

# CULTURE, DEMOCRACY & THE CHILD'S RIGHT TO EXPRESS HIS/HER VIEWS (RUSSIAN PERSPECTIVE)

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## Abstract

The main focus of this paper is the relation between the realisation of the right of the child to express his/her views and democracy in Russia. With this in view, I will study the interconnection between the right to express the views and the right to participate. Further, I will give an overview of the specifics of democracy in Russia, how they influence political participation, and what could be done to prevent the further infantilisation of citizens in Russia. Finally, I will explore traditional perceptions with regard to children's participation in Russia and the legal framework and practice of the implementation of the child's right to social and political participation.

#### Keywords

Russia, child, views, participation, democracy, culture.



#### Introduction

Until recently the practice of the realisation of the child's right to express his/her views and its influence on democracy was a subject of neither study by scholars nor interest by legislators or average citizens. Where studies were carried out, most were concerned with typology, approaches and boundaries of the participation with the focus on either political (Thomas, 2007) or social (see, for example Cashmore, 2011, or Kalabikhina et al. 2010) participation. Another set of studies considered a right to express the views rather as a procedural right, one of the guarantees to secure then child's access to a court (Berro-Lefèvre, 2008). Studies on democracy in Russia concentrate mainly on the question if Russia is a democratic state and what are the specific features of Russian democracy (Oleinik, 2008, Petrov et al. 2010).

One reason for this is that Russia is notoriously famous for other problems in the field of children's rights, such as violence<sup>1</sup>, institutionalization, and vagrancy (*The International Journal on Children's Rights*, 2009). All of them are considered by the child protection bodies (both state and NGO-based, international and domestic) as far more acute and significant than the rights of the child to express his/her views in matters affecting him/her and to participate in the decision-making processes. Despite the ratification of the UN Convention on the Rights of the Child (UNCRC) by Russia back in 1990, the term "participation" generally appeared in children's rights discourse only in 2005 after the UN Committee on the Rights of the Child Concluding observations on Russia<sup>2</sup> had been adopted where the Committee had expressed its concern that "article 12 of the Convention is not adequately applied in families, schools and other institutions and not fully taken into account in practice in judicial and administrative decisions and in the development and implementation of laws, policies and programmes". Due to the necessity to submit the fourth periodic report to the UN Committee Russian authorities conducted a preliminary survey on the realisation and protection of this right<sup>3</sup>. The analysis of this report concludes that the right of the child to express his/her views is seen through the prism of the child protection activities or child participation in various "Child's Public Councils" (analogous to Russia's Federal Public Chambers<sup>4</sup>) –a clear top-down administrative initiative with the emphasis, again, on the issues of child protection.

The second reason for the absence of academic and professional interest in the issue of children's participation lies within the cultural context. Nowadays the understanding that the child is (or should be) not the object of care by parents and authorities, but rather the subject of rights, the realisation of which the state is obliged to guarantee, is no longer disputable on the level of international human rights bodies. However, on the societal and family level the capability and appropriateness of child participation in decision-making remains an issue (Matthews et al, 1999, 136). Traditional paternalistic attitudes towards the child as a person with limited capacities, unable to appraise the situation and form the judgment is based on Domostroy<sup>5</sup> and supported by the Russian Orthodox Church and

- 2 CRC/C/RUS/CO/3, 23 November 2005.
- 3 Child participation in activities on the protection of their rights: Interregional thematic report. M., Institute of the family and Upbringing RAO. 2010.
- <sup>4</sup> "One of the Public Chamber's functions is to facilitate coordination between the socially significant interests of citizens of Russia, NGOs, and national and local authorities, in order to resolve the most important problems of economic and social development, to ensure national security, and to defend the rights and freedoms of citizens of Russia, the Russian constitutional system, and the democratic principles of the development of civil society in Russia" (<u>http://www.oprf.ru/en/about/</u>).
- 5 Domostroy or Domostroi (Russian: Домострой, Domestic Order) is a 16th century Russian set of household rules, instructions and advices pertaining to various religious, social, domestic, and family matters of the Russian society. Core Domostroi values tended to reinforce obedience and submission to God, Tsar and Church. (<u>http://en.wikipedia.org/wiki/Domostroy</u>).

<sup>1</sup> Only in 2009 more than 108 thousand children became victims of violent acts, more than 1,6 thousand of them died (Protection of children from violence: Interregional thematic report. – M., Institute of the family and Upbringing RAO. 2010, p.3).



prevents dissemination of "Western values" and forms public policy in this regard.

Over the past few years, opinion polls have shown a decrease in young people's political participation in Russia (see VTsIOM and Public Opinion Foundation polls below). According to surveys, Russians believe that they are not able to influence the decision-making processes in the country as they have not been able to influence the decision-making process even in their own families. Due to the traditional disregard towards the views of the child in family issues (in which the state allegedly has no right to intrude) the young generation got used to the fact that nothing depends on them. This passiveness was supported by the official policy aimed at alienation of citizens from democratic procedures (by which the Russian democracy is characterised (Lipman, 2011)). Altogether these efforts have led to the "infantilism" of Russian citizens - young people attribute the state with the social role of the parent and take all the state's decisions with a passive obedience.

In this paper I am going to study cultural attitudes towards child participation in Russia and Russian state policy in this regard. I will look at how traditional perceptions together with legislation and court's practice of disputes with the participation of children might be related to the passiveness of Russians as citizens. I argue that social (particularly in family proceedings) and political participation are to a great extent interrelated and the promotion and protection of the child's right to express his/ her views is crucial for building a democratic, truly social<sup>6</sup>, child interest oriented state.

## The right of the child to express his/her views and the right to participate

Respect for the views of the child became one of the four guiding principles of the UNCRC<sup>7</sup>. Article 12 of the Convention reads:

- 1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
- 2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

The UNCRC was not the first international human rights document setting this right. The Universal Declaration of Human Rights<sup>8</sup> had already declared that "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers" (Article 19). Provision of the corresponding article in the International Covenant on Civil and Political Rights<sup>9</sup> ("Everyone shall have the right to hold opinions without interference" (Article 19)) confirmed its primary importance for realisation and protection of human rights and democracy. Article 12 of the UNCRC thus basically reiterates the provision declared in other international instruments. This repetition however is of primary importance as it addresses certain cultural perceptions. The UN Committee on the Rights of the Child

<sup>6</sup> The Russian Federation is a social State whose policy is aimed at creating conditions for a worthy life and a free development of man (Art 7 of the Constitution of the Russian Federation).

