Uladzimir Matskevich

Public dialog in Belarus: from grass-roots democracy to civic participation

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The "Belarus for Beginners" series was founded in 2008.

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The book continues the "Belarus for Beginners" series and deals with the problem of organizing political dialog in Belarus. The book studies successively a number of questions which lie in the foundation of this problem: from the differentiation of the notions "people" and "society" — to the specificity of public communication and dialog organization principles. Much attention is given to the analysis of the Belarusan forms and precedents of the solution of this problem. As an annex to this book, there is Olga Smolyanko's analytical material on the legal regulation of the activity of public advisory councils in Belarus.

The book is aimed at setting a reflective and reasonable attitude to the organization of public dialog in Belarus, suggesting notions, categories, and schemes for an activity attitude to this process. The book is intended for public, cultural, and political figures, as well as everybody who is interested in the adequate understanding of the processes that take place in Belarusan society.

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Preface

This book is already the sixth in the "Belarus for Beginners" series. This very series with such a provocative title studies the things and topics which are quite practical and even simple. Since 1994, the Cultural Policy program has been developing in Belarus. It is not a policy in the sphere of culture and art. It is a program of work and transformation of the cultural foundations (norms, samples, prototypes, etc.) which precondition our thinking, way of life and actions in today's Belarus. The program conception may seem clear and simple. Any transformations, any actions have to be thought over at first, thought over "here and now" in Belarus, and have to include all circumstances and contexts, all subjects and positions. The best concepts, theories, techniques, and methods taken from the outside can only serve as a starting point for our own thinking and building of a strategy of actions. However, for Belarus, this "simple" requirement happens to be not so simple and feasible. Hundreds and even thousands of figures are zealously and enthusiastically developing local communities, improving the quality of life, building the nation, dealing with civic education, developing culture, etc., without even thinking of any theoretical, conceptual, and methodological questions, without understanding what the "material" they work with is. We can judge the results by looking at the current condition of the country. It means it is necessary to begin, to begin no matter how much time has elapsed and how many efforts have been made yet. It is necessary to start grappling with Belarus.

"Belarus for Beginners" is a series of small books which offer their readers, following the authors, to begin to organize their thinking and then their activity in these or those spheres and themes. It is not scientific literature which professes to reveal the truth, to describe and explain what is actually there in deed and not in name. The books of this series are a summary of the way walked by the figures of the Cultural Policy, who try to comprehend Belarus. The reader can move together with them or build his/her own movement trajectory. Anyway, the reader has a possibility to understand, to puzzle out, and — probably — to correct his/her movement.

Uladzimir Matskevich's book "Public dialog in Belarus: from grassroots democracy to civic participation" concerns the topic which causes, perhaps, the most of all disputes and furious discussions today. Meanwhile, in these wrangles, one would not find any soundness and argumentation, or any aspiration to understand and straighten out positions. Of course, it is difficult to take lightly the problem which, if not being solved, makes any achievements local and ephemeral. Still, if we do not get to the heart of the matter and if we do not understand the foundations of the organization of public dialog in our country, we — the citizens of Belarus — will never become its real owners.

The book reviews the questions which, if not being discussed, make it impossible to adequately understand the situation. Probably, the first part is the most difficult — it is an attempt to answer the question "What is society?". To answer it not abstractly, but from an activity point of view. Then, the author suggests that the contemporary Belarusan forms of the organization of dialog between society and the state should be considered. And in the third part — he studies the problems of the organization of communication. In addition to Uladzimir Matskevich's reflections, we have included in the book the analytical material prepared by the director of the Legal Transformation Center (Lawtrend) Olga Smolyanko, where the aspects of the legal regulation of such a widespread form of "dialog" in Belarus as public advisory councils are presented. This text can serve as a material for readers' own analysis of and reflection upon the problem.

In this book, there are no unequivocal recipes; there are no tactics and strategies which concreteness is always alluring. Here are the fundamentals and contemplations. They are not always simple and they require effort. However, the topic and the problem are worth the effort. Even if on the whole the reader rejects all the proposed arguments and approaches, he or she will become a prepared and aware opponent. And it is already a step to the expansion of competent dialog this book is dedicated to.

Tatiana Vadalazhskaya

Introduction

All the questions discussed in this book can have their independent value in certain frameworks and contexts, but here these questions arise in connection with the organizational difficulties and problems of socio-political dialog in Belarus. There are several contradictory opinions of what and how happens in our country. The variety of these opinions lies in the range from the idealization of the existing regime and admiration of everything in the country to the total rejection and antagonism against all. Each of these opinions has its grounds and, probably, is even fair in a corresponding context. If to review our situation in the context of public dialog and within the scope of the organization of such dialog, then in our country Thomas Hobbes' thesis about the permanent war of all against all will be valid[1]. Even though it is not a war with the use of weapons, destruction, and a lot of fatalities, but it is the absolute antithesis of the condition of dialog. Of course, this assertion is metaphoric and situational in many respects. Nonetheless, starting to organize dialog, it would be desirable to understand the perceptions of society and the way it is organized. Here, we make no pretense to the completeness of such research and analysis and we

[1] The war of all against all (*Bellum omnium contra omnes*) as a concept of Thomas Hobbes' social theory was introduced for the first time in his book Leviathan. The "war of all against all" describes society's natural state prior to the conclusion of the "social contract" and formation of the state.

will not be limited by these or those disciplinal frameworks. This book is not sociological, although it may seem that it is sociology that has to deal with the social structure. Our purposes and tasks are far from being scientific. Science tries to provide the conceptualization of what is really there, while we search not so much for some objective truth, but rather for such a concept of society, which would allow us to understand the current situation and to build our own activity.

The desire to tackle the perceptions and concepts of society arises naturally in everyone who carries out any public act and faces failures, obstacles, and difficulties. The success of public acts will not stimulate the studying of society, while failures and fiascos will. If our actions in society are successful, then we assume that our success is based on our correct and adequate perceptions; therefore, these perceptions do not have to be criticized, analyzed, and dissected. Another thing is misses, failures, and errors. Attempts to rectify mistakes and to brush aside impediments demand a revision of one's knowledge and views. Thus, what is there we do not know about our society that does not allow us in Belarus to pass from the "war of all against all" to the "dialog of all with all"?[2] Or, on the contrary, what is there in our knowledge of society that is erroneous, incorrect, because of what we constantly suffer setbacks and perpetrate blunders? In order to find it out, we not only have to read books which contain some knowledge of society, but also to criticize this knowledge. Not only to consider the existing scientific, empirical, and speculative perceptions of society, but also to treat with attention the nature of these perceptions and the methodology of the acquiring of knowledge on society.

Sometimes, we will have to ask absolutely naïve questions. Because, being not asked, these naïve questions have got not less naïve

[2] Here, we will not be engaged in the substantiation of the fact that dialog is the "right" form of society's existence, contrary to "war". Let's accept, at least within this book, this statement as an axiological and pragmatic assumption which guides the author of this book and colleagues not only in their reasoning, but also in their public and cultural-political activity.

answers. Naïve answers are those, where doubts are caused not by proofs and arguments to their advantage, but by counter questions such as, "Can it be in a different way?"; "Is there anyone who doesn't know that?", etc.

Let's try to deal with a number of such naïve questions and thoughts in order to come nearer to the understanding of the contemporary processes in which we are taking part in Belarus.

Notion of society: from obviousness to the essence of the matter

Society, people, state

Everybody knows that societies can be democratic. But if it is so, then there should also be non-democratic societies, for example, authoritarian and totalitarian. But here already it is not so obvious at all! There can be authoritarian or totalitarian regimes in the state, but society is not the state. But if society is not the state, then we should not apply the category "democratic" or "non-democratic" to society. Democracy is such mutual relations of society and the state where society is higher than the state, i.e. the state is a tool of implementing society's interests. The state does what is necessary for society, and not vice versa. But can it be like that in general? Are there such states in history, which serve society, instead of dictating its will to it? A naïve question? It seems naïve, yes. But is it not naïve to contradistinguish society and the state? Though, everybody knows that the state and society are different things!

We always and everywhere speak and hear in corresponding contexts: the state and society, society and the state. And we do not

practically meet any other point of view in this respect. We do not meet it because during already almost three centuries, since the age of Enlightenment, the perception of the autonomy of society and the state has been challenged by nobody. We only debate whether it is good or bad! Should society always oppose the state, or should they aim at a "symphony"? Well, maybe it is necessary to think of the word combination "the state and society", which is so habitual and which causes no doubts.

Can a state be without society, and society — without the state? After all, back in the 17th century, in Thomas Hobbes' theory, the state is such an institution which limits or controls the "war of all against all". But if all wage a war against everybody, is it possible and is it necessary to call them all "society"? I do not know if it is necessary or not, but the "war of all against all" began to be considered *society's condition* (one of conditions) only in the 18th century, already after Thomas Hobbes died. It was the thinkers of the 18th century who made "the state and society" a set phrase; they also turned society into something that really exists.

Today, it is already difficult to imagine that there was a time when society did not exist. The state could do quite well without society. Thus, ancient Greeks or Chinese, building their theories or doctrines about the state, used another set phrase — "the people and the state".

If not to give weight to semantics and ontology, it is possible to apply the naïve version that by saying "society and the state" and "the people and the state", philosophers, thinkers, and politicians mean the same thing, but simply use different words. But such a naïve version is based on the identification of "people" and "society", while it is an obvious blunder. In constitutions, as well as jurisprudental and political scientific texts, the term "people" is very often used in the same function as the term "society" is used in philosophical, sociological, and political texts. However, "society" is not identical with and is not equal to "people". We shall try to tackle this nonidentity.

What do we mean when we say "the state and society"? The thinkers and philosophers of the age of Enlightenment understood society as

a certain category of people, not numerous at all, which did not cover all the people. For them, society was rather "secular society" that is quite close to the concept "upper-class society". To avoid undesirable associations and a mess, the thinkers of those times started gradually to introduce the category "civil society" with the help of which they tried to describe a special type of relations between people, which is demonstrated in the ratio with the state. Thus, society can be upper-class, secular, and... civil. Then, there also appeared Soviet society as something that differs from civil society.

If society is not identical with the people and does not cover all the people, then the system "state and society" is obviously not complete. The "state and the people" is a more complete system. People establish a state as an institution and are the sovereign, the owner of this institution. Such a perception was spread during the age of Enlightenment and it is considered to be fair both for a state-nation and cities-states. Nobody applies this statement to empires and the states founded by aggressors. In the system "the state and the people", there is no antagonism between the elements, but rather the utmost unity. And there is no need to add any other categories or entities which are neither people, nor state. Even according to the antique perceptions of the state and the people, not all inhabitants were considered to be citizens. Both women and slaves were people, but not everyone was a citizen; still, citizens spoke on behalf all the people. And such a situation did not cause any objections. People could try to become citizens; having become a citizen, a person could try to occupy this or that place in the state. The state was established by the people, even though it was done through its "best people".

The things are different when it comes to the system "the state and society". The category "society" does not cover all the people, but people are still considered to be the founder of a state. It means that in the system "the state and society" there is also something that is neither state, nor society. By introducing the category "society" (civil society), we not only specify a certain part of people, but — and it is more important — we specify some special functions, special relations

among "people", which are connected with the "state", but which do not cover the whole variety of relations between people. What are they? According to the widespread perception of three sectors, the independent ones are: the state institutions and establishments; commercial structures; and non-governmental and non-commercial organizations. That is, all business and commercial structures belong neither to the state, nor to society! Although, one should not hurry to identify the third sector with society — it is not fortuitous that it is defined negatively — "NON": non-commercial, non-state, or non-governmental.

The three-sector scheme is rather conditional and non-principled. The borders and frameworks of the sectors are quite vague, and we attribute many phenomena to this or that sector conditionally, for example: local self-government, trade unions, religious communities, etc. They do not always enter these three sectors, but there are people there and special relations as well.

Thus, even if we remain within the framework of the system with the two elements — "the state and society", we are compelled to consider that outside of this system there are many various "observers" such as business, church, and family. Such incompleteness has its serious consequences. It is already impossible for representatives of society to speak on behalf of all before the state, on behalf of all the people, as it was in the system "the state and the people". In the antique polis, there was a political struggle; various citizens, who represented people, adhered to different views and perceptions of public life. The state was an institution where people, communicating with each other (one representatives of people with other representatives) agreed on all questions at issue.

In the system "the state and society", all is different.

- Who can speak on behalf of society?

- How to define whether this or that person belongs to society?

- Can any person (a group of people or organization(s)) declare that he/she/they is/are a representative(s) of society?

Thus, if we start to use the category "society", which differs from the category "people", all these questions require a special discussion.

For many centuries of the existence of the state, the mechanisms of defining a person's belonging to a certain people have been developed. Throughout history, the forms of one's belonging have been changing, becoming more complicated, and right now there are several various types of establishing this belonging. In some countries, one's belonging to the people is determined by birth, by blood, by relatives (through marriages, for example). Somewhere, there are procedures of accepting allegiance or citizenship by self-determination. Still, the very belonging to these or those peoples (irrespective of the forms of this belonging — archaic ones as the Varna system in India, or modernity ones as in the majority of European countries) are usually admitted and not questioned. *However, one's belonging to society is practically not regulated in any way*. Here, only a person's self-determination and the fact that other members of society admit that he/she belongs to this society are important.

There is no automatic belonging to society; there is no compulsion; a person joins society. To become a member of society, to be a member of society means only the fact that certain persons have a certain agreement (convention) — they have agreed among themselves that they are society. This is what generates constant problems — someone has agreed and someone has not. Somebody considers this agreement (convention) to be valid and somebody thinks it is quite ephemeral. Someone agrees a priori with public statements of some members of society; someone constantly demands to show mandates and warrants.

Thus, we should admit that people and society are the phenomena of very different natures. It is possible to consider some people's (nation's) existence to be ontologically authentic, while society is exclusively conventional. Practically, it means the following:

One's belonging to the people does not demand any comprehension, self-determination, and reflection. The belonging to the people is valid both for newborns and for people with challenged intellec-

tual functions. It is possible to belong to a certain people, without even realizing it, and the people do not know everybody who is a part of this nation.

On the contrary, the belonging to society is impossible without comprehension, self-determination, and reflection. Contrary to Engels' aphorism that it is impossible to live in society and to be free from this society, it is in relation to "society" that all is different. This statement could have been fair if to replace in this aphorism "society" with "people". Therefore, the people, through the state founded by them, can establish a legal principle, "if you do not know the law, it does not relieve you from responsibility". Try to imagine this principle in society?

In society, various perceptions of freedom can be accepted. Societies can welcome freedom, or reject it; they can allow freedom in one spheres and be extremely categoric in others. But everything that society can allow itself in relation to its members is a condemnation and exclusion, or ostracism.

