not be feasible. Although my established contacts had friends and relatives living in rural areas, it became clear that their initially positive response to my desire to go to the villages waned, and some appeared to feel uncomfortable about the thought of talking me out to rural areas to conduct interviews.

Gatekeepers explained that there was a sense that my research questions may be 'too difficult' for, often elderly, relatives living in the countryside to respond to (Field notes, 26<sup>th</sup> June 2005). In addition, relatives visiting from the rural areas often expressed a sense of embarrassment about the standard of living in the countryside. It was clear that some had preconceived conceptions about me as a 'westerner' who would perhaps find it difficult to deal with these conditions. I also began to realise that asking someone to introduce me in a village would involve a lot of time and effort, which was in short supply. Moreover, time spent in the countryside in the summer is generally devoted to working on the family plot, or acts as a break from work where close friends can talk. While on previous visits to the dacha I had been a guest and a 'helper', in my role as researcher it was clear that spending a weekend in the village would require the contact spending time, without necessarily feeling that it had been productive for them, or the potential respondents.

It would not be practical, productive or safe to simply 'arrive' unannounced in a village (Treweek & Linkogle: 2000), and I would have had limited success in attempting to approach women in villages without a personal introduction. I was, however, able to talk to women from rural areas on several occasions in the city, when friends' extended families visited. In addition, many respondents I interviewed in the city had dachas and they often spoke in interviews about the extremely difficult conditions for women in rural areas, but also the respect for women living in these areas. These impressions of rural life for women suggest that future research in rural areas would be worthwhile, but would perhaps require the involvement of Russian researchers to gain access.

Another issue to consider about the role of gatekeepers is the currency they can gain from having a 'western' contact, which can result in the researcher being presented with situations that are not entirely comfortable for the researcher. For example; I was interviewed by a local journalist in exchange for her participation in an interview with me. I was not initially comfortable with the thought of appearing on the local television news. However, the outcome was beneficial both in terms of facilitating reciprocal relationships with respondents, and in introducing me to more potential respondents. The interview appeared on the local news and regenerated interest among some respondents who had previously received a questionnaire from friends. Once they had 'seen' me on the news, they were intrigued to meet me and take part in research that was now considered 'newsworthy'.

The status of foreigner has advantages as the researcher is often viewed as a marginal figure, as not directly associated with any authority systems. Local researchers argued that I was more likely to be successful in recruiting respondents than they were because I was seen as a 'curiosity'. Indeed, some respondents told me they only agreed to the interview more out of curiosity to meet a 'Scottish girl', with one respondent explaining that an interview with me was simply an 'interesting addition to her collection of experiences' (Field notes, 8<sup>th</sup> June, 2005). As discussed above, it was important to accept these views and allow respondents to ask about my experiences and impressions of Russia in order to facilitate mutuality in the research process (Watts, 2006).



Pilkington (1994: 212) argues that it is important to make your position in the field clear, especially as respondents may make assumptions about the position of the researcher to provide access to wider sources of support beyond the research project<sup>16</sup>. While I did not encounter this in in-depth interviews, some of the organisations I visited perceived I would be able to provide more. In one interview in particular I received a hostile reception from one member present who constantly muttered that I was ‘a rich westerner’ throughout the interview with another member of the organisation (Field notes, 10<sup>th</sup> October 2005). This resulted in being asked to purchase stationary and office goods, and asked about initiating contacts with other organisations. This was an unsettling experience because as a student I was not in a position to assist financially, nor did I have the desired contacts with non-governmental bodies in Moscow or internationally. It was difficult to explain my inability to assist because relatively I was financially more secure in relation to the respondents in Ul’ianovsk. I felt it would appear patronising to attempt to explain this, and felt it best to listen to their comments and vent my emotional response to it in my field notes later.

### **In-depth interviews: process and ethical considerations**

Respondents agreeing to take part in an interview were again given a description of the project, and what would be involved in the interview before the interview commenced. Respondents were made aware that the interview would be informal, and would take around one hour to conduct. I chose to conduct semi-structured interviews, which included a number of key questions that had been prepared in advance, but remained sufficiently open-ended to encourage the respondent to define the parameters the topic under research (Barbour & Featherstone et al, 2000; Wengraf, 2001: 5). The key questions asked to all respondents were grouped into three categories; general questions about the main issues and problems experienced in everyday life, conceptual questions about associations with the terms ‘women’s rights’, ‘human rights’ and ‘women’s human rights’, and also questions about the role of rights in everyday life, particularly whether or not respondents felt their ‘rights’ had been violated. It was necessary to ask a

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<sup>16</sup> See also Pilkington & Omel’chenko’s (1997: 16) discussion of forced migrants’ expectations of the researcher’s ability to improve their material environment. Where the researcher was not able to meet these expectations was described as one of the most emotionally distressing aspects of their fieldwork.

combination of general, as well as more detailed conceptual questions in order to uncover why and when respondents employed particular rights discourses in discussions of everyday problems.

As the thesis is attempting to gain insight into the ways in which respondents understood and employed various rights terminologies in their lives, it was important to allow respondents the space within the interview to define these issues. Thus, a semi-structured, in-depth interview format was deemed most suitable for the research questions because they '[do] not seek to gauge interviewees' levels of knowledge, but [are] designed to allow 'interviewees' to focus on issues which are salient to them (whilst also attempting to elicit views on certain issues identified as being of prime importance for the notional research project)' (Barbour & Featherstone et al, 2000: 79). Feminist research methodologies also advocate the use of semi-structured in-depth interviews as a potential means to readdress potential power imbalances that can be reflected in interview dynamics (Ramazangolu & Holland, 2002: 112).

However, a semi-structured interview schedule can present challenges for the researcher, particularly where the interview is not conducted in the researcher's first language. Respondents can focus on recounting extended narratives that may appear to be unrelated to the research topic. Yet, such narratives allow respondents to attach meaning and understanding to the research question, and can be useful because 'examining what individuals have to say about their personal experience provides us with useful insights into social and spatial processes and events' (Wiles et al, 2005: 90). Although the researcher should guide the interview towards the aims of the project, an open-ended interview structure allows narratives to emerge and thus provides a richer data set.

The majority of interviews were recorded on audiocassette, but only with the express permission of the respondent. In cases where respondents asked for the interview not to be taped, the interview data comprised notes made by the researcher from memory after the interview. It can be difficult not to become 'dependent' on the tape-recorder and the assumption that recording verbatim responses allows the researcher to more fully

‘represent’ the views of the respondent (James, 2006; see discussion below, this chapter). As I was learning the Russian language over the course of my PhD training, I was perhaps overly sensitive of the potential for mistranslation, or misrepresentation of respondents’ views. Initially, I felt that it was preferential to record interviews wherever possible as it gave me more confidence in my ability to represent what the respondent had actually said. However, I had to remind myself that part of my role as researcher is not to reconstruct ‘factual’ events, but rather to interpret how respondents’ discussions of rights in a particular social context have bearing on wider social dynamics and theory (see, Denzin, 1997). In any event, a verbatim transcription is still subject to the interpretation of the researcher, and the memory of the interview itself, which will also shape the production of the text.

Moreover, unrecorded conversations taking place ‘after the interview’ (Warren, 2003) provided a rich source of data. Goffman, argues that this ‘strip’ of time immediately after the end of the official interview can often reveal more interesting data than that recorded on tape (1974 cited in Warren, 2003:95). It has been suggested that respondents can feel self-conscious talking on tape, and may also doubt their suitability as an informant. This can result in respondents giving the ‘answers’ they think the researcher wants to hear on the research topic, rather than what they may actually think about that topic (Warren, 2003:102).

The time ‘after the interview’ also allows the respondent to talk at length with the researcher on any issues or questions they wish, including questions about the researcher’s work, research agenda, or their personal life and opinions (Wenger, 2001 cited in Warren, 2003: 98). Allowing time for this kind of conversation after the interview is an important element of feminist research methodology because it redresses any potential power imbalances in favour of the respondent, which is desirable in creating a more reciprocal research interaction (Weems, 2006). After each interview, respondents were asked if they would like to listen to some of the recorded interview, and some respondents took the opportunity to listen to their comments and add to, or clarify their thoughts. Other respondents preferred to ‘chat’ over a cup of tea.

In the post-Soviet context, the ‘strip’ of time after the interview arguably has more significance. Rivkin-Fish describes how the Russian practice of ‘sitting at the table’ to drink tea can be viewed as a social ritual that is used to shift the balance of power from the researcher to the respondent (2004: 297). She goes on to suggest that understanding the importance of these rituals in the social context, and taking the time to engage with respondents, builds trust and a level of reciprocity (Weems, 2006). In my experience of interviewing respondents in their own homes, the practice of drinking tea resulted in extended conversations with the respondent. This not only provided greater insight and understanding into the respondents’ lives, but built essential rapport and a sense of the project becoming more reciprocal. The importance of sensitivity to local social norms cannot be overstated and I was struck by the occasions where I felt the formal interview had ‘failed’ due to short answers and silences during the recorded interview (Nairn et al, 2005). However, once the tape recorder had been switched off and we began drinking tea and chatting, the silence ended and respondents often became animated on the subject of my research.

I often found myself discussing my views on my research topic, my impressions of Russia, and my views on the position of women and access to their rights in Scotland and the UK with respondents after the tape had been switched off. Discussing my thoughts on women’s rights in Scotland and also dispelled any notions that I was attempting to ‘essentialise’ Russia and Russian women as somehow lacking in awareness of their rights, or criticising from a remote standpoint. In some cases this resulted in my ‘acceptance’ as a friend and I was subsequently invited into some respondents’ wider social circle of family and friends. Field notes reflecting on this unrecorded data became as important as the text produced from the recorded interviews because both the respondents and my own thoughts on the research topic emerged and developed in these conversations with respondents.

However, it is important not to overstate the level of reciprocity that can be achieved, as Pilkington & Omel’chenko (1997:12) note. They describe fieldwork as the ‘dirty work of sociology’ because a researcher can listen to and experience the respondents’ problems, but in the end, ‘your time here is temporary and voluntary’. It was most important for me not to conduct my research in a manner that could be perceived as, or

feel as if I were simply ‘taking’ information. Therefore, I was keen to extend the level of reciprocity beyond the period fieldwork. All respondents were given my university contact details at the end of the interview if they wished to contact me after the period of fieldwork. I asked respondents if they would like to see copies of interview transcripts, or versions of papers that used the data.

While a few respondents have contacted me since the period of fieldwork, this has been limited to those with email access and English language skills. Most respondents declined the need for further information, either because they said they were not particularly interested, or that they could not read English. It would be impractical, and prohibitively expensive, to send copies of the research to all respondents, but I am still concerned about making my research available to the respondents who allowed me to write this thesis, should they wish to read it. In order to provide respondents with access to my research, I intend to translate a synopsis of my thesis to send to respondents. I am also currently involved in a collaborative research project with researchers from Region sociological research centre. It is hoped that this will result in some of the research findings from my thesis being translated into Russian and made available in Ul’ianovsk through a Russian language publication.

### **Expert interviews**

While the key aim of the research project was to understand how women perceived and used the various elements of rights in everyday contexts, it was also necessary to conduct a number of interviews with key informants involved in the promotion of rights issues within the city. In addition to in-depth interviews, six expert interviews were conducted with key informants in the field of women’s rights and human rights in Ul’ianovsk. In addition an interview with the editor and editorial team of the readers’ letters pages of the magazine *Sel’skaia nov’* in Moscow was conducted towards the end of fieldwork to reflect on findings from analysis of readers letters in light of the findings

from interviews with women<sup>17</sup>. All expert respondents gave consent to be cited in the text, and where appropriate are cited by name and position.

Expert interviews are useful because they can provide insight into how members of local political and community elites use their position as holders of political and discursive resources in the local context to define policy agendas and resource allocation (Herzog, 1995). I was especially keen to interview members of the local political and community elite for my project in light of the recent establishment of a human rights committee in the city, as part of a federal level initiative led by Ella Pamfilova<sup>18</sup>. From the local press analysis conducted, it was clear that the committee could be influential in constructing and disseminating understandings of human rights within the local context (the findings from these interviews are discussed in more detail in Chapter 3).

Much has been written on the difficulties of gaining access to elite respondents because they are essentially ‘closed’ communities (Hunter, 1995). I was fortunate to have a journalist contact in Moscow who was in contact with to a member of the local administration in Ul’ianovsk through their shared interest and work in the sphere of women’s rights. Having this personal contact was crucial in facilitating access. My first expert interview was with the assistant to the local governor, who was the chair of the local administration’s equality committee, and played a role in setting up the newly established Commission for human rights.

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<sup>17</sup> Details of expert respondents and their role in the creation of a rights culture in the research location are attached as Appendix D. A sample of key questions asked to expert interviewees is attached as Appendix E.

<sup>18</sup> Ella Pamfilova is Chairperson of the Civil Society Institutions and Human Rights Council under the President of the Russian Federation, see <http://en.sovetpamfilova.ru/members/3.php>. In April 2005, as a result of federal level initiatives promoted by Pamfilova, the local administration held a conference and consultation workshop on the need to extend human rights education and protection in the town, which resulted in the establishment of a ‘Council for the Development of Civil Society and Human Rights’. See, Ul’ianovsk Oblast Administration website, ‘*O Sovete pri glave administratsii po sodeistviu razvitiia institutov grazhdanskogo obshchestva i pravam cheloveka: Pravovye osnovy deiatel’nosti*’, <http://ulgov.ru/power/gubernator/advise/civil/44bf5c76e9501>.

In conducting interviews with experts, some of the concerns outlined above regarding the need for researcher reflexivity may not be as appropriate (Kezer, 2003). Self-disclosure from the researcher in an expert interview may not be appropriate because the power imbalance is usually already in the favour of the respondent in this case, who are positioned as the 'expert'. This in turn affects the approach the researcher takes to the interview. The researcher has to ensure that they have sufficient background knowledge of the respondent, so as not to be perceived as a 'time-waster'. This may not only damage the current project, but also potentially damage access for future research projects by the researcher or those conducted by other researchers (Hunter, 1995).

The researcher has to ensure that the expert feels their input is valued, and allow them the space to speak in order not to alienate the expert. This can be problematic when time is short (some expert interviews were conducted in 30 minutes breaks between meetings) and the purpose of an expert interview aims to gain insights into specific initiatives. However, expert respondents often talked about how they attained their current position, rather than addressing the research questions directly. I was also confronted with unexpected events in expert interviews, such as multiple experts being present. These interviews felt more like an interrogation of the researcher, which made it difficult to concentrate on pursuing questions related to my research in the interview.

In one interview, a member from another organisation who I intended to interview separately was also present, and preceded to dominate the interview. I felt in this case that I may have missed an opportunity to gain two individual perceptions of the promotion of rights in the city. Despite my concerns, analysis of expert respondents' interviews and the extended narratives that at the time seemed to veer off topic, often revealed much about the ways in which the expert understood my research project. By telling me how I should be conducting my research revealed a great deal about how the expert understood and prioritised rights issues (See Chapter 3 for full discussion of findings).

On the whole, the expert interviews were invaluable, and my first interview opened access to the other members involved in consultation on the establishment of the Council for the Development of Civil Society and Human Rights in the city. This included local social service providers, members of established non-governmental organisations and also grassroots organisations<sup>19</sup>. Without the introduction from the member of the local administration, it would have proved quite difficult to locate some of these organisations, because they had changed name, ceased to function or had new contact details that were not widely available (Abubikirova, 1998)<sup>20</sup>.

In addition to the interviews conducted with members of the local political and community elite, I also conducted an interview with the editor and members of the editorial team of the magazine *Sel'skaia nov'* in Moscow. Although the magazine is based in Moscow, it has a Russia-wide focus, and was a key source in the media discourse analysis that informed the direction of my initial research questions. Thus, the interview with the editorial team was fruitful as I was able to ask more specific questions about the magazine's editorial policy and the letters pages<sup>21</sup> and also discuss the findings from my research in Ul'ianovsk to gauge whether they were common to readers in other provincial areas of Russia.

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<sup>19</sup> As a result of the local administrator's assistance, I was able to conduct expert interviews with members of a number of non-governmental and voluntary organisations involved in consultation as part of the establishment of the Council for the Development of Civil Society and Human Rights. Refer to Appendix D for details of the expert interviewees and their roles.

<sup>20</sup> This was the case with the Association of Women's Lawyers, based in a city in the neighbouring region, Saratov. I wanted to interview a member of this organisation in order to gain insight into the problems in which women were attempting to use rights-based approaches. Unfortunately I was unable to find up-to-date contact details for this organisation. I did however, conduct an interview with a lawyer, which began as an 'in-depth' interview, but was akin to an expert interview because the respondent positioned herself as a lawyer and as such an 'expert'. This resulted in the respondent preferring to talk about her professional role and views, rather than her personal experiences. This interview is discussed in detail in Chapter 7.

<sup>21</sup> The editor of the magazine *Sel'skaia nov'* gave me the contact details of a local correspondent reporting on the Ul'ianovsk area for the magazine. I had hoped this would provide an opportunity to possibly gain access to rural areas by accompanying the correspondent on some stories. After several unsuccessful attempts to meet, it was clear this would not be possible.



## Field diaries and observations

In addition to the texts produced from press analysis, questionnaires and interview transcripts, I generated a significant amount of data in the form of my field diaries. The reasons for keeping field diaries in ethnographic research are well documented, being regarded as an important tool in analysis, and as a means of ensuring researcher reflexivity (Strathern, 1985; Walter, 1995). Field diaries are also an extremely useful method for dealing with the emotions and difficulties associated with internal conflicts over role of researcher or participant in the field (Reger, 2001). While it is difficult in practice to separate the research process from reflection, I decided to keep two field diaries. The first was a research journal that documented and commented on the 'content' of the fieldwork, for example recording the time, location, respondent and key themes from an interview, alongside any additional comments arising from discussions taking place after the interview.

The second diary documented the 'research process', and was used to reflect on how the research project was progressing, and on the possible reasons for any difficulties encountered (Laffan, 1997: 5-6, cited in Churchill, 2005:10). Field diaries facilitate ongoing analysis whilst in the field, which allows the researcher to explore their understandings, re-define the research questions and track how themes are emerging. I found that my deconstructions of interviews recorded in the field diaries provided a trail of the ways in which my analysis and interpretation of the data had evolved over the period of the fieldwork, which this was extremely useful both in the field and in the period of 'writing up' on return.

I was however, concerned as how to use the data generated in the field diaries in the production of the thesis. Much of the data contained in the diaries were notes on conversations I had with friends, or observations I had made. I was unsure of how to *use* this data. I felt it important to incorporate this data into the thesis because it provided a rich source of contextual information and perspectives that supplemented the interview

transcripts. On the other, this data may have been shared as ‘off the record’ conversations, or may be heavily imbued with my own position as an observer. Yet, it is crucial and ethical to use these notes and impressions as they form an important part of analysis. Respondents were aware that whilst we may also have become friends, I was in the field primarily as a researcher. I made sure that I was not simply ‘mining’ information from respondents, but if conversations we had were interesting to my research questions I would make that open in the discussion. In sharing information about my life, family and views on a multitude of issues related to research and everything else in between, many respondents stated that they felt talking to me about the research topic was extremely beneficial (Finch, 1984; Watts, 2006) and were hopeful that their comments and thoughts would provide useful information to be used for the research project.

Moreover, the purpose of conducting feminist research is to interpret data to inform practice for change (praxis). Thus, the researcher has the responsibility not only to present the understandings of respondents, but also the researcher’s interpretation of these understandings. In doing so, the researcher can make a contribution to the development of theory and practice. Thus, extracts from field notes have been included and drawn upon. Where field notes are cited, respondents’ details have been made anonymous.

### **Post-Fieldwork analysis and ‘writing-up’**

While guides on conducting qualitative research and the actual experience of conducting research remind us that the process of analysis is ongoing and evolving (Devine & Heath, 1999), the post- fieldwork period is often described as the period of ‘real’ analysis and ‘writing up’. The remainder of this chapter discusses the process of analysing, translating and writing up the findings generated during the period of fieldwork after return from the field.

## Transcribing, translating, and interpreting data: the challenges of analysis and representation

There is debate among qualitative researchers about 'when' post-fieldwork analysis starts and an increasing number of articles argue that the process of transcription can be viewed as an important part of analysis (Lapadat & Lindsay, 1999; Bucholtz, 2000; Tilley, 2003). As texts are socially constructed, the interpretive, analytical and theoretical assumptions of the transcriber are likely to inform the production of the final transcribed interview text (Tilley, 2003). It has been argued that where the researcher does not transcribe the interview her/himself, important contextual, but unrecorded information from the interview, such as the impact of the location, gestures and emotions of the researcher and researcher may be obscured in the final 'text' to be analysed. Thus, the researcher may 'miss' an important opportunity to deepen their understandings of the impact that the context and dynamics of the interview had on the data to be analysed if they do not transcribe the interviews themselves (Lapadat & Lindsay, 1999). However, the realities of transcribing a large number of qualitative interviews often preclude researchers from doing the transcription themselves. Tilley (2003) argues that as long as researchers are transparent about the 'hiring out' of transcription', the validity of the analysis remains.

I did 'hire out' the transcription of interviews. The aim of the thesis was to analyse how respondents understood and used specific elements of rights talk. It was therefore important to retain the text in the original language in order to avoid any of the original meaning being lost if simultaneously translated and transcribed into English. It would have taken an inordinate length of time to transcribe in Cyrillic characters myself, which due to funding requirements, I did not have. I decided for reasons of speed and 'accuracy' to pay students based at Region sociological research centre which has extensive qualitative research expertise, to transcribe my recorded interviews.

Respondent confidentiality was maintained as tapes were stripped of all demographic identifiers and were labelled only with an assigned respondent number and the date of

interview. As I had conducted several interviews with respondents closely associated with Region research centre, in order to guarantee their anonymity these interviews were transcribed by a native speaker based in the UK who would not recognise the voices of respondents.

However, having the tapes transcribed by native speakers does not maintain verbatim accuracy, and it was evident from comparing the completed transcripts with my field notes on the interviews that information deemed ‘irrelevant’ to the research project had been omitted on some occasions. In addition, it was clear that transcribers had in some cases ‘improved’ the spoken Russian on the tapes, and in some cases different words with similar meanings were substituted in the transcript for those actually used by the researcher in the interview (Temple, 2005). I was concerned that where the wording of my questions had been changed, the interpretation of the transcribed response may have altered from the meaning in the original interview. In the cases where the language content of the original interview had been altered during transcription, I referred back to the original recorded interview and to the interview notes made in the field. This enabled me to check whether the omissions or modifications had had a significant impact on the meaning of the transcribed response, and thus the interpretation of the research findings.

#### ‘Lost in Translation’: Can non-native speakers represent respondents’ understandings?

A concern with the ability to accurately ‘translate’ concepts cross-culturally and uncover respondents’ understandings was a central concern of the research design. I did not want to ascribe meanings attached to concepts, nor ‘name’ certain issues as women’s rights violations where these perceptions were not shared by respondents (Millen, 1997; Watts, 2006). Temple (2005) questions whether non-native speakers conducting cross-language research can meaningfully represent the views of their respondents. Learning the language of respondents and being able to conduct the research in the language of the respondents may go some way to address this problem. Conducting the interviews in Russian myself also ensured that my role in the interviews

was transparent as I did not use interpreters and translators to conduct the interviews (Temple, 2005). However, a consideration of the processes translation and representation remains important because the research was conducted in Russian, but is reproduced here as an English language text (Spivak, 1993 cited in Temple et al, 2006).

Spivak argues that in the process of translation, researchers sometimes fall into 'translatese' and produce texts in which everyone 'speaks perfect English' (1993: 399-400 cited in Temple et al, 2006: 37-38). The problem with this is that the cultural context and specific meanings attached to the concepts interpreted in analysis may be lost. One means of ensuring that the cultural context and respondents' understandings of concepts remain visible, whilst at the same time producing a coherent English text, is to include words in the original language where there is no direct English equivalent. The choice of English translation is explained with reference to the context of the interview discussion where a choice of translations could be made (Temple et al, 2006: 40). Any multiple meanings or contextually bound connotations of words are also discussed in the footnotes. I have also included the question asked to the respondent in the text where appropriate, in order that the respondents' interpretations of the questions are visible.

### Analysing the 'texts'

There is an abundance of literature advising how to analyse qualitative data (for a selection see, Coffey & Atkinson, 1996; Mason, 1996; Silverman, 2000; Bryman, 2004). The influence of a grounded theory approach, whereby theory is generated inductively from the data, has resulted in much of the qualitative research methods literature recommending the use of 'open coding' as the first stage of analysis (Strauss & Corbin, 1998). Open coding refers to the process whereby texts are organised and broken down into more 'manageable chunks' or themes (Welsh, 2002). Whilst it is not possible in practice to take a fully 'grounded theory' approach as existing literature and theories inform both the design and interpretation of the research questions, an inductive approach to coding is still useful in analysing qualitative data. Mason argues that most researchers use a combination of 'literal' (a focus on language use and grammatical

structure); ‘interpretive’ (where the researcher interprets respondents accounts); and ‘reflexive’ (attention to the role of the researcher in the process) approaches when analysing qualitative data (1996: 54).

Coding does not in itself generate theory, and whilst themes may ‘emerge from the data’, these codes have to be further analysed, compared and contrasted. After the initial stages of manual open-coding, I felt the same sense of frustration and ‘chaos’ that other qualitative researchers have described when documenting the time-consuming nature of manual coding and retrieving (see for example, Bringer et al, 2004: 248). Given the large number of interviews it was difficult to code this amount of data manually. Thus, I supplemented manual coding with the use of computer software designed to assist in the organisation and analysis of qualitative data.

#### Use of ‘QSR\*Nvivo’ software

Debate about the use of computer software to assist analysis of qualitative data has increased in recent years, and has not been without controversy. The acceptance of the use of computer software for qualitative analysis can be seen however in its adoption as part of the research training for researchers funded by the ESRC. Richards (2005) argues that this demonstrates that qualitative research methods are experiencing a ‘methods revolution’. Yet, most even those promoting the use of computer software to assist in qualitative analysis caution that the benefits are contingent on the skills and methodological awareness of the researcher using them (Bringer et al, 2004: 250). However, a literature dealing comprehensively with the appropriate use of computer software for qualitative research, and its impact on the research methodology is still emerging (see for example, Gibbs, 2002; Richards, 2005).

What is generally accepted about the use of computer software in qualitative research is that it can assist in the ‘administrative’ tasks of qualitative analysis such as coding, organisation of codes, and data retrieval (Richards, 2005). The time saved at these stages should enable the researcher to better lay the foundations on which to base

deeper analysis of the data (Morison & Moir, 1998). However, the ease of coding within qualitative computer software packages has attracted criticism, raising concern that researchers may become over-reliant on coding techniques that add little to the understanding of the data (Welsh, 2002). In addition, researchers may fall into the trap of ‘quantifying’ qualitative data by applying these codes. This could result in the misrepresentation of both the research findings, and methodological approach employed in the research design (Bringer et al, 2004).

While these criticisms have some validity, qualitative researchers with the appropriate training and understanding of their methodological approach can avoid these pitfalls, by using the software to organise data in combination with manual analysis of the codes generated in this way. Having reflected on the administrative benefits and the ease with which to record the research process that would enhance reflection, I used ‘QSR Nvivo’ software (for an introduction to the programme see, Gibbs, 2002). I attended a two-day training course on using the software, and this allowed me to use the software with relative ease.

Initially, I fell into the ‘coding trap’ (Johnson, 2006), which resulted in the fragmentation of the data without any real contribution to understanding. I therefore decided to use Nvivo to code transcripts according to the questions asked, and then manually coded and analysed those sections of data in smaller themes. This combination of using the software to code and organise along with manual analysis not only resulted in a lesser degree of fragmentation of the data, but also enabled clear comparisons across the interviews of the questions I had asked each respondent. This clearly showed key themes emerging in relation to each element of rights discourse. This enabled me to effectively analyse the particular understandings and everyday issues that respondents associated with the various elements of rights terminology.

Retaining manual coding was also extremely beneficial for analysing interviews that took the form of extended narratives by the respondent. In these cases it is difficult and not necessarily desirable to split the text into codes as this disrupts the narrative

(Kohler-Reissman, 2002; Wiles et al, 2005). Attempting to split narratives into codes may result in a loss of understanding of the ways in which respondents' understand and attach meaning to the rights terminology discussed through their reflections on their everyday experiences.

Despite the cautious use of computer software for data analysis, some argue that its use can enhance rigour in qualitative research because it can promote greater reflexivity from the researcher in the process of analysis (Bringer et al, 2004). For example, the memo function in Nvivo (Gibbs, 2002) allows the researcher to record thoughts and theories in the data as it is being coded and analysed. The ease with which these reflections can be tracked and retrieved may be a powerful reflective tool.

While I did not use this function within the programme, I did begin keeping a research journal halfway through the process of analysis as a result of the greater reflexivity enabled by using a computerised system of coding and retrieving. I preferred a 'paper' journal as it allowed me to jot down thoughts when I was 'away' from the data and computer. As with field diaries used during the period of fieldwork, the research journal proved to be a key tool in the process of analysis and was an extremely useful for thinking out tensions in the data that required further coding and analysis. In addition, the process of writing the thesis is part of ongoing analysis (Richards, 2005), and keeping a research journal that also highlighted developments in writing was key for allowing analysis to continue during writing.

## **Conclusions**

The discussion of the methodology employed in the thesis is foregrounded in order to highlight how the approach to research design has been informed by consideration of feminist research principles and also a consideration of the issues involved in conducting cross-cultural research. My analysis of primary sources before conducting period had an influence in the direction of fieldwork in the design of contextually aware



research questions. Incorporating an awareness of the importance of context allowed me to pursue the aims of feminist research by asking women to define the most important issues in their everyday lives. Asking about a range of rights concepts without attempting to impose definitions of rights or means of empowerment also avoided essentialising respondents as women as ‘in need’ of particular types of human rights protection. While the aim of research design was to allow the voices of respondents to dominate, this chapter has also discussed the responsibility of feminist researchers to interpret this data in writing up. The following chapters of the thesis discuss the contextual data that frame the empirical study, drawing on the findings from press reviews and expert interviews.

## **Chapter 2**

### **Soviet and post-Soviet constructions of women's rights and responsibilities**

#### **Introduction**

This chapter establishes the Russia-specific context of the study by exploring Soviet and post-Soviet constructions of women's roles and rights. The chapter begins with an exploration of constructions of women's roles, rather than human rights or rights in general because constructions of women's roles arguably determine how societies and women themselves will perceive their entitlement to various forms of rights. Soviet state-led representations of women's dual roles resulted in proclamations of 'legal' equality, that did not however result in the achievement of 'factual' equality (Buckley, 1989; Voronina, 1994; Ashwin, 2000; Kay, 2002). The legacy of Soviet rhetoric of formal equality continues to influence which rights are conferred or denied to women in the contemporary period. Women rights continue to be manipulated to further state policy objectives, particularly in relation to women's roles as potential mothers. It could be argued that these constructions of women as carers with responsibility for the resolution of 'everyday problems' continue in the contemporary period and can also be extended to women's responsibility for claiming rights.

The construction of women's roles in the immediate post-Soviet period is also analysed, with a particular focus on how the resurgence of essentialist discourses in this period have been entrenched in the contemporary period (Kay, 2002). For example, despite the development of independent women's movements, they have not generated widespread support for 'women's rights' (Sperling, 2005), and many women display apparently contradictory perceptions of women's rights issues. For example, gender-based discrimination is acknowledged and discussed, but is not always defined as a consequence of structural inequalities. The second part of this chapter discusses the lack of substantive improvements in women's status in contemporary Russia in spite of extensive state commitments to the protection of women's human rights as enshrined in international law and the Russian Constitution of 1993 as a result of these cultural constructions and perceptions of women's rights.

## **The ‘Woman Question’: constructing women’s rights and roles in the Soviet period**

The ‘woman question’ refers to the ongoing debate over how to define the appropriate roles for women in communist society that characterised debates about women in the Soviet period (Racioppi & O’Sullivan, 1995: 820). The ‘woman question’ was variously debated and silenced throughout the Soviet period, and the representation of women’s ‘proper’ roles was manipulated to meet state economic and demographic policy objectives (Racioppi & O’Sullivan, 1995: 823). However, discussions of women’s roles rarely involved critiques of the social construction of gender roles or resulting inequalities. This allowed for pre-existing patriarchal structures and attitudes about the essential differences between men and women to continue, despite official claims that legal equality between men and women had been achieved.

While the aim of this chapter is not to repeat what has been analysed extensively elsewhere (see Buckley, 1989 for a comprehensive overview of the key debates on women’s roles throughout the Soviet period), it is nevertheless important to highlight the ways in which women’s rights and roles have been variously framed during the Soviet period. This discussion outlines how debates over whether women should be treated as ‘different’ or ‘equal’ to men played out in the Soviet context, arguing that they were framed in relation to an ideological commitment to class difference as the primary source of inequality. This chapter shows that over the course of the Soviet period attempts to define women as ‘different’ resulted in essentialist constructions of women’s roles and character to justify their ‘special’ treatment as potential mothers. This essentialism endures in the contemporary period and impacts on the forms of agency available to women in everyday life by defining the parameters of legitimate rights claims for women (See Chapter 4).

### **The Bolsheviks: women’s liberation ‘subordinated to the liberation of the whole’**

As part of the strategy to challenge the structures of class inequality, the Bolsheviks attempted to reconstruct relationships between men and women. The ‘woman question’ was characterised during this period (1917-1930) as part of a series of measures

designed to meet the larger ideological objective of a classless society. The Bolsheviks understood patriarchal structures of power to be a consequence of class relations, and claimed that once economic restructuring had dissolved these divisions, gender inequalities would disappear accordingly (Attwood, 1999). The *Zhenotdel* (women's department) was established in 1919 to appropriately educate and 'emancipate' women, as the party was primarily concerned with the perceived 'backwardness' of women that could threaten the development of communism (Wood, 1997).

The Bolsheviks also initiated a series of policies aimed at achieving women's equality with men. New divorce laws made it easier for women to choose divorce and marriage based on civil rather than religious grounds freed women from some constraints. IN addition, improved property and inheritance rights were extended to women and abortion was made legal and provided by the state in the Abortion Act of 1920 (Racioppi & O'Sullivan, 1995: 822; Attwood, 1999: 40-51). Extensive state provision of childcare and assistance with housework was also envisaged as a means to emancipate women. However, women would still make up the staff of these state services, and despite the progressive veneer of the legislation, the assumption that caring duties remained women's responsibility, was not challenged (Attwood, 1999: 47; Gal & Kligman, 2000). Notwithstanding this series of policy measures, women's liberation was always to be 'subordinated to the liberation of the whole' (Evan-Clements, 1985: 225 - 229), and an independent women's movement could not be established as this was equated to bourgeois feminism that had no place in a classless society. Nonetheless, fairly lively debates about the relationship between women's liberation and communism continued during this period, and influential writers and directors of the *Zhenotdel*, Kollantai and Armand<sup>22</sup>, argued that women's liberation would not just 'happen'. They argued that while formal and legal equality of women was to be praised, this was 'not enough' to achieve full emancipation of women. Thus,

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<sup>22</sup> For biographical details, and details of the works of Kollantai, see B. Farnsworth, 'Bolshevism, the Woman Question and Aleksandra Kollantai', *The American Historical Review*, 81 (2) (1976): 292-316. There are numerous accounts of the various initiatives of Zhenotdel in this period. For selected examples see, B. Farnsworth, 'Village Women experience the Revolution', in A. Gleason, P. Kenez & R. Stites (eds.) *Bolshevik Culture: Experiment and Order in the Russian Revolution* (Bloomington: Indiana University Press, 1985); B. Evans-Clements, 'The Birth of the New Soviet Woman', in A. Gleason, P. Kenez & R. Stites (eds.) *Bolshevik Culture: Experiment and Order in the Russian Revolution*, (Bloomington: Indiana University Press, 1985); B. Evans-Clements, 'The Utopianism of the Zhenotdel', *Slavic Review*, 51 (3) (1992): 485-496, and M. Buckley, 'The Untold Story of the Obshchestvennitsa in the 1930s', *Europe-Asia Studies*, 48 (4) (1996): 469-588.

the *Zhenotdel* regarded that there was still significant work to be done in 1928 (Buckley, 1989: 44). However, by 1930 and Stalin's coming to power, the 'woman question' was declared as 'suddenly officially resolved' (Buckley, 1989: 108).

### Stalin 'closes' the woman question

The closure of the woman question can be seen as part of Stalin's closure of all debates on the project of socialism, which was declared to be 'complete'<sup>23</sup>. Buckley cites the announcement of the resolution of the women question that appeared in *Pravda* in March 1937,

The Soviet system has ended exploitation for good and done away with women's lack of rights and slavery. Woman of the Union of Soviet Socialist Republics – is a new woman, an active participant in the administration of the state and in the running of the economy and cultural life (*Pravda*, 8<sup>th</sup> March, 1937:1, cited in Buckley, 1989: 109).

Stalin argued that 'special' attempts to mobilise women were no longer required as the economic and collective policies of the state had guaranteed women's equality (Buckley, 1989: 109). In fact, women's liberation was represented as having been secured through their participation in the October Revolution where women had 'stood shoulder to shoulder with husband, father and brother'. The representation of women as equal with men was intensified in the drive for greater production, and during the Great Patriotic War (1941-45) where women filled formerly 'male' roles. Women's participation in production was now the official definition of equality and precluded discussions of the experiences of inequality of women in everyday life and their lower positions in labour force, particularly in rural areas (Buckley, 1989: 120-121). Moreover, women's work in the public sphere under Stalin became defined as a duty,

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<sup>23</sup> There was some exception to the closure of the woman question and women's activism continued in the Muslim Republics. See M. Buckley, *Women and Ideology in the Soviet Union*, (London: Harvester Wheatsheaf, 1989): 124-126.

not a right to liberation and self-determination as had been the case in the 1920s (Buckley, 1989: 112).

As a result of Stalin's declarations that women's equality with men had been 'achieved', and also for demographic reasons, the state implemented a series of policy initiatives that revoked many of the rights women had secured during the revolutionary period. In addition, demographic pressures resulting from losses in the war resulted in state calls for the need to strengthen the family (Racioppi & O'Sullivan, 1995: 823). Accordingly, the freedoms in marriage and divorce accorded during the revolutionary period were reframed under Stalin as having had a largely negative impact on women's lives as men had benefiting more in being able to use the law to avoid parental responsibilities. Thus, the issue of women's choice in marriage and divorce was obscured. Moreover, women's reproductive choice was restricted under the 1936 Abortion Act that outlawed abortions, which were now presented as unnecessary in a society where the state provided the economic conditions in which to enable and support motherhood (Buckley, 1989: 127). This did not however represent the reality for many women.

Throughout the 1940s, motherhood was heavily promoted as the ideal role for women, and the Family Law of 1944 was introduced with the aim of increasing the birth rate. The Family Law (1944) claimed to offer support for single mothers, as well as honour mothers having large families. A cult of motherhood was established and women having more than five children were awarded medals, and women having more than ten children were awarded 'Heroine Mother' status and received a certificate from the Presidium (Buckley, 1989: 132). This again served to obscure the harsh realities of motherhood for women and the lack of choice in reproductive roles.

Furthermore, the apparently progressive nature of state support for single mothers belies the actual emphasis under Stalin on 'traditional' attitudes and the promotion of nuclear family units as the 'ideal'. Buckley (1996) discusses the celebration of the wives of shock workers during this period who were presented as self-sacrificing women who

supported and enabled their husbands to fulfil their role in production by fulfilling a 'traditional' role at home. Such images of the self-sacrificing housewife were completely at odds with revolutionary commitments to women's liberation and self-determination and also with the reality of life for women who remained obligated to their 'equal' role in production. The propaganda of the Stalin period proclaimed the achievement of women's liberation through idealised images of 'superwomen' fulfilling their roles in both production and reproduction. Despite such serious problems, women were reduced to 'thanking' Stalin for their emancipation, which precluded women from any space in which to ask for assistance in problems resulting from their continued inequality in reality (Buckley, 1989: 122). These contradictory discourses resulted in women's rights being pushed off the agenda and instead 'performing duties' was framed as evidence of women's realisation of their newly enshrined equal rights (Buckley, 1989: 135).

#### Khrushchev: debating women's public role and 'private' responsibilities

After thirty years of 'silence' on theorising women's roles and equality in society, the 'woman question' was partially re-opened under Khrushchev (1953-1964). Illic (2004: 5) argues that 'in the public as well as the private realm, the Khrushchev era saw women once more propelled into the limelight, and most startlingly of all, even into space'. The 'production/reproduction dilemma' (Racioppi & O'Sullivan, 1995: 823) remained the key issue, and debate focused on how to better balance women's dual roles. As a result, the image of the Soviet 'superwoman', who equally combined both roles that had dominated during the Stalin era, was presented as an unattainable ideal. Although the parameters of the woman question did shift in this period, they were still strictly defined by the state and heavily informed by wider political objectives. De-Stalinisation, democratisation and a concern with communist morality, particularly in relation to women's responsibility for childrearing actually served to limit the parameters of discussion of equality during this period.