<sup>7</sup> Resolution of the USSR Supreme Council of July 13, 1990 (VVS SSSR1990, #26, p. 497).

<sup>8</sup> Rossiyskaya gazeta (December 10, 1998).

<sup>9</sup> Resolution of the USSR Supreme Council of 1976 N 17. Art.291 (VVS SSSR 1976. No. 17. Art. 291).



(the Committee) has been consistently emphasising that a child shall be regarded as an active subject of rights and that a key purpose of the Convention is to emphasise that human rights extend to children. The Committee has rejected what it termed "the charity mentality and paternalistic approaches" to children's issues. It invariably raises implementation of Article 12 with State Parties and identifies traditional practices, culture and attitudes as obstacles to this realisation.<sup>10</sup>

Another significant feature of Article 12 is that it not only requires that children should be assured the right to express their views freely, but also that they should be heard and that their views be given "due weight"<sup>11</sup>. The implementation of this provision involves profound and radical reconsideration of the status of children in most societies and the nature of adult/child relationships. It requires us to listen to what children say and to take them seriously. It requires that we recognise the value of their own experiences, views and concerns (Lansdown, 2001, 1). The important question here is when a child should be trusted to be able to form and express a valid opinion. It is noted that Article 12 does not set any lower age limit on a child's right to express views freely. It is clear that children can and do form views from a very early age, and the UNCRC provides no support to those States that would impose a lower age limit on the ascertainment or consideration of children's views (UNICEF, 2007, 153). In its General Comment No. 7 on "Implementing child rights in early childhood", the Committee encourages States Parties to construct a positive agenda for rights in early childhood:

... A shift away from traditional beliefs that regard early childhood mainly as a period for the socialization of the immature human being towards mature adult status is required. The Convention requires that children, including the very youngest children, be respected as persons in their own right. Young children should be recognised as active members of families, communities and societies; with their own concerns, interests and points of view.<sup>12</sup>

In deciding how much weight to give to a child's views in a particular matter, age on its own should not be the criterion. The twin criteria of age and maturity must be considered instead. Maturity is not defined by the Convention. It implies the ability to understand and assess the implications of the matter in question. This does not mean that young children's views will automatically be given less weight. There are many issues that very small children are capable of understanding and to which they can contribute thoughtful opinions. Competence does not develop uniformly according to rigid developmental stages. The social context, the nature of the decision, the particular life experience of the child and the level of adult support will all affect the capacity of a child to understand the issues affecting them (Lansdown, 2001, 6).

The focus of this paragraph is the correspondence between the right to express the views and the right to participate. It is noted that numerous authors refer to Article 12 of the UNCRC as speaking about participation (Matthews at al., 1999, O'Donnell, 2009, Head, 2010, Cashmore, 2011, and others). They generally note that the Convention upholds the rights of children to participate in decisions that affect their lives. The text of the Article, adopted in 1999, however, does not contain this particular term (O'Donnell, 2009, 4). It appears only in the comments given by the Committee in 2006, following its Day of General Discussion on "The right of the child to be heard".

<sup>10</sup> Implementation Handbook for the Convention on the Rights of the Child. United Nations Chidren's Fund/ 2007, p.149.

<sup>11</sup> As a party to the Convention, Russia is legally obliged to realize this provision for those under 18 years old.

<sup>12</sup> Committee on the Rights of the Child, General Comment No. 7, 2005, CRC/C/GC/7/Rev.1, para. 5.



The Committee emphasized that:

... Recognising the right of the child to express views and to participate in various activities, according to her/his evolving capacities, is beneficial for the child, for the family, for the community, the school, the State, for democracy.

To speak, to participate, to have their views taken into account: these three phases describe the sequence of the enjoyment of the right to participate from a functional point of view. The new and deeper meaning of this right is that it should establish a new social contract. One by which children are fully recognized as rights-holders who are not only entitled to receive protection but also have the right to participate in all matters affecting them, a right which can be considered as the symbol for their recognition as rights holders... <sup>13</sup>

With these words the Committee finalised the transformation of the children's rights discourse from child-saving (protecting children) to propagating the personhood, integrity and autonomy of children (protecting their rights) (Freeman, 1998, 434) - the transformation which would be welcomed by the states back in 1990.

The UNCRC sets out a number of other obligations on the rights of participation by children (Matthews, 1999, 136): Article 13 (The right to freedom of expression), Article 14 (The right to freedom of thought), Article 15 (The right to association and assembly), Article 17 (The right to appropriate information), Article 29 (The right to an education which will encourage responsible citizenship). Although these articles do not contain the term "participation" they presuppose active participation of a child in the respective activities. This way the right to participation should be considered as a broader one which cannot be equated to the right to express views. The latter nevertheless is the core, the basis for the other related rights.

Before considering the traditional attitudes towards child's participation and its relevance to democracy development it is important to review how the right to participate is actually understood. Thomas notes that "participation" can refer generally to taking part in an activity, or specifically to taking part in a decision-making. It can also refer to either to the process or to an outcome (Thomas, 2007, 199). Matthews et al note that participation implies processes of involvement, shared responsibility and active engagement in decisions which affect the quality of life (1999, 136). It is a field of practice which includes initiatives involving young people according to their race, ethnicity, class, gender, or other social identity; in education, environment, housing, or other issues. It includes efforts by young people to organise around issues of their choice, by adults to involve young people in community agencies, and by youth and adults to join together in intergenerational partnerships. The issue is not necessarily whether the effort is youth-led, adult-led, or intergenerational, but rather whether people have some effect (Checkoway, 2011, 341). Lansdown (2001, 16) characterizes participative initiatives as those where the aim is to strengthen processes of democracy, create opportunities for children to understand and apply democratic principles or involve children in the development of services and policies that impact on them. The meaning of the right to participate is obviously contested (Roche, 2002). The unlimited scope on the possible activities related to the participation is one of the reasons for this.

A division of participation into "social" and "political" is the most interesting for the aims of this paper. According to Thomas (2007, 200), a social participation discourse speaks of networks, of inclusion, of adult-child relations, and of

<sup>13</sup> Committee on the Rights of the Child, Report on the forty-third session, September 2006, Day of General Discussion, Recommendations, Preamble. For full text, see <u>http://www.ohchr.org/english/bodies/crc/discussion.html</u>



the opportunities for social connection that participatory practice can create<sup>14</sup>. Alongside this there is an alternative discourse that is more or less overly political – that speaks of power, and challenge, and change. To some extent these alternative discourses relate to different versions of participatory practice; however, they may also be describing the same practice from different perspectives. The latter thesis might be illustrated by the possibility to apply the typology given below both to the political and social participation:

## **Types of Child Participation**

(in accordance with the extent of the child's involvement in the process)<sup>15</sup>

1. Non-involvement: the project is designed and run by adults; children are either not consulted at all or the consultation is tokenistic.

