

ORIGINAL ARTICLE

NGOs and the policy-making process in Russia: The case of child welfare reform

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This article explores the issue of the major reform of the child welfare sector that has been carried out in Russia in recent years. Focusing on deinstitutionalization and a child's right to a family, this reform moves Russia in the direction of international trends in this area and represents a break with previous state- and institution-dominated approach to "problem families." The article explores how and why this process has come about in a traditionally top-down hybrid regime and applies the Multiple Streams Framework first developed by Kingdon to argue that Russian child welfare nongovernmental organizations have acted in concert with government officials to act as policy entrepreneurs in framing the policy problem and presenting solutions to it in a way that has influenced national priorities in this area. At the same time, the article acknowledges that major challenges remain in terms of implementing the reform at the regional level of government in Russia.

1 | INTRODUCTION

From 2010 onward, the Russian government began to turn its attention toward the country's disadvantaged families and vulnerable children, particularly those living without parental care. This was prompted by a number of scandals involving the neglect of children who had been living in the care of the state and by concern at the highest levels over Russia's perceived demographic crisis. Recent policy initiatives have sought to deinstitutionalize Russia's care system for these children. The deinstitutionalization of care is a global trend and usually refers to processes that move children from institutional into family-based care such as fostering reorganize institutional care into a more family-like setting and provide community-based services to families at risk (e.g., Ainsworth & Thoburn, 2014; Holm-Hansen et al., 2005). In the United States and Western Europe, large foster care institutions were dismantled most actively in the 1960s–1970s, while in Eastern Europe this took place in the 1990s and 2000s. In Russia, this process has been realized through promoting domestic adoptions, increasing the number of foster families, creating early

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support services for families to prevent children entering the care system, and restructuring residential institutions into smaller more home-like environments. Similar reforms are underway in other former Soviet republics such as Kazakhstan, Belarus, and Ukraine.

The reform builds on the idea of every child's right to grow up in a family. New ideas and organizational principles have been introduced into a system that shapes the lives of the thousands of Russian children who do not live with their birth parents. Currently, around 600,000 children do not live with their birth parents, which is about 2.4% of Russia's child population. Their number has been steadily, although not dramatically, decreasing in recent years. What has changed drastically is their placement in foster families instead of residential institutions: While in 2005 the proportion of children placed in foster families was only 2%, in 2014 it was 21% (Birykova & Sinyavskaya, 2017, pp. 371, 374).¹ This change in the ideal of care from the Soviet-style residential care (see, e.g., Khlinovskaya Rockhill, 2010) is so significant that Kulmala, Rasell, and Chernova (2017) conceptualize it as a paradigmatic policy change—a fundamental revision of ideas and goals within a particular policy field (cf. Khmel'nitskaya, 2015, p. 16).

Kulmala et al. (2017) suggested that the policy change was driven by a range of factors, among others by the long-term advocacy by nongovernmental organizations (NGOs) through emerging *network* governance systems in Russia. In this article, we focus more closely on the key role played by NGOs in promoting reform and seek to understand how they contributed to this dramatic shift in policy on child welfare. In particular, we ask what made such a contribution possible in a nondemocratic context, which at first glance does not appear promising in terms of input from below. Using the Multiple Streams Framework (MSF) conceptualized by Kingdon (2014), we argue that a number of Russian child welfare NGOs that have worked in this field for many years were able to use their expertise, credibility, and contacts with officials to act as *policy entrepreneurs* in the policy-making process. This enabled them to promote major reforms to existing government policy, even within the constraints of Russia's electoral authoritarian regime. While the role of smaller child welfare NGOs at the regional level of Russia's political system has been explored (e.g., Bogdanova & Bindman, 2016), this article explores how major national NGOs based in Moscow were able to have input into policy making at the federal level of government. Our focus is, thus, on the early stages within the policy-making process of agenda setting (including problem recognition and issue selection) and policy formation and adoption (e.g., Werner & Wegrich, 2007). At the same time, the influence of NGOs does not always extend to the successful implementation of the policy on the ground, where issues such as regional politics and resources come into play.

We begin by exploring the concept of the *policy entrepreneur* and how it can be applied to a regime often described as being electoral or competitive authoritarian. Then, we provide the context to the decision to initiate major reforms in the sphere of child welfare in Russia and to focus on a family-based rather than institution-based model for children living in the care of the state. This is followed by a discussion of how child welfare NGOs in Russia used their status and contacts to promote particular policy reforms and to ensure that they were then taken up by policy makers at the highest level.

2 | NGOS AS “POLICY ENTREPRENEURS” IN AN AUTHORITARIAN REGIME

The idea that NGOs or other nonstate actors such as think tanks or interest group lobbies might act as *partners* to the state and have input into the process of designing government policy is a long-standing one, particularly in the broad field of welfare state policy (cf. Bode, 2011; Rhodes, 1996; Salamon, 1995). Within this model of *network* governance, the boundaries between the public, private, and voluntary sectors become increasingly blurred and policy networks involving both formal and informal

relationships and direct and indirect contacts between state and nonstate actors develop around shared areas of interest in policy making (Mintrom & Vergari, 1998; Rhodes, 2007). Kingdon (2014) argues that a *garbage can* model applies in which there are three components to the process of setting the agenda for action in a particular policy area: problems, policies, and politics. Within the *problem* stream of this model, various problems capture the attention of policy makers and other key figures at a particular point in time. This could be the result of systematic indicators gathered by governmental or nongovernmental sources, or could be prompted by a sudden *focusing event* such as a crisis or disaster (Kingdon, 2014, pp. 90, 94). In the *policy* stream, specialists, bureaucrats, and interest group representatives generate and discuss proposals within a *policy primeval soup*, with some of these proposals being taken up and others simply discarded (Kingdon, 2014, p. 116). The *politics* stream consists of various events, both predictable and unpredictable, such as changes in national mood and public opinion, election results, and changes of administration. These streams generally function independently and a policy issue will only get on the agenda when it is “coupled” and “a problem is recognized, a solution is developed and available in the policy community, a political change makes it the right time for policy change, and potential constraints are not severe” (Kingdon, 2014, p. 165).

