

A Profile of Russian Law Students: A Comparison of Full-Time Versus Correspondence Students

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Interest in studying law has grown dramatically in Russia since the collapse of the Soviet Union in 1991. When high school students are surveyed about their future, becoming a lawyer (*iurist*) is typically one of the top choices.¹ Law students now make up about 10% of all university students,² compared with 2% of this population in the Soviet era.³ Yet we know remarkably little about Russian law students. To date, the literature has focused primarily on institutional reforms to Russian legal education.⁴ These changes have been far reaching, both in quantity and quality. In the Soviet era, higher education was fully subsidized by the state. In the mid-1980s, there were about fifty institutions where young people could study law (law *fakul'tety*, or faculties).⁵

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1. E.L. Vozneseskaia, *Molodezh' i professii*, in *NOVYE SMYSLY V OBRAZOVATEL'NYKH STRATEGIIAKH MOLODEZHNI: 50 LET ISSLEDOVANIIA* 140 (D.L. Konstantinovskiy ed., 2015).
2. Ekaterina Moiseeva, *Iuridicheskoe obrazovanie v Rossii: Analiz kolichestvennykh dannykh* (2016), http://enforce.spb.ru/images/Nauchnie_raboty/2015_analit_obzor_Jurid_ obrazovanie.pdf [hereinafter Moiseeva].
3. NARODNOE KHOZIAISTVO SSSR ZA 70 LET: IUBELEINYI STATISTICHESKII EZHEGODNIK 544-45 (1987).
4. *E.g.*, Dmitry Maleshin, *The Crisis of Russian Legal Education in Comparative Perspective*, 66 *J. LEGAL EDUC.* 289 (2017); PETER B. MAGGS ET AL., *LAW AND LEGAL SYSTEM OF THE RUSSIAN FEDERATION* 179-88 (6th ed. 2015); Olga Shepeleva & Asmik Novikova, *The Quality of Legal Education in Russia: The Stereotypes and the Real Problems*, 2 *RUSSIAN LEGAL J.* 106 (2014); Peter J. Sahlas & Carl Chastenay, *Russian Legal Education: Post-Communist Stagnation or Revival?*, 48 *J. LEGAL EDUC.* 194 (1998); Lisa A. Granik, *Legal Education in Post-Soviet Russia and Ukraine*, 72 *OR. L. REV.* 963 (1993). *Cf.* DAVID H. LEMPET, *DAILY LIFE IN A CRUMBLING EMPIRE: THE ABSORPTION OF RUSSIA INTO THE WORLD ECONOMY* (1996) (ethnography of the daily lives of students at the law faculty of St. Petersburg State University in the early 1990s).
5. Susan Finder, *Legal Education in the Soviet Union*, 15 *REV. SOCIALIST L.* 197, 204-05 (1989). The names varied. Some were law departments or *fakul'tety* within larger universities and some were stand-alone institutes that taught only law. This differentiation in names continued in the post-Soviet era. To simplify the presentation, I refer to all of them as "law faculties."

Admission was highly competitive, with about forty applicants for every seat.⁶ Post-Soviet Russia's transition from an administrative-command system to a market economy opened the door for profit-seeking entrepreneurs to remake the legal educational landscape. They increased the number of students in the existing law schools and charged tuition to these additional students. At the same time, universities and other educational institutions that had previously shown no interest in training legal specialists saw the potential to make money and quickly established law faculties that were sustained solely through tuition. In fairly short order, private actors took advantage of the lax regulatory environment and began to set up law faculties, which were also tuition-based.⁷ By 2017, estimates of the number of law faculties ranged as high as 1200.⁸ The oversight of legal education in Russia is spotty, especially among private facilities. As a result, as others have documented, the quality of legal education provided varies widely.⁹

In this article, I shift the focus away from the law faculties to the students themselves. Based on the results of a survey of 2016 Russian law graduates I explore three basic questions: (1) who studies law in Russia and why; (2) what experiences they have as law students; and (3) what attitudes these students have toward the Russian legal system and state more generally. For each question I analyze the extent to which the answers differ based on whether the respondent studied law on a full-time basis ("full-time students") or studied law through correspondence, which in Russian is known as *zaochnoe* education ("correspondence students" or *zaochniki*).¹⁰

Full-time and correspondence students turn out to be remarkably different. Full-time students tend to come from more financially comfortable and well-educated parents. They are younger, typically matriculating directly upon graduation from secondary school. Correspondence students are older, and most are workplace veterans. They are also more likely to have secured a job upon graduation. Yet these two seemingly disparate groups share some commonalities. Their basic attitudes about the role of law are similar. Neither

6. E. Mishina, *Mnogolikiye Rossiiskie Iuristy*, in *KAKOGO ETO—BYT' IURISTOM?* 6 (2010).
7. See generally MAGGS ET AL., *supra* note 4, at 184-85.
8. Maleshin, *supra* note 4, at 297; see Dmitrii V. Mazaev, *Uchastie rabotodatelei v sisteme vysshego iuridicheskogo obrazovaniia i v podgotovki iuristov*, *ZAKON*, no. 11 at 59, 61-62 (2016). This increase in the supply of institutions of higher education and decrease in overall quality is not limited to the field of law. See generally Olga Belskaya and Klara Sabirianova Peter, *How Does the Expansion of Higher Education Change the Returns to College Quality? Insights from Sixty Years of Russian History* (Apr. 20, 2013), http://conference.iza.org/conference_files/worldb2014/peter_k200.pdf.
9. Maleshin, *supra* note 4, at 298; MAGGS ET AL., *supra* note 4, at 185; Shepeleva & Novikova, *supra* note 4, at 111.
10. Dividing law faculties between state and private is only one method of distinguishing among them. Maleshin divides them into six categories: national universities, federal universities, national research universities, universities, academies, and institutes. See generally Maleshin, *supra* note 4. Moiseeva, by contrast, sets up different categories: classical universities, departmental institutions of higher education, or *vuzy*, specialized legal *vuzy*, other humanitarian *vuzy*, and technical *vuzy*. Moiseeva, *supra* note 2, at 10-13.

group embraces legal nihilism; both are believers in the power of written law to determine the outcomes of court cases. But when presented with compelling evidence of political interference in the judicial process, correspondence students are more accepting.

I. Background on Russian Legal Education

About two-thirds of Russian law students attend state-sponsored institutions and one-third attend private institutions.¹¹ These private institutions began to emerge in the late 1980s and are a fixture of post-Soviet legal education. But many of the public purveyors of legal education are also newcomers. Some existed under Communism but did not have law faculties. A significant number that trained legal specialists in the Soviet era created new branches or *filialy* elsewhere in Russia. Others were created from scratch in the post-Soviet era.¹² What they all share—both public and private—is an eagerness to capitalize on the newfound demand for legal education among Russian young people. Some take their mission seriously and have created an infrastructure to attract and sustain first-rate scholars and teachers. The Higher School of Economics, established by the state in 1992, is a prime example. Although lacking a historical pedigree, it is generally regarded as one of the best universities in Russia.¹³ Its law faculty includes many leading legal intellectuals, such as Tamara Morshchakova, a retired justice of the Russian Constitutional Court;¹⁴ Sergei Pashin, the architect of judicial reform in the 1990s;¹⁵ and Anton Ivanov, the former chairman of the now-defunct Higher *Arbitrazh* Court.¹⁶ At the other end of the spectrum are many specialized institutes, such as the Russian State University of Oil and Gas,¹⁷ with storied histories but no prior expertise in legal education, that jumped at the chance to increase their student body by offering law degrees. Among private universities is likewise a wide spectrum that ranges from highly professional to fly-by-night.

In both the public and private realms, the ability to charge tuition was the fuel that fired this massive expansion. In the Soviet era higher education was

11. Moiseeva, *supra* note 2, at 9-10.

12. See generally MAGGS ET AL., *supra* note 4, at 185; Alexei Trochev, *Legal Education in Russia*, paper delivered at the 7th Conference of the International Society for the Study of European Ideas, University of Bergen (Aug. 17, 2000) (paper on file with the author).

13. See HIGHER SCHOOL OF ECONOMICS, <https://www.hse.ru/en/> (last visited May 16, 2017).

14. Tamara Morshchakova, HIGHER SCHOOL OF ECONOMICS, <https://www.hse.ru/org/persons/68773> (last visited May 16, 2017).

15. Sergei Pashin, HIGHER SCHOOL OF ECONOMICS, <https://www.hse.ru/org/persons/6574521> (last visited May 16, 2017).

16. Anton Ivanov, HIGHER SCHOOL OF ECONOMICS, <https://www.hse.ru/org/persons/68359> (last visited May 16, 2017).

17. See RUSSIAN STATE UNIVERSITY OF OIL AND GAS, <http://www.gubkin.ru/faculty/law/> (last visited May 16, 2017).

publicly funded, and the level of funding determined the number of students. Increasing the size of the student body at existing law faculties or opening new ones was not feasible. This began to change in the late 1980s, thanks to Gorbachev's efforts at economic reform, or *perestroika*. Creative and persistent educators could find their way through the bureaucratic maze to start new schools funded by tuition rather than state subsidies. The collapse of the Soviet Union and its administrative-command economy opened the door to the creation of private institutions of higher education. By 1999, the number of law faculties had increased to 295, and 143 of these were private.¹⁸

State subsidies persist at public institutions but are no longer the sole lifeblood for legal education. The coexistence of these subsidies and tuition has given rise to a two-track system for students at state law faculties. About 18% of these students receive fully funded educations.¹⁹ Colloquially, these students are said to have "budget" (*biudzhetye*) places. The remaining 82% of students at state-funded law faculties must pay their own way, as do almost all students at private law faculties.²⁰ Unlike the United States, Russia has no mechanism for students to obtain loans to finance their education that can be paid back after their graduation. Tuition tends to be paid by students' parents or by the students themselves.