**Example:** Children are consulted on how to better enlighten youth with regard to AIDS prevention but no feedback is ever provided to them on their input and their involvement in the initiative ends there.

- Assigned but informed: adults decide the project but children volunteer for it; children understand the project and know who decided to involve them and why; adults respect children's views.
  Example: Adults enlist the help of children in cleaning up a nature reserve and children organise their own group initiatives.
- Consulted and informed: the project is designed and run by adults but children are consulted; they fully understand the process and their views are taken seriously.
  Example: A School Improvement Committee is chaired by teachers although the views of student representatives are considered before the decisions are taken.
- 4. Adult-initiated, shared decisions with children: although adults have an idea, children are involved in planning and implementation; children are involved in challenging the outcomes and taking decisions. Example: Children are invited to participate as researchers on child rights violations and then work with community leaders to design responses to the problems identified.
- **5.** Child-initiated, shared decisions with adults: children have an idea, set up projects and come to adults for advice and support.

**Example:** Youth raise the need for a peer-to-peer counselling service on suicide in their community – community leaders ask the local community centre to work with youth in establishing one.

 Child-initiated and –directed: children have an idea and decide how the project will be carried out; Adults are available but do not take charge.

**Example:** A youth-led organisation initiates a campaign against family violence in their community and seeks the assistance of women's rights NGO for advice on advocacy and lobbying.

We can see that quite paradoxically the typology of child participation starts from "non-involvement", or "non-participation" of children in social and political activities (which includes a tokenistic participation) thus documenting the still existing and widespread practices of not listening to children. Matthews et al. (1999, 136) suggest three factors which contribute to this culture of non-participation. First, there remain discourses within society which question the appropriateness of children's political involvement. Second, there are those who doubt the capability of children to participate. Third, even amongst those who believe in the principle of children's right to have a say,

<sup>14</sup> We can indubitably expand the notion of adult-child relations into the family relations and include a child participation in the family disputes into this category.

<sup>15</sup> Canadian International Development Agency (CIDA) (2006) *RBM and Children's Participation: A Guide to Incorporating Child Participation Results into CIDA Programs*, p.10.



there are uncertainties about the form that participation should take and the outcomes which might result. All three factors reflect the traditional attitudes towards children inherited from the times when children were the attributes to their parents. Such attitudes, fully supported by Russian traditions, will be analysed in this article, but before that it is important to provide the reader with some background with regard to the specifics of political participation in Russia.

## Russian democracy and participation

In-depth research of forms of democracy and concepts is not within the aim of this study. I will go just a little bit further than separating the term into "demos" and "kratos" and stating that the principle of rule by the people is the essence of democracy (Oleinik, 2008, 13) in order to comment on the political regime in Russia, its main trends and obstacles to political participation.

"The great right of every man, the right of rights is the right of having a share in the making of laws" (Waldron, 1998) as William Cobbett addressed it, is realised in Russia by means of participation in elections of the President, deputies to the State Duma, lower chamber of the Federal Assembly - Parliament of the Russian Federation, deputies to the regional parliaments, and heads of the municipal unit (in some regions). Elections of the members of the Council of Federation (the upper chamber of the Parliament) and heads of the regions were replaced with their appointment – a clear sign of the limitation of citizens' political participation.

The competitive elections are seen as the core element of the democracy. It is the main component of the "minimalist" definition, according to which democracy implies competitive elections held on a regular basis. (Oleinik, 2008, 11). Similarly, elections are in the middle of the other definitions, applied to Russia, including:

- A non-liberal democracy (a combination of relatively competitive elections and absent rule of law) (Oleinik, 2008, 23);
- A sovereign democracy ("people vested in power, governmental bodies and their policies are elected, formed and guided exclusively by the Russian nation in all its diversity and integrity") (Surkov, 2006);
- An over-managed democracy (a system with highly centralized state authority concentrated in the executive branch, formal institutions of democracy, including room for at least some candidates to oppose incumbent authorities on the ballot in elections to powerful posts and the systematic functional replacement of these institutions by substitutions) (Petrov, 2010, 3).

Participation of adult citizens in political processes, including elections, is a right, not an obligation. A long list of authors point to a problem of a democratic society with insufficient citizen involvement and support (see, for example, Howe et al. 2009, 21). Taking decision on whether or not to participate in elections in Russia people are influenced, among others, by certain political trends.

One of such political trends is a concept of sovereign democracy which basically means "that there are no external pressures on people vested in power, governmental bodies and their policies. Its second feature is the lack of the independent civil society" (Oleinik, 2008, 25). The concept remains to be in demand throughout Asia, where governments give citizens increasing economic and social liberties but monopolise political power. At the same time the 2008-2012 Russian President, Dmitry Medvedev, claimed that Russia is a young democracy, trying to portray itself much more as a variant of Western democracy with certain Russian specifics, (not as an alternative model) and abandoning its long-standing argument that Russia is a "special case" democracy justifying many authoritarian practices. (Recknagel, 2010).



This position of Russia, which is a recognised "global supplier" of a certain type of governance (Petrov, 2010, 2), gives a signal that certain attitudes towards the civil society are acceptable (if not supported) on the international level.

Another important political trend is the systematic gutting of existing institutions of democracy and their frequent functional replacement by substitutions and further strengthening of their dependency from the central authorities. The creation of a whole network of substitutions is perhaps the most prominent feature that distinguishes overmanaged democracy from other types of hybrid regimes. Many works that recognise such substitutions portray them as nothing more than window dressing, intended only as a kind of Potemkin village to deceive the international community and perhaps a regime's own population into thinking the country is more democratic than it really is. The tendency is of the further centralisation and steady increase in state efforts to control ("manage") a political system that had previously been more liberal rather than by liberalising a previously more authoritarian system (Petrov, 2010, 3, 4). It is also contributed by Russia's authorities' efforts to communicate to the public that so long as the state is providing something beneficial, protest is unproductive and indeed impermissible. The rulers argue that their role in this non-participation pact, as it was called by Petrov (2010, 12), has been to supply the steady economic growth that took place under Putin after a decade of collapse, Russia's return to global leadership, a perception of stability and a sense that the country is being guided by a strong and capable leader. This message was again and again repeated during the recent opposition-initiated activities on Bolotnaya and Sakharov's squares and the most recent Novy Arbat demonstrations. Thus efforts by those in positions of power to push citizens further and further from decision making are another reason for citizens not to participate in political processes.

