

Social Mechanisms in Elaborating Russian Educational Policy: Legal Monitoring

Aleksandr N. Gostev^a, Tamara I. Turko^b, Sergey B. Shchepanskiy^c,

^aModern University for the Humanities, , RUSSIA

^bFederal State Budgetary Scientific Institution, Research Institute - Republican Research Scientific and Consulting Center of Expertise, , RUSSIA

^cProfessor at Kutafin Moscow State Law University, RUSSIA

ABSTRACT

The article presents the results of legal monitoring and those of a sociological research on the efficiency of social mechanisms in Russian Federation education policy. The data obtained substantiates: the need for systematic improvement of Russian legislation in the education sector; revised notions and content of social mechanisms in Russian education policy; the significance of social activity ensuring educational security in Russia; education policy implementation issues. The research also focuses on the content and state of control, awareness raising, transparency, traditions and other mechanisms in the areas of law, economy, social responsibility, politics and society.

KEYWORDS

Legal monitoring, education, authorities, corruption, charity, social movements.

ARTICLE HISTORY

Received 11.03.2016
Revised 17.08.2016
Accepted 22.09.2016

Introduction

Several reasons show the relevance of social mechanisms in elaborating and assessing Russian Federation educational policy. Russia's education policy does not fully relate, first and foremost, to modern and predictive requirements for its social and economic development; secondly, to rapid development of information communication; third, to the globalization of international relations; fourth, to the increased levels of political, economic, military and other dangers (threats); fifth, to the need to implement the May decrees of the President of Russia and the Federal Law No. 273-FZ of December 29, 2012 on Education in the Russian Federation (Decree of the President of Russia No 597; Decree of the President of

CORRESPONDENCE

Aleksandr N. Gostev



Email:

© 2016 The Author(s). Open Access terms of the Creative Commons Attribution 4.0 International License (<http://creativecommons.org/licenses/by/4.0/>) apply. The license permits unrestricted use, distribution, and reproduction in any medium, on the condition that users give exact credit to the original author(s) and the source, provide a link to the Creative Commons license, and indicate if they made any changes.



Russia No 599; Decree of the President of Russia No 601; Benevolensky and Marchenko 2009)

In this regard, the article examines issues relative to the improvement of legal regulation of the education system, which are of theoretical and practical significance for managing training of modern Russian workforce.

Methods

The following mutually testing methods have been used to obtain reliable data on legal monitoring of social mechanisms in elaborating Russian educational policy: theoretical (analysis, synthesis, deduction, induction, generalization, modelling); applied and theoretical (system-oriented approach, structural and functional analyses); empirical (selection, observation, surveys, expert polls, document analysis).

Results

Content analysis of scientific texts shows that the notions “public”, “social”, “popular” when referring to mechanisms are synonymous, if we base our analysis on Article 3 of the Constitution of the Russian Federation, which states that “The bearer of sovereignty and the only source of power in the Russian Federation shall be its multinational people. The people shall exercise their power directly, and also through the bodies of state and local self-government” (Constitution of the Russian Federation).

The expression “social mechanism” has lately been used more often (and constantly, during the Soviet era) in Russian sociological, legal and political terminology. Actually, today, the term “social” has been replaced in legal documentation with “public”, which can be regarded as a positive tendency in presenting academic research results in written Russian.

Experience has shown that, despite the existing legal foundations, Russian education still lacks a system that would correspond to the needs of society and ensure the functioning of main social mechanisms necessary for developing and implementing education and workforce training policy.

This fact can be explained by the results of an integrated research on the mentioned mechanisms, which has been conducted on sound analytical foundations in 5 higher education institutions, 10 schools and 8 organizations in the city of Moscow: opinions of teaching staff and other representatives of civil society (students, parents, employers, social activists, employees in private educational institutions, parties and other social organizations) are not always taken into account when elaborating, managing and improving national education policy.

Our research focused mainly on determining major legal reasons, among others, for the low level of positive involvement (based on the principle of voluntariness, social partnership, patronage, etc.) of the population into education policy development and implementation. To this effect, students’ parents or guardians of various professions were surveyed (Figure 1), while lawyers were offered a questionnaire, where they were asked to point out gaps (7 out of 27) in the law on Education in the Russian Federation and other legal documents governing education issues.