Another idiosyncratic feature of Russian legal education is the possibility and popularity of studying law via correspondence. Students who pursue this path tend to have full-time jobs. They work through course material on their own, showing up in person several times a year for intensive sessions that include lectures and exams. This so-called *zaochnoe* education opens up legal career paths to Russians who live far from any law faculty, as well as those who cannot devote themselves fully to their studies. It originated in the Soviet era, when the state was keen to improve the educational qualifications of those who staffed legal institutions but could not spare them from their full-time duties.²¹ As a general matter, *zaochnoe* education proved especially popular in the years following World War II, as returning soldiers sought to reestablish their places in society. Soviet-era data do not specify the share of correspondence students by department. By 1960, almost 42% of all students were *zaochniki*.²² This

18. Trochev, *supra* note 12, at 3.

19. Moiseeva, *supra* note 2, at 8.

20. Until recently, "budget" places were unavailable at private institutions. This changed in 2010, but only marginally. Aggregate national data show that less than 1% of "budget" places went to private students in between 2010 and 2013. OBRAZOVANIE V ROSSIISKOI FEDERATSII: 2013: STATISTICHESKII SBORNIK 363 (2014) [hereinafter OBRAZOVANIE]. For my sample, surveyed in 2016, 4% of students at private law faculties received these state stipends.

21. John N. Hazard, *Legal Education in the Soviet Union*, 1938 WIS. L. REV. 562, 566 (1938).

22. NARODNOE KHOZIAISTVO SSSR, *supra* note 3, at 544.

option has grown more commonplace today. Present-day data confirm that over 70% of all Russian law students are *zaochniki*.²³ Because law faculties need not provide any facilities for correspondence students, almost all of whom pay tuition, administrators have been aggressive in padding these student rolls. Many have questioned the quality of the legal education received via correspondence, even going so far as to describe this option as a “factory” (*fabrika*) and to argue that it tends to devalue law degrees more generally.²⁴ A draft law that would eliminate correspondence education for law has been floated, but it has come to naught.²⁵

One last point worth noting about the Russian legal educational establishment is that the most prestigious institutions are exclusively public.²⁶ No functional equivalent yet exists of universities like Harvard, Yale, or Stanford in Russia. For the most part, law faculties regarded as elite are unchanged from the Soviet era. They include Moscow State University²⁷ and St. Petersburg State University, as well as several stand-alone law institutes: Ural State Law Academy (Ekaterinburg); Saratov State Law Academy; and Moscow State Law Academy, named for O.E. Kutafin. The Higher School of Economics, a post-Soviet entrant to the market for legal education in Russia, is a new member of this elite group. Although each of these schools has a large student body, admission is extremely competitive, especially for the limited “budget” places.²⁸ With the exception of St. Petersburg State University, each also has a thriving *zaochnoe* program.²⁹ Many of the newer entrants to the legal

23. The trend to pursue correspondence education has picked up steam in the post-Soviet era. In 2000, 37% of Russian students took this route and, by 2013, it was over 49%. But among private students, the trajectory is steeper. The percentage of *zaochniki* increased from 52 to 81 from 2000 to 2013. See *OBRAZOVANIE*, *supra* note 20, at 363.
24. Ekaterina Moiseeva, *Zaochnye iuridicheskie fabriki*, *VEDOMOSTI*, (Sept. 23, 2015), <https://www.vedomosti.ru/opinion/articles/2015/09/23/609977-zaochnie-yuridicheskie-fabriki> [hereinafter *Zaochnye iuridicheskie fabriki*]. For a lively debate on the merits of *zaochnoe* education, see *Otmena ‘zaochni’: bor’ba za kachestvo vysshei shkoly ili krest na obrazovanii molodezhi iz regionov?* *ZAKONIA* (July 21, 2016), <http://www.zakonia.ru/theme/otmena-zaochki-borba-za-kachestvo-vysshej-shkoly-ili-krest-na-obrazovanii-molodezhi-iz-regionov-21-07-2016>.
25. *E.g.*, *Iuristam i ekonomistam poka sokhraniat vozmozhnost’ zaochnogo obuchenii*, *PPT.RU* (Aug. 1, 2016), <http://ppt.ru/news/136487>.
26. See David L. Konstantinovskiy, *Expansion of Higher Education and Consequences for Social Inequality (the Case of Russia)*, 74 *HIGHER EDUC.* 201 (2017) [hereinafter Konstantinovskiy, *Expansion of Higher Education*] (rankings for Russian universities). See generally Shepeleva & Novikova, *supra* note 4 (overview of the debates over the quality of legal education within Russia).
27. For example, writing in 1989, Finder characterizes the law faculty at Moscow State University as being the “most prestigious Soviet law school.” Finder, *supra* note 5, at 211.
28. Shepeleva & Novikova, *supra* note 4, at 109.
29. Until 1987, what is now the Moscow State Law Academy, named for O.E. Kutafin, had only correspondence students. It was known as the All-Union Zaochnyi Institute of Law. See *Zaochnye iuridicheskie fabriki*, *supra* note 24.

education market, both public and private, have small programs, sometimes with 100 or fewer law students.³⁰

II. Methodology

To breathe life into this flat institutional picture of Russian legal education, I worked with Russian colleagues to organize a survey of law students on the cusp of their graduation in spring 2016. Interviewers across Russia administered our survey through in-person conversations with 2176 students at 163 law faculties. But because the incentive structures for full-time and correspondence students are different, we decided to create separate representative samples for these two populations. The sample of full-time students comprised 1557 respondents and the sample of correspondence students comprised 619 respondents. Law faculties were the initial unit of analysis. They were stratified by funding source (public or private) and then again by elite status. The sample of respondents was distributed in proportion to the number of graduates in 2016. When on site at the selected law faculties, interviewers used snowball methods to gather respondents. Because correspondence students were not regularly on campus, they were more difficult to locate, which explains why this sample is smaller.

These two samples are remarkably different on almost every score, as Table 1 documents. Full-time students are more likely to hail from Moscow or St. Petersburg, whereas correspondence students tend to come from the hinterlands. Almost a third of the full-time students hail from Moscow or St. Petersburg, and close to 40% were from other towns in the European part of Russia. By contrast, less than 13% of correspondence students are from Russia's two largest cities, and almost 60% are from elsewhere in the European regions of Russia. The differences between the portions of these two populations that come from Siberia, the Far East, the Urals, and the North Caucasus are less striking. It follows that *zaochniki* are more likely to be from smaller population centers than are full-time students.

Respondents were asked about their family background, their experiences as law students, and their post-graduation plans. The survey also included a wide range of questions about their knowledge of, and participation in, the judicial system, as well as their attitudes toward the courts and other state institutions. The encroaching authoritarianism within Russia made querying respondents about their political views tricky, but we found proxies for their level of support for the Putin regime by seeking out their views of verdicts in politically charged cases. Not surprisingly, the willingness to respond fluctuated depending on the sensitivity of the underlying question. For ordinary questions, less than 2% of respondents refused to respond. When it came to questions with political overtones, however, many more sidestepped. The refusal rate for such questions was around 15%.

30. Moiseeva, *supra* note 2, at 4.

This survey is intended as the first in a series to be fielded every few years with these same respondents. The ultimate goal is to understand how Russian legal specialists construct their careers, a topic about which we currently know very little. But this first survey allows us a revealing glimpse into the lives of the respondents as law students.

III. Where Do Russians Study Law?

The divergence between the populations of full-time and correspondence students is glaring in their selections of law faculty. As Table 1 reveals, full-time students are much more likely to attend state schools. Almost 83% made this choice. By comparison, a majority of *zaochniki* attended private schools. I found this same effect, but even more pronounced, when exploring who attended elite law faculties.³¹ Whether respondents who ended up at the more prestigious state institutions were, in fact, more qualified than those who opted for private institutions is unclear from the data. It is possible that they were more strategic and/or more knowledgeable when making their decisions about where to apply and where to enroll.

As a rule, Russians tend to stick close to home when selecting a law faculty. Once again, the two populations exhibit significant differences. While 63.5% of all full-time students attended a law faculty in the same region where their parents live, slightly more than three-fourths of all correspondence students did so. This finding came as a surprise to me. *Zaochniki* are not physically tied to premises of their law faculty in the same way as their full-time counterparts because they do not regularly attend classes. I had expected that, as a result, they might be more adventurous in their choices. But to do so, they would have to have the resources to travel to these institutions periodically and pay to stay nearby. It would also require them to take a leave of absence from their job. By sticking closer to home, they save money and can make periodic appearances at their workplaces, even during their exam sessions. But all respondents were practical when it came to housing. If possible, they continued to live with their parents; they did not move into dormitories or find apartments on their own if they attended a law faculty in their hometown.³²

The opportunity to attend an elite law faculty served as a spur to leave home for both groups. Among full-time students, less than half at elite institutions had stayed in their home region (compared with 64% for all full-time students). This difference is statistically significant ($\chi^2 = 0$). The story is less convincing for correspondence students. While the percentage of those who stick close to home drops from 75 to 66.7 when we factor in attendance at an elite law faculty, the difference is not statistically significant ($\chi^2 = 0.265$). Of course, the numbers are quite small for *zaochniki*; only thirty attended elite faculties.

31. Of the 306 respondents who attended elite faculties, 90% were full-time students. Of course, when we look at the full population of full-time students, relatively few (about 18%) attended elite faculties.

32. On the peculiarities of the Russian housing market, see JANE R. ZAVISCA, *HOUSING THE NEW RUSSIA* (2012).

But these results suggest that, much like their counterparts elsewhere, Russian law students flock to educational institutions that they believe will give them a leg up in post-graduation connections.³³

Table 1: Summary statistics for surveyed graduating Russian law students (unless otherwise indicated, results presented as percentages of each sample, not including those who did not respond).