The mentioned trends could not be analysed without taking into consideration the cultural specifics of the country. Characterising the power in Russia Mezhuyev (2000, 97) correctly pointed out that "the secret of this power – in its attitude towards the people as a foolish child – an object not only for exploitation, but constant "father's care" for the sake of preservation of its moral purity and child's innocence. People can touch you, but it should be punished in case of the bad behaviour. How can you give this foolish child a complete freedom? Democracy for this power is a synonym of the political freedom without morals, the source of moral dissoluteness and moral spoiling".

This is, in my view, an ideal description of the relationship between the power and the people in Russia. The paternalistic attitude, I further argue, leads to the passiveness, or, "infantilisation" of citizens.

Polls consistently demonstrate that Russians are not deluded by the actions of the Russian authorities' inefficiency, corruption and widespread violations of human rights. They routinely respond in surveys that government officials are corrupt and self-serving. According to a poll conducted in mid 2010, 80% of the citizens believe that "many civil servants practically defy the law." (Lipman, 2011). The interest towards participation in public and political life is decreasing. Russians were most active politically in the years 2004 and 2007, when only one third of the citizens did not express themselves at all ( 32 and 39% respectively). Presently almost two thirds (61%) of Russians ignore public and political life of the country. <sup>16</sup> The Participation of others is limited to participation in elections (27%). The most massive were the elections of the President in 2004<sup>17</sup>. The willingness of young people to participate in the work of political organizations also declines. In 2006 the number of young people who were willing to become a member of a party or political organisation reduced by half/50%'. Interestingly enough, the difference between youth and

<sup>16</sup> Mass political participation in Russia: elections only or anything else? VTsIOM Russian Public Opinion Research Center. Press-issue 1728 of 11 April 2011 (<u>http://wciom.ru/index.php?id=459&uid=111514</u>).



seniors, which was quite significant in 2005 (youngsters were much more active politically) practically disappeared.<sup>18</sup> The key arguments of people ignoring political life have changed during the last four years. Previously the main reason referred to was the usefulness of participation (29%) and lack of qualification (27%), now the usefulness of participation is the second most often referred to reason (25%), while the most often referred to reason is the lack of interest towards political sphere in principle (36%).<sup>19</sup>

People willingly abandon the political realm shifting their interest to the private sphere. It is a model best described as a no-participation pact (Lipman, 2011). Despite opportunities for self-expression, community and activism remain marginal and do not alter or weaken the state's dominance over society. Russians would rather use their skills and talents for self-fulfilment abroad than be the driving force of Russia's modernization. This political alienation is accepted by an overwhelming majority of Russians<sup>20</sup>. The surveys found that nearly three-fifths of adult Russian citizens felt "absolutely no" responsibility for what happens in their country, with an additional quarter feeling only a tiny amount of responsibility (Petrov, 2010, 12). Acting within the non-participation pact Russians had basically referred their right to decide to the government, feeling not able to participate or not interested in participating, but altogether happy that those in power proceed without them therefore ensuring their basic economic and social needs.

It might be argued that Russian passiveness is rooted in more than 70 years of communist regime which did not give any opportunity to people to decide – on who will rule, where to live, what to wear - and new generations of Europe oriented people will be able to change the country. However, the opinion polls (above) demonstrate this point of view is false. Young people's lack of interest toward political life and, generally, the future of their mother country was nurtured in their families. Though they follow the changes occurring in the country, this is rather an interest of an observer than the one of an active participant<sup>21</sup>. Further infantilisation of the population in country will lead to the autocratisation of power. And the only way to change the direction is to undertake urgent measures aimed at political motivation of young citizens and those who will be able to take part in elections in the very near future.

Children are a significant part of civil society and have much to contribute to the governance of the country they live in, not only in the future, but now; influencing the social politics of the state through democratic mechanisms created by the state or through their parents. The participation of boys and girls in family decision-making would represent the broadening and deepening of how we enhance (or, in the case of Russia I would still say, "build") democracy (Thomas, 2007, 200). Reflecting on how to raise a proper citizen, Lansdown agrees that only providing children with the opportunity to experience democratic decision-making will help them to acquire the respect for their own views, capacity and willingness to listen to others and thus begin to understand the processes and value of democracy (Lansdown, 2001, 6). Schools and local communities were identified as the most appropriate spheres for child's participatory development. I argue that the first and the most important environment for a child is the family environment. This is the place where truly 'transformative, dialogical and participatory' (Barrow, 2010, 87) practices can teach a child that his/her opinion really matters. This allegation does not imply that citizenship education

<sup>18</sup> Youth in politics. Public opinion poll of 13.04.2005 Public opinion foundation (<u>http://bd.fom.ru/map/projects/dominant/dom0615/</u>).

<sup>19</sup> Mass political participation in Russia: elections only or anything else? VTsIOM Russian Public Opinion Research Center. Press-issue 1728 of 11 April 2011 (<u>http://wciom.ru/index.php?id=459&uid=111514</u>).

<sup>20</sup> Prime Minister Vladimir Putin has enjoyed high and steady approval ratings for years. About 70 percent of respondents in a February 2010 poll said they approved of Putin's performance. President Dmitry Medvedev's approval ratings are only slightly lower.

<sup>21</sup> According to the VCIOM poll conducted on Bolotnaya square on 4 February 2012, only 8% of participants were students. 8% - took part in the demonstration because of the curiosity, 4% - "came with friends". Press release No.1415 (<u>http://wciom.com/index.php?id=61&uid=639</u>).



in schools or their participation in state initiatives is not important. However, the study of the traditional cultural perceptions shared and supported by the family (below) confirms that this should be the focal point of the efforts applied. Treating children within the family as persons, able to form and to express an opinion which influence a final decision will support the development of new citizens – self-respecting, active and willing to build a true democracy in Russia.