De-Stalinisation and democratisation were intended to revitalise participation in politics and public life. This renewed a focus on women's roles because of their lower participation rates in public, particularly in decision-making positions in politics and employment (Buckley, 1989: 140 –141). Thus, it was recognised that women's 'factual' equality had not been realised and the *Zhensovety* (women's councils) and '*obshchestvenitsy*'<sup>24</sup> were revitalised and assigned responsibility for responding to women's 'needs' in order to uncover the reasons for their lower levels of participation in the public sphere. Buckley (1989: 154) argues that it is difficult to assess the success of the *Zhensovety* in recruiting women to public office, and certainly over this period, women's participation in public decision-making roles declined. Discussions of the reality of everyday life for women and a recognition of women's 'second shift' in their responsibility for domestic labour and childcare emerged during this period and were used to explain the barriers to women's personal development and advancement in public (Buckley, 1989: 145). The *Zhensovety* also questioned women's lower earnings and restrictions on occupations, which was a radical break with official discourse. However, their goals remained defined by the party and thus these debates did not move beyond highlighting inequality to a critique of the underlying causes (Buckley, 1989: 149-154; Ilic, 2004:17).

Under Khrushchev, a 'differentiated' approach to social policy was adopted that recognised the different roles and needs of different groups in society, including the young, pensioners and women. Consideration of these needs could allow for differential treatment without equating to inequality (Buckley, 1989: 144). Much of this 'differentiated approach' to women involved attempts to alleviate the pressures on women in combining their dual roles that resulted in neither role being completed efficiently or adequately. As had been argued under Stalin, modernisation and mechanisation would result in women's factual equality as access to consumer goods and state provision of canteens, childcare and laundry services would be improved to reduce the demands of women's 'second shift' (Buckley, 1989:146). While some

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<sup>24</sup> The *obshchestvenitsy* refers to the movement of 'housewives' established in the 1930s. They were charged with the responsibility to engage women in the social sphere, and their roles as mothers and wives (as opposed to workers) was used to educate working women, assisting in the creation of the 'New Soviet Citizen'. See Buckley, 1996, and also M. Buckley, 'The Soviet 'Wife-Activist' down on the farm', *Social History*, 26 (3) (2001): 282-298.



tentative discussion of the need to restructure domestic duties emerged and the involvement of men and children in domestic work was mooted, this was limited to an 'appeal' for assistance, and the understanding that domestic duties were women's 'natural' role was not challenged (Ilic, 2004: 12).

Despite the re-legalisation of abortion in 1955, this did not represent a substantive shift towards women's rights. The legislation received very little press coverage and was framed only as being a precautionary measure to protect women's health from the dangers of illegal abortion (1989: 156-158). The reasons why women were still seeking illegal abortions in huge numbers, such as a lack of available and reliable contraception and the lack of adequate housing and childcare, were not addressed. The terrible conditions in state hospitals and the judgemental attitudes state doctors displayed towards women seeking abortions also served to reinforce the message that abortion was not to be considered as a 'right' in the same way that maternity benefits were. This limited women's 'rights claims' to motherhood.

Discussions of women's role and responsibilities in reproduction during this period were not limited to attempts to increase the birth rate, but also to ensure the proper upbringing of the family. The renewed concern with communist morality and '*kulturnost*' put added pressure on women (Reid, 1998; Reid, 2004: 100). Reid (2004) argues that the new demands for mothers to spend time in supervising and properly educating children did not take into consideration women's obligation to full-time employment. The promotion of ideal upbringing was based on the nuclear family unit, which had emerged during the Stalin era represented a complete reversal of revolutionary proclamations that the family would 'fade away'. Representations of the ideal family were also far removed from reality of family life facing many women, particularly the high numbers of single mothers (Reid, 2004: 100). In addition, images of appropriate forms of Soviet domesticity that conformed to communist aesthetics of simplicity, and were argued to alleviate women's domestic chores. However, this simply put more pressure on women to be responsible for the 'correct' organisation of their homes, conversely creating more work (Reid, 1998).

Although the Khrushchev period broke with the silence of the Stalin era on the woman question and acknowledged the gap between women's legal equality (*ravnopravie*) and 'factual' equality (*ravenstvo*), official rhetoric of the time continued to proclaim the 'successful liberation' of Soviet women. This tension is illustrated during this period by the images of the first women in space, Valentina Tereshkova who was represented as the poster girl for equality. Bridger cites a speech given by Khrushchev in 1963 that declared Tereshkova's flight as proving that, 'women raised under socialism are alongside men in all the people's concerns, both in self-sacrificing labour and heroic feats which amaze the world' (*Uchitel'skaya gazeta*, June 23<sup>rd</sup> 1963:2, cited in Bridger, 2004: 231). While Bridger reminds us that the Tereshkova's flight was also generally perceived as a huge step for gender equality by commentators in the west, where women at the time did not enjoy the same level of access to the public sphere and 'male' professions (Bridger, 2004: 232-234), the achievements of Tereshkova's pioneering flight were reduced to essentialist stereotyping of women's roles in the Soviet press. Ilic illustrates this point by drawing on press discourses of the day, citing an article appearing in *Izvestia* under the headline 'Domesticating the Universe'. The article proclaimed that more women should be involved in the space programme in order to promote 'harmony' between men and women (*Izvestia*, 18<sup>th</sup> June, 1963, cited in Ilic, 2004: 21). Thus, women's formal equality in the public sphere did not translate into 'factual' equality, but was used to promote contradictory messages of women's equality with men whilst reinforcing essentialist understandings of women's characteristics and the 'complimentary' role they played to men.

#### Brezhnev: the 'unsolved' woman question and the 'demographic crisis'

Despite reopening some level of debate on the woman question, under Khrushchev the successful liberation of women continued to be assumed. However, the Brezhnev government (1964 –82) represented a radical shift in declaring the woman question to be 'unsolved'. Brezhnev was the first Soviet leader since the revolution to argue that political and legal rights had not brought about 'factual equality' and this represented a 'non-antagonistic contradiction' within 'developed socialism' (Buckley, 1989:163). 'Non-antagonistic contradictions' referred to difficult problems that had not yet been

resolved under socialism, but needed further examination and resolution in order to progress to communism (Buckley, 1989: 162). The recognition of tensions within socialism and a shift in ideological framing resulted in the re-emergence of sociological research on a number of social issues, including the difficulties facing women in everyday life. In many respects, this shift allowed for more open debate on women's role.

However, ideological commitments had not shifted very far and the commitment to formal equality between men and women that required women's involvement in the productive sphere, meant that the state, again, attempted to redefine women's roles and the meaning of 'equality' in order to address state policy priorities and without overtly undermining ideological commitments (Kay, 2002: 53). Thus, official policy priorities continued to be determined by the overarching concerns with falling birth rates and high levels of divorce, particularly in the European parts of Russia that prompted fears of a demographic crisis. As a result, understandings of women's roles changed very little in practice (Peers, 1985: 131; Buckley, 1989: 188).

Moreover, the sociological research conducted during this period largely reported findings that suggested women were different to men on grounds of their reproductive capacity and 'psycho-physiological' differences. As a result, the state were able to represent women as a 'special' category and rhetoric on the need to recognise and value the caring work done by women emerged under Brezhnev (Buckley, 1989:182). It was argued that the material difficulties women encountered during motherhood impacted on women's ability to work in the public sphere, which in turn led to women to decide not to have children. In order to enable women to fulfil both productive and reproductive roles, protective legislation for women in employment, as well as improved state social services were advocated as means to address this issue. Suggestions on how to best assist women in fulfilling their dual roles varied, and a major shift in the production/reproduction debate emerged under Brezhnev with proposals to introduce part-time and flexible working hours (Peers, 1985: 135). This represented a significant shift from previous ideological commitments that obligated women to fulfil the same productive role as men. However, part-time and flexible

working hours, like maternity benefits, were only to be made available to women, which reinforced women's sole responsibility for caring. In reality, few women were able to take advantage of these new schemes because the economic needs of the state for labour and the persistent attitudes that reproductive work was 'natural' and thus secondary to work in the productive sphere (Peers, 1985: 135; Buckley, 1989: 168). This resulted in the limited introduction and uptake of the new legislation and women continuing to experience the double-burden as before. Overall, the legacy of Brezhnev's discussions of the woman question was to reinforce essentialist attitudes about the differences between men and women. In addition, the promotion of protective legislation for women only served to further reinforce existing cultural beliefs that women's role was in the home, which has set the cultural context for many of the problems women continue to face in the contemporary period (Kay, 2002: 54).

#### Gorbachev: Women's return to their 'purely womanly mission'?

Despite the increasing 'openness' of public discussion that accompanied Gorbachev's coming to power in 1985, the reform process under Gorbachev did not initially appear to alter commitments to past policy priorities concerning women's duty to fulfil productive and reproductive roles (Buckley, 1989: 191). While increasing openness in public debate allowed for the groundbreaking discussion of previously taboo issues affecting women, such as abortion, prostitution, access to contraceptives and women's inequality in the public sphere (Buckley, 1989: 192), the parameters of what and how much could be said on these topics remained restricted. For example, Waters (1989: 11-15) argues that while there was much discussion of the previous 'non-topic' of prostitution, these discussions were largely concerned with blaming the immorality of prostitutes by associating their behaviour with corrupt practices and the west, rather than addressing prostitution as symptomatic of wider social and economic problems.

Molyneux (1990: 34) argues that the 'rubric of everyday life' used to frame the causes of social problems as within the family, which put the responsibility for these problems on 'the shoulders of women', whilst at the same time further obscuring related issues of

gender inequality within everyday life. Indeed, Gorbachev's policy responses to concerns about a range of social problems seen as stemming from family life were very similar to Brezhnev's call to increase opportunities for part-time work and the reinvigoration of the women's councils (Molyneux, 1990:34). In addition, the woman question in this period was also characterised by calls for women to 'return to the home'. While women's involvement in the public sphere was at the same time being promoted, the option for women to return to the home represented a radical departure in ideological theorising of women's equality under socialism (Buckley, 198: 207; Molyneux, 1990: 35-36). This 'choice' was not necessarily progressive however and the openness of glasnost also allowed 'traditional' attitudes to emerge, and calls for women to withdraw from the public sphere completely were visible in press discourses of the time (Buckley, 1989: 207).

Gorbachev's now infamous call for 'women to return to their purely womanly mission' (Gorbachev, 1987) had two important implications. Firstly, it redefined women's rights as the right to exercise their 'choice' to fulfil their natural role in the home if desired. In the chapter of his book 'Perestroika' entitled 'Women and the Family', Gorbachev defined women's role as carer both as 'their natural right', and as a 'choice'. While appearing to praise the past Soviet achievement of formal legal equality and equality of opportunity of women with men, Gorbachev actually undermined formal equality as forced, 'unnatural' and as a limitation of women's 'natural' rights,

But over the years of our difficult and heroic history, we failed to pay attention to women's specific rights and needs arising from their role as mother and homemaker, and their indispensable educational function as regards children. Engaged in scientific research, working on construction sites, in production and in services, and involved in creative industries, women no longer have enough time to perform their everyday duties at home - housework, the upbringing of children and the creation of a good family atmosphere [...] This is a paradoxical result of our sincere desire to make women equal with men in everything. Now in the course of perestroika we have begun to overcome this shortcoming [in discussing]

what we should do to make it possible for women to return to their purely womanly mission (Gorbachev, 1987: 758).

Secondly, Gorbachev's call for women to return to their 'purely womanly mission' appeared to re-inscribe essentialist understandings of gender that impacted on women's ability to access and exercise their rights in the public sphere. Indeed, the emerging feminist movement expressed concerns over the increasingly conservative nature of public discourses about women. The openness resulting from the glasnost reforms had allowed for the creation of independent women's movement, and the founders of the Moscow Centre for Gender Studies established in 1989, criticised these trends in an extended article in the press at the time (Zakharova et al, 1989: 56-65). The article entitled 'How are we resolving the 'woman question'?' called for critical analysis of gender inequalities, particularly with regards to the potentially exclusionary effects that official essentialist discourses would have for women in the context of economic restructuring. The authors argued that calls for women to return to their 'natural role' in the home and in childbearing might not only result in women losing their jobs, but also in a loss of their rights to real freedom of choice in combining career and motherhood in a manner of their choosing. They also questioned the essentialist nature of these discourses that framed a return to home and childcare as a 'choice' only available to women, arguing that 'emancipation is a two-way process: men must also be given opportunities to participate more in housework and child raising' (Zakharova et al, 1989: 56).

Despite the advent of dissenting and overtly critical feminist voices, Kay (2002: 55) argues that among the wider population Gorbachev's statements on the 'specific rights of women' to arise from choosing to focus on caring responsibilities was largely 'met with a sense of relief'. To the majority they 'appeared not as a threat to women's rights but rather a promise to turn rhetoric into action and search for a truly radical solution which might genuinely improve women's lives'. Thus, criticisms and warnings that policy proposals enabling women to return to the home would not radically improve women's lives did not have a wide impact in a society. Molyneux (1990: 36) argues that this reaction could be explained as a consequence of the failed emancipation of women

in the Soviet period that had ‘alienated [the population] from any serious commitment to a feminist programme’.

This discussion of Soviet policy on women has shown how some elements remained consistent throughout. An ideological commitment to women’s emancipation rooted in their mobilisation into the productive sphere and their political participation, legal equality and equality of opportunity for education and employment alongside men remained (Buckley, 1989: 224). Successive Soviet governments also remained committed to providing social services that would enable women to combine their involvement in the public sphere with their second role in reproduction. Thus, the ‘production/reproduction dilemma’ remained at the core of Soviet policies on women, with the emphasis veering towards reproductive capacity in response to widening economic and demographic concerns (Buckley, 1989: 332). From the 1970s onwards, the emphasis on women’s reproductive roles was secured, as was the re-emergence of essentialist understandings about the differences between men and women (Kay, 2002: 54).

The resurgence of essentialist discourses in the late Soviet period to a large extent set the scene for the privatisation of women’s rights in the post-Soviet period. This discussion has also shown why essentialist discourses that defined women’s role as in the home and as mothers have in many respects limited women’s access to rights, but have also been endorsed by many women. This has resulted in a tension whereby previous examples of inequality are now framed as ‘rights’ and representing ‘freedom of choice’ in the post-Soviet period (Kay, 1997). Women’s identity remains defined by the ‘choice’ to combine productive and reproductive roles (Ashwin & Bowers, 1997; Rands-Lyon, 2007), but paradoxically, women’s ability to exercise this choice remains an unattainable ideal in the current socio-economic climate.

## **Post-Soviet debates: challenging or reinforcing the parameters of the ‘woman question’?**

Research on the effects of the processes of marketisation and democratisation that have taken place over the post-Soviet period often highlights their gendered effects. It is argued that these processes have had a disproportionately negative impact on women. Much has been written concerning fears that women would be first to lose their established careers and representation in public office (Bridger et al, 1996; Buckley, 1997; Pilkington, 1995; Marsh, 1998; Kuehnast & Nechemias, 2004). While women's representation in public office has declined, Ashwin & Bowers (1997: 23) argue that most women have remained in employment. However, this cannot be interpreted with optimism as the nature and conditions of women's employment have radically shifted. Many women are now employed in insecure and low-paid positions, doing jobs that do not match their level of training and education. Women's concentration in these sectors highlights the strength of pre-existing essentialist attitudes about women, which not only limit the scope of their roles in public, but reinforce their responsibility for the family, pushing many women to ignore their own preferences and concerns when seeking employment (Ashwin, 2002). Thus, women's economic position and professional identities have suffered as a result of the social and economic transformations of the post-Soviet period (Tartakovskaya & Ashwin, 2006).

Yet, as the transformations of the post-Soviet period continue, it is clear that women not only have differing experiences, but have also found multiple ways to negotiate these challenges. There are however, new forms of discrimination against women emerging in the commercialisation of women's bodies, and the concentration of women in low-paid or high-risk private sector employment (Tartakovskaya & Ashwin, 2006). These developments have denied women access to formally protected and enjoyed formal rights.

The lack of access to rights, and the lack of discussion of women's rights issues in public discourses actually belie the increased level of state commitment to a raft of



international commitments on women's human rights, and constitutional provisions to protect gender equality.

### Commitments to women's human rights law: the Soviet experience

While explicit campaigning for 'women's human rights' emerged on the international agenda as a consequence of feminist trans-national campaigning at the United Nations human rights conferences in the mid-1990s, the protection of women's rights within the human rights system was long established and the Soviet Union had also been involved in past international discussions on how best to promote women's human rights (Fraser, 1999: 888-899). The upsurge in global feminism in the 1970s that resulted in the United Nations Decade for Women (1976-86) brought members of the Soviet Women's Committee into contact with feminisms from around the world. Soviet engagement in discussions of women's rights internationally however, focused on repeating the party line (Bridger, 2004: 235) that celebrated Soviet women's 'successful' liberation in their enjoyment of formal equality and protection of maternity rights. Western feminist agendas were declared as 'unsuited to the different conditions of really existing socialism' (Molyneux, 1990: 31-32) and the ideological commitment to women's liberation as part of the liberation of the whole resulted in equality being associated with the collective in the Soviet Union. Soviet constructions of women's rights and human rights thus differed from western constructions as they did not emphasise women's liberation as relating to individual right and concerns, but rather as collective rights to be realised through the provision of social and economic welfare entitlements (Hawkesworth, 1980: 68-69).

The Soviet Union however, ratified all the international human rights treaties that comprise the International Bill of Rights<sup>25</sup>. They also ratified the Convention for the Elimination of Discrimination Against Women (hereafter CEDAW) in 1981<sup>26</sup> without reservations, which contrasted with the failure of the United States to support the recommendations of the United Nations on women, which was used by Soviet

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<sup>25</sup> The International Bill of Human Rights comprises, The Universal Declaration of Human Rights (1948), The International Covenants on Civil & Political Rights and Economic, Social and Cultural Rights (1966) and their optional protocols (1966 & 1989).

<sup>26</sup> The Status of Ratifications of the Principal international human rights treaties and details of Soviet and post-Soviet Russia's ratifications of these treaties are available at, [www.unhchr.ch/pdf/report.pdf](http://www.unhchr.ch/pdf/report.pdf).

governments to legitimise their policy on women's rights. The lack of commitment to women's formal equality by western states, particularly the reluctance of the United States to ratify international human rights commitments, such as CEDAW (1979) allowed the Soviet Union to claim a superior level of commitment to both human rights<sup>27</sup> and to the advancement of women's rights<sup>28</sup>.

In addition to claims about the superiority of Soviet protection of human rights and the advancement of women, official discourses also proclaimed the important role of Russia in promoting and protecting the human rights of women in the Central Asian Republics<sup>29</sup> (Ilic, 2004:13-14). Incidentally, this framing of 'other' women, in this case Muslim, being in need of greater assistance and human rights protection in many respects echoes contemporary global uses of human rights discourses in their association with women in need of 'emancipation'. During Glasnost, discussions of human rights in the Soviet press remained limited to legitimatising existing Soviet commitments to social and economic rights, particularly emphasising women's access to welfare in comparison to the west. In the late Soviet period, discussions of the Soviet Union's increasing levels of international cooperation and commitment to human rights<sup>30</sup>, as well as some limited discussion of the possibility for increased civil and political freedoms emerged (Turpin, 1995: 110).

While glasnost allowed for the increasing discussion of rights issues, human rights were not treated as collective 'everyday problems', but as an international political issue. Moreover, Holt (1985) argues that whilst the Soviet dissident movement critiqued the state in terms of human rights abuses in relation to civil and political rights, it did not critique the state's failure in achieving women's substantive equality, despite debates

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<sup>27</sup> One example of such propaganda was the reporting of opinion poll data from nine European cities that showed 30% of Europeans thought that the Soviet Union offered better protection of human rights than their own countries. See, S. Kondrashov 'Moscow is believed more', *Izvestia*, 14<sup>th</sup> June 1987: 4 -5. Condensed translation from *The Current Digest of Soviet Press*, 39 (24): 15-16.

<sup>28</sup> V. Sofinsky, 'Reflections after Ottawa', *Izvestia*, 12<sup>th</sup> June 1985: 5. Translated excerpts from *The Current Digest of the Soviet Press*, 17 (28): 17-18.

<sup>29</sup> M. Alimov, 'It Can't Be! That's what you'd say if you read the letters from Moira Okilova. Unfortunately, the story she tells is not unusual in Uzbekistan', *Komsomolskaya pravda*, 17<sup>th</sup> December 1987: 2. Translated excerpts from *The Current Digest of the Soviet Press*, 39 (50): 27-28.

<sup>30</sup> See discussions of proposals to hold an international human rights conference in Moscow S. Guk & S. Tosunyan, 'The Idea of a common European Home begins to acquire real outlines', *Izvestia*, 4<sup>th</sup> January: 41 (8) . Condensed translation from *The Current Digest of the Soviet Press*, 41 (1): 22. See reflections on the further scope to enhance human rights in the Soviet Union, M. Kozhevnikov, 'An important step, but only a first step', *Izvestia*, 3<sup>rd</sup> May 1989: 4. Condensed translation from *The Current Digest of Soviet Press*, 41 (18): 19.

about this in the press. Thus, women's inequality was not framed as a human rights concern *domestically* during the Soviet period (Holt, 1985: 239). This resulted in the separation of women's concerns from human rights concerns and ultimately reinforced the distinction between women and men in public and private spheres. The implications of the continued framing of women's concerns in relation to 'everyday problems' rather than as human rights issues is returned to in Chapter's 4 & 5.

### Contemporary commitments to women's human rights

In addition to Soviet commitments to international human rights for women, the Russian Federation has continued its commitment with the ratification CEDAW's optional protocols and commitments to the recommendations of the Beijing Platform for Action<sup>31</sup> and the United Nations Millennium Development Goals<sup>32</sup>. International law is enshrined as national law in the Constitution of the Russian Federation (1993)<sup>33</sup>, which states 'international agreements are integral to the legal system' (American Bar Association, 2005: 14). Alongside international commitments, the Russian government has an extensive system of mechanisms for improving the status of women at the federal and local level. At the federal level in 2006 these included a 'Committee on the Equal Rights and Opportunities of Men and Women in Russia', which has local level branches<sup>34</sup>, and a 'Committee on Women, Family and Children' in the Duma. Within the Ministry of Health and Social Development there is a 'Council on Gender Issues' and a 'Department on Medico-social issues of the Family, Maternity and Childhood' (ABA, 2006: 125). A Federal draft law on 'State guarantees of equal rights and opportunities for men and women' from 2005 re-affirms the state's commitment to gender equality with 27 articles covering gender relations in all spheres<sup>35</sup>.

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<sup>31</sup> Statements on the Russian Federation's Commitment to the Beijing Platform for Action are available from, [www.un.org/esa/gopher-data/conf/fwcw/conf/gov/950915134605.txt](http://www.un.org/esa/gopher-data/conf/fwcw/conf/gov/950915134605.txt)

<sup>32</sup> United Nations Human Development Report Russian Federation, *Russia in 2015: Development Goals and Priorities*, (United Nations: 2005).

<sup>33</sup> The Constitution of the Russian Federation is available in English translation from, [www.constitution.ru/en](http://www.constitution.ru/en)

<sup>34</sup> I interviewed the chair of the Ul'ianovsk Regional Committee during fieldwork. Her views on women's human rights are discussed in Chapter 3.

<sup>35</sup> Open Women Line website, 'Model'nyi zakon "O gosudarstvennykh garantiakh ravnykh prav i ravnykh vozmozhnostei dlia muzhchin i zhenshchin"', [www.owl.ru/content/docs/rus/p58305.shtml](http://www.owl.ru/content/docs/rus/p58305.shtml).

While the draft law includes commitment to the prevention of sexual harassment, domestic violence and discusses men and women's equal roles in the home, the gender neutrality of the language may serve to obscure how relations between men and women may impact on each differently. An American Bar Association (2006) report also raised concerns in relation to federal equality law in the Russian Federation, arguing that despite commitments to international human rights treaty law for women, the phrasing on national legislation refers to 'citizens' or 'all'. The problem is that without a gender-based definition of discrimination, it is difficult for women to claim their rights in cases where discrimination is a result of their gender.

An assessment of the implementation of the recommendations of CEDAW and the Beijing Platform conducted by the American Bar Association highlighted several barriers to promotion of women's rights issues even among government elites. They argue that commitment to women's rights and women's human rights in the contemporary period remains 'declaratory' in nature as concrete measures to implement gender equality have not been developed, and indeed commitment to gender equality programmes appears to be waning. For example, a draft national action plan on gender equality expired in 2005 and has yet to be replaced (American Bar Association, 2006: 19). Despite official commitment to gender mainstreaming, the ABA (2006) point out that the recent monetarisation of welfare entitlements taking place during 2004-2005 did not include a gendered strategy, despite single mothers comprising some of the poorest welfare recipients who rely on many of the non-monetary benefits that have now been withdrawn. Thus, extensive formal commitments by the Russian state to the protection of women's human rights has, in policy making, not been extended beyond promises to improve the provision of maternity rights and paying lip-service to the language of equality for 'men and women'. Thus, the gap between formal and 'factual' equality of women that characterised the Soviet period appear to be continuing in the contemporary period, and the gap is widening.

Putin's 'demographic crisis': a return to Soviet definitions of women's rights as maternity rights?

Contemporary policy agendas can be seen as continuing trends set in the late Soviet period, particularly in attempts to promote women's reproductive roles. The continued emphasis on the protection of women's reproductive 'health', rather than women's rights, is rooted in policy initiatives attempting to address the demographic crisis. At the same time that women's reproductive roles are being heavily promoted by the government however, discussion of women's choices and reproductive 'rights' have been pushed off the agenda with many women lacking information and choice over family planning and childbirth<sup>36</sup> (Rivkin-Fish, 2004; ABA, 2006: 19). In his 2006 Annual Address to the Federal Assembly, alongside discussions of the need to tackle corruption in the economy, Putin outlined 'national projects' in the areas of healthcare, education, agriculture and housing<sup>37</sup>. However, the 'most important' matter for the country was related to the demographic crisis, and many of Putin's policy proposals were reminiscent of those promoted during the Brezhnev era<sup>38</sup>. While measures to improve health care to lower mortality rates and the implementation of a more effective migration policy<sup>39</sup> were mentioned as potential means to alleviate the demographic crisis, the key initiative was seen in redefining women's responsibility as potential mothers. A series of measures to encourage childbirth and enable women to stay at home to look after children were proposed. Although women's fear of losing their jobs was acknowledged as a barrier to women choosing to give birth, Putin recommended increased maternity benefits rather than addressing the problem of discrimination against women in employment, which often result from a lack of willingness of

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<sup>36</sup> Rivkin-Fish discusses choice in relation to maternity and reproductive health, and suggests that at a local level there may be more scope to exercise choice, but still within essentialist parameters. See M. Rivkin-Fish, "'Change yourself and the whole World will become kinder": Russian Activists for Reproductive Health and the limits of claims making for women', *Medical Anthropological Quarterly*, 18 (3) (2004): 281-304.

<sup>37</sup> For details of the health project refer to T. Batenyova, 'The Health Project: what will it mean to us?', *Izvestia*, 15th December 2006: 1-3, condensed translation from *Current Digest of the Post-Soviet Press*, 50 (57) (2005). For a discussion of changes to housing policy see T. Smolyankova, '140 million and not one soul less. Russia's population should stabilise by 2010 and start growing as of 2030', *Rossiiskaya gazeta*, 26<sup>th</sup> May 2006: 12, condensed translation from *Current Digest of the Post-Soviet Press*, 21 (58). For a discussion of proposed reforms to education see Y. Gontmakh, 'Trouble spots of 2007', *Rossiiskaya gazeta*, 11<sup>th</sup> January 2007: 4, condensed translation in *The Current Digest of the Post-Soviet Press*, 1 (59).

<sup>38</sup> Putin's Annual Address to the Federal Assembly, 10<sup>th</sup> May 2006 is available from, [www.kremlin.ru/eng/text/speeches/2006](http://www.kremlin.ru/eng/text/speeches/2006).

<sup>39</sup> Smolyankova (2006) discusses the preference for ethnic Russian and Russian speaking migrants, as well as proposals for encouraging resettlement in the far northern regions.

employers to pay for maternity benefits. In addition, there has been little discussion of the potential for men and women to share parenting roles.

In his annual address in March 2007, Putin reasserted his commitment to improving the provision of maternity benefits. He said, 'I would like to stress once again the immense importance of motherhood, and the huge responsibility that women have for raising children'<sup>40</sup>. One proposed policy initiative to improve maternity benefits has been in the introduction of maternity 'certificates'. Maternity certificates were introduced in 2006 designed to 'promote motherhood and childbearing' by providing cash incentives to maternity clinics to improve healthcare and maternity conditions. It is hoped that this will promote 'a financial interest in encouraging Russian women to have babies instead of terminating pregnancies' (Osipova, 2005). There have also been proposals to offer women a 'basic maternity capital' of 250,000 roubles (\$10,000) three years after the birth of a second child to assist with the costs of childcare. Suggested uses for the money have included contributing to mortgage repayments, contributions to pensions lost through a period of unemployment during pregnancy, or to the child's education (Gorenko, 2006; Smolyankova, 2006). However, this programme has been postponed until after the 2008 presidential elections due to lack of funding and disagreement over the finer points of the provisions of the legislation (Kulikov & Skylovov, 2006). However, this does little to address the problem with employers and proposals to increase the level of maternity pay time allowed for maternity leave will surely exacerbate problems for women if such structural issues are not publicly addressed (Smolyankova, 2006).

The potential success of these policies has, nonetheless been the subject of critical debate in the national press. There have been a number of articles arguing that material incentives are not effective in making real increases in the birth rate, not changing attitudes about the 'ideal' family size (Domcheva, 2006; Kommersant, 29<sup>th</sup> May 2006: 8). There have also been critiques against the policy proposals in relation to women's rights and freedom of choice. With regards maternity certificates, a gynaecologist

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<sup>40</sup> Putin's Annual Address to the Federal Assembly, 7<sup>th</sup> March 2007, available from [www.kremlin.ru/eng/text/speech/2007/03/07](http://www.kremlin.ru/eng/text/speech/2007/03/07).

interviewed by *Kommersant* commented that ‘we simply have no right to try to persuade the woman to have the baby, and no amount of money will urge us to do so [...] she has the legitimate right to make that choice’ (Osipova, 2005: 7). In relation to the proposed increases in maternity pay, a mother who won a case on the ‘illegality’ of caps on the amount of maternity pay available to working mothers has received press coverage. The claim that ceilings ‘deprive highly paid working women of equal compensation for loss of earnings during maternity leave’ may indicate an increased willingness of women to exercise their rights to maternity and to formal equality as enshrined in the constitution (Khomchenko, 2007: 1&3). However, the case discussed above was made by a lawyer in Moscow who arguably has the level of awareness and resources required in order to make a legal claim. The relatively small number of women in a similar position earning high wages may therefore serve to reinforce perceptions that claiming rights is an exceptional and inaccessible route for the majority of women.

The preceding discussion demonstrates that notwithstanding extensive state commitments to international women’s human rights and the promotion of gender equality at the federal level, formal commitments have not translated into substantive improvements in women’s lives. Indeed, women’s rights are limited and legitimised in accordance with state economic and political priorities, rather than to identify and address issues of structural gender inequality. Formal commitments to gender equality amount to little more than lip service as policies continue to promote women’s role as mothers, which reinforces essentialist attitudes that limit the spaces in which women can articulate rights claims in public and in private. Hemment (2007: 140) argues that there are serious barriers to the development of substantive gender equality in Russia because of the instrumental application of gender mainstreaming combined with a commitment to the development of the free market that undermines such commitments to equality,

Gender mainstreaming was a victory of feminist-oriented women’s movements, the culmination of a decades-long effort to make women more central to development projects. Yet the gender projects it has authorised are compromised, bound up in this troubling political economy

in such a way that it undermines their intent. In Russia, gender projects have unlikely bedfellows, unsavoury travelling companions. Women's rights and gender equity are promoted at the same time that welfare systems are cut back under structural adjustment

Although state commitment to gender equality has been shown to be instrumental at best, a large number of women's organisations have developed in the post-Soviet period. However, the emergence of large numbers of independent women's movements and grassroots initiatives has not necessarily resulted in the promotion and uptake of women's rights claims at grassroots level. Russian feminists have argued that the concept of gender cannot be directly translated into the Russian language (Korovushkina, 1999: 570) and understandings of inequality as socially constructed are difficult to disseminate in a society which heavily endorses essentialist understandings of gender (Temkina & Zdravomyslova, 2003), even when this is at odds with their lived experiences of gender relations and inequalities (Ashwin, 2000; Kay, 2002; Rands-Lyon, 2007). Thus, attempts to frame women's inequalities with reference to 'gender' and 'equality' are unlikely to be successful for transforming attitudes.

#### Women's organisations: claiming women's rights or resolving problems?

Women's organisations have flourished during the post-Soviet period with formal women's organisations emerging at the national and regional levels (Sperling, 1999; Sperling, 2005; Salmenniemi, 2005) as well as grassroots and self-help groups run by women emerging at the local level (Kay, 2000a & 2000b). Engagement with the campaign for 'women's human rights' has however been limited to women within activist or academic circles linked to an 'east-west exchange' of funding and knowledge (Funk, 1993; 2007). The ways in which trans-national feminist campaigns for women's human rights have influenced gender equality projects in Russia has received some analysis, particularly in the literature on the development of women's organisations. Much of this analysis points to the potentially problematic nature of the 'east-west exchange' (Funk, 2007), where western funding power can determine the allocation of funding to programmes that are viewed as being in accordance with international priorities (Wedel, 1998; Kay, 2004a; Hemment, 2004b & 2007). Hemment (2007) argues that international funding priorities



have potentially limited the kinds of issues that are framed and supported as specifically affecting 'women'. While domestic violence and trafficking are serious human rights concerns that disproportionately affect women, the focus on these issues excludes many everyday concerns of women, and can also reinforce the 'victim' status of women (Redhead, 2007).

Moreover, the activities of women's organisations often have less resonance with the everyday lives of women (Hemment, 2004b & 2007; Sperling, 2005). Issues such as childcare, social welfare benefits, unemployment, and housing that are often prioritised by women in everyday life rarely attract international funding and attention (Sperling, 2005) and accordingly may not be perceived as human rights issues by women. Notwithstanding, local grassroots organisations have offered vital sources of support for women, and have been successful in responding to women's needs in the post-Soviet period (Kay, 2000). Many local women's organisations have attempted to define their activities in a way sensitive to local conditions, which has been crucial for their success. However, this can result in gender-specific references to women rights being removed. Hemment (2004a: 825) argues that in the naming of centres established to deal with domestic violence, the non-gendered and non-issue specific label of 'crisis' was chosen which reflects sensitivity to the taboo nature of violence against women, and the fact that women often feel that 'the whole of Russian society is perceived to be in crisis... from social and economic breakdown, and also in its psychological condition'. In a similar vein, Bridger (2000) argues that the potential of feminist aims were usurped by the needs of society at large, and the framing of a post-Soviet women's movement as selfish at a time when the whole nation was experiencing crisis.

Rivkin-Fish argues that 'cultural logics and political-economic constraints' (2004b: 281) impact on the ways in which activists frame women's rights. In her analysis of reproductive health services, she argues that this has served to de-politicise claims for women's rights to access health care and advice and exert control over their bodies. She argues that while the 'de-politicisation' of these claims represents the pragmatic ways in which activists have overcome local cultural and political-economic barriers, the removal of women's political claims (framed in terms of rights), may have the effect of legitimating and reinforcing 'traditional' notions of women's roles and positions (2004b). The lack of articulation of women's rights claims locally, even within activist

circles, is a cause for concern as it reduces women's spaces to articulate particular problems as gender-based rights violations, and has the effect of obscuring, rather than resolving the problems rooted in gender relations. A tension emerges therefore where attempts to articulate 'women's rights' concerns within existing cultural norms may actually result in the subversion of women's rights claims.

### **The legacy of collective and non-gender specific rights claims on women's agency in the contemporary period**

This chapter has discussed the ways in which women's concerns have been framed and discussed by the state in both the Soviet and post-Soviet period, and also by women's organisations in the contemporary period. The Soviet legacy of framing women as the object of specific rights protection defined in terms of state policy aims has continued in the post-Soviet period. Concern over demographic crises has not only reduced the spaces in which women can voice individual rights claims, but it has also reinforced essentialist understandings of gender differences that further remove women from the public arenas associated with making rights claims. As women's claims have become de-politicised in public discourse, women's individual rights claims have been subsumed to the needs of the collective, be it the family or society at large (Bridger, 2000; Rivkin-Fish, 2004b; Hemment, 2007). This has an impact on what claims to rights are made for, and by women, which impacts on the forms of agency available to women.

Soviet and post-Soviet constructions of women's roles and the resulting definitions of women's rights have implications for women's agency in the contemporary period in three ways. Firstly, the Soviet emphasis on the collective and the casting of women as responsible for the protection of others in their role as carer and household manager continues to hold legitimacy making attempts at individual agency and expression of women's own rights difficult. This highlights the continued separation of women's rights, defined in relation to their potential role as mothers, from human rights, which are framed as relating to the male official public sphere, or collective social problems. Secondly, discussions of women's rights have been restricted to debates about

improving maternity provision and protection of 'reproductive health', which reinforces essentialist cultural understandings of women as 'different'. Thirdly, while discrimination in employment continues to represent a significant barrier to women's ability to realise their formal rights and exercise individual choice, official discussions on employment rights remain framed as non-gender specific concerns, which limits women's opportunities to articulate rights claims in relation to gender-based discrimination in employment.

Although there are cases where women have been successful in making claims, as discussed earlier in this chapter, access to claiming rights is dependent on monetary resources in the contemporary period. I return to a discussion of the process of legal claims making for women in Chapter 7. The lack of official discussion of gender-based rights violations and the problems with making legal claims represent new challenges for women attempting to claim their rights. The following chapter continues an exploration of these themes at the local level presenting analysis from press discourses and interviews with local political and community elites.

## **Chapter 3**

### **Local press and elite constructions: ‘human rights’ and ‘rights’**

#### **Introduction**

The previous chapter discussed the ways in which the construction of women’s roles throughout the Soviet period, in turn impacted on the construction of ‘legitimate’ rights claim for women. As a result, women’s rights were not openly discussed on the public agenda, yet Soviet society remained characterised by the prevalence of an official rights rhetoric that emphasised social and economic citizenship rights. An exploration of Soviet and post-Soviet public constructions of rights and human rights is therefore necessary in order to uncover and explore the complexities of rights discourses, and the challenges this presents to citizens attempting to negotiate ‘rights’ in the contemporary period. Drawing on findings from analysis of readers’ letters to advice pages, local press discourses and interviews with local political and community elites, this chapter argues that contemporary public discussions of rights reveal confusion over what constitutes a legitimate rights ‘claim’ and how to access the transformed legal processes for claiming rights. By foregrounding local public constructions of rights and the processes for claiming rights, the chapter shows how international and federal provisions for rights have not resulted in greater access to rights, and at the local level rights are first and foremost understood in relation to social and economic citizenship rights that were previously guaranteed by the state, but now have to be ‘claimed’.

#### **Soviet constructions of rights, human rights and the processes of claiming rights**

In order to understand contemporary perceptions of rights discourses, it is essential to explore Soviet constructions of human rights and rights. Soviet ideological commitment to the abolition of class inequalities and creation of a classless society resulted in the language of rights being used to legitimise collective concerns over the individual. Official commitment to the provision of equal access to the basic goods and the

materially and morally superior standard of living this guaranteed was used to legitimise the suppression of individual and personal interests. Thus, the prioritisation of social and economic entitlements over civil and political freedoms forms the basis of Soviet understandings of rights. As discussed in Chapter 2, the Soviet state officially guaranteed a raft of social and economic entitlements, with women entitled to additional social welfare assistance and special protection that would in theory enable them to combine their productive and reproductive roles.

The Soviet period was characterised by declarations of the legal equality of women and protection of the rights of citizens. The Soviet Constitution of 1977 reiterated the state's commitment to the provision of social and economic rights and enshrined a series of basic rights, including the right to work, food, clothing, shelter, rest and education. The 'right' to work however, also formed the basis of citizens' entitlement to all other rights. The Soviet Constitution of 1977 states that 'the exercise of rights and liberties is inseparable from the performance of citizens of their duties' (Sharlet, 1978). Thus, social and economic rights were the reward for contribution and participation to building the Soviet Union and the creation of an 'ideal' Soviet citizen committed to the collective good (Muckle, 1987: 4), and rights existed as a mechanism of social control, not as legal provisions to be claimed by individuals (Jordan, 2005).

As the state officially provided the basic rights required for life, it was claimed that there was no need to make individual rights claims. In reality, however, claims were made as the state failed to uphold all rights and interpersonal disputes continued to exist. Field argues that women in particular attempted to claim rights during the Soviet period in inter-personal disputes, such as during divorce proceedings, or when seeking the enforcement of entitlements to state childcare benefits (1998: 600; see also Chapter 7 this thesis). In the absence of a legal system designed to serve the interests of citizens, alternative forms of claiming rights emerged (Jordan, 2005). The practice of appealing to the state through writing letters to the press or the *Zhensovet* was the most common form of attempts to claim rights (Fitzpatrick, 1996). The practice of letter writing as a form of claiming rights continues in the contemporary period and is discussed below.

As outlined above, during the Soviet period the language of rights was predominantly related to the provision of social and economic citizenship rights that were used as a mechanism of social control and to legitimise state ideology. In a similar vein, Soviet discussions of human rights were also used as an ideological tool. Human rights were not framed as an additional set of rights to be claimed as the Soviet Union had officially guaranteed a superior material and moral standard of living that surpassed international human rights provisions. This use of human rights rhetoric to legitimise Soviet policy on women has already been discussed in Chapter 2. Soviet commitment to formal equality and equal opportunity of women alongside men was cited as evidence that the Soviet Union had realised and surpassed international recommendations for women's human rights. For example, the protection enshrined in the Convention for the Elimination of All Forms of Discrimination Against Women (1979) has already been, officially, achieved by the Soviet Union decades before it was established and ratified internationally.