	Full-Time Students	Correspondence Students
Total number:	1557	619
Geographic distribution:		
Moscow or St. Petersburg	32.2	12.8
Other European regions	39.9	58.2
Siberia and the Far East	11.7	15.2
Urals	15.5	11.2
North Caucasus	4.7	2.7
Type of legal education:		
State	82.8	45.9
Private	17.2	54.1
Attended law faculty in home region:	63.5	75.2
Activities before studying law:		
High school	92.1	34.7
Studied in different department	2.1	9.6
Member of workforce	5.8	55.7
Mean age:	22.1	28.1
Both parents are university graduates:	43.6	24.4
Had secured job upon graduation:	30.2	51.2
Family's financial situation:		
Poor: family had trouble covering the cost of basic necessities	13.6	16.4
Lower-middle class: family had enough money for essentials, but had to save for big-ticket items	33.2	45
Higher-middle class: family could buy big-ticket items, but not cars	37.7	25.1

33. As a general matter, Konstantinovskiy argues that young people “who are not ‘attached to a place’ and are willing (can afford) ‘to move for the quality’ have better life chances.” Konstantinovskiy, *Expansion of Higher Education*, *supra* note 26, at 18; *see generally* Dmitrii Ivanov, *Kuznitsy iuridicheskikh kadrov*, KOMMERSANT (Sept. 9, 2013), <https://www.kommersant.ru/doc/2255086>.

	Rich: family had no financial worries	15.5	13.5
Means of paying for legal education:			
	State (“budget” place)	35.8	8.3
	Parents	55.3	20.5
	Self	6.8	69.2
Identifies as ethnic Russian:		81.6	90.5
Religious affiliation of believers:		(n = 1495)	(n = 604)
	Russian Orthodox	70.1	81.1
	Muslim	11	7.1
	Other	3.5	1.7
	Does not belong to established religion	15.3	9.9

IV. Who Studies Law in Russia?

A. Demographic Characteristics and Family Background.

As elsewhere in Europe, Russian legal education is an undergraduate enterprise. Lecturing, with little opportunity for student engagement, is the primary means of instruction. Pedagogical methods that encourage critical thinking are the exception, not the norm. Traditionally, students studied for five years and received a specialist degree. In 2003 Russia joined the Bologna Process, and legal education has been transitioning to a four-year program that awards a bachelor’s degree.³⁴ In either event, students can matriculate in their teens and, as a result, most students graduate in their early twenties.³⁵ A comparison of full-time and correspondence students reveals a chasm. Because almost all full-time students (92.1%) proceeded directly from high school to the law faculty, the average age for these respondents at graduation was twenty-two. The story for correspondence students is more complicated. While a third proceeded from high school, over half were returning to school from the workforce. Thus, the mean age for *zaochniki* graduates was considerably higher, twenty-eight.³⁶ Interestingly, only about a quarter had law-related jobs before enrolling, typically in the criminal justice system or

34. See generally Maleshin, *supra* note 4, at 296; Anatoly Kapustin, *The Bologna Process: Practical Steps for Russian Law Schools*, 35 INT’L J. LEGAL INFO. 245 (2007) (identifies the background and politics of the Bologna process).

35. Dmitry Maleshin, *Chief Editor’s Note on Russian Legal Education*, 2 RUSSIAN L.J. 4 (2014) (noting that students enter at the ages of 16-17 and graduate approximately four years later).

36. The age differential is reflected in marital status. Almost 38% of correspondence students are married, whereas only about 5% of full-time students have taken this step.

the courts. The three-quarters who had jobs in other fields may be trying to transition into law or may believe that a university degree will enhance their career opportunities. Without exception, correspondence students are seeking a degree as a way to move up the workplace ladder. It comes as no surprise that a majority of *zaochniki* had jobs upon graduation, compared with just 30% of full-time students.

Full-time students are more likely to come from families where both parents have university degrees (see Table 1). Almost 44% of this group had such parents. This suggests that they were brought up with an expectation that they would continue on to university. *Zaochniki* were significantly less likely to grow up in that sort of atmosphere. Less than a quarter of them come from parents with university education. This advantage extends to having a family heritage of practicing law. Although it was not common for either group, full-time students were almost twice as likely to have a parent who had done legal work at some point in his or her career.³⁷

The financial background of respondents sheds further light on the differences between these two populations. Full-time students had greater resources. A majority saw themselves as upper-middle class or rich; their families are easily able to purchase big-ticket items. By contrast, a majority of correspondence students described themselves as lower-middle class or poor; their families struggle to make ends meet and have to scrimp and save for large purchases. Their parents' jobs also played a role. Students with parents from the managerial strata tended to pursue full-time legal education, while those with blue-collar parents had a better-than-average chance of being correspondence students. Given their more meager family resources, it follows that correspondence students were also more likely to have had to work for several years to save money for their education. These trends track those identified by Russian sociologists of education. They argue that, despite the ideology extolling equal educational opportunities for all, which dates back to the dawn of the Soviet era, social status, as measured by the educational and employment achievements of students' parents, plays a critical role in predicting who will pursue higher education and what road they will take.³⁸

37. Some 23.3% of full-time students had a parent who had practiced law, while only 12.8% of correspondence students had such an advantage. This appears to be a decrease from the Soviet era. Some 48% of Moscow law students surveyed in the 1980-81 academic year reported having a parent or close relative who also had legal education. See M.A. Fedotov, *Professional'naiia orientatsiia studentov-iuristov (opyt sotsiologicheskogo issledovaniia)*, PRAVOVEDENIE, no. 3 at 69, 71 (1984). Of course, that high percentage could have been specific to Moscow.
38. See generally David L. Konstantinovskiy, *Social Inequality and Access to Higher Education in Russia*, 47 EUROPEAN J. EDUC. 9, 20-22 (2012). Looking at a broad cross section of graduating high school students in Novosibirsk in 2014, he finds that, across the board, over 80% harbored a desire to pursue higher education. But the enrollment data documents that their social and economic background affected their ability to follow through. While about 61% of the children of blue-collar workers attended university, 93% of the children of managers did so. Konstantinovskiy, *Expansion of Higher Education*, *supra* note 26, at 210-12.

Not surprisingly, over two-thirds (69.2%) of correspondence students paid their own tuition. About a fifth received financial help from their parents. Very few—fifty-one respondents, or 8.3%, of all *zaochniki*—had a “budget” place. The story was quite different for full-time students. A majority (55.3%) relied on their parents and an additional third were exempt from tuition thanks to state stipends. Self-reliance was uncommon, which makes sense given the relative youth of the full-time population. Unlike the *zaochniki*, they would have had little opportunity to save for this purpose. The larger irony is inescapable. The tuition burden falls more heavily on correspondence students, who, thanks to their humbler family origins, are less able to shoulder this load. Indeed, these demographic data tend to buttress my earlier point about the informal advantages that inure to the benefit of full-time students. These students have the benefit of growing up with well-educated and high-achieving parents who are more able to shepherd their offspring to prestigious law faculties than are the families of correspondence students, who tend to have to make sense of the complicated marketplace for legal education on their own.³⁹

For some demographic characteristics, the differences between full-time and correspondence students were less striking. For both groups, about two-thirds were women and one-third were men, and well over 90% saw themselves as religious believers.⁴⁰ But significant differences emerged as to ethnicity and religious affiliation. While both samples were dominated by Russians, this dominance was more complete among *zaochniki*, 90% of whom declared their ethnicity to be Russian. Fewer full-time students (81.6%) saw themselves as Russian. The pattern is similar for religion. About 80% of correspondence students identify as Russian Orthodox, compared with 70% of full-time students. The probability of being Muslim was greater for full-time students, 11% of whom embraced Islam, compared with only 7% of *zaochniki*.

B. Self-Confidence

As a group, the respondents were remarkably self-confident, with no discernable difference between full-time and correspondence students. When we asked them to agree or disagree with the statement: “I have a good opinion of myself” on a four-point scale, the mean score for both groups was 3.5, reflecting a strong belief in themselves and their capabilities. This was reflected in their response to another statement: “At present, I am generally content with my life.” Once again, the mean score of 3.3, shared by full-time and correspondence students alike, shows little evidence of the sort of angst or self-doubt that often plagues twenty-somethings.

39. This is a familiar story. Lempert estimated that, in the late 1980s, the child of a Leningrad lawyer had a hundred times greater chance of being admitted to the law faculty at Leningrad State University than did other applicants. LEMPERT, *supra*, note 4, at 574. The name of the city—St. Petersburg—and the university reverted to their tsarist roots after the collapse of the Soviet Union.

40. See Veniamin Simonov, *O religioznoi situatsii v Rosii po dannym oprosa 2014 g.*, VESTNIK OBSHCHESTVENNOGO MNENIIA, no. 2, at 12 (2015) (overview of religiosity in Russia).

We included several questions that are regularly posed on the Russian Longitudinal Monitoring Survey—Higher School of Economics (RLMS-HSE), a nationally representative survey that has been fielded annually since the early 1990s.⁴¹ One of these questions asked respondents to imagine a nine-step ladder and to assess their place on this sort of ladder regarding economic and political power. Higher scores reflect a greater sense of power. For each, the mean scores of our law student respondents was higher than for the general Russian population reflected in the RLMS-HSE data.⁴² This suggests that, as a group, our respondents have yet to be disappointed by life and are optimistic about their prospects.

In a bit of a surprise, the older and more experienced correspondence students turn out to be more willing to trust others than are the full-time students. When asked to assess the statement “The majority of people can be trusted” on a four-point scale, with higher scores indicating a more trusting spirit, the mean score for the *zaochniki* was 2.6, whereas it was 2.4 for full-time students. I had expected the correspondence students, who had toiled in entry-level jobs, to be more jaded than the fledgling full-time students, but the data tell a different story.

V. The Experience of Studying Law in Russia

A. *The Choice to Study Law.*

Respondents were asked why they chose to study law. We gave them a list of possible goals and asked them to rank each in importance on a four-point scale. Higher scores indicated that the named factor was more of a motivating force. The rank order of the reasons was the same for both samples. The top incentive was becoming rich and successful. Full-time students scored slightly higher on this score.⁴³ Perhaps this can be attributed to the hubris of the young. For both groups, the next most compelling rationales for studying law were providing legal help to people and improving society.⁴⁴ Interestingly, the least important factor for the surveyed Russian law students was pleasing their

41. See *RLMS-HSE: The Russia Longitudinal Monitoring Survey, Higher School of Economics*, <http://www.cpc.unc.edu/projects/rlms-hse> (last visited May 16, 2017).