At this point *policy entrepreneurs* can emerge from the policy stream to take advantage of this “window of opportunity.” These are persistent well-connected members of a particular policy community—operating inside or outside governmental structures—who have expertise relevant to that policy area (Kingdon, 2014; Mucciaroni, 1992). In order to ensure that their particular policy proposal is considered viable and rises to the top of the agenda, they spend years *softening up* the other members of their policy community and the general public (Kingdon, 2014, p. 143). Cairney (2018, p. 200) identifies three key strategies that effective policy entrepreneurs combine in order to be successful in what is a highly complex and unpredictable policy-making environment: “telling a good story to grab the audience’s interest; producing feasible solutions in anticipation of attention to problems; [and] adapting their strategy to the specific nature of each ‘window.’” In this way, they differ from what Knaggard (2015, p. 453) has identified as the “problem broker,” who operates in the problem rather than the policy stream to frame certain issues as public problems and to get policy makers to accept this frame, but does not make suggestions for particular policy solutions.

While Kingdon’s work focused on the specific and highly fragmented context of policy making within the United States, the MSF has since been applied to a number of different political systems and units of analysis, with varying degrees of success (Herweg, Huss, & Zohnlhofer, 2015). However, what most of these studies share is a focus on applying the MSF in the context of high-income countries and in democratic regimes, with some notable exceptions (cf. Ridde, 2009). What is less clear is the question of whether there are opportunities for potential policy entrepreneurs to have input into the policy-making process in hybrid or electoral/competitive authoritarian regimes of the type that Russia is generally seen as conforming to (Hale, 2010; Levitsky & Way, 2010). This type of regime is characterized by “electoral manipulation, unfair media access, abuse of state resources, and varying degrees of harassment and violence [that] skewed the playing field in favour of incumbents” (Levitsky & Way, 2010).

In terms of analyzing the policy-making process in nondemocratic regimes, some scholars have explored the role of NGOs as policy entrepreneurs in the context of China’s authoritarian political system. Mertha (2009, p. 996), for example, argues that those who were previously excluded from the policy-making process in China such as NGOs, activists, and journalists now play an active role in this process and its outcomes as they have learned to abide by the *rules of the game* and to operate within a system of *fragmented authoritarianism*. Within such a system policy, change tends to take place incrementally and through bureaucratic bargaining (Mertha, 2009). He and Thogerson (2010,

p. 675) argue that the Chinese government has been willing to open up some consultative space for NGOs and other civic groups in order to bolster the legitimacy of the state without jeopardizing the Chinese Communist Party's monopoly on political decision making. In the specific case of rural policy in China, Duckett and Wang (2017, p. 105) point out that China's "ministries, local governments, journalists, academic researchers, and the domestic and international orgs they were working with put rural social policies on the agenda, and developed policy ideas and options through debates, research and experimentation."

Although the Chinese political system is more overtly authoritarian than the Russian system, the two cases nevertheless have some parallels. Under the centralized semi-authoritarian system that has developed during President Putin's tenure, the state operates largely autonomously from society at large and elites are insulated from the public (Greene, 2014). Russia may thus, like China, at first glance seem an unlikely setting for NGOs to have much input into the design of federal-level policy. Yet, as Duckett and Wang (2017, p. 94) point out, policy making in any authoritarian state involves other actors aside from the top leader and their supporting elite: "... policy actors in authoritarian regimes are potentially just as susceptible as their counterparts in democracies to the influence of contingent external shocks and to the complex mix and flow of ideas around them."

Where NGOs are concerned, over the past decade the Russian authorities have pursued a dual-track approach consisting of legislation which presents NGOs with both constraints and opportunities. In terms of constraints, attempts by the state to tighten control over civil society started with the so-called 2006 NGO² law and later continued with the Foreign Agents Law³ and Undesirable Organisations Act.⁴ More or less simultaneously, another set of legislation was introduced that appeared to open up opportunities for certain types of NGO in Russia. Starting in 2006 with a new system of awarding *presidential grants*, several federal laws have reinforced the idea that socially oriented NGOs (SONGOs) could undertake some responsibilities in the social sphere.⁵ In addition to involving these SONGOs in social service provision, the Putin administration has been active in developing various cross-sectoral bodies that bring together various types of nonstate actors and state authorities. These bodies act as network governance structures. In their study of different network governance arrangements, Kropp and Aasland (2018) concluded that in the context of Russia's nondemocratic regime, the state exerts a strong role as network manager and is able to dominate interactions between the network's members. A question we consider is the extent to which these cross-sectoral platforms can serve as channels for new ideas and proposals from NGOs and other experts, even if they are still led from the top down.