Discussions of 'mainstream' human rights issues were restricted to use in ideological points scoring with the west. Hawkesworth (1980: 68-69) argues that both the Soviet Union and the west employed human rights discourses to undermine the ideology of the other. The west accused the Soviet Union as violating human rights in the lack of civil and political freedoms, and the Soviet Union attacked the persistence of class oppression and violations of the basic right to life, employment and healthcare in the west (Lapema, 1977: 14-15; Szymanski, 1984: 25). The restriction of Soviet discussions of human rights to ideological point scoring remained a feature of human rights discourses throughout the Soviet period. However, Buckley's (1993) analysis of the impact of the reforms of the late Soviet period under Gorbachev indicates shifts in the constructions of the rights and responsibilities of citizens. Chapter 2 has already discussed the introduction of discourses of 'choice' to frame state policies for women in the late Soviet period (Kay, 2002) and Turpin's analysis of the Moscow News during this period reveals that discussions of freedoms and critiques of the Soviet Union's

domestic human rights record was limited to justifying the reform processes of *glasnost* and *perestroika* (Turpin, 1995: 110).

I conducted supplementary analysis of official press discourses over the period 1985-1991 published in the Current Digest of the Soviet Press in order to flesh out this use of human rights discourses in the late Soviet period. The search was limited to articles containing the keywords ‘human rights’, ‘rights’ and ‘women’s issues’<sup>41</sup> and the following examples are therefore intended to be illustrative, not representative or exhaustive. The analysis revealed that human rights continued to be discussed largely as a concern for other countries that did not uphold such high standards of living as in the Soviet Union. For example, the United States was constructed as violating human rights because ‘such shameful phenomenon – which are incompatible with human rights and dignity - as unemployment, homelessness and semi-starvation continue to exist’<sup>42</sup>.

From 1989 onwards however, there was increasing discussion of human rights as a signifier of the Soviet Union’s increasing levels of international cooperation<sup>43</sup>. Whilst these discussions largely focussed on the position of the Soviet Union within global power structures, they did contain some reflections on how the Soviet Union could expand international human rights recommendations further domestically. For example, announcements of the ‘possible incorporation of another 50 United Nations human rights recommendations into domestic law...relating to freedoms of conscience, press organisations and travel abroad’ were made<sup>44</sup>. This can be seen as a directly linked to state attempts to redefine citizenship duties to encompass some degree of personal rights and freedoms required for the reform process (Buckley, 1993: 61). However, the reassessment of the Soviet Union’s domestic human rights record remained within strictly defined parameters and readers were reminded that,

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<sup>41</sup> The search term ‘women’s issues’ was used in light of the limited discussion of women’s rights issues throughout the Soviet period. Refer to Chapter 2 for detailed discussion.

<sup>42</sup> V. Sofinsky, ‘Reflections after Ottawa’, *Izvestia*, 12<sup>th</sup> June 1985: 5. Translated excerpts from *The Current Digest of the Soviet Press*, 17 (28): 17-18.

<sup>43</sup> “‘The Great Goal is to Ensure Human Rights’. G.A. Shevardnadze’s speech at the Paris meeting of the Conference on the Human Dimension of the All-European Process’, *Pravda*, 1<sup>st</sup> June 1989: 5. Condensed translation from *The Current Digest of the Soviet Press*, 49 (22): 4, and ‘Letter from E. A. Shevardnadze to Perez de Cuellar’, *Pravda*, 9<sup>th</sup> March 1989: 4. Condensed translation from *The Current Digest of the Soviet Press*, 41 (10): 14.

<sup>44</sup> M. Kozhevnikov, ‘An important step, but only a first step’, *Izvestia*, 3<sup>rd</sup> May 1989: 4. Condensed translation from *The Current Digest of Soviet Press*, 41 (18): 19.

a person can be legally endowed with all manner of rights, but they will be worthless if, for example he cannot combat economic oppression...a person will not be free if he does not have a place to live, or the necessary income for a decent life<sup>45</sup>.

As an unintended consequence of the policies of openness, journalists were able to expand the parameters of debate in the discussion of other social issues (Riordan & Bridger, 1992; Buckley, 1993: 313). Whilst not framed in relation to human rights, the outpourings of public distress at the reform process provided some insight into reactions to state attempts to redefine rights and responsibilities. Attempts to redefine citizenship rights during this period were met with widespread concern outside of intelligentsia circles. A compilation of readers' letters published in *Izvestia* under the title 'Democracy without Anarchy' revealed the levels of confusion and anger at attempted redefinitions,

The changes have only brought disorder and confusion to our country's normal rhythm of life; this is not democracy but anarchy. The heroes of our day are strikers, members of unofficial groups, homosexuals and lottery players. They renounce everything that has been accomplished in the last 70 years<sup>46</sup>

Existing literature discussing the impact of the reforms of the late Soviet period and findings from my supplementary analysis of rights discourses, indicate that discussions of human rights were limited to discussions in the press and dissident circles and associated with international affairs or linked in a limited way to discussions of freedoms. This was in contrast with the concerns about economic and social difficulties of the late Soviet period. The economic and social dislocations experienced by many in the post-Soviet period have arguably resulted in Soviet constructions of rights as social and economic citizenship entitlements retaining legitimacy. The following section

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<sup>45</sup> "The Great Goal...", *Pravda*, 1<sup>st</sup> June, 1989.

<sup>46</sup> Iu. Orlik, 'Reading the Mail: 'Democracy without Anarchy'', *Izvestia*, 6<sup>th</sup> January 1989. Translated excerpts from *The Current Digest of the Soviet Press*, 41 (3): 28.



discusses the continued influence of Soviet understandings of rights and processes of claiming rights exemplified in readers' letters in the contemporary period.

### **Readers' letters to *Sel'skaia nov'*: the continuation of Soviet understandings of rights in the contemporary period?**

Readers' letters appearing on two advice pages in the Russian magazine *Sel'skaia nov'* were analysed as part of preliminary research conducted for this thesis. Analysis of readers' letters suggested that two understandings of rights and the processes of claiming rights exist in contemporary Russia. The first of the letters' pages analysed, *Zhurnal pomog*, featured letters from readers whose understanding of rights were framed by references to previously held Soviet social and economic entitlements guaranteed by the state. In addition, letters appearing on this page demonstrated the continued legitimacy of Soviet understandings of the process of claiming rights, whereby appeals were made to the state for direct intervention, often via writing letters to the press (Riordan & Bridger, 1992). Letters featured on this page tended to ask for the magazine to intervene on their behalf by petitioning their local administration for the provision of social and economic entitlements<sup>47</sup>, often where previous attempts to appeal to the administration had been unsuccessful. The following examples demonstrate the sense of abandonment by the state characteristic of letters featured in many of the letters featured on the page *Zhurnal pomog*,

I'm going round in circles. I asked the rural accountant 'where is my money?' [family allowance] and the answer was 'I don't know'! Could you ask them for me?<sup>48</sup>

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<sup>47</sup> The extent to which the magazine can intervene and achieve concrete results in these cases is dependent on a number of factors. In 2001, the magazine published figures on its rate of success in obtaining interventions on behalf of the readers. Out of 12,000 letters received, only 1,500 received responses from the relevant official body, and this in itself did not guarantee a concrete resolution of the problem, see *Sel'skaia nov'*, 12, 2001: 5. In an interview with the editor of the magazine at the time of fieldwork, the reason for lack of response from official bodies was that local administrations often lacked the financial resources necessary to uphold social and economic rights (Interview with the editor of *Sel'skaia nov'*, Moscow, October 2005).

<sup>48</sup> *Sel'skaia nov'*, *Zhurnal pomog*, 'Komandir vse-taki otkliknulsia', February 2004: 19.

We said to him that he could perhaps refer our daughter to the oblast where there might be a specialist. But he brushed us off like annoying flies. So we ask your editor to petition on our behalf<sup>49</sup>

Analysis of letters printed on *Zhurnal pomog* also revealed the continuing understanding that the state should be responsible for the provision and protection of social and economic rights, which should not require ‘claiming’. In an interview with the editor and editorial team of the letters pages at *Sel’skaia nov*’ conducted in October 2005, I asked whether the editorial team felt that the magazine was able to offer the practical assistance sought by the readers. While the magazine did not censor letters, and local administrations’ not upholding citizens’ social and economic rights were ‘named and shamed’<sup>50</sup>, the extent to which this resulted in a material resolution of the issue varied. The editor explained that if the problem could be resolved on an individual basis, for example in ensuring the payment of child maintenance for one child, then the relatively small costs to the administration meant that payment of a social or economic benefit may be granted to an individual. However, this did not guarantee continued payment, or the securing of a ‘right’. The editor explained that in the majority of cases, social and economic rights are not upheld because the local administration does not have the financial resources to fulfil their obligations. The magazine received many letters of apology from local administrations, explaining the reasons for their inability, rather than unwillingness to pay (Interview with editor and editorial team of letters’ pages *Sel’skaia nov*’, Moscow, 25<sup>th</sup> October 2005).

Difficulties in implementing and claiming legally enshrined rights is often a consequence of the lack of material resources allocated to local administrations from the federal budget. Rights remain contingent on finances, and it is therefore often not possible for local administrations to implement federal or international rights commitments. Thus, increasing commitments to international, national and regional rights and their promotion in the press may be negatively perceived as ‘rhetoric’, rather than the availability of additional sources of protection and avenues to access rights.

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<sup>49</sup> *Sel’skaia nov*’, *Zhurnal pomog*, ‘Nadezhda na vyzdorovlenie’, February 2004: 19.

<sup>50</sup> *Sel’skaia nov*’, *Zhurnal pomog*, ‘Komandir vse-taki otkliknulsia’, February 2004: 19.

This can have a particularly negative impact on women's perceptions of rights where women remain largely responsible for the resolution of 'everyday problems', which often result in women bearing the brunt of attempting to negotiate inefficient or poorly financed local structures. The impact of women's responsibility for claiming rights is discussed in more detail in Chapter 6 & 7.

Despite the transforming nature of rights and the processes for claiming rights, the magazine continued to provide a space for readers to make direct appeals for intervention, although it was aware of the limited effectiveness of such approaches<sup>51</sup>. It was keen to promote agency and self-action among the population by publishing articles encouraging individual action through knowledge of rights<sup>52</sup>, and also through featuring legal advice columns and letters page. However, analysis of letters revealed that many of the letters appearing on *Zhurnal pomog* were also from readers who had attempted, but failed to access the 'new' individual processes of claiming rights.

#### 'Post-Soviet' understandings of rights? Legal advice for individual claims

Alongside providing readers with a space in which to appeal for direct intervention, *Sel'skaia nov'* is also committed to the development of legal literacy among its readers. This commitment is evident in the overall focus of the feature articles in the magazine, but also in the provision of free legal advice through the letters page, *Pravovaia neotlozhka*. The provision of free legal advice for readers was regarded as a key means to assist readers in negotiating the transforming parameters of rights and the processes of claiming. The main differences between letters featured on *Zhurnal pomog* and *Pravovaia neotlozhka* were that readers appeared to have accepted the transformation from state to individual responsibility for claiming rights. Rather than asking the magazine to intervene on their behalf, readers were seeking additional legal advice or clarification on legal advice already obtained<sup>53</sup>. Although there was some overlap in the types of rights claims being made on both letters pages, the nature of claims in letters to

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<sup>51</sup> N. Avtamonova and others, 'Dveri so skripom: esli vam nuzhna pomoshch, obrashchaetes' li vy k mestnoi vlasti? Pomagaet li vam?' *Sel'skaia nov'*, 12, 2005: 18-19.

<sup>52</sup> V. Bulychev, 'My sami s ysami – vot chto znachit', *Sel'skaia nov'*, 9, 2005: 2-5.

<sup>53</sup> See for example, *Sel'skaia nov'*, *Pravovaia neotlozhka*, 'Imeiut li pravo poterpevschaia storona trebovat' uchastia v sude narodnykh zasedatelei?' November 2003: 25

*Pravovaia neotlozhka* tended to focus on the resolution of inter-personal disputes that had arisen as a result of social and economic transformations, such as disputes over inheritance, property ownership, and also divorce and alimony payments that now had to be resolved individually. This contrasted with the letters appearing on *Zhurnal pomog*, which were mainly concerned with claims for wider social and economic rights that required resolution by the state or local administration, and were made by readers without alternative financial or informal sources of support.

Readers' received an assessment of their case by lawyers, alternating between a male and a female lawyer each month. The legal advice received tended to follow a similar format; first outlining how the readers' case was currently enshrined in law, before going on to outline any changes or caveats in the legislation that may affect the likelihood of a successful claim<sup>54</sup>. In this sense, the magazine provided the legal information required to understand the changing nature of rights and entitlements in the post-Soviet period. However, it was not clear whether being informed about the legal status of their claim equipped readers with the means to use rights-based approaches to resolve their problems. Although, the editor of *Sel'skaia nov'* was keen to point out that the practice of seeking legal advice from a magazine was employing an 'old rhetoric' and to some extent replicating Soviet practices of claiming rights (see Chapter 2) in the post-Soviet period, the nature of legal entitlements have been transformed and this has resulted in confusion over the legitimacy of legal claims for many (Interview with editor and editorial team letters pages of *Sel'skaia nov'*, Moscow, October 2005).

Despite the abundance of letters to *Pravovaia neotlozhka*, an interview with the editorial team of the magazine revealed mixed views as to whether there had been a shift in readers' understandings of 'rights' in the post-Soviet period. One member of the team argued that she felt there had been an increase in readers' levels of legal literacy over the past few years and attributed this increase in awareness to the reporting of high profile cases taken to the European Court of Human Rights in the media. However, the editor interjected, explaining that their readers still largely viewed such cases as 'exotic',

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<sup>54</sup> *Sel'skaia nov'* *Pravovaia neotlozhka*, 'Kakie l'goty i denezhnye vyplaty polozheny roditeliam voenosluzhashchego, pogibshogo pri ispolnenii voenskogo dolga?', September 2005: 25.

People don't even have the vocabulary of rights, and 'human rights', well that is even more specific - that's associated with the realm of politics (Interview with editor and editorial team letters' page of *Sel'skaia nov'*, Moscow, October 2005).

The editor of the letters page agreed, arguing that whilst some readers framed their problems in terms of rights and were willing to attempt to use rights to resolve their problems, for the most part readers were angered and confused by the transformations in the meaning of rights. Moreover, she also noted that readers' experiences of attempts to claim rights often resulted in disappointment and further disillusionment with the process. This disjuncture between the use of rights talk as a discursive resource to express frustration over rights that are perceived to have been 'lost' and the function of rights a tool to be used to claim rights is a recurring motif in the empirical chapters. In particular, the tension between an increased awareness of, but heightened sense of 'remoteness' from human rights is returned to in Chapter's 4 and 7.

#### The continuing 'invisibility' of women's rights?

Analysis of both letters pages indicated that it was predominantly women writing letters to the magazine. However, although this suggests women were attempting to use various approaches to claiming rights, both through direct appeals and through the legal process, there was very little discussion of gender-based discrimination or rights violations affecting women as have been identified by international organisations<sup>55</sup>. Rather, letters were mainly concerned with issues that affected the welfare of whole family units, particularly the non-payment of welfare benefits, pensions or alimony in the event of divorce. I asked the editorial team at *Sel'skaia nov'* if they had observed any patterns of requests in appeals for assistance or legal advice among women readers. A member of the editorial team of the letters page argued that because many women's continued to identify with their ascribed role as carer, a high volume of letters were concerned with entitlement

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<sup>55</sup> The magazine had featured articles on domestic violence and women's involvement in the sex industry, but these issues remain taboo and not seen as topics for public discussion or public claiming, See for example, *Sel'skaia nov'* 'Muzhem bitia', June 2003: 31-31 and *Sel'skaia nov'*, 'Za kulisami intim-servis', 9, 2004: 20-22.

to benefits, schooling costs, wages, medical care and problems with communal services. She said,

Women are more ‘active’, but they don’t think of themselves as such – they don’t describe their activities as ‘activism’. They just think of it as their duty in the domestic sphere (Interview with editor and editorial team of letters page *Sel’skaia nov*’, Moscow, October 2005).

She went on to argue that this not only reflected women’s perceptions of their responsibilities, but also the levels of severe poverty facing many women with children, particularly among women living in provincial areas. Therefore, women living in severely restricted material circumstances may understand the most important rights claims as social and economic, rather than immediately those relating to issues of ‘gender equality’. The Soviet legacy of collective framing of social and economic rights combined with post-Soviet discourses about ‘society wide crisis’ appear to have resulted in women’s rights being subsumed under concerns about the welfare of society (see also Bridger, 2000). These discourses were also evident in some of the articles published within the magazine itself. It could be argued that the magazine is appealing to culturally legitimate forms of women’s activism as a means to make relevant the need for activism in claiming rights. For example, the magazine has highlighted the work of the Committee of Soldiers Mothers, the non-governmental coalition of women’s organisations devoted to protecting the rights of those serving in the army and those called up for service (Caiazza, 2002)<sup>56</sup>, and also featured articles focussing on women’s responsibilities and coping strategies in the family<sup>57</sup>. However, as has been observed by researchers exploring women’s access to rights in other contexts in Russia, modifying the political message of women’s rights claims to make them more ‘appealing’ to local cultural norms can have the opposite effect of removing any political force and obscuring women’s rights issues (see for example, Rivkin-Fish, 2004b; Hemment, 2004).

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<sup>56</sup> T. Znachkova, ‘Trubat soldatu sbor’, *Sel’skaia nov*’, April 2004: 24-25; T. Zhachkova, T. ‘Plan voenkomata’, *Sel’skaia nov*’, September 2004: 24-25; T. Znachkova, T. ‘Uchis’, student!’, *Sel’skaia nov*’, September 2005: 22-23.

<sup>57</sup> N. Avtamanova and others, ‘Muzhaisia, eva!’, *Sel’skaia nov*’, March 2005: 16-17 and V. Bulychev, ‘Zhenshchiny vsei strany, ob’ediniates’- na zashchitu vechnykh tsennostei: sem’i, detei, zdorovogo obraza zhizni’’, *Sel’skaia nov*’, March 2006: 2-3.

The findings from analysis of the letters page also revealed that the magazine focused on providing information about citizenship rights, rather than international human rights. This indicated that, despite high profile media coverage of human rights claims at the European Court of Human Rights, human rights were remote from the everyday concerns of readers that required resolution either from the local administration responsible for providing social and economic benefits, or at the individual level in inter-personal disputes arising from the privatisation of property or family breakdown. The greater relevance of citizenship rights as enshrined in the Soviet and post-Soviet constitution was also evident in the local press in the research locale. However, the next section of this chapter discusses how the local press conflated the language of citizenship rights with human rights discourses, resulting in further confusion over the delineation of rights discourses in contemporary Russia.

### **Local constructions of human rights and citizenship rights: examples from the *Simbirskii kur'er***

As part of preparation for fieldwork and to assist in the construction of interview questions, I also analysed how rights issues were presented in a local newspaper, the *Simbirskii kur'er*. This newspaper was chosen primarily because it was recommended as a good source of local issues by contacts on my first trip to Ul'ianovsk in 2003. In addition, it was available online, offering access when not in the field, and it consistently featured a weekly legal advice column '*Konsul'tatsia po chetvergam*' (Consultation on Thursday)<sup>58</sup>, which allowed insights into the kinds of rights claims being made within the city. Thus, this newspaper was an ideal source in which to explore how human rights and rights-based approaches were being constructed and placed on the public agenda in the research locale. The following section discusses findings from an extended period of analysis of rights discourses in the newspaper (2003-2007), showing how the boundaries of legitimate rights claims were being made in the research locale.

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<sup>58</sup> An archive of articles from the *Simbirskii Kur'er* is available online at, [www.sm-k.narod.ru](http://www.sm-k.narod.ru).

The topic of human rights appeared fairly frequently over the period of analysis, including coverage of local cultural events and research promoting awareness of ‘human rights’, and extensive coverage of an international human rights film festival that visited Ul’ianovsk in 2004<sup>59</sup>. The *Simbirskii kur’er* featured an interview with the coordinator of the film festival and a director of one of the films being shown as part of the festival. In the interview, the film director is quoted at length explaining how he felt citizens’ lacked a vocabulary of ‘rights’ that prevented them from reflecting on how human rights affected their everyday lives,

Our people do not know about rights, but after seeing the film they will begin to think about that question [...] there is a huge problem with a lack of protection of human rights in the country, no one wants to take on the task [...] I even met with one bureaucrat who said ‘before you come here, just think whether you are needed here’<sup>60</sup>.

However, the research on readers’ letters to *Sel’skaia nov’*, shows that citizens do have a vocabulary of rights, and it is perhaps that the vocabulary of human rights is seen as less ‘relevant’ and ‘useful’ for the rights claims important for many citizens everyday lives. While, social and economic rights are included within human rights law, discussions of ‘what’ constitutes a human rights violation often do not include these ‘everyday problems’.

The film festival intended to bring human rights into the everyday lives of citizens, but was largely unsuccessful due to the international and ‘public’ focus of the rights violations discussed. However, the newspaper also reported on attempts by local sociologists to conduct research that related human rights to everyday life. In 2004,

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<sup>59</sup> This international festival ‘Stalker’ uses film as a means to promote awareness of past and present human rights abuses in Russia. See, [www.stalkerfest.org](http://www.stalkerfest.org).

<sup>60</sup> A. Idrisova, “‘Stalker’ dobralsia do Ul’ianovska’”, *Simbirskii kur’er*, 23<sup>rd</sup> March 2004: 42. See also, I. Kiseleva, ‘Imeiut li pravo na prava narushat’: uchashchikhsia lishili prava vybora: idti ili ne idti na pravozashchitniki kinofestival’”, *Simbirskii kur’er*, 3<sup>rd</sup> April 2004: 48-49.



sociologists at the Region research centre conducted a research project exploring which human rights men and women felt were observed. The newspaper summarised the findings of the project,

The findings show a huge difference between the answers given by men and those cited by women. For women, the most important rights were those of social protection and questions linked to the family and domestic life. Over half of the women interviewed complained about violations of their rights to healthcare, lack of protection from unemployment, right to education, housing, pensions, illness and invalidity [...] Men, on the other hand answered the questions in a wider sense<sup>61</sup>. Among men a more active citizenship position was traced, and they considered their rights to freedom and the inviolable rights of the person<sup>62</sup>.

The findings from this research appeared to show that when asked about which human rights were important in everyday life, citizens were more able to see the relevance compared to when they were ‘told’ about the importance of human rights, or particular forms of human rights abuses as was the case in cultural events and public education campaigns. However, the findings from the sociological research project showed a gendered division in perceptions of the most important human rights, supporting previous discussions about how women’s ascribed responsibility for the family is the most influential factor in determining which rights are regarded as most important. While this may explain why women do not immediately discuss gender-based rights violations as most important, the research conducted by Region in 2004 also reported that women identified increased levels of discrimination in the post-Soviet period, particularly in relation to employment as a rights violation.

However, discussions of the forms of discrimination experienced by women in employment in the local press were not often not framed as ‘women’s rights’ issues, but as an example of violations of constitutional citizenship rights. Articles acknowledged

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<sup>61</sup> The Russian word used was ‘globalnyi’, which has the dictionary definition of ‘global’ or ‘extensive/in-depth’. In the context of the report, I have translated it as meaning relating to international or abstract standards, thus has having wider application than the local and everyday issues identified by the female respondents.

<sup>62</sup> A. Korolev, ‘Ona dumaet o dome, on – o svobode: Ul’ianovskie zhenshchiny schitaiut, chto segodna sil’no narushaetsia konstitutsionnoe pravo’, *Simbirskii kur’er*, 6<sup>th</sup> March 2003: 34-35.

that discrimination in employment affected women disproportionately due to problems with ensuring maternity entitlements and age discrimination. Yet, the bulk of the discussion was framed in non-gender specific terms, such as ‘workers rights’, or with reference to citizenship and constitutional rights. For example, one article discussing discrimination against women did not mention women’s rights, instead wrote, ‘employers seriously and systematically violate human rights, in particular the working rights and freedoms of citizens of the Russian Federation’<sup>63</sup>. While the article was concerned with the high number of cases of unfair dismissal of pregnant employees, the use of non-gender specific language in the text obscured the causes of structural inequalities that result in women experiencing this kind of discrimination disproportionately. Reporting in this way highlights the illegality of discrimination, but does not offer women the tools with which to address the structural and cultural causes of inequality. The complexities of women’s understandings of the ways in which ‘discrimination’ represents a violation of rights is returned to in Chapter 4.

#### ‘Consultation on Thursday’: the provision of legal advice and promotion of legal rights claims

*Simbirskii kur’er* regularly featured articles offering readers with advice about their legal rights<sup>64</sup>. In addition, the newspaper also featured a weekly readers’ letters page offering legal advice. Most of the readers’ letters were framed explicitly in terms of rights, often using the phrase, ‘do I have the right to...’ (*imeiu li pravo*). While letters were framed explicitly in relation to their rights, as rights discourses are also ‘old rhetoric’, this did not necessarily indicate transformed understanding of rights, rather such enquiries often highlighted the disjuncture between readers’ understandings of legitimate rights claims and how rights are framed in the contemporary period. Moreover, this confusion was not necessarily alleviated by the legal advice available in the local press. As with the legal advice provided for readers of *Sel’skaia nov*, the *Simbirskii kur’er* often highlighted the difficulties involved in legal claims and the likelihood that they may not always result in a satisfactory outcome. Thus, there was an

<sup>63</sup> A. Galkin, ‘Ot beremennoi potrebovali uvolit’sia’, *Simbirskii kur’er*, 13<sup>th</sup> July 2004: 101 and *Simbirskii kur’er*, ‘Diskriminatsiia po voprasty nezakonna: prokuroru Ul’ianovskoi oblasti V.V. Maysevu’, 4<sup>th</sup> September 2003: 131.

<sup>64</sup> ‘Privatizatsiia zhilogo pomeshcheniia cherez sud – chto eto znachit?’, *Simbirskii kur’er*, 18<sup>th</sup> August 2005: 115; T. Zakharycheva, ‘Kak materi poluchat kapital’, *Simbirskii kur’er*, 20<sup>th</sup> January 2007: 6.

evident tension in the presentation of legal advice in the newspaper. On the one hand, taking individual responsibility in claiming legal entitlements was recommended as an effective way to resolve problems, but on the other, the severe limitations of this approach in addressing ‘everyday problems’ were emphasised.

Such contradictory messages were particularly evident in the relatively frequent discussions of citizen’s appeals to the European Court of Human Rights (ECHR) that appeared in *Simbirskii kur’er* during the period of analysis. While discussions highlighted the possibility that Russian citizens were accessing human rights, human rights claims were not presented as an accessible or appropriate resource for everyday rights claims.

#### A lack of rights protection at the local level: The European Court of Human Rights as a feasible alternative?

In 2005, *Simbirskii kur’er* followed the case of a local entrepreneur who had taken the state to the European Court of Human Rights (ECHR) for violating his right to due legal process<sup>65</sup>. The newspaper interviewed the entrepreneur to ask about his motivations and experiences of taking his claim to the international level. He argued that it was not possible to receive due legal process in local Russian courts as bribery of judges was an enormous problem and a higher authority was required to ensure justice. However, the interviewer argues that ordinary citizens are not able to pursue a claim at the international level because of the high financial costs involved, to which the entrepreneur concedes. Rather than promoting human rights as a tool, the reporting of this case actually reinforces perceptions that the legal process did not operate at the local level and that international human rights protection was only available to individuals with free time and access to financial resources. Indeed, the story of the entrepreneur’s successful ruling against the state actually provoked an angry response among readers. In a letter to *Simbirskii kur’er*, one reader outlined her terrible living

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<sup>65</sup> See for example, A. Chernov, ‘Isaak Grinberg: “Vot eto i zastabilo menia podat’ v Evropeiskii sud’’, *Simbirskii Kur’er*, 8<sup>th</sup> November 2005: No. 149; V. Samarin, ‘Mistitel’nyi sosed’, *Simbirskii kur’er*, 12<sup>th</sup> November 2005: No. 151; V. Mel’nik, ‘Trebuieut otstavki sudei’, *Simbirskii kur’er*, 19<sup>th</sup> November 2005: No. 154.

conditions caused by anti-social neighbours. She had already appealed to local communal services, the procurator, and to the federal security services, but without success. In light of her circumstances she was scathing about the promise of human rights protection,

I read in your paper that our very own Grinberg achieved justice at the European Court of Human Rights [...] and I thought that I also have reason to appeal for assistance from Strasbourg. In Ul'ianovsk, no one cares about protecting my right to a normal life. Only I'm afraid that I can't scrape together the expenses for a trip to the European Court<sup>66</sup>

While complaints about anti-social neighbours are not immediately familiar descriptions of human rights violations, this suggests the particular connotations of human rights are often at odds with the power of rights as a discursive resource. That a discussion of a successful case at the ECHR prompted a reader to highlight her own form of 'crisis' highlights the ways in which understandings of rights violations are often directly related to everyday difficulties. However, international and public discussions of human rights often deny these problems as human rights violations, despite the severe consequences. In response to this reader's letter, the *Simbirskii kur'er* posed the following question, 'who would refuse a single woman, a veteran of work, a peaceful life?' The invoking of Soviet citizenship rhetoric of 'veteran of work' serves to reinforce constructions of social and economic protection as legitimate rights. As a result, the success at the European Court of Human Rights becomes framed as the protection of civil and political freedoms that are only pursued at the international level of human rights by the elite, again undermining the relevance of human rights as a source of protection.

Nonetheless, there was evidence to suggest that citizens were willing to make social and economic claims at the European Court of Human Rights<sup>67</sup>. For example, *Simbirskii kur'er* reported on the case of a single-mother who was in the process of preparing to take the Russian State to the ECHR for failure to uphold 'the constitutional right of

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<sup>66</sup> V. Samarin, 'Mistitel'nyi sosed', *Simbirskii kur'er*, 12<sup>th</sup> November 2005: No. 151.

<sup>67</sup> Refer also to O. Gadov, 'Bez prava na zhilploshchad': ili pochemu invalid khochet obratit'sia v Evropeiskii sud po pravam cheloveka', *Simbirskii kur'er*, 28<sup>th</sup> September 2004: No. 145 and *Simbirskii kur'er*, 'Konsul'tatsii po chetvergam', 'Snokha – po zakonu ne nasleduet', 31<sup>st</sup> March 2005: No. 45.

mothers to support their children'. The mother had taken the case to the local court and was told to refer to the Supreme Court because the issue dealt with constitutional matters. However, neither of the courts would consider her case at the time the article went to print, and she was therefore considering pursuing the issue at the ECHR because

A mother of three children should not live in absolute poverty that violates the Constitution of the Russian Federation (Article 1, point 39), in which every mother is guaranteed social provision for the upbringing of children<sup>68</sup>.

Her willingness to pursue a Constitutional rights claim at the ECHR may indicate that the different layers of rights provision are regarded as additional pathways to resolve local problems, each as unlikely as the other to reach a resolution, and that the language of rights may be conflated. This echoes findings from readers' letters to *Sel'skaia nov'* where the need to claim rights at the local level presented significant problems due to lack of implementation of financial resources to provide legally enshrined rights. However, the woman's claim for \$ 3.5 million in compensation was framed as unreasonable, reinforcing the message that human rights were not the appropriate channel for addressing everyday problems, or individual problems. The ways in which legitimate human rights claims were formulated by respondents in this study is returned to in Chapter's 4 and 7.

#### 'The Committee for Citizen's Appeals and Human Rights': re-inscribing collective forms of claiming rights?

The establishment of the local administration's 'Committee for Local government, Citizen's appeals and Human Rights' (hereafter Committee) as part of a range of initiatives relating the Council for the Development of Civil Society and Human Rights in 2005 received coverage in articles outlining the role and initial achievements of the

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<sup>68</sup> N. Nikonov, 'Mat' khochet nakormit' svoikh detei s pomoshch'iu Strasburgskogo suda', *Simbirskii kur'er*, No. 36, 6<sup>th</sup> April 2006, [www.sm-k.narod.ru/archives/2006/apr/36/18.htm](http://www.sm-k.narod.ru/archives/2006/apr/36/18.htm).

Committee. In a summary of the work of various local administrative initiatives to promote rights in the city, the newspaper outlined a successful appeal made to the Committee. A kindergarten threatened with closure due to unsound premises was 'saved' by local deputies who used the provisions of the Committee to appeal for financial assistance on behalf of the kindergarten<sup>69</sup>. The speaker for the local parliament was interviewed arguing that the Committee had offered a means for appeals and had resulted in 'qualitative changes' to the protection of rights in the city,

The basic goal of the Ul'ianovsk city parliament is to protect the interests of the population [...] this year we have received over 3,000 letters and appeals on different issues [...] the Committee for Citizen's Appeals, Local Government and Human Rights considers the collective complaints of citizens [...] and in the coming year there will be a special department devoted to work with the population. Together we can resolve many of these problems, so I look to the future with optimism<sup>70</sup>.

Thus, the Committee was presented by the local government as means for collective cases to be considered and resolved, which re-inscribed Soviet understandings of the process of claiming rights as collective lobbying of the local administration for direct intervention. After a year of operation, the newspaper featured a summary of the progress of the Committee to date,

One of the main tasks of the work of the committee is to consider citizens' appeals [for assistance]. The letters received are completely different from one another: people asking for support for forthcoming operations, for the formal recognition of citizenship, for registration at their address, to resolve problems relating to communal services<sup>71</sup>. And among these are appeals that can be described as 'long standing' problems because the resolution of the problem depends on a number of processes<sup>72</sup>.

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<sup>69</sup> 'Dumaem vmeste: novosti', *Simbirskii kur'er*, 17<sup>th</sup> December 2005: No. 166.

<sup>70</sup> *Simbirskii kur'er*, 'Dumaem vmeste: Vasilii Gvosdev: "V budushchee – s optimizmom"', 30<sup>th</sup> December 2005: No. 171.

<sup>71</sup> Communal services refer to the maintenance of essential services and repairs to the housing stock. The fees for communal services have been subject to reform under initiatives to privatise provision of services, which have proved unpopular. See Vasil'ev, 2006.

<sup>72</sup> *Simbirskii kur'er*, 'Dumaem vmeste: Na to i on komitet po pravam cheloveka', 8<sup>th</sup> April 2006: No. 37.

This article again suggests that it is the role of the local administration to deal with collective citizens' complaints relating to the social and economic issues that affect the majority of citizens. These collective and social and economic claims are however linked with 'human rights' through the naming of the committee. On the one hand, this links human rights discourses to everyday problems, but on the other, limits the legitimacy of human rights for individual claims, which contradicts the messages promoted in legal advice columns and discussions of the need for individual responsibility in claiming rights. Moreover, while collective claims do not exclude women, they do disproportionately put pressure on women to go through the processes of claiming because of their ascribed responsibility for the resolution of everyday problems. The contradictory gendered associations of human rights discourses among respondents are discussed in the following chapter.

The discussion thus far has illustrated the ways in which the language of human rights has been variously employed in press discourses. The following section explores how members of the local community and political elite, involved in the establishment of the Council for the Development of Civil Society and Human Rights interviewed for this thesis in 2005, understood and contributed to the construction of legitimate rights claims on the public agenda.

### **The construction of human rights and rights by local political and community elites**

In 2005, the local administration established a Council for the Development of Civil Society and Human Rights (hereafter Council) as part of a federal wide initiative aiming to increase awareness of human rights. I conducted interviews with several members involved in the establishment of the Council in order to gain insights into how those responsible for the protection and promotion of human rights in the city understood and placed human rights issues onto the local agenda. The Council was comprised of representatives from the local government as well as members from the established non-

governmental sector and grassroots organisations<sup>73</sup>. Existing research suggests that cooperation between the local administration and non-governmental sector is increasingly important in achieving the resolution of many everyday problems (see for example, Hemment, 2004; Kay, 2006), thus the Council represented an interesting case study of local negotiations and approaches to the development of a rights culture in the city.

I first interviewed the Chairperson of the newly created Council, a member of the local administration and chair of 'The Commission for the Provision of Equal rights and Opportunities for Men and Women' (hereafter the Equality Commission)<sup>74</sup>. While the aim of the interview was to gain insight into the role and priorities of the Council in promoting awareness of rights in the city, the respondent preferred to discuss her role as Chair of the Equality Commission. This may have indicated that the respondent has interpreted my research interests as primarily relating to gender (see also discussion in Chapter 1), or simply that because the Council had only recently been established, the respondent felt there was less to discuss.

The interview therefore focussed on a discussion of the role of the Equality Commission in offering support to facilitate women's greater involvement in public life. To promote women's involvement in public life, the Equality Commission assisted women already occupying public roles by supporting female entrepreneurs and small businesses, and publicising the achievements of successful local women (the impact of public representations of successful woman on women's perceptions of equality is returned to in Chapter 5). The commission also focused on supporting families and organised events in the city to celebrate the family, for example holding a competition for 'Family

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<sup>73</sup> For full details of the role of the Council, refer to Ul'ianovsk oblast administration's website, [www.ulgov.ru/power/gubernator/advise/civil/44bf5c76e9501](http://www.ulgov.ru/power/gubernator/advise/civil/44bf5c76e9501); and also to an article discussing the establishment of the committee on the Open Women Line website, 'Sovet pri glave administratsii Ul'ianovskoi oblasti po sodeisviiu razvitiu institutov grazhdanskogo obshchestva i pravam cheloveka otkroet obshchestvennuu priemniuu', available from [www.owl.ru/cgi.content.runbroker.cgi](http://www.owl.ru/cgi.content.runbroker.cgi).

<sup>74</sup> Ul'ianovsk Oblast Administration website, 'Informatsii o deiatel'nosti komissii po delam zhenshchin', <http://ulgov.ru/power/gubernator/advise/women/44ec0621a8f36/44ec064493950>.



of the Year'<sup>75</sup>, and officially marking Father's Day with a city celebration for the first time in 2005<sup>76</sup> because,

We wanted to show that responsibility for family and upbringing is both parents responsibility, as is detailed in the constitution (Chairperson Local administration Committee for Citizen's Appeals and Human Rights).

It appeared therefore, that the Commission for Equality's work remained focused on attempting to redress existing asymmetries in the gender contract by promoting women's public roles and men's private roles. I asked what the respondent thought were the most important human rights violations affecting women in the city. She said,

The commission is concerned with the violations of both women's and men's rights, about how they occur in different spheres and in relation to different issues. For instance, employers are not stupid enough to openly violate rights, but if you are a pregnant woman, you are not going to get a job. Of course, they will offer a thousand other reasons why you didn't get the job

While this highlighted the areas in which Russian women are perceived to experience rights violations, this also indicated the limited nature of what was considered as a legitimate rights claim for women. The respondent was a former member of the *Zhensovet* and this may have influenced the direction of the Equality Commission. While women's maternity rights and discrimination in employment as a result of motherhood were acknowledged, there was however little discussion of the structural causes of discrimination or means of possible means to address these issues, resulting in the privatisation of women's rights claims that is returned to in Chapter 5.

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<sup>75</sup> Incidentally, the Ul'ianovsk local administration's efforts to promote the family attracted cynical coverage in the United Kingdom recently. See, M. Weaver, 'Russian's get day off work to make babies', *Guardian Unlimited*, 12<sup>th</sup> September 2007, [www.guardian.co.uk/world/sep/12/Russia.matthewweaver](http://www.guardian.co.uk/world/sep/12/Russia.matthewweaver)

<sup>76</sup> For discussion of similar initiatives run by the Altai Regional Crisis Centre for Men, Barnaul, see R. Kay, 'Working with Single Fathers in western Siberia: A new departure in Russian Social Service Provision', *Europe-Asia Studies*, 56 (7) 2004: 941-961.

**‘As regards women, we don’t treat them as a specific category’<sup>77</sup>: Gendered human rights discourse in the established non-governmental sector**

The Directors of two established non-governmental organisations, ‘*Obshchestvennoe sodeistvie*’ (Social Assistance) and ‘*Regional’nyi informatsonno-resursnyi fond*’ (Regional Information Fund)’, were also involved in the ‘Council for the Development of Civil Society and Human Rights’<sup>78</sup>. I first approached the director of ‘*Obshchestvennoe sodeistvie*’ for an interview as he explained that his main interest was to provide information on rights in the city because he perceived the lack of legal knowledge as a barrier to citizens’ realising their rights. ‘*Obshchestvennoe sodeistvie*’ ran seminars and training workshops for local government and published advice leaflets and free legal consultations. Therefore, the organisation was a key player in defining rights issues in the local context. However, analysis of the interview transcript indicated that ‘*Obshchestvennoe sodeistvie*’ saw human rights as mainly in relating to issues designated as either non-gender specific, such as communal services (Maksimov & Iusinov, 2004), or to the provision of assistance targeted at men,

We also offer special programmes of direct assistance to specific categories of people. In particular, those in the army and young guys due to be conscripted who want to stand up for their right to complete alternative civilian service [...] we offer those refused alternative service legal assistance by preparing their case for the courts (Interview with Director of ‘*Obshchestvennoe sodeistvie*’, September 2005).

The organisation therefore targeted provision of legal advice and the promotion of rights-based approaches in two specific issues, communal services which was defined as affecting everyone, and military service, which was defined as affecting men. This indicated attempts to relate human rights to everyday concerns and to social and economic rights, and although these are issues of paramount concern for women as well as men, ‘*Obshchestvennoe sodeistvie*’ did not articulate women’s rights claims as

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<sup>77</sup> Interview with Director, ‘*Obshchestvennoe sodeistvie*’, Ul’ianovsk, September 2005.