42. Here again, the results for full-time and correspondence students were basically the same. The mean scores for economic power and political power were 5.1 and 4.8 for the law students, and 4.03 and 4.003 for the respondents to the 2015 round of the RLMS-HSE.

43. The mean responses for full-time and correspondence students was 2.46 and 2.25, respectively.

44. A similar question was asked of U.S. lawyers as part of the “After the JD” panel survey. In the first round, when they were closest to their law school experience, they also put achieving success in their careers, both financially and intellectually, in first place. Close behind were the desires to help people and improve society. Bryant G. Garth et al., *After the JD—Wave 1: A Longitudinal Study of Legal Careers in Transition Data Collection: May 2002–May 2003, United States*, ICPSR (Aug. 13, 2013), <http://www.icpsr.umich.edu/icpsrweb/ICPSR/studies/26302?q=After+the+JD++Wave+1%3A+A+Longitudinal+Study+of+Legal+Careers+in+Transition+Data+Collection%3A+May+2002-May+2003%2C+United+States>.

family.⁴⁵ This may indicate that older generations hold to Soviet-era views of working in the legal field as not being terribly prestigious.⁴⁶

Respondents' lack of concern on this score should not be taken as an indication of their disregard for parental advice. When we asked respondents to assess on a four-point scale what factors were most influential in their decision to enroll in a law faculty, the advice of their parents and other relatives was consistently in first place. Given that the vast majority of full-time students are transitioning from high school, it is to be expected that they placed more weight on their parents' opinions than did *zaochniki*, many of whom are already living independent lives.⁴⁷ The two groups diverge when it comes to the second-most important influence. Given that many correspondence students were seeking a law degree to get a leg up at their job, the fact that they put workplace demands in second place is to be expected. The wet-behind-the-ears full-time students were less concerned.⁴⁸ In second place for them was the image of lawyers in the media.⁴⁹ This is, of course, a factor for prospective students everywhere and, as with my sample, tends to hold more sway among younger cohorts. Given that so many respondents stayed close to home for their law studies, it is surprising that neither group placed much emphasis on the convenience of the location of their law faculty. Even more unexpected is the lack of importance placed on friends who could facilitate their admission. Both groups put this factor in last place. This suggests that the introduction of a standardized exam—the Unified State Exam—as the key factor for admission may have dampened the role of connections.⁵⁰ Before this innovation, each law faculty had its own process, most of which relied heavily on oral exams and interviews and provided fertile ground for corruption.

At the outset of their legal education, almost all the respondents planned to work in the legal field. The enthusiasm for practicing law was nearly unanimous among full-time students, with 98.7% endorsing this career path.

45. The lack of concern of present-day students with pleasing their families stands in stark contrast to the information we have about motivations for Soviet-era law students. According to a 1980-1981 survey, family pressure was the key reason cited by two-thirds of those surveyed for choosing to study law. Fedotov, *supra* note 37, at 71.
46. It was not just law that was devalued. In an effort to inflate the importance of workers and peasants, Soviet authorities gave short shrift to all professions. Konstantinovskiy, *Expansion of Higher Education*, *supra* note 26.
47. The mean scores for full-time and correspondence students were 2.46 and 2.25, respectively. While 52% of full-time students did not live with their parents or the parents of their spouse, 61% of correspondence students lived on their own. Further evidence is provided by the data on children. Almost 40% of *zaochniki* have children, compared with about 3% of full-time students. Age, of course, plays a decisive role with both factors.
48. The mean responses for full-time and correspondence students were 1.94 and 1.24, respectively.
49. The mean responses for full-time and correspondence students were 2.19 and 1.92, respectively.
50. Cf. Evgeniya Luk'yanova, *Russian Educational Reform and the Introduction of the Unified State Exam. A View from the Provinces*, 64 EUROPE-ASIA STUD. 1893 (2012).

Correspondence students were slightly more circumspect; 95% reported an intention to practice law. By the time they were graduating, more had gotten cold feet. Among full-time students, 5% had no interest in law-related jobs and an additional 12.6% were unsure about their plans. The numbers were greater among *zaochniki*. About 11% said they would not be seeking a law-related job and an additional 38% were on the fence. Initially, I thought that *zaochniki* who were working in the legal field as students would be less likely to jump ship, but on closer examination, it turns out that this factor was not decisive. Perhaps other career opportunities had presented themselves to these correspondence students during their time at the law faculty. Or perhaps learning more about the legal system left correspondence students more disillusioned than full-time students. More generally, the percentages of disaffected law students seem low among both cohorts. Maleshin, a former vice dean of the law faculty at Moscow State University, estimates that only about half the graduates of Russian law faculties work as lawyers.⁵¹ Thus, my respondents seem unusually sanguine about legal practice. It may be that alienation from the law grows with experience. This is a question we will address in future rounds of the survey. Students who hope to work in the legal field may defect over time, either because they cannot find an appropriate job or because they are not suited to the work.⁵²

B. Educational Experiences and Opportunities.

We asked the surveyed law students to identify their favorite classes. We included both traditional courses, such as civil law and criminal law, and courses newer to the Russian curriculum, such as property and commercial law. Without exception, the respondents clustered around the tried and true. Civil law was the most popular, identified as the first choice by over 40% of both samples. Criminal law was not far behind, earning the votes of almost a third of both samples. The only other class that scored over 5% was civil procedure, another traditional element of the curriculum. Newer courses, such as land law and tax law, received less than 1% of the votes.⁵³

Experiential learning was a long-standing feature of Soviet legal education dating back to the 1930s.⁵⁴ Upper-level law students were parceled out to industrial enterprises, courts, and the criminal justice system to get hands-on

51. Maleshin, *supra* note 4, at 296.

52. Scholars of the legal profession elsewhere have found a gendered effect for such defections. Whether this will also prove to be the case in Russia remains to be seen. *E.g.*, Ethan Michelson, *Gender Inequality in the Chinese Legal Profession*, in *WORK AND ORGANIZATIONS IN CHINA AFTER THIRTY YEARS OF TRANSITION* 337 (Lisa Keister, ed., 2009); Kenneth G. Dau-Schmidt et al., *Men and Women of the Bar: An Empirical Study of the Impact of Gender on Legal Careers*, 16 *MICH. J. GENDER & L.* 49 (2009).

53. There is a certain irony in present-day students' disdain for newer offerings. In his 1980-1981 survey of law students, Fedotov found that 72% yearned for less traditional courses, such as judicial ethics and rhetoric. Fedotov, *supra* note 37, at 72.

54. Hazard, *supra* note 21, at 574.

training. This sort of on-site internship (*stazherovka*), which is organized by the law faculty for credit, has continued in the post-Soviet era, but the story differs for full-time and correspondence students. Only 78.5% of correspondence students had had this experience. Those who did not were probably exempt because of their ongoing work experience. Over 96% of full-time students had completed a *stazherovka*. The quality of these internships varied. Some students were integrated into the routine of the workplace, but many were relegated to clerical work.

On the other hand, law clinics were not part of Soviet legal education.⁵⁵ As Russian legal pedagogues began to be exposed to Western practices in the 1990s, they grew intrigued by clinical education.⁵⁶ Initially, many law-faculty-based clinics were funded by grants from foreign governments and foundations.⁵⁷ Some lasted only as long as this money held out, but others took root. Because clinics, by definition, require active participation, it is not surprising that full-time students were more likely to have had this experience. Over 28% of full-time students had worked at a clinic, compared with less than 12% of *zaochniki*. Most of these clinics were not specialized; they helped all comers. Whether as a result of clinics or *stazherovki*, about a quarter of both samples had court experience by the time they graduated.

Another innovation of post-Soviet legal education is the possibility to study abroad. For most of the Soviet period, an undergraduate law student's traveling abroad to study law would have been unthinkable. Indeed, proposing it in the Stalinist era might even have been dangerous. The exchanges that existed were on the governmental level and were available only to advanced graduate students.⁵⁸ As regulatory oversight diminished and the ever-watchful Communist Party receded from power, law faculties began to experiment with various types of study-abroad programs.⁵⁹ Exchanges with Western Europe and the United States proved problematic due to the high cost of their tuition compared with what Russian students were accustomed to. It was also difficult to interest European and American law students in spending extended periods in Russia. As a result, studying abroad is the exception, not the rule, for Russian

55. Some commentators label the *stazherovki* as clinics, but this is a misnomer. *E.g.*, Finder, *supra* note 5, at 209. They more closely resemble externships.

56. See generally John M. Burman, *The Role of Clinical Legal Education in Developing the Rule of Law in Russia*, 2 WYO. L. REV. 89 (2002); Lawrence M. Grosberg, *Clinical Education in Russia: "Da and Nyet,"* 7 CLINICAL L. REV. 469 (2000-2001).

57. Mariana Berbec-Rostas et al., *Clinical Legal Education in Central and Eastern Europe: Selected Case Studies*, in THE GLOBAL CLINICAL MOVEMENT 53, 63-65 (Frank S. Bloch ed., 2011).

58. For more information on the background and experiences of the Americans who participated in these exchanges, see JOHN N. HAZARD, RECOLLECTIONS OF A PIONEERING SOVIETOLOGIST (1984); ROBERT RAND, COMRADE LAWYER: INSIDE SOVIET JUSTICE IN AN ERA OF REFORM (1991).

59. See generally Jane M. Picker & Sidney Picker, Jr., *Educating Russia's Future Lawyers—Any Role for the United States?*, 33 VAND. J. TRANSNAT'L L. 17 (2000).

law students.⁶⁰ Given that *zaochniki* have ongoing work commitments, it stands to reason that going abroad for a semester or year was a non-starter for them. Only three of the surveyed *zaochniki* had done so. By contrast, fifty full-time students (slightly over 3% of this sample) had participated in study-abroad programs, though this percentage was considerably higher for elite schools (7.5%), which are more likely to have been courted by Western universities. Most (63%) studied in Western Europe.⁶¹ The reason for not participating was not lack of language facility. Over two-thirds of full-time students, who were the likely participants, knew a foreign language. Rather, the most common reason was an unawareness of such opportunities.