#### Cultural context affecting the right of the child to express views in Russia

The right of children to have rights is not a matter of dispute any more (Freeman, 1997). It is hard to imagine now that less than a couple of hundred years ago this question was completely out of the public discourse. For centuries children were viewed as nonpersons, the property and responsibility of their parents, who had a right to control their upbringing, even their very existence<sup>22</sup>. Children could not participate in the political or civic life of their countries (Wald, 2004, 1721). While legitimate children were seen as property of the father, illegitimate children were even in a worse situation – they were seen as the property of no one. Such a child was *nullius filius* and had no legal relationship with his or her parents. Accordingly, no one had any obligations to care for or to protect them. Early bastardy laws were aimed at preventing illegitimate children from becoming a charge on the community (Roche, 2002). In the mid-1800s, many industrialized countries began assuming state responsibility for promoting and protecting children's well-being. The developments were focused on the care of children with no parents, or parents who were too poor to support and protect them (Bennett et al, 2009, 784), or the protection of children from severe physical abuse by their parents (Wald, 2004, 1721). Wald notes that laws affecting the status of children, adopted over the next 100 years in the western industrialized countries. Except where parental behaviour was seen as inimical to the social order, parents continued to have virtually total authority over their children's upbringing.<sup>23</sup>

Presently, despite the acceptance of the concept of children's rights, the idea that these rights could take the practical form of a claim enforceable against others (including parents) remain problematic both in philosophical and practical terms. In many countries giving children any autonomy within the family would be incomprehensible. Moreover, priority to parental or family authority over child's rights and interests may be demanded by a society's political, cultural, or religious traditions. In some countries, supporting parental autonomy is seen as critical to supporting political and cultural diversity. In some countries, supporting parental autonomy is seen as critical to supporting political and cultural diversity. In others, the proper role of parents may be seen as teaching children to accept national cultural values and traditions and not as helping children to develop into 'autonomous' adults (Wald, 2004, 1722).

In Russia, as well as in other western countries, a child was traditionally seen as an object of property rights rather than a subject of any rights. The old Russian language used the same word for identifying "children" and "slaves" (*chad*<sup>324</sup>. In the 15<sup>th</sup> through to the 18<sup>th</sup> centuries the Orthodox church and the priests remained the main spiritual guide for Russians and were promoting certain child-rearing practices, based on Domostroy (*Domestic Order*) – the

<sup>22</sup> Western legal systems of parental rights were largely influenced by the Roman civil law under which a doctrine of *patria potestas* was formed prescribing an unlimited father's control over his children. (Roche, 2002).

<sup>23</sup> In the United States, for example, the US Supreme Court ruled that parents had a constitutional right to control their children's upbringing (Meyer v. Nebraska 1923) (Wald, 2004, 1721).

<sup>24</sup> It is interesting to note that a term "chado" – a child, used today does not in any sense correspond to this meaning. On the opposite, it has rather positive, endearing connotations.



Russian moral codex of that time.<sup>25</sup> Core Domostroi values tended to reinforce obedience and submission to God, the Tsar and the Church. The main way to treat the child according to Domostroy was to "teach him/her with fear". In paragraph 21 "How to teach children and to save them with fear" parents were advised "not to pity a youngling while beating him: if you punish him with a rod, he will not die, but become healthier", "not to smile in vain playing with him", "not to give him liberty at youth". It was only in the middle of the 17<sup>th</sup> century when the State started to form its structures of childcare. By the 19<sup>th</sup> century the state system of the childcare and protection was already formed but it was still too early to speak about a child's right to have any views not to mention the right to express them. The Soviet ideology was not helpful to the upbringing of a person with independent opinion or judgment either. It was the view of the Soviet State that a child should live and get education within the State care institutions. An average child in the overwhelming majority of families would start his/her education at the age of one year in the nursery, then continue to a kindergarten and, at the age of 7 years - to school, where after regular classes (from 9 a.m. till 1 p.m.) many children had to stay for "prolonged hours" (until 6 p.m.) in order not to be left at home without family supervision. By the time a child reached the age of maturity, he/she had limited emotional contacts with parents and was largely influenced by the official/soviet ideology denying independent thinking and promoting the state/ group values, one of which was that the majority's opinion was always the correct one (The International Journal on Children's Rights, 2009).

The break-up of the Soviet Union and the appearance of the modern Russia – a state with the considerable international influence directed towards the further centralization of power - gave an impulse for the restoration of these traditional values and attitudes. These values - such as family, children, love and friends were put as an antithesis to the "market" values, such as money and career (Varlamova et al. 2006, 62). The latter were presented as "western values", heterogeneous to average Russian people. A considerable revival of an interest towards religion, Orthodox Christianity, started after perestroika<sup>26</sup> and continues as a trend (Bauer, 2010, 107). According to the public opinion polls,<sup>27</sup> 75% of Russian citizens consider themselves as Orthodox Christians. The majority supports the main postulates of the Church with regard to the social and family life. Another important development of last 10-15 years in spite of the declared separation of the religious associations from the state and their equality before the law (Article 14 of the Russian Constitution) - a clerical ideologisation of power is taking place (Buryanov, 2011). The Orthodox Church is presently active not only in the field of education (where it has a definite preference, manifested, amongst others, in the adoption of state sponsored programs of orthodox religious education in schools), or family protection (opposing the introduction of the juvenile justice under the pretext that it will give the state the possibility to take away children without a proper reason), but in the political field as well. On the recent Bishop's Council conducted in Moscow on 2 February 2011 the decision was taken to allow priests to participate in state elections in case this is needed to confront the forces aimed at contesting the Russian Orthodox Church<sup>28</sup>. Obedience to the church and to the state power as a main postulate of this church is largely supported by the governing officials.

<sup>25</sup> The real author is unknown, but the most widespread version was edited by the archpriest Silvester, an influential advisor to young Ivan IV. To modern researchers, it is a precious account about Russian society and the life of wealthy boyars and merchants (http://en.wikipedia.org/wiki/Domostroy).

<sup>26</sup> For the aim of this paper under perestroika we mean the whole period of reforms (1985-1991).

<sup>27</sup> Do we trust in God? VTsIOM Russian Public Opinion Research Center. Press-issue 1461 of 30 March 2010 (<u>http://wciom.ru/index.php?id=268&uid=13365</u>).

<sup>28</sup> Praktika zayavleny I deystvy ierarkhov, dukhovenstva, monashestvuyushih I miryan vo vremya predvybornyh kampany. Problema prodvizheniya dukhovenstvom svoih kandidatur na vyborah (Practice of statements and actions of bishops, clergy, religious and laymen on the campaign trail. The problem of clergy nomination to stand for election) (http://www.patriarchia.ru/db/text/1400896.html).