<sup>78</sup> Refer to Appendix D for further details of expert respondents and their organisations.

specific issues, or within the language of human rights. Indeed, when I asked about issues of specific concern to women, the Director responded,

As regards to women, we don't have a dedicated area of work, but having said that we do provide social training on gender equality. In particular, we have held round table discussions and conducted pilot research in relation to women's access to employment rights. Unfortunately, this situation is difficult to resolve, as discrimination against women exists on a number of levels. On the one hand, most women in Russia work – we have not got to the situation where women only do housework and look after the children. But, they work for lower wages (Interview with Director of '*Obshchestvennoe sodeistvie*', September 2005).

These responses presented similar understandings of women's rights as outlined in the interview with the local administration. Although women's experience of discrimination in relation to their access to employment rights and formal equality was recognised as, 'exist[ing] on many levels', the causes of discrimination were not elaborated on. In addition, the justification that 'most women work' and are not limited to only having a role in the home as in the west is reminiscent of Soviet discourses of formal equality that argued women's involvement in work as the realisation of formal equality, despite this not reflecting the experiences of many women.

The Director of '*Obshchestvennoe sodeistvie*' had invited the Director of another local non-governmental organisation, '*Regional'nyi informatsonno-resursnyi fond*', to attend the interview. During this part of the interview, the director of '*Regional'nyi informatsonno-resursnyi fond*' interjected to outline how she interpreted women's rights in contemporary Russia. She argued that discrimination against women in employment was a violation, but in terms of women's ability for 'self-realisation'

(*samorealizatsiia*)<sup>79</sup>. The concept of ‘self-realisation’ has particular significance in the Russian context as it refers to the need for ‘balance’ between dual roles of formal employment in the public sphere and motherhood in order to realise full potential and fulfilment in life. In the post-Soviet context, discussions of women’s ‘self-realisation’ and ‘choice’ have largely replaced discussions of equality and women’s rights in public discourse (Kay, 2002: 54). However, self-realisation is contingent on the limited opportunities for women, both to choose employment and to have children because of the contemporary economic climate. The Director of ‘*Regional’nyi informatsonno-resursnyi fond*’ argued,

Women here just don’t have the means for ‘self-realisation’. Well this is perhaps a common problem to all women, but in my personal experience, women in the west can have 5 or 6 children because they have the social support that allows them to, we don’t offer the institution of the family such means (Interview with the Director of ‘*Regional’nyi informatsonno-resursnyi fond*’, September, 2005).

This echoes the debates raised in Chapter 2 that argued that some women, particularly those with a negative experience of the forced emancipation of the Soviet period have found the tradition western ‘housewife’ model attractive (Ashwin & Bowers, 1998; Rands-Lyon, 2007). As the director of a non-governmental organisation responsible for the provision of training and education of other non-governmental and grassroots education about rights, her emphasis on the importance of motherhood as self-realisation has implications if essentialist understandings of women’s ‘choices’ are to impact on the types of programmes prioritised, or not as in the case of *Obshchestvennoe sodeistvie*, for women in the local context. When asked about how she thought women understood the concept of human rights, the Director of *Regional’nyi informatsonno-resursnyi fond* replied,

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<sup>79</sup> *Samorealisatsiia* has been translated as ‘self-realisation’ in the thesis, but it is important to note the term has particular connotations that are not fully covered in translation to English.

We don't have the tradition, and we also have the mindset that even if we ask, no one will listen to us. In the west they have a strong tradition of democracy and they believe in the freedoms. In Russia we don't have this trust (Interview with the Director of *Regional'nyi informatsonno-resursnyi fond*, September 2005).

While the association of 'human rights' with 'new' democratic freedoms are quite widespread (Gerber & Mendelson, 2002), the nature of the respondent's work, which involves contact with western funding organisations promoting civil society may have influenced her perceptions of the 'strength' of western democracy and commitment to freedoms, which may not actually be the case.

**The Regional centre for social-psychological assistance for the family and children: the provision of support for women?**

As a result of my interviews with the members of non-governmental organisations, I felt it was important to conduct an interview with an organisation involved with the Council for the Development of Civil Society and Human Rights that was focussing on, and offering legal advice to women. I interviewed the head of psychological counselling services and the director of the *The Oblasntnoi tsestr sotsial'no-psikhologicheskoi pomoshchi sem'e i detiam* (Regional Centre for Social-Psychological Assistance for the Family and Children), which was the part of the local administration responsible for the provision of social services in the region. The Centre was also involved in the Council because of their social services outreach work and their work with women experiencing domestic violence through the support group '*Luch' nadezhdy*' (Ray of Hope). This suggested that some women's rights issues had been defined as human rights concerns, and this reflected international commitments to recognise the experience of domestic violence as a human rights violation. However, the staff stressed that although their clients were predominantly female, the centre was also concerned with shifting perceptions about gender roles by incorporating men's concerns,

In general we help women, but not only women [...], men have also started to come to the centre. I think that's a consequence of recent developments in the town, through the local administration. It used to be that our sole focus was on women, because women are mothers and that was the most important thing – men just had to go out and earn the money (laughs), but now there is a slightly different perspective in the town. For example, we don't only have a woman's council<sup>80</sup>, but are now also concerned with fathers – that there should be a role for fathers in the town (Director of Psychological counselling services, '*Oblasntnoi tsentr sotsial'no-psikhologicheskoi pomoshchi sem'e i detiam*', Ul'ianovsk, October 2005)

This development can be viewed as a positive step in that it may go some way to deal with the kinds of marginalisation that some men have experienced in the post-Soviet period (Burawoy et al, 2001; Ashwin & Lytkina, 2004; Kay, 2004). While the recognition that the social and economic transformations of the post-Soviet period have has negative implications for men as well as women is important, as with the problems of gender mainstreaming, the inclusion of men's concerns could sideline the continued difficulties that particularly affect women. Nonetheless, the Centre continued to provide services that specifically targeted women, mainly through support groups offering psychological and emotional support to help women rebuild their lives after family breakdown (the impact of family breakdown is returned to in Chapter 7).

However, existing research highlights that Russian crisis centres often define 'crisis' much more broadly, and offer counselling and advice on social issues in addition to women's experience of violence (Hemment, 2004). This not only indicates Russian society's perception of the taboo and 'private' nature of domestic violence<sup>81</sup>, but may

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<sup>80</sup> Interestingly, the respondent used the Soviet abbreviation for the women's council '*zhensovet*'.

<sup>81</sup> While the women's movement in the United Kingdom have campaigned on the issue of domestic violence for many years (see for example, the work of 'Women's Aid'), it has only become a subject of public debate in recent years as high-profile public awareness campaigns have developed. See the current Women's Aid campaign 'What does it take to get people talking about domestic violence?'. The posters carry images of well-known female celebrities depicted as victims of domestic abuse, see [www.womensaid.org.uk](http://www.womensaid.org.uk), and also Keyes, M (2007), 'This could happen to you', *Marie Claire (UK edition)*, March (No. 233): 144-152. The problematic depiction of women as victims of domestic violence

also demonstrate that framing crisis as a ‘human rights’ issue may not have a wider appeal (Attwood, 1997; Hemment, 2004). A broader interpretation of crisis was evident in the centre through various projects aimed at helping families experiencing different forms of ‘crisis’ (emotional, physical, material)<sup>82</sup>, as well as the provision of legal advice. When asked about the legal advice provided by the centre, the director of the centre felt the main areas women sought legal advice were in the event of divorce,

We offer legal advice because there are examples of rights issues when women are going through the process of divorce [...] we stand up for the protection of women’s rights to property and housing during the divorce process, even other citizenship rights – we can offer advice on how to claim them in court (Director ‘*Oblasntnoi tsentr sotsial’no-psikhologicheskoi pomoshchi sem’e i detiam*’, Ul’ianovsk, October 2005)

While newer approaches to address the issues affecting women as a result of family breakdown have emerged in the post-Soviet period, for example in the provision of psychological counselling, women continued to seek assistance firmly linked to previously held citizenship rights that were increasingly unstable in the post-Soviet period, particularly for women without other forms of personal support. Moreover, the Director of the centre argued that while some women experiencing domestic violence approached the Centre for legal advice, this was not always indicative of women ‘choosing a life without violence’. Rather, women’s lack of material choice to leave an abusive home, due to the almost total absence of alternative living accommodation, meant the focus was on keeping the family together, rather than claiming individual right to protection (Hemment, 2004). The question of whether women’s rights claims can be interpreted as ‘empowering’ is returned to in more detail in Chapter 7.

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and the use of images is discussed in R. Redhead, ‘Imag(in)ing women’s agency: Visual Representation in Amnesty International’s 2004 campaign to ‘Stop Violence Against Women’, *International Feminist Journal of Politics*, 9 (2) (2007): 218-238.

<sup>82</sup> Regional Centre for Social-psychological Assistance, Information leaflet ‘Gender equality: mutual respect and understanding’, (Ul’ianovsk, 2005).

## **Grassroots organisations: women defending men, or offering women a means to defend themselves?**

In addition to interviews with members of the local administration and established non-governmental organisations, it was important to interview members of grassroots initiatives involved with the Council. The existing literature on grassroots initiatives argues that their priorities often differ significantly from established non-governmental organisations because they are usually established in response to immediate local problems (Kay, 2000; Hemment, 2004). I conducted interviews with founding members of two grassroots initiatives operating in the city, '*Pravovoi fond*' (Legal Rights Fund) and '*Sovet roditelei, voennosluzhashchikh, semei*' (Council of Parents, Soldiers and Family). On the surface, both organisations appeared to interpret and understand the human rights issues affecting society as relating to instances of violations against men, thus reinforcing a gendered construction of human rights highlighted in existing feminist critiques (Bunch, 1990; Charlesworth, 1994; Peterson & Parasi, 1998). This was perhaps unsurprising given the main aims of the organisations were to protect the human rights of young men who were either in prison, awaiting conscription or serving in the army. Yet, both organisations saw the protection of men's rights as integral to the protection of the rights of all family members affected by the loss of a male relative or partner,

We try to help families by providing advice on their rights – telling them where to appeal to, if they end up in the situation where their son is in prison (Vice-president *Pravovoi fond*, Ul'ianovsk, September 2005)

We provide families with information about how to make appeals against conscription, and also information about benefits, pensions and the completion of official documentation (Chairperson '*Sovet roditelei, voennosluzhashchikh, semei*', Ul'ianovsk, October 2005).



While women approaching the organisations were primarily motivated by protecting the rights of male victim, they were also able to realise their families' rights in relation to obtaining benefits, as well as emotional support<sup>83</sup>, which others have cited as an important function of grassroots organisations (Kay, 2000b). For example, the director of '*Sovet roditelei, voennosluzhashchikh, semei*' explained,

Many women come here just to have a chat over a cup of tea. They often say they come here just for the company and to socialise. I know it sounds odd, but we can have a laugh together, despite the terrible circumstances [...] We can also help people make use of their entitlements to benefits for children, healthcare or help with the costs of schooling – textbooks and the like [...] if a woman loses her husband and the children are still under 14, she can receive a small pension, which helps as women are generally in extremely low waged employment (Chairperson, '*Sovet roditelei, voennosluzhashchikh, semei*', Ul'ianovsk, October 2005).

The organisation therefore provided important additional sources of emotional and material support to women who had primarily come to the organisation for legal assistance for a male relative. While women were able to claim rights for their family through protection of male relatives, the expert respondents' views on the most important human rights issues reflected understandings of rights violations as collective. For example, the president of '*Pravovoi fond*' stated that,

I don't think our rights are protected at all – not just the rights of prisoners, but Russia as a whole. Take a look around – the streets the entrance hall – they are filthy, the repairs haven't been done and there are no lights. GKH doesn't care or listen (Chairperson, '*Pravovoi fond*', Ul'ianovsk, September 2005).

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<sup>83</sup> For example, women who are likely to be alone on Mother's Day due to loss of a son or husband in conflict, were invited to the organisation for tea and a chat to provide emotional support at a difficult time.

It seemed that the association with rights violations in everyday life with the loss of citizenship rights was partly due to continuing relevance of Soviet understandings of rights, but may also how human rights continue to be associated with specific violations relating to male victims in the official public sphere, that then have knock on effects in society through access to social and economic entitlements, such as benefits, pensions or employment. The following chapters therefore consider the impact of constructions of human rights as relating to men for women not identifying with these situations, but who nevertheless disproportionately experience the problems of attempting to negotiate the processes for claiming rights for the protection of their families, often without additional support.

## **Conclusions**

The findings presented in this chapter highlight the ways in which the various elements of rights discourses were presented and constructed at the local level. These findings demonstrate the value of exploring understandings of human rights beyond the macro level, as international and federal laws on women's rights and human rights often lose their significance when meeting with the evolving socio-economic and cultural dynamics of local contexts. The examples from readers' letters pages presented in this chapter highlight the continued legitimacy of Soviet constructions of rights as social and economic entitlements from the state. The letters also illustrated how Soviet understandings of rights as entitlements to be provided by the state resulted in anger and confusion over the requirement for individuals to claim these rights. It was argued that of legal advice columns in the media sources analysed demonstrated attempts to provide readers with the information required to make independent legal claims. This information was, however, coupled with acknowledgements of the limitations of legal processes, and also questions over the legitimacy of making an individual human rights claim.

Findings from interviews conducted with community and political elites in the research locale provided insights into how legitimate rights claims are being constructed in the research locale. The chapter discussed the establishment of a Council for the Development of Civil Society and Human Rights that linked human rights discourses to collective social and economic claims, resulting in confusion over which kinds of rights and processes of claiming rights were considered legitimate when individual legal approaches and collective claims are presented simultaneously. Chapter's 4 & 5 develops the exploration of this tension through analysis of respondents various understandings of the concepts of 'women's rights', 'human rights' and 'rights'.

## **Chapter 4**

### **Interrogating the concept of ‘women’s (human) rights’ at the local level**

#### **Introduction**

This chapter picks up the themes of the previous chapter in the analysis of the empirical data generated during fieldwork. The chapter begins by unpacking respondents’ perceptions of ‘women’s rights’ in order to establish whether women’s rights have been ‘privatised’ as has been suggested in previous chapters. The findings suggest that this is the case, and is exemplified in respondents’ discussions discrimination against women in employment. I then discuss respondent’s perceptions of women’s access to ‘human rights’ to show the ways in which human rights are either associated with particular kinds of rights violations, primarily regarded as affecting men, or are employed by respondents as a discursive resource to express a sense of disempowerment that affects the whole of society. While such concerns do not exclude women, these findings suggest that international promotion of women’s human rights may not have resonance in this context. Despite respondents’ sense of remoteness from both women’s rights and human rights, the importance of ‘rights’ remain, and perceptions of rights are therefore explored in more detail in Chapter 5.

#### **Respondents’ debate the ‘woman question’: the replication of official discourses?**

Chapter 2 discussed the impact of Soviet and post-Soviet state definitions of the roles and rights of women and these debates were taken into account in the design of interview questions. I was initially cautious of employing the language of ‘women’s rights’ explicitly, as it may have alienated respondents from the research project (Watts, 2006). I also had in mind the words of caution from a sociologist friend based in Ul’ianovsk who had assisted me in contacting respondents while conducting pilot research in the city in 2004. In an email response to my pilot study questionnaire, she

argued that framing interview questions in terms of ‘women’s rights’ may not be the most effective approach,

About women rights: this is a rather difficult question, because this issue is not included in news agenda and is not so widely discussed. This is not shown as an acute social problem and women may have based their opinions of the topic on their rare readings about it in the articles written by western journalists. But if you ask, ‘have you ever come across the events when you were looked down or even abused because of being a woman?’ Well, something like that - it would be more understandable

While this advice was helpful in highlighting the potential difficulties that employing the language of women’s rights may present because the vocabulary was now rarely used in public discourse, I decided it was necessary to include questions about women’s rights in order not to make assumptions about respondents’ perceptions, and also not to risk losing the political potential of women’s rights discourses in attempting to over adapt to local cultural norms (Rivkin-Fish, 2004b).

I found that respondents were familiar with the term ‘women’s rights’, but often dismissed its relevance, which is discussed below. The terminology that presented more difficulties in translation was attempting to ask respondents their views on ‘women’s human rights’. Confusion over the meaning of this phrase was evident in respondents’ additional comments on questionnaires and in interviews. I translated my stated research interest in perceptions of ‘the human rights of women’, as ‘*prava cheloveka zhenshchin*’. This may have slightly different connotations in Russian context, and I often received responses seeking clarification as to the exact nature of the research questions, ‘what exactly do you want to know about; women’s rights or human rights?’. This demonstrated that while the concept of human rights was familiar, albeit associated with particular violations, the international concept of ‘women’s human rights’ had not filtered down to the local context, which was unsurprising as it had not appeared in the local press discourses analysed. While respondents were familiar with the phrase

‘women’s rights’, few responded positively to questions framed in terms of women’s rights. For example, in response to a question asking about women’s rights and equality, a PhD student and an IT advisor, both in their mid-twenties immediately associated my line of questioning with feminism, which was perceived negatively,

I have a negative association with feminism because I think that it’s an out-dated understanding – if their sole aim is to prove equality with men. And what is the point of that, if a woman can live as she likes and already has exactly the same rights. You can just get on with your life rather than trying to prove [equality with men]. It’s stupid even (PhD student, 25 years).

The feminist movement is the worst development of the 20<sup>th</sup> century. In actual fact, women are completely different from men ...she should not be made into some kind of fake man like in the Soviet Union when women were just some kind of ‘*baba*’<sup>84</sup> (IT sales advisor in a private company, 25 years)

This revealed that respondents’ understood questions framed in terms of ‘women’s rights’ as relating to issues of equality, which respondents felt had been achieved formally. However, many respondents conditioned their responses with discussions about the ways in which cultural norms and attitudes impacted significantly on women’s ability to exercise their equal rights. The IT sales advisor cited above illustrated the tension inherent in respondents’ perceptions of women’s rights,

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<sup>84</sup> It has been suggested that ‘*baba*’ can be translated as having a similar meaning to the American slang terminology for women - ‘broad’ with its connotations of an unrefined and unintelligent woman. See R. Kay, ‘Images of an Ideal Woman: Perceptions of Russian womanhood through the media, education and women’s own eyes’, in M. Buckley (ed.) *Post-Soviet Women: from the Baltic to Central Asia*, (Cambridge: Cambridge University Press, 1997): 97. In the context of this interview the respondent was not only using the term to refer to the derogatory treatment of women, but also the perceived negative effect that emancipation had on a woman’s ‘femininity’. This respondent spoke at length about women’s need for an attractive appearance in order to be successful. For a discussion of the construction of women’s professional identity as ‘feminine’ in post-Soviet Ukraine and Russia respectively, see T. Zhurzhenko, ‘Free market ideology and new women’s identities in post-Soviet Ukraine’, *European Journal of Women’s Studies*, 8 (1) (2001): 29-19, and D. Metcalfe & M. Afanassieva, ‘The Woman Question? Gender and Management in the Russian Federation’, *Women in Management Review*, 20 (6) (2005): 429-445.

I think we have identical rights with men. But, stereotypes play a serious role [in society] and act as a barrier to the enjoyment of rights. Just now all relations between men and women in our society are governed by these stereotypes and traditions (IT sales advisor in a private firm, 25years)

Despite acknowledging the gap between formal equality and the reality of discrimination, when asked whether the government should do more to promote and ensure the protection of women's rights, few respondents endorsed such a proposal. Respondents appeared to 'accept' the status quo, which may have been a consequence of the negative connotations attached to Soviet 'special' protective rights for women (Molyneux, 1994). Soviet protective legislation often did little to improve women's position and in some cases made it more difficult for women to enjoy formal equality, for example where employers were reluctant to uphold the protective legislation, which was deemed costly (ABA, 2006). In addition, women faced social and cultural pressures not to seek preferential or special treatment on grounds of their reproductive roles, which were recognised as 'natural' forms of work and therefore less legitimate than productive roles (Buckley, 1989). The negative perceptions of protective legislation seems set to continue in the contemporary period as Putin's proposals for increased maternity benefits and leave may result in women finding it increasingly difficult to find work among private employers reluctant to finance and enforce these extended rights. An advertising assistant in her early twenties opposed the need for special legislation to protect women's rights,

I don't think so, no. It should simply be that rights are defended for everyone when they need be. If you start talking about particular rights for women or men, then that is already inequality (Advertising assistant, 23 years)

The complexities inherent in respondents' perceptions of discrimination are explored further later in this chapter in relation to respondents' identification of employment as the 'most important human right for women'. The chapter now discusses respondents' perceptions of 'human rights'. The following discussion shows however, that human

rights also had specific connotations that made them appear as ‘remote’ from respondents’ and women’s everyday lives.

### **‘Well, women are also people!’ Women’s rights are human rights?**

As highlighted earlier in this chapter, there was some confusion among respondents over the meaning of the term ‘women’s human rights’ as human rights and women’s rights were seen as distinct issues. While the separation of the two concepts was not unique to the Russian context (see discussion in the Introduction), it was necessary to further unpack respondents’ perceptions of human rights in a way that also incorporated references to women in order to explore why, and to what extent, such distinctions were being made. Thus, respondents were asked, ‘Do the phrases ‘human rights’ and ‘women’s rights’ have similar meaning?’ and as with questions about women’s rights and equality, a journalist on maternity leave aged twenty-five and a self-employed musician in her mid thirties, felt that there was no distinction to be made between women’s rights and human rights,

Well, women are also people – how can you make such distinctions? What does it mean – that there should be separate rights only for women? That’s too much – how can we be different if we are all human? (Journalist on maternity leave, 25 years)

Of course not! I don’t think they are different, but rather very close in meaning. As a woman I’m not removed from the rest of the population (Self-employed musician and private tutor, 33 years).

These citations demonstrate that human rights were understood to apply equally to women at a formal level, as women are also ‘citizens’. However, the study conducted by local sociologists in Ul’ianovsk discussed in Chapter 3 showed that when applied to real life situations, understandings of the human rights reflected gendered divisions



within society (Korolev, 2003), with women understanding human rights as relating to social and economic rights relevant to the family. Yet, a librarian in her mid-twenties felt that there were particular human rights that applied to everyone, although women's position in society affected access to these rights,

Well, a woman is a person, so there shouldn't be distinct rights for men and rights for women. So women's rights are also the same as human rights, but related to this topic is the fact that women have a somewhat different position to men in society, somewhat lower than men. And this is getting worse. So I can see how people take different approaches to their understandings of rights, but in principle they should be one and the same.

*V: I see, and do you think then, that men understand human rights differently from women?*

Well, no. Human rights hold the same meaning for both men and women – it's common to everyone.

*V: I ask because I recently read an article that suggested human rights applied more to society (politics and work), the areas in which men were more involved than women. Therefore, women don't really think about human rights as much because they are more involved at home...*

Well how can that be? The right to life has the same meaning for men and women, health the same, freedom of speech the same. So these universal human rights apply both to men and women. Because when people say that women are not so interested in these things it suggests women are some kind of invalid in relation to men. Someone who doesn't have any rights, but just sews her husbands socks and deals with dirty nappies (Librarian, 26 years)

While this respondent rejected women's preference for particular forms of rights related to everyday life, the influence that women's ascribed gender roles had on access to rights was highlighted in an interview with a librarian in her thirties. The respondent argued that there should also be some distinctions between women's rights and human rights in order to take into account the differing 'status' of women as child bearers and carers,

Probably they [human rights and women's rights] are similar, because a woman is also a person. It's a matter of whether women have a special social position; and rights will change accordingly. It's dependent on social position – it's all connected with children and giving birth. So you could probably say that human rights and women's rights have the same meaning, if you include these additional [maternity] rights (Librarian, 36 years)

As the discussion of the sample in Chapter 1 argued, respondents' perceptions of rights appeared to be influenced dependent on whether or not they had started a family. Thus, respondents had differing perceptions of the extent to which women's ascribed gender role as carer impacted on their ability to realise rights protection.

#### Respondents' understandings of ascribed gender roles: means or barriers to the realisation of women's rights'?

In the post-Soviet period, there has been a visible re-emergence of essentialist discourses about women's and men's roles. The model of female carer and male breadwinner has become accepted as the 'ideal' form and has been framed within a discourse of 'freedom of choice'. In reality however, the level of adherence to this ideal model is much lower due to women's continued preference to combine work with caring roles and the fact that many women have become the main 'breadwinners' of their families (Kay, 2002; White, 2005; Rands-Lyon, 2007). Nevertheless, the ideal representation of 'natural' roles as 'choice' has been largely well-received by women as

it represents a departure from Soviet forms of enforced emancipation that are viewed to have limited women's choices, particularly in the home. Respondents interviewed for this thesis also appeared to regard a return to 'natural roles as positive, despite the fact this diverged significantly from the ways in which they chose to, or were forced due to material circumstances, to balance their own lives and relationships. A retired teacher in her sixties spoke at length about the re-emergence of the 'male breadwinner/female carer' model, arguing that this represented a new form of choice for women,

Many women want to simply be a 'woman'. This is not that society is pushing it upon them; they want to be a good wife, to look after the home and children...many of our women are aiming for this role (Retired teacher, 65 years).

It may be that these views emerged among respondents in the older age demographic of the sample as a result of their own experience of the enforced formal equality of the Soviet period that denied women the 'right to choose' to stay at home and look after children if they wanted to. Thus, staying at home and fulfilling the role of carer can be understood as symbolic of the realisation of important choices for women that were previously denied (Issupova, 2000). A librarian in her sixties felt that while women's need to balance their dual roles represented difficulties, having dual roles also offered women more flexibility and choice in constructing their identity and agency,

Men have one overall role – they need to earn money and to gain some kind of status. But women can choose – she can earn, or not... it's probably more difficult for men because their only role is to earn and to provide for their family – for their children to have a good education, to have a nice house, for their wife to look nice and so on (Retired librarian, 60 years)

The ability to combine roles in employment and motherhood were also understood as essential to women's 'self-realisation'. However, there were questions about the extent to which women in the contemporary period were able to exercise newly formed choices to stay at home. A schoolteacher in her late forties argued that she had enjoyed

women's rights because the social and economic childcare benefits provided by the state enabled her to combine both roles. However, this narrative was tinged with a sense of the restricted nature of choice in the Soviet period where women did not have the opportunity to choose how to balance their roles,

I feel I have enjoyed women's rights because I both worked and looked after my children, but I would like to see more choice for women in order to 'self-realise'<sup>85</sup> [...] now women can stay at home to look after the children if they like – previously that was not possible, a year off maximum and then straight back to work (School teacher on sick leave, 49 years)

While the concept of 'self-realisation' is embedded within the Russian cultural context, parallels can be drawn with western debates about how to achieve a 'work/life' or 'career/family' balance<sup>86</sup>, for both women and men. As well as extensive research on the impact that the neo-liberal policy reforms of the post-Soviet period have had on women (Bridger et al, 1996; Bridger & Pine, 1998; Kuehnast & Nechemias, 2004), recent studies into male roles and masculinities have also shown that men's lack of an alternative role to breadwinner has had devastating effects among men who have become unemployed and unable to find alternative well-paid employment (Ashwin & Lytkina, 2004; Kay, 2006). As a result, many men face exclusion from their families, where they are unable to fulfil their role as main breadwinner (Ashwin, 2006). Yet, respondents' discussions of the nature of women's choices continue to show, that despite offering increased symbolic choices the post-Soviet period has been characterised by the restriction of women's choices. Although the Soviet era was perceived by respondents as constricting choice due to the compulsion to work, women in the post-Soviet period are currently further restricted as the types of employment available for women who want to work are limited, insecure and often below their level of skills and professional identity (Ashwin, 2006). Moreover, women continue to have to work due to material necessity and to support their families. Thus, the 'choice' to stay at home is largely a myth.

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<sup>85</sup> As discussed earlier in this chapter, the Russian used by this respondent was '*samorealizatsiia*', which can be literally translated as self-realisation. The original sense is retained here in order to denote the specific connotations this word has of Soviet discourses on women's dual roles in work and at home as the key to their full development.

<sup>86</sup> In the United Kingdom, the Equal Opportunities Commission frequently highlights the ongoing inequality of women in the workplace because of their childbearing capacity, [www.eoc.org.uk](http://www.eoc.org.uk).

In spite of the evidence to suggest that most women continue to experience limited choice, the editor of a local magazine argued that because women enjoy equality of opportunity through access to education, any calls for 'more' women's rights were going to have a negative impact on society, as women were not fulfilling their roles at home,

If I'm speaking about my own opinions about women's rights, I would actually give more rights to men because they are more objective, and women are too emotional in their behaviour and political choices [...] this is especially the case with female bosses – a male manager can get much more done as the woman will all the same have to spend time looking after her children [...] So I actually think that we have more women's rights than there need be. I'm for women spending more time at home because our women would choose this with pleasure – that's why all these foreign men value a Russian wife, because they know she will look after the house because that is what she dreams of doing. So there are enough women's rights because our women can study, work, do as they please. It would be better if they stayed at home (Magazine editor, 49 years)

This extract was interesting as it appeared at first to be completely at odds with the respondent's own life experience. She was a professional journalist and had been the main breadwinner for her family since the perestroika reforms when her husband had lost his job due to the closure of the large aero-industrial complex in the city in the 1990s. It may have been, as Kay argues, that this respondent was representative of many women who feel the 'pressure to conform to normative expectations regarding women's domestic and family roles. Yet having paid lip service to them, [are] able to call on a rhetoric of free choice in order to allow themselves room for manoeuvre' (2002:65). Equally, for this respondent, her experience of having to continue to work and be the sole breadwinner for her family during times of extreme financial hardship had influenced her views as she had not been able to spend time with her family. However, paying 'lip service' to normative ideals can have a more insidious effect, particularly for women who have not been able to retain a professional career and work identity.

A lawyer in her late thirties argued that the negative effects of essentialist understandings of womanhood and women's roles were already visible in the city, and in other provincial areas where women's choices were already limited due to lack of resources and job opportunities. She argued that essentialist understandings of womanhood had also allowed the negative stereotypes about femininity and women's 'natural', and by inference inferior, characteristics to develop. As a result, she felt that this impacted on women's ability to access their rights because they were being judged as 'secondary' citizens whose value was judged on appearance, not qualifications. Therefore equality of opportunity in education and employment did not translate into realisable rights,

Russian women's rights are very limited, especially in the provinces. They are limited in terms of your looks. Young women more advanced in these terms; they have not yet been pressured with the need to put on your make-up, to have cosmetic procedures. I think though for older women, their rights are violated because they have to always have nice legs, eyes and hair ...and again how is this possible without money? (Family and civil defence lawyer, 36 years).

The respondent focused on older women's experience, but the need for women to look a certain way was not limited to older women. A student in her late teens told me that without the appropriate make-up and style of clothing she was 'persona non grata' among her peers (Notes from field diary, October 2005). Metcalfe and Afanassieva (2005) have noted how image is a major determinant in women's success both in employment, and in their private lives, and success is now dependent on the performance of expected gender stereotypes. A teacher in her late twenties who was also involved in campaigning for human rights also admitted to performing gender stereotypes in order to resolve problems at work (Notes from field diary, September, 2005). However Salmenniemi (2005: 749) reminds us that 'essentialism as a strategy is, however, ambivalent, as it tends both to ignore differences among women and men and to solidify differences between women and men, and thus to reinforce the very same gender hierarchy it tries to overcome the first place'.

Ascribed roles for women also influenced respondents' perceptions of human rights, with some respondents raising similar issues as in discussions of women's rights; that social norms and stereotypes dictated the differing associations of human rights with either men or women. A history lecturer in her late forties felt that in everyday life women themselves made distinctions between 'human rights' and 'women's issues' because women's acceptance of their ascribed gender role as carer impacted on their prioritisation of different rights encompassed within 'human rights'.

It's not only about human rights being realised, but it is also about the kinds of expectations you have. Women have slightly different expectations. Men are generally more interested in the realisation of their rights as a professional, as a politically mature person, and women worry more about looking after their own family. Therefore, women's rights and human rights are not different rights, but different aspects. Human rights is a huge field, and each person takes what they want from it [...] Women always have their own outlook, so its not different rights, but a different outlook (History lecturer, 48years)

This respondent clearly perceived women's rights concerns as related to collective, family issues, rather than individual interests. The perception that it was women themselves who determined which rights were accessible was also evident among respondents. A retired university library manager in her mid-sixties argued that women's primary concern for their families explained why women did not attempt to exercise the rights they held formally,

We have rights, but it's a different matter if we actually try to use them ourselves. Women enslave themselves. For example I have the right to two days rest at the weekend [...] but I don't take this because I want to give my daughter a rest, so my grandchildren come to me [...] During the Soviet period we had free childcare and schooling. Every mother could take her child to the kindergarten for free, or a minor sum, but now there is not the same level of provision (Library manager, 65 years)

Other respondents argued that it was not only an issue of women taking the time to claim their rights, but that rights were accorded differently. A part-time university researcher in her mid-thirties

Of course rights are accorded differently – rights are applied in one way to men, and to women another, of course everything is different. It's a different matter, however, whether I would come out and say it<sup>87</sup> or start to think 'aha' my rights as a woman are being violated (Part-time research assistant, 37 years)

It appeared therefore that in spite of the multiple layers of international, national and local level provisions for the protection and advancement of women's rights, the respondents in this study were unable to take advantage of the increased formal level of rights protection. Essentialist understandings of women's roles and appropriate characteristics were seen to limit access to rights, but respondents also accepted these understandings to a certain extent, which resulted in uncertainty in the potential legitimacy of their claims. It was also probable that the Soviet legacy of declarations of formal equality in the face of persistent inequalities resulted in respondents' scepticism about the promise of legally enshrined rights for women.

### **Respondents' perceptions of the concept of 'human rights': a 'collective' or 'male' concern?**

To further interrogate the tensions in respondents' understandings and divisions between women's rights and human rights in relation to everyday life, respondents were also asked a series of questions about 'human rights' to assess whether respondents viewed this as a non-gender specific form of protection on issues that affected society

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<sup>87</sup> The Russian used by the respondent was 'vystupit', which can be translated as to make a speech or to come out as for or against something.



collectively (MacIntosh-Sundstrom, 2002). Local press discourses discussed in Chapter 3 highlighted the use of human rights terminology in relation to discussions of apparently non-gender specific collective social and economic concerns. Yet, analysis of expert interviews showed that human rights were most immediately associated with violations against men occurring in the official public sphere, particularly in the army or prisons. Respondents' immediate associations with the phrase 'human rights' show that in relation to concrete issues, human rights were related to specific violations and arenas of interaction that were perceived to predominantly affect men.

### Human rights as an ideal moral standard

The symbolic power of human rights lies in its claims to be an ideal and universal standard for all humanity to aspire to (Soysal, 1997; Sellars, 2002; Balfour & Cadava, 2004; Brysk, 2005). It has been argued in relation to women's rights in the Russian context that because of the universal appeal of human rights, it may be a more appropriate campaigning tool for women (MacIntosh-Sundstrom, 2002). Yet, the discussion in this chapter has shown the complexity in understandings of different categorisations of rights lies, at a fundamental level, in the distinction between formal entitlement and actual entitlement. In response to questions about immediate associations of the concept human rights, the notion that human rights represented an ideal moral standard, rather than a concrete tool, was evident among respondents. A seventeen-year old high school student and a twenty-three year old advertising assistant, both described human rights primarily as a set of moral guidelines to govern the behaviour of society,

Human rights are the basis of civilised society, fundamental to the support of the moral principles of society (High school student, 17 years).

Human rights are legally observed norms, the rights that grant people some freedoms, but also limit this so that we can all live as part of society (Assistant in private advertising company, 23 years)

In addition, respondents interpreting the concept of human rights as a form of moral guidelines often emphasised the way in which this facilitated the exercise of individual choice. An advertising student in her early twenties echoed these findings,

I understand human rights in terms of the freedom to express your opinion or join organisations, to do what you like within the limits of the law, well [human rights] are usually associated with freedom of conscience, speech and self realisation and so on (Final year student studying advertising, 22 years)

Although, impossible to state categorically, as was evident in respondents' perceptions of women's rights discussed above, it is likely a respondent's age impacted on perceptions of human rights to some extent, particularly in terms of when educated. Existing research investigating Russian youth cultures have shown that young people often understand 'rights' as a provision to facilitate freedom to pursue individual interests. In addition, rights discourses are often employed in discussion of the right to be free from police interference or perceived harassment (Pilkington, 2002: 82). Respondents identifying the concept of human rights as individual freedoms tended to be within the younger age group of the sample, being between eighteen and thirty-five years of age. Travel and access to the Internet offered younger respondents with access to a choice of information sources. A computer software programmer in her late twenties responded to a question about the most important human rights with reference to 'newly acquired rights',

Of the newly acquired rights, the main one is the right to freely travel the world - it lets you think out of the box (Software engineer in a private firm, 27 years)

This suggests that human rights are viewed as a post-Soviet development, and are related to freedoms, which may explain why those continuing to understand Soviet social and economic entitlements as the most important rights did not perceive human

rights as having application to their everyday lives. The computer software engineer had travelled extensively and spent five years working in New York with close contact to the United Nations, and argued that she therefore responded to the research questions in ‘more UN-ish way’, suggesting that her exposure to international constructions of human rights influenced her responses in a way that might not be evident among other respondents.

While not wanting to make assumptions about links between young people and their interest and access to new media sources, a librarian in her early thirties felt that it was more likely that young people and the better-educated people would be able to access this ‘new’ vocabulary of human rights. She compared her own understandings and ability to access information on human rights with that of her mother, a retired woman in her sixties. She felt that retired and elderly people were much less likely to have access to these resources and thus may lack exposure to the concept of human rights,

I work in a library, so it’s relatively easy for me to access information about human rights, but for many this information is not accessible. For example, my mother is sixty and she has never really heard of this ‘human rights’. It’s difficult to talk about something which in reality you have no knowledge or awareness of (Librarian, 36 years)

This echoes the views of the editorial team of the magazine *Sel’skaia nov’*, discussed in Chapter 3, who felt that ‘most people simply don’t have the vocabulary’ to even talk about these issues. The family and civil defence lawyer cited earlier in this chapter argued that younger people were more likely to consider the appeal to rights than those who were brought up during the Soviet era, because of the shifts in public rights discourses over the post-Soviet period to an emphasis on individual ‘freedoms’,

I think rights still have meaning. I think especially for young people they have meaning. Perhaps for those worst off people who rely on the state then it may have lost its meaning. But for young people they rely on themselves anyway – they will find out about their rights for themselves and find out

what they can do and how to do it (Family and civil defence lawyer, 36 years)

The lawyer cited above comments that those who remain reliant on the state for assistance feel that rights have lost their meaning. This reflected the findings from press discourses discussed in Chapter 3 that showed how the shifting parameters of definitions of what constitutes a legitimate rights claim has resulted in rights being used as a discursive resource to express a sense of disempowerment due to the loss of previously held social and economic entitlements.

However, it was not only respondents with post-Soviet education that prioritised certain freedoms as important human rights. A librarian and a magazine editor in their forties both referred to civil and political rights in their answers, but it is important to note that their understandings of civil and political freedoms appeared to be informed by Soviet experiences as well as shifting definitions of human rights in the post-Soviet period. For example, the lack of freedom of movement and parents' experiences of repression were discussed by a librarian in her mid-forties and her definition of human rights was as follows,

The right to a dignified standard of living; the right to information and the right to freedom of movement in the country and abroad' (Librarian, 45 years)

A retired librarian demonstrated the co-existence of both Soviet and post-Soviet constructions of human rights when seeking clarification of a question asking her to describe her immediate associations with the phrase 'human rights',

Do you mean basic rights, or the right to freedom of speech<sup>88</sup>? Of course, the right to 'glasnost' is considered one of the main rights in the present

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<sup>88</sup> 'Glasnost' is generally translated as 'openness' and describes the limited relaxation of restrictions on freedom of expression under Gorbachev (1985-1991). However, the respondent may have been referring to the wider range of reforms to state-society relations taking place during this period.

period. The right to work, rest, medical care and education are the basic rights for life in society (Retired librarian, 60 years)

This suggests that human rights are associated with the ‘new’ freedoms of glasnost and the post-Soviet period that have emphasised choice and the state withdrawal of social and economic provision. However, ‘basic’ rights remain understood as social and economic rights. Respondents’ continued to identify social and economic guarantees as equally, or more important to civil and political freedoms. Although social and economic rights are enshrined in international human rights treaty law, they are enshrined as ‘second-generation rights’ that exist as ‘recommendations’ to be met depending on a country’s level of economic development, rather than absolute human rights. However, throughout the Soviet period, social and economic entitlements were prioritised and framed within human rights rhetoric (Hawkesworth, 1980). The ‘Soviet Social contract’, the tacit exchange of social and economic entitlements from the state in return for the political acquiescence of society, resulted in the guaranteed rights to employment, education, healthcare, housing and childcare (Cook, 1992: 1). It could be argued therefore, that the respondents educated and socialised during this period would be more likely to associate social and economic rights with the phrase ‘human rights’<sup>89</sup>. The librarian cited above went on to say,

In the broadest sense of the word, human rights are the rights to rest and employment... if you want to know which human rights we actually enjoy at the moment, then we have the right to medical care, education - although a trend [is developing] towards paying for these services (Retired librarian, 60 years)

The gap between respondents’ perceptions of legitimate human rights and the reality of access to human rights is clear, and worsening standards of living in the post-Soviet period have been linked to the lack of guaranteed access to social and economic rights, making the sense of ‘loss’ of rights more acutely felt (Ashwin, 1998). Respondents’

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<sup>89</sup> It cannot be assumed that the legacy of Soviet socialisation will only impact on those with direct experience. Younger respondents’ cited the influence that their parents and grandparents discussions of Soviet experiences had on their own perceptions of rights.

ability to adapt to and negotiate their shifting entitlement to social and economic rights therefore influenced the ways in which respondents used the language of rights (Mendelson, 2002). Fitzpatrick (2005) reported similar findings in her study of Russian identity. She cites a Russian comedian who claims that ‘there are no capitalists or communists in Russia. There are people who have adapted and those who haven’t’. In this study, despite attempts to negotiate the social and economic changes of the post-Soviet period, the majority of respondents continued to work in the budget sector<sup>90</sup> or in low income and insecure private employment. Thus, few had been in a position to take advantage of the economic and political changes occurring during the perestroika era or the immediate post-Soviet period. Even the respondents who saw themselves as ‘successful’ women, such as a regional director of a market research firm, were conscious of the sacrifices made and also the insecurities that working in the private sector had brought (Notes from field diary, September 2005).