We asked respondents to reflect on their overall levels of satisfaction with two aspects of their legal education: theoretical preparation and practical preparation. In his assessment of present-day Russian legal education, Mareshin identified skills-based training as a problem area.⁶² The surveyed students agreed. On a four-point scale, in which higher scores indicate greater satisfaction, both groups expressed more satisfaction with their theoretical training than with their practical training. The attitude toward the former was the same for both samples; the mean score for each was 3.3. By contrast, correspondence students were more satisfied with their practical training (mean = 3.03) than were full-time students (mean = 2.9). Russian colleagues who took the *zaochnoe* road have told me that an advantage of working while studying was that they were able to apply what they learned in their jobs. This may help explain their more positive attitudes. It also tends to confirm that *stazherovki* are not particularly helpful. Confirming this, Mareshin contends that the *stazherovki* have become a “formality” that “seldom provide skills for practical work.”⁶³ He advocates greater reliance on practitioners who can imbue students with insights from their day-to-day practice. But he dismisses

60. During the 1990s, around 150 Russian students came to the United States to study law through various U.S.-funded programs. *Id.* at 67. Informal conversations with representatives of the Moscow Fulbright office, who now administer these exchanges, suggest that since 2000 at least an additional 300 students have studied law in the United States under its auspices. Given the rise of the super-wealthy in Russia, it is likely that some oligarchs have sent their children abroad to law school. Information about the total numbers studying in other countries is not available.

61. Among the survey respondents, eight went to the United States. Six were full-time students and two were correspondence students.

62. Mareshin, *supra* note 4, at 306. Much like their American counterparts, Russian law firms and other prospective employers are frustrated by the inability of law graduates to hit the ground running after graduation. Shepeleva and Novikova argue that it is unfair to lay all the blame at the doorstep of law faculties, pointing out that the demands of employers have been poorly articulated. Shepeleva & Novikova, *supra* note 4, at 112-13. On a popular legal website, experienced Russian legal specialists bemoan the current graduates' lack of practical skills and overall cluelessness. Irina Kondrat'eva, *Moglo byt' khuzhe: iuristy so stazhem—o segodniashnikh vypustnikakh iuruzov*, PRAVO.RU (Apr. 25, 2015), <https://pravo.ru/story/view/139832/>.

63. Mareshin, *supra* note 4, at 306.

efforts to date as being “equivalent to extinguishing a fire with a bucket.”⁶⁴ I had expected that clinical experience might make students more positive about their practical training, but such an effect is visible only for correspondence students.⁶⁵ The lukewarm attitudes of full-time students toward their practical preparedness are the same, regardless of whether they worked at a clinic.

Working while studying law was almost twice as common for correspondence students as for full-time students, 79.1% of *zaochniki* had paying jobs, compared with 41.6% of their full-time compatriots. Among both groups, students who were paying their own way were more likely to be part of the workforce. Not all jobs were law-related. Almost half of correspondence students (47.1%) worked in the legal field, compared with two-fifths of full-time students (41.6%). This makes sense when we remember that many *zaochniki* were working in law-related jobs when they began their legal education.

VI. The Worldview(s) of Russian Law Students Upon Graduation

A. Attitudes Toward the Russian Legal Profession.

Turning now to the question of socialization, we asked respondents to indicate their level of agreement with five statements about the legal profession along a four-point scale. These statements, along with the mean responses for full-time and correspondence students, are set forth in Table 2. Several of these questions were also posed as part of a 2014 survey of Russian *advokaty* (graduates of law faculties who take a licensing exam)⁶⁶ organized by scholars at the Higher School of Economics and European University.⁶⁷ Table 2 presents the mean responses of these *advokaty* who, in contrast to my respondents, have real-life experience in legal practice.

Statements about the moral fiber of lawyers and about their use of “loopholes” (*lazeiki*) in the law elicited the strongest reactions among my

64. *Id.* at 290. Interestingly, when practitioners who teach at Russian law faculties are queried about their motives, most point to the benefit to themselves or their firms rather than to their contribution to enhancing the practical skills of their students. Aleksei Malakhovskii, *Kto imeet i uchit: pochemu partnery vedushchikh iurfirm idut prepodavat'*, PRAVO.RU (Apr. 21, 2017), <https://pravo.ru/review/view/139741/>.
65. The mean for correspondence students with clinical experience was 3.19, compared with a mean score of 3 for those without this experience ($p = 0.08$).
66. Like most European countries, Russia has a divided legal profession. In addition to *advokaty*, who tend to be litigation specialists, graduates of Russian law faculties can opt to become prosecutors, notaries, business lawyers, judges or government lawyers. See generally MAGGS ET AL., *supra* note 4, at 178-233. *Advokaty* are unique in that they have a monopoly on representing criminal defendants. For more on *advokaty*, see PAMELA A. JORDAN, DEFENDING RIGHTS IN RUSSIA: LAWYERS, THE STATE, AND LEGAL REFORM IN THE POST-SOVIET ERA (2005).
67. A. Kazun, E. Khodzhaeva, and A. Iakovlev, *Advokatskoe soobshchestvo Rossii* (March 2015), <https://www.hse.ru/data/2015/04/08/1095147351/%D0%90%D0%B4%D0%B2%D0%BE%D0%BA%D0%B0%D1%82%D1%81%D0%BA%D0%BE%D0%B5%20%D1%81%D0%BE%D0%B1%D1%89%D0%B5%D1%81%D1%82%D0%B2%D0%BE%20%D0%A0%D0%BE%D1%81%D1%81%D0%B8%D0%B8.pdf>.

students, with means above 3. More specifically, respondents endorsed the statement “Lawyers make use of loopholes in the law” as well as the statement “In their activities, lawyers have high moral standards.” For laypeople, the fact that many respondents agreed with both statements might seem inconsistent, even schizophrenic. But the sleaziness that nonlawyers associate with using loopholes is not always shared by those with legal training. They see their task as maximizing the interests of their clients, and consequently, they tend to regard loopholes as providing opportunities rather than as compromising their principles.

Table 2: Columns 2 and 3 reflect the agreement of surveyed graduating Russian law students with a series of statements about the legal profession on a scale of 1 to 4. Column 4 reflects the agreement of *advokaty* surveyed in 2014 to these statements (reported as means of each sample where higher scores indicate greater agreement).

Question:	Mean for full-time students	Mean for correspondence students	Mean for <i>advokaty</i> from 2014 survey
Lawyers make use of “loopholes” in the law.	3.35***	3.24	2.21
In their activities, lawyers have high moral standards.	3.01**	3.1	NA
If a lawyer regularly violates the norms of professional conduct, then other lawyers should not work with him.	2.9	2.9	3.39
Russians without legal education frequently lack trust in lawyers.	2.8	2.8	2.48
A majority of lawyers think more about their income than about their clients.	2.72**	2.64	NA

*** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$

Even so, it is worth noting that full-time students are more likely to embrace loopholes and to believe that a majority of lawyers think more about their income than about their clients. Recall that this group was also more likely to have enrolled in a law faculty in search of riches. Perhaps full-time students are more cynical than are correspondence students. The fact that *zaochniki* have greater confidence that lawyers have high moral standards buttresses this thesis.

Although Table 2 documents several significant differences in the strength of the views of the two samples, it also reveals an overall consistency in the ranking of the various statements. This is intriguing, given that Russian scholars of legal education have criticized the current curriculum for its lack of

emphasis on professional ethics.⁶⁸ Even so, students emerge with similar views on their obligations toward clients. Students feel more strongly about the importance of high moral standards than about the need to ostracize errant colleagues.

The image of legal ethics that emerges from the responses of the surveyed *advokaty* is intriguingly different. To some extent, this makes sense. My respondents are answering as students, whereas the *advokaty* were no doubt reflecting on their experience when answering. In addition, *advokaty* are a specific breed of Russian legal specialist, whose attitudes about taking advantage of loopholes may not be shared by others within the legal profession. Within my sample, relatively few planned to become *advokaty*.⁶⁹ The surveyed *advokaty* were less willing than my student respondents to countenance the use of loopholes. Interestingly, the mean for the *advokaty* was notably lower. They were also less forgiving of ethical lapses of colleagues; they were more prepared to ostracize lawyers who violate the norms of professional conduct. This brief snapshot does not reveal whether the answers of these *advokaty* are an accurate reflection of their experience or are aspirational. Whether the views of my respondents will come to resemble those of the surveyed *advokaty* is a question for future surveys. One question that my future surveys will be able to answer is whether the views of *advokaty* on these questions differ from those of other legal specialists. This was outside the scope of the 2014 survey.

In a separate battery of questions, we asked respondents to reflect on potential constraints to using the courts. They were asked to evaluate the extent to which each factor interfered with court use on a four-point scale, with higher scores indicating a greater possibility for discouraging use. The issues included: filing fees; cost of lawyers; judicial bias; judicial incompetence; delays; and implementing decisions. Law students put themselves in the cross hairs. They saw the cost of lawyers as being the biggest barrier to going to court. The full-time students were more critical (mean = 3.24) than were the *zaochniki* (mean = 3.15). This same set of questions was included in the 2012 round of the RLMS-HSE. Like the law students, the larger and more representative population of the RLMS-HSE was cowed by the fear of paying lawyers. They also put it in first place (mean = 3.19). This suggests that the law students' views were not a result of any socialization during their legal education but were absorbed from Russian legal culture.⁷⁰

68. E.g., Shepeleva & Novikova, *supra* note 4, at 118-20. See generally Christopher R. Kelley & Julija Kiršienė, *The Role of Ethics in Legal Education of Post-Soviet Countries*, 8 BALTIC J. L. & POL. 139 (2015).

69. Among full-time students, 12.4% reported a desire to become an *advokat*, compared with 8.6% of correspondence students. I explored whether these prospective *advokaty* had different attitudes on these ethical questions. They did not.

70. The fact that the constraints in second and third place were the same for both the law students and the RLMS-HSE sample provides further confirmation. In second place was fear of difficulty in implementing decisions, and in third place was concern over lawsuits that dragged on indefinitely.