A person can be banned from upper-class society for he/she does not stick to some norms of etiquette. But nobody will assert that the norms of upper-class society are obligatory for someone, except for those who accept them consciously. Those who do not accept these norms just cannot be a part of upper-class society, but they can join others, for example, secret societies. Secret societies have some peculiarity due to their secret character. One's exclusion from a secret society is not as humane as that from secular upper-class society. In order to keep it secret, one's expulsion from a secret society can have to do with the murder of its former members. However, the belonging to a secret society is also defined by comprehension, self-determination, and reflection.

Therefore, freedom in society depends directly on the degree of comprehension, the accuracy of self-determination, and reflexivity. What does it mean? Well, for example, a person can be decoyed to join a secret society. A person is given some limited information and therefore he/she cannot accept quite conscious decisions. A person

can be blackmailed and therefore he/she is forced. A person can just be deceived. However, a reflective person can suspect deceit even there where there is none. Societies consist of people, and nothing human is alien to them. And it means that not only the inclusion in or joining society is defined by comprehension, self-determination, and reflection, but also that each step and act in society is accompanied by comprehension, self-determination, and reflection. And it makes society extremely unsteady and unstable. All in society is penetrated by suspicions, doubts, feelings, and inconstancies. A desire to use simple definitions and formulations is very harmful while considering everything that has to do with the notion "freedom". Simple formulations and definitions do not connect the notion "freedom" with doubts and suspicions, but only with the freedom from restrictions and freedom to display desires and aspirations. Dostoyevsky described to what it might lead in his Crime and Punishment very well. Raskolnikov's doubts "after that" do not rectify the errors he made due to his simplified perceptions "before". Raskolnikov was not free when he was committing a crime; he cannot become free while worrying, suffering, and doubting after he committed the crime. It was necessary to doubt before; and the realizing of what is right makes a person free, *free for* conscious actions and *free from* the criminal thoughtlessness of actions.

Nature of notions: technical vs. ontological

In order to proceed in the analysis and discussion of the "naïve" questions, we have to mention a more difficult area — to understand the construction of notions and categories which we use while answering the "naïve" questions. Let's approach the notions we have distinguished — people and society — from another side. Both these notions are collective, populationistic. Both people and society are not something whole; these are certain multitudes. We can try to define these multitudes either with the help of properties and characteris*

tics of elements of multitudes (for example, we can call a people a certain group of people who have similar signs — language, place of residence, etc.), or by ontologically aprioristically understanding this substance, as if it is not a multitude any more, but something uniform (for example, we attribute a certain feature to a people — spirit, soul).

Such definitions are complementary because they are present in various lines of thought, which are called realistic and nominalistic. Realism (in a scholastic sense) attributes reality to common ideas and notions (universalia sunt realia) and considers them as existing. Nominalism treats common notions and categories (in particular "people", "society") only as names, but not as entities (something that really exists).

Realism uses aprioristic ontological definitions that appeal to the essence and nature of common notions and suffers from all corresponding defects — essentialism, non-verifiability, and non-falsifiability[3]. Ontological properties and qualities of people and society cannot be verified and cannot be denied. They have always been and will always be speculative. But in the realistic cognitive approach, they are quite justified. Moreover, if the realistic cognitive approach is supplemented by a technical or organizational-technical attitude, such notions and categories can be correct, useful, and effective, at least, from the point of view of pragmatics. For example, as soon as the aprioristic and speculative reasoning about a people, nation, society, and state, which was invented and spread in Europe in the 18th century, started to be used by pragmatic Americans who struggled for their independence of England and who added their organizational-technical attitude, there appeared the United States of America that lives with one constitution already for two and a half centuries.

[3] The ratio of procedures of falsification and verification and the essentialistic approach are described in K. Popper's works. See: Popper, K. Logic and growth of scientific knowledge. — Moscow: Progress, 1983.; — Popper, K. The open society and its enemies. v. 1-2. Moscow, 1992. http://www.krotov.info/lib_sec/16_p/pop/per_1.htm

On the other hand, the nominalistic cognitive approach formulates empirical notions and perceptions. In this approach, it is necessary to constate that nothing of what realists have contrived exists in reality. Thus, for example, it has already become a banality that nations are imagined communities (B. Anderson); that society (social medium, the social) is an abstract category without any certain filling and can extend to everything which is not nature (F. Hayek); that there is nothing that could correspond to any social doctrine; in empiricism, it is possible to find out only remote analogies with aprioristic perceptions or ideal types (M. Weber); that there is not even any public opinion as a certain average approximating opinion of various subjects in a common opinion of a certain mega-subject (P. Bourdieu). The empirical researches of such artificially formulated objects as people and society, which have been carried out for already 150 years, are justified not by the fact that they provide the socio-political practice with knowledge, but that they debunk various speculative social theories, thus trying to protect us from errors and misbeliefs.

However, nothing comes out of it because in the public and cultural practice the people use the realistic approach and corresponding categories, carrying out and putting them into life by their actions, instead of the nominalistic approach which is spread in science.

The categories "society", "people", and "nation" are practical and effective not when they describe what ostensibly society, people, nation IS, but when they are used so as to describe what society, people, nation SHOULD BE.

Actually, this is the essence of the technical or organizational-technical approach. And in this, the organizational-technical approach is universal both for objects of nature and for objects of culture and society. For example, empiricism testifies that bodies that are harder than water sink in the water and that bodies that are harder than air "sink" in the air, i.e. do not fly and cannot fly. This is what science says; technics asks the question differently: it is not important whether such bodies sink in the water and air; another thing is important —

if they SHOULD fly (or float), how should they be organized, or what form should they have, or what external forces should be applied to them?

The same is with society, nation, and people. It is not important that empiricism shows that the people do not participate in the govern ment of a state, which sovereign and founder they are. The important thing is how the interaction of the people and state is organized in order to return the people their lost function. Actually, for the solution of this technical task — to return the people their function of the government of a state, which they lost, — the category "society" was excogitated by figures of the age of Enlightenment.

Notions and categories are formulated, invented, and constructed. Still, the formulation, invention, and construction of notions are not always aimed at describing or explaining some object or phenomenon. Sometimes, in technical and humanitarian areas — even frequently, notions and categories are formulated, invented, and constructed so as to create something that has never existed, but should exist.

However, what does it mean — "should exist"? Who defines what should be and what should not be? Anyway, different opinions are possible in this respect, if only not to assume that there is the unique truth and there is the one who knows this truth, or the one who can learn this truth! A considerable part of thinkers and figures of the age of Enlightenment agreed with these assumptions.

The fathers of the American Revolution were faithful Christians; therefore, they precisely knew that the truth exists; they knew the One who knows this truth and believed that they could know the truth, too. Many philosophers and revolutionaries in Europe were agnostics or even atheists, but they trusted science. Science resorts to the assumption that nature can be learned and knowledge is true only when it corresponds to nature. And scientists are people of science; it is those who can learn the truth. That was how the politicians of the 18th century acted: in America they established a new society and state,

being based on the "known for all" truth and authority of the Holy Writ added with the thoughts of those who learn this truth. In France they rejected the authority of the Bible and churchmen; they leaned on the authority of science and books of scientists who studied the laws of development of nature. Yes, in the 18th century, — still nature, instead of society. The revolutionaries of France and scientists of the 18th century did not lay claim to scientific knowledge of the laws of society's development yet. Germans — Fichte and Hegel — began to think about it, but they only reflected upon it. But to declare that the laws of society's development are already learned and can be a basis for practical actions, only Marx dared to do so.

Actually, Marx was the main originator of the transformation of the category "society" from technical to ontological. Only after Marx, society turned from something that needs to be created, cultivated, and indefatigably taken care of, into objective reality that exists regardless of our comprehension, self-determination, and reflection. And this objectively existing society has its objective laws. "Objective" means such laws which do not have to be settled, discussed, and agreed; which can be accepted and not accepted. "Objective" means such laws which can be learned and then this learned truth can be put in the basis of the political practice. This was how actually historical materialism appeared as a doctrine where the category "society" has the central role and this was how communism appeared as a practical implementation of this doctrine.

In such a formulation of the notion and category "society", Marx parted brass rags with the traditions of the age of Enlightenment. All socio-political practices based on Marx's historical materialism and the Manifesto of the Communist Party were rather limiting society, not developing it; they subordinated it to the state, not strengthening its autonomy; they identified it with a people, not helping a person to self-determine.

If we want to understand what society is as a notion and a historical category, we have to return to the philosophy of the 18th century and pre-Marxist social perceptions. If we want to construct and organize a

contemporary, humane type of mutual relations of a person and the state, which is suitable to all people, we have to return to the perceptions of society, which existed before Marx and Marxism. And not just to the perceptions before Marx, but also to their organizational-technical form of existence. We shall need the pre-Marxist perceptions of society in order to criticize Marxism and to rethink it. Also, we need the realistic perspective of notions and perceptions of society in its pre-Marxist kind, while we should develop the nominalistic perspective without forgetting about Marx and Marxism. Here, anticipating the reader's bewilderment and discontent, which are frequently caused today by the appeal to Marx's ideas, I want to underline — nothing in the contemporary world can be understood without knowing and without understanding Marx and *everything that has been changed in the world due to his doctrine*.

Society as a condition for self-determination and self-identification

So, what is society? It is not for nothing that Friedrich Hayek warned against an uncontrolled and irreflexive use of the categories derivative of the word "society". Because of such usage, words lose their meaning and value; there is only a naked form left. It may seem that we deal with a significant word (noun or adjective), but actually it turns into a pronoun or even an article, i.e. something that is placed before these or those words according to the norms which have lost their sense. Social networks, social houses, social allowance, social security, social state — what is social or public in all of these terms? And where is actually society in the limited liability society (limited company)? If it is difficult to find actually society in Ltd., why does it have to be present in the DOSAAF (Volunteer Society for Cooperation with the Army, Aviation, and Fleet)?

Society, which was opposed to the state in the 18th century, existed more likely like a club, or a set of clubs. It is very important to understand it today when the clubs that existed in the 18th century exist no more. But first let's try to deal with the nascence of this "club" society.

Whosoever thought about an ideal state, the major place in this state was occupied by people. The people established the state, chose the tsar, dethroned tyrants, approved laws, or protested against them. The people ruled. And in the ideal state of all utopians, the people ruled directly, came to popular assemblies, and elected speakers. Successful speakers were approved and became demagogs or opinion leaders. Some of them were offered to occupy state posts to implement what the people decided. The people had two modi or ways of life: private life and public life. It was not social life yet, but public — the public meant the people who gathered in one place, the Forum or the Colosseum. Private life is everyday life. Public life provided a connection of a private person with the people and this connection consisted in his/her participation in the management of common (people's, instead of private) things. It is a very important aspect: private life and public life are the modi of life of each person in a people (nation).

However, such popular assemblies, such sovereignty of the people, and such a way of life existed in the 18th century only in literary works of utopians. The reality was quite different. The overwhelming majority of people lived their private life, almost without participating at all in public life, not even simply in people's things, let alone the government of a state. There were officials, or people on state posts who ruled everything.

Feudal states were created and established not by people, and people were not the sovereign there. By the 18th century, there were practically no cities-states left, in which people could still remember that these states had been founded by people. Self-government in the majority of medieval cities was based not on the traditions of popular assemblies or veches, but on the interaction of independent corporations, guilds, and shops. The self-government right was considered not as a sovereign right of townsfolk, but as a privilege or gift of the monarch. The empirical reality of the 18th century did not provide any arguments in favor of aprioristic perceptions of democracy, lawful state, society's right to control the state, or anything like that.

The only thing that existed in the 18th century was clubs or meetings of people after the state service or after work at a private enterprise.

It is natural that generally in such clubs or at such meetings participants used to burn the candle at both ends. But there were intellectual clubs as well, where scientific problems and works of trendy thinkers were discussed. There appeared something like officers' meetings attended by military aristocrats. There were no regular armies then; when there was a war, there were no clubs, but after wars aristocrats-officers used to come back to their possessions and conduct a usual way of life of feudal lords or bumpkins. In the 18th century, there appeared regular armies; aristocrats served not only during wars, but also in times of peace; in capitals, they attended court events, while in the country they had to care of their leisure themselves. In the 18th century clubs, a new form of public life appeared — it had to do not with direct participation in the government of a state, but with supervision, commentation, evaluation, and criticism. Members of clubs and meetings understood that now they do not influence in any way the state decisions and that in general they do not influence anything. But for this very reason (because they do not influence anything), they can openly talk, discuss, and evaluate. To discuss and evaluate also everything they take part in, while being on service. Even in the peacetime, officers are not allowed to discuss and evaluate their commanders' actions and orders. The same concerns officials in various offices. But it is on service! But on the day off or in the evening after work, an official, officer, employee, priest, professor of the university could meet in the foyer of a theater and discuss each other's affairs which they could not and were not going to influence. To discuss and criticize, criticize and evaluate, evaluate and say about this evaluation to the one who is evaluated and everybody who, even though does not influence anything, but evaluates.

Such non-obligatory discussions between people, who did not depend on each other as for their service or business, generated several significant effects which gradually changed the face of the world. We shall try to recall at least some of these effects.

There appeared public opinion. After such discussions, a person would come to work, knowing what others think of his/her service. Others are not the boss, king, or owner. Simply other people who do not owe him/her anything and whom he/she owes nothing. Public opinion is not an opinion of the owner, sovereign, not an opinion of family, not an opinion of people dependent on you, or people who you depend on. Public opinion is an opinion of people who are not connected with the subject of this opinion.

There appeared free critical thinking. In general, people outside of a narrow layer of philosophers and methodologists not often ponder on the genesis of thinking. Even logicians and psychologists consider thinking as something static and eternal. The genesis of thinking is usually connected only with scientific studies, universities, and clubs of scientists. And such a version has a lot of bases. But free critical thinking of the early modern period has a rich, nonlinear, and multivalued history. Clubs and assemblies of the 18th century are the major stage in the formation of contemporary thinking. Moreover, the thinking in clubs and assemblies has such features and advantages which cannot be found in academic thinking, at universities. Freedom and criticism are the main ones among these features and advantages. Thinking of scientists is disciplinal. It is squeezed into the narrow frameworks of professional norms, traditions, and stereotypes; it is corporational, and it is necessary to be allowed to receive disciplinary thinking, to pass the standards. Those who think freely, creatively, differently do not usually pass the qualification, unlike those who support the norm, follow the canon, and think in the way accepted in the corporation of scientists or philosophers. In clubs, there are no such tests. People who come to the club are from different disciplinary areas and corporations which are not connected. Even if the club members are not strong in thinking, the very fact of colliding various opinions based on different disciplinary norms, with a not clear practice of verification, already demands criticism and doubts. As nobody obliges anyone in the club to think according to some norm or to judge corporationally, freedom is encouraged if some rules and norms of the club are observed.