Associations with the term human rights revealed perceptions that rights not only existed or had been gained, but also that rights had been lost. By describing particular social and economic rights that *should* be protected, a part-time nursery nurse who was also training as a beauty consultant in her early forties demonstrated the use of human rights rhetoric to communicate a sense of disempowerment,

I think my human rights ought to be protected – if I need kindergarten places then I should get them. If I need to study, then it should be free; or other benefits should be provided to assist with the costs. There should be fewer problems with accessing housing (Part-time nursery assistance, 41 years)

This chapter has thus far outlined respondents’ varying understandings of the phrase ‘human rights’ as a moral standard, as representing specific sets of rights, or as a

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<sup>90</sup> The budget sector refers to state employees working in health, education and public service spheres. This sector predominantly employs women and is defined as the lowest paid sector of employment. See K. Katz, *Gender, Work and Wages in the Soviet Union: A legacy of Discrimination*, (London: Palgrave, 2001). During the period of fieldwork, the Putin administration proposed reform of the wage levels in this sector, particularly for core workers such as doctors and teachers. See ‘Rossiia: biudzhethniki protestuiut iz-za zarplat’, [www.bbc.co.uk/russian/russia/newsid\\_4333280.stm](http://www.bbc.co.uk/russian/russia/newsid_4333280.stm).

discursive resource used to convey disappointment. However, discussions about where human rights could be claimed and used as a tool for resolving problems revealed another layer of perceptions of human rights. On the one hand, human rights were regarded as being too 'broad' to be applied to 'everyday life'. On the other, legitimate human rights claims were limited and gendered male relating mainly to particular violations occurring in the public sphere.

### The application of human rights in everyday life: too general, but also too specific?

Whereas respondents found it relatively straightforward to describe their immediate associations with the concept of human rights, when asked about the significance of human rights in their everyday lives, respondents found it more difficult to articulate where human rights fitted in to their lives. This was illustrated in the brief initial responses given by respondents, which were typical of the response of a librarian in her late thirties who simply said, 'I don't really know what to say – I don't really think about it' (Librarian, 38 years). Many respondents argued that it was difficult to explain the role of human rights in everyday life because of the vagueness and the potential for broad interpretations of human rights. A design assistant and advertising assistant both in their early twenties felt that it was not always apparent how the provisions of 'human rights' related to the problems encountered in everyday life,

It is not really clear what the set phrase 'human rights' applies to. We all know that we have rights, but to what? To life – that is the right that comes to mind if I sit and think about what rights I have. So you see, people, do not think in these terms, they all think about what to have for dinner, or how to get by until payday (Graphic design assistant in private firm, 27 years)

It's quite difficult to answer on such an abstract theme...I think that rights exist formally, but that it is difficult to realise them<sup>91</sup>, although it's difficult to think of a concrete example. We have so many laws that change all the time and that makes it confusing [...] When I think about rights I always think of those situations relating to the state. To think about human rights in the broader sense, then women encounter situations [that violate these rights] everyday (Assistant in private advertising firm, 23 years)

The interview with the advertising assistant cited above revealed tensions in understandings of the concept and the application of the terminology in everyday life. On the one hand, human rights were related to specific kinds of violations and spheres of interaction, such as the state. On the other, the respondent argued that if interpreting human rights in a 'broader sense, then women encounter these situations everyday' (Advertising assistant, 23 years). The tension in this statement could be explained by in the perceptions widely held among respondents that human rights violations described a 'specific' set of circumstances. A forty-six year old librarian and a sales manager aged twenty-five felt that they did not experience human rights violations in their everyday life, which made it difficult to see the relevance of human rights in their lives,

A violation of human rights is perhaps something specific – yes? It doesn't have general application, but related to specific circumstances, I'm quiet and no one has bothered me up until now, although it would be better if I lived above the breadline (Librarian, 46 years)

'Human rights' is an extremely important concept, but I don't feel that these rights are being violated. That's to say, I'm not experiencing some kind of crisis where I would say my rights are not being observed, or someone is violating them. If you were homeless for instance, then of course you would have a sense of this. But if you are just a normal person,

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<sup>91</sup> The citation highlights a central theme; rights are only useful when claimed. The problematic nature of the process of claiming rights in the contemporary period is explored throughout the remaining chapters of the thesis.



then your human rights will hardly ever be violated (Design assistant, 27 years)

The following section shows that the ‘specific’ violations were understood as relating to violations occurring in the official public sphere, which is coded ‘male’. Whereas it was not always clear to respondents whether the multiple rights violations experienced in everyday life could legitimately be constructed and claimed as human rights violations, in discussing violations in these instances, the meaning and application of human rights was more obvious.

‘A violation of human rights is perhaps something specific’: The association of human rights with violations against men.

It was clear from the responses above that regarded human rights as remote from everyday life that human rights was understood as linked to particular kinds of violations. What was most interesting in discussing what constituted a human rights violation was the number of respondents who stressed that women were not perceived to be among the ‘worst off’ groups in society, in spite of previous discussions and research that suggested the contrary (UNHCR, 2005; ABA, 2006). Indeed, when asked to give an example of a human rights violation, respondents by and large identified men as the most likely victims of human rights violations. This was justified on the grounds that men were conscripted to in the army and were more likely to be the target of police harassment. A musician in her mid-thirties felt that human rights were relevant in everyday life in instances of defined violations, which she felt were more likely to affect men,

If we are talking about this certain kind of rights violation [human rights violations], then I think this affects men more than women (Musician and private tutor, 37 years)

The perception that men are more likely to be the victims of human rights abuses was perhaps unsurprising given that organisations who have used the rhetoric of human rights

tend to campaign for men, both at the local level (see discussion in Chapter 3) and at the federal level. For example, the high-profile Committee of Soldiers Mothers have employed a human rights framework to successfully campaign on behalf of men, highlighting the human rights abuses experienced in the army (Caiazza, 2002) and this is likely to have influenced perceptions of what constituted a legitimate human rights claims.

Perceptions of what constituted a legitimate human rights claim also appeared to influence respondents' claims that they had 'never experienced a violation of my rights'. In response to the question 'have you experienced a violation of your human rights?', a marketing researcher in her early twenties immediately linked the experience of a rights violations with male victims and interaction with the official public sphere,

As far as I know, rights seem to be most often violated in the army or the structures of power, so young guys' rights are more often violated. And women's and girls rights less so. I think women's rights are violated in other spheres, for instance in employment, or more everyday matters like medical care, social welfare

*V: So have you personally experienced any of these kinds of violations, for example in relation to employment?*

I have experienced [a violation of my rights], but it was not in relation to work. It was a while ago, three years ago maybe, one of my [male] acquaintances had a problem with the police, and they came to my home to question me, which was absolutely unlawful because I hardly knew they guy. At that time I didn't even know my basic rights that I had the right to refuse to open the door and the right to refuse to speak to them. Of course I didn't protest all that strongly, but it was not a pleasant experience (Research assistant, 23 years).

This extract clearly reflects the distinctions made between human rights that are regarded as relating to the public sphere and the rights that affect women, which relate to their potential motherhood role. As a result, young men are viewed as most in need of rights protection, which limits the potential power of claims framed in terms of women's human rights as a means of empowerment. While there is evidence to suggest that young men are indeed at an increased risk of violent attack in public spaces (UNHCR, 2005), it is women who are disproportionately the victims of violence. Human rights have traditionally been associated with violations occurring in the public sphere, but the recognition of private sphere violations such as domestic violence internationally has widened the scope for defining a human violation. The emergence of crisis centres in Russia has resulted in some limited public discussion of domestic violence (Hemment, 2007). The research design of this thesis aimed to allow women to define which rights issues were important and while the focus was not on asking about domestic violence, some respondents identified this as a violation of women's human rights. However, these discussions focused on the lack of material options available to women to enable them to leave a violent relationship, as well as the taboo nature of the issue<sup>92</sup>. A librarian in her thirties explained that the lack of recognition of the severity of the problem in society combined with a lack of available housing meant that there was little to be gained from talking about domestic violence as a human rights violation, as these rights could not be put into practice,

Only if you are killed does that mean they will investigate your complaint  
[...] There are even more problems with housing, for example my own  
parents got divorced, but spent the next twenty years living in the same  
house (Librarian, 34 years).

This discussion revealed that while particular violations of women's rights were recognised, there were other issues of more immediate concern that prevented women from addressing deeper structural issues. These were mainly related to material issues, which are returned to later in this chapter. As violence against women often occurs in private and are inflicted by partners or friends, despite the work at international level to gain recognition of domestic violence as a rights violation, in the Russian context the

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<sup>92</sup> The issue of domestic violence was discussed in four interviews during the period of fieldwork in 2005, and in one interview during the pilot study conducted in 2004.

taboo nature of the topic persists and it may be the case that respondents in this study chose not to discuss such issues.

Even when not overtly linked to violations affecting men, the potential use of human rights were regarded as more suitable for use in relation to the official public sphere and the state, which is a predominantly male arena. A librarian in her fifties insisted that human rights were completely detached from her life and concerns because she felt it more relevant to the level of the state,

I've never had to resolve such large, abstract questions in my life. I only resolve problems at the everyday level, for example how to raise the children or what repairs need to be done. I'm only concerned with this level, not with large scale or political issues (Librarian, 50 years)

An unemployed single mother in her thirties who had previously worked as an opinion poll researcher in the city also thought that human rights were primarily associated with the state, politics and the 'official public sphere' (Oswald & Voronkov, 2004). She argued this sphere of action was remote from the concerns of the average citizen, and by association, so were human rights,

I don't really know what significance human rights would have in my life. Perhaps it's more relevant to violations of dissidents' rights, but we don't really hear much about that. I don't think the mass population are really concerned with these issues; I would go as far as to say that they're not even interested in the subject. Take Khordorkovsky's arrest<sup>93</sup>, for instance...when I worked as a survey researcher, I had a whole section of questions about Khordorkovsky and human rights... like 'are you following the Khordorkovsky court case?' I never met a single person who was. It's just not interesting to anyone – those millionaires have their court cases, but

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<sup>93</sup> The Russian 'oligarch' was head of oil group Yukos and had media interests that included the newspaper *Moskovskoie novosti*. He was arrested in 2003 on accusations of corporate and personal tax evasion charges. His supporters claim his arrest was political (he was perceived by the Putin administration to have become a potential challenger in the 2003 elections). After an eleven-month trial, he was convicted and sentenced to nine years in prison. Refer to 'Khordorkovsky: an oligarch undone', <http://news.bbc.co.uk/1/hi/business/4482203.stm>.

ordinary citizens have their own concerns. It's so far removed from us... it got to the point where I didn't want to ask those questions because some people got quite angry and would say things like 'why are you bothering me with [questions about] this Khordorkovsky?' (Market researcher, 37 years)

It appears that for this respondent, human rights violations were understood in relation to specific areas within the official public sphere that were far removed from the everyday concerns of citizens. Yet, the advertising assistant cited earlier in this chapter argued that when thinking about human rights 'in the broader sense, then women encounter situations [that violate these rights] everyday'. Despite respondents' claims that human rights violations did not impact on their lives because of their application to specific arenas of the official public sphere, the issue of discrimination in employment emerged across the interview sample as an example of an everyday rights violation experienced by women. The next section of this chapter therefore explores respondents' perceptions of the 'everyday rights violation' of discrimination in employment.

### **Does 'Discrimination' in employment constitute a violation of women's rights?**

The issue of discrimination against women in employment is not new and during the Soviet period protective legislation and assumptions about family structure resulted in women receiving lower pay and being employed predominantly in 'feminised' professions (Katz, 2001). However, the social and economic conditions of the post-Soviet period have made certain forms of discrimination more apparent. Although the mass female unemployment predicted in the immediate post-Soviet period (Bridger et al, 1995; Bridger & Pine, 1998) has not been borne out, women's position in the labour market has become increasingly insecure (Ashwin, 2006). Women continue to be disadvantaged in employment in a number of ways in the post-Soviet period. Soviet legacies, such as unequal pay and a concentration of women in the low-paid budget sector continue (Katz, 2001).

Watson argues that while there has been a backlash to the concept of gender equality, the language of gender discrimination in relation to employment has been widely recognised in popular discussions because it describes a clearly identifiable experience for many women (1997, cited in Hemment 2004: 823). This contrasts with findings reported by the American Bar Association,

The concept of discrimination against women is not well understood in Russia...women generally maintain that their rights are realised equally to those of men, yet they also agree that discrimination against women exists in a number of spheres (American Bar Association, CEDAW Assessment tool, 2006)

I would argue that respondents in this study were in fact acutely aware of the issue of discrimination and that the issue was not 'how well understood' the concept of discrimination is, but how it is understood in relation to local circumstances, rather than international ideal standards. For the respondents in this study the causes of, and solutions to the issue of discrimination, may therefore differ from rights based approaches advocated by development agencies.

In light of the findings from existing research, it was anticipated that respondents would discuss employment as an area in which women experience rights violations, and interviews included questions that specifically focussed on this issue of discrimination in employment. Analysis of questionnaire responses to the question 'which human rights are most important for women' demonstrated the high priority accorded to the right to work. There are two possible reasons why the right to employment was accorded such priority by respondents. The legacy of Soviet guarantees of employment according to specialism may explain why respondents in this sample who were highly educated saw the loss of guaranteed employment as a rights violation. Moreover, the denial of access to well-paid employment impacts on every other aspect of life, from opportunity for self-realisation to the right to independence or the ability to look after their families. Therefore, discrimination against women in employment in the post-Soviet neo-liberal context was not recognised as a 'women's rights' violation', but as

the cause of women's inability to secure the social and economic rights required to secure an adequate standard of living and achieve professional self-realisation (Hemment, 2004: 827).

Women's access to employment in the transition to market has been further restricted by the increased freedom of employers to display ageist and sexist attitudes to recruitment. This has added to pre-existing forms of gender-based discrimination in employment, such as gender segregation of women in low-paid employment (Katz, 2001). Discrimination on the grounds of gender and age that disproportionately impact on women's access to employment is certainly not a uniquely Russian phenomenon, but is recognisable to women employed in modern capitalist economies across the globe. Research on gender-based discrimination in western societies has led to the development of the term 'double jeopardy' (Ginn & Arbour, 1993, cited in Duncan and Loretto, 2004) to describe how discrimination on the grounds of age interacts with existing forms of gender discrimination to have a particularly negative impact on women. This research on age discrimination in western contexts has shown that understandings of women's bodies, as either childbearing or as 'defunct' after the menopause, has resulted in women being cast as 'never the right age' to work effectively (Duncan & Loretto, 2004). In the post-Soviet context, the re-emergence of biological essentialism and the emergence of the private sector have combined to deny women the right to employment and accordingly the protection of social and economic rights that were previously linked to employment (Bridger et al, 1996; Bridger & Pine, 1998).

These issues were dominant points of reference framing respondents' perceptions of their ability to access employment and how this impacted on their ability to realise other rights. A teacher in her late forties felt her rights to employment were violated, particularly in relation to overt age discrimination against women,

I would like to say that in general of course our rights are not violated, but open any newspaper and you see the adverts for employment ask for a definite age. I'm already no longer rated anywhere because I am over 35

and you rarely see anything asking for anyone older than 40...and well, I am already approaching 50 [...] that's why I am trying to hold onto my work at school, well I also like it, but I'm afraid that nowhere else would take me on (Teacher on sick leave, 49 years)

Supporting the 'never the right age' thesis (Duncan & Loretto, 2004), age discrimination was also an issue of concern for the younger respondents in this study. They were aware that they not only lacked sufficient work experience, but also that they would be primarily judged on their role as potential mothers, reducing the likelihood of securing employment (White, 2005). A librarian in her mid twenties explained the problem,

It's really difficult for a young married woman to find employment, especially in the private sector. She'll go for the interview and be asked "are you married?", to which she responds "yes". Then they ask, "do you have any children", to which she answers "no". But then they tell her to clear off anyway, because she'll soon be expecting and they won't be paying maternity benefits (Librarian, 25 years).

The above extracts demonstrate that respondents were aware of the ways in which social expectations and ascribed gender roles of women can limit their access to employment and the protection of maternity rights. As many women want to and have to fulfil both roles as mother and worker, many remain concentrated in the low-paid budget sector because 'at least this still provides maternity leave and pay' (Librarian, 25 years). Despite the widespread perception that women experience rights violations through discrimination in employment, rights-based approaches were not considered as a means to seek redress. On the one hand, some respondents felt that individual effort would prevent such issues arising, but on the other many respondents felt it futile to attempt to use formal rights provisions in a context where they are not upheld.



### 'Tales of the 'successful woman'

In addition to the many respondents who identified discrimination as a rights violation affecting women, the image of 'the successful women' also appeared in the data. Images of 'successful' women in employment have been shown to be one of the great 'myths' of the post-Soviet period for women. Successful women represent the exceptional experience of a few, and whose achievements are often undermined in any case by representations that emphasise successful women's femininity and appearance (Zhurzhenko, 2001). Despite the lack of resonance with the reality for many respondents, this image was invoked by respondents to argue that women who put in sufficient individual effort were able to overcome issues of discrimination, and therefore did not need to think about rights claims. This belief in the individual appeared to be connected to discourses around the opportunities for individual success in the post-Soviet period, but also entrenched understandings that women had the formal equality of opportunity to compete alongside men. It may be the case that references to the 'successful woman' was a coping mechanism among respondents who did not want to identify themselves as 'helpless victims' of gender inequality, despite the incontrovertible evidence that they were experiencing gender-based rights violations. Indeed, such a perspective fits with cultural norms dictating women as having an innate ability to be 'patient' and able to 'cope' with difficult situations that continued to hold legitimacy among respondents (see also, Bridger & Pine, 1998, Kay, 2000; Kuehnast & Nechemias, 2004).

However, in response to a question about women's experience of rights violations, a student in her mid-twenties, who was a member of the newly emerging and relatively privileged middle class in the city, exemplified this tension, albeit in the most extreme form. She recounted the experience of a friend who worked in a legal firm dealing with cases of discrimination against women in employment. While discussing the details of a case of unfair dismissal on the grounds of pregnancy, the narrative suddenly shifts to a discussion of successful women she knows who have been successful enough to avoid problems of discrimination. The respondent then further develops her point into an

account that ignores how the lack of enforcement of legal employment rights results in the inability for women to effectively challenge these issues, particularly for women who have not been 'successful' and do not have access to the necessary contacts or monetary resources,

I have a friend who works as a Personal Assistant in a legal firm and she recently told me about a case where a woman had just started a job, but three months later found out she was pregnant and they sacked her, so she then went to the lawyer and won her case for unfair dismissal. So these issues do occur, but I have never actually felt this kind of discrimination myself. My mum has a number of female friends who are managers and have occupied managerial positions for many years, they have their own businesses and live their lives how they want to and no one interferes with their affairs. So for them, no one can violate his or her rights. So it seems this problem [discrimination at work] exists, but if you want to overcome it, you can (Student, 22 years)

The respondent also argues that she has never experienced this kind of discrimination, which is not surprising given that she did not have any children, and was still studying at university at the time of the interview. However, this respondent concludes that the most effective way to prevent discrimination by trying to ensure the maximum level of personal success by maximum level of effort. However, this sidelines the influence that structural and cultural factors have in discrimination, which appear to be much larger issues than the lack of personal will to overcome the problem. Indeed, the case discussed showed how the woman in question was attempting to address the problem personally by taking on a legal case for unfair dismissal. However, by invoking accounts of successful women who do not appear to experience discrimination reduces the potential for discussion of the structural causes of women's rights violations, and instead attributes the issue of discrimination to a question of personal self-determination to overcome problems personally. It was particularly worrying to hear these views from a young woman about to enter the labour market when contrasting with the experience of other young respondents working in the city. Yet, this respondent felt she would leave the city and perhaps work in Europe after graduating which implied, that for

women with financial resources and access to networks, discrimination could be sidelined to some extent. The importance of access to networks for securing rights is discussed in Chapter 6.

Respondents without such resources were in contrast far less confident about their ability to overcome the influence of cultural norms, but did not regard attempting to claim their rights as an effective means to resolve the problem. Rather, they chose to rely on maintaining good personal relationships with their employers and to avoid ‘rocking the boat’. A twenty-three year old advertising assistant felt that attempting to defend her rights was ultimately pointless because cultural norms held more force than legal norms,

You don’t want to spoil relations [by complaining], and I don’t know if I would use anti-discrimination legislation. If I’m being honest, there are instances where it’s better just to keep your mouth shut (Advertising assistant, 23 years).

Despite awareness of rights and the recognition that discrimination against women in employment represented a violation of rights, respondents had little confidence that formally enshrined rights would be upheld, particularly for women working in the private sector. This discussion has shown that there is limited explicit articulation of the structural causes of gender inequalities as well as a lack of confidence in ability to claim rights, which has resulted in the re-privatisation of women’s rights concerns, and women incurring responsibility to deal with the consequences, even where violations are occurring in the public sphere of the workplace.

## Conclusions

This chapter has outlined the complex understandings of the terminology of ‘women’s rights’ and ‘human rights’ by analysing respondents’ perceptions in relation to existing cultural and historical constructions of women’s roles, characteristics and rights. Respondents’ discussions of women’s rights continued to draw upon Soviet discourses that declared women’s formal equality and that also linked women’s legitimate claims to social and economic rights. While these discourses offered respondents with a means in which to articulate their claims, this was ultimately framed in terms of loss of protection in the post-Soviet period, particularly as a result of a loss of access to secure forms of employment. Moreover, human rights were not perceived as an additional layer of rights for women to claim. While the concept of human rights was understood as a universally applicable ideal moral standard, in application to real life circumstances, human rights were primarily associated with specific violations occurring in the public sphere and therefore affecting men.

As a result, respondents’ did not view their problems as fitting either within the parameters of women’s rights claims, or as legitimate human rights claims. Accordingly, respondents also displayed little confidence in the usefulness of rights and legal provisions for the resolution of their problems, instead emphasising women’s personal responsibility to overcome rights violations, which obscured the structural causes of these rights violations. While the data showed how women’s rights claims have become re-privatised, the data also showed a tension in that respondents continued to describe women as disproportionately experiencing ‘rights violations’ in their everyday life. The following chapter discusses why respondents employed the language of ‘rights’ and how this results in women’s responsibility for dealing with the consequences of a variety of everyday rights violations, without necessarily feeling protected as a result.

## **Chapter 5**

### **Everyday rights violations and the process of claiming rights: a woman's responsibility?**

#### **Introduction**

Many everyday problems in the post-Soviet period are rooted in the withdrawal of previously held Soviet social and economic entitlements and the resulting confusion over entitlement to these rights in the post-Soviet period. The previous chapter highlighted the ways in which the concepts of 'women's rights' and 'human rights' were perceived not only as distinct from each other, but also as being remote from the types of rights violations occurring in everyday life. However, respondents continued to talk in terms of rights violations to discuss their sense of loss of protection of social and economic rights that led to many everyday problems. The use of rights discourses does not however, signify an intention to claim rights, as practical barriers to official processes of claiming rights and perceptions of lack of realisation act as a constraint. In addition, the chapter suggests that the ways in which rights talk was employed also reflects understandings of what constitutes a legitimate rights claim for women, which is linked to respondents' continued self-identification with women's ascribed responsibility for the resolution of everyday problems.

#### **Everyday (human) rights violations?**

The previous chapter ended by asking why respondents on the one hand rejected the relevance of women's rights and human rights claims in their lives, while on the other claimed that women were 'closer' to rights issues and experienced rights violations on a daily basis. It was argued that particular everyday problems were framed as rights violations, and interestingly it was often in response to general questions about important issues in respondents' lives that rights talk emerged. For example, when asked what was the most important everyday concern, a librarian in her mid-thirties employed human

rights talk as the relevant issues in her life was the perceived violation of all forms of rights,

In life we encounter violations of human rights. Look at medical care or to public transport, or even the low level of culture and behaviour of people in our society. We encounter violations of our rights at every step (Librarian, 36 years)

Although this seems to contradict the findings presented in the previous chapter that demonstrated the perceived ‘remoteness’ of human rights from respondents’ everyday lives, there are several possible explanations for this tension. Firstly, respondents may have framed responses by using the language they thought I was most interested in. Secondly, as was argued in Chapter 3, while concerns with the lack of observation of constitutional citizenship rights had taken precedence in local public discourses, these were interlinked with human rights discourses, which suggests that human rights were employed as a discursive resource to express a sense of loss of social and economic rights, but were not viewed as an accessible layer of rights or protection. Thirdly, the preceding chapter also discussed respondents’ perceptions of varying levels of awareness of the actual vocabulary of human rights, particularly among older citizens<sup>94</sup>. In contrast, the language of rights was familiar to everyone, and was subject to conflation and differing interpretations legitimate rights claims as the processes of transformation continue. A teacher in her late twenties, who worked with a youth group promoting human rights awareness in her free time, argued that she had a ‘heightened awareness’ of human rights and was therefore more able to see their applicability to her everyday life,

Human rights have significance for me personally. I have a heightened sensibility about justice, even in everyday matters...although I have never experienced a gross violation; I have experienced rights violations at work – when I was not paid. I got ready to take a case to court. I spent a lot of time gathering the evidence and then my employers found out about this,

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<sup>94</sup> Interestingly, other respondents felt that older women would be more likely to be aware of human rights and the pursuit of rights claims as they had time to spend on this, see discussion in this chapter.

and quickly paid my wages. So in the end I didn't need to go to court  
(Teacher, 29 years)

However, the respondent continues to make distinctions between her own experiences of rights violations in employment of not being paid, which created a series of other material difficulties, as not representative of a 'gross violation', suggesting that employing human rights talk does not necessarily extend to understandings that personal situations represent a legitimate human rights claim. In contrast, the language of social and economic citizenship rights were more immediately familiar to respondents, but the shifting role of the state in the neo-liberal period had disrupted respondents' sense of protection. As a result, the loss of social and economic rights was regarded, both as the cause of everyday problems, but also named as a rights violation. The above citation also shows that some respondents were willing to take their claim to court. Nonetheless, there are significant barriers to legal approaches, which are returned to later in this chapter and also in Chapter 7.

### **Consumption as a site of everyday rights violations**

Patino & Caldwell (2002: 287) argue analysing patterns of consumption in the post-Soviet era are valuable because patterns of consumption 'represent the most tangible manifestation of more extensive societal upheavals'. Indeed, the widening disparities in wealth and resulting inequalities are often most starkly illustrated through the prism of the consumption patterns of the richest and the poorest members of society<sup>95</sup>. As the post-Soviet state withdraws from its role as provider of the basic necessities of daily life through the processes of privatisation that have affected access to education, health care and employment, access to the means for consumption becomes more crucial in determining living standards (Patino & Caldwell, 2002: 288), and also access to

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<sup>95</sup> For a flavour of the representation of the social stratification of Russian society, see, K. O'Flynn, 'Russia's Big Spenders flaunt their fortunes', *Guardian Unlimited*, 28<sup>th</sup> October 2006, [www.guardian.co.uk/print/0,,329613144-103610.00.html](http://www.guardian.co.uk/print/0,,329613144-103610.00.html); A. Zhukov, 'Potrebkooperatsiia: kruglyi god bez l'got', *Sel'skaia nov'*, March 2006: 8-9; T. Parfitt (2005) 'Golden Curtain divides old and new Russia: Moscow's rich keep their children under lock and key as fears of social unrest grow', *Guardian Unlimited*, 10<sup>th</sup> October, <http://www.guardian.co.uk/international/story/0,,1588485.00.html>; V. Groskop, 'Russia's Designer Divas', *Glamour UK edition*, May 2002: 69-73.

previously guaranteed social and economic rights. One of the most frequently cited examples of everyday rights violations by respondents was in relation to the problems encountered in areas of consumption. Respondents felt that their changing levels of access to both basic services, as well as of 'new' consumer goods, were intrinsically bound to broader processes and shifts in the provision of 'basic rights'<sup>96</sup>.

The following analysis of respondents' discussions of consumption as a site of rights violations focuses on how this links to perceptions of legitimate rights claims, rather than exploring in detail the development of consumption patterns in the post-Soviet period, or the complex interaction between consumption and cultural identity (see for example, Patico & Caldwell, 2002; Caldwell, 2002; Shevchenko, 2002). I argue that respondents' identification of consumption as a site of rights violations signposts how marketisation has resulted in the profound transformation of previously held social and economic rights. In addition the wider consumer choice and privatisation of a range services as a result of marketisation has had an equally profound impact on women's everyday lives (see also Humphrey & Mendelson, 2002: 1-3) as they continue to be responsible for dealing with everyday problems of consumption and provision for the family, often in conditions of material hardship.

The perception that access to consumer rights frameworks could act as a means by which to access other social and economic rights in the context of privatisation was illustrated in a discussion with a librarian in her mid thirties. She argued that accessing information about consumer rights was of crucial importance as accessing consumer rights was perceived as a means to negotiate problems associated with the transition to the market and the reduced nature of state provision of social and economic rights,

I plan to find out about my basic rights, like consumer rights. Then I could get results for the problems in my everyday life for example, bad service, or in tackling housing issues (Librarian, 34 years)

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<sup>96</sup> For a discussion of the role of consumption in ensuring citizenship in western European contexts, see A. Cronin, 'Consumer rights/Cultural rights: a new politics of European Belonging', *European Journal of Cultural Studies*, 5 (3) (2002): 307-325.



The extent to which appeals to consumer rights are effective in tackling such issues is returned to below, but it is worth noting, as Jordon (2005) has shown, that the language of consumer rights may have been employed by respondents because it is a familiar and relatively more established and settled terrain of legal rights, owing to their establishment during the late Soviet period. As a result of the clearer definition of these rights, consumer rights are often viewed as an accessible and everyday form of legal claim<sup>97</sup>. In a discussion with a journalist working for a local television news channel, I discussed the prevalence of discussion of consumer rights issues among respondents and asked whether she felt this was an important area of rights violations. She argued that the language of consumer rights was perceived as more relevant to everyday problems because these were the areas in which violations were immediately visible and could legitimately be talked about and claimed,

One area in which people can do something is in returning goods of poor quality...if you have a receipt and go to the consumer rights centre then they will check it out...we did a story on this – about what rights people have, and where to go with their complaints (Television news journalist, 25 years)

Appeals to consumer rights claims were viewed as legitimate because they fitted within wider social norms where suspicion of being ‘cheated’ in the private sector and by private traders are strongly entrenched (Humphrey, 2002). Thus, the ability to obtain legal protection in areas of consumption was regarded as necessary in a context where shopping often takes place in unregulated spaces, or procurement of goods takes an informal nature where the potential to be ‘cheated’ is high. Yet, consuming in unregulated spheres also makes the application of consumer rights legislation problematic when they are needed most<sup>98</sup>. Many of the respondents, being constrained in their consumer choice by low incomes, shopped at markets or in shops that dealt in factory ‘seconds’ or discounted goods. A single mother working as a regional manager

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<sup>97</sup> For official information on consumer rights in Russia refer to the Federal Service for the Oversight Consumer Rights and Citizen’s Welfare’s website, [www.rosпотребнадзор.ru](http://www.rosпотребнадзор.ru). See also the website for the magazine *Potrebitel’* that provides consumer advice on a variety of products, [www.potrebitel.ru](http://www.potrebitel.ru).

<sup>98</sup> For a discussion of trading practices in provincial areas of Russia in the post-Soviet period, see Caroline Humphrey (2002) ‘Traders, “disorder” and citizenship regimes in provincial Russia’ in *The Unmaking of Soviet life: everyday economies after socialism*, (London: Cornell University Press, 2002): 69-98.

for a market research firm, and a journalist in her mid-twenties both discussed at length the risks of consumption, and also the wider complications encountered if attempting to exercise consumer rights,

Everything is violated. Five years ago a centre for the protection of consumer rights was set up...so now you have fourteen days in which to make a claim. I had a washing machine that broke down during the warranty period, but because I bought it in a seconds shop, the warranty was not valid [...] one of my friends tried to return a faulty pair of shoes, but again the shop owner said 'they are seconds', so he wouldn't give a refund. She went to the consumer rights bureau and in the end got her money back. But I think that was more due to her determination than them [consumer rights bureau] (Regional manager, market research firm, 37 years).

My aunt bought a washing machine, but when it was delivered, the side was all rusty, not the drum, but the outer fittings. She wrote to the company asking for a refund or an exchange. She went back to the shop, and they said that the rust wouldn't affect the working of the machine! So because she could still wash things, they were not obligated to exchange it. She was in shock – so she wrote to the consumer's rights, but they just said that the shop was in the right and there was nothing they could do, and advised she could take them to court if she wished. So she was stuck with a rusty machine, and somehow the consumer rights bureau thought this was ok (Journalist on maternity leave, 27 years).

Access to consumer rights protection was therefore also often contingent on monetary resources and the willingness to take a case further along the legal process. This was a clearly negative result of privatisation and the need to protect rights 'privately' and a market researcher in her early thirties also felt that while marketisation had brought freedom of choice in consumption, this was only accessible for those with financial resources. As a result, she felt that her opportunities to live a 'normal life' were restricted by being based on her ability to earn. The ability for women to earn was

restricted by the widespread experience of discrimination against women in employment that forced her, like many others, to take on insecure ‘cash in hand’ employment. She felt that at the most basic level, the need to pay for everyday essentials had impacted on her ability to realise the basic rights for her family,

The right to freedom is most important; however I don’t feel free, despite claims to democracy. I can’t even go into the shops and buy the things I need. Although money is not the most important thing in life, for a person to have any certainty it is. When you have enough money, you can plan for the future – provide for your child’s education, for example. I’m not talking about being super-rich; I just want the women in our country to have a normal standard of living, so they are not in poverty and constantly having to budget for even basic items like food and toiletries (Market researcher, 33 years).

This respondent was not angry at the need to pay for food and toiletries, but argued that because she now also had to pay for previously guaranteed social and economic rights, she was less able to maintain a standard of living and continue to buy basic consumer goods as she had done in the past. The need to pay for previously guaranteed services, particularly in relation to housing was identified as the key site of violations. Despite widespread acceptance among respondents of the need for individual responsibility and attempts to use consumer rights, there were some areas in which respondents remained powerless to address.

#### Communal services: a grey area between citizenship and consumer rights

The topic of communal services, and particularly the local administration’s management of the municipal hot water supply, sanitary and repair services was a continuing source of frustration and anger that received extensive local press coverage throughout the period of research (2003-2007), and had even been framed as a human rights issue in

some local press discussion<sup>99</sup>. Although access to energy services is not specifically outlined in international human rights treaty law, the requirements of the International Covenant on Social, Economic and Cultural Rights (1966) outline the right to an adequate standard of living in food, clothing and housing. Bradbrook & Gardam, (2006: 405) argue that this means that access to energy sources is implicit for the fulfilment of commitments to social and economic human rights. In Ul'ianovsk, the organisation '*Obshchestvennoe sodeistvie*' (Social Assistance) was campaigning against the perceived 'illegal imposition of tariffs' for communal services and was in the process of publishing information resources on how the reforms would affect citizen's rights (Interview with Director, September 2005; Maksimov & Iusinov, 2004). The introduction of tariffs for services has caused outrage among many. Not only do the new tariffs account for a large proportion of monthly incomes, but also are often arbitrarily imposed and do not guarantee the provision of the services paid for. This resulted in many citizens having sporadic access to basic amenities such as heating, water and lighting (Vasil'ev, 2006).

Respondents in this study did not object to the introduction of tariffs per se, but were objecting to the lack of subsequent improvements in communal services as a result of increased payments. There was widespread suspicion that the money was simply profiting the owners, who remained invisible and unaccountable, rather than being used to improve services for residents. A journalist on unpaid maternity argued that much of the problem with the lack of improvement in communal services was that residents had nowhere to go to appeal as it was not clear who was now responsible for the administration of communal services,

[There are violations of rights] in relation to GKH<sup>100</sup> – all services. It's a nightmare because the system is really ancient, Soviet and all

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<sup>99</sup> See, T. Zacharicheva, 'Nemetnyi iubilei: vechera Ul'ianovsk perziol svoeobraznii iubilei – tri mesiatsa bez goriachei vody', *Simbirskii kur'er*, 15<sup>th</sup> July 2003: 1; P. Kamilov & A. Lobachev, 'Goriachaia voda: proverte nadezhdst', *Simbirskii kur'er*, 1<sup>st</sup> July 2003: 2 and A. Aleksandrova, 'Garlem: v Ul'ianovskom variante', *Simbirskii kur'er*, No. 102, 19<sup>th</sup> July 2005, [www.sm-k.narod.ru/archives/2005/jul/102/20.htm](http://www.sm-k.narod.ru/archives/2005/jul/102/20.htm).

<sup>100</sup> The respondent refers to communal services by the acronym, for *zhilishchno-kommunal'noe khoziastvo* ('housing and communal services'). Following standard transliteration, this would be

encompassing. At the moment everything is being divided up, but this system seems to cling on to its power even when it can't provide the services (Journalist on maternity leave, 27 years).

The lack of visible responsibility made it extremely difficult for respondents to achieve a resolution of problems, even in extreme circumstances such as having no water. While the need to pay for services enabled respondents' recourse to consumer rights, in practice this was impossible to implement. A librarian in her mid-forties argued that GKH seemed to be unique among other 'private' services since payment still did not guarantee delivery of services,

Take GKH for example. They are responsible for everything in the flats, so charge you for everything. But why then do we go a month, two months without hot water? I'm sorry, but why should I pay for water when I don't get any? No doubt people will shout and make a fuss, but will we get any compensation for those two months? (Librarian, 46 years)

The issue of communal services therefore serves as an illustration of how the promotion of individual and legal approaches to rights resolution can present barriers in transitional contexts where the role of the state, particularly at the local level has not completely retreated, but is no longer accepting responsibility. Respondents' employment of rights discourses in relation to issues of consumption can be seen as expressing anger at the loss of previously entitled rights, but also in the lack of fulfilment of those individual approaches now deemed as legitimate in public discourse. The inability to claim rights was the overarching theme in respondents' discussions of all categories of rights. A PhD student in her mid-twenties argued that it was clear that some problems could be described as rights violations, but she was unable to resolve them by using the legal provisions that were presented as the solution to realising rights in the post-Soviet neo-liberal context,

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transliterated as 'ZhKKh'. However, the alternative acronym of GKH has been adopted as the URL for Russian-language Internet sites discussing communal services and is adopted here for clarity in the text.

In actual fact, rights are violated everyday – it happens to us pretty often. But it's a different issue whether everyone feels, not that rights are not violated, but if it is worth attempting to prove it. Experience has shown it to be pointless (PhD student, 25 years)

In neo-liberal contexts, where the state has withdrawn responsibility for the provision of many social and economic rights requires that rights are now mainly 'realised' where people attempt claim them, either through the processes of means-testing, or making a legal claim. However, any process of claiming rights requires not only knowledge of rights, but also the available time, energy and monetary resources to pursue a claim. While the need to claim rights affect all members of society, negotiating these shifting processes appears to disproportionately impact on women's lives as they continue to identify with their ascribed role as household managers.

### **Are women responsible for claiming rights for others?**

The stereotype of the strong woman able to cope with the difficulties of everyday life has been invoked by many women in the post-Soviet period, often where men are perceived to have 'failed' to fulfil their ascribed gender role as provider, and women have moved in to fill this gap (Kay, 2000a: 13-15). Women's ability to 'cope' is informed by essentialist understandings of women's characteristics and roles and has been used to explain why women take on responsibility for the protection of rights of others, such as their sons or husbands in prison or the army (Caiazza, 2002). Yet, when asked whether women were responsible for claiming rights on behalf of others, respondents were not convinced that this was the case. An IT advisor in her mid-twenties and a part-time budget sector worker in her early thirties argued that these characteristics were relevant to women involved in social organisations, or to women who still possessed the Soviet mentality of collective social action,

I can't say much about this question...the new generation...are much more individualistic, so I doubt they would react in that way (IT support services, 23 years)

Well I think that someone has come to a very strange conclusion about women in our country (laughs). Women do think about others, so in principle yes. But I think it depends on the age and era of the person...for example my mother is in her fifties and is now freer from family life, so could perhaps pursue such concerns...but my immediate concern is with my daughter (Librarian, 31 years)

What was fascinating about these responses was the distinction drawn between claiming the rights of 'others' and helping members of your immediate family, which reflected public/private distinctions. There was a general consensus among respondents that women were responsible for resolving everyday problems, and as raised in the previous chapter, a sense that women were 'closer' to rights concerns. A librarian in her mid-twenties, who did not have children of her own, felt nevertheless that women are responsible for the resolution of everyday problems affecting the family, and accordingly they tend to view social and economic rights as having more immediate relevance to their lives,

I'm not sure, of course rights are of general concern, but perhaps women are closer to them. It's clearer for men – they have to get a job and earn the money, but then they go home and the family looks after him as long as he brings home the money. But for women, it's not so clear-cut, because they encounter more everyday problems than men (Librarian, 25 years).