Civil servants demonstrate support and respect for the Orthodox Church approaches, including in the issues of child protection.<sup>29</sup> Now when we are in the 21<sup>st</sup> century and while we have access to the international community's experience in child participation brought up in the comments of the international or regional human rights bodies or within the frame of international dialogs, Russia still preserves the paternalistic attitude towards its children. Children are denied their right to participate with the reference to a traditional "Russian" understanding of this issue.

The group of UNICEF experts conducted an analysis of models of child participation in Russia (Kalabikhina et al, 2010). The study noted that the discussion on whether it is feasible to involve children into decision-making is still going on in Russia. Those against child participation refer to the child's lack of capacity to effectively participate in the decision-making process: referring to his/her certain development level, susceptibility to influence by adults, legal status, the communicational barrier between children and adults etc. In addition to scientifically based arguments there was a set of myths preventing child participation practices from spreading, among others: "Obligations for children come first and rights after", "Our traditional culture does not presume consideration of the child's views", "To give children their civil rights would mean to deprive them of their childhood", "Child participation in the political processes decrease their parents' influence on them" etc. (Kalabikhina et al, 2010, 26).

European research notes that in spite of a growing lobby in favour of children's rights to participate, there remains intransigence in some quarters about whether such political involvement is appropriate. Lansdown (1995, 20) identified three reasons why some adults are reluctant for children to take part in decision-making that will impact on their own life and the lives of others (interestingly enough, his research made 15 years earlier than the one by Kalabikhina et al, was phrased in almost the same words as "specific Russian" cultural attitudes were formulated.). First, giving children the right to have a say would threaten the harmony and stability of family life by calling into question parents' "natural" authority to decide what is in the best interests of a child. Second, imposing responsibilities on children would detract from their right to childhood, a period in life which is supposed to be characterized by freedom from concern. A third strand to the argument is that children cannot have rights until they are capable of taking responsibility.

Six years later Lansdown came up with a more detailed list of obstacles to the promotion of child participation (Lansdown, 2001, 8):

- Different values and habits of young people and adults;
- Place of youth in the social hierarchy (in some cultures young people have traditionally very low position and influence);
- Patronizing of youth by adults;
- Negative stereotypes (all the young people are...; all adults are...), mutual misconceptions and biases;
- Belief that it is the job of someone else to work on youth participation;
- Belief that nothing will change, even if a young person participates;
- Young people who participate are not representative of the whole youth.

The item about negative stereotypes could be best illustrated by the images given by Foster (2001, 7) (the image of carefree, irresponsible youth with an appetite and aptitude for sex, drugs and rock and roll) and Mokwena (2001, 17) (young people as a socially inert, self-absorbed group with little or no interest in the political process).

<sup>29</sup> Pri prinyatii resheny po yuvenalnoy yustitsii Pavel Astakhov rukovodstvuetsya blagosloveniyem patriarha Kirilla (Taking decisions on the juvenile justice Pavel Astakhov is leaded by the blessing by patriarch Kirill (<u>http://www.interfax-religion.ru/?act=news&div=39063</u>).



The list above as we see is of the very general character and does not provide any specific reference to certain countries. Being "traditional" for many countries, including Russia, these perceptions represent a shared approach towards children and children's participation.

What makes the public discourse outside Russia so different from the one inside the country is the continuing discussion on the impermissibility of treating children as "adults-in-waiting or human becomings". Understanding that not listening to children not only fails to acknowledge that they are the citizens of today (not tomorrow), but also undervalues their true potential within society and obfuscates many issues which challenge and threaten children in their "here and now", started to form more than 10 years ago (Matthews et al, 1999, 137). Relevance of a certain treatment of children within society and within a closer circle – the family – to the future self-perception of the young person as citizen able to influence the authorities' decisions, the child's ability to be something else than obedient subordinate of the state power was confirmed by the study of young people's transitions to citizenship. This study found that identification with citizenship reflected a number of factors, including not just age but also social class, experience of paid work and community involvement, and more subjective factors such as feeling that one had been treated respectfully and had been able to have an effective say. This suggests that, while it is unlikely that citizenship will be a primary element in children's emergent fluid identities, it is more likely to be salient where they have experience of being treated respectfully as citizens and have had the opportunity to participate (Lister 2007, 700). Experience of being treated respectfully within the family and having had the opportunity to participate in deciding on some family issues, I might add, is even more important than training in political participation.

The family is the first and the most influential environment for the child and his/her behaviour later in various groups would depend on a particular values and attitudes cultivated within it. Russian modern family sharing (even partially) traditional "submission to God, the Tsar (President) and the Church", I argue, will not be the most fertile ground for the development of an active citizen, able to form judgment and to stand for his rights. I am far from saying that Russia will return to a medieval style of child-rearing, however, I find it important to note the existence of certain traditional beliefs, supported by the state. Culture, traditions and familial relations are the most difficult to change and long-term comprehensive state politics is needed to alter them. Legislation promoting the child participation is the first and the foremost instrument the state can use to democratize the family. The existing legislation and the practices of child participation in Russia will be covered in the next paragraph.

#### Law and practice in the field of child participation in Russia

The end of the Communist era was marked by a change of perception of the state's role in the child's life on a political level. Russia ratified the UN Convention on the Rights of the Child in 1990<sup>30</sup> and thus undertook an obligation to respect and observe globally-acknowledged children's rights. During the following years legislators have undertaken significant efforts to bring the Russian legislation concerning the rights of the child directly or indirectly into compliance with the UN Convention. However, Russian cultural attitudes and stereotypes with regard to the right of the child to express his/her opinion remain more or less the same as they were twenty years ago. People, including law makers and State officials, still consider a child unable to participate in decision making processes. This inevitably influences the substance of the laws enacted as well as the practice and application of these laws. In this paragraph I will look at the law relating to the right of the child to social and political participation and the practice of its application in Russia.

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The Constitution of the Russian Federation<sup>31</sup> adopted in 1993 contains several articles related to the right to express one's views, which could be fully applied to a child: on the freedom of conscience and freedom of religion (Art.28), on the freedom of ideas and speech (Art.29), on the right to association (Art.30), on the right to participate in managing state affairs both directly and through their representatives (Art. 32), on the right to participate in cultural life (Art. 44). Thus, the Constitution provides for the basis for realisation of the child's right to participate. However it would be a mistake to say that the constitutionally guaranteed principles of child participation were elaborated in greater detail in family or procedural legislation.