As for the other factors, the two samples ranked them in the same order. The respondents were notably less concerned by them. None earned a mean score in excess of 3. Following behind the cost of lawyers were, in order, delays in the judicial process, filing fees, and problems with implementing decisions. Lagging far behind were doubts about judicial integrity and competence.

B. Attitudes Toward Law and Courts.

Legal nihilism is presumed to be rampant among Russians.⁷¹ I have elsewhere mined the RLMS-HSE data to argue that these rumors are exaggerated.⁷² Only 20% of those surveyed in 2012 agreed that a person who thinks a law is unfair has the right to “go around” (*oboiti*) it.⁷³ The willingness to ignore the law when it proves inconvenient is most likely to be present among middle-aged Russians; it is least evident among young people and pensioners.⁷⁴ This survey of law school graduates tends to support my argument. Respondents were asked to indicate their agreement with two statements on a four-point scale. The first was the just-referenced sentence about the propriety of bypassing the law. The other was, “If officials don’t obey the law, then the rest of Russians can do so as well.” For both questions, the mean responses were under 2 for both full-time and correspondence students, indicating that well under half of those surveyed agreed with the statement.

Along similar lines, the surveyed students were surprisingly sanguine on the question of judicial corruption. Relatively few saw courts as pristine. As to those who believed that judges never accept bribes, correspondence students emerged as more trusting. Some 15% of them took this position, compared with only 10% of full-time students. But over 40% of both groups thought bribes were a rarity. Of course, this leaves more than a third who viewed bribes as a regular feature of court life. But these law students are infinitely more confident in the nobility of the courts than is the Russian general public. In a nationally representative survey of Russians fielded in 2017 by the Foundation for Public Opinion (“FOM”), a respected Moscow-based polling center, 67% believed that judges accept bribes.⁷⁵ Once again, the power of the socialization process of law students is revealed and seems to transcend physical presence in the classroom. Few Russian legal educators take a critical stance toward the courts, and this attitude is reflected in their students.⁷⁶

71. When kicking off his presidential campaign in 2008, Dmitry Medvedev claimed that “[w]ithout exaggeration, Russia is a country of legal nihilism . . . [N]o other European country can boast of such a level of disregard for law.” *Polnyi tekst vystupleniia Dmitriia Medvedeva na II Grazhdanskom forume v Moskve 22 ianvaria 2008 goda*, ROSSIISKAIA GAZETA (Jan. 24, 2008).

72. Kathryn Hendley, *Who Are the Legal Nihilists in Russia?*, 28 POST-SOVIET AFFAIRS 149 (2012).

73. KATHRYN HENDLEY, *EVERYDAY LAW IN RUSSIA* 25 (2017).

74. Hendley, *supra* note 72, at 170-79.

75. *Reputatsiia sudov i sudei*, FOM (Mar. 13, 2017), <http://fom.ru/bezopasnost-i-pravo/13239>.

76. *E.g.*, Sahlas & Chastenay, *supra* note 4, at 209; LEMPERT, *supra* note 4, at 717-26.

Table 3: Attitudes toward judicial independence of surveyed graduating Russian law students and respondents in a 2008 nationally representative survey fielded by INDEM (reported as percentages of each sample).

	Full-time students*	Correspondence students	INDEM survey**	
			Full sample	Only those born after 1988
Judges in Russia are basically independent from representatives of federal and local power.	50.1	45.7	19	18
Judges in Russia are basically under the control of representatives of federal and local power.	37.8	40.1	59	55
Unwilling to take a position.	12.1	14.2	22	27

*The chi2 score for the survey of law students is 0.135.

**The chi2 score for the INDEM survey is 0.

When they are asked about judicial independence, however, some cracks emerge between full-time and correspondence students. As Table 3 shows, both groups tended to support the proposition that Russian courts are generally independent, though the enthusiasm of that support was more muted among correspondence students. *Zaochniki* were slightly more likely to believe that Russian courts are under the control of federal and local officials. They had a greater inclination to sit on the fence by refusing to commit themselves to either side. But the larger point here is that close to a majority of both populations of surveyed law students believe in the independence of their courts.

The confidence of the surveyed law students in the independence of Russian courts is not matched by the general public. The question we asked mirrors one that was included in a 2008 survey fielded by INDEM to a representative sample of Russians.⁷⁷ As Table 3 indicates, Russians are less optimistic than my students. Less than 20% trusted in the independence of their courts. The vast majority—59%—believed judges are under the thumb of governmental officials.⁷⁸ When I recalculate the responses to include only people born after 1988, to eliminate the possibility of a generational bias, the results are basically the same. Thus it would seem that, regarding this question, their legal education has had a profound impact on the surveyed law students. They are much more willing to give courts the benefit of the doubt.

77. INDEM, an abbreviation for Information Science for Democracy, is an independent Moscow policy institute. See generally INDEM, <http://www.indem.ru/russian.asp> (last visited May 16, 2017).

78. A.K. Gorbuz, M.A. Krasnov, E.A. Mishina, & S.A. Satarov, *Transformatsiaa rossiiskoi sudebnoi vlasti. Opyt kompleksnogo analiza* 391 (2010).

Greater differences between full-time and correspondence students emerged as the questions got more specific. We asked respondents to assess the importance on a four-point scale of various factors to judges as they make their decisions. We distinguished between civil and criminal cases. Higher scores indicate that respondents saw the factor as more critical in shaping judicial thinking. The results are reported in Table 4. What immediately stands out is the importance assigned to governing law across the board. This may surprise those whose impressions of Russian courts are grounded in media reports, which tend to paint a picture of a process in which the law on the books is largely irrelevant.⁷⁹ Both the Western and Russian media focus primarily on high-profile cases with political resonance in which the results are predictably in line with Kremlin preferences and have little to do with the merits of the case or the law itself. These outcomes are often presumed to be dictated by powerful and shadowy figures with immense political and/or economic power, a process derisively labeled as “telephone law.”⁸⁰ In reality, however, such cases represent the proverbial drop in the bucket. My years of ethnographic research in the Russian courts leave me convinced that, if anything, when handling routine (nonpolitical) cases, Russian judges tend to err on the side of overemphasizing the written law rather than ignoring it.⁸¹ This positivism is not learned on the bench but is inculcated in law faculties. Russian law professors and their Soviet predecessors emphasize the text of the codes when teaching.⁸² Thus it is hardly surprising that all respondents—full-time and correspondence students alike—rank governing legislation as the most important influence on judges as they resolve disputes.⁸³ Their strong feelings persist across both civil and criminal cases. Table 4 reveals that full-time students regard the law on the books as more important for judges than do *zaochniki*. This may reflect the impact of regular lectures as opposed to self-study.

79. In 2011, reporters from *The New York Times* won a Pulitzer Prize for their “Above the Law” series of articles about the dysfunction of Russian courts. *Above-the-Law*, N.Y. TIMES, <http://topics.nytimes.com/top/news/world/series/abovethelaw/index.html> (last visited May 16, 2017).

80. See Alena Ledeneva, *Telephone Justice in Russia*, 24 POST-SOVIET AFFAIRS 324 (2008).

81. See generally HENDLEY, EVERYDAY LAW IN RUSSIA, *supra* note 73.

82. Sahlas & Chastenay, *supra* note 4, at 209.

83. The 2017 FOM survey asked a similar question of the general public. Ordinary Russians also ranked written law (*zakony*) as the most important factor guiding judges in their decision-making. *Reputatsiia sudov i sudei*, *supra* note 75. In a 2014 FOM survey, 91% agreed that it was essential for ordinary Russians to know the law themselves, though only 16% believed that, in fact, they and those close to them actually knew the law well. *Znanie zakonov*, FOM (Nov. 6, 2014), <http://fom.ru/Bezopasnost-i-pravo/11844>. That they could simultaneously believe in the power of law and the predominance of “telephone law” represents the sort of inconsistency or compartmentalization in their thinking about law that I have written about elsewhere. See generally HENDLEY, EVERYDAY LAW IN RUSSIA, *supra* note 73, at 1-15; Kathryn Hendley, *Resisting Multiple Narratives of Law in Transition Countries: Russia and Beyond*, 40 L. & SOC. INQUIRY 531 (2015).

Table 4: Assessment by surveyed graduating Russian law students of the influence of various factors on judicial decision-making on a scale of 1 to 4 (reported as means of each sample where higher scores reflect greater influence).

	Civil cases		Criminal cases	
	Full-time students	Correspondence students	Full-time students	Correspondence students
Governing legislation	3.79***	3.64	3.82***	3.76
Parties' arguments	3.48***	3.36	3.47	3.43
Complying with statutory deadline	2.92	2.87	2.75**	2.65
Court chairman's preference	2.24***	2.37	2.31**	2.4
Parties' financial connections	2.196*	2.27	2.17	2.2
Parties' political connections	2.16**	2.25	2.18	2.19

***p<0.01, **p<0.05, *p<0.1

But the evidence is mixed as to which group gives more credence to concerns of “law in action” over the “law on the books” that is emphasized in Russian legal education. On the one hand, Table 4 documents that full-time students are more likely to believe that judges are motivated by bureaucratic incentives in their day-to-day activities. As most Russian law students are probably aware, one of the key criteria in the ongoing assessment of judges is the percentage of cases that violate statutory deadlines for resolution. In my countless interviews with Russian judges over the past two decades, I have yet to encounter any who do not worry about their statistics on delays.⁸⁴ Maintaining low numbers is critical for staying in the good graces of their superiors and for rising to higher-level courts. Striving to do so gives rise to risk-averse behavior by judges that includes a reluctance to veer from the written law, even when justice might seem to demand it. These are insights that I have gleaned from fieldwork, not from the doctrinal articles that fill Russian law reviews. On this score, full-time students seem more willing to look past the formal version of how the system works.