There appeared an independent civic stand. "I'd like to serve, but not to be a servant" — these words could only be said in the club, but no way at work. However, Chatsky said them in a degenerate form of the club — the secular salon. In the club, an official, military man, scientist, priest could reflect upon their service and receive some reaction of other people who observe this service from outside. Besides an internal position of a citizen who serves the sovereign/state, a person now had an external reflective and critical position. It was this external reflective and critical position that began to be understood as a civic stand. Considering common causes (the political sphere), each member of the club could treat them from two independent positions: the position of the executor of somebody else's will and decisions (an official, employee, national of the state) and the position of a free citizen, which was supported by the general opinion of the club members. It was very often that the things that were seen from these two positions conflicted with each other. Club members learned to put a civic stand on the first place, giving it priority before the position of the official, before the professional position, before the contemplative theoretical position — "you don't have to be a poet, but you're obliged to be a citizen" [N. A. Nekrasov, "Poet and Citizen", 1856].

There appeared a possibility of voluntary free self-identification. A club is just a meeting of people who gather not because they are obliged to do so, but because they want it. It was possible to be a member of one club or several ones, even if they were closed clubs. People used to gather and discuss something before as well. A church community is a meeting, too, and since the 16th century the church communities played a huge role in Europe. There gathered relatives, those who worked or lived together in a neighborhood. But all these types of assemblies did not presuppose the freedom of choice; participants of such meetings were characterized by one property: blood relationship, joint work, or the common territory of residence. The club appears in cities, and people often come to the club meetings refusing other meetings, leaving the reference groups which they belong to because they have to. In clubs, there appear personal human relations which need to be registered, at least, through nomi-

nation so as to answer themselves the question, "Who are we?". And in every club this question was answered differently. Such answers, essentially differing among themselves, could include the ethnic and civil identities within the framework of the modern nations developing in this epoch. In the 18th century, the nation forming process was developing especially intensively in France and Rzeczpospolita (the Polish—Lithuanian Commonwealth; the Kingdom of Poland and the Grand Duchy of Lithuania). In France, Poland, and Lithuania, in clubs, people realized themselves as representatives of the uniform nation. Burgundians, Normans, Bretons, and Aquitanians identified themselves as the French. Still, not simply the French, but citizens. In the Polish—Lithuanian Commonwealth, after its partitions, the civil identification lost its sense in many respects — that was why another tendency of the identity establishment — the ethnic one — began to dominate: Masurians, Poles, Belarusans, Lithuanians, and others started to think of themselves as of ethnic Poles — society of the imagined united Poland. Thus, in two parts of Europe, there appeared different tendencies in the formation of modern nations: the civil nation in France and the ethnic nation in partitioned Rzeczpospolita. Still, these two variants were not the only identity choice in clubs; there was a possibility of religious, professional, and any other identities based on interests, style preferences, etc. However, no matter what variant of self-identification would be chosen in clubs, all of them thought of themselves as of society, understanding that somewhere near there were other societies.

Civil society appears from a set of various societies. As the civil identity or comprehension of an independent civic stand were thought to be priority among many other identities, a set of various societies gradually began to be realized and nominated as civil society. *Civil society is open for any citizen, but it does not extend to everyone*. Right after the French Revolution, the French started to call each other "citoyen", i.e. citizen. This was a form of address to anyone, although not everyone who was called a citizen really had and occupied a civic stand. And gradually in modern nations "civil society" was put in the same relation to the "state" in which "people"

were to the "state" in the idealization of antique democracy and in the constitutional practice. Civil society replaced people in their function of the sovereign, in the government of the state, in their control over the state.

Still, it was not a total replacement, not even an adequate replacement. These incompleteness and inadequacy have to do with the fact that the notions "society" and "people" and the phenomena designated by these notions have different nature, which we described above. This difference in the notions and phenomena has rather substantial repercussions:

- People's decisions possess unconditional legitimacy, whereas any decisions of society are initially doubtful.

- The will of people is perceived as absolute, while society has practically no will; society delegates its will and displays of will to individual members.

- The will of people can take a form of silence or inactivity. But even silent, passive, and inactive people are considered to be existing. Society, if it does not speak and does not act, does not exist.

Modern society, which has been developing since the 18th century, is built on communication; it lives and works with the help of communication and agreements. Society is people who speak, express their opinions, listen, and understand.

If people do not speak and do not listen to each other — there is no society. For this very reason, civil society treats so painfully the freedom of speech. The freedom of speech is the main condition of the existence of civil society and any society at all. Therefore, there is no society in concentration camps and prisons. There are mafias and gangs, but there is no society. Therefore, there is no society in totalitarian states. There are people there, but there is no society.

However, communication forms can be different, and this difference defines distinctions between societies.

Dialog as a factor of political modernization

Clubs and the initial society that formed in the 18th century in some countries of Europe generated a lot of phenomena of contemporary life and activity, which had not existed before, and at the same time there formed relations, which had not existed before. The new phenomena and new relations did not eliminate the old ones, but were built over them, supplemented them. However, these old types and forms of relations could not remain the same; they had to change under the influence of the new relations — otherwise, they had to disappear or be destroyed.

As we are first of all interested in the new phenomena and public relations, we shall mention briefly what happens to the old ones and then we shall concentrate on the new ones.

The most characteristic example of how the old phenomena and old forms of relations changed or died can be the institution of monarchy. As democracy was the ideal for the majority of thinkers and opinion leaders in the clubs and societies of the age of Enlightenment, they considered monarchy an archaism that should be destroyed. During the French Revolution, the monarchy became the first institution which was liquidated. However, after that there were several attempts to restore this institution, but it has never been restored in France. Still, not without Napoleon's participation, the monarchies were restored in the Netherlands and Belgium, the countries which had had a republican form of government before. The principles of functioning of the monarchic institutions in Great Britain, Sweden, and Denmark were radically reconsidered. Not hampering the forming civil societies' increasing influence on the state affairs and politics, the monarchies in these countries did not resist democratization — on the contrary, they welcomed civil society and an individual citizen identified with civil society.

By which can human wisdom more surely be enhanced:
German unity's Babylonian tower,
or the sly republican structure
of the outrages witnessed in France[4].

And it does not have to do with human wisdom, but the efficiency of achieving the desired goals. By the late 18th century, civil society's purposes and values were formed in the Declaration of the Rights of Man and of the Citizen. It did not matter what relations with revolutionary France the other states of Europe had, civil societies of various countries accepted with enthusiasm the basic ideas of not only the Declarations of the Rights, but also all other revolutionary laws known as the Napoleonic Code. If to consider that the implementation of the rights of man and of the citizen was the purpose of civil society, then it is necessary to admit that in monarchic countries of Northern Europe these rights had been implemented earlier and much more complete than in revolutionary republics. Thus, in France, the guillotines of the times of terror were not dismantled yet, while in Sweden the post of ombudsman was already introduced — it was a state official whose duty was to organize control over the observance of Swedish citizens' rights and to implement civil society's values.

Almost the same happened to the institution of church. In Europe, there are countries which have been fighting during many centuries for secularization, to separate the church from the state and school from the church. And this struggle is not over even now, which is thought to limit much the freedom and implementation of human rights. Still, the democratic institutions of the same Sweden are questioned by nobody, although Lutheranism is the state religion there. In Great Britain, there are no problems with secularization and the freedom of worship, although their monarch is simultaneously the head of the state and the head of the Anglican Church.

[4] Tyutchev F. "By which can human wisdom more surely be enhanced..." 1848. The Complete Poems of Tyutchev In An English Translation by F. Jude.

The fact that a number of European countries essentially outstrip others in the implementation of civil society's values and the ideals of the age of Enlightenment was noticed a long time ago. At the same time, it was noticed that it was reached not through revolutions and destruction of the previous forms of the organization of the state and society, but on the contrary — their development was accompanied by the preservation of traditions and the modernization of the archaic forms of the state. This fact was explained by various reasons — from features of the national character to a special historical way and the absence of wars for many centuries. All these explanations do not stand up to criticism. The Belgians are half-French; therefore, the references to the national character are baseless. The other part of the Belgians, Flemings, throughout all their history, shared the destiny of their northern compatriots who were constantly at war. Even the Swedes in the 18th century were still quite aggressive people; the last war between Sweden and Russia was in 1808-09.

Probably, some countries' successes in the development of civil society and democracy are caused by *the dialog of the state and civil society*, which began in the late 18th century. Entering the dialog with elements of civil society, the monarchies of Northern Europe and Great Britain provided civil society's loyalty to the traditional institutions: monarchy, hereditary aristocracy, church, education. Still, the preservation of the traditional institutions did not hamper the general development in these countries because these institutions were modernized synchronously with the national development.

Public consultations, dialog, and grass–roots democracy "à la Belarus"

Thus, in the previous chapter, we asked seemingly naïve questions about society and tried to understand the nature of this phenomenon so as to have a possibility to analyze the Belarusan situation and the absence of socio-political dialog in it. In our reasoning, we have come to the conclusion that society, as a category of not only comprehension, but also an activity attitude, appears during the age of Enlightenment. By means of public relations, people build among themselves special connections and receive possibilities to participate in the political process and to work together for a common end. One of characteristics of these new relations is that they are grounded on communication and convention. We have seen that under the influence of the new (public) relations the traditional institutions of power are changing. And this change is the result of not a spontaneous evolution, but the outcome of communication, or if to be exact — the dialog of the appearing society and state (power).

These thoughts and conclusions would hardly be something new for the people who know, at least, a little bit or just ponder on the nature of contemporary society. Moreover, the word combinations "the dialog of society and the state", "public consultations", etc., have

become habitual in present-day Belarusan life. It is enough to recall the public advisory councils created under the aegis of every ministry and several significant departments, which were aimed at providing society's participation in the matters and decisions which are important for the country. Besides, recently, the socio-political rhetoric has been full of appeals and requirements to have this dialog. Literally all demand to dialog: intellectuals and analysts, oppositional politicians and European structures. Even the Belarusan authorities keep repeating that they are ready to dialog "with constructive forces". Communication platforms and coalitions are being created in order to provide the dialog. Still, all unanimously admit that the result — i.e. dialog — has not been taking place. We shall try to understand the bases on which public communication is built in today's Belarus.

Contemporary Belarusan elites, politicians, and ideologists were formed in the Soviet period; they absorbed the Soviet ideas and ideals. After the short period of relative democracy in 1991-94, they continue to implement these perceptions and ideals in the political public life of independent Belarus. Therefore, without a reference to the Soviet concept of democracy and participation of citizens in decision-making, the practice of the organization of mechanisms providing this democracy, we cannot proceed.

Soviet democracy — a special form of grass–roots democracy

During the aggravation of the ideological crisis in the late 1980s — early 1990s, the Soviet system was opposed to democracy and a state governed by the rule of law. It was considered that the Soviet social system was a complete antithesis to democracy. Such a perception will suffice for ideological fights, but if to delve into it, if to analyze the reality and bases of the Soviet social system, we will have to remember that the Soviet ideologists always applied the category "democracy" to the Soviet power and social order in the USSR. They used to say

that it was the Bolsheviks and CPSU that established and supported true democracy and the rule of the people. It does not deny at all the characteristic of the Soviet regime as dictatorship, but demands a detailed analysis of the Soviet perceptions of democracy and grass-roots democracy.

Almost all ideologists of Bolshevism were self-educated persons and had no systematic education. They were inspired by unsophisticated and archaic ideas; they did not correlate them to the realities of the social organization of the beginning of the 20th century. In 1905, the Bolsheviks opposed the class and bureaucratized system of power with the principle of people's direct democracy. At that time, in the Soviets of workers, decisions were accepted by representatives of the lower classes. Subsequently, Lenin formulated the ideal of direct democracy, "Any cook should be able to run the country".

It is necessary to admit that both Soviet power and contemporary democratic institutions in Europe and America stem from one root — direct democracy of antique and medieval cities-states, communities, and communes. But present-day Western democracy is the result of a long evolution during which the ancient democratic ideals were preserved and the institutional forms that implemented the completeness of these ideals, about which we spoke in the previous chapter, were developed. Besides, it also incorporated the evolution of perceptions of man and knowledge, as well as the ability to think and evaluate. The Soviet system denied all these achievements of civilizational development and tried to revive outright the ideals of direct democracy in this new social system. However, direct democracy is only possible in small communities and communes when it is possible to convoke everybody for a general meeting and to make a decision with participation of everyone whom this decision concerns. With the growth of communities and the number of citizens, direct democracy turns into representative one. For this very purpose, representative institutions and traditions are developed and supported. If these institutions, mechanisms, and traditions are neglected, then this or that form of dictatorship or tyranny is formed on the basis of direct democracy.

There were a slew of examples of that in the ancient times and Middle Ages. The same occurred to the Soviet system.

Soviet power was a multilevel system of Soviets: from rural and local Soviets to the Supreme Soviet of People's Deputies of the USSR. In all of these Soviets, the norms of representation were observed very carefully. In these Soviets, deputies of all socially-demographic categories, occupations and trades, ethnic and national identities, were presented proportionally to the structure of the population; only the confessional structure of society was ignored. On the basis of the completeness of this representation, the Soviet ideologists said that this was the way grass-roots democracy was implemented. As a result, the solution of both difficult and simple questions was accepted by voices of incompetent and unprepared representatives. During several days of a year, deputies of Soviets of all levels used to leave their machines at plants, their fields in collective farms, their scientific studies in institutes — i.e. something they were competent in. They gathered in council halls where they were shown heaps of documents and decisions they had to vote for. Even if they managed to read these documents, they had no possibility to understand and analyze them, to expertize or to consult with experts. During such an organization of the work of Soviets, competences of all deputies were leveled — both academician and collective farmer appeared to be equally incompetent. The absence of a club form of public life, which was thought to be a bourgeois rudiment, deprived the people, who formally had access to decision-making, of the grounds of their conscious participation in this process. They were deprived of free critical thinking, an independent (from professional and productive) civic stand, a possibility to be guided by public opinion, etc. And if in the 1920s and 1930s, in Soviets of different levels, there were some disputes and discussions, then during several decades of the implementation of such a practice of people's "representation" all deputies obtained a habit to vote and always "for" something, not "against".

Everybody understood the imitating character of the Soviets and the fact that they only legitimized the decisions developed and ac-

cepted by the bureaucracy. Thus, the bureaucracy was considered to be responsible for all blunders, while all positive decisions and achievements were attributed to the supervising role of the Communist Party. The Party itself assigned tasks to the bureaucracy, controlled its activity, and punished bureaucrats for errors. Thus, direct democracy became complete dictatorship of the Communist Party. Inside the Party, there were practically the same processes, and the Party itself was under the dictatorial management of the party nomenklatura. And it must be said that it is even not a malicious will of concrete people, but an inevitable result of the organization of direct democracy in improper conditions and the outcome of the ignoring of the necessary for society's life (civil society and democracy) communicatory, public practices.