Studies of attempts to push through reforms in other policy domains in Russia have pointed to their variable rates of success. Taylor (2014, p. 15), for example, argues that where police reform was concerned in 2009–2011, nonstate actors such as NGOs and academic experts were "decidedly secondary actors in the solutions stream" and were unable to have much effect. He acknowledges, however, that this may have been because the reform concerned the highly sensitive area of the state's coercive functions and that in other policy domains outsiders may have more influence. Gel'man and Starodubtsev (2016) point out that in the early 2000s, Putin had a genuine desire to implement much-needed socio-economic reforms, creating a window of opportunity for real reforms to be implemented—a period that coincided with the president's initial interest in child welfare. As a result, government reformers acted as policy entrepreneurs to drive through tax and budgetary reform. This success was not, however, replicated where administrative reform and reform of the system of social benefits were concerned. They argue that reforms in Russia can only be successful if "...a certain reform is the top political priority of the strong and authoritative head of state, and if a team of reformers has the opportunity to be insulated from the major interest groups, and if it implements policy changes quickly and they bring immediate positive results" (Gel'man & Starodubtsev, 2016, p. 114).

We argue that this was largely the case with child welfare reform in the mid-2000s, only it was NGOs that acted as policy entrepreneurs in this case rather than government reformers. Research in the early 2000s found limited opportunities for advocacy coalitions/epistemic communities to promote family-like alternatives in Russia due to institutional inertia, limited household finances restricting families' ability to adopt or foster, and a lack of familiarity with adopting and fostering in Russian society (Holm-Hansen et al., 2005, p. 77) but the situation changed in many ways in the 2010s (Kulmala et al., 2017), which opened up a window of opportunity for the NGOs to influence the policies behind the reform.

3 | THE POLICY CONTEXT: FROM INSTITUTIONAL CARE TO CARE IN FAMILIES

Due to the most severe decline in population seen among industrialized countries in peacetime,⁶ the conservative protection of the family has served as a focus for the state's policies in Putin's Russia. The most prominent measures were introduced in Putin's annual address to the nation in May 2006. In this speech, the president named demographic decline as "the most acute problem facing our country today."⁷ "Love for one's country starts from love for one's family," the president continued, setting family policy as the major priority through which the demographic crisis was to be tackled. Ever since, the state has promoted traditional family values and carried out several reforms to support Russian families. Among numerous pronatalist measures to stimulate the birth rate (Cook, 2011; Rotkirch, Temkina, & Zdravomyslova, 2007), increasing attention toward Russian children and families also encompassed children in substitute care in the 2010s. Although the issue of deinstitutionalization had been on the policy agenda for a fairly long period of time (cf. Holm-Hansen et al., 2005), no systematic change took place. In 2008, however, the case of Dima Yakovlev, a Russian child who had been adopted from an orphanage and died as a result of negligence by his American adoptive parents, led to increased public and government focus on the thousands of children living in state-run institutions in Russia. It also led to a subsequent ban on adoptions from Russia by U.S. citizens that became known as the "Dima Yakovlev Law." As discussed below, this and several domestic scandals⁸ created a *window of opportunity* for child welfare NGOs that long been advocating for reform of the sector to put forward their proposals at an official level.

Overhauling the system of residential care and prioritization of care in families became primary principles of the child welfare reform. Safeguarding every child's right to grow up in a family fits well with the conservative turn in Russian family policy as well as with public sector reforms to cut state public expenditure since care in families is cost effective in comparison to care in residential institutions (Tarasenko, 2018). These were both crucial in terms of opening the discursive opportunities for NGOs to promote the reform. The reorganization of the care system was given high priority on the government's agenda in Russia in the 2010s. Although President Putin's famous 2006 speech on Russia's demographic crisis mentioned children living without parental care (Rotkirch et al., 2007), the issue was only directly addressed by President Medvedev in 2010, a move which was followed by several national policy programs in the field. These documents were often designed with significant input from activists and NGOs, particularly the two on which we focus: the "National Strategy to promote the interests of children in 2012-2017" (hereafter National Strategy),⁹ and Government Decree RF#481 "On the activities of organizations for orphaned children and children without parental care and on the placement of children without parental care in them" (hereafter Decree 481).¹⁰

The National Strategy was established by presidential decree in June 2012, with the aim of overhauling the system of institutional care. The National Strategy recommended that children's homes

be reorganized into “family support centres” whose primary task was to place children in biological or foster families through support and training services. The document was important in setting out key ideas about alternatives to residential institutions and contains frequent references to international treaties. It would, however, take several years to develop implementation mechanisms for the Strategy’s proposals. This started with Presidential Decree #1688,¹¹ which was issued on December 28, 2012, on the same day that the above-mentioned ban on adoptions of children by U.S. citizens was signed into law and that directed the officials to begin work on improving fostering and adoption processes. Also, in 2013, the presidential party, United Russia, established a nationwide program “Russia Needs All Its Children,”¹² which is clear evidence of the prioritized position of the issue as well as of the demographic motivation behind the policy as the name of the program indicates.¹³

Decree 481, which came into force on September 1, 2015, fundamentally altered the nature of care in residential institutions. Children’s homes are now “family centres” with the primary task of working with both biological and foster families, with family replacement as the ultimate goal. Living in such centers is designed to resemble a family-style environment: Children live in small groups in apartment-type premises and go to local schools. The Decree has been described as revolutionary because “children’s life in the orphanages is starting to look like an ordinary child’s life instead of prison life,” as one of the most prominent NGO campaigners for the reform put it.¹⁴