On the other hand, as for the influence of court chairmen, correspondence students seem more in tune with reality. Many scholars have argued that Russian judges adjust their decisions to reflect the preferences of the chairmen of their courts.⁸⁵ This makes more sense when we remember that these chairmen act as

84. See generally HENDLEY, *EVERYDAY LAW IN RUSSIA*, *supra* note 73, at 154-78.

85. E.g., Vadim Volkov & Aryna Dzmitryeva, *Recruitment Patterns, Gender, and Professional Subcultures of the Judiciary in Russia*, 22 INT'L J. LEGAL PROF. 166 (2015); Peter H. Solomon, Jr., *Informal Practices in Russian Justice: Probing the Limits of Post-Soviet Reform*, in *RUSSIA, EUROPE, AND THE RULE*

court managers. They often assign cases. A quiet word from a chairman can ensure or derail a desired promotion. Put more bluntly, chairmen can make or break the judges under their purview. *Zaochniki* were more suspicious that judges are dancing to the tune of their chairmen.

More pernicious than these institutional factors are blatantly extralegal influences, such as the political and economic connections of the parties. This sort of “telephone law” is always officially denied, but many Russians suspect that it lingers in the background; they never know when it will rear its head.⁸⁶ As part of the battery of questions about influences on judicial decision-making, we asked separately about the role of political connections and wealth. Interestingly, the surveyed students saw political connections, which are the lifeblood of “telephone law,” as being the least important influence on judicial decision-making. They likewise gave short shrift to the role of money, viewing it as slightly more important than political ties, but ranking it far behind governing law or the arguments of litigants. Correspondence students were more troubled than were full-time students about both financial and political connections. This provides compelling, though still not conclusive, evidence that *zaochniki* are more savvy than full-time students. The extent to which the lesser importance placed on connections reflects respondents’ own deeply held views or what they learned at the feet of their professors, whose strict adherence to doctrinally based pedagogy would leave little room for discussions of realpolitik, is unclear. It is also possible that their unwillingness to believe that judges are guided by the wealth or political power of those who appear before them reflects the naiveté of the young. On the other hand, the fact that respondents with hands-on court experience tend to view connections as significantly less potent influences on judges⁸⁷ suggests that observing the day-to-day reality of Russian courtrooms disabuses young people of any belief in outside factors. By contrast, those without such experience are captives of the myths that animate the media.

C. Attitudes Toward the State.

The qualitative difference in the political attitudes of full-time and correspondence students comes into clearer focus as we explore respondents’ attitudes toward recent cases with political overtones. We asked them to indicate their level of support for the verdicts. Table 5 lays out the mean responses for the criminal cases involving Mikhail Khodorkovskii, Aleksei Naval’nyi, and

OF LAW 79, 82-86 (Ferdinand J.M. Feldbrugge ed., 2007); ALENA LEDENEVA, CAN RUSSIA MODERNISE? SISTEMA, POWER NETWORKS AND INFORMAL GOVERNANCE 151-57 (2013).

86. See generally LEDENEVA, *supra* note 85; ANNA POLITKOVSKAYA, PUTIN’S RUSSIA (2014).

87. This effect is evident regarding financial connections in civil cases. For full-time students, the mean scores for those with and without court experience were 2.08 and 2.23, respectively ($p = 0.004$). For correspondence students, these respective mean scores were 2.11 and 2.45 ($p = 0.005$). With criminal cases, the effect is visible only among correspondence students. The mean for those with court experience is 2.06, compared with a mean of 2.25 for those without such experience ($p = 0.026$). Having court experience has no discernable effect on respondents’ attitudes toward the role of political connections.

the members of Pussy Riot. Higher scores reflect more support for the guilty verdicts issued against all these defendants. Others have analyzed the merits of these cases in great detail.⁸⁸ For our purposes, what is interesting is the unmistakable propensity for *zaochniki* to be more supportive of these verdicts.

Given the sympathy for these defendants in the Western media, it might be assumed that the correspondence students are bucking public opinion in their strong support for the verdicts. In reality, however, the Russian public shares their view; it has little use for modern-day dissidents (just as it was hostile to Soviet-era dissidents).⁸⁹ Take the case of Khodorkovskii, who at the time of his arrest was the CEO of Yukos, one of Russia's largest oil companies; even though almost half of those surveyed by the Levada Center, a reputable Russian polling firm,⁹⁰ believed that Khodorkovsky was in jail because he refused to go along (*ne dogovorilsia*) with the Kremlin, and almost as many believed that the Kremlin pressured the court to obtain the guilty verdict,⁹¹ less than 5% felt sympathy for him.⁹² Khodorkovskii, who was released from prison on the eve of the 2014 Sochi Olympics, now lives in exile.⁹³ His conviction dates back to 2005, and so his story might be a bit remote for these twenty-something respondents. But Aleksei Naval'nyi is active on the present-day political stage. His first conviction came in 2013.⁹⁴ Undaunted, he ran for mayor of Moscow later that year, surprising the Kremlin by receiving over 20% of the vote.⁹⁵ He was a key mover behind the March 2017 protests against governmental

88. *E.g.*, RICHARD SAKWA, *THE QUALITY OF FREEDOM: KHODORKOVSKY, PUTIN, AND THE YUKOS AFFAIR* (2009); Jussi Lassila, *Aleksei Naval'nyi and Populist Re-ordering of Putin's Stability*, 68 *EUROPE-ASIA STUD.* 118 (2016); MASHA GESSEN, *WORDS WILL BREAK CEMENT: THE PASSION OF PUSSY RIOT* (2014).
89. *E.g.*, LUDMILLA ALEXEYeva, *SOVIET DISSENT: CONTEMPORARY MOVEMENTS FOR NATIONAL, RELIGIOUS, AND HUMAN RIGHTS* (1985).
90. LEVADA CENTER, <http://www.levada.ru/en/about-us/> (last visited May 16, 2017).
91. *Rossiiane o presledovanii kompanii Iukos i M. Khodorkovskogo*, LEVADA CENTER (Sept. 18, 2006), <http://www.levada.ru/2006/09/18/rossiyane-o-presledovanii-kompanii-yukos-i-m-hodorkovskogo/>.
92. This lack of sympathy for Khodorkovskii was consistent from 2004 through 2011. *O pomilovanii Khodorkovskogo*, LEVADA CENTER (Apr. 3, 2011), <http://www.levada.ru/2011/04/03/o-pomilovanii-hodorkovskogo-2/>.
93. Khodorkovskii funds an opposition NGO, Open Russia, that works to promote civil society in Russia. OPEN RUSSIA, <https://www.khodorkovsky.com/programmes/open-russia/> (last visited May 16, 2017).
94. Naval'nyi received a suspended sentence in 2013. He was tried again in 2017 for defrauding a lumber company and was, again, convicted. These criminal convictions barred him from running for President in 2018. See Neil MacFarquhar & Ivan Nechepurenko, *Aleksei Navalny, Viable Putin Rival, Is Barred from a Presidential Run*, N.Y. TIMES (Feb. 8, 2017), <https://www.nytimes.com/2017/02/08/world/europe/russia-aleksei-navalny-putin.html>.
95. Paul Roderick Gregory, *Moscow Mayor's Election: So Much for Competitiveness, Transparency, and Legitimacy*, FORBES (Sept. 8, 2013), <https://www.forbes.com/sites/paulroderickgregory/2013/09/08/moscow-mayors-election-so-much-for-competitiveness-transparency-and-legitimacy/#51f25eb01d3b>.

corruption in Moscow.⁹⁶ Beloved as he may be by Western liberals and Moscow intellectuals, ordinary Russians are more skeptical. When the Levada Center asked them in 2015 what word they associated with Naval'nyi, only 5% picked "respect." More opted for the words "dislike" (8%) and "irritation" (8%). Over 20% said that they could say nothing good about him.⁹⁷ Thus, the fact that 34% of correspondence students found the guilty verdict in his case completely fair and an additional 38% thought it was somewhat fair is not surprising, nor does it mark them as out of step with the rest of the Russian general public.

Readers who do not follow Russian developments closely may find the respondents' strong support for the guilty verdicts in the criminal case against the members of Pussy Riot unexpected. These young women, who were also released from prison on the eve of the Sochi Olympics, have become the darlings of the Western media, even appearing in an episode of Netflix's "House of Cards."⁹⁸ They came to public attention through a series of provocative punk rock videos and were arrested for an anti-Putin protest at the Cathedral of Christ the Savior.⁹⁹ I had thought that the youthfulness of the respondents would give them more sympathy for Pussy Riot. But my respondents have chosen a much more traditional career path than the members of Pussy Riot, none of whom found a welcoming home in Russian higher education. They are, at heart, anarchists, which makes them almost the mirror image of law students. The respondents' distaste for Pussy Riot, which is reflected in their support for what was a blatantly manipulated verdict, echoes Russian society's views. When the Levada Center surveyed ordinary Russians during the band's trial in August 2012, asking them what words they associated with the group, less than 1% chose "respect." As compared with Naval'nyi, more picked the words "dislike" (14%) and irritation (17%).¹⁰⁰ In a May 2013 survey, 56% characterized the sentence of two years' imprisonment as "adequate," while 26% saw it as "extreme." Only 9% argued that Pussy Riot's actions did not deserve criminal punishment.¹⁰¹ My respondents were of a like mind. Less than 10% of both samples saw the verdict as completely unfair. Perhaps Pussy Riot's choice to demonstrate on the altar of a venerated

96. Neil MacFarquhar & Ivan Nechepurenko, *Aleksei Navalny, Russian Opposition Leader, Receives 15-Day Sentence*, N.Y. TIMES (Mar. 27, 2017), <https://www.nytimes.com/2017/03/27/world/europe/aleksei-navalny-russia-prison-sentence.html>.

97. *Rossiiane ob Aleksee Naval'nom*, LEVADA CENTER (Feb. 5, 2015), <http://www.levada.ru/05-02-2015/rossiyane-ob-aleksee-navalnom>.

98. Jason Guerrasio, *Pussy Riot Makes a Bold Cameo in "House of Cards" Season 3*, BUSINESS INSIDER (Mar. 3, 2015), <http://www.businessinsider.com/house-of-cards-pussy-riot-2015-3>.

99. *The Original Video of Performance Punk Band Free Pussy Riot in Cathedral of Christ th[e] Saviour Moscow*, YOUTUBE (Aug. 6, 2012), <https://www.youtube.com/watch?v=PN5inCayfnM>.