In the late 1980s, such a state of affairs became unbearable. The first attempts to correct it, called "perestroika", meant a return to the initial ideals of direct democracy. In the history of this period, there were revolutionary changes of the Soviet system in the direction to the civilized forms of the social organization and appearing from time to time ugly and impractical forms. The first attempts of democratization manifested themselves in "elections of directors". This clumsy form was quickly rejected and forgotten. Then, there was a mass movement of "nonconformists", which generated demagogs, public rally orators, and charismatic micro-dictators. The main step towards representative democracy was the reform of the parliament, although it was carried out without any preliminary plan. At first, it was decided to return to the bases of the Soviet system, therefore it was suggested to convoke the Congress of Soviets. Unprepared delegates, who were not able to grasp the essence of questions and problems that they had to solve, came to the Congress. However, practically at once, the Congress of Soviets began to turn into a constantly working organ; not delegates to a congress, but almost full-fledged deputies of a parliament were elected; many of them became the first professional politicians in the USSR and after its disintegration — of the newly-formed independent states. Deputies began to unite in factions, which could have turned into political clubs and parties. But this process received no further

development and these quasi-parties that were created around public rally orators and demagogs became a basis of the political system in the countries which managed to avoid dictatorships of charismatic dictators, for example, in Ukraine and Moldova.

Belarusan forms of democracy

During the first three years of Alexander Lukashenko's presidency, there was a return from the not settled civilized norms of the state management to the archaic forms of direct democracy. The first president tried to solve the urgent problems independent Belarus had faced not with the help of coordination with representative organs of power, but by appealing directly to the will of the people and leaning on the people's support of his decisions. Referenda were introduced in the state management practice. A rather characteristic example was the referendum to change the Constitution in 1996 when the text of the changes and corrections of the Constitution was published only in a week after the beginning of the early voting for these changes. People voted in the same way as Soviet deputies used to, entirely relying on the bureaucrats who had developed this decision. The president tried to eliminate or replace the institution of parliamentarism by convoking the All-Belarusan Popular Assemblies. The structure of delegates of these assemblies had to represent the structure of Belarus' society. In his struggle against the parliament and political opposition, Lukashenko appealed to the decisions of these assemblies.

The absence of traditions of parliamentarism, the weakness of Belarusan social and human sciences, and the total legal illiteracy of the population led to the situation when Belarus' society did not notice any institutional and procedural difference between the Parliament and the All-Belarusan Popular Assembly. As a result, the Parliament lost the properties of an organ of contemporary representative democracy and was reduced to the status of people's assemblies.

The difference between these organs, which was not grasped by the Belarusans, is not only in the structure of representation, but also in

the procedures and mechanisms of their formation and organization of work. The Parliament is impossible without a public space, without a competitive activity and a lot of procedures of mediation and control over elections. Today's National Assembly of Belarus (the House of Representatives and the Council of the Republic) are formed without a political struggle and competition during elections[5]. In the work of the Parliament, there is no political component, parties are not presented there, there are no factions, there are no discussions, and the parliamentary commissions do not use consultations of experts and public groups. The Parliament works as an appendage to the government, being inferior to the government as for its competence and preparedness in the questions it has to solve[6]. The present-day social system of Belarus and civil society's place in it are built on the implementation of all the same Soviet principles of direct democracy.

[5] It is necessary to distinguish between the "struggle during elections" and the "struggle in the situation of elections". It is true that the political struggle in Belarus becomes more active during every election campaign and right after it. But these struggle and activity have nothing in common with the real pre-election struggle which is conducted for a possibility to represent the interests of this or that part of society in the structures making decisions such as the Houses of the Parliament, local councils, or the post of the President of the country. The political activity observed in the situations of elections has to do with a possibility to declare more loudly than during any other time one's position and sometimes it is dictated by the "ritual" of the party life which, as it is known, becomes attached to elections.

[6] Being based on the results of the analysis of the data placed on the web-site of the House of Representatives, political scientist Andrei Yahorau says, "By now, the deputies elected in 2008 have considered more than 650 bills, accepted 268 new laws, and introduced 134 amendments to the already existing statutory acts. The only thing is that the subject of the right of the legislative initiative of almost all these documents is either the government, or the president. During the four years, the deputies proposed amendments to the law "About the transport-expediting activity", as well as several changes and additions in the legislation on military crimes and the jurisdiction of courts-martial. The only "whole" document accepted as a result of the deputies' legislative initiative was the law approved in November 2011 "About the handling of animals". // During the four years, the Belarusan deputies have initiated themselves only one "whole" law.

http://www.vybory.ej.by/opinions/2012/07/12/za_chetyre_goda_belorusskie_deputaty_sami_initsiirovali_lish__odin___tselyy___zakon.html

The most generalized scheme of democracy and the rule of the people "à la Belarus" looks as follows:

1. People (a people; nation; peoplehood) is something whole, uniform, and indivisible.

2. As the entirety and indivisibility of people contradicts common sense and empiricism, only the majority is thought to be people. Accordingly, all those who do not share the opinions of the majority, who differ from it, are not considered to be people.

3. Belarus' authorities speak on behalf of people and for people; therefore, they are obliged to consult with people.

4. Communication of power with people happens unilaterally: power asks, people answer; or — irrationally: power guesses the opinion of people and expresses it on behalf of its name.

5. While asking people's opinion, power has to find among people the speakers who voice the opinion of people, i.e. the majority. All the thoughts that do not coincide with the opinions of the majority are not accepted as they "do not belong to people".

6. To make such communication incessant, it is necessary to constantly separate "people" with whom power consults from "non-people" or "anti-people [antinational] elements".

7. The authorities (power) consider that "non-people" or "anti-people elements" are those who break the accepted unilateral order of communication. Everyone who is not a representative of power, but who shows his/her initiative in communication (who asks power first), is excluded from "people". In the same way, any attempts of all who are not a part of the highest echelons of power to guess the opinion of people and to speak on behalf of people are thought to be antinational.

Such a scheme of communication can use the categories that are called the same in the rhetoric of the Belarusan authorities and in the rhetoric of the democratic West. For example, the categories "people", "dialog", "public opinion", and "society". However, in the Western

democratic tradition, the category "people" has no exceptions and "people" is not understood as something whole and indivisible; it is a priori something multivariate and miscellaneous. It is impossible there to consider someone to be "non-people"[7]. Dialog presupposes the equality of participants: any participant of dialog can ask questions and has the right to receive an answer. In many cases, according to a democratic tradition, power must answer. Power is obliged to account to people for its actions and decisions, irrespective of whether representatives of people, who ask questions, belong to the majority or minority. These very sameness and seeming similarity of the used categories and notions lead to constant misunderstandings in interactions of the Belarusan authorities with Western countries. And the same seeming similarity of these notions provides the Belarusan regime with a possibility to simulate democratic processes and transformations.

Contemporary Belarusan power, following the Soviet tradition, sees no categorial distinctions between "people" and "society", reducing its understanding and actions to the perceptions of "people" and people's democracy. Still, Belarus is not isolated from the rest of the world. There was no isolation during the period of civil society's formation across all Europe; there was no complete isolation even in the Soviet period; and no isolation is possible especially now. Public relations between citizens are weak, but nevertheless are present in our country.

In Belarus, civil society started to be formed during "perestroika" and to develop during the first years of independence and relative

[7] The difference between the European tradition and the Soviet one is especially vivid in the understanding of the "voice of the people". A European state should answer any questions of its citizens. And these citizens can be both small public associations and intellectuals well-known to the whole nation — all of them are representatives of the people. Soviet power reacts in an absolutely different way. The people's opinion is thought to be the appeals of pensioners-veterans, or a labor collective, but an intellectual who has his/her own opinion is considered to be a renegade who is far from the people and who opposes him/herself to the people. Public associations (NGOs) can be easily thought to be foreign agents, as it happens right now in the legislation of Russia, while in Belarus this practice was applied a long time ago.

democracy. After the coup d'état in 1996 and the return to the simplified forms of Soviet power, Belarus' civil society managed to survive and remains the factor influencing public processes. Belarusan civil society exists at the expense of support from Europe and the USA and thanks to the general democratization and liberalization on the post-Soviet territory. As small Belarus is very dependent on the external economic factors and international politics, the Belarusan state is compelled in this or that form to reckon with the international norms. Being a member of many international organizations, entering mutual relations, the Belarusan authorities are obliged to involve public, non-state structures in the implementation of the programs they are interested in. Still, the very nature of the Belarusan dictatorship based on the Soviet samples, as well as the world outlook and ideological stands of the state establishment, is against the implementation of contemporary democratic mechanisms. Therefore, being forced to reckon with the European requirements and norms of civic participation, the Belarusan state feigns it by creating pseudo-public structures, which are presented to international observers and partners as civil society, or by manipulating the real structures of civil society. Until recently, these manipulations with civil society and public opinion have been quite successful because of the weakness and, the main thing, insufficient competence of civil society itself.

Public dialog or the simulation of civic participation in Belarus

When in Chapter 1 we were discussing the incipience of modern society based on publicity and communication, which builds its relations with the state by means of dialog, this process seemed to be almost natural development. Still, such a perception can only be possible if we regard society from a retrospective historical point of view, but not in the context of the present tense. Both then and now, transformations happen only due to people's actions, which are sometimes rational and sometimes impulsive and not elaborated. And if the figures of the

18th century could be guided by their ideals and what "should be", but could not know precisely what transformations would come out as a result of their actions, we already have a possibility to comprehend the two-century practice and to build our actions more precisely and technically. Today, it is quite naïve to expect that "kitchen" discussions (the analog of secular clubs) would gradually grow the ability to speak and agree at more and more high levels influencing the general organization of life. While there is the formal existence of all necessary institutions — the parliament, the mass media, public hearings and consultations, which are fixed in the legal acts and practice of international relations — the question is how to fill them with the adequate meaning and how to counteract simulation.

Let's review several forms of actions practiced by the Belarusan authorities and the precedents of the organization of dialog, which have taken place in the history of independent Belarus.

European programs in the sphere economy and safety

The experience of the developed countries' assistance to the third world countries shows that in the countries-recipients the allocated means are frequently spent for the purposes other than intended; they lead to corruption and disappear in the shadow sector of the economy. Therefore, for a long time already, programs of technical assistance, as well as other target programs, financed by the countries of the first world, presuppose public control and wide participation of not only the state, but also business structures and non-state organizations (NGOs), in the implementation of these programs. Being interested in the Western aid, the states of the third world have to make concessions, facilitating the creation and registration of NGOs, improving the business environment. But in certain cases, dictatorial regimes resort to another way. They create corrupted business and fake public organizations — the so-called "government-organized non-governmental organization" (GONGOs). Then, GONGOs are presented as structures of civil society so as to implement joint programs with the West, sometimes entirely forcing out real public organizations from this or that sphere.

In Belarus, the most typical example of this is the activity of Chernobyl funds.

The developed countries actively participated in the liquidation of the aftermath of the Chernobyl disaster. During "perestroika" and the first years of independence, the western aid spurred the increase of public activity and the incipience of specialized social and environmental organizations dealing with the solution of separate problems, distribution of the humanitarian help among victims, improvement of health of children and people from the contaminated territories. During the economic decline, the programs of Western technical and humanitarian assistance to the suffered regions looked quite massive against the general ill-being. This money was received and distributed not through the state channels. Since 1994, the Belarusan regime did not want to tolerate it. There were attempts to redirect this technical and humanitarian aid from the "third sector" to the state. When they failed, they started restricting the freedom of activity of public funds and organizations, and sometimes openly prosecuted these organizations or their leaders. Instead of these organizations, Western donors were offered artificially created GONGOs. In certain cases, they seemed to be more professional and effective partners for donors. Therefore, Western funds and structures easily agreed to cooperate with them. Finally, it has led to the full governmentalization of programs aimed at helping those who have suffered from the Chernobyl catastrophe.

Similar processes took place in the other fields of activity as well. In the programs, which had to do with the competence of power structures (for example, border management, interdiction and liquidation of these or those kinds of weapon, struggle against the human and drug trafficking, etc.), the authorities took the gloves off and considered GONGOs' participation to be just a technical condition of appropriating money for these programs. Therefore, fictitious organizations existing only on paper were created, and government officials were appointed to be representatives of these fictitious NGOs. Questions in the sphere of business and entrepre-

neurship were solved in the same way. The Belarusan government actually independently established various kinds of associations of manufacturers or these or those services and goods, associations of employers or protection of the rights of consumers. As a result, many organizations, being public on paper, are actually subdivisions of ministries and departments.

Duplication of public organizations

The organizations and associations, which were formally considered to be non-state, existed in the Soviet Union, too. Those were various committees of defense of peace, DOSAAF (Volunteer Society for Cooperation with the Army, Aviation, and Fleet), organizations of protection of monuments of culture or nature, etc. A special place among them was occupied by the so-called creative unions: unions of writers, moviemakers, composers, architects, etc. Some of these unions became active participants of the processes of democratization in the days of "perestroika": for example, the unions of moviemakers and writers. The others were either indifferent or, on the contrary, very conservative. Democracy-oriented professionals, being not able to reform their conservative and stagnant organizations, used to leave them and create new ones. Thus, for instance, they created the Belarusan Association of Journalists because the existing Union of Journalists did not participate at all in the development of the democratic mass media, protection of the freedom of speech, and protection of journalists exposed to prosecutions. The authorities used this precedent of "doubling" some organizations and started to stimulate this process. A bright example is the "duplication" of the Union of Writers. The reason to start this pressure upon the Union of Writers was not only the intransigence of the management and the majority of its members, their democratic aspirations, but also the property belonging to the Union of Writers from the Soviet period. The real estate in the center of Minsk and the Creativity House near Minsk were attractive from a commercial point of view. This property was expropriated from the Union of Writers, but it did not make writers appeasable and dependent. Then, the authorities initiated the split of the literary organization

and the creation of a "new" Union of Writers. The authorities did the same with the obstinate Union of Poles.

The presence of doubled public associations and unions allows power to "consult" efficiently and tellingly and to "conduct a dialog" with "civil society", formally observing all requirements of the democratic organization of society.