In comparison to the Soviet system, which was characterized by the ideal of collective care and upbringing and the consequent dominance of large residential care institutions, the attachment-theory-based reform represents a paradigm shift in Russia’s child welfare policy, that is, a fundamental change both in the underpinning ideals of care and institutional design. As Kulmala et al. (2017) suggest, a range of factors contributed to the policy shift. Domestic and international scandals turned attention to the serious shortcomings in the residential care system. The prioritization of family over institutional care fit well with wider public sector reforms aimed at increasing cost efficiency. Even more importantly, it fit with the increasing emphasis on families, which was on the government’s agenda. Russia needs all its children, as indicated by the above-mentioned program initiated by the presidential party United Russia. This need grew from the demographic crisis and it intertwined with President Putin’s wider ideological project to revitalize the nation. These all were crucial factors in the specific timing of the reforms in the 2010s. Although the final decision-making process clearly depended on governmental actors, as is typical for Russian-style network governance (Kropp & Aasland, 2018), we show later that NGOs played a crucial role in providing ideas on reform and had a formative role in writing key documents to change the child welfare system. Hence, they were able to successfully seize the opening window of opportunity. In the following sections, we explain what made the role of NGOs possible in Russia’s increasingly authoritarian context of policy making.

4 | DATA AND METHODS

Our analysis builds on 16 interviews conducted with representatives of several Moscow-based NGOs and two independent experts who have been active in the relevant policy-making processes at the federal level of decision making in January and August 2015 and April–September 2016. The interviewed experts were the National Foundation for the Prevention of Cruelty to Children; the foundation “Support for Children in Difficult Life Situations”; the charity foundation “Prevention of Social Orphanhood”; the Moscow foundation “Assistance to Children’s Homes”; the charity foundation “Victoria”; the Elena and Gennady Timchenko Foundation; the charity foundation “Assistance to Volunteers in Children’s Homes”; the charity foundation “Our Children”; the child support foundation “Tutors and Social Adaptation”; and the professional organization “Pro-mama.” In addition, we interviewed two

independent experts: Galina Semia, a member of the Coordination Council for the implementation of the Strategy and Professor at the Moscow State Pedagogical University, and Aleksandr Gezalov, a well-known expert and activist who is a member of the committee for residential care questions within the Ministry of Education and serves as an assistant to the chair of the Family Policy Committee of the State Duma. These interviews are a part of larger data sets compiled between 2015 and 2017 in two different research projects.¹⁵ As the topic and several of the experts interviewed have also featured prominently in the Russian media, our data also include published articles in Russian newspapers and online resources.¹⁶ When using published data, we refer to the experts by their name, while all those who took part in our confidential interviews have had their identities anonymized.

The reform we examine is a case of policy making at the federal level of Russian government. While the practical implementation of social policy in Russia is largely in the hands of the regions, federal-level legislation sets the basic principles of this policy (Kulmala, Kainu, Nikula, & Kivinen, 2014), and this legislation is binding for all regions. The prioritization of the reform by the highest levels of government creates strong pressure for regional governments to engage with the deinstitutionalization policy, and it is currently being implemented throughout the country with considerable scale and speed, although this implementation can vary considerably from region to region. As a result, we have chosen to focus our analysis on interviews we conducted with Moscow-based NGOs and experts operating at the federal level as in this case they have had the most substantial input into the development of the reforms which were initially proposed.

5 | RUSSIAN CHILD WELFARE NGOs AS AN EXPERT COMMUNITY

As mentioned earlier, policy entrepreneurs are well-connected members of a particular policy community with expertise relevant to that policy. Research on the process of policy-making talks of “epistemic communities” as generators of ideas whose members have expert knowledge in a particular field and who contribute to the development of policy solutions “in the early policy design stages of the policy cycle where the uncertainty of novel policy problems is at its peak” (Dunlop, 2013, p. 230). Such expert knowledge frequently has a transnational aspect in terms of ideas that are circulating globally or the direct involvement of international experts in policy development (Dunlop, 2013, p. 230). In the case of child welfare reform, it was Russian child welfare NGOs that had developed such expertise over time, thanks to their connections both to the international child rights community and to grassroots practitioners in their own country.

Although there was no systemic reform prior to 2010, numerous (rather fragmented) experiments and innovations took place locally in some Russian regions starting in the late 1990s to early 2000s. This meant that the expert community in Moscow was well informed of the kind of best practice and potential policy solutions that should be promoted, as explained by Elena Al’shanskaya, one of the most visible campaigners for the reform and chair of the charitable foundation “Assistance to Volunteers in Children’s Homes”:

There was a long process of developing alternative practices for how children’s homes should operate, how to arrange family replacements and so on. They prepared the ground and made it possible to point to examples of working models on the territory of the Russian Federation, without simply referring to the international experience.¹⁷

This process of developing alternative models for the provision of residential care, or “preparing the ground,” conforms to what Kingdon (2014, p. 143) refers to as the “softening-up” process

whereby policy entrepreneurs spend a period of often years promoting alternative policy solutions to policy makers and the wider public, long before they finally make it onto the government's agenda when an appropriate window of opportunity opens. A number of interviewees also pointed to the ongoing connections that exist between the many governmental and nongovernmental stakeholders involved in child protection.¹⁸ They highlighted the fact that NGO leaders in this area often had extensive professional experience of working in fields relevant to child welfare such as education, health care, and academia and had been developing their credibility as experts on the topic since the early years of Putin's first presidency:

In the early to mid-2000s there were all these government and presidential statements on the issue and experts emerged who were able to prove to policymakers the importance for a child of living in a family rather than an institution. It was a combination of political will, the expert community, progressive NGOs and a critical mass of people with an interest in making serious changes to the Russian system of child protection that became the key driver and has already led to concrete progress when compared with the situation 10-15 years ago.¹⁹

Access to international contacts and expertise was another factor highlighted as crucial to the development of this community of child welfare NGOs. During the relatively open period of Yeltsin's presidency in the 1990s, Russian NGOs, activists, and reform-minded practitioners cooperated with international charities, organizations, and funding programs, thus receiving the opportunity to apply rights-based and child-focused approaches that were being promoted around the world. As deinstitutionalization became a worldwide trend, these NGOs became familiar with global norms and developments. They developed a high level of professionalism on the issue and could therefore act as transmitters of global norms and trends in the Russian context. According to the main author of the National Strategy, Galina Semia,²⁰ for example, many of the positive developments that took place were able to happen because at that time many NGO people and particularly specialists were trained internationally and were able to learn about the negative consequences of the system of massive and segregated institutions developed by the Soviet system:

There were the results of the research done by both Russian and international centres about what happens to children living in institutional settings. Then in 2009 there was this UN resolution on alternative care.²¹ The Ministry of Education then began to develop a project and made a beeline for the experts on this. So everyone started working on this project – NGO leaders gave them lots and lots of recommendations. It was a very long process – it wasn't the case that they simply wrote down our recommendations and accepted them.

Awareness of good policy and legislation in other countries also seemed to add weight to the ideas put forward to Russian officials by these policy entrepreneurs. As one NGO leader put it: "I need to have good concrete examples from elsewhere in order to show our officials that those things are possible elsewhere – so why not in Russia?"²² This "domestication" of global ideas (cf. Smith & Rochovska, 2007) is a crucial element in order to guarantee the good fit of the problem definition and solution. It is a combination of "models from abroad, adapted to Russian society – something borrowed plus something of your own," as one NGO leader put it.²³ In this work, the role of NGOs has been crucial: "...it was NGOs who were the first innovators in the 1990s."²⁴ From the point of view of these NGO leaders, the weakness of the state agencies managing the sphere of children protection has also enabled them to have a unique role in the transformation of the sphere, strengthened

their positions as professional experts, and created many opportunities for lobbying, as explained by the leader of an NGO that is closely affiliated with the government:²⁵

They [state officials] are never professionals in the practices that we implement. They do not even know them. They hear about these practices from me for the first time, even though they are deputy ministers and, in principle, they are responsible for social protection in the regions.

It is thus clear that there is a need on the part of the authorities with responsibility for child welfare to consult NGOs working in the field and that these NGOs have developed considerable credibility and legitimacy as experts in the policy stream. This has been done by playing by the rules of the game that apply in an authoritarian regime which discourages overtly critical NGO activity (Mertha, 2009) and by adapting international norms and ideas to a domestic context that tends to be hostile to foreign influence. Russian NGOs in the child welfare sphere thus tend to avoid open confrontation with their state counterparts. Indeed, as Davies et al. (2016, p. 143) argue, for members of Russian governance networks "...willingness to work constructively with the state is the condition of being kept inside the network." This non confrontational approach was highlighted by one of our respondents:

We try to work within the logic of the government, so if it's a question of making decisions and putting pressure on the government we don't take a confrontational approach and say "you must do this and you must do it this way and this way!" We try to understand the logic of their position.²⁶

Similarly, the director of another Moscow-based foundation told us that "in principle, we are in a contradictory position to the state. But we have to find our way toward dialogue because no-one listens to a critical tone. We cannot change the state itself but we can try to change its course by suggesting – in a constructive manner – better solutions."²⁷ Our attention now turns to the platforms that enable these organizations to act as policy entrepreneurs by putting forward their proposals in a more formal setting and taking advantage of windows of opportunity as they open.

6 | TAKING ADVANTAGE OF THE "WINDOW OF OPPORTUNITY"

In order for NGOs to be able to act as policy entrepreneurs in the field of child welfare, they need to have access to more formal discussions with the relevant policy makers that go beyond the kind of unofficial meetings at conferences mentioned earlier. The decision to make the reform of the child welfare system a priority on the government's agenda has led to the establishment of various platforms, public councils, and hearings around the issue under different governmental structures, including the presidential administration, federal government, State Duma, Ministry of Education, and the United Russia party. Our respondents highlighted the fact that as a result, NGOs in the field of child welfare have a close and organic connection with the academic community, state social services, and the structures of power:

At the moment there are a huge number of different formats and platforms [for discussion] which really work. The level of access to discussions about decision-making and about developing programmes, project documents and legislation for specialists from the NGO sector which exists now simply was not there even 5 years ago. Everything was completely closed.²⁸