However, women's responsibility for resolving everyday problems could actually work against women's ability to do so in the post-Soviet where entitlement to rights has to be 'proven' via a means test, or 'claimed' through legal processes in cases where eligibility is not upheld. A teacher in her thirties argued that women do not have the

time to pursue legal claims, which added to the sense that rights were not upheld or an accessible tool to be used,

Why don't women try to protect themselves through the courts? It's simply because they don't have the time because they are looking after children and the family. On the other hand, my aunt is a pensioner, so she has a lot of free time in which she can think about herself and take issues to court (Teacher, 32 years).

The association of rights claims with the legal process also distance their relevance from women's everyday life as they were associated as a means available to individuals who have 'free time', rather than women who were busy looking after their families and dealing with family 'problems'. I return this issue in the following chapter, exploring why and in relation to which issues respondents made distinctions in either naming their agency as 'claiming rights' or 'resolving problems'. The next part of this chapter focuses on the perceived barriers to the different processes for claiming rights available to respondents.

### **The rhetoric and reality of rights discourses: 'rights only exist on paper'**

It has been shown that respondents employed the language of rights as a discursive resource to express anger at the perceived loss of previously held rights, but also at their inability to access the rights-based approaches required to prove entitlement and claim rights in the post-Soviet period. Although there was acceptance of the requirement to claim rights in the post-Soviet period, there remained a sense that certain rights *should* be guaranteed without having to go through a process of 'claiming'. Indeed, the requirement of proving entitlement and claiming rights created the perception that rights only exist 'on paper'. A university history lecturer in her late forties expressed this sentiment in fairly strong terms,



They all only exist on paper, we have an imitation of a democracy, we live in a world where none of the rhetoric means anything. People are badly informed about their rights, and don't have the opportunity to realise them in any meaningful way. People are anxious about how they will survive. Take for example, the monetization of benefits – you see the pensioners thrown out on to the streets. Who knows where this experiment will end (History Lecturer, 48 years).

This respondent demonstrated the ways in which certain previously guaranteed social and economic rights retained legitimacy as did perceptions that the state should guarantee these rights. A regional manager for a market research firm in her mid thirties expressed the sense of loss of protection of rights because legal entitlement outlined in the Russian Constitution (1993) did not translate into their protection,

We have all those rights, women's rights are enshrined in the Constitution, but as regards Russian rights - well, we have a Constitution where all kinds of rights are enshrined, both women's rights and men's rights. But in Russia it's really difficult to prove that somehow your rights are not being upheld [...] Rights exist on paper, but they are meaningless in our lives as everything is now dependent on ability to pay (Regional manager of a market research firm, 33years).

Both respondents' expressed anger at the need to 'claim' previously guaranteed social and economic rights, but also those currently enshrined in the Constitution. Moreover, access to claiming was perceived to be limited by an individual's ability to pay. The history lecturer suggested that another potential barrier was the lack of information about rights. Yet, many respondents interviewed for this study claimed that lack of information was not the main problem, rather the problem was with an abundance of conflicting information about legitimate rights claims and appropriate processes for claiming (see also Chapter 3). In addition, even respondents possessing a level of 'legal literacy' felt unable to translate this information into everyday practice. This served to frustrate both respondents whose claims were either no longer framed as legitimate, but also those whose claims were deemed legitimate but were without the means to access

the processes of claiming rights. A widowed market researcher in her mid-thirties reflected on the difficulties she faced as a single mother in realising basic rights for her family. Despite demonstrating knowledge of the extensive number of rights she was legally entitled to, the respondent was not confident in her ability to exercise these rights. In addition, she also reflected on the loss of previous non-monetary social and economic benefits available for single mothers during the Soviet period that offered opportunities she would never be able to provide individually,

You're asking about rights? Well, they are fully enshrined in the constitution, but there is no possibility to exercise them. For example, the Constitution guarantees the rights to housing, to free medical care, to education – they are all enshrined there as basic rights that cannot be revoked. But in actual fact, there is no possibility of using these rights, well that's the situation we are in now in Russia. But when we were the Soviet Union – well, I have a friend who raised her son by herself during this time. So, she was in a similar situation to me as a single mother. However, she had the opportunity to go on holiday with her son and so on. Nothing in her life was limited by the fact she was a single mum. Of course, it is very different now (Market researcher, 33 years).

Being aware of rights and talking about claiming rights was therefore not regarded as sufficient means to pursue rights-based approaches. Drawing on these findings, the next section analyses in more detail the perceived barriers to accessing the processes for claiming rights in the post-Soviet period.

#### 'The state should guarantee certain basic rights': Soviet approaches to claiming rights

The previous section has outlined respondents' confusion and anger at the expectation that citizens should be required to prove their entitlement to legally enshrined rights and attempt to 'claim' rights that should be guaranteed by the state. The perceptions that the state should be responsible for the provision of certain basic rights resulted in the continuing legitimacy of Soviet processes for claiming rights, such as appeals to the

administration or letter writing. The creation of a Council for the Development of Civil Society and Human Rights in the research locale builds on existing Soviet models of claiming through its focus on resolving collective appeals to the administration. This serves to reinforce collective claims as legitimate, which actually contrasts with many of the appeals to the state during the Soviet period where *individual* claims through writing letters of appeal for intervention and legal assistance were made, often in matters that are now being reframed as ‘private’, such as divorce (Riordan & Bridger, 1992; Fitzpatrick, 1996; Field, 1998). In the post-Soviet period, however privatisation has resulted in the widespread lack of protection of previously guaranteed social and economic rights, which mean collective concerns about social and economic entitlements take precedence in everyday life, despite the impact of these changes being felt at an individual level. Moreover, in the neo-liberal context, claims generally have to be made individually in order to achieve resolution and this impacts particularly on women who continue to hold the responsibility for claiming rights and thus attempting to negotiate the tensions in the legitimacy of their rights claims.

It was important to ascertain what respondents’ perceived as barriers to claiming social and economic rights, which were seen to be significant in spite of local government and non-governmental initiatives to promote the realisation of social and economic rights (see Chapter 3). A regional manager of a market research company in her mid-thirties argued that it was possible to make an appeal to the local administration for assistance,

Well there are the opportunities to [appeal to the local administration], the deputies have a consultation hour, or you can make an appointment at the social services department. I think that people may appeal in this way, but it is perhaps the case that most people simply don’t appeal. However, the practice continues – it’s not only a means used during the USSR (Regional manager for a market research firm, 37 years).

This respondent clearly identifies this practice as Soviet that continues to be used in the contemporary period. Yet, the same respondent described the process of appealing to the administration as fraught with practical difficulties, and a far from ideal approach

for addressing the impact that lack of social and economic rights had at an individual level, particularly in the creation of immediate material problems,

If you appeal to the local administration, or to the city mayor, then you have to compose a formal appeal, after that you have to wait for a reply, and that could take a month or two, only after that can you really start the appeal. And of course, they could refuse your request. I saw something about this on television this morning<sup>101</sup> (Regional manager market research firm, 37 years)

Thus, the time-consuming and bureaucratic nature of appealing to the administration as a means to claim rights meant that few respondents appeared willing to take on this approach. This was linked to respondents' negative perceptions of interactions with the local administration in general and a geography teacher in her late forties explained that even attempting to fulfil basic citizenship obligations, such as the renewal of an internal passport<sup>102</sup>, was a stressful experience,

At the moment it's best to avoid contact with the state. Its one paper for this, then another, then a third...and still you get nowhere (Geography teacher, 48 years).

Attempts to avoid or minimise the level of interaction with the local administration created a serious dilemma for respondents where entitlement to social and economic rights had to be 'proven' and rights claimed. In addition to the bureaucratic barriers, respondents experienced high levels of stress from the unhelpful and unsympathetic staff and respondents felt that the local administration was not at all concerned with local problems, despite public campaigns to the contrary. Similar views from across the Russian Federation have been featured in articles in *Sel'skaia nov'* that show the unhelpful and

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<sup>101</sup> The impact of the provision of information about rights via television talk shows is discussed in Chapter 7.

<sup>102</sup> Renewal of internal passports is crucial because of the residence permit or 'propiska' system. Although the 'propiska' system was formally abolished in 1993, registration at a permanent address remains the precondition for the enjoyment of most civil rights and entitlement to social benefits. For a more detailed discussion see, T. Hojdestrand, 'The Soviet-Russian production of homelessness: propiska, housing, privatisation', available at, [www.anthrobase.com/txt/H/Hojdesrand\\_T\\_01.htm](http://www.anthrobase.com/txt/H/Hojdesrand_T_01.htm).

unnecessarily difficult nature of interactions with the local administration as a common problem<sup>103</sup>. The negative reception of attempts to claims rights at the local administration resulted in an IT support worker in her thirties who was caring for her disabled mother to feel completely ‘abandoned’ by the state,

Before I had certainty for tomorrow, the state would always know what was happening and I did not feel that the state would abandon me (IT support service librarian, 34 years).

Not only was the experience of interacting with the local administration stressful, and to some deemed ‘morally offensive’, a PhD student in her mid-twenties argued that most people were also afraid of interacting with the local administration, particularly in attempting to claim rights because the resulting investigation of entitlements could actually result in the emergence of more problems, rather than achieving a solution,

The problem with the administration for the most part is their unhelpfulness, if you appeal for their help, then they just start shouting at you. I think there is also a fear that they might investigate your case and find it was not actually valid. So we have two outcomes of appealing – they might look at your appeal and say ‘yes, you are right’, but your situation doesn’t actually improve. Or they might just refuse your appeal altogether, so you start the second appeal, and so it continues (Physiology PhD student, 24 years).

Such disillusionment with the potential to claim rights through the local administration resulted in respondents exploring alternative forms of claiming, such as legal approaches. However, pursuing a legal claim presented additional problems, particularly in relation to levels of access. It was also unclear whether legal claims were appropriate for the types of claims respondents wished to pursue (see also Chapter 7).

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<sup>103</sup> ‘Dveri so skripkom: esli vam nuzhna pomoshch, obrashchaetes’ li vy k mestnoi vlasti? Pomogaet li ona vam?’, *Sel’skaia nov’*, December 2005: 18-19

The provision of legal advice and the promotion of legal approaches to claiming rights was a feature in the local media sources discussed in Chapter 3. There appeared to be interest among respondents in the possibility of using legal claims, and many referred to media coverage of precedents in legal cases. However, as with awareness of rights in general terms, awareness of legal claims did not result in respondents’ ability to use these processes. This chapter therefore explores the perceived barriers to legal claims, which sets the scene for the discussion in Chapter 7 of why, despite identifiable barriers, respondents are forced along the legalistic path of claiming rights, even where this is not the most appropriate or helpful route.

In an interview with the editor of *Sel’skaia nov’*, it was made clear that the process of seeking legal advice and making legal claims was not a new approach and appeals to rights discourses was employing an ‘old rhetoric. However, the context in which citizens are now making legal claims is significantly different from the Soviet period (Jordan, 2005). As discussed in the previous section, during the Soviet period legal advice assistance was sought through appeals to the local administration, or through the practice of letter writing (Riordan & Bridger, 1992; Fitzpatrick, 1996; Field, 1998). In the post-Soviet context however, individuals are required to access an independent legal system and can attempt to claim rights on a myriad of issues, independently of the state (Goldston, 2006). Although this has in theory widened the scope of legal claims that can be made, in practice significant barriers to accessing the independent legal system exist, such as the need for monetary resources. In addition, as teacher in her late twenties argue, the legitimacy of pursuing individual legal claims has not yet embedded in local consciousness,

People are still under the influence of that [Soviet] period – they are not yet used to the new conditions. Secondly, many people simply don’t know their rights. Thirdly, lawyers are really expensive, and Russian wages are really low. There are too few free consultations – well those are probably the main

reasons why people don't use the legal system. There is no legal culture (Language and literature teacher, 29 years).

The promotion of legal literacy as empowerment is therefore problematic, not only in terms of access, but also where understandings of what constitutes a legitimate rights claim continue to be framed in reference to the loss of state support in the provision of social and economic rights and also in granting access to legal intervention. The high costs of legal consultation not only disrupt pre-existing understandings of equal access and provision of rights (Humphrey, 2001), but also make legal approaches inaccessible to those most in need of social and economic rights protection. The editor of a local magazine who was in her late forties discussed how the monetarisation of social and economic benefits, such as free transport and medical care for the elderly, had severely limited her elderly father's quality of life. She had thought about the possibility of appealing against the decision, but decided against on grounds of cost,

To take a case to court takes a lot of money, and even if you win the case, for example in claiming compensation or pension entitlements, you will not make up the money you have spent on the case. Therefore, even if I wanted to, I couldn't use legal means because I simply don't have the money (Magazine editor, 49 years).

In this case the motivation to go to court with not only the material difficulty for her father, but also to demonstrate a sense of dismay at what is perceived to be the revoking of, not only Soviet, but also constitutional rights. Again, this demonstrates that talking about legal claims may be a way to express a sense of what is unfair, but not necessarily unlawful. This can be particularly problematic when respondents are seeking legal advice informally, where the advice received does not always make clear, or accurately reflect the current legal legitimacy of a claim (see Chapter 6). In addition to the financial costs of legal consultation, the time and emotional costs involved in fighting a court case were felt to outweigh any potential benefits of a victory. A PhD student in her mid-twenties argued that,

In order to realise your rights in our situation is in reality extremely difficult. You have to go out and find yourself a solicitor, who will either charge you a lot of money, or refuse your case. So many people just don't want to interact with this sphere because it results in a very stressful situation. It's a scandal how stressful it is, and there is also a huge amount of red tape involved, which makes it even more difficult (Physiology PhD student, 24 years).

The high cost of legal consultation and the manner in which the independent legal profession has developed in the post-Soviet period as a 'fee-paying' service also generated high levels suspicion that lawyers can be 'bought' and thus scepticism about the potential benefits of making a legal claim arose. This undermined respondents' confidence in their ability to access the new processes for making a legal claim and also what can be gained from pursuing a claim. A family and civil defence lawyer in her mid thirties explained,

There is this suspicion that the courts are for sale; that there is no justice, the process is dishonest and that everyone in the system can be bought or sold. There is an element of truth in these fears, and people talk about it a lot, we [as lawyers] have to try and convince people that the legal process can [be used to] protect their rights (Family and civil defence lawyer, 36 years).

These suspicions were even echoed by a member of the editorial team on the magazine *Sel'skaia nov'*. She referred to the experience of her son was a lawyer, but felt unable to protect his own rights, or those of ordinary citizens as he mainly worked in the interests of big business<sup>104</sup>. Despite working for a magazine committed to the provision of legal advice and the promotion of rights-based approaches, the editorial team perceived lawyers as only serving the interests of those with the ability to pay. Free legal consultation is not a statutory right in Russia at present, although free legal consultations are available in

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<sup>104</sup> Interview with the editor and editorial team of the letters pages of the magazine *Sel'skaia nov'*, Moscow, October 2005.



certain cases (the provision of free legal aid is discussed in Chapter 7). Without greater access to free legal consultations, it is difficult to envisage how those without disposable financial resources could truly benefit from pursuing rights-based approaches that emphasise legal claims.

### Negative perceptions of claimants

In addition to the barriers to accessing the process of claiming rights, a significant cultural barrier emerged in the data whereby claimants themselves were viewed negatively. In the post-Soviet context the requirement to claiming rights by legal means individually has resulted in unequal access to rights, which are contingent on an individual's access to reliable advice, financial resources and the connections necessary to access the legal system. As discussed in Chapter 4, claiming human rights were only perceived as relevant to extreme cases as this does not transgress existing social and cultural norms that value patience and stoicism in everyday life (Ashwin, 1998). The force of such cultural norms appeared to be extended to general rights claims. A PhD student in her mid-twenties described how most people didn't attempt to defend their rights, but also that those who did were doing it 'for attention',

They are resigned to their life and they understand that nothing will really change, so they just have to get on with it. Those who defend their rights are unique [...] we call these people attention seekers<sup>105</sup> [...] there are people who demand their rights all the time, but they are not the average person (Physiology PhD student, 24 years)

This suggested that because rights are perceived to be violated on a daily basis, which affects most people, those attempting to claim rights were looking for special treatment when other people were coping with similar difficult situations. These perceptions may

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<sup>105</sup> The Russian word used was 'skandalisty' which is translated as 'trouble maker', or 'rowdy' person in the Oxford Russian –English Dictionary. Attention seeker seems a better translation in the context of this interview.

also explain the continued importance of informal networks as a means of resolving problems, which is returned to in Chapter 6. A self-employed matrioshka artist in her late thirties also discussed negative perceptions of claimants. While discussing her sense of a complete lack of protection, she also questioned the development of rights cultures based in individual claiming by using the ‘litigation culture’ of the United States as a negative example,

It wouldn't be so bad if we could exercise our rights, but in America they shout about their rights at every opportunity. We don't have that. They go to court for the smallest thing, and I don't know whether that is necessarily a good thing. On the one hand, it seems that they are more protected, but they can go over the top about things. But they are more protected than us. Someone could be stabbed in the middle of the street here, and I doubt anyone would do anything about it (Self-employed matrioshka artist, 33 years).

It is worth noting that negative perceptions of claimants are not unique to Russia. The British press often questions the legitimacy of those claiming rights, especially human rights by focussing on the sensational nature of the claims. Press reporting of human rights claims have been negatively framed as evidence of a compensation culture, or adhering to a culture of ‘political correctness gone mad’ (Scotsman, 2006; Guardian, 2005). In addition, the construction of human rights as a ‘criminal’s charter’ is widespread, reinforcing the perception that human rights claims are not legitimate for everyday issues, or for those transgressing social norms (Personal Interview with Rosemarie McIlwhan, Director of Scottish Human Rights Centre, March 2003; Davis, 2006). The lack of legitimacy of domestic human rights claims can be seen in the lack of funding given to human rights organisations in Scotland (Howie, 2005) , which is in contrast with the vast amounts of foreign funding offered to support human rights non-governmental agencies in Russia and in developing countries (Hemment, 2004a; Abu-Lughod, 2002). The establishment of The Commission for Equalities and Human Rights in October 2007 may indicate an increased interest in the need to promote human rights

domestically<sup>106</sup>. However, it remains to be seen how the merging of existing equalities commissions into one Commission for Equalities and Human Rights will be used, and which rights issues it will promote.

## **Conclusions**

This chapter has shown that respondents employed a discourse of rights violations to vocalise a sense of outrage over the lack of protection of social and economic rights and the need to claim previously guaranteed rights. The chapter discussed this with particular reference to respondents' identification of consumption as the site of rights violations as a result of the differing levels of access to basic rights in the post-Soviet period. The chapter argued that while confusion existed over what constituted a legitimate rights claim; respondents were resigned to the fact that they would be required to prove their entitlement and therefore expressed interest in accessing the means available for claiming rights. However, in the post-Soviet context the requirement to make individual claims involved either interaction with the administration or the legal system, which presented significant difficulties. Interaction with formal spheres was not only stressful and time-consuming, but also required financial resources. As a result, the formal processes for claiming rights, as well as claimants themselves, were negatively perceived. The next chapter therefore explores the ways in which respondents talked in terms of resolving everyday problems and continued to choose informal approaches over rights-based approaches wherever possible.

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<sup>106</sup> 'Towards The Commission for Equality and Human Rights', [www.cehr.org.uk/content/purpose.rhtm](http://www.cehr.org.uk/content/purpose.rhtm).

## **Chapter 6**

### **Resolving problems or claiming rights? Women's agency and the role of informal networks in post-Soviet Russia**

#### **Introduction**

The preceding chapters have discussed the ways in which cultural and practical constraints influenced respondents' perceptions of human rights and the potential of rights-based approaches. In turn, these factors determined respondents' ability to negotiate these constraints to access and claim rights. This chapter shifts from an analysis of perceptions to explore the varying approaches respondents used in attempting to access rights, with a particular focus on respondents' use of informal networks. Before discussing respondents' attempts to use rights-based approaches however, the chapter explore why respondents also talked predominantly about 'resolving problems' rather than 'claiming rights', despite attempting to access the formal processes for claiming rights. I argue that talking in terms of 'problems' can be interpreted as a coping mechanism, but was also a result of women's ascribed responsibility for the resolution of 'everyday problems' and the privatisation of women's rights concerns as 'problems'.

Framing rights violations in terms of 'problems' may also have been linked to the continued use of informal networks in the post-Soviet period. Respondents in this study perceived informal networks to be the most effective means to resolve everyday problems. Rather than reading the use of informal networks as a strategy to avoid formal spheres, respondents perceived informal networks as a key means to access basic rights that were no longer equally guaranteed by the state. However, this chapter also notes the complexities of reliance on informal networks operating in the post-Soviet neo-liberal context. The chapter draws on wider literature that highlights the limitations of informal networks for women and assesses whether respondents' use of informal approaches can result in the realisation of rights for women, or whether this necessarily excludes the possibility of the development of rights-based approaches. The chapter

argues that reliance on informal networks to access rights actually demonstrates the contingent nature of rights and also results in unequal access to rights.

### **Resolving ‘problems’ or claiming rights?**

The previous chapter argued that respondents discussed examples of everyday problems in terms of rights violations, particularly in reference to the lack of guaranteed access to social and economic entitlements enshrined in the Constitution. Yet, when asked about the potential means to resolve problems arising out of perceived rights violations, many respondents did not think that ‘claiming rights’ was an available option. The choice of language here was significant; it represented a coping mechanism. Respondents made a distinction between larger scale rights violations that required making a rights claim, with the kinds of issues they could concretely resolve in a context where rights were not seen to be upheld or protected by the state. A librarian in her mid-twenties distinguished the between the everyday problems she had encountered and what was perceived as a ‘rights violation’,

Normally I don’t think in relation to my rights because I encounter different types of problem [...] although we have rights on paper, it’s a little different in real life. Among my friends, well we don’t spend time thinking about our rights – its better just to get on with your life (Librarian, 25 years).

This however appeared in contrast with the discussions of women’s experience of rights violations on an everyday basis discussed in the previous chapter. It could be argued that rights have become perceived as abstract provisions rather than guaranteed entitlements, and this is related to the shift in emphasis in official rights discourses from the protection of social and economic rights to the promotion of civil and political freedoms (Shlapentokh, 1998). Moreover, ‘resolving problems’ depends on the individual, whereas claiming rights requires interaction with the state, or access to the financial resources required to make a legal claim, both of which were perceived as inaccessible and unreliable.

The above extract revealed an underlying acknowledgement that the inability to realise rights is highly problematic, but in a context where it is difficult to access claims, it is 'better just to get on with your life'. The same respondent reflected on the consequences of thinking about the difficulties in accessing and realising the protection of rights,

In principle, rights are of course important. But when you start to think about it, and you think about how unfairly you have been treated, and you relate it to your own situation – well it just a really unpleasant realisation (Librarian, 25 years).

Talking in terms of 'problems' can therefore be viewed as a coping mechanism, rather than demonstrating a lack of awareness of rights or desire to access and claim rights. Rights were valued by respondents, but a technical design student aged twenty also thought that many people had 'already given up hope' in the promise of 'rights'. Not thinking about the inability to claim rights was a means to mitigate disappointment and a sense of powerlessness. She explained,

I think that perhaps if you spend some time thinking about this - whether or not you have rights - then, I think, that a lot of people find it simpler not to - I think many have even forgotten about this, and perhaps some of them no longer even have faith in them [rights], because in life there are concrete examples where it is already clear that no kinds of rights can help (Second year undergraduate industrial design student, 20 years).

One such example of loss of faith in rights was discussed in the previous chapter in relation to discrimination against women in employment. Respondents recognised discrimination as a rights violation, but were reluctant to attempt to use rights-based approaches because of the lack of enforcement of these rights. It was argued that respondents' lack of confidence in the state to protect women in the event of gender-

specific violations had resulted in the personalisation of women's rights issues. This may explain why gender-specific rights violations were discussed in terms of 'personal problems'. However, the social and economic rights violations discussed often discussed as affecting the whole of society were also personalised. Women's ascribed role in resolving everyday problems arising out of a lack of access to social and economic rights could also explain why respondents' personalised responsibility for such 'problems'.

It is also possible that constructions of the collective forms of claiming rights as the legitimate form had an impact on the ways in which respondents discussed means to resolve problems. The shift in rights discourses in the contemporary period to an emphasis on the individual to make legal claims, that often require financial resources, has disrupted collective norms and rights are now unequally accessible and contingent. Claiming rights therefore evoked negative connotations of unequal access among respondents. Nonetheless, the need to access the formal processes (state and legal) for claiming rights remained, and many respondents attempted to do so through the use of informal networks.

### **Women's use of informal networks: an empowering or limiting strategy?**

Informal networks were a key feature of Soviet society and have been maintained, albeit in a modified form, in the post-Soviet period. However, the use of informal networks by women is not unique to the Russian context. It is therefore worth briefly outlining some feminist critiques in the wider literature on the use of networks in a neo-liberal economic context, both developing and developed. This is particularly fruitful for analysis where the consequences of reliance on informal networks in contemporary Russia have changed for women. The social transformations that resulted from neo-liberal policy agendas have also transformed the nature of informal strategies, and arguably limit the gains of informal approaches for women.

Social networks have been discussed as an important resource for women to call upon in times of 'crisis' in order to negotiate the effects of social and economic transformations. However, Silvey & Elmhirst (2003) advise questioning the value of social networks as a resource for women. Many feminists have critiqued analysis of social networks that emphasise their empowerment potential in generating social capital because these accounts do not explicitly consider the gender specific costs of informal networks for women (Molyneux, 2002; Silvey & Elmhirst, 2003; Cornwall, 2007a). Molyneux (2002) argues that development programmes promoting women's role in informal networks in the Latin American context have ignored the ways in which the promotion of networks as a resource for women actually replicates and reinforces existing cultural norms and assumptions about gender roles, rather than empowering women. As women often use informal networks to support the family in times of social and economic difficulties, women often do not benefit directly from the extra work they do in creating social capital for other family members (Molyneux, 2002). This raises questions about claims about the empowerment potential of informal networks, where they do little to facilitate equality for women.

It has also been suggested that women's role in maintaining social capital in times of social and economic transformations serves to reinforce the macro level neo-liberal policy reforms that are the root cause of problems for women (Molyneux, 2002; Dyck, 2005). Molyneux (2002: 179) argues that empowerment and development discourses should pay closer attention to critiquing the neo-liberal policy agendas that have forced women into positions of 'picking up the slack' for states that have withdrawn welfare support. The withdrawal of welfare often impacts on the protection of rights for women who have caring responsibilities. Thus, the reduction in protection of women's rights from the state has resulted in a reliance on informal networks, which has in turn transformed women's rights claims into personalised problems to be resolved by women in the private sphere. These critiques about the limitations of informal strategies for women are not restricted to developing or transforming contexts. The impact of neo-liberal reforms to the welfare state in western contexts demonstrates similar patterns of the privatisation of women's rights issues in practice, despite international claims to the protection of women in the private sphere (see for example, Healy et al, 2005).



It is also important to note that even where informal networks are perceived as useful for individual short term gains, informal strategies are not equally accessible to all women. Cornwall (2007a) argues that it is crucial to disrupt 'gender myths' about women's cooperation and collective interests in maintaining informal networks and sources of support. In her analysis of women's agency and informal networking in establishing small businesses in south western Nigeria, Cornwall (2007b) emphasises how women often use contacts and access to networks for personal gains, which can result in some women being excluded from the networks completely, to devastating effect.

The criticisms of overly optimistic interpretations of women's use of informal networks are particularly salient in the post-Soviet Russian context and for the women in this study in particular who, faced the withdrawal of state welfare support and a public silence on women's rights issues, have turned to informal networks for strategic reasons. The stratification of society in the post-Soviet period has changed access to informal networks, both along gender lines and also between different groups of women. It is clear therefore, that informal networks are fragile means of securing access to, and realisation of rights protection. The next section of this chapter considers why then, respondents continued to view informal networks as the most effective means to resolve problems and also to access the formal processes for claiming rights.

#### The role of informal networks in the post-Soviet period: women's 'retreat' into the private sphere?

The continued use of, and perception that informal networks are effective in contemporary Russia is partly informed by their specific role in the Soviet period. Informal networks of family, friends and acquaintances were used throughout the Soviet period in order to combat the rigidities of the command economy. They facilitated the exchange of goods and information that were difficult to access through official channels (Ledeneva, 1998). Informal networks were therefore an important resource for all where interaction with state structures proved stressful and unproductive (Rose,

1995: 34-36). Although the Soviet system has collapsed, interaction with the state in the Post-Soviet period continues to be perceived as stressful and unproductive, and this is one reason why informal networks have been retained.

A vast amount of scholarship analyses the role of informal networks in Russian society, and authors have variously considered their impact on the development of 'civil society' (Rose, 1995; 2000; Gibson, 2001), as well as the continued importance of informal networks for 'surviving' everyday life in the post-Soviet context (Lonkila, 1997; Ledeneva, 1998; Burawoy et al, 2001; Humphrey, 2002; Caldwell, 2004). However, the types of networks, women's access to networks and the context in which they operate has changed significantly. This differential and gendered access to differing types of networks has led some to term women's use of networks during the transition period as a 'retreat' into the private sphere (Burawoy, et al: 2000). The processes of marketisation and democratisation in the post-Soviet period have created a division in society along gendered, public/private lines and Russian women's loss of previously held 'public roles' continues to be identified as a major barrier to women's advancement by international agencies (ABA, 2006; UNHDR, 2005).

There are of course caveats to this division of society, and several recent studies focussing on the effect of transition on gender roles and relations have pointed to the difficulties facing many (working class) men (Burawoy et al, 2000; Ashwin & Lytkina, 2004; Kay, 2006). Nonetheless, Burawoy et al (2000: 61) argue that women predominantly rely on certain kinds of informal networks that have functioned to exclude them from the public sphere and rely on private sphere kinship networks that have limited ability to effect substantive change. Thus, they argue Russian society has become divided into,

[...] two mutually repelling poles – a male dominated pole of wealth, integrated into the hypermodern flow of finance and commodities, and a female-dominated underworld, retreating into subsistence and kinship networks [...] it is the men who represent continuity with the party state and women who find themselves trapped in new relations of subordination

A gendered 'public/private' division in society has therefore become more visible in the post-Soviet period, which was not as clearly delineated in Soviet period. A public-private sphere that blurred the boundaries between these spheres emerged in the Soviet period in response to citizens' need to engage with the official public sphere in order to negotiate the obstacles presented by the socialist command system, but also in their desire to escape the intrusion of the party state in to all aspects of life (Oswald & Voronkov, 2004). During the Soviet, and particularly the post-Stalin period, the Shlapentokh (1989) argues that the 'privatisation of public life' and retreat from official channels made informal networks crucial for everyday interactions. Informal networks in the Soviet period could therefore be viewed as a space in which to negotiate between the 'public', or state, and 'private' spheres in a more fluid way than perhaps has been the case in western contexts. However in the post-Soviet context, changes to the level of interaction between the public (state) and private (family) spheres has become much less fluid. This has been particularly problematic for women where the state has withdrawn from intervening in the now officially legitimised 'private' sphere of the home (Attwood, 1997).

It has been argued that as women have retained their position as facilitators of certain types of informal networks in the post-Soviet period, they have been able to exert a degree of control in the management of everyday life (Pickup & White, 2003). It could be argued therefore that women's continued identification with informal networks could be viewed as a form of agency. Molyneux (1985) suggests that women may in some cases choose strategies in terms of 'practical gender interests' that are informed by immediate material concerns, rather than long-term transformative goals. These choices may appear to maintain conditions of subordination, but are chosen nonetheless because of their perceived efficacy for negotiating everyday life (Hemmings & Treacher, 2006). Hemmings & Treacher (2006) argue that such strategies should be viewed as a form of agency, and their use do not necessarily exclude the possibility of a transformation in social relations. Moreover, Watts (2006) argues that it is essential not to undermine women's accounts of their agency even when the action may allow the structural causes of their inequality to continue. Doing so, would make women's choices invisible, and potentially undermine important coping strategies.

However, as the types of informal networks women generally have access to in the post-Soviet context now operate in the reconceptualised 'private' sphere, reliance on informal strategies may potentially reinforce the status quo and reinscribe 'traditional' gender relations that obscure causes of rights violations (Salmenniemi, 2005). Indeed, feminist analyses that highlight the fragility of the type of social capital women gain from reliance on informal networks, which make them an unreliable strategy for improving women's lives (Molyneux, 2002, Silvey & Elmhirst, 2003). Respondents in this sample used access to various informal networks in a variety of ways, ranging from 'livelihood strategies', where networks are used as a means of exchanging goods or services (Pickup & White, 2003), to accessing legal advice and information about rights-based approaches. The next section of this chapter discusses whether respondents' use of informal networks offered any transformative potential in providing an effective way to access rights-based approaches.

#### Respondents' perceptions of types of informal networks

There are a range of systems of personal connections that can be referred to as informal networks. Tartakovskaya and Ashwin (2006) argue that the nature of the contact is often denoted by the Russian terminology used to describe the network. The choice of terminology used can also denote which kinds of informal networks are perceived positively or negatively. Perceptions are often based on an individual's access to contacts and access to networks. The most commonly used form of informal support in resolving everyday problems in this study was the family. However, respondents also talked about the use of other informal sources of support through their use of the various systems of informal networks.

In my study, respondents talked either about the use of '*sviazi*' (connections) or '*znakomie*' (acquaintances). In general '*sviazi*' described personal contacts within the administration, which were regarded as a positive resource by respondents with access to this type of contact. *Sviazi* offered some respondents an effective means by which to 'realise' certain basic rights, again demonstrating the contingency of access to rights in

the contemporary period. Thus, respondents without such connections perceived the use of *sviazi* as a negative phenomenon that increased the level of social inequality by entrenching exclusive and unequal access to the rights that should be upheld for everyone. '*Znakomie*', referred to informal networks that comprised a much wider variety of contacts. These networks were perceived more positively than *sviazi*, presumably because all respondents had some access to networks of 'acquaintances'.

Respondents perceived informal networks to provide an opportunity to access resources from outside of the immediate circle of family and friends. Tartakovskaya & Ashwin (2006) have discussed the importance of networks of acquaintances in securing employment. Indeed, many of the respondents interviewed for this study had secured their current or second job through a personal recommendation by an acquaintance at that place of work. For example, two former teachers had taken employment as market researchers arranged by a friend who was regional manager for a market research company. A former biology teacher who had difficulty finding employment after maternity leave had sourced a part-time research assistant job through a friend. For some respondents, using contacts to secure employment were viewed positively, as a nursery assistant in her forties who had just obtained a second job as a trainee beauty consultant explained,

[I got the job] through friends, acquaintances. I came along, listened to a presentation – got a free gift (laughs). Well it's always like that with us – you get some kind of present, talk about something interesting, so I thought that I would be able to work here. At the moment the money is not great, but I'm trying to get some more hours (Part-time nursery assistant, 41 years).

While this respondent took on a second job primarily out of financial need, the additional support of colleagues offered other benefits. However, sourcing employment through friends often appeared to be restricted to certain kinds of low-paid, part-time or insecure employment in the private sector. Some respondents discussed their concerns about this work as not particularly safe or secure financially, but felt obliged to continue as obtained

through an acquaintance. Whilst the use of personal recommendations in securing employment is perhaps not unique to the Russian case, respondents felt that without personal recommendations it was virtually impossible to find alternative employment. Thus, while having access to networks was perceived to be crucial to all aspects of life for the respondents in this study, the opportunities they offered were often limited or unsatisfactory.

### **Using informal networks: a means to avoid, or to access the processes of claiming rights?**

Respondents' desire to avoid the stresses, costs and time required to access the process of claiming rights was another key reason why respondents identified informal networks as an effective way to resolve everyday problems. Respondents with personal contacts within the local administration could be viewed as being located in a 'public-private' space (Oswald & Voronkov, 2004), through which informal approaches potentially allowed access to 'formal' processes of claiming entitlement to basic rights. Personal contacts within the local administration allowed some respondents to bypass the stressful elements of formal processes. An advertising assistant in her twenties explained that,

People resolve problems more easily through friends and acquaintances than by formal approaches [...] they [formal approaches] take too long, involve too much red tape, and they don't seem to resolve your problems anyway (Advertising assistant, 23 years)

A part-time research assistant in her mid-thirties argued that 'the most effective way to resolve all problems is through acquaintances', particularly those that provided access to 'connections' within the local administration. A librarian and a teacher explained,

To resolve problems at the moment, you need to either go through connections, or pay. They are both faster and probably offer a more effective resolution of the problem (Librarian, 36 years)

The way I see it, if you have acquaintances then it will be much easier for you to obtain some kind of help - so if you have some kind of contact who is willing to help you, then of course it is easier, because then you avoid the red tape, not only the documents, but also the attitudes, and if you have contacts then this whole process will be speeded up (Languages and literature teacher, 28 years).

Access to contacts within the local administration were perceived by respondents as crucial for accessing education, employment and healthcare services, as well as for the fulfilment of basic requirements, such as registration or renewal of passports. These were the same 'basic rights' identified by respondents as being violated and not upheld by the state. The need to negotiate rights through informal means undermined the guarantees enshrined in the Constitution. A student in her early twenties explained how the system of 'connections' were used to guarantee access to rights and basic services, and that this practice was 'everywhere'. She told me about her experience of treatment in hospital where she had been passed around various consultants and ineffective treatments until she accessed a 'contact' within the hospital. Later in the interview, she went on to say,

You're asking me about rights, well our rights are our acquaintances. For example if you need some form of official registration, then if you don't have acquaintances then you will wait a week, or two, or three, and in those nightmarish queues. However, if you have acquaintances, and you give them a box of chocolates, or a bottle of wine, then you will get what you need on the very same day. So you see, this is everywhere – I'm surprised you've not encountered it yet (PhD student, 25 years).

This citation highlights that basic rights to healthcare were no longer perceived to be guaranteed, and respondents therefore had to find individual means to ensure their 'right' to healthcare was realised. Although the student acknowledged the need to use connections, she had an extremely negative perception of the process because it demonstrated that rights were not guaranteed, but contingent on individual access to contacts, which varied greatly.

The need to negotiate rights informally was especially problematic for respondents without access to this kind of network, both in practical terms and emotionally as respondents lacked a sense of security. A part-time administrative assistant in her early thirties felt that sourcing contacts to access basic rights was tantamount to begging or relying on the good favour of others. She felt that not being able to access the rights she was entitled to and that should be guaranteed equally was a 'terrible situation',

It's not normal that people are pushed into these situations [appealing for help], that people have to degrade themselves in order to have their own rights. It's a terrible situation to be in (Part-time librarian, 31 years).

Whilst respondents' perceived connections to be essential to the completion of everyday tasks, most argued that this had a negative effect on society, and respondents would rather be able to use alternative formal means. A researcher in her early twenties argued that,

I think if we had a civilised state system and if the mechanisms were in place and enforced, then there wouldn't be people sitting there willing to take these kinds of bribes or else do nothing. As it happens, people strive to resolve their problems through contacts, and there is nothing good about it [connections] (Research assistant, 23 years).



The problems of not having access to contacts is clear, but it is also worth noting that, even for respondents with access to such networks the gains were often limited and not guaranteed. Moreover, as Patico (2002) has demonstrated in her analysis of gift giving within informal networks, the changing nature of the forms of ‘gifts’ given to contacts in ‘recognition’ of their providing assistance or access is changing. She argues that whereas in the Soviet period, cognac or chocolates were an appropriate gift as a symbol of appreciation (see also, extract above), in the post-Soviet period monetary gifts are likely to become more common. This trend was noted by several respondents in this study. In a discussion with a part-time librarian with two school-age children, the need to offer financial ‘gifts’ for healthcare or to teaching staff was noted as a negative trend that was creating exclusive access to ‘basic’ rights that should not be ‘priced’ (Notes from field diary, 28<sup>th</sup> August 2005).

Respondents without ‘contacts’ within the local administration relied on friends and family not only to resolve immediate problems, but also to access important forms of moral support. A journalist in her mid-twenties and a retired librarian aged sixty argued that if there was some kind of personal problem, or financial difficulties, then the family would be the first point of call,

As long as the problem is nothing too major, for example if you get into some kind of mess, then you would go to your family (Local television news journalist, 25 years)

Well people generally go to their families if they have some kind of personal problem, or something they need to overcome in personal relationships (Librarian, 60 years).

Whilst this may not say anything particularly new about how people the world over resolve their problems, the role of the family in resolving personal problems is raised because it assumes that good relationships within the family unit exist. Where women’s

rights violations are largely constructed as ‘personal problems’, informal and ‘private’ approaches are deemed the legitimate resource. However, in the event of family breakdown, some respondents were left without access to any informal networks. In these cases, respondents attempted to access legal means directly in order to resolve serious personal problems that had developed *within the family*. Thus, women without ‘private’ sources of support lacked any form of support when faced with attempting to obtain public redress, which the discussion in Chapter 7 shows to be highly problematic.

It appears from the above discussion that a reliance on informal networks was not likely to have transformative effects as this practice entrenched the unequal and contingent nature of access to rights. However, some respondents used informal networks as a source of information and to access legal advice. It could be argued that respondents’ attempts to access legal advice informally may have empowerment potential in making legal advice accessible. Nevertheless, the difficulties of putting any legal advice obtained into practice makes any claims about the transformative potential of legal advice tentative at best. Moreover, the interest in legal approaches was attributed to the legitimisation of legal claims in public discourses (see chapter 3). Thus, women without access to networks could not benefit from free advice and attempted costly legal approaches without private sources of support. These issues are discussed further in Chapter 7, highlighting the perilous situation for women attempting to make a legal claim in the post-Soviet context.