Socio-political dialog of 1999-2000

By 1999, the Belarusan regime had practically finished its construction of the state vertical of power and implemented the pre-planned order and organization of public and state life. However, international institutions and the majority of European countries and other members of the OSCE did not consider the Belarusan regime to be legitimate. The OSCE and the Council of Europe thought that the legitimate parliament was the Supreme Soviet elected in 1995 according to the Constitution of 1994. Still, the parliament that really worked in the country was the two-chamber National Assembly which lower chamber included loyal deputies of the Supreme Soviet and which other chamber was practically entirely appointed by the president. Such a state of affairs was inadmissible in the traditions of Western democracy, but it completely satisfied the Belarusan regime's perceptions of democracy according to the scheme described above. President Lukashenko participated in the OSCE Istanbul Summit which accepted a resolution — its Article 22 obliged the recognized de facto Belarusan authorities to start a dialog with those representatives of the Supreme Soviet who were the lawful parliament for the OSCE. As the deputies of the Supreme Soviet were deprived of real mechanisms of power, it was the opposition parties supporting them and structures of civil society that had to participate in this dialog. The dialog was organized through the intermediary of the OSCE Office in Belarus. The constitutional contradictions or the distinctions between the variants of the Constitutions of 1994 and 1996 should have become the basic topic of the dialog. In the course of the preparation and course of the dialog, both archaic perceptions and stands of the authorities and unpreparedness of the political opposition and civil society to dialog were revealed in its entirety.

The authorities dragged representatives of the "majority" in this dialog — arboriculturists, veterans of war and labor, and others, whom they considered representatives of the people and society. These representatives, as it was supposed, expressed their total consent with the authorities' position — "there are no contradictions". Representatives of the opposition and civil society ignored the dialog situation, considering that it would not take place anyway. Two months later, the participants of the dialog simply stopped gathering; no results were reached.

The Belarusan authorities did not refuse to perform the resolution of the OSCE Istanbul Summit. They even made efforts to organize the dialog and convoke participants according to their perception of who the people of Belarus are, with whom they are ready to conduct a "dialog" or to consult. Replying to the OSCE's objections that in this dialog no alternative position was presented, the authorities said in a traditional way that this position reflects not the opinion of the people, but only of separate people, and that it is possible not to reckon with this opinion of separate people. Power demands from the OSCE to reckon with the people's choice. The persistence of the OSCE and separate figures of the Belarusan opposition is declared to be the intervention in the internal affairs of Belarus[8]. Accordingly, the socio-political dialog of 1999-2000 did not solve the constitutional contradictions in the country and revealed vividly the contradictions in the understanding of such a dialog between Belarusan power and the OSCE (European community).

Public advisory councils and civil society's national platform

The first thematic or departmental public advisory councils appeared in the spheres where programs of European aid were applied. They were considered by the authorities to be technical elements of these programs. In certain cases, public organizations tried to use these created councils in the interests of civil society and in the interests of their own purposes. For example, it happened so with the envi-

[8] The socio-political dialog of 1999-2000 in Belarus is described in U. Matskevich's book "Evocative Silence", 2007.

ronmental council. Still, positive precedents of using departmental public advisory councils are not numerous and they are concentrated basically at the local level[9].

A new period in the history of this form was opened in January 2009 with the creation of the Public Advisory Council at the Presidential Administration (PAC). The sphere of its competence was very wide and concerned the interests of almost all subjects of civil society in Belarus. The very creation of the PAC and the topics discussed during its sessions began to draw huge public attention. In the focus of this attention, the feigning character of such institutions was highlighted especially brightly. Unlike the first years of independence, the questions of public activity and public control and dialog are no longer limited to separate programs of Western assistance or local and private questions. When the necessity of reforms is understood not only by the opposition and civil society, but also in the higher echelons of power, it is still possible to simulate the democratic transformations and dialog, but this simulation does not bring the authorities the former dividends any more. The regime still tries not to act, to pretend, not to carry out reforms, and to feign them, but earlier the regime's prize for this simulation was lower criticism; the authorities used to win time. It was enough for them. Now, something else is needed by them — not simply the image, but credits and investments, the absence of criticism, and the cancellation of sanctions, not simply exchanges of visits and delegations, but free trade and new markets. Today, all questions of international cooperation with European countries are in the direct dependence on the Belarusan state's ability to demonstrate that it follows the accepted European norms of public dialog both concerning the structure of political institutions (parliament, councils) and concerning the public dialog with oppositional democratic forces.

Until now, the Belarusan regime did manage to cheat not only political opponents inside the country, but also Europe and Russia.

[9] In the Annex, there is the analysis of legal mechanisms of the work of public advisory councils in Belarus: Smolyanko O. Public councils in the Republic of Belarus: the legal regulation analysis

Supporters of democratic transformations actually appeared not able to use the formal occasions and legal possibilities (the conditions of European programs, the situation organized by the OSCE, etc.) so as to implement their understanding and ideas concerning dialog and civil society's participation in the management of the country. Let's put aside the traditional argument about the "inequality of forces" and "unwillingness to be used by the authorities in their game". Although it has some bases, but is more like an excuse, not a real estimation of forces and possibilities of both parties. Democratic subjects (parties, public organizations, political and civil initiatives) cannot agree, first of all, among themselves, and in such a condition it is really impossible to impose their game and rules on the strong opponent. The attempt to change this situation was civil society's actions aimed at creating a national platform.

On a national scale, a new potential possibility of organizing socio-political dialog in Belarus appeared in connection with the announced program of the Eastern Partnership. The program was aimed at developing interaction between a number of post-Soviet countries (Armenia, Azerbaijan, Belarus, Ukraine, Georgia, and Moldova) and the European Union which task was to gradually introduce the European standards in various areas of the organization of life[10]. Within the framework of this program, besides the interaction at the governmental and parliamentary levels, the Civil Society Forum was created. That was how at first only a potential, but legitimate platform appeared for Belarusan democratic forces so that they would be able to present their position. The incipiency of a place for civil society in the structure of interstate relations meant that the "conversation" on the country's development would have, except the authorities, one more participant.

Since the moment when in December 2008 there appeared the first official document of the initiative — "Communication from the European Commission to the European Parliament and the Coun-

[10] The official web-site of the Eastern Partnership program: http://www.easternpartnership.org

cil"[11] — both state and civil society began to prepare for the launch of the Eastern Partnership, understanding the importance of the civil society component which is present in this document. Then, in January 2009, the Public Advisory Council was created under the aegis of the Presidential Administration. The PAC was meant to become a simulation of civil society's representation in the feigning dialog with the political authority. According to the plan of the Belarusan authorities, it was the PAC that had to represent Belarus at the Civil Society Forum of the Eastern Partnership, and the formation of the structure of the Belarusan delegation to the Forum should have been coordinated with the delegation of the European Commission by the Presidential Administration. Such a logic and understanding of processes of the dialog between Belarus and the EU is quite natural for the Belarusan authorities who do not allow a thought of any independent position of civil society.

The development of this scenario was hindered by two things. First, the Europeans who declared this initiative expected civil society's self-organization. In March-April 2009, the European Commission announced open consultations with civil societies of the countries-participants concerning the format and role of the future Civil Society Forum. Second, the created PAC was extremely formal and passive (like all feigning structures) whereas the real structures and initiatives of civil society, on the contrary, actively joined the consulting process and coordination of positions. The engine of the civil society consolidation process was the EuroBelarus Consortium with the help of which a part of pro-European-oriented civil society organizations started to carry out maximally open public actions and to invite all interested subjects, including the members of the PAC. In July 2009, there were public hearings to discuss the meaning, task, and activity of the Public Advisory Council at the Presidential Administration.

[11] COM(2008) 823 final. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL. Eastern Partnership. http://ec.europa.eu/europeaid/where/neighbourhood/eastern_partnership/documents/eastern_partnership_communication_from_the_commission_to_the_european_parliament_and_the_council_en.pdf

Does it represent the interests of civil society or separate people; does the PAC carry out intermediary functions between civil society and power; is the PAC independent and proactive; does the PAC influence the acceptance of significant decisions for the country? These and other questions were discussed with a maximal (to the measure of civil society) public resonance.

The reformatting of the Civil Society Forum became another important line of activity in the use of the potential of the dialog in the Eastern Partnership. Being guided by the task of building a space of the real dialog of civil society with Belarusan power, the leaders of civil society of Belarus actively started to advance and develop the mechanisms of work of the Forum and its place in the structure of the Eastern Partnership. A consolidated position of a group of significant Belarusan public associations and initiatives was formulated. In particular, it concerned the formation of national platforms of civil societies in each country of the Eastern Partnership. These platforms were to become a constant platform and a dialog mechanism inside civil society and to work out a common position in the situation of the dialog with the state. Besides, it was proposed to form constant working bodies of the Civil Society Forum so that it would not turn into simple annual meetings, but could work permanently. These proposals were not just unexpected. They opened a path for new precedents of including civil society in international relations. Thanks to the consolidated position of the Belarusan delegation at the First Civil Society Forum of the Eastern Partnership and due to the exact and elaborated actions, this proposal became a basis of the re-formation and further organization of the work of the Forum.

Already in July 2010, the first conference of the National Platform of Civil Society of the Eastern Partnership in Belarus took place. It was the National Platform (along with the CSF Steering Committee and the delegation of the European Commission) that solved the question of the representation and strategy of actions of the Belarusan delegation at the Second Civil Society Forum. The National Platform was conceptually organized as an open platform, in which

work any organization or initiative of civil society can participate. Nevertheless, in September 2010, Vladimir Makei (chairperson of the PAC and head of the Presidential Administration) declares, "The Public Advisory Council at the Presidential Administration is ready to represent Belarus at the Civil Society Forum of the EU policy of the Eastern Partnership". Simultaneously, using the practice of "doubling" structures, the creation of national platforms of the dialog between the state and society is initiated in all spheres — social and youth policy, education, legal regulation, etc. This initiative is announced to be the result of the project-research on the development of civil society under the direction of Yury Zagumenny. It is a model of a verticalized structure where each thematic platform is "attached" to the corresponding ministry or department and is connected with a corresponding public council[12].

This step of the authorities (there are no doubts they supported it, although informally) was aimed at two effects. First, the National Platform organized by civil society formally concerned only the Eastern Partnership. The new initiative was wider and created an illusion of a full-scale structure of the dialog between society and the state, thus absorbing the local thematic platform of the Eastern Partnership. Second, the created platforms attracted "the multitude" of public associations which have no purposes of democratic transformations and, as a matter of fact, which do not search for a serious dialog with the state. In this "multitude", the oppositional public associations would become only a small group with their own opinion and most likely would conflict with the others as for their loyalty to the state. Understanding all this, the consolidated part of civil society took the most active part in the "constituent" conference of these "national platforms". This participation, publicity of actions, and "inconvenient questions" during the conference allowed civil society to stop the replacement process. Today, these pro-state platforms are forgotten,

[12] Yahorau A. Revanche in the middlegame: games on the field of the Eastern Partnership // the web-site of the methodological community methodology.by / http://methodology.by/?p=1852.

which confirms their inherent simulation character. The PAC at the Presidential Administration was soon dismissed, too.

Today, the development of the National Platform gradually moves it to the "break" from the direct thematic attachment to the Eastern Partnership and to become a platform of communication and dialog of civil society of Belarus. The change of the liberal trend of 2008-2010, deterioration of Belarusan-European relations, and aggravation of the general socio-political situation in the country do not promote this development. Nonetheless, even in these conditions, the National Platform has become the structure of civil society's organization, which already cannot be ignored if there is a conversation about the relations between the state and society.

Public dialog as an object of activity

As practice shows, the most difficult thing is to agree to dialog, how to organize this dialog, and what it must be. It is proved by the latest several years of vain efforts undertaken by various subjects in Belarus, who see a way of the country's development in dialog. And this happens even when the value of dialog as a form of the solution of problems, organization of joint activity, and arrangement of relations is admitted or, at least, declared by everybody. It can be understood — after all, everyone expects that his/her opinion and position will be considered significant and will be respected during this dialog. Having this rather positive attitude, very few people reflect upon what the essence of dialog is, what its necessary components are, what its result is, etc. Without knowing and without understanding it, it is impossible to intelligently and reasonably move towards dialog and to conduct it. Not knowing and not understanding it, we every time "sink" in various insignificant features: etiquette, entourage, and externals.

In spite of the fact that the word "dialog" is present in the vocabulary of contemporary people, it is seldom used in its categorial sense. Usually, "dialog" has a doubtless positive connotation (it is good, correct, civilized) and a certain set of etiquette norms, which determine people's behavior during a dialog. These etiquette norms include the alternate of talking (not to interrupt, allow a person to express him/herself),

everyone's right to express their position and opinion, the respect of interlocutors, the requirement to rationalize one's positions, and the minimization of personal emotional evaluations and references. Being generated during the years of the dialog conducting practice, these norms were fixed in the form of etiquette and quite often lose their connection with the rational bases which they were built on. They continue to exist and regulate communication in an emasculated kind. And quite often do they become a means of manipulating and simulating dialog. Thus, in the practices described above, the Belarusan authorities often drown the essence of the matter in empty talk when, according to the dialog etiquette, each participant, regardless of his/her competence and pithiness of his/her statements, is allowed to speak with the condition "not to interrupt" and "to allow one to finish speaking". Politeness and mutual respect start to replace the adherence to the principle of colliding different positions.

Trying to dialog, in the overwhelming majority of cases, we do anything, but not dialog. We communicate, we argue, we ponder over something, we chorus, we accept joint statements, but we do not dialog. It happens only because we do not think what dialog is. For the same reason, we do not "recognize" dialog when it really happens, being distracted by various externalities.

In order not to just speak and dream of dialog and furthermore — of political dialog, it is necessary to understand it not as a norm of behavior, but as a scheme of organizing actions. What is there that we should know about dialog so as to organize and conduct it?

Dialog organization principles

First. Dialog takes at least **two subjects, two parties**. Dialog can be between two people; it can be in mass communication when communication is conducted not between people, but between social subjects, parties, states, institutions. The more serious the topic and contents of communication are, the more important it is to have *only* two parties. Two positions can be coordinated; it is possible to find a compromise

here. But the more positions there are — the bigger space there is for manipulations. Dictators and manipulators always resort to it. Divide et impera. It is necessary to split the interlocutor's position into several different positions and then it is easy to impose your own position as the only correct one. For this very reason, the most developed and steady democracies are such where the political system is bipartisan.

Second. Social and political dialog is conducted by **social and political subjects**, each of which is characterized at least by two things. Each of them has a "complex of thoughts" — perceptions, beliefs, stands, a picture of the world, concepts, and theories — everything that is the contents of his/her position concerning this or that question; the "thesis" in dialog. Besides, each of these subjects has his/her own practice, activity, in which this position is defended, and with the help of which the thesis is provided and given weight.

A slew of people are interested in social and political dialog; each person has his/her own opinion which differs from others'; his/her personal position. But dialog, as we have found it out, is a conversation of two positions. If in social or political communication, everyone expresses their personal opinion and position, there will be a Hyde Park, but not a dialog; there will never be a solution of a problem. What to do when there are many different problems? Well, there should be many dialogs. Its own dialog — for each problem. What if there is one problem, but a lot of opinions, who shall speak? In such cases, it is necessary to delegate the right to speak to some person.