Russian child welfare NGOs have thus been able to provide expertise for decision making through these bodies that have functioned as channels for new ideas from well-connected members of this policy community. They have been assisted in this by support for the reform at the highest levels, something that is important in any political system but particularly in a nondemocratic regime such as Russia's where policy discussions are usually a restricted and top-down-led process (cf. Gel'man & Starodubtsev, 2016). In comparison to other areas of policy making in Russia, including other areas of social policy, cross-sectoral communication, and collaboration in the sphere of children protection seem to be particularly well developed (cf. Kropp & Aasland, 2018, pp. 229–230). In line with this, our respondents argued that these platforms are more *real* in certain policy spheres than in others, with social policy and child welfare in particular mentioned as positive examples of “genuinely functioning” bodies.²⁹

This example conforms to what Mertha (2009, p. 996) describes as “fragmented authoritarianism,” whereby the rules of the policy-making process and the control mechanisms used differ from sphere to sphere. Many of the platforms for collaboration were established in 2012–2013 after the *focusing event* in the problem stream provided by the Dima Yakovlev case in 2008 and the introduction of the Dima Yakovlev Law in 2012. These cases and other scandals involving children in care brought increased government and public attention to policy solutions relating to child protection and welfare and led to the decision to initiate the National Strategy for the Interests of Children for 2012–2017. According to the vice-chairman of the Victoria Foundation, Galina Rakhmanova:

Banning US citizens from adopting Russian children risked exacerbating the situation and the government was forced to act and take measures which aimed to compel children's homes and child protection agencies to hand children over to foster families to be cared for. Public opinion was also calling for something to be done about children's homes which had long been seen as an unsuitable setting for children's development and upbringing.³⁰

The National Strategy was clearly designed to demonstrate government action in relation to failings in the sphere of child welfare and leading NGOs were members of the Presidential Coordination Council for the Implementation of the National Strategy for the Interests of Children (2012–2017) from the beginning. This provided them a major opportunity for promoting their policy solutions since, as one of our respondents pointed out, “governmental officials do listen to experts through these bodies and, moreover, they change their approach based on this information.”³¹

According to Galina Semia,³² the process of preparing the National Strategy for the Interests of Children (2012–2017) was a long and convoluted one that involved many high-level officials and experts. It was also one that could have led to failure due to personnel changes at the top level of government, highlighting the unstable unpredictable environment where these processes take place and the importance of having support from top officials. The dependence of issues on certain personalities and the subsequent potential lack of continuity in institutionalizing those issues is probably one of the major risks in terms of policy proposals being realized. The National Strategy was initiated in 2009 by Aleksey Golovan, the first Children's Ombudsman in the country, who wanted to have a National Strategy to promote children's interests similar to that found in many other countries. Golovan invited Semia—who was an established academic at that time—to write the strategy for him. Semia assembled a group of well-known experts on child welfare in Russia, including many NGO representatives. This group worked for months to determine the

major problems and challenges and define the key concepts. Golovan was then dismissed and a new ombudsman, Pavel Astakhov, was appointed. The new ombudsman wanted the Strategy to be written by lawyers and Semia resigned from office. Golovan, however, continued to promote the original draft and managed to get a copy to Valentina Matvienko, who was Chairman of the Federation Council at that time.³³ Matvienko then discussed the idea with Vladimir Putin, who was prime minister at the time and who decided he wanted Golovan's initiative to be taken further. Golovan again turned to Semia who again gathered the same expert group and wrote the document in 2 weeks in consultation with many experts and officials. She then sent it to the various ministries involved in child welfare to get their support for it. All ministries except the Ministry of Finance signed the document but when Putin was re-elected as president in 2012 he promptly replaced all the ministers who had just signed the Strategy. Shortly afterward, however, President Putin nominated those people who had signed the Strategy at the ministries as his advisors. They then presented it to the president and he finally signed it on June 1, 2016. According to Semia, "it was like a thriller, it really was. It took three years of my life. But I want to say that we have lots of brilliant experts and this Strategy is the result of collaborative work by a huge number of them."

NGO activists in the child welfare sector were able to *couple* the problem and policy streams as there was both a *focusing event* in the problem stream in the form of the fallout from the Dima Yakovlev and other cases and solutions available in the policy stream that they had been promoting over the course of several years. As a result, they were able to use Cairney's (2018, p. 200) three strategies of telling a good story, providing realistic solutions, and adapting their actions to the nature of the opening window of opportunity. As the case described earlier demonstrates, in the Russian context of a heavily top-down policy-making system, having top-level elite allies might be critical for the support of the activists' proposals (see also Johnson et al., 2016). Even in a constrained and top-down policy environment, they managed to get their proposals to arguably the most important decision maker in any Russian policy community—the president:

It's a question of political will. Putin will say, soon I hope, that *early detection* is important. He already said that work is needed to prevent orphanhood. So somehow it reaches him through these expert channels. Our director and those from other NGOs are members of these expert groups – they are quite close to him. Presentations are continually made [in the cross-sectoral platforms] and at some point it goes further and Putin says that one needs to get engaged in early detection. When he does this in the early stages it has a snowball effect on what they do.³⁴

It is worth pointing out that the process has not involved the wholesale adoption by policy makers of all the proposals put forward by NGOs in relation to the reform. As one activist who had been closely involved in drafting Decree 481 said about the final version of the document: "It's not ideal, it's a compromise really – but it's better than nothing."³⁵ She nevertheless described the consultation process as positive from the start. According to her, the government agencies collected a group of experts and heard their views both before drafting the decree and during its refinement. She highlighted that government representatives were genuinely open to ideas and consultation on the child welfare reforms:

Usually, these things happen the other way around: already written documents are passed to a public hearing when there is less possibility of impact.