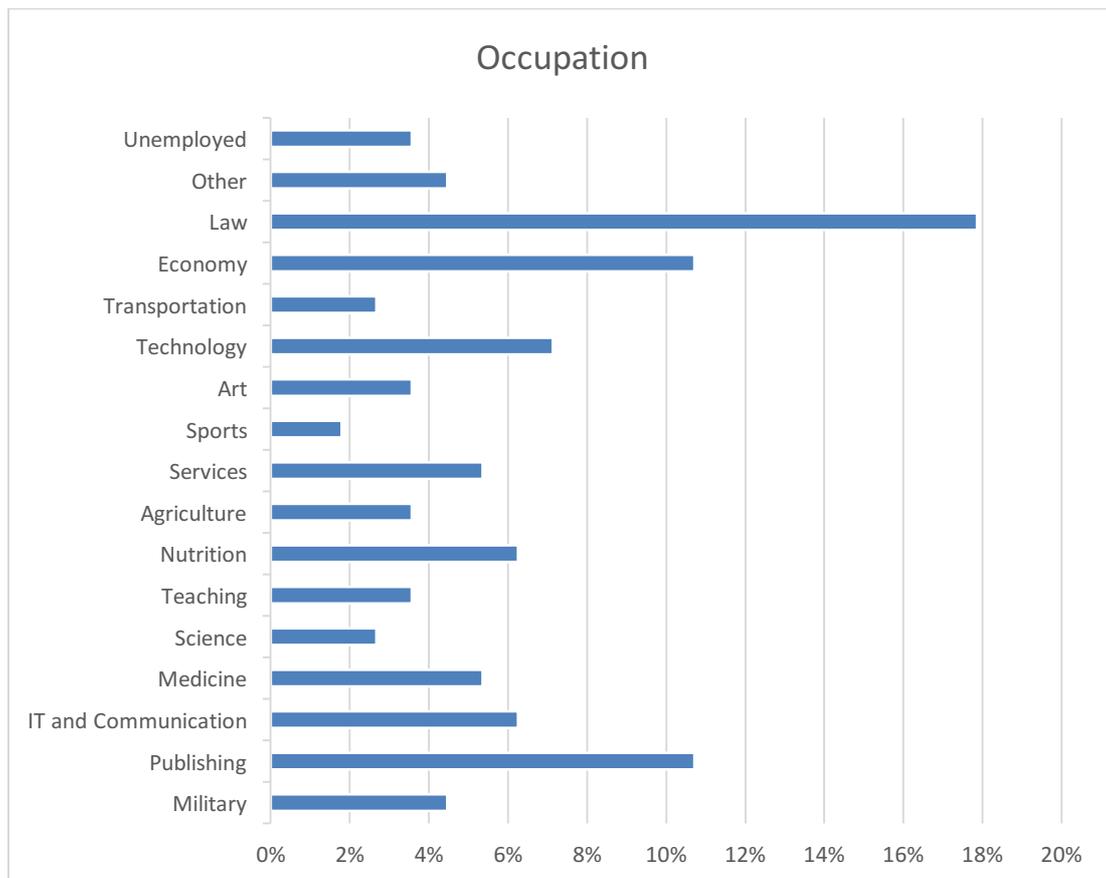


Figure 1. Convenience sample: the parameter here is the respondents' professions (students' parents and guardians)

Experts in law have noted that the questionnaire had missed some of the most important human rights and freedoms guarantees in education; some basic norms regulating social relations (legal, organizational, economical, etc.) in higher education had not been established either.

The survey results show that these reasons and others were responsible, in general, for many deficiencies in the Russian higher education system, which contributed to the formation of a negative opinion about it among a significant portion of those involved in the educational process. All surveyed university faculty and staff are, thus, convinced that higher education needs upgrading. Students share this view, only 13,5% of them stating that higher education "needs no changes". Students' parents also pointed to poor quality of higher education (48%).

As may be seen, the vast majority of those involved in the educational process who participated in the survey have shown their hidden dissatisfaction with the existing state of affairs in education. There is no doubt that this is a consequence of imperfect education legislation. Past social practices show that this dissatisfaction is clearly conflict prone in educational institutions and may give rise to protests in the nearest future.



Meanwhile, the survey results have shown that some conditions for ensuring direct, active and professional participation of employers, executive managers and other specialists are laid down in the Russian legal mechanism. As an example, the Federal State Educational Standard has established specific criteria for recruiting faculty staff from available specialists in Bachelor's (5%) and Master's (20%) programs. However, as revealed by the survey conducted among employers, this fact was unknown to them. It goes without saying that this is a failure on the side of human resources and public relations services that are, a priori, part of social mechanisms involving the population into education policy making (see below).

Under the conditions of market economy, legislators will, of course, try to limit government regulation of education, among other sectors. This niche is already filled by business leaders and medium business. For example, as early as the year of the USSR's active disintegration (the Belovezhsky Agreement was signed on December 8, 1991, and the USSR fell apart in early 1992), the Federal Law "on Education" had been adopted, the main objective of which was to legally establish non-governmental and non-profit educational institutions, while the Federal Law of December 29, 2012 on Education in the Russian Federation demands a transfer to business and state higher education institutions. The present research study (statistical analysis, expert survey) has been unable to find state universities, where the overall number of state-funded places would exceed those that are not funded by the state. Social practices show that this infringes a priori the constitutional rights of Russian citizens in terms of education.