If one's purpose is only to express one's opinion, instead of solving a problem, then everybody can say everything as long as they would like to. This is what happens in Belarus. And the voice of everyone sinks in the general noise of millions of other voices. There is nothing better for our dictatorship than such "democracy". If the purpose is to solve a problem, then dialog must happen between two and only two subjects. One — with the thesis; the other one — with the antithesis. Today in the country, there is one speaking party — power, the regime of the president and his vertical. Who can this party dialog with? There is no other party. Instead of it, there is a huge set of personal opinions

and positions. It is already not a dialog, but a free-for-all. It is already not politics, but a manipulation of masses.

Third. Social and political dialog presupposes **representation**. ONE speaks on behalf of many. But they should delegate this ONE such a right. They should trust this ONE. There must the right person who will deal with the solution of important problems. How to choose the one who can be entrusted with such representation? There are many ways. For example — professionalism. It is an important principle of choosing the one who can speak on behalf of others. It works in the legal profession. Today, already all understand that in courts it is much better to conduct a dialogue not by oneself, but through the lawyer. And it is very silly to interrupt the lawyer in court so as to insert one's personal opinion. Professionals should be trusted.

The same is in politics and in public dialog. There are those who are more professional — they not simply speak better, but are able to represent positions, to dialog from a position. To dialog from a position is much more difficult than just to pronounce a certain general opinion or statement. To dialog includes the work with the antithesis, as well as the development and correction of one's own thesis. And all this should also be supported by trust. It is necessary to entrust someone with the right to speak with the other party on behalf of many. If it does not happen, there will be ochlocracy or its version — tyranny. Today, the absence of representation and trust is the main obstacles to the beginning and launch of social and political dialog in Belarus.

Fourth. Dialog is only communication or conversation between **equal subjects**. Equality means that two positions, two subjects cannot ignore each other. They should recognize each other as the dialog parties. Subjects should be equal or equaled. People are initially not equal among themselves, but they are equaled in the law, etiquette, game rules. Thus, a person — citizen, voter, taxpayer, can start dialoging with the state, for example, in court. One person and the huge wheels of state — how can they be equal? They can, if they are equalized by the right, law, and legal proceedings.

The right guarantees the equality between all citizens. It means it equals them: the rich and the poor, politicians in power and fringe politicians, the smart and the silly — anyone; it equalizes them in the face of the law.

The right guarantees the equality of the citizen and social subjects and institutions. But it does not extend to each citizen and any institution. In this case, equalization is specially stipulated by various conditions, and these conditions are registered in special laws, as well as in agreements and contracts between the citizen and the social structure or institution. On the basis of contracts, the worker can enter into relations with the employer — whether it is a collective farm or a transnational corporation, not being apprehensive of his/her rights.

What to do when the right or the law does not guarantee the equality of parties in communication? Then the problem of equalization is solved by the weaker party (the party which needs to achieve equality[13]) independently. All the means of equalization beyond the legal relations are either coercive methods or conventional ones. But when equality is not fixed and when the parties do not recognize each other, the participants of any conversation are not obliged to do anything.

Coercive methods include all means of the weaker party, which are aimed at making the stronger party reckon with the weaker one. Terrorism can be considered a criminal coercive method. However, there are many quite admissible ways. For example, the strike movement in the trade-union activity. When the employer does not want to start a dialog — negotiations, trade unions resort to strikes. When the authorities do not want to begin a dialog with a certain political subject, the latter resorts to the actions of nonviolent resistance; even the Belarusan opposition knows lots of such actions. Sometimes, co-

[13] Here, it is necessary to mention the fallacies widespread among the democratic public. Equality and the right to equality are accepted not simply as a value, activity reference point, something that should be, but as the natural right. Being the weaker party, which Belarusan power tries to ignore, democracy-oriented subjects "appeal" to justice and to equality as to an indefeasible quality. But equality must be achieved. And only after it has been achieved, it can be fixed in culture and seem to be natural.

ercive methods are enough for the weaker party to force the stronger party to sit down at a negotiating table. Still, it happens only sometimes and it is very rare.

Conventional methods are much more efficacious. The variety of conventional methods can be reduced to the situation when the parties assume certain obligations within the framework of the specified rules of dialog. It means a dialog is started not with a discussion of its contents, but with a *procedure of discussion*. And only after the procedure is accepted by both parties, it is possible to start discussing the contents as equals. It is good if between the contracting parties there is mutual trust. It happens sometimes, but quite seldom. Mutual distrust is more often; the weaker party is afraid of the use of force; the stronger party suspects the weaker party of dirty tricks. Therefore, the interested parties involve sooner or later in their dialog a third — external — party, which both can appeal to in cases of infringements of the reached convention. Thus, trade unions invented a long time ago a tripartite scheme in their negotiations with representatives of employers. There, the third party is the state. The tripartite scheme is applied in judicial dialogs between litigatory parties or between the defender and the prosecutor where the judge or jury acts as a third party. There is also simple court of arbitration. Nothing better than the tripartite scheme has been invented yet.

In the current Belarusan situation, we deal with a civil face-off or conflict of positions. In civil conflicts, international structures are involved as a third party: either a country or the international community. Very often do we hear that it is the international community that has to negotiate with the regime. It cannot and should not happen. Internal affairs in the country should be solved by national participants of the conflict. And they can only be solved when the parties start dialoging — when they sit down at a negotiating table. When there are two equaled parties and a third party, which is not interested in any concrete outcome of the negotiations, but only in the observance of the conventional rules. In this case — in the establishment in the country of the norms of civil society, the norms of communication and dialog in the conduct of common causes.

These four simple principles represent the minimal and most simple scheme of dialog — an organizing activity scheme, i.e. the scheme which must be followed in order to organize actions aimed at creating a space of dialog and to make it happen. Thus, dialog takes at least (but no more than) two subjects who have different "theses" concerning the same question and who provide these theses with active, practical forces. There must be clear representation from each of the subjects, which is trusted and has the right to speak and decide "on behalf", as well as coordinated and accepted procedures of equalizing or legitimating the two positions and the results of arrangements.

However, these are only the necessary formal conditions. They are able to provide the very possibility of dialog. The implementation of this possibility depends in many respects on participants and their ability and competence to conduct communication and dialog.

"Idols" of Belarusan communication

Belarus' democratic forces, including the small and weak political opposition and a tad wider civil society, **need the unity of their position**. It is not a hypothesis; it is not a problem thesis; it is a banality. Nobody argues with this banality. Nobody tries to deny it. But the unity of the opposition, alas, still exists in the modality of necessity and possibility, instead of reality. There must be unity — all agree with it. There is no unity — all agree with it, too. Why isn't there something that, as all agree, should be?

Our force is in unity — sounds banal. So banal that nobody treats it seriously. Is it possible to seriously discuss banalities? But, as Nietzsche said, "Nothing costs us as much as our ignoring of banalities".

The problem is that unity can only be reached in communication, in dialog, which is not present. There are many monological statements. When all speak and nobody hears anybody. To hear each other, it is necessary to agree to dialog. When one speaks and another person

answers, replies to what the first has said, instead of saying a new monologue about something else.

In order to dialog, one should have elementary communicative literacy. It is again a banality. But everyone can remember many cases when dialog was impossible, to recall many people about whom they say, "It is impossible to talk to that one!". There are people who are able to talk and there are others who cannot do it at all. So, what do we have to know?

In culture, there is a lot of humanitarian knowledge on communication and dialog. And knowledge is power! This was said by Francis Bacon. He described the idols that hinder scientific cognition. These are the idols of the tribe, cave, marketplace, and theater. With the reference to communication, dialog, polemic, these idols can be presented in a different light.

Idols of the Tribe. Politicians (Belarusan oppositional politicians) consider politics to be their generic appurtenance. Thus, for example, Sergei Kalyakin, who heads the Belarusan communists already for almost 20 years, thinks that he is, by all means, a politician. He believes that Anatoly Lebedko, who heads the United Civic Party of Belarus for almost a decade, is a politician as well. He considers the former presidential candidates to be politicians, too. And all of them think that politics is exclusively their business. These politicians get jealous when somebody else suddenly declares that he/she is also a politician. Quite often, they do not even consider what this other speaks or does; they just reject him/her, thinking that this other is not a politician, but a stranger who does not belong to their "tribe". This is how they treated in 2010 Uĭadzimier Niaklajeŭ — he is not a politician — and the campaign "Tell the Truth" — it is not a political party, but a social movement. Today, Niaklajeŭ is already a politician; he has received a "residence permit in the tribe"; now, he is infected with this idol of the tribe as well. To get rid of the idols of the tribe is very easy — politicians should stop thinking that they were born politicians and will remain politicians regardless of what they do and speak. People become and remain politicians when they *behave*

like politicians. Anyone who behaves like a politician is a politician. And if someone can speak on behalf of a bigger number of people, then he/she is a bigger politician. Thus, today some leaders of public organizations and initiatives have much more bigger weight than all "official oppositional politicians" together. To an increasing degree, they can act as representatives of this or that position of the public subject in dialog.

Idols of the Cave. Describing this sort of mistakes, Francis Bacon appealed to Plato's metaphor. A person in relation to the real world is similar to a person who stands with his/her back toward the entrance of a cave and who does not see what happens outside the cave. But people, animals, and things, which move along the entrance of the cave, cast their shadows on its wall. The cave-dweller sees these shadows and, being based on these shadows, estimates what happens outside the cave. But the shadows and the things which cast these shadows differ much from each other. Our politicians and public figures quite often pass their judgments on the world and on subjects and positions with the help of such shadows. Standing with their backs toward reality and being guided by shadows, people conduct or try to have a conversation not with a concrete person or a concrete position, but abstract general perceptions of the position which is seen as a shadow. They argue with and demur to abstract, averaged "politicians", "political scientists", "scientists", "journalists", "social activists", and others. In such a dialog with shadows, not only a real position and the contents of the thesis are left beyond communication, but also something that is even more important — the activity constituent, i.e. the number and status of supporters of this position, their forces and possibilities, etc. It is possible to get rid of the idols of the cave — one has to set one's face towards the world, reality, and to start treating people (and collective subjects) as such, not as shadows. Posts, professional nominations, ranks, and statuses are shadows. Looking at people, it is possible to see a lot of interesting things that cannot be seen in the shadows cast by these people. Sometimes, the word of a journalist, poet, or philosopher can be more valuable than all statements, declarations, manifestos of political leaders, if this

word is a remark in a dialog, behind which there are hundreds and thousands of people with their trust and activity readiness.

Idols of the Marketplace. Bacon describes them as follows, "For it is by discourse that men associate, and words are imposed according to the apprehension of the vulgar. And therefore the ill and unfit choice of words wonderfully obstructs the understanding". The apprehension of the vulgar on the square or market place cannot be a criterion of the verity of your words and correctness of your actions. How many times we have faced these idols! You come to a politician or a person who makes decisions, who can influence the destiny of the country, and propose something concerning these or those actions. And he/she answers that the people will not understand it, that it is impossible to explain it to the workers of the Tractor Plant. But after all you have come not to these people, but to this politician. And the things you propose are for the ears, mind, and apprehension of this person, not for the people. This is what, according to Bacon, "wonderfully obstructs the understanding". A politician as if lives thanks to somebody else's mind. Let it really be somebody else's mind. The real mind of the people he/she represents, on behalf of whom he/she acts and speaks. But more often this is an imaginary mind. Using the criterion "what the workers of the Tractor Plant think and understand", politicians stop thinking independently with the help of their own mind and head, at the same time forgetting when the last time they talked to the workers of the Tractor Plant. It is sociologists who especially often face these idols. They bring politicians the results of their studies of what "workers of factories and other social groups" really think, but politicians reject them, considering them doubtful and imperfect because "I myself heard yesterday in the underground — people were speaking ... ".

Idols of the Theater. Contemporary people are accustomed to the pluralism of approaches and theories so much that they have stopped trying to understand and find out which approach is more exact, more practical, and closer to the truth. After all, among all approaches and theories, there is one which is the closest to the truth and the most practical, while the others are far from the truth and practice. At least,

they are like this in the present state of affairs, in this context. Still, the majority of people are guided by theories and approaches that are far from the truth. Let alone the practical worthlessness of these theories. However, people cherish their theories more than practice. People are ready to repeat over and over again the same actions like a learned theatrical role, irrespective of the effect and result. Their lines of business (emploi; dramatic types) are more important than the productivity of their actions and deeds. Our politicians and leaders of civil society, like bad actors, perform their soli notwithstanding the circumstances, regardless of what other persons and subjects do. From time to time, they choir, they sing the fusty songs, but they learned them once and do not know any others. Social democrats, liberals, communists, and nationalists are the eviscerated roles of our politicians, but not the essence of the matter. Their lines of business and learned roles are not suitable for dialog. During a dialog, each of the parties not simply pronounce some text, but, according to the actions of the other party, specifies, re-organizes, and sometimes changes one's perceptions and activity positions, thus transforming the situation. After all, the essence of any dialog is to achieve convention, consent on the questions that had essential contradictions.

It is possible to stop this hypnosis of the idols of the theater only by departing from dogmatic scenarios and libretti, by studying to think critically. Critical thinking is not when you criticize someone or someone criticizes you, but when you yourself critically treat the theories which you acquired non-critically in your childhood or at school. When you falsify your stands and perceptions through empiricism, through your attitude to what the Other speaks and does.

Contemporary communicatory literacy

Analyzing the problems and difficulties of public dialog, we should not forget that it grows out of everybody's communicatory competence because contemporary (civil) society consists of talking and agreeing people.

People have always been talking and communicating. Homo sapiens are reasonable because they can speak and talk. However, contemporary people live during the epoch when communication has such a value which it has never had before. It does not mean that people began to talk more. Maybe, on the contrary, we talk and communicate even less than our ancestors, but it is unequivocal that we do it differently.

First, communication has become mediated, first of all, by technical means. The share of telephone conversations and electronic correspondence is now comparable or even exceeds the share of personal contacts. 100 or 200 years ago, a person communicated only with the people he/she knew. Actually, it was communication that used to make people acquaintances. Today, we are constantly in contact with people whom we will never see and will not meet personally. In social networks, participants quite often have hundreds of "friends"; media persons are on TV screens; business partners exchange letters and accept joint decisions valued at thousands and millions, never seeing each other's eyes. We do not know our neighbors in in the house where we live, but we communicate with those who live in similar houses which are thousand kilometers away.