This serves to highlight that when it comes to policy-making processes in Russia, child welfare in many respects constitutes a rather special case.

7 | CONCLUSIONS

Overall, it is clear that child welfare NGOs in Russia have played a considerable role in designing the major reforms implemented and in shaping the ideas that have produced a paradigmatic change in the country's policy on children living in the care of the state. Although the final decision making clearly depended on the governmental actors and remained within government structures, NGOs were directly responsible for providing ideas on the reform and had a formative role in writing key documents to change the child welfare system. What made such a contribution *from below* possible? Obviously, it could only be made in the context of governmental willingness to reform, long-term lobbying by well-connected NGOs, and the fact that there was broad consensus about the necessity to reform, influenced by increasing awareness domestically of the failings of child welfare institutions and the international trend toward deinstitutionalization. Russian NGOs had developed credibility and legitimacy as experts in the policy stream through their ability to link international norms and practice to domestic grassroots experience. Their expert knowledge deriving from these two domains was something that the Russian government clearly needed. Moreover, while currently pursuing a policy of harassment toward some categories of NGOs, the government has welcomed the role of the so-called socially oriented organizations, including child welfare NGOs, and has thus allowed a (limited) institutional space for the debate and exchange of ideas (Bindman, 2017). In this limited space, it is important that NGOs are aware of the rules of the game, which obviously has its price: The NGOs must avoid a critical tone and be ready to accept compromises. They also need to domesticate and frame the problems and solutions in suitable ways.

It was political will at the highest level combined with external pressures such as prominent scandals involving children living without parental care that opened the window of opportunity for NGOs that had long been preparing for this moment to act as policy entrepreneurs and put forward policy solutions to the problem of reforming the residential care system. Perhaps paradoxically, they were assisted in this by the heavily centralized system of government that has emerged under President Putin. Although diverse and often chaotic systems and practices were characteristic of the Yeltsin era, under Putin a far more uniform system has been created in which non state forces are strongly controlled by the state and opportunities for many NGOs are heavily restricted. Russia's hybrid top-down system of public policy-making nevertheless still offers opportunities for nonstate actors operating at the federal level such as large and well-connected NGOs to influence policy development in certain privileged domains of social policy that are less politicized than others but are nevertheless important in terms of regime credibility (Bindman, 2017; Bogdanova & Bindman, 2016). The sphere of child protection represents one of these privileged domains in which the government relied heavily on expert opinion from NGOs in the field and created and supported the type of cross-sectoral discussion platforms that enabled these organizations to find a receptive and influential audience for their recommendations for reform. As a result, unlike other many other categories of NGO in Russia, child welfare organizations occupy a middle ground where they are not operating in opposition to the authorities but they have also not been fully co-opted by them.

It is, however, still too early to evaluate the overall effects of the reform. While its implementation is underway, many of the proposals have remained on paper, and where it has been implemented it has sometimes had unintended consequences. For example, as part of the reform, the

government created a criterion whereby the *effectiveness* of regional governors would be measured by the proportion of children living in family care and the number of state-run institutions still operating in that region.³⁶ While this might be a strong top-down incentive for regional leaders to engage with the deinstitutionalization policy, this quantitative measuring of its results is obviously no guarantee of the quality of care itself and might in fact encourage the *massaging* of the numbers. Also, family centers (i.e., previous children's homes) cannot effectively promote family replacements (as required now) when their funding depends on the number of children in institutional care. The clash between the goals, existing legislation, and daily practices generates an institutional trap, which hinders the fulfillment of the goals. Thus, the policy change at the level of ideas does not necessarily lead to real institutional change due to the underlying path dependencies that exist in this policy domain. Nevertheless, it is clear that child welfare NGOs at least have the capacity to influence the formulation of policy and legislation at the highest levels of government in Russia.

ENDNOTES

¹The number of children in other forms of family care has not changed that much: There is a small decrease in the number of adopted children (from 22% in early 2000s to 19% in the 2010s) and in kinship/guardianship care (from 49% to 48% from early 2000s to 2010s; see Birykova & Sinyavskaya, 2017, p. 374). This can be most likely explained by the increased attention and monetary support to foster families.

²Russian Federal Law No. 18, On amending certain federal laws of Russian Federation, January 10, 2006. Retrieved from <http://base.garant.ru/12144310> (accessed May 10, 2018).

³Russian Federal Law No. 121, On amending certain federal laws regarding regulation of activities of non-profit organisations performing functions of foreign agents, June 20, 2012. Retrieved from <http://base.garant.ru/70204242> (accessed May 10, 2018).

⁴Russian Federal Law No. 129, On amending certain legislative acts of Russian federation, May 23, 2015. Retrieved from http://www.consultant.ru/document/cons_doc_LAW_179979/ (accessed May 10, 2018).

⁵See for the details of this specific set of legislation in Bogdanova, Cook, and Kulmala (2018).

⁶At its worst, the population was shrinking by 700,000 per year during the 1990s (Cook, 2011, p. 21).

⁷<http://kremlin.ru/events/president/transcripts/23577> (accessed April 6, 2018).

⁸There have been a number of prominent scandals involving children's homes in recent years that have received substantial media attention, for example, in Sverdlovsk region in 2009: <http://www.ntv.ru/novosti/159330/>; in Saint Petersburg in 2010: <http://www.ntv.ru/novosti/194179/> and in 2011: <https://snob.ru/selected/entry/30118>; in Leningrad Region in 2011: <https://www.spr.ru/novosti/2011-06/skandal-v-detdome-priozerska.html>; in Kuban region in 2011: <https://www.kuban.kp.ru/daily/25655/818688/> (accessed May 18, 2018).