The Family Code of the Russian Federation (1995)<sup>32</sup> – the key legal act, regulating the status of the child in Russia - stipulates all the main rights of the child in a separate chapter. Article 57 of the Family Code provides for "the right of the child to contribute his opinion in any family decision concerning his/her interests, and the right to be heard in any court or administrative proceeding". The law refers to the obligation of the authorities to "take into account the opinion of the child over 10 years old". However, while setting this obligation, the Family Code immediately releases the authorities from it, stating that the child's opinion should be ignored when such an opinion contradicts the child's best interests. The reference to the age itself in the mentioned provision does not directly contradict the UNCRC's provision that "the views of the child being given due weight in accordance with the age and maturity of the child". UNCRC studies note that setting a minimum age on the right of the child to be heard, for example in custody proceedings following separation or divorce of parents, is a usual practice for the States, but the Convention provides no support for this, and States cannot quote the best interests principle to prevent children from having an opportunity to express their views (UNICEF, 2007, 153).

The concept of "the best interests of the child" is not defined anywhere in the Russian law and authorities interpret it in accordance with their personal understanding of the child's interests in a particular situation. This often contradicts the very sense of the UNCRC. Any interpretation of 'best interests' must be consistent with the spirit of the entire Convention – and in particular with its emphasis on the child as an individual with views and feelings of his or her own and the child as the subject of civil and political rights (UNICEF, 2007, 38). In its comments the Committee noted that "... it regrets that the determination of what constitutes the 'best interests' seems to be the decision of adults alone involving little consultation with children, even when they are able to state their opinions and interests..."<sup>33</sup>

This is exactly the way Russian authorities understand the concept of the child's interests: NOT to hear the child before the court of justice or administrative authority to avoid his further emotional stress. The concept, which is universally applied when decisions are made about children, enables courts to individualise decisions for the "particular child" (Henaghan, 2008, 118). In Russia it is used as a general all-purpose reference by a judge or administrative officer when needing to explain why the child was not given the possibility to express his/her opinion. This is done notwithstanding the requests of children themselves to be heard or medical certification confirming that the child is psychologically stable and willing to give the testimony and ignoring the latest surveys stating that most children (91%) said that they should be involved, some of them directly referred to feeling better if they knew what was going on and had some control over the situation, rather than being entirely at the 'mercy' of their parents' actions and decisions (Cashmore, 2011, 517).

<sup>31</sup> Rossiyskaya gazeta (N 237, December 25, 1993).

<sup>32</sup> RF Code of Laws 1996, N 11, Art. 939 (SZ RF N11, Art. 939).

<sup>33</sup> Albania CRC/C/15/Add.249, para. 26.



The existing Civil Procedure Code (2002)<sup>34</sup> does not ensure the child's participation in the process or access to justice either. According to its Article 37, "The ability to exercise the procedural rights by their actions, to discharge the procedural duties by their actions and to order the representative to conduct the case in the court (the civil legal capacity to sue) shall belong in full measure to citizens, who have reached the age of eighteen years... The rights, freedoms and lawful interests of an underage person and of citizens who are restricted in their legal capacity shall be protected in the proceedings by their legal representatives... ". The situation of the conflict of interests between the child and his/her legal representative is referred to by the Family Code, which stipulates the right of the child to apply for protection to the state care authorities and, after reaching the age of 14 years old – to the court (Article 56). The situation of a conflict between the child and the state care authorities is not considered by the legislation at all.

Article 37 of the Civil Procedure Code stipulates the obligation of the court to draw into participation persons aged between 14 and 17 years old. At the same time the code does not contain any provision describing the procedural status of this child. The absence of a law which would provide for the procedural status of a child in court proceedings makes this obligation of the court and the right of the child to participate in civil proceedings illusory. The courts allege they do not have the authority to accept petitions from children. The limited procedural ability of the child per se does not, in any aspect contradict the child's rights provided for by the Russian Family Code and UNCRC. The lack of legal capacity is the essence of the concept of minority (O'Donnell, 2009, 2). The limitations on the procedural status of the child, however, should not influence the level of protection of his/her rights. Meanwhile the absence of the procedural status leads to the impossibility of the child not only to take an active part in the proceedings, but also to initiate proceedings for the protection of his/her rights. A vivid example of this could be the case of Kornilin and Kalmykova<sup>35</sup> (2005). In this case X, 17 years of age, was not allowed by the court to participate in the proceedings with regard to the termination of the contract between state care authorities and the foster family where he has lived for 13 years and his transfer under into a state care institution. Due to the fact that X, being underage, had a limited procedural capacity he could not file any motions himself. The state care authorities who were his legal representatives, were not interested in having him contribute to the establishment of the facts and did not file the relevant motion with the court. The court itself did not initiate this procedure. As a result, X was not allowed to express his opinion about the level of care provided to him by his foster family and the termination of the contract with this family was supported by the court.

Most countries have taken some steps to ensure the right of children to be heard in legal and/or administrative proceedings (including the capacity of children to give evidence and their capacity to initiate legal action to defend their rights). In most cases the steps are limited in scope and generally not sufficient to protect and ensure this right (O'Donnell, 2009, 52), but these measures still achieve a certain level of protection. In a number of jurisdictions children are able to instruct lawyers to represent them in private as well as public law proceedings (Roche, 2002) – these measures are not only useful for the protection of the child's interests, but also for the detection of the facts of the violation of the child's right to participate. The case of S.P., D.P., and A.T. v the United Kingdom<sup>36</sup> considered by the European Commission of Human Rights shows how effective can be the participation of the state appointed lawyer in the case of child' rights protection. The lawyer in this case, was appointed to represent the children in the proceedings on the domestic level, but at a certain stage came to the conclusion that the interests of children required the initiation of proceedings against the state and filed an application with the European Commission of

<sup>34</sup> RF Code of Laws N 46, Art. 4532 (SZ RF N 46. Art. 4532).

<sup>35</sup> The interests of X (17 years old) were represented by the non-governmental organization YURIX.



Human Rights. Such an independent action by the lawyer acting for the child would be an important guarantee in the realization of the child's right to participate. Presently, in Russia, the law does not provide for the obligation of the state care authorities to appoint a lawyer to protect a child's interests in the case of his conflict with his legal representatives or the state itself. Moreover, Russian law "On the Bar"<sup>37</sup> does not provide for free legal aid to the child unless he/she is kept in the correctional or penitentiary institution (Article 26).