Second, social attributes, which used to be easily read and which influenced the meaning and perspicuity of words, are gradually disappearing from communication. For example, authority. In the previous centuries, when people could not agree, they used to go to the priest. The priest would say the words which had to be reckoned with. For whom today is the priest an authority who provides words with values? In the early 20th century, laymen did not dare to challenge the opinion of reputable scientists. As for social distinctions, there was a time when in general they allowed or forbade someone to say something. However, egalitarianism that has been spreading since the French Revolution has done its work. Today, the opinion of everyone is almost equal to the opinion of any other. There are not even educational distinctions — something that could be discussed only by people with special education before — now can be discussed

by all and sundry. Communication has become cleared of social attributes and conventionalities. It generates lots of new problems. For this reason, communication problems occupy the minds of philosophers and thinkers of the 20th century. These are not only Martin Buber or Mikhail Bakhtin, for whom dialog was the main subject of their interest, or Jürgen Habermas, for whom communication became the basic subject of his philosophy. It also includes all hermeneutics, sociolinguistics, and many other things.

All this leads to a paradoxical situation. On the one hand, elaborate communication has become the everyday reality for everybody, and everyone is involved in elaborate communication. On the other hand, communication has become inaccessible for the majority of people; one has to study how to communicate, to study contemporary communication, which differs much from direct intercourse of people from one circle, one neighborhood, one culture and social status. The Internet has revealed vividly this paradox — there is mass computer literacy, but the majority of users are communicatively illiterate. It is necessary to invent special words for separate manifestations of this illiteracy; there appears a special Internet slang which categories cannot be conveyed by ordinary language.

However, if many people are already familiar with such phenomena on the Internet, then in more traditional spheres of communication it is not so obvious, although we can observe the same there. The total communicative illiteracy creates wide possibilities for demagogs; manipulations through the mass media and public actions acquire cyclopean forms. If Goebbels and Stalin could make a fool of whole nations with the help of radio, newspapers, and cinema, then today's demagogs can use much more powerful means — TV and the Internet. The development of PR techniques multiplies the possibilities of manipulation and demagogy.

The demagog of the ancient world or the 18th century could lie to the audience of several hundred people who gathered on the square. The demagog of the 19th century did the same through newspapers for several thousand readers. The demagog of the 20th — 21st centu-

ries can lie to millions. If it was needed, it was possible to deny the ancient demagog by talking to everyone whom he lied to. In the 19th century, it was possible to write an official contradiction in the same newspaper or in another one which was read by the same audience. It was possible to deny Goebbels only by getting access to the national radio in Germany, which was impossible without the destruction of the whole state machinery of the Third Reich. Information wars in the 20th century became the most important component of usual wars. After World War II, information preparations of local wars and conflicts became as obligatory as artillery preparation. In the end of the previous century and nowadays, it is possible to win wars only if one controls the information field.

We live in a discordant country. Belarus is a part of the contemporary world with all its flaws and advantages of the information epoch. Still, we have an archaic society, a country with the totally illiterate population. They are illiterate because the Belarusan readers of newspapers, TV viewers, and the Internet users are not able to differentiate the truth from a lie. They just cannot do it. The consumers of information in our country need to be taught how to do it. They need to become able to differentiate the truth from a lie, to differentiate demagogism from arguments, and to resist demagogy and lies.

Where can usual people study how to do it? Who can teach them?

Hermeneutics is very difficult for people with our school education and with higher, too. Logic is a more traditional discipline, but not everybody studies it and even if they study it, it is used in narrow spheres. Mathematicians, lawyers, and programmers are usually quite well logically prepared, but only for work in their spheres. As soon as they have to deal with adjacent areas of knowledge and activity, they do not use their professional abilities, but roll down to the usual philistine attitude. Even if they use their professional knowledge, they are not able to apply it adequately in other fields of knowledge.

Also, the knowledge of conflictology and many other things are necessary, while it is practically impossible to study them anywhere.

Brief and shallow trainings, during which people study the basics of how to work with objections, provide basically the elementary communicative skills, but they do not solve problems and do not liquidate illiteracy. All these elementary skills are only suitable during a direct dialog face to face, while contemporary people have to deal with structural dialog, with public communication in its advanced forms.

Conclusion

Today, it is often possible to hear that society (civil society) in Belarus is not effective and that communication and dialog have no results. Do such evaluations have any basis? On the one hand, civil society's weakness and the absence of dialog in society are obvious. On the other hand, what does not allow today's Belarusans to see the beginning of public dialog and participation in what already exists in the country? To find it and to strengthen it by supporting it with their actions?

We assert that it happens because of the mess in heads, because "people" and "society" in their relation to the state are not distinguished, because conversations of all with all are thought to be dialogs, because even if there is a desire to gain democratic forms, structures, and institutions, it is forgotten that these forms and institutions are historical and that contemporary democracy uses the mechanisms other than antique grass-roots democracy did, because when people get in the situation of dialog, they prefer the comfort of discourse with themselves or the imagined opponent, without addressing to the real Other.

In this book, we have tried to review several aspects that have to do with the organization of public dialog. How can it help the reader and how to use the thoughts presented here? Public dialog and civic participation in Belarus can be a subject of scientific research or an object of experts' consideration. They can be viewed as a dream of the future or, on the contrary, as something lost. And it is possible to see them as

a task. This text is for those who see them as a task of their activity. It is possible to find here the reflections upon whether we think and build our actions correctly. These reflections are not abstract, but proved by the author's and colleagues' personal experience of action.

In the spring of 2011, when Belarus was still feeling the consequences of the latest presidential election, a number of subjects of civil society, who were working within the framework of the Cultural Policy program, proposed the strategy of actions of democratic forces — "Strategy-2012": "From the dialog within democratic forces to the dialog with the regime". If to exclude from this document all the situational moments — the forthcoming parliamentary elections, calendar time, concrete people, etc., it completely repeated the Strategy-2006 proposed back in 2005 by democratic forces for the organization of actions in the situation of the approaching presidential election. Both strategies were written according to the same scheme — the scheme that leads Belarus' society to negotiations between society and power. Neither in the first time, nor in the second time, the proposal found no sufficient support to be implemented.

The past cannot be changed, and we can only guess what could have happened if the strategy had been accepted in 2005 or 2011, but right now it is the end of 2012 and Belarus' society, despite the numerous efforts and even sacrifices, has not come closer to the introduction of democratic institutions. The proposed strategies were criticized a lot, but that criticism did not concern the essence — the general scheme. Critics never "reached" it, having wallowed in their disputes about insignificant situational evaluations.

This book is another attempt to understand and to present the valid and essential moments which lie in the basis of the presented strategic proposals and all other actions within the scope of the Cultural Policy aimed at introducing contemporary democracy and public participation in Belarus. We hope that it will become a starting point and a guide in the organization of one's own thinking and action and will allow us to coordinate our collective actions, not to be distracted by insignificant things, but to work with the crux of the matter.

Annex

Public councils in the Republic of Belarus: the legal regulation analysis

Smolyanko Olga[14]

This article is a continuation of the publication dedicated to the analysis of the legal regulation of public councils under the aegis of organs of state power in foreign countries [http://www.lawtrend.org/ru/content/index/519_0.html]. This text reviews the experience of the normative legal regulation of the questions of the creation and activity of councils with participation of representatives of the public, collected by 2011 in the Republic of Belarus.

The interest to the topic of public councils in Belarus develops sinusoidally. Having become especially topical after the creation of the Public Advisory Council under the aegis of the Presidential Administration, as well as the Interdepartmental Working Group to develop country marketing of the Republic of Belarus and the Public Coordination Council in the mass media sphere, which included respected representatives of civil society organizations and independent

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experts, this theme gradually disappeared from the focus of attention of the public. And if at first, after the creation of these institutions, in the publications dedicated to the topic of public councils there dominated hopes for prospects of effective work of representatives of civil society in these structures, then later these hopes turned into some disappointment. In 2010, the mass media publications on the theme of public councils basically contained critical remarks and even sharp evaluations.

The apogee of this criticism was the discordant attitude of various groups of civil society organizations to the attempt of constructing the architecture of public councils following the results of the OSCE project "Development of the potential for the interaction of public and state-run organizations in the Republic of Belarus", taking into account the research materials according to the methodology of the international organization SIVICUS "Civil Society Index". In November 2010, there was a concluding conference of the project, during which representatives of about 200 organizations had to discuss the question of the creation of thematic platforms that, as the initiators of the process had hoped, were supposed to serve as a mechanism of implementing in Belarus the French experience of the interaction of the state and society, where there are 16 thematic platforms, the National Platform of Civil Society, the Public Advisory Council under the aegis of the country's political leaders, as well as under the aegis of profile ministries and departments. It was planned that the proposals developed by the participants of the conference, would become a basis of plans of the work of the Public Advisory Council under the aegis of the Presidential Administration, the existing and future public councils under the aegis of profile ministries and departments, and that they would be considered by European and international organizations which support the public sector of Belarus. However, a uniform position on this question was not reached and the project of such construction of mutual relations of the state and civil society was not supported by wide circles of public associations.

A new impulse in the actualization of the topic of public councils was given by the president's directive №4 d/d 31 December 2010

"About the development of the entrepreneurial initiative and stimulation of business activity in the Republic of Belarus" which ordered to introduce in the practice of work of the national organs of state management and other state organizations subordinated to the government of the Republic of Belarus, regional executive committees and the Minsk City Executive Committee, an obligatory public discussion of drafts of laws which can essentially influence the conditions of conducting entrepreneurial activity, including by means of the creation under the aegis of these state structures (organizations) of public advisory and (or) expert councils with participation of representatives of subjects of entrepreneurial activity, their associations (unions, organizations). After this legislative act was accepted, the process of establishing new public and advisory councils under the aegis of organs of state power became much more active. According to this directive, under the aegis of organs of power, there appeared various platforms in the form of councils which included representatives of non-commercial organizations. Thus, in spring-summer 2011, the Public Advisory (Expert) Council at the Ministry of Justice, the Public Advisory Council at the Ministry of Information, the Public Advisory Council on the questions of development of entrepreneurship, investments, and innovations at the Ministry of Economics, the Public Council at the Ministry of Communication and Informatization, were created.

At the same time, similar structures had already existed in Belarus for a long time. For example, back in July 2001, at the Ministry for Protection of the Environment and Natural Resources, the Public Coordination Environmental Council was created; it included representatives of 17 public organizations and associations; in 2003-2004, similar councils were created at regional and Minsk City committees of natural resources and preservation of the environment.

Some of these structures work effectively, for example, a number of public councils on agroecotourism and sustainable development, as well as "social" and entrepreneurial councils; some councils are created during a certain political period so as to solve a concrete task and lose their necessity after the purpose is achieved. Other councils are only formal; they do not function and exist only on paper. Besides, not all

councils created at the state organs can be considered to be public councils: some of them consist exclusively of representatives of various state structures and are a mechanism of interdepartmental coordination of approaches; others are exclusively advisory councils with a minimum of representatives of non-commercial organizations.

Despite the large number of councils created in Belarus and the contradictoriness of the legal regulation of these public institutions, they are on the periphery of researchers' attention. Not enough attention is paid to the analysis of the nature of public councils, questions of their legal regulation, drawbacks and prospects of developing the legislation on public councils. In particular, such other institutions of the interaction of the state and civil society as public hearings are rather more popular among researchers [2]. This article is aimed at becoming an attempt of a primary survey of the Belarusan legislation on public councils. In this article, we understand public councils as formations with participation of representatives of the public, which have an inner formalized structure, on which the state affixes certain powers and with which the state organs consult concerning the acceptance and (or) execution of the state decisions. Thus, a public council, irrespective of whether it was created by a state structure or the public, should be formally created on the basis of a public-power order (normative act). A decision to create a public council initiated by state structures should be necessarily supported by representatives of the public sector.

Classification of councils with public participation

The existing right now in Belarus councils with participation of representatives of non-commercial organizations (public associations, political parties, trade unions, religious organizations, unions and associations of legal bodies and (or) self-employed entrepreneurs), as for their qualitative structure and character of activity, can be of the following kinds:

1. Expert (advisory) councils. Participation in the structure of advisory councils of representatives of Belarusan non-commercial organizations (of course, in this case, we do not speak about state-run institutions) or independent experts is not frequent and, as a rule, is limited to participation of one — three persons. At the same time, proceeding from the specificity of functions of advisory councils, they can include only a limited number of representatives of civil society organizations. The examples of advisory councils with participation of representatives of non-commercial organizations are the Advisory Council on government programs, created by Decision of the Council of Ministers of the Republic of Belarus on 24 May 2011 №660 for the purpose of the implementation of examination and issue of conclusions on projects of government programs; the Advisory Council at the Ministry of Taxes and Tax Collection in the Republic of Belarus, created by Decision of this Ministry on 16 March 2007 №48 for the purpose of working out proposals to perfect the tax system.

2. Coordination councils. The numerous coordination councils created in Belarus differ as for the variety of their functions, subjects of activity, and structure. However, the basic general function of coordination councils is to carry out interaction, coordination of activity of various subjects on these or those questions. In their turn, the Belarusan coordination councils can be of three kinds:

* Coordination councils with participation of representatives of exclusively state structures;

* Coordination councils with attraction of representatives of non-commercial organizations, including public coordination councils. As a rule, the number of representatives of non-commercial organizations is considerably less than the number of representatives of state structures — two and more persons. Thus, these institutions can be characterized as state-public. The examples of such councils are the Coordination Council on vocational training at the Ministry of Education of the Republic of Belarus, the Coordination Methodological Council concerning the state registration and liquidation (activity

termination) of business entities. An example of a coordination council where the number of representatives of non-state structures is almost equal to the number of representatives of state structures is the Public Coordination Council in the sphere of mass information. Some public coordination councils, in spite of the fact that their main objective is to carry out the interaction between state structures and public associations, proceeding from their other competences, are as a matter of fact public councils, e.g. the Public Coordination Environmental Council, similar councils at regional and Minsk City committees of natural resources and preservation of the environment.

* Coordination councils consisting exclusively of representatives of non-commercial organizations, such as coordination councils of political parties and public associations, created on the Rajon (District), VobÏaść (Region), and national levels.

3. Interdepartmental (inter-branch) councils. Interdepartmental councils can be created both for expert and coordination functions. Accordingly, as for their structure, interdepartmental councils can consist exclusively of representatives of state structures, which is the most typical for interdepartmental councils, but representatives of non-commercial organizations can be involved in their work, too. The examples of interdepartmental councils with public attraction are the Interdepartmental Council on advertising; the Interdepartmental Coordination Council on the implementation of the Convention on Water-Marsh Lands that are of international importance because they are habitats of waterfowl, created at the Ministry of Natural Resources and Preservation of the Environment of the Republic of Belarus; the National Interdepartmental Council on problems of the disabled.