⁹Available at <http://static.kremlin.ru/media/acts/files/0001201206040004.pdf> (accessed January 19, 2018).

¹⁰Available at <https://rg.ru/2014/05/27/detdom-site-dok.html> (accessed January 19, 2018).

¹¹*tsb 0.01w* For further details, see Decree on measures to protect children living without parental care, official website of the President of Russia, December 28, 2012. Retrieved from <http://www.kremlin.ru/events/president/news/17234> (accessed January 12, 2018).

¹²Available at <http://council.gov.ru/media/files/41d49b8a57474a8ca104.pdf> (accessed January 19, 2018).

¹³There are several further documents giving considerable impetus to the development of fostering and early support for biological families under pressure (see more examples in Kulmala et al., 2017).

¹⁴See <https://daily.afisha.ru/archive/gorod/people/eti-deti-stanut-polnocennymi-chlenami-obshestva-kak-izmenitsya-zhizn-sirot/> (accessed May 18, 2018).

¹⁵One led by Kulmala on 'A Child's Right to a Family: Deinstitutionalization of Child Welfare in Putin's Russia', which began in 2016 and is funded by the Academy of Finland, University of Helsinki and Kone Foundation (for details see the project website at <http://blogs.helsinki.fi/childwelfare/>). In addition to analysing relevant policy and legislative documents and media sources, these projects have involved conducting 92 interviews with representatives from federal-level, regional and local non-

governmental organizations; regional officials; directors of residential institutions for children; and foster parents in several regions of Russia including Moscow and the Moscow region; Karelia; Krasnodar Krai; Leningrad Region; Nizhniy Novgorod Region; Samara Region; and Saint Petersburg during 2015–2017. The second, Norwegian-Russian project on network governance in Russia, in which Bogdanova was involved, was funded by the Research Council of Norway under the NORRUS programme (no. 220615).

¹⁶See the interviews and commentaries by some of our NGO respondents in different media, for example, <https://www.miloserdie.ru/article/elena-alsanskaya-bolshinstvo-vozvratov-detej-v-detdoma-ot-rodstvennikov/>; <https://daily.afisha.ru/archive/gorod/people/eti-deti-stanut-polnocennymi-chlenami-obshestva-kak-izmenitsya-zhizn-sirot/>; <https://www.kommersant.ru/doc/2989518>; <https://www.vedomosti.ru/politics/articles/2016/07/18/649521-pravitelstvo-podderzhalo-zakonoproekt-sotsiya-lnom-vospitanii-sirot>; <https://jsps.hse.ru/article/view/7045> (accessed May 18, 2018).

¹⁷See <https://jsps.hse.ru/article/view/7045>, p. 461.

¹⁸For example, an interview with a leader of an NGO, which was established in 2004 in collaboration of its British counterpart. The NGO is one of the best known actors in Russian child welfare and is represented in most of the cross-sectoral platforms in the sphere. The interview was conducted in Moscow, January 26, 2015.

¹⁹An interview with a leader of a child welfare NGO established through a presidential decree during Medvedev's presidency, Moscow, January 25, 2015.

²⁰Interviewed in Moscow, September 26, 2016.

²¹In early 2010, the UN General Assembly adopted a resolution on guidelines for the alternative care of Children. See Resolution adopted by the General Assembly, United Nations, February 24, 2010. Retrieved from https://www.unicef.org/protection/alternative_care_Guidelines-English.pdf (accessed January 12, 2018).

²²Interview in Moscow, May 31, 2016, with one of the most visible campaigners for the deinstitutionalization reform. The NGO run by her was established in 2004 to help the babies that were abandoned at Russian birth clinics. Currently, the priority of the work is to promote different forms of family care.

²³See Footnote 19.

²⁴See Footnote 19.

²⁵See Footnote 20.

²⁶See Footnote 19.

²⁷An interview with the leader executive director of a Moscow-based foundation established in 2010 to implement social programs in the field of child welfare, among others. The interview took place in Moscow, May 25, 2016.

²⁸See Footnote 19.

²⁹See Footnote 23.

³⁰See, <https://jsps.hse.ru/article/view/7045>, pp. 459–460. Victoria Foundation (<https://victoriacf.ru/>) is a charitable foundation established in 2004 by a Russian businessman in order to support children left without parental care. Currently its priority is in preventive work with families at risk.

³¹See Footnote 23.

³²See Footnote 21.

³³Matvienko has seemingly been receptive to ideas and initiatives around family policy from the NGO sector. As governor of Saint Petersburg from 2003 to 2011, she established several cross-sectoral councils in the sphere of family and gender policy that involved NGOs (see Johnson, Kulmala, & Jäppinen, 2016).

³⁴An interview with the coordinator of regional programs of an NGO that grew from a local initiative into a federal organization. The organization was registered in 2004 and carries out large-scale information and professional education programs to promote child rights. The interview was conducted in Moscow, January 28, 2016.

³⁵See Footnote 23.

³⁶See Footnote 11.

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How to cite this article: Bindman E, Kulmala M, Bogdanova E. NGOs and the policy-making process in Russia: The case of child welfare reform. *Governance*. 2019;32:207–222. <https://doi.org/10.1111/gove.12366>