### **Accessing legal advice and information: transforming, or reinforcing social norms?**

Despite respondents’ negative perceptions of individuals who attempted to claim their legal rights discussed above, increased interest in rights-based approaches to problem resolution were emerging as the legal advice offered in the press and television discussed in Chapter 3 demonstrated. Respondents who were able to access legal advice informally through contacts within informal networks also expressed an interest in the potential of legal rights claims to resolve problems. By sourcing legal advice through

informal networks, respondents could access legal advice relatively free of charge, and from trusted acquaintances. A self-employed matrioshka artist in her thirties and a primary teacher in her late forties on invalidity pension were two of several respondents who claimed that they would approach friends with legal training in the event of a 'serious' problem. They said,

I have a female friend who is a lawyer, so I would go to her [for advice].  
She's a really good lawyer so I would hope she would offer to help me  
(Self-employed matrioshka artist, 33 years)

We have a good female friend who is a lawyer; well she is a lawyer and a  
historian...she has used her influence on several occasions to campaign for  
our rights<sup>107</sup> (Teacher on sick leave, 49 years)

Making enquires about rights issues within the trusted environment of an informal network could be interpreted as potentially 'empowering', because it offered respondents a space in which to assess the legitimacy of their claim without the associated stresses and financial costs of contact with state or legal structures.

The importance of trust in the post-Soviet climate dictates that no issue is resolved without the verification of information by friends or acquaintances (Hann, 2002). Although, access to networks varied among respondents, sharing information beyond the scope of the network is common practice in contemporary Russia. The empowerment potential of sourcing legal advice informally may therefore filter through to others. Certainly studies demonstrating that women's share the information derived from informal networks suggests this is likely (Tartakovskaya & Ashwin, 2006). In this

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<sup>107</sup> This respondent was a member of a Seventh Day Adventist Church, which represents one of the growing numbers of Protestant religious groups to have emerged in the post-Soviet period. However, these groups are often portrayed in a negative light. See S. Filatov & R. Lunkin, 'Statistics on Religion in Russia: The reality behind the figures', *Religion, State & Society*, 34 (1) (2006): 33-49. The respondent felt she had experienced discrimination on grounds of her religious beliefs at work. For a discussion of the influence of the Russian Orthodox Church in state education, and how this can exclude those with 'minority' religious beliefs, see P. L. Glazer, 'Post-Soviet Moral Education in Russia's State Schools: God, Country and Controversy', *Religion, State & Society*, 33 (3) (2005): 207-221.

respect, informal approaches to sourcing information could act as a springboard for respondents to pursue formal approaches. However, a note of caution is required about the value of the information sourced and shared. Chapter 7 highlights that while legal advice obtained through informal networks is deemed reliable, it often results in greater sense of helplessness, particularly for those who do not have alternative informal sources of support.

## **Conclusions**

This chapter began by considering why when talking about how to resolve everyday problems defined as rights violations, respondents talked in terms of ‘resolving problems’ rather than claiming rights. It was argued that talking about resolving problems was a coping mechanism, but was also a consequence of women’s ascribed responsibility for resolving problems and their use of informal networks as a means to do so (Humphrey, 2002; Caldwell, 2004). Informal networks were perceived as the most effective means to resolve a variety of problems, especially those related to the lack of guaranteed access to social and economic welfare entitlements. The use of informal networks can be viewed as a limited form of agency where respondents were able to access informal means and successfully resolve problems in a context where rights are contingent on contacts and financial means.

However, feminist critiques of informal approaches have highlighted the fragility of informal networks as a form of social capital for women. Indeed, this chapter has shown that whilst some respondents were able to use informal means to access formal structures and claim their rights, these networks were not equally accessible to all women. Moreover, it was likely that the trend towards offering financial gifts for access may further limit access to the types of networks deemed most effective for accessing the public sphere to claim rights. It could be argued that as respondents relied on family support in the main, respondents would still have some form of access to informal sources of support. Yet, in the event of family breakdown, these links are broken leaving women reliant on formal forms of protection, which are limited in the post-

Soviet context. Women's reliance on family and kinship networks has led to the personalisation of women's rights violations. Discussions of women's involvement in informal networks in Russia should therefore highlight the implications that differing levels of access to informal networks among women in a neo-liberal context has for women's rights protection. Moreover, in a context where rights are contingent on contacts or financial means, women's reliance on informal networks to access rights should be problematised in order to address the implications for the protection of women who are excluded from networks, and also to make visible the broader political structures of exclusion from public support.

This chapter also demonstrated an interest in the use of legal approaches, with some respondents accessing legal advice informally. Obtaining legal advice could be viewed as empowering in enabling women to access legal protection. However, it is clear that this is an overly optimistic interpretation. The legal advice respondents obtained informally was deemed by respondents as informative. Yet, respondents' were often advised against attempting to claim as access to the legal system, as access is determined by financial resources and time. The need to pay to access rights protection offers a critique of the project of promoting women's access to legal rights in a context where neo-liberal policy agendas have prevented the possibility of access for many women. The following chapter continues this discussion in more detail drawing on examples of respondents attempting to pursue a legal rights claim.

## **Chapter 7**

### **Rights as ‘legal entitlements’: negotiating Soviet and post-Soviet norms**

#### **Introduction**

The preceding chapter discussed respondents’ use of informal networks as a means of accessing the processes of claiming rights and also for obtaining legal advice. However, not all respondents had access to such networks and this chapter explores how these respondents attempted to access rights. The chapter begins by exploring in more detail the apparent tension in the data whereby respondents’ identified a series of cultural and practical constraints that prevented them from accessing legal approaches in claiming rights, whilst simultaneously identifying legal approaches as a potential means to resolve problems. The chapter suggests that respondents’ interest in legal approaches, despite the perceived barriers, may be a result of the promotion of rights discourses emphasising ‘legal entitlements’ in the media. However, the extent to which respondents’ interest in obtaining legal advice resulted in the confidence to use rights-based approaches is debatable. Rather than framing respondents’ agency in seeking legal advice as signifying their empowerment, this chapter reveals the costs involved in making a legal claim. Moreover, the costs appear to be greater for women without additional forms informal support who were attempting to access the legal process as a last resort. Thus, there may be more for women to lose than to gain by appealing to the legal system in the contemporary Russian context.

#### **The role of the legal system in the Soviet and post-Soviet periods**

The promotion of legal literacy and the use of rights-based approaches have been at the centre of theorising women’s empowerment (see for example, Kabeer, 1999). However, the extent to which information about rights can be put into practice depends upon the wider social and economic context in which legal rights claims are to be made. It has been argued that the legal culture in post-Soviet Russia is still developing (Johnson,

2005; Bell et al, 2004), suggesting that it may be problematic to use legal approaches in this context. While there are certainly structural barriers to claiming rights, the use of 'legal' approaches are not however 'new' in the Russian context<sup>108</sup>. Therefore, in addition to contemporary structural constraints determining access to legal claims, cultural constraints in the form of the legacy of a Soviet legal culture have to be taken into account. As discussed in Chapter 3, two understandings of the processes of accessing legal advice exist in post-Soviet Russia; one can be described as based on Soviet norms of appeals for direct intervention, the other in 'newer' norms concerned with private claims that are accessed through ability to pay.

During the Soviet period, the Communist party attempted to denigrate the role of lawyers as 'bourgeois' and unnecessary under a socialist system that had eliminated personal or private disputes (Brown, 1995; Field, 1998). However, Field (1998) argues that during the Soviet period, claimants and judges also contributed to the creation of a different conception of the individual and the private sphere from the state. In reference to her study of Soviet divorce cases, Field argues that private disputes were resolved publicly through the courts. Thus, the rubric of legal intervention may be more familiar to women in the Russian context than other transitional societies because of the long-standing practice of state intervention, particularly in divorce and alimony cases. Moreover, the practice of civil law dealing with housing and family issues became known as 'women's law' during the Soviet period because women were thought to be more suited by 'nature' to dealing with these concerns (Brown, 1995). Thus, the association of women's legal claims in cases of everyday issues relating to the family may explain why respondents appeared to be more familiar with making legal claims. However, the process of making a legal claim has changed dramatically in the post-Soviet period due to the processes of marketisation and democratisation.

The process of making legal claims has shifted from state led interventions in a limited variety of personal disputes during the Soviet period, to the emergence of an independent legal system where individuals can attempt to claim an almost unlimited variety of rights in relation to both inter-personal and public matters. The emergence of

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<sup>108</sup> Interview with editor of *Sel'skaia nov'*, Moscow, October 2005.

an independent legal profession has in turn impacted on the level of access citizens have to claiming rights. On the one hand the role of lawyers has become increasingly important as private litigation issues have increased over property, private companies' employment contracts, and also changes in entitlements to welfare benefits (Brown, 1995). On the other, the development of private consultations restricts access to the legal system for many, at a time when there is more conversely greater demand for protection under the law. As previously held social and economic entitlements have been withdrawn, the need to provide for welfare privately pushes more citizens to attempt to 'claim' rights that were previously largely guaranteed by the state.

Merry & Stern have argued that in western contexts with developed professional legal systems, women have had to depersonalise very personal issues in order to seek resolution, which acts as one of many deterrents for women using the legal process (Merry & Stern, 2005, and see also, Merry, 2003; Merry, 1985). Whereas women in the Soviet Union could seek intervention in interpersonal disputes from the state, the reframing of inter-personal disputes as a personal and private issue in the post-Soviet period has a significant impact on women's access to legal claims. There has also been a gendered shift in the legal profession, with increasing numbers of men training in the field of civil law, reflecting the transformation of law into a lucrative career (Brown, 1995). This may delegitimize previously legitimate claims made by women on 'everyday' matters and may also explain some of the wider issues discussed in Chapter's 4 & 5 about the perceived 'remoteness' of rights from women's everyday life. In addition, the constantly evolving nature of legislation and the legal system can make it difficult to obtain accurate legal advice.

### **Legal advice pages and television courtroom drama: post-Soviet approaches to claiming rights?**

Whilst conducting the pre-fieldwork research for this thesis, I was struck by the level of demand for legal advice in the letters pages of *Sel'skaia nov'*. Whilst in the field, there appeared to be an increasing availability of legal advice in the newspapers and also in



television programming. In light of these contemporary discursive trends at the local level, it was assumed that respondents' would be well aware of their rights. When asked about press discussions of legal entitlements letters pages, however, respondents' displayed a generally ambivalent attitude to the legal advice and information about rights available from media sources. In particular, respondents were sceptical about the information presented in women's magazines and national newspapers. These media sources were perceived to be primarily entertainment based, focussing on celebrity gossip and lifestyle issues rather than providing useful advice for readers. A PhD student in her mid-twenties argued that although the media may highlight rights issues, they did not offer constructive advice on how to put this information into practice,

There is a minority of articles about rights, for example about the changes to budget sector workers pay<sup>109</sup>, but the majority [of these articles] are kind of 'tabloid' in nature, especially if you look at women's magazines. They may highlight the issues, but not really how you can resolve them (Biology PhD student, 25 years).

Respondents were therefore not concerned with a lack of information about rights, but the lack of certainty in the quality of the advice available and their ability to relate this information to their own problems and means of resolving problems. A librarian in her mid forties argued that the quality of legal advice available in the media was not guaranteed. She was also particularly sceptical about those writing to the media for legal advice,

If I'm honest, I don't know why they bother writing. It always astonishes me that they bother – maybe they think they will qualify for some kind of assistance, but how can you be sure that the person writing for that paper knows everything thoroughly. It's a free service, so you cannot guarantee the quality (Librarian, 46 years)

This respondent's perception that letter-writers think they may receive some form of assistance hints at Soviet understandings and processes of claiming rights. However, it

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<sup>109</sup> The respondent is referring to the proposed reforms to the structure of budget sector workers' pay that were being discussed in the press at the time of fieldwork in 2005.

equally indicated shifting attitudes to the provision of ‘free’ legal advice and assistance. As the importance of privately providing for welfare has increased as a consequence of the social and economic transformations of the post-Soviet period, this respondent regarded ‘paying’ as the only way to guarantee quality. This is highly problematic for the legitimacy of legal approaches where most respondents did not have the ability to pay, and thus felt less protected.

The promotion of legal approaches to claiming rights in local newspapers was also evident in television programming. Popular among the respondents in this study was the entertainment programme ‘*Chas suda*’ which replicates a courtroom format and aims to ‘examine the cases we encounter in everyday life’. Examples of the ‘cases’ examined during fieldwork varied from property disputes and family conflict, to claims of ‘moral injury’ and advice on problems with the administration and claiming welfare entitlements<sup>110</sup>. Existing studies on the influence of television talk shows on female audiences in a western context have shown that this programming format may offer women a means in which to think about their own problems, through identification with the problems presented on screen (Wood, 2005). It is reasonable to assume that the Russian shows employing rights rhetoric may offer viewers with a similar means in which to reframe and re-think their problems in terms of legal rights.

It appeared that this type of programming enjoyed widespread popularity among respondents and a librarian in her mid-thirties explained that,

I like watching those court programmes on the TV – I think it’s great that television is being used to inform us about the sorry state of our rights. However, we are not really tackling this problem head on (Librarian, 36 years).

A part time budget sector administrator also reflected on how these programmes may have contributed to growing public interest in legal approaches to resolving everyday problems,

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<sup>110</sup> Recent cases and resolutions can be found at [www.chassuda.konsult.ru](http://www.chassuda.konsult.ru). I was not able to systematically analyse the television programme in the field due to sporadic access to a television. A more detailed analysis of this source could be fruitful in a future research project, as television remains the most popular source of information.

Perhaps it may become possible to resolve problems by legal means. At the moment there are many programmes on television that aim to help people learn about their rights and how to use the law [...]. I've noticed a lot of people now watch and pay attention to these programmes. It may be possible to go through the courts and resolve problems. However, I still think that the majority of the population believe it is only those with money and 'connections' who will gain [by using legal the system] (Part time library administrator, 31 years).

As discussed in Chapter 6 however, the respondent cited above highlights how access to the legal system is limited by access to 'connections' (*sviazi*) or an ability to pay. In addition, as with the legal advice provided in the press, a librarian in her early twenties felt that the advice offered in these shows was of limited use,

These programmes do not really provide legal advice, but they are some kind of entertainment programme. Once in a blue moon, they might actually offer some kind of useful information, but I would say the majority of the time it is purely a 'talk-show' [...] I would say in principal they are not unhelpful, and perhaps watching those in the same situation might get some encouragement to take some definite action (Librarian, 25 years).

The promotion of legal advice on television was hindered by the perception that such programming is primarily a form of entertainment, and far removed from the realities of limited opportunities to access free legal advice in everyday life. The remoteness of the cases and advice represented by these shows was illustrated by a market researcher in her late thirties, who felt that the shows had absolutely no resemblance to the everyday lives of women in provincial Russia,

These shows are all made in Moscow, which is a different country. You have to understand that people there are completely different, with a separate form of government. The people that go on these shows are

Muscovites – they understand each other, but that's about it (Market researcher, 37 years).

Thus, despite the availability of legal advice and the promotion of legal claims in public discourse, legal literacy was not having a transformative effect. This was in part due to scepticism about the quality of advice but also because respondents felt distanced from the rights claims and processes for claiming rights that were represented in the media. While, on the one hand it may seem obvious to state that rights exist as legal entitlements and thus require making legal claims to ensure their protection, this study has shown that existing Soviet understandings of rights as already guaranteed clashed with and contested the legitimacy of the need for and usefulness of 'new' legal approaches in everyday life.

### **How accessible is the legal system to women in contemporary Russia?**

Notwithstanding the negative perceptions of the legal system discussed in Chapter 5 and the scepticism about legal advice shown above, most respondents continued to cite legal consultations as a potential means to access rights and resolve problems. However, practical as well as cultural factors determined which issues respondents' would seek legal advice or attempt to access legal processes of claiming rights. A market researcher in her late thirties argued that women's understandings of their responsibility for the family and resolution of everyday problems combined with essentialist discourses that outlined appropriate means for managing everyday problems, which heavily limited the strategies available to women for resolving problems (see also, Kay, 2001a: 13-15). She argued that a lack of confidence in the legal system was an important consideration, but the main issue was women's perceptions that they should be able to cope with problems, and were therefore unlikely to pursue a legal claim,

I think, although I'm not able to say categorically, that Russian women are used to waiting. They are patient through their entire lives, and even where they fight against it [the system], it's the same. I don't know, it's probably

also because they don't believe there will be a guaranteed end result, or that anything will actually change. And also, women don't have the time or will to do so. Already people are just trying to get on the best they can (Market researcher, 37 years).

Chapter 6 has already highlighted how the majority of respondents predominantly chose to resolve 'problems' informally, and tended not to describe their agency as 'claiming rights'. Nonetheless some respondents were also using contacts within informal approaches to gain legal advice on their problems. This indicated that respondents in this study were aware of what they were legally entitled as enshrined in the Constitution, but in light of the constantly evolving legislation and redefinitions of rights and entitlements wanted to gain further advice to 'check' entitlement.

#### Friends offering legal advice: enabling access to rights, or reinforcing negative perceptions of legal approaches?

Access to legal advice for respondents was determined by access to friends or acquaintances with legal training. Sourcing legal advice from friends or acquaintances removed some of the financial constraints to access, and also improved levels of trust in the advice and information received (Hann, 2002). This also explained why some respondents' talked about the potential use of legal consultations, despite having negative perceptions of the legal process as a whole. Friends or acquaintances with legal training were considered valuable 'sounding boards' against which to assess the appropriateness of pursuing a legal rights claim for the resolution of a particular problem. For example, a part-time researcher who was experiencing serious problems in attempting to secure citizenship for her second child at the time of the interview<sup>111</sup>, argued that by accessing legal advice through informal networks, she had found an accessible, cost-free way in which to evaluate the potential usefulness of making a legal claim,

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<sup>111</sup> The respondent spent most of the interview explaining how a query over her registration status at the time of her son's birth had resulted not only in calling her own citizenship status into question, but also that of her son. The problems associated with the requirement that all Russian citizens be registered at a permanent place of residence are well documented, and are especially crucial as they grant entitlement to a range of social and economic entitlements connected to citizenship status (Hodjestrand, 2003).

My husband asked a former classmate, who's in her second year of legal training, about our problem and she said it is pointless to go to court. Even if we won, we would only receive one hundred roubles and what's the point of that? (Part-time research assistant, 37 years).

At the time of the study, one hundred roubles were equivalent to five US dollars. While it is more than likely that this was not the literal figure, it did show how little respondents' perceived could be gained by making a legal claim. Monetary compensation may be the motivation in some legal claims, for example in seeking the payment of social and economic benefits. However, monetary settlements are often not regarded as adequate compensation for the nerves, time, and financial costs involved in making a legal claim. Moreover, in cases where the purpose of the legal claim is not to secure monetary compensation, it is difficult to see what kind of resolution could be achieved for this respondent by a monetary settlement. This respondent was therefore deterred from attempting to resolve the serious problem of her son's lack of citizenship because the legal advice received focussed on monetary compensation alone, which would have done nothing to address the fundamental problem. While this is one respondent's experience, problems with citizenship are not uncommon. This respondent talked about her use of an Internet based chat forum she consulted where many parents facing similar problems shared their experiences and legal advice. *Sel'skaia nov'* has also published many advice articles on the subject of citizenship and regularly reminds readers of the need to be aware of the constantly evolving nature of legislation that impacts and transforms citizenship rights and entitlements (see for example, Khandamov, 2006: 18-19).

This respondent's experience also shows how seeking legal advice often emerges as the option of last resort. This is problematic where the legal advice received cannot offer a solution to the problem. Thus, this respondent was left feeling that basic rights were no longer protected, either by the state, or via the law. Moreover, she was offended that a lack of citizenship could be equated with a small sum of money because she felt that

certain rights should be provided without the involvement of monetary exchanges, or a need to ‘claim’, which reflected the sentiments of many respondents in this study.

### Is the legal advice received useful?

The preceding discussion has shown the problematic nature of legal advice received when it does not necessarily offer adequate resolution of a problem. In addition, the legal advice obtained informally (for free) was often from law students, most of whom had not yet completed their legal training. The provision of free legal advice by students was also evident in the research locale where free legal consultations were provided by *Obshchestvennoe sodeistvie*, but primarily for males seeking advice on how to avoid conscription into the army (see Chapter 3, and also Dudyrev & Malkov, 2002). Free legal advice was also available through the crisis centre *Luch’ nadezhdy*, but as others have observed, demand for these services often outstrips provision, and the advice is not always from qualified lawyers (Hemment, 2004). Women’s access to legal advice through organisations was also limited where respondents did not describe their own problems as fitting with the ‘crises’ that the services dealt with (Interview with director psychological services, Regional Centre for social-psychological assistance for the family and children, Ul’ianovsk October, 2005)<sup>112</sup>.

In addition to a reliance on accessing legal advice through friends with some level of legal training, differing perceptions of what constituted a legitimate rights claim continued to be informed by the ‘Soviet social contract’ (Cook, 1992; Wegren, 2003). A family lawyer interviewed in this study felt that this struggle over the legitimacy of Soviet and post-Soviet rights claims meant that many people had unrealistic expectations of what could be claimed as a ‘right’ because of confusion over what constituted a ‘legal entitlement’ in the contemporary period,

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<sup>112</sup> For a discussion of the provision of crisis centres for women, see J. Hemment, ‘Global Civil Society and the Local Costs of Belonging: Defining ‘Violence Against Women’ in Russia’, *Culture & Society*, 29 (3) (2004): 815-840. See also, R. Kay, ‘Working with Single Fathers in western Siberia: A new departure in Russian Social Service Provision’, *Europe-Asia Studies*, 56 (7) (2004): 941-961 for details of the innovative crisis centre for men in Barnaul.

We have rights to all kinds of things, to life, to work, to rest, and they are all inter-related. However, it is not the case that all these categories of rights come up as claims processed through the courts. People cannot appeal to the courts on many types of problems [...]. In recent years there has been an increase in propaganda that says Russian people have become more aware of legal processes. However, this is a complex procedure and not many people actually know *how* to access and use it [...]. Although, it is good that in the past few years' people are more willing to appeal to lawyers and to have legal consultations, which was difficult before (Family and civil defence lawyer, 36 years).

From the analysis of readers' letters outlined in Chapter 3, it was clear that understandings of legal entitlements, and expectations about what results the legal process can achieve, were often at odds with what was actually possible. This disjuncture between 'local' and professional understandings of the law is not unique to the Russian case (see for example Merry & Stern, 2005), but it could be argued that the fundamental redefinition of state and society's rights and responsibilities that have taken place during the period of transformation make this disjuncture more pronounced (Buckley, 1993). As was shown in Chapter 3's discussion of readers' letters to the legal advice page '*Pravovaia neotlozhka*' in the magazine *Sel'skaia nov*', this disjuncture in understandings of legal entitlement and expectations of the process often results in individuals seeking clarification, or 'double-checking' the legal advice received. As the independent legal system in Russia is still evolving (Goldston, 2006) the lawyer cited above explained how she also felt she was continually playing 'catch-up' with changing legislation<sup>113</sup>. She described this as one of the most stressful elements of her job, as it could result in clients receiving incomplete or inappropriate advice<sup>114</sup>. Moreover, the lawyer cited above went on to say that, although the respondent was a qualified lawyer

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<sup>113</sup> For a discussion of similar findings from interviews with Russian advocates see, P.W. Brown, 'Russian Women Lawyers in Post-Soviet Russia', *Georgia State Law Review*, 12 (1995): 381-430, and P. A. Jordan, *Defending Rights in Russia: Lawyers, the State and Legal Reform*, (Vancouver: UBC Press, 2005).

<sup>114</sup> This is not only an issue of concern for Russian citizens, as a recent article in the Guardian newspaper in the UK advising readers' to check all legal advice received demonstrates. The article also raises the question of value for money, which was a concern raised by many respondents in this study. See, 'Soliciting sound legal advice', *Guardian Unlimited*, October 26<sup>th</sup> 2006.



who knew her rights, in everyday practice she attempted to avoid the use of legal processes wherever possible,

There is a kind of illness among lawyers; we know all our rights, but when we think about how we might realise these rights, we often give up the legal route because this is such a long-drawn-out process (Family and civil defence lawyer, 36 years).

The lawyer acknowledged that the time involved in making a legal claim meant that it is often not appropriate for the types of rights issues encountered in everyday life, particularly if related to the lack of enforcement of social and economic rights. Thus, framing rights only in terms of current legal entitlement excluded many of the problems respondents' talked about in terms of rights violations as a result of the loss of previously held Soviet social and economic benefits (see Chapter 5). Whilst clarification of current entitlement through legal advice and information may combat some of the confusion (although the evolving nature of legislation can make such clarification difficult), it did not address the serious problems that many people continue to face, and left respondents' feeling abandoned. At a more fundamental level, a nineteen-year-old student summed up the lack of confidence in ability to claim even legally enshrined rights,

No one is bothered about the courts because the legal process has no practical application whatsoever. So you can go along with all your pieces of paper, have everything investigated and receive an official resolution. However, you can't actually make use of this resolution (Cultural studies student, 19 years).

## Legal approaches as a last resort

The discussion thus far has focussed on respondents' experiences of accessing legal advice informally. Within this discussion, respondents also talked about the use of legal approaches as a last resort, and that obtaining advice informally offered a means to avoid some of the costs associated with making a formal legal claim. However, analysis of the interview data revealed that respondents *without* access to informal networks and sources of legal advice were most likely to attempt to make a legal claim, mainly because they did not have alternative resources to call upon. The next section of this chapter considers the implications for women pursuing legal claims where they have to incur all the costs without alternative sources of support. The zero-sum choice facing women without access to informal networks when attempting to claim rights was summed up by a self-employed *matrioshka* artist. She felt that without access to networks, the available means for resolving problems were to either 'live through it', or to have a legal consultation,

In what way could I resolve problems? Just get on with it – be patient and live through it.

*V: Just live through it?*

Well yeah, just get on with it, or try and fight against it in some way. Probably like that, or else if you have the financial means, then go see a lawyer (Self-employed *matrioshka* artist, 33 years).

Approaching a lawyer for legal advice was thus framed as a last resort where no other resources were available. While it could be argued that the respondent offered the example of seeking legal consultation as she thought this is what I would be interested in, the number of respondents who expressed similar opinions suggested that legal approaches were a last option, and even the only option for respondents without access to networks. A

nursery assistant in her early forties explained a similar hierarchy of approaches to claiming rights, starting with close family or friends, and then court

If you don't have any major problems, then you start by approaching relatives for help. I would go to my parents or my sister for help first. If they can't help then I would try my acquaintances, and if you still don't get a result, then court (Part-time nursery assistant, 41 years).

While it is not unusual or unique to the Russian case that women use legal means as a last resort, it could be argued that fewer women have confidence in their ability to realise their rights in the Russian context. For example, Merry has argued that although women in the United States and in Hong Kong pursued a legal claim in the last instance, they were initially confident that this would result in an effective resolution of their problems (1986; Merry & Stern, 2005). Despite respondents' discussions of the potential use of legal claims as a means to resolve problems, they were largely pessimistic about the likelihood of a successful outcome, even in hypothetical discussions. The focus on the provision of legal advice in the media does serve an important function in informing people of important changes to their entitlements that will have a huge impact in their lives. It is necessary to equip people with the information required to make legal claims. Yet, as the following discussion of respondents' negative experiences of the legal system indicates, the promotion of legal literacy agendas and the use of rights-based approaches may not be empowering for women.

### **Respondents' experience of the legal system: 'Empowering', or just disappointing?**

It may be that many respondents continued to identify legal claims as a potential means to resolve problems as they were thinking about the process hypothetically, or had only made initial inquiries for legal advice informally. The following section contrasts these perceptions with those from respondents who had experienced the process of making a legal claim formally. The discussion in this section analyses an

interview with one respondent, a single mother, who had attempted to claim for maintenance after divorce. However, this respondent's experience was representative of that of a group of single mothers who I interviewed on the suggestion of another respondent (see discussion in Chapter 1). Most of the respondents in this group of friends had made legal claims for child maintenance, but the respondent cited in this section spoke at most length on the issue, and her narrative and material situation best illustrated the main concerns identified by the other respondents with similar experiences.

A single mother in her mid-thirties told me about her attempt to use the legal process to resolve a dispute over residency after divorce. The respondent and her daughter had been living with her husband's mother, but after the divorce they were both threatened with eviction<sup>115</sup>. As a result, the respondent undertook a legal claim that she hoped would enable her and her daughter to remain in their 'family home' and also to obtain maintenance payments for her daughter. However, the legal claim had not resulted in a resolution of the problem and at the time of the interview, the respondent was sharing a two-roomed flat with three students. She was unemployed and trying to establish a dressmaking and alterations service. As a result of the loss of the family home and lack of maintenance, her daughter was living with grandparents in another town, which involved a 14 hour train journey to see her. Given, the disastrous turn of events for this respondent, I was keen to explore further what had motivated her to go to court in the first place,

I went to court simply because I got into a situation where I had to – although you may ask why, since you see how I'm living now. I thought that by going to court I would have been able to resolve my problem by lawful means; attempting to resolve it informally had just resulted in even greater problems. I thought the court would be able to achieve some kind of compromise, and resolve the problem. No one else wanted to go through

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<sup>115</sup> It is common for couples to live with their in-laws after marriage due to the shortage of affordable housing for young families. This can clearly create problems when marriages breakdown. See Hemment, 2004 for a discussion of how the shortage of housing impacts on women experiencing domestic violence. For a discussion of the impact of Soviet housing policy and planning in the contemporary period see, L. Attwood, 'Housing in the Khrushchev era', in M. Ilic S E. Reid & L. Attwood (eds.) *Women in the Khrushchev Era*, (London: Palgrave, 2004).

this process, but I felt that given my predicament, I had to do it (Unemployed single mother, 35 years).

It was clear that the respondent felt she had no alternative sources of support, which is a common problem for women experiencing family breakdown. Without family support and a place to live, the respondent had no choice but to go to court. There was also a sense that the respondent felt that the court was bound to intervene in the situation, which may tie in with discussions at the beginning of this chapter about the legacy of Soviet state interventions in the event of divorce and family breakdown previously (see also, Field, 1998). However, the nature of the legal system combined with the privatisation of women's rights claims has resulted in the need to reduce complex interpersonal disputes into impersonal legally defined issues. As Merry & Stern (2005) have shown in other contexts, this translation of a highly personal and emotional issue into legal jargon often results in confusion and frustration for the women involved who feel that the key issues affecting them had been 'glossed over' or ignored. In addition, the continuing evolution of the legal system and legislation discussed above often results in changes to legislation over the same period of time as the court case (Jordan, 2005). The single mother cited above explained that,

I considered and read all the laws relating to my case before I appealed to the court, so that I was sure it was the right thing to do. However, recently there have been changes to several of these laws [...] if I had processed my claim according to older legislation, and then there is more chance I would have won (Unemployed single mother, 35 years).

What is most surprising about this case study example is that the respondent had actually 'won' her case. While, not able to remain in her mother-in-laws flat, the official ruling ordered that her ex-husband pay maintenance for their daughter. However, the respondent felt that the ruling had not been enforced, and winning her case 'had not resulted in the meaningful resolution of her problems and had actually worsened her situation. The lack of enforcement of rights in such cases is of course not

unique to the Russian case and the problems with the lack of enforcement of women's rights at all levels has been noted in the literature on women's human rights (O'Hare, 1999; Tang, 2000; Nash, 2002; Friedman, 2003). However, the risks involved in pursuing a legal claim without guaranteed enforcement may be higher in the Russian context where there is no provision of free legal aid and a lesser degree of social welfare support for single mothers, than for example in the United Kingdom. Failure to reach a resolution of the problem not only left the respondent in a desperate position, but also had the longer-term impact of reinforcing negative perceptions about the promise of rights, and the inability to realise rights protection even when backed by a legal ruling.

Negative experiences of legal claims were passed on to friends, which deterred others from attempting to use the process. The self-employed matrioshka painter cited earlier in this chapter reflecting on the potential use of legal approaches as a last resort also referred to her friend's negative experience as a reason why she would not make a legal claim. A PhD student made similar references to the negative experiences of friends and neighbours. They said,

Well, I have been to court with my friend, and even in the court nothing was done properly. They just seemed to wash their hands of her. Well, maybe she didn't have a very well qualified lawyer. Perhaps if she had found herself a better-qualified lawyer, then it would have been more successful. But for that, you need the financial means... (Matrioshka artist, 33 years)

We see from the experiences of our friends and neighbours that to attempt to protect your rights, or to appeal to the court is absolutely pointless (Physiology PhD student, 24 years).

These extracts again emphasise the lack of confidence in the level of assistance legal claims can offer as they are not easily accessible, advice is often perceived as unreliable

and the law is not seen to be enforced. Therefore it is pertinent to ask again, given the perceived 'remoteness' of human rights and the negative perceptions of legal claims, whether respondents were able to access human rights claims? This in turn questions the value of the uncritical promotion of women's human rights discourses in such transitional contexts.

### **Who appeals for Human Rights protection?**

It has been argued that the rise of human rights discourses has created the potential for global citizenship where all citizens have recourse to the same level of protection under international law (Yuval-Davies, 1999), and appeals to human rights can be used to obtain resolution where nation states fail to uphold international law (Shafir & Brysk, 2006). In western Europe, there have been an increasing number of high-profile cases of citizens' seeking redress at the European Court of Human rights where resolution at nation state level has not been possible, particularly in pursuit of issues that have been previously defined in the west as personal or private matters (Plummer, 2001). Indeed, the potential for Russian citizens' to appeal to the Russian Constitutional Court, and even the European Court of Human Rights (ECHR) was shown in Chapter 3, where the local press reported on Russian citizens' appeals to the ECHR on a variety of issues. However, among respondents, appeals to the ECHR were generally regarded as being reserved for dealing with 'more serious' problems than everyday civil cases, and claimants of human rights were viewed with suspicion (similar trends are also evident in UK press discourses). Respondents were therefore sceptical about the possibility obtaining a resolution of individual problems at the international level. A twenty-four year old PhD student explained that while some Russian non-governmental groups had been successful in claiming human rights, this was exceptional,

The certainty that you will win your battle is really low. Even in court, there is no guarantee. Many people therefore just don't appeal because they know that they will not be able to use [their rights], or that the situation will even become worse [...] Often Russians will appeal to the European Court because our courts can't resolve the problem. You can use this because all

are united – for example we see this from the Soldiers Mothers – they resolved a lot of problems because they united. To do it alone is really difficult and therefore people don't appeal (Physiology PhD student, 24 years).

This discussion is interesting because the European Court was brought into the discussion without being prompted, which suggested a level of awareness. Yet, the respondent clearly associated international human rights claims as relating to specific issues that were considered legitimate, such as instances where a group appeal could be made. This reinforces the findings in Chapter 4 that showed the association of human rights with particular forms of rights violations. Negative perceptions of claimants' appealing to human rights in everyday matters, framed as 'attention seekers, suggested that the cases deemed as appropriate human rights claims were for people in circumstances where they lacked access to informal networks and support systems that most respondents relied on in everyday life. Thus, problems defined as 'serious' are those, cannot be resolved within informal networks and therefore require additional means of resolution. However, as also argued in Chapter 4, human rights are gendered as issues considered as legitimate human rights claims focussed on cases where the victims were most likely to be male (in the official public sphere and state institutions). Moreover, the discussion of the respondent making a legal claim above was not framed as a human right issue, rather as a personal dispute despite the seriousness of the situation for that respondent.

The perception that human rights claims were legitimate for those unable to act individually was reinforced in discussions with the lawyer interviewed for this study. During the interview, the respondent began asking me about the specific focus of my research questions. I explained that I was interested in women's perceptions of human rights, and the respondent then shifted the discussion to talk about the role of the ECHR in addressing the poor conditions in Russian prisons,

I just wanted to check [what your project was about], because I deal more with civil cases, and have only just started taking on criminal defence work. In Russia we have terrible problems with the conditions of prisoners [...] if



a person ends up in prison here then they lose all their rights – they don't even have the basic conditions of survival. In prison there is bad air, poor food, clothing and a lack of medical attention. In there you learn that rights depend on the provision of these basics from your relatives [...] people come out of prison emotionally crippled because there are such terrible violations. We try to help, but officially there are no such problems. I have no problem accessing my clients, but there seems to be nothing I can do to improve the conditions for them. In order to do that, I would have to appeal to the European Court. But that's a really long process and by the time it would take, the person would probably be released from prison and not want to continue fighting for their rights, because they don't need to anymore (Family and civil defence lawyer, 36 years).

I interpreted this as her attempt to make clear to me the distinction she saw between 'everyday' or 'civil' cases and criminal and human rights cases. When asked whether she had any experience of taking cases to the ECHR, the lawyer argued that while human rights provisions were seen as another level of rights to be potentially accessed, ultimately it didn't matter as rights have to be realised at the national, or even local administrative level,

V: And have you heard of many cases of people appealing to the ECHR?

Well I have in the legal case literature. Quite a lot of people appeal, and for the most part they appear to gain a positive response from the European Court. However, even with that level of resolution there is very little a person can do to put it into practice in Russia

As with domestic legal cases, a positive court ruling at an international level was perceived to be ineffective in guaranteeing the resolution of problems in practical terms. That nation states are responsible for enforcing human rights resolutions granted against them represents one of the 'fundamental paradoxes' of human rights claims (Balfour & Cadava, 2004). Ultimately, respondents lacked faith in their ability to access rights in

everyday life, regardless of what level the court resolution came from. This lack of faith in a guaranteed outcome may be more pronounced in the Russian context where the federal system of governance results in huge variances in local administrations' budgets, and many rulings are not implemented because of a lack of resources to ensure their provision. In addition, uptake and access to information about international, federal and local commitments to legal provisions also vary, as does the training and attitudes among legislators, judges and local administrative staff, which can result in cases being rejected even where they have legal grounds (ABA, 2006).

As the discussion of the reporting of legal claims in the local press outlined in Chapter 3 showed, the local press emphasised the need to go through each level of the system, often unsuccessfully, rather than presenting a positive message about the potential for a guaranteed outcome. As respondents' consistently highlighted the lengthy nature and resources required in order to make a legal claim, it was unlikely that they would have the time or financial resources to move beyond the local court systems. Thus, while local legal rulings were not upheld, respondents were unable to make use of human rights provisions and were excluded from this potential avenue for redress. This implies that for the respondents in this context, the promotion of women's human rights was in reality disempowering.

## **Conclusions**

Despite negative perceptions of the legal system, many respondents continued to consider legal rights claims as a potential route to problem resolution in everyday life. The promotion of rights-based approaches and legal advice in the media appeared to be increasing respondents' awareness of legal approaches, although it also provoked ambivalent perceptions. Respondents' consideration of legal rights claims was not however, indicative of the development of the empowerment of women through increased legal literacy and rights-based approaches as has been conceptualised in relation to other transitional societies (for example, Kabeer, 1999; McCauley, 2002). Confusion over what constituted a legitimate legal claim remained a key barrier to respondents attempting to negotiate the shifting definitions of rights and the processes of claiming rights in the post-

Soviet period. As a result of this clashing of Soviet/post-Soviet perceptions of rights and legal entitlements, the legal advice received was often of limited use. Moreover, respondents were wary of the quality of legal advice. In this study, rather than legal advice enabling women to make a legal claim, in some cases it actually served as a deterrent where the negative aspects of the process were highlighted. It could not be interpreted either that this represented respondents ability to make an 'informed' choice about the appropriateness of legal claims as women who had exhausted alternative approaches, or were without access to informal networks, were forced to make legal claims, even when uncertain about the benefits of the outcome.

Respondents' using legal approaches were often in a most vulnerable position and disappointment in the outcome at this juncture can be most damaging, financially, emotionally and in some cases physically if family breakdowns result in loss of home. Whereas women in the Soviet period received some form of public redress in legal claims on these issues, in the post-Soviet period, the privatisation of women's rights and the changing nature of the state continue to enforce individual responsibility for welfare. It seems likely as a result of the social and economic transformations of the post-Soviet period, that there will be an increasing number of women facing such 'last resort' scenarios. This raises serious doubts about the potential promise of rights-based approaches, based on the promotion of legal literacy, for ensuring the protection of women in the Russian context. In light of these findings, international efforts to ensure the substantive improvement in women's position in society via the provision of information and advice about legal rights must be re-assessed.

## Conclusions

Feminists conducting research on women's empowerment in a variety of contexts have argued that despite the increased promotion and formal commitment to women's human rights as a means to achieve global gender justice, women's position in many societies has worsened (Molyneux & Razavi, 2005; Moser & Moser, 2005; Walby, 2005). This thesis began by highlighting the tension that exists between the promotion of human rights discourses and claims about the empowerment potential of rights for women in a context of global neo-liberal policy reforms. The thesis argued that neo-liberal policy reforms and human rights discourses have particular local articulations, and are understood in relation to existing local rights cultures. In order to assess the promise of human rights and rights-based approaches for women, it was therefore important to understand how these norms were perceived in everyday life as well as whether rights were accessible and upheld by the state and legal system.

The profound social and economic transformations that have occurred in Russia since the collapse of the Soviet Union have provided stark examples of the negative impact of neo-liberal reforms for women. This provided an ideal case study location in which to explore the potential of rights to empower women. In addition, the strength of pre-existing Soviet rights discourses and legacy of the Soviet Union's legalistic culture offered insights into the multiple ways in which different rights discourses were understood and legitimised in the local context. By foregrounding women's perceptions of a range of rights discourses and approaches to claiming rights, my research generated insights into the cultural and practical (political and economic) constraints determining which issues were designated as legitimate rights claims for women, which in turn determined the means of accessing rights. While this thesis has demonstrated that respondents were active in talking about and attempting to claim rights, access to rights was contingent on a number of factors. In this concluding chapter, I highlight the key research findings of the thesis and discuss their contribution to existing conceptualisations of women's empowerment and use of rights-based approaches.