4. Public councils (proper). Ideally, public councils should carry out several functions, among which the basic ones are to represent groups of the population and to influence the process of preparation, acceptance, and implementation of administrative decisions in the interests of the groups of the population which the decisions made by the authorities are aimed at. Certainly, a council is also characterized as

a public one on the basis of its structure: the domination in the council of representatives of public, instead of state-run structures, or the exclusive representation of public structures. From the point of view of the structure and these or those functional features (the criteria of membership in such councils and the efficiency of influence on the accepted decisions and the state policy are not considered here), the examples of public councils in Belarus are the Public Advisory Council at the Presidential Administration of the Republic of Belarus, the Public Council on Culture and Arts at the Council of Ministers of the Republic of Belarus, the Public Councils on the development of agroecotourism, etc. The examples of public councils with participation of exclusively representatives of public structures are the Advisory Interethnic Council at the Plenipotentiary for Religions and Nationalities, the Public Supervising Committee at the Ministry of Culture for the protection of the historical and cultural heritage, the Public Supervising Committee at the Ministry of Justice, as well as regional and Minsk City public supervising committees at the departments of justice of the regional executive committees and the Minsk City Executive Committee.

It is quite difficult to consider these or those councils to be actually "public councils" if we are based on such criteria as their influence on the decisions accepted by state structures and their implementation because of the absence of criteria evaluating the efficiency of the activity of councils and that of the mechanisms to control the decisions they accept.

5. Independent public councils. These are the councils created directly by representatives of non-commercial organizations, irrespective of decisions of state structures. The decisions to create such councils have not been fixed in the acts of a public-power character and therefore they cannot be considered to be public councils in our definition. Nevertheless, such bodies can be quite influential; their opinion can be heard by representatives of state power. The example of such a council is the Public Council on morals, which creation was announced in July 2009.

As for the character of accepted decisions, councils with public participation can be of two kinds:

* The councils which decisions are of an obligatory character. The Belarusan legislation gives the right to accept obligatory decisions to several expert (advisory) or coordination councils. The example of such a council is the National Interdepartmental Council on the problems of the disabled; in its statute, it is said that its decisions are to be carried out by state structures and other organizations as for the questions that are included in their competence.
* The councils which decisions have a recommendatory character. Decisions of actually public councils, according to the Belarusan legislation, have a recommendatory character.

Among public councils, there are also public councils created at different levels of the administrative division: national — Vobłaść (Region) — Rajon (District) councils. The examples of such councils are the councils on agroecotourism, which were created at the Vobłaść and Rajon levels; in June 2011, the National Public Coordination Council on Agroecotourism was created at the Department on Tourism of the Ministry of Sports and Tourism of the Republic of Belarus; it included the chairpersons of the regional public councils.

General regulation of the creation and activity of public councils

Belarus has accepted a number of statutory acts that provide a possibility of participation of the public in the course of acceptance of state decisions.

Article 37 of the Constitution of the Republic of Belarus provides the right of citizens to participate in the solution of the state affairs both directly and through freely elected representatives. Direct participation of citizens in the society's and state's administration, according to this Article, is provided by carrying out referenda, by discussing

projects of laws, questions of the national and local value, and by other ways defined by the law.

Participation of citizens in the administration of affairs of a local value is provided by the Law of the Republic of Belarus "About local government and self-government".

Statutory acts in the sphere of entrepreneurial activity, preservation of the environment, youth and social policy, establish a possibility of participation of non-commercial associations in the process of formation of the state policy on these or those questions. Thus, according to Article 36 of the Law of the Republic of Belarus "About the social protection of the disabled in the Republic of Belarus", the national state bodies, local executive and administrative organs, and other organizations, while solving the questions that mention the interests of the disabled, attract representatives of public associations of the disabled to the preparation and acceptance of corresponding decisions and their implementation. A number of enactments, for example, the Law of the Republic of Belarus "About the protection of the historical and cultural heritage in the Republic of Belarus", the Penal Execution Code of the Republic of Belarus, the Law of the Republic of Belarus "About the preservation of the environment", contains a provision about public control.

These statutory legal acts form a legal basis for the creation of public councils in the country.

Nowadays, in Belarus there is **no one statutory act regulating the questions of the creation and activity of public councils under the aegis of state structures and containing a mechanism, on which basis it would be possible to organize participation of the public in the development and implementation of the state plans, programs, and statutory acts, as a constant process.**

An attempt to introduce a norm about a possibility of the creation of public councils at state structures was undertaken while working out a project of the law "About non-commercial organizations" in 2010. However, in connection with the presence of serious drawbacks in this

project, it was not transferred for acceptance to the body of legislative power. At the same time, the theme of the necessity to settle this matter at the legislative level is not forgotten. Thus, the Minister of Justice of the Republic of Belarus — V. Golovanov — while answering questions during the online conference "The role of the Ministry of Justice in the implementation of the juridical policy of the state", organized by the BelTA on 11 July 2011, underlined that "in the legislation, a possibility of creating public councils under the aegis of state structures should be fixed. These councils will work out joint proposals to solve actual problem questions, which will allow to raise considerably the activity and importance of public associations". In our opinion, the fixing of the norm about a possibility of creating public councils under the aegis of state structures at the legislative level will be a positive tendency in the development of Belarus' legislation. Simultaneously, if we do not want this norm to remain declarative, it is necessary to work out an additional statutory act regulating the questions of the status and powers of public councils, the criteria of membership in them, as it was done, for example, in Ukraine and Kyrgyzstan.

Despite the absence of the one norm concerning a possibility of the creation of public councils under the aegis of the state structures in the legislation, special statutory acts provide a possibility of creating concrete public councils or councils dedicated to certain subjects. Thus, the Law of the Republic of Belarus "About the support of small and middle business" provides a creation of the council to develop entrepreneurship in the Republic of Belarus, which works out recommendations for the development and complex state support of non-state business entities, including subjects of small and middle business, in order to form competitive relations and to coordinate the activity of public associations of entrepreneurs. The law also provides a possibility of creating councils on the development of entrepreneurship under the aegis of local executive and administrative organs. Article 28 of the Law of the Republic of Belarus "About the mass media" establishes that the national state body in the sphere of mass information creates a public coordination council in the sphere of mass

information, consisting of representatives of state structures, public associations, mass media, other organizations and other persons.

A possibility of creating public councils at certain ministries and departments can also be fixed in the provisions of these certain ministries and departments. Thus, the Provision of the Ministry of Education of the Republic of Belarus, confirmed by Decision №1554 of the Council of Ministers of the Republic of Belarus d/d 29 October 2001 establishes that under the aegis of this ministry it is possible to create on a voluntary basis councils dedicated to the lines of activity, consisting of employees of the ministry, representatives of other interested national state bodies, local executive and administrative organs, organizations of the educational system, public associations and other legal bodies, in order to work out and implement the state policy in the corresponding lines of activity.

A decision to create councils is accepted, as a rule, by the Council of Ministers at the national level, by a corresponding executive committee at a local level, or by a corresponding organ, under the aegis of which a council is created. In certain cases, councils are created by a decision of the president. Thus, Decree №388 of the president of the Republic of Belarus d/d 13 July 1999 "About the Council to develop entrepreneurship in the Republic of Belarus" created this council. The organ that made a decision to create a public council, as a rule, accepts the provision which regulates the questions of creation, purposes, possible membership in this public council and other aspects. Provisions of public councils are not always open for the wide public because if an organ or its official makes a decision to create a council and to approve its provisions by an order, this order is not registered in the National Register of Legal Acts and, accordingly, is not published. It generates a problem — people are unaware of the creation and activity of these or those councils, which is aggravated by the fact that the activity of Belarusan public councils is almost not reflected on the Internet. Thus, for example, the information on the created public council for the social protection of the population under the aegis of the Department for labor, employment, and social protection of the Pinsk Executive Committee is absent in

the bases of legal information and on the web-site of the Pinsk Executive Committee. It is even more complicated to find out who are members of councils, not to mention their coordinates and contacts. It is also true when it comes to coordination councils with attraction of the public. As an example of the absence of the information on the members of councils, it is possible to name the Public Coordination Environmental Council at the Ministry of Natural Resources and Preservation of the Environment.

The shortcoming of the regulation of Belarusan public councils is also the practically total absence of the documents regulating the activity of councils, for example, the rules defining such questions as the formation and change of agendas, the spread of information about the carrying-out of next sessions, etc. among members of the council.

Order of the formation of public councils

The structure of public councils is approved in Belarus, as a rule, by organs or officials of the organs that made a decision to create these councils. This is the order of the formation of such councils as the Public Coordination Council in the sphere of mass information, the Public Council on agroecotourism development in the Hrodna Vobłaść (Region), the Council to develop entrepreneurship, the Coordination Council concerning the verdurization of city territories at the Brest City Executive Committee, the National Council on the gender policy at the Council of Ministers of the Republic of Belarus, the Coordination Council on the disabled of the Minsk Vobłaść. Still, the legislation does not establish a possibility and procedure of participation of representatives of non-commercial organizations in the structures of councils.

Statutory acts usually define a circle of persons who can be members of councils. However, a problem of the Belarusan legislation on public councils is the absence of the regulation of a ratio of repre-

sentatives of state and public structures in the structures of councils (except for the councils consisting exclusively of representatives of public structures) and the absence of the criteria for the definition of a circle of the public who can take part in the activity of councils. The absence of the regulation of these questions generates the problem — in the structures of councils the state structures dominate, while there are almost no representatives of public structures in the structures of councils.

A good example of the public representation in the structures of councils is the Public Council for social protection at the Department of labor, employment, and social protection of the Pinsk City Executive Committee: out of 13 members of the council, 4 people represent public organizations, 3 — church organizations, 3 — educational institutions, 2 — the Pinsk Territorial Center of social service of the population, 1 — the Pinsk City Executive Committee.

The order of the formation of a structure of a public council by appointment, according to the analysis of foreign experience, is the most inefficient way of the formation of such structures as it generates the dependence of members of a public council on the organ which has created this council; it reduces trust of the public to such a council; besides, it does not provide representativeness of the structure of this council. However, some other, besides appointment, order of the formation of the structure of a public council can be rarely found in the Belarusan legislation.

The provision of the Advisory Interethnic Council at the Plenipotentiary for Religions and Nationalities, approved by Order №7 of the Plenipotentiary for Religions and Nationalities d/d 23 January 2010, defines the order of electing members of the council which structure includes citizens of the Republic of Belarus, foreign citizens and persons without citizenship, who consider themselves national minorities and who constantly reside in the Republic of Belarus, — representatives of registered public associations and their unions (societies) who have the right to put one representative in the structure of the Council and to allow him/her to have the powers to represent the interests of a

public association or several public organizations in the Council. An appeal for membership of the representative of a public association in the structure of the Council is accepted at a session of the Council by open voting and is submitted for approval to the Plenipotentiary.

The procedure of the election of a candidate to be a member of the council by registered public associations and that of acceptance of a decision concerning the proposed nominees by state structures are fixed by the statutory acts regulating the possibility of public control. Such a way of formation is fixed, for example, for the Public Supervising Committee at the Ministry of Culture and Protection of the Historical and Cultural Heritage, the Public Supervising Committee at the Ministry of Justice, as well as regional and the Minsk City Public Supervising Committees at justice departments of regional executive committees and the Minsk City Executive Committee.

An example of the formation of the structure of a public council in a notifying order is the Public Council to assist the development of the system of management of joint home ownership, at the Department of Housing and Communal Services of the Viciebsk Regional Executive Committee. The provision of this council says that its structure can include any physical persons and representatives of legal bodies interested in the sustainable development of the system of management of the real estate of joint home ownership. A person becomes a member of the council on the basis of an appeal submitted by this person. To execute Order №178 of the committee on public health of the Minsk City Executive Committee d/d 29 March 2010 "About the creation of a public council at an establishment of public health services", public councils at polyclinics are formed according to the notifying order, too.

The defects in the Belarusan legislation on public councils are also the questions of changing the structures of such councils, e.g. when a member of a public council leaves his/her post; a possibility of participation in the work of a public council of representatives of a public association according to a decision of this public association itself, instead of a desire of a concrete member of this public association.

Activity of public councils

The efficiency of the activity of public councils, first of all, depends on the mutual desire and ability of the parties to dialog with each other, as well as their professionalism. However, the legislation plays a considerable role in the development of the institution of public councils and their transformation into effective dialog platforms.

The Belarusan legislation knows an example of a direct influence of councils with the public participation on the distribution of the budgetary funds. In 1992, the Belarusan Fund of the Social Protection of the Disabled was created (later, it was liquidated), one of the main tasks of which was to finance programs and separate actions rendering social help to the disabled, their socio-labor and medical rehabilitation and involvement in socially useful activity. According to the provision of this fund, the structure of the board of the fund was approved by the National Interdepartmental Council on problems of the disabled.

We have already said above that there is an almost total absence of regulations of the work of Belarusan public councils. Only some provisions of councils establish the necessity of the presence of the regulations of work of councils. Such provisions include the Provision of the Interdepartmental Council on Advertising. The majority of provisions do not provide a periodicity of convocations of sessions of councils, a possibility of influence of non-commercial organizations and their representatives on the agenda of councils.

Public councils carry out a function of coordination of interests of the state or local communities and various social groups by consulting organs of power concerning the public policy they carry out. Accordingly, these public councils usually make consultative decisions. The fact that the decisions of public councils have a recommendatory character is one of their main features and weaknesses. A problem moment in the Belarusan legislation on public councils is the absence of the regulation and differentiation of the rights of public councils

and the duties of state structures in relation to them, as well as the norms fixing the duty of state structures to consider recommendations of public councils and to make decisions, being based on these recommendations.

Thus, although there are lots of kinds of public councils and sources of regulation of questions of their creation and activity, the Belarusan legislation on public councils needs to be improved. In our opinion, it is necessary to develop and accept a statutory act establishing:

* the order of election of members of public councils from non-commercial organizations;
* a framework ratio of representatives of public and state structures in public councils;
* the criteria for a definition of a circle of non-commercial organizations which representatives can take part in the council's work;
* a possibility of participation in public councils of representatives of non-commercial organizations defined by non-commercial organizations themselves;
* the order of a change of structures of public councils;
* the differentiation of the rights of public councils and duties of state structures in relation to them;
* parameters of participation of a public council in the working-out of projects of regulatory legal acts, including access to projects, concepts, and other documents of a state organ under the aegis of which this council is created;
* the procedure of control of public councils over accepted decisions.

Public councils should work on the basis of the regulation defining technical and organizational aspects of their activity. This regulation is to be accepted by a public council's decision, probably, on the basis of a certain typical provision or a sample regulation considering the nuances of the functioning of councils of different levels.

If a council takes into account the will of all parties, a public council can be used as a dialog platform of intersectoral interaction so as to find the optimum solutions in various spheres of the management of state affairs.

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