100. *Tret' rossiian verit v chestnyi sud nad Pussy Riot*, LEVADA CENTER (Aug. 17, 2012), <https://www.levada.ru/2012/08/17/tret-rossiian-verit-v-chestnyj-sud-nad-pussy-riot/>.

101. The remaining 9% took no position. *Rossiiane o Pussy Riot i tserkvi*, LEVADA CENTER (May 20, 2013), <http://www.levada.ru/20-05-2013/rossiyane-o-pussy-riot-i-tserkvi>.

cathedral touched a nerve among young people, including my respondents, much as it did among older generations.¹⁰²

Table 5: Support of surveyed graduating Russian law students for verdicts (convictions) in politicized cases on a scale of 1 to 4 (reported as means of each sample where higher scores reflect greater support).

Name of defendant	Full-time students	Correspondence students
Pussy Riot	2.99	3.14
Mikhail Khodorkovskii	2.87**	3.02
Aleksei Naval'nyi	2.82**	2.99

***p<0.01, **p<0.05, *p<0.1

Support for the verdicts in these three politicized cases can be seen as an endorsement of the Putin regime and its creeping authoritarianism. Arguably, a more straightforward proxy for respondents' views on Putin is their reaction to the merger between the Russian Supreme Court and the Higher *Arbitrazh* Court. A few words of background are needed to put this change into context. Following the collapse of the Soviet Union in 1991, post-Soviet Russia had two hierarchies of courts, as well as a stand-alone Constitutional Court.¹⁰³ The vast majority of disputes, including all criminal cases, were heard by the courts of general jurisdiction.¹⁰⁴ For them, the Supreme Court was the court of last resort. The introduction of market incentives gave rise to economic disputes between private firms. A new set of courts, known as *arbitrazh* courts, was created to handle these cases, and the Higher *Arbitrazh* Court stood at the apex of this hierarchy.¹⁰⁵ In June 2013, Putin proposed combining the two top courts. Doing so required amending the constitution, but his virtual control over the political landscape (both federal and regional) made this easy. The reasons for the merger remain obscure. The business bar, which had grown to respect the expertise of the Higher *Arbitrazh* Court, opposed it, but to no avail.¹⁰⁶ By September 2014, the Higher *Arbitrazh* Court was only an institutional memory.

102. For a review of the Russian press coverage of Pussy Riot, see Volha Kananovich, *Progressive Artists, Political Martyrs, or Blasphemous Hussies? A Content Analysis of the Russian Media Coverage of the Pussy Riot Affair*, 39 POPULAR MUSIC & SOC. 396 (2016).

103. See generally ALEXEI TROCHEV, JUDGING RUSSIA: CONSTITUTIONAL COURT IN RUSSIAN POLITICS, 1990-2006 (2008).

104. See generally PETER H. SOLOMON, JR. & TODD FOGLESONG, COURTS AND TRANSITION IN RUSSIA: THE CHALLENGE OF JUDICIAL REFORM (2000).

105. Kathryn Hendley, *Remaking an Institution: The Transition in Russia from State Arbitrazh to Arbitrazh Courts*, 46 AM. J. COMP. L. 93, 94, 118-19 (1998).

106. Peter H. Solomon, Jr., *The Unexpected Demise of Russia's High Court and the Politicization of Judicial Reform*, RUSSIAN ANALYTICAL DIG., no. 147 at 2-4 (2014).

Because the merger was so closely associated with Putin, attitudes toward it provide a window into respondents' support for him and his policies. Once again, the two samples diverge. The results are somewhat confounding. As Table 6 illustrates, full-time students are not only more likely to support the merger, but also more likely to oppose it. This is possible only because 35% of correspondence students did not express a firm opinion. Twenty percent of these *zaochniki* claimed to be unaware of the merger, and an additional 15% refused to answer. Whether this reticence reflects a wariness about the political implications of the question or genuine ignorance is unclear. I suspect they were unaware of the merger. After all, they did not shy away from sharing their views of high-profile cases; such questions are more flagrantly political. Because correspondence students exist mostly in their own bubbles and are not part of a live student body, they may be less engaged with current events. Surely keeping up with their workplace duties and their coursework, not to speak of family obligations, must leave them with little spare time. Full-time students, by contrast, have fewer outside distractions. It makes sense that less than 8% professed ignorance.

Looking past these non-response categories, Table 6 shows that a majority of full-time students supported Putin's decision to phase out the Higher *Arbitrazh* Court in favor of an all-inclusive Supreme Court, as compared with 45% of correspondence students.¹⁰⁷ This consolidation was driven by politics, not by institutional need, and consequently can be interpreted as a challenge to Russian judicial independence. The stronger endorsement by full-time students is difficult to square with the fact that a majority of full-time students believe that judges are capable of resisting entreaties from federal and local officials. Perhaps they distinguish between institutional reform and interference in specific cases. As their muted enthusiasm for the verdicts in recent political cases indicates, they are uncomfortable with the latter. But they may see reconfiguring the jurisdictional boundaries of the top appellate courts as within the purview of the executive branch. Indeed, they may not view the reorganization as political. After all, while Putin instigated the reform process, authorities followed the implementation process laid out in Russian legislation and constitution. Having grown up in a Putin-centric political climate, they probably took the rubber-stamped approval of the change at the national and regional levels as normal and entirely legal. Their relative youth might also have blinded them to the implications of giving the executive branch *carte blanche* to restructure the courts.

107. Amid the process of changing the constitution to allow the merger, the Levada Center polled ordinary Russians on their views. A majority (51%) took no position, probably because they were unaware of the details of the plan. The remainder were evenly divided between pro and con. *Ob'edinenie Verkhovnogo i Vysshego arbitrazhnogo sudov*, LEVADA CENTER (Nov. 27, 2013), <http://www.levada.ru/2013/11/27/obedinenie-verhovnogo-i-vysshego-arbitrazhnogo-sudov/>.

Table 6: Responses of surveyed graduating Russian law students to the question “Did you support the consolidation of the Higher *Arbitrazh* Court with the Supreme Court?” (reported as percentages of each sample).

	Full-time students	Correspondence students
Yes	51	45.1
No	30.1	19.9
I do not know about this	7.8	19.4
Refuse to respond	11.1	15.6

Chi 2 = 0

VII. Assessing the Differences Between Full-Time and Correspondence Students: Pragmatism vs. Idealism

The thinking of the surveyed Russian law students is messy. To some extent, full-time and correspondence students had a similar worldview, despite their disparate origins. They shared a sense of hopefulness, both about the legal system and about life in general. But when it comes to their attitudes toward the state and its possible encroachment into the judicial sphere, the results suggest a basic divide between full-time and correspondence students. The former tended to be more idealistic whereas the latter tended to be more pragmatic.

The pragmatism of *zaochniki* is evident in several realms. When asked about the potential influences on judicial decision-making, they were quicker to acknowledge the insidious pressures on judges to resolve cases in a way that pleases their chairmen (see Table 4). This reflects a realistic attitude about how the world works. This same sense of realism explains their higher approval ratings for the guilty verdicts in the Pussy Riot, Khodorkovskii, and Naval’nyi cases (see Table 5). It may be that many of them wish that the system operated differently—that judges would be unaffected by mundane concerns like staying in the good graces of their superiors—but they recognize that they are powerless to effect change. Recall that the correspondence students are older and more experienced in the day-to-day realities of workplace life (see Table 1). Also relevant are their class origins. The fact that most them have had to work harder for everything they have than have full-time students seems to have left them unwilling to challenge the status quo, even when that means accepting the role of extralegal factors in the courts, both in theory and in practice. When queried about Putin’s usurpation of the power of the Higher *Arbitrazh* Court, correspondence students hesitated to commit themselves, providing further evidence of their risk-averse nature.

Full-time students, by contrast, were younger and more willing to believe that the legal system operates as it is supposed to. They had less real-life experience to teach them about the compromises, both moral and practical, with which Russian judges wrestle. Absent that, they held tightly on to what

they learned in the classroom. They were surer of the independence of the judiciary (see Table 3). Put more simply, full-time students were more invested in the textbook version of how courts work. Regarding both civil and criminal cases, they had a stronger belief in the determinative role of the governing law and the arguments made by the parties in court. Full-time students were more resistant to the idea that judges' heads can be turned by the wealth or political connections of the parties or by their own desire to get ahead (see Table 4). They were also less likely to look behind the superficial legality of Russian life. They took the consolidation of the Higher *Arbitrazh* Court at face value, not questioning its appropriateness. This may be a result of the emphasis on doctrinal learning at the expense of critical thinking in Russian law faculties.

On the other hand, neither group is a perfect reflection of either pragmatism or idealism. Like all of us, the surveyed students were not entirely consistent in their beliefs. We would expect that the noble-minded full-time students would be more likely to believe that lawyers should have high moral values. And, by the same token, the hardheaded correspondence students ought to be more likely to believe that most lawyers are more concerned with their income than with protecting their clients. Yet in both cases, the results, as laid out in Table 2, confound our expectations. Likewise, the suspicion that concerns over meeting temporal statutory deadlines, which was greater among full-time students than correspondence students, betrayed a streak of pragmatism among the usually idealistic full-time students (see Table 4). This serves to remind us that idealism and pragmatism exist along a spectrum; how each is manifested is not always predictable.

As a result, it stands to reason that full-time and correspondence students share certain core beliefs that are doubtless the result of a shared socialization process that undergirds Russian legal education. The survey results indicate that this inculcation of values extends to all students; traditional classroom instruction is not required. As compared with the general public, the surveyed law students are more confident of the capacity of the courts to resist outside pressures, whether formal or informal. Like lay people from their generation, they are not terribly nihilistic. Rather, they are optimistic about the capacity of law to constrain power. It is also striking that when asked about their attitudes toward professional ethics, the two groups rank the various factors identically (even though their intensity of feeling varies) (see Table 2). The same is true for their views on the forces that shape judicial thinking (see Table 4).

Future surveys will reveal the extent to which pursuing full-time or correspondence legal education has a sustained effect on the thinking and career choices of the graduates of Russian law faculties.