The thesis has shown that in the case study location, Soviet prioritisation of social and economic rights continued to hold legitimacy alongside ‘post-Soviet’ and ‘western’ understandings of human rights as civil and political freedoms. This resulted in multiple perceptions of human rights, women’s rights and rights and their association with particular kinds of rights claims. The analysis of readers’ letters and local press discourses discussed in Chapter 3 indicated that these multiple perceptions of rights co-existed and created tensions at the local level, creating various forms of accessing and claiming rights. The existence of multiple rights discourses and approaches to claiming rights demonstrated in this case study serves to undermine previous theorising that Russian citizens ‘lack’ of understanding of human rights resulted in a dismissal of attempts to claim rights. Rather, the discussion of respondents’ use of various rights terminologies in Chapter’s 4 and 5 highlighted how respondents’ largely understood rights in terms of *disempowerment* reflecting on the ‘loss’ of previous social and economic rights and also the failure of ‘new’ rights to offer adequate protection. This finding contrasts with existing studies in transitional societies that have argued the uptake of human rights discourses as been viewed as a ‘gain’ and potentially transformative. Thus, the thesis offers a critique of conceptualisations of empowerment that argue providing women with education about rights and rights-based approaches can result in realisation and transformation. That rights exist, both a discursive resource, as well as a legal entitlement to be claimed must be made explicit in order to show that talking about rights does not necessarily demonstrate an intention or ability to claim rights.

The gap between the discursive potential and reality of claiming rights is even more apparent in a context of retreating state responsibility. The fundamental paradox that rights have to be upheld and protected by the state remains a key barrier to many women’s access to rights-based approaches. As a result of the redefined role of the state in the post-Soviet period, the forms of agency available to women in attempting to access protection were primarily informal.

The cultural reasons behind the continued use of informal networks in the post-Soviet period, particularly by women have been well documented (Ledeneva, 1998; Burawoy et al, 2000; White & Pickup, 2003; Ashwin & Yakubovich, 2005). While cultural norms informed respondents' use of informal networks in this study to some extent, it was structural constraints, particularly the retreating role of the state, that led respondents to use informal networks for a wide range of activities, including attempting to access rights. Chapter 5 showed that respondents' perceived having contacts within the local administration as essential in order to access 'formal' processes of claiming rights. For respondents without such contacts however, informal approaches were seen as entrenching unequal patterns of access to 'basic rights', which was views by many respondents as 'immoral'. Respondents' therefore understood a lack of state intervention as a rights violation, which differs from neo-liberal conceptualisations of human rights that emphasise freedom from the state. While realising rights informally could be interpreted as 'empowering' for women with access to the networks in the short term, informal patterns of access entrench exclusive patterns of access to 'rights' in the longer term, which further exacerbates women's structural inequality and undermines the potential of rights to offer universal protection.

In addition to contacts within the local administration, some respondents used informal networks to access legal advice. While this highlighted respondents' adaptability in negotiating shifting modes of entitlement and access to rights, legal advice received through informal networks was generally ineffective in enabling respondents to claim the rights protection they were legally entitled to. In some cases this was due to the incomplete nature of the advice received, but in the majority of cases the need for monetary and time resources to claim rights was the major barrier. Given these constraints, it appeared that respondents' access to formal approaches for claiming rights was highly dependent on access to informal contacts. However, the thesis found that it was precisely the respondents without any informal sources of support that were most likely to attempt to access legal means of accessing rights.

Rather than interpreting this as signifying the empowerment of women, the analysis of the experience of making a legal claim outlined in Chapter 7 showed how this process can have hugely detrimental effects. This was not only because of the financial, emotional and time costs involved, but because the social and economic protection often sought were no longer fully upheld by the state, and even a successful ‘court ruling’ was insufficient to enforce individual and private responsibility, such as the payment of alimony. Thus, the promotion of legal literacy and rights-based approaches in a context without sufficient state and legal support, for example in the provision of free legal aid, sets a dangerous precedent for women without alternative material or emotional forms of support. Theorising the empowerment potential of legal literacy must therefore also explore more fully women’s differing motivations for pursuing legal rights claims, as this thesis has shown it is often out of desperation, rather than the result of an informed and beneficial choice.

Moreover, the specific promotion of ‘human rights’ for women may actually be disempowering for women in contexts where human rights discourses are not associated with the problems women identify as relevant to their everyday lives.

#### The privatisation of women’s rights claims and women’s responsibility for claiming rights

Chapter 5 showed how human rights were perceived as ‘remote’ from everyday life and predominantly related the official public sphere and violations occurring against men. While the gendered nature of human rights discourses has been highlighted by many feminist scholars, the lack of legitimacy of human rights claims for women was particularly problematic given the backlash against claims made with reference to ‘women’s rights’ in the post-Soviet period. Despite the increased commitment to gender equality and international human rights protection for women in Russia discussed in Chapter 2, official state re-conceptualisations of gender ‘equality’ as unnatural in the post-Soviet period has resulted in the removal of ‘special’ rights protection for women.

This has resulted in women having more rights ‘on paper’, but being unable to access them in reality.

The discussion of attitudes to gender equality and discrimination in Chapter 5 showed that respondents on the one hand rejected the need for ‘special’ rights protection for women, but simultaneously recognised rights violations affecting women as related to structural gender inequalities, such as discrimination in employment and the rise of ‘neo-traditional’ attitudes towards women. However, respondents’ argued that the strength of cultural norms, combined with the relative weakness of state commitment to uphold women’s rights in these instances, made attempts to claim these rights meaningless and even counter-productive. Respondents were forced to take on individual responsibility for ‘coping’ with the consequences of structural gender inequalities, which resulted in a lack of access to the extensive formal legal provisions for gender equality and also to material insecurity.

In this case study, the promotion of human rights was perceived as offering ‘special’ protection to men experiencing specific kinds of rights violations, for example in the military, prison, or in high politics. The perception that human rights were less relevant to women’s everyday lives appeared to contradict respondents’ sense that women were more likely to experience rights violations. This important finding demonstrates that if human rights are to be empowering for women, they have to be made available and made relevant to the problems women identify as important rights issues for themselves, rather than as top-down interventions on behalf of ‘victims’ of particular kinds of rights violations.

### **Moving beyond the case study: revisiting conceptualisations of women’s human rights**

This thesis has presented findings from a case study of women’s perceptions of human rights in a provincial Russian city. While the thesis has highlighted the specificities of



women's experience of human rights in everyday life in contemporary Russia, the findings can be used to reflect on existing theorising of women's human rights by offering critical perspectives on the 'global' promotion of human rights. The unique transitional context of post-Soviet Russia has highlighted some of the tensions inherent in the underlying assumptions about what human rights means and also how rights are accessed.

The findings have contributed to debates within areas studies, representing a shift from accepting human rights norms as a desirable 'given'. By giving primacy to local understandings of human rights, the thesis has highlighted how human rights are often not defined in the same terms as macro-level debates about human rights that have prioritised civil and political freedoms. Moreover, the thesis has shown that Russian citizens are aware of human rights and are not simply rejecting human rights norms due to a 'Soviet mentality', rather certain rights are prioritised in response to the negative consequences of neo-liberal reform and shifting definitions of what constitutes a legitimate rights claims. In addition, the thesis has made explicit the gendered nature of human rights discourses and also the gendered application of rights and the processes of claiming rights, which has been largely absent from existing analyses of human rights in the Russian context.

In a similar vein, the thesis has made a contribution to conceptualisations of the continued use of informal networks in post-Soviet society. While cultural explanations were a factor, this thesis has emphasised the structural influences on women's continued use. While women continue to use networks as an important source of emotional support (Kay, 2000; Ashwin, 2006) and as a livelihood strategy (Pickup & White, 2003; White, 2004), this thesis has shown that some women are also using informal networks as a pathway to formal processes. Although the thesis highlights women's agency in such attempts to negotiate shifting rights discourses and processes of claiming, the thesis's analysis of attempts to claim rights via informal networks has highlighted the problematic nature of informal approaches for women, which has been less evident in other analyses.

The findings have also generated insights for global feminist theorising of the promise of human rights for women. The key contribution of the thesis has been in unpacking women's understandings of human rights and legal literacy to show that claims about the universal application of human rights for women miss important nuances in perceptions of rights that determine access to rights. The thesis has shown that women often do not claim rights, not only in instances of lack of awareness of their rights, but more often because considerations of the structural and cultural constraints make particular rights and rights-based approaches either illegitimate or inaccessible for women. The thesis has stressed the importance of defining women's human rights 'from below' in order to make their potential relevant to women's understandings of their own lives. This is not to deny the importance of outreach or support work on specific instances of women's human rights violations such as domestic violence, rather to argue for a more inclusive approach to the conceptualisation and promotion of women's human rights (existing studies of crisis centres in Russia have argued similarly, see for example Hemment, 2004a and Johnson, 2005). As issues of domestic violence often remain 'taboo' for public discussion, they may be related to violations affecting 'other' women, there needs to be an accommodation of social and economic rights within human rights discourses in order to make them relevant to women experiencing the negative consequences of neo-liberal reform.

At a basic level, the thesis contributes to existing feminist critiques of the constraining impact of neo-liberal policy reform on the empowerment potential of human rights for women. Feminists have argued that redefinitions of the role of the state have resulted in the 'privatisation' of welfare, which has had particularly negative effects for women who largely have differential levels of access to the market to men due to women's additional caring responsibilities (Lister, 1999; Elson, 2002). In the post-Soviet context, women's access to the market is important in accessing rights, but this thesis has shown that women's ability to ensure their welfare through access to the market is doubly contingent. In the post-soviet context, access to employment is mediated by access to informal networks (see also, Szalai, 2006; Ashwin, 2006). While feminists in other contexts have highlighted the importance of networks as a source of agency for women, this thesis has shown the highly problematic nature of informal agency because of

women's differential levels of access to networks and also to different types of networks.

In light of these findings, and before moving on to a discussion of potential areas for further research, it is worth asking again whether human rights hold any promise or potential to empower women given the constraints presented in the thesis. What can be stated with certainty is that at the end of this thesis, the question remains unresolved. However, I remain optimistic and committed to the promise of rights for women as they are an important legitimising discourse, which is vital where cultural and economic conditions are removing women's rights issues from the political agenda, not only in Russia, but globally. The importance of rights as a legitimising force can be seen in respondents' continuing discussions of rights and attempts to claim rights despite lack of access and confidence in the outcome. Respondents' attempts to negotiate the changing and contingent nature of access to social and economic rights in the post-Soviet period were also highlighted in the uptake of legal claims. Negative outcomes of legal approaches notwithstanding, this case study has shown that the constraints on women's access to rights lies within artificial categorisations of human rights that emphasise civil and political freedoms, and in the neo-liberal structural reforms that determine how rights can be exercised, rather than a lack of willingness among women to make rights claims. Thus, the importance of rights for women remains in making their claims visible and political.

### **Areas for further research**

While the findings from the thesis have made a unique contribution to analyses of women's human rights in the Russian context and beyond, three areas for further research have emerged which would strengthen my contribution to feminist theorising of the promise of rights-based approaches for women. Specifically, the interest in the potential of legal approaches as a means to access rights, despite the negative consequences for women particularly those without alternative sources of support, warrants further research.

### Legal literacy and women's use of legal claims

Further research into legal literacy and legal approaches is important as the thesis has revealed tensions within existing theorising of women's access to human rights. While the thesis has shown that respondents were generally aware of rights, confusion over which rights now constitute 'legitimate' claims and what legal claims can offer, remained an important cause of disappointment and disempowerment (through loss of time, money, material security) for respondents. Yet, despite the profoundly negative consequences of even 'successful' legal rulings, legal rights claims may become more important and an 'only option' for women. Individual responsibility for welfare is likely to increase as state protection diminishes; the nature of informal networks shifts and women's rights remains a 'non-topic'. Also, the motivations of respondents in this study for making legal claims seemed to fit within wider norms that depict women as individually responsible for 'coping' and 'resolving' problems. Conducting additional research that includes an extensive review of the outcomes of legal claims made by women as well as conducting a series of interviews with lawyers, organisations providing legal advice for women and the female clients of these services would generate deeper insights into why, despite the cultural and structural constraints to legal approaches, women are pursuing this means.

The research findings presented in this thesis add an interesting counter-balance to the concentration of conceptualisations of women's agency in the post-Soviet period as located in informal networks and the private sphere. While informal networks provide important sources of emotional and psychological support, women's use of these strategies remains highly problematic, particularly for accessing rights. This thesis has shown that for women without material means to provide social and economic welfare for themselves and their families 'privately' through access to the market, formal claims to rights protection are important, and thus women's agency in 'formal' approaches requires additional research.

## Perceptions of ‘crisis’

The finding that women without sources of informal support were the respondents most likely to make a legal rights claim also indicated the need for a wider understanding of ‘crisis’ and also how ‘rights violations’ were variously perceived by women. The research questions for this thesis were designed with the aim of moving discussions of women’s human rights beyond internationally defined ‘crisis’ issues and human rights violations in order to highlight women’s agency, not only in claiming rights, but also in ‘naming’ and identifying the rights violations pertinent to their everyday lives. A study comparing the naming of certain issues as women’s rights violations with interviews with women’s experiencing and seeking intervention in the event of such violations could generate insights into the relative experience of ‘crisis’. This would also offer insights into the processes by which women’s rights have been re-inscribed as ‘private’ issues, and whether women in Russia are considering practical or strategic gender interests. If women are claiming rights to resolve practical gender interests, conceptualisation of the role of claiming rights in empowering women must be investigated further.

## The gendered nature of rights discourse and access: a pilot study of men’s perceptions of human rights

The lack of public discussion and naming of women’s experiences of rights violations as such was related to a backlash against ‘equality’, but also to the re-inscription of women’s role in the private sphere as primarily responsible for the family, household and the resolution of ‘everyday problems’. This represented a tension, whereby respondents’ perceived themselves as more likely to be responsible for claiming rights, whilst at the same time more likely to experience a lack rights protection, particularly in instances of gender-based discrimination. Respondents primarily talked about claiming social and economic rights, particularly access to welfare entitlement, which were perceived to affect the ‘whole of society’. While respondents may have benefited from successful social and economic rights claims materially, the burden of negotiating both

the informal and formal processes necessary to gain access rights without guaranteed result was significant. I remain committed to a feminist research agenda that highlights the gendered impact of neo-liberalism and the promotion of selective human rights discourses for women. Yet, respondents consistently identified men as the main recipients of human rights protection and this in itself requires further investigation if we are to understand whether human rights can become empowering for women in this context.

In order to further unpack the gendered nature of rights discourses and the impact this has on legitimising certain forms of rights claims for women and men, conducting pilot research exploring men's perceptions of human rights and rights-based approaches may offer additional insights. Many existing studies have documented human rights violations that predominantly affect Russian men, for example in the army or prison (Amnesty International, 2003). In addition, recent research into the gendered nature of transition has focussed on men's experiences and demonstrated that 'working class' men who have lost 'breadwinner status' have become marginalised in society and also in the home, often to devastating effects on their physical and psychological well-being (Burawoy et al, 2001; Ashwin & Lytkina, 2004). Other research has pointed to the increasing numbers of single fathers and the difficulties they experience in attempting to claim social and economic rights for their families (Kay, 2006). Equally, this body of research on men's experiences of transition has been careful to stress that at a structural level, men as an overall group (although it is problematic to treat men as an homogenous group) remain in a stronger position than women, for example in having access to more influential networks, being able to access better employment opportunities and experiencing less detrimental forms of gender discrimination (Ashwin, 2006). Nonetheless, this thesis has shown that while human rights were perceived as primarily relating to men and this had a detrimental impact on women, human rights remained associated with particular types of rights violations that may or may not be of everyday concern to men.

The thesis argued that the process of *claiming* rights was perceived as part of women's role in resolving family problems. In order to explore this gendered responsibility

further, analysing men's perceptions of rights and means of access would further illuminate how particular rights and particular forms of rights claiming become legitimised for either men or women. This would facilitate a more in-depth exploration of the gendered nature of human rights discourses and further problematise claims about the applicability of human rights for 'men' and 'women' in specific instances. Thus, the promise of human rights for empowerment and protection remains a central and unresolved tension at the centre of this thesis, and for conceptualising the promise of human rights for women on a larger scale. Understanding why certain rights are perceived as 'special' or pertaining to men would contribute to further interrogating how the empowerment claims of human rights for women can be realised.

## Appendix A

**Table 1:**  
**Respondents' level of participation in interviews and completion of questionnaires**

Respondent number	Interview 2004	Interview 2005	Questionnaire 2004	Questionnaire 2005 [1]	Questionnaire 2005 [2]	Questionnaire 2005 [3]
1	*		*			
2	*		*			
3	*		*			
4	*					
5	*					
6	*					
7	*					
8	*					
9			*			
10			*			
11		*		*		
12		*		*		
13		*		*		
14		*		*		
15		*		*		
16		*		*		
17		*		*		
18				*		
19		*		*		
20		*		*		
21		*		*		
22		*		*		
23				*		
24				*		
25				*		
26		*		*		
27		*			*	
28						*
29						*
30						*
31						*
32						*
33						*
34						*
35						*
36						*
37						*
38						*
39						*
40		*				*
41		*				*



**Table 1, continued:**  
**Respondents' level of participation in interviews and completion of questionnaires**

Respondent number	Interview 2004	Interview 2005	Questionnaire 2004	Questionnaire 2005 [1]	Questionnaire 2005 [2]	Questionnaire 2005 [3]
42		*				
43		*				*
44		*				
45		*				
46		*				*
47		*				*
48		*				*
49		*				
50		*				
51		*				
52		*	*			
53		*				
54		*				
55		*				
56		*				
57		*				
58		*				
59		*				*
60		*				*
61		*				
62		*				
63		*				
64		*				
65		*				
66		*				
67		*				
68		*				
69		*				
70		*				
71		*				
72		*				
73		*				
74		*				

## Appendix A

**Table 2:**  
**Respondents' age, marital status and number of children**

Respondent Number	Age of Respondent	Marital Status	No. of Children
1	20	Single	0
2	56	Married	2
3	27	Not Married	0
4	23	Not Married	0
5	53	Married	2
6	31	Not Married	0
7	20	Not Married	0
8	47	Married	2
9	48	Widowed	2
10	52	Married	2
11	24	Single	0
12	32	Single	0
13	59	Married	0
14	29	Divorced	0
15	37	Single	0
16	26	Single	0
17	65	Widowed	3
18	37	Married	1
19	56	Married	1
20	30	Married	1
21	26	Single	0
22	25	Single	0
23	43	Divorced	1
24	26	Married	1
25	32	Married	0
26	36	Married	2
27	50	Married	2
28	18	Single	0
29	29	Married	0
30	32	Married	2
31	53	Single	0
32	26	Married	0
33	21	Single	0
34	18	Single	0
35	17	Single	0
36	17	Single	0
37	-	-	-
38	23	Married	0
39	42	Married	0
40	25	Single	0
41	25	Single	0

**Table 2, continued:**  
**Respondents' age, marital status and number of children**

Respondent Number	Age of Respondent	Marital Status	No. of Children
42	23	Single	0
43	27	Married	1
44	60	Married	2
45	23	Single	0
46	55	Divorced	2
47	46	Single	0
48	25	Single	0
49	25	Single	0
50	27	Married	0
51	49	Married	2
52	41	Divorced	2
53	29	Single	0
54	37	Separated	1
55	33	Separated	2
56	37	Separated	1
57	48	Married	2
58	37	Divorced	1
59	18	Single	0
60	22	Single	0
61	27	Single	0
62	33	Single	0
63	19	Single	0
64	-	Single	0
65	25	Single	0
66	32	Divorced	1
67	22	Single	0
68	22	Single	0
69	49	Married	2
70	37	Married	2
71	58	Separated	2
72	51	Widowed	1
73	48	Married	3
74	23	Single	0

## Appendix A

**Table 3:**  
**Respondents' educational, professional and occupational status**

<b>Respondent Number</b>	<b>Education</b>	<b>Specialism/Profession</b>	<b>Current Occupation</b>
1	Higher	Sociology	Student
2	Higher	Programmer	Retired
3	Higher	Languages	Teacher
4	Higher	Sociologist	Researcher
5	Higher	Teacher	Retired
6	Higher	Biologist	Researcher
7	Higher	Sociology	Student
8	Higher	Geologist	Engineer
9	Higher	Teacher	Librarian
10	-	-	Manager
11	Higher	Psychology	Translator
12	Higher	-	Librarian (IT support)
13	Higher	Language teacher (French/German)	Librarian
14	Higher	Mathematics	Software designer
15	Higher	Teacher	Librarian
16	Higher	Psychology; Biology Teacher	Librarian
17	Higher	Librarian	Library Director
18	Higher	Librarian	Librarian (IT support)
19	Higher	History Teacher	Librarian
20	Higher	Psychology	Librarian
21	Higher	Teacher	Librarian
22	Higher	Biology Teacher	Physiology PhD student
23	Higher	Teacher	Librarian
24	Middle	-	Cleaner
25	Higher	-	Librarian
26	Higher	-	Librarian
27	Higher	Law	Librarian; part-time waitress in restaurant
28	Middle	Accountancy	Ice cream vendor
29	Higher	Teacher	Unemployed housewife
30	Middle	Music Tutor	Unemployed housewife
31	Higher	Teacher	Teacher
32	Middle	Music teacher	Self-employed music teacher
33	Middle	-	Museum Assistant, Folk education
34	Middle	-	-
35	Middle	-	Language assistant
36	Middle	Materials engineer	-

**Table 3, continued:**  
**Respondents' educational, professional and occupational status**

<b>Respondent Number</b>	<b>Education</b>	<b>Specialism/Profession</b>	<b>Current Occupation</b>
37	-	-	-
38	Higher	Journalism	Journalist
39	Vocational college	Journalist	Journalist
40	Higher	Bio-Ecologist	PhD Student
41	Higher	Primary Teacher	Journalist
42	Higher	Advertising	Research
43	Middle	Musician	Journalist; on maternity leave
44	Higher	Librarian	Librarian
45	Higher	Advertising	Assistant in PR & Marketing firm
46	Higher	Zoologist	University Lecturer
47	Higher	Librarian	Librarian
48	Higher	Physiology	Psychology lecturer
49	Higher	Oncologist	Oncologist
50	Higher	Psychology	Unemployed
51	Higher	Geography Teacher	Geography Teacher
52	Middle	-	Nursery assistant; part-time trainee beauty therapist
53	Higher	Russian Language and Literature	Teacher; free lance journalist
54	Higher	Russian Language and Literature	Market researcher
55	Vocational college	Marketing	Regional manager market research consultancy
56	Higher	Teacher	Private foreign languages tutor
57	Higher	Historian	University lecturer
58	Middle	-	Unemployed
59	Higher	Cultural studies	Student
60	Higher	Cultural studies	Student
61	Higher	Russian language and literature	Marketing and sales assistant
62	Middle	-	Self-employed matrioshka artist
63	Higher	Cultural studies	Student
64	Middle	Musician	Music tutor
65	Higher	Doctor	PhD Student
66	Vocational college	Lawyer	Lawyer
67	Higher	Cultural studies	Student
68	Higher	Advertising	Student
69	Higher	Teacher	Editor local magazine
70	Higher	Biology Teacher	University lecturer in advertising
71	Specialist	Engineer	Retired; trader

**Table 3, continued:**  
**Respondents' educational, professional and occupational status**

<b>Respondent Number</b>	<b>Education</b>	<b>Specialism/Profession</b>	<b>Current Occupation</b>
72	Higher	Mathematics teacher	Market researcher
73	Higher	Primary teacher	Teacher, on invalidity pay
74	Higher	Industrial Design	Student

## **Appendix B**

### **Sample Questionnaire**

#### **Pilot study June-July 2004**

My name is Vikki Turbine and I am a research student in the Department of Central & East European Studies at the University of Glasgow (Scotland). I am conducting research on the position of women in contemporary society, and in particular I would like to hear women's opinions of human rights. If you would be interested in discussing these issues further, or taking part in an interview, please contact me on (local telephone number), or at [v.turbine.1@research.gla.ac.uk](mailto:v.turbine.1@research.gla.ac.uk). Alternatively, supply your contact details on this questionnaire and I will contact you. Any information given on the questionnaire (and/or interview) will only be presented in an anonymous form. Please answer as many or as few of the questions below in as little or as much detail as you wish (feel free to continue overleaf). Additional comments and suggestions are most welcome.

**Thank you for your time and interest.**

#### **Personal details (optional)**

Age

Occupation

Marital status

Children

#### **Questions**

- What do you consider the most important issues or problems in your life
- Do you consider any of these issues to be 'women's issues'?
- How would you describe your position in society (economically, politically)?
- What does the word 'rights' mean to you?
- What do you consider as the rights of citizens?
- What do you understand by the phrase 'women's rights'?

- What does the phrase ‘human rights’ mean to you?
- It is said that rights in Russia are not protected. Do you think that your rights are protected at present?

**Any additional comments or questions are welcome**

**(You may continue overleaf)**

**Your contact details**

Name (first name only if you prefer):

Telephone (home and/or mobile):

Email address:



## **Appendix B**

### **Sample Questionnaire [1]**

**May – June 2005**

My name is Vikki Turbine and I am a research student in the Department of Central & East European Studies at the University of Glasgow (Scotland). I am conducting research on women's opinions and experiences of their rights. I am particularly interested to hear women's views on human rights and the role of rights in resolving everyday problems. The information given on this questionnaire will be presented as part of research in a doctoral dissertation. If you would be interested in discussing these issues further, or taking part in an interview, please contact me on (local telephone number), or at [v.turbine.1@research.gla.ac.uk](mailto:v.turbine.1@research.gla.ac.uk). Alternatively, supply your contact details on this questionnaire and I will contact you. Any information given on the questionnaire (and/or interview) will only be presented in an anonymous form. Please answer as many or as few of the questions below in as little or as much detail as you wish (feel free to continue overleaf). Additional comments and suggestions are most welcome.

**Thank you for your time and interest.**

#### **Personal details (optional)**

Age

Education/Specialism

Current occupation

Marital status

Children

#### **Questions**

- What do you consider to be the most important issues for women in Russia today?

- Which rights do you consider to be most important to Russian people?
- Could you describe what the phrase ‘human rights’ means to you?
- It is often said that rights are not protected in Russia. To what extent do you agree with this statement?
- Who has the responsibility for the protection of rights?
- Do you think there is sufficient provision of information about rights?

**Any additional comments or questions are welcome**

**(You may continue overleaf)**

**Your contact details**

Name (first name if you prefer):

Telephone (home and/or mobile):

Email address:

## **Appendix B**

### **Sample Questionnaire [2]**

**July - August 2005**

My name is Vikki Turbine and I am a research student in the Department of Central & East European Studies at the University of Glasgow (Scotland). I am conducting research on women's opinions and experiences of their rights. I am particularly interested to hear women's views on human rights and the role of rights in resolving everyday problems. The information given on this questionnaire will be presented as part of research in a doctoral dissertation. If you would be interested in discussing these issues further, or taking part in an interview, please contact me on (local telephone number), or at [v.turbine.1@research.gla.ac.uk](mailto:v.turbine.1@research.gla.ac.uk). Alternatively, supply your contact details on this questionnaire and I will contact you. Any information given on the questionnaire (and/or interview) will only be presented in an anonymous form. Please answer as many or as few of the questions below in as little or as much detail as you wish (feel free to continue overleaf). Additional comments and suggestions are most welcome.

**Thank you for your time and interest.**

#### **Personal details (optional)**

Age

Education/Specialism

Current occupation

Marital status

Children

#### **Questions**

- What do you consider to be the most important issues for people in Russia?

- Which issues do you consider to be most important for women in Russia today?
- Could you describe what the phrase ‘human rights’ means to you?
- Which rights do you consider to be of particular importance to women?
- It is often said that rights are not protected in Russia. To what extent do you agree with this statement?
- Who has the responsibility for the protection of rights?
- By which means is it possible for people to resolve their problems and realise their rights?

**Any additional comments or questions are welcome**  
**(You may continue overleaf)**

**Your contact details**

Name (first name if you prefer):

Telephone (home and/or mobile):

Email address:

## **Appendix B**

### **Sample Questionnaire [3]**

**September-October 2005**

My name is Vikki Turbine and I am a research student in the Department of Central & East European Studies at the University of Glasgow (Scotland). I am conducting research on what women in Russia think about their rights. I am particularly interested to hear whether women think human rights can be used to resolve everyday problems. The information given on this questionnaire will be presented as part of research in a doctoral dissertation. If you would be interested in discussing these issues further, or taking part in an interview, please contact me on (local telephone number), or at [v.turbine.1@research.gla.ac.uk](mailto:v.turbine.1@research.gla.ac.uk). Alternatively, supply your contact details on this questionnaire and I will contact you. Any information given on the questionnaire (and/or interview) will only be presented in an anonymous form. Please answer as many or as few of the questions below in as little or as much detail as you wish (feel free to continue overleaf). Additional comments and suggestions are most welcome.

**Thank you for taking the time to complete this questionnaire.**

#### **Personal details (optional)**

Age

Education/Specialism

Current occupation

Marital status

Children

#### **Questions**

- What in your view are the main issues and problems for women in Russia today?

- What do you understand in the phrase ‘human rights’?
- Which human rights do you consider to be of most importance to women?
- It is often said that rights are not protected in Russia. To what extent do you agree with this statement?
- Do you feel that your rights are protected?
- Who has the responsibility for the protection of rights?
- What kinds of mechanisms exist for the protection of citizens’ rights in Russia?

**Any additional comments or questions are welcome**

**(You may continue overleaf)**

**Your contact details**

Name (first name if you prefer):

Telephone (home and/or mobile):

Email address:

## **Appendix C**

### **Interview schedule for in-depth interviews**

*The following list shows the full range of questions asked across interviews according to the main topic areas. Not every question under each topic heading was asked in every interview as the questions evolved over the course of fieldwork in response to respondents' feedback.*

#### **Preliminary Questions: ensuring informed consent**

- Before we start, would you like me to explain any more details of my research, or do you have any questions about the research or the questionnaire (if completed)?
- Are the aims and intended uses of this research clear to you?
- Do you object to the interview being recorded? (Guarantee of anonymity and ownership of the interview)

#### **General Questions**

- If you like, we could begin the interview by telling me a little bit about yourself?
- What do you consider to be the most important issues in Russia today?
- Could you tell me what issues are most important to you personally?

#### **Questions about problems**

- In your opinion, do you think that there are any issues of specific concern to people living in Russia?
- What do you consider as local problems – do you feel there are any issues affecting the Ul'ianovsk region in particular?
- Would you say that your life has improved/worsened over the transition period in any particular ways?

- I've read a lot in the local newspapers about problems with communal services. Would you say that this is the most pressing local concern?
- What would you describe as a problem in your everyday life?
- Do you feel that there are any problems that are have more significance to women?
- Could you describe the main means of resolving everyday problems?

### **Questions about rights**

- Which rights do you consider of most importance in your life?
- Could you tell me in what ways you feel that your rights are protected? If not, could you give an example of where you feel your rights are not protected?
- Which kind of rights do you think are most often violated?
- What would you describe as a violation of your rights? Do you feel that you have personally experienced this – would you feel comfortable telling me about this?
- Who or what would you describe as the cause of rights violations?
- Do you feel that other people respect you rights? In what ways?
- In what ways do you feel able to use your rights to protect yourself/resolve problems?
- Would you say that you thought about your problems in relation to your rights? Could you explain why you think/don't think?
- Who do you consider to be responsible for the protection of rights?
- What responsibility does the state have for the protection of rights? Do you think the state fulfils this responsibility?

### **Questions about human rights**

- If I say the phrase "human rights", could you describe what you understand by or associate with this phrase?
- Do the phrases 'human rights' and 'women's rights' have similar meanings to you?
- Are any human rights particularly important to women?



- Do you feel that international human rights laws have significance for people living in Russia?
- To what extent you feel international human rights have significance in your everyday life?
- What would you consider to be a violation of human rights?

### **Questions relating to women's rights**

- In what way do the issues discussed in the interview relate to women's experiences?
- How would you explain 'the woman question' in Russia to me?
- In which areas of life do you feel that equality exists between men and women?
- In what ways would you say the state protects the rights of women?
- I've read a lot about women's experience of discrimination in the workplace. Would you consider this to constitute a violation of women's rights?
- What factors do you think are required for a woman to be successful in her life?
- I've heard a lot of stereotypes relating to women's activism in the social sphere and women's role in claiming rights for other people. To what extent would you say such stereotypes are based in women's experiences?

### **Questions relating to information about rights**

- How would you describe the level of information about rights in the region?
- Where can people find advice and information about their rights?
- In what ways do you feel that information about rights would help in your life?

### **Questions about the processes of claiming rights**

- In what ways does the local administration provide assistance in the process of claiming rights, or resolving citizen's problems?
- I've noticed a lot of legal advice columns in the newspapers and the number of *advokats'* offices in the town. How do you perceive the provision of legal advice?

- In what ways do you feel citizens can access the legal system and claim their rights?
- To what extent is legal advice effective in securing rights and resolving problems?
- Is letter-writing a common approach to seeking advice and assistance in the town?
- Have you ever/ever considered writing a letter of appeal, or for advice? Why/why not?
- How easy is it for people to access legal advice services?

### **Wrapping up the interview: ensuring reciprocity**

- Would you like to ask me any questions about my research, or my experiences?
- Do you think that I have missed any important questions or issues?
- Were any of the questions particularly interesting, or on the other hand unclear to you?
- Is the subject of the research something that you have thought about before?
- Could I ask why you agreed to an interview, and how you felt about the interview process?
- Would you like to add any more comments/listen to the tape?
- Would you like to exchange contact details/receive a copy of the transcript?

## Appendix D

### Expert Respondents and their role in the promotion of human rights in the research location

#### *Tatiana Sergeeva, Ul'ianovsk Oblast Administration*

I interviewed a member of the Ul'ianovsk local administration who was chairperson of the *Sovet pri Gubernatore Ul'ianovskoi oblasti po sodeistviu razvitiu institutov grazhdanskogo obshchestva i pravam cheloveka* (Ul'ianovsk Council for the Development of the Institutions of Civil Society and Human Rights). The Council was established in 2005 as part of a federation-wide programme and its aims were being developed in consultation with members of local social organisations involved with the protection of the rights of different groups in the city (women, children, invalids, veterans, young people, and prisoners), and also organisations responsible for the promotion of information about rights in the region. The Council is responsible for the analysis of the provision of, and protection of human rights in the city. The Council does not investigate individual cases or complaints, although a separate Committee for Citizens' Appeals, Local Government and Human Rights deals with *collective* complaints of citizens. Sergeeva is also involved in the human rights group '*Guarantia*' and is a prominent campaigner on social and economic rights issues in the city.

In addition, Sergeeva is the chair of the *Oblastnaia komissii po obespecheniiu ravnykh vozmozhnostei muzhin i zhenshchin* (Regional Commission for the provision of equal opportunities of men and women). The Commission is responsible for the investigation of violations of constitutional equality between men and women and also to ensure the observation of the United Nations Convention for the Elimination of all forms of Discrimination Against Women (1979) and the improvement of women's position in society. The Commission supports a number of women's organisations and runs initiatives to support local businesswomen in the region. It is also involved in the promotion of the family through annual competitions and celebrations of motherhood and fatherhood.

***Anna Orlova, Pravovoi fond***

I conducted an interview with the vice-president of the grassroots organisation *Pravovoi fond* (Legal Assistance). The organisation was established in 1998 by a group of women, who having had sons in prison were appalled at the poor conditions in prison, but also the problems of rehabilitation after release. The organisation offers legal advice to the families of prisoners, with a focus on ensuring the protection of prisoner's human rights. In addition to providing advice and support, the organisation campaigns for the provision of educational facilities and work experience for prisoners whilst in prison, as well as for their rehabilitation and support after release. A group of volunteers conduct prison visits and the organisation had recently raised funds to build a library and a workshop in a local prison.

***Andrei Maksimov, Obshchestvennoe sodeistvie***

I interviewed the Director of the non-governmental organisation *Obshchestvennoe sodeistvie* (Social Assistance), which was established in 1998 by graduates from the legal faculty of Ul'ianovsk State University. The organisation aims to protect human rights in the city by improving the provision of legal advice to citizens. The organisation offers free legal consultations provided by law students. The most common requests for legal advice are in dealing with the preparation of documentation, but also in assisting citizens in preparation for court cases. However, the majority of the legal work carried out by the organisation is in advising parents on alternatives to military service. In addition, the organisation runs training seminars and workshops for the local administration, and a yearly series of public seminars entitled 'School of Human Rights'.

The organisation acts as an umbrella grouping for a number of human rights groups in the town including, an association of young journalists '*Informat*', and the human rights organisations '*Guarantia*' and the local branch of the established Russia wide human rights organisation 'Memorial'<sup>116</sup>. This interview therefore allowed access to the established human rights organisations operating in the city. At the time of the interview, *Obshchestvennoe sodeistvie* was heavily involved in the provision of

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<sup>116</sup> See [www.memo.ru](http://www.memo.ru) for details of the organisation's current campaigns.

information about recent changes to the provision of communal services and how this affected citizens' social and economic rights.

***Katia Zhenzhurukha, Regional'nyi informatsonno-resursnyi fond***

I conducted an interview with the director of the non-governmental organisation *Regional'nyi informatsionno-resursnyi fond* (Regional Information and Resource Fund), which is the local branch of a Russia-wide initiative 'Agency for Social Information'. The organisation was established in 2000 with support from SOROS funding to provide information and training for the development of non-governmental organisations. It runs a series of training seminars, information resources and offers small start up grants for grassroots organisations. The Regional Information Resource Fund aims to implement projects for the development of civil society and promoting citizens' involvement in the non-governmental sector.

***Anna Mantsova and Liudmila Mirovna, Oblastnoi tsentr sotsial'no-psikhologicheskoi pomoshchi sem'e i detiam***

I interviewed the Director of the *Oblastnoi tsentr sotsial'no-psikhologicheskoi pomoshchi sem'e i detiam* (Regional Centre for Social-psychological Assistance for the family and children), Liudmila Mirovna along with the director of psychological counselling services for the oblast, Anna Mantsova. The centre was established 1998 as part of a series of regional initiatives by the 'Russian Federation Committee for the Social Protection of the Population' and its main role is to coordinate social service provision on behalf of the local administration across the Ul'ianovsk region. The centre provides social and psychological assistance to families, individual citizens and children experiencing a variety of practical and emotional difficulties. The centre runs a wide range of projects and support groups, including '*Luch' nadezhdy*' (Ray of Hope) for women experiencing domestic violence. In addition, the centre offers a support to teenagers and for of soldiers returning to civilian life. It also runs exercise classes and workshops for healthy lifestyles and crafting that are designed to raise self-esteem. As well as funding from the local administration, the centre has received funding from the American Council for International Studies and Exchange to conduct research on

female unemployment, domestic violence and the social exclusion of minority groups in the region.

***President, Sovet roditelei, voennosluzhashchikh, i semei***<sup>117</sup>

I conducted an interview with the chairperson and members of the of the local grassroots organisation *Sovet roditelei, voennosluzhashchikh, i semei* (Council of Parents, Soldiers and their Family). The Council was officially established as a social organisation in 1999, but has been operating informally since 1994 in response to the appeals for assistance as a result of the conflict in Chechnya. The organisation offers advice and information on the legal rights and entitlements of families with sons or husbands currently serving, or who have been killed during military service. In addition to provision of practical support in the form of legal advice, the organisation sees itself as an importance source of emotional support for families. The organisation is affiliated with a Moscow branch of the Committee of Soldiers Mothers and also has close links with ‘*Pravo materei*’, an organisation based in Moscow that provided legal advice to the families of soldiers.

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<sup>117</sup> This respondent did not give her full name, but consented to the interview being cited in the text.

## **Appendix E**

### **Interview schedule for Expert Interviews**

#### **General Questions**

- Could you tell me a little about the organisation and your role in the organisation?
- What are the main activities/responsibilities of the organisation?
- What sources of funding do you receive, and has this presented any difficulties?
- What kind of services do you provide, and to whom?
- How are the public made aware of the organisation and its activities?
- How would you describe the level of public support for the activities of the organisation?
- What are the future aims and goals for the organisation?

#### **Questions focussing on human rights and rights**

- Could you tell me what you consider to be the most important human rights issues in the city at present?
- Which rights do you consider to be violated in the city at present?
- How would you describe the level of awareness of human rights and rights provisions in the city?
- Have you noticed any increase in appeals to human rights and rights from citizens in recent years?
- I read about the recent establishment of the Council for the Development of Civil Society and Human Rights in the city. How do you think this will assist in the development of a human rights culture?
- What level of involvement do you have with the Council for the Development of Civil Society and Human Rights in the city? Is this involvement with the administration beneficial to your organisation?

### **Questions focussing on women's rights and their role in claiming rights**

- What do you consider to be the main issues affecting women in the Ul'ianovsk oblast?
- What do you consider to be a violation of women rights?
- Could you tell me about any services or support you provide for women and the protection of women's rights?
- I've heard a lot of stereotypes relating to women's more 'active' role in social organisations. Are many women involved in social organisations in Ul'ianovsk?
- It has been said that women are more likely to attempt to claim rights, often for members of their family. Have you noticed more women attempting to claim rights than men, or on behalf of other people?



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