The absence of any legal basis (apart from one provision of a declaratory character) of the realisation of the child's right to social participation is clear from the given overview. I allege that the absence of a body of law in this regard and the state's tolerance towards the practices of violation of the principles set in the Constitution stem from the same cultural attitudes discussed in the previous paragraph. The fact that such attitudes have a real effect could be also demonstrated by the low level of child participation in legal proceedings in various countries in Europe. The practice of the European Court of Human Rights is very indicative in this regard. It shows that most cases that involve children, particularly where issues of family life were at stake, were introduced by adults claiming their rights and interests in relation to children, rather than the protection of the rights and interests of children themselves (Berro-Lefèvre. 2008, 72).

The non-willingness of the Russian state to promote child participation goes beyond the problem of the right of the child to express his/her opinion within family disputes. Political participation is encouraged only if strictly within state policy. Children's participation in public activities is stipulated in the law "On the basic guarantees of the rights of the child in the Russian Federation" (1998),<sup>38</sup> the law "On public associations" (1995)<sup>39</sup> and the law "On state support to the youth and child's public associations" (1995)<sup>40</sup>. While the first sets the principles of child's participation (in accordance with the law and *traditions* of peoples of the Russian Federation (Article 4 of the law "On the basic guarantees..."); the second sets the forms of associations and sets the principles of state regulation of their activities. The law "On state support to the youth and child's public associations" identifies which children's organizations have particular state support. It sets the measures taken by the state to promote children's associations and "policies aimed at social making, development and self-realization of children and youth as well as for the protection of their rights" (preamble). The scope of activities of such associations can be best characterized by their rights, set in the Article 5 (1) of the law:

...have right to... prepare reports to the president and the Government of the Russian Federation on the situation with children and youth, participate in discussions of reports of federal bodies of executive power on the said issues, and to make suggestions on the state youth policy; to make suggestions to the subjects of law initiative with regard the laws related to the interests of children and youth, participate in preparation and discussion of the draft federal programs in the field of state youth policy...

While speaking about the practice of political participation of children, it should be noted that almost all the initiatives have been initiated (openly, as a state initiative, or through other persons) by bureaucrats of different levels. A good example is the new structure of a Children's Public Counsel, instituted by the Children's Ombudsman under the RF

- 37 RF Code of Laws 2002, N 23, Art. 2102 (SZ RF N23, Art. 2102).
- 38 RF Code of Laws N 31, Art.16 (SZ RF N 31. Art. 3802).
- 39 RF Code of Laws N 21, Art. 16 (SZ RF N 21. Art. 1930).
- 40 RF Code of Laws n N 27, Art. 2503 (SZ RF N 27. Art. 2503).



President in 2009 "with the aim to hear and to consult children on different matters".<sup>41</sup> Russian regional powers have undertaken the similar initiatives - Youth Parliaments, Children's Public Legal Chamber, and Children's Ombudspersons instituted in various Russian regions. Although they might be effective from the point of protecting the rights of the child they cannot be seen as a realisation of the child's right to participate as children there are not allowed to influence real decision-making. Although to a certain extent they contribute to the children's awareness of their right to express their views, they are not designed to expand the culture of responsible decision-making.

There are several problems that were noted in the 2010 report of the Children's Ombudsman under the RF President on "Child participation in activities on the protection of their rights"<sup>42</sup> as obstructing the further development of children's participation in Russia:

- Legislative shortcomings that allow authorities wide discretion as to taking a decision with regard to whether the child's opinion should be or should not be taken into the account;
- Lack of information about the child's right to actively participate in the life of his/her family, public and political life of their country;
- Lack of professional staff trained to implement the principle of children's participation in practice;
- Lack of state funding of initiatives involving children's participation.

The necessity to address the structural deficiencies was formulated by the UN Committee on the Rights of the Child in its comments on the latest Russia's report:

...further efforts be made to ensure the implementation of the principle of respect for the views of the child. In this connection, particular emphasis should be placed on the right of every child, including children who are members of vulnerable and minority groups, to participate in the family, at school, in other institutions and bodies and in society at large. This right should also be incorporated in all laws, judicial and administrative decisions, policies and programmes relating to children...<sup>43</sup>

Realisation of these complex measures will indubitably contribute to the change in the cultural perceptions nourished within the family. It will further contribute to making children active members of the society, able, and crucially, it will add to their willingness to participate in democratic procedures. Whether Russia is willing to achieve this aim, or will continue to follow the traditional paternalistic attitudes towards children is still an open question.

<sup>41</sup> Child participation in activities on the protection of their rights: Interregional thematic report. – M., Institute of the family and Upbringing RAO. 2010, p. 18.

<sup>42</sup> Ibid., p.16.

<sup>43</sup> CRC/C/RUS/CO/3, p. 7.



#### Conclusion

Results of opinion polls have proven that political participation of citizens in general and of the youth in particular are decreasing in Russia. Russians believe they are not able to influence the decision-making processes in the country<sup>44</sup> and are not interested to do it anymore. This passiveness is supported by the official policy aimed at the alienation of citizens from democratic procedures by their frequent functional replacement by substitutions and further strengthening of their dependency from the central authorities. This trend is accepted by an overwhelming majority of Russians, including young people who do not feel any responsibility for what happens in their country. Child participation in the social sphere though is guaranteed by the Russian Constitution is not necessarily supported by the laws which make the right of the child to actively participate, for instance, in custody proceedings illusory. And again, unlawful practices in this sphere are tolerated and thus supported by the higher authorities. Non participating children grow up to become non participating citizens who are happy that the authorities will be able to proceed without their active involvement.

This "infantilisation" of citizens is supported by traditions in families and Russian Orthodox Church promoting obedience and submission to God, the Tsar and the Church. Used to the paternalistic attitudes within the family young people attribute the state with the social role of the parent and take all the state decisions with a passive obedience. The study of the law and practices with regard to child political participation shows that the state's efforts are not aimed at raising citizens able to having a share in ruling the country and taking responsibility. The future of Russian democracy thus lies within Russian families where children in decision-making on this level, including in family disputes, is crucial for changing traditional Russian perceptions about children and their right to participate. Due respect to the views of the child will not only support their formation as active citizens of their country (and of the regional and global community) free of traditional biases but will also start the chain reaction of children's participation.

<sup>44 &</sup>quot;No one in Russia was in doubt about the outcome of Sunday's presidential election. Vladimir Putin's triumph was assumed." The end of Putinism. By Jackson Diehl, Monday, March 5. The Washington Post (http://www.washingtonpost.com/opinions/putins-future-in-doubt-in-russia/2012/03/01/glQAm0cWrR\_story.html).



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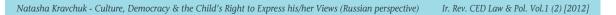
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