The Federal Law No. 273-FZ (Art. 16) regulates educational organizations' "income-generating" activities and encourages them to "use these funds to provide every financial assistance to students". As practice shows, this norm gives an opportunity to commit corrupt acts to some members of the managerial staff in educational institutions. Lawmakers have not made clear enough the notions "income-generating activities" and "every financial assistance to students". As an example, "university activities" may encourage entrepreneurs to engage themselves in charity events. Modern universities are known to share a lot with big business companies. Being scientific, social, economic and financial structures, universities have quite a complicated management system that is, a priori, expected to establish market relations, cooperate and exchange resources with business companies. The latter, in their turn, are obliged to tackle the main challenges relative to "business's public responsibility", that is, to increase labor productivity, which is impossible to implement without highly qualified human resources, and to keep the impoverished population away from destructive protest actions. This process must necessarily be controlled. The research has shown that charity, if unorganized, also may have negative aspects. It is indisputable that, for any private entrepreneur, charity activity always involves financial expenses, destabilization of the organization and interference with its plans. To restore balance, costs are always offset by consumers by means of price increases.

This phenomenon is of utmost importance in Russia. As an example, business companies often act as local economic mainstays and the only place where people (graduates from universities and other educational institutions) can find work,

that is why participation of entrepreneurs in shaping education policy is becoming part of the business process.

Lawmakers are, of course, obliged to incite events within the context of entrepreneurs' social responsibility.

Our analysis of scientific and legal publications has revealed that theory gives a very vague definition of the notion "social mechanism", which hinders the precise modelling and planning of and legal support for the activity of many mechanisms. In this regard, we have provided, in an effort to address the challenges exposed in this article, a theoretical mechanism for substance and content of the "mechanism aimed at involving participants in the educational process into Russian education policy elaboration". It has been taken into account that all mechanisms are merged into one system, in which each of them fulfills specific functions ensuring the sustenance of the organization, on the whole. The deficiency of any mechanism incites the system to self-regulate, otherwise it will be destroyed. A theoretical analysis point to the mistaken understanding of social management mechanism as being autonomous. In this regard, any action (for example, within the context of education policy), not taking into account all mechanisms of the system, is always harmful to it. Similarly, an adopted law (see above) that disregards the views of collective facilities cannot be implemented and may give rise, for example, to protest movements.

Another systematic mistake when elaborating education policy, as revealed by the results of the expert survey and the analysis of scientific research, is an imprecise definition of the human resources training criteria, which will never be a success, even if it is fully implemented from legal and financial perspectives (Bokareva 2012).

Modern education policy makers are certainly aware that, for example, in the Soviet education system, education quality was assessed by the outcomes, in other words, by the graduate's professional and personal qualities, which included five criteria: worldview, social and political beliefs, managerial abilities, level of competence, leadership, discipline and attitude towards work. That is to say, academic approach was at the basis of Soviet education. One's worldview and beliefs were assessed in the first place. All teachers knew at that time that they had to pass on knowledge to younger generations and had in mind a specific strategic goal, i.e. patriotic education. Actually, studying Western education practices and standards (for example, in the USA) reveals that main elements borrowed from Soviet experiences are now implemented in education there, while potentially destructive foreign education models are being imposed on modern Russian education. Under the present circumstances (see above: globalization, competition), changes are not to be expected to take place, and Russia will not be provided with better educational technologies, so that it may not bring up any potential rival from the Western perspective (Demckenko 2013, p 145). The analysis of legal documentation regulating modern Russian education reveals that the above-mentioned criteria are not even stated as skills; however, this state of affairs does not prevent government education strategies from being developed and implemented.

In modern Russian legal mechanisms, education is defined as "goal-oriented learning process for the benefit of individuals, society and the state, which is accompanied by the citizen's (learner's) acknowledgement that the set education levels (prerequisites) have been achieved" (Benevolensky and Marchenko 2009). Depending on one's life philosophy (or worldview), this definition can be used to



interpret in different ways the content of education and, consequently, to elaborate education policy according to this particular interpretation. Moreover, if we keep in mind the collaborative nature of the Russian management system, the citizen at its head has a right to his or her own understanding of what “personal interests” are and to design “education policy” to his or her liking. This fact does not, of course, guarantee unified goal-setting in education, which leads to disagreements and conflicts among members of the educational process and hinders their involvement into the implementation of the policy examined.

An analysis of opinions about education in the mass media, expressed by many experts, and the results of legal monitoring of educational practices suggest that the latter contain traces of corruption and sabotage activities, as it is well-known that all means are good in information warfare (just as it is the case with traditional wars), if they help to defeat the enemy. Unfortunately, this fact is not taken into account in education policymaking, and ignorance of the issue – “sabotage” – cannot be a reason for it. It would be sufficient to say that someone deliberately took out of the Russian list of academic disciplines the parameter that has to do with awarding an academic degree in disciplines related to “strengthening national security” (Gostev 2016, p. 85). The expert survey conducted as part of this research study and retrospective analysis of Soviet educational practices (see below – Georgy K. Zhukov) show that such decisions decrease the activity level of patriotic citizens, who are aware of dangers and threats to Russia’s military security, and reduce their involvement into education policy implementation.

The results obtained from the content analysis of legal documents and monitoring of their implementation into social practices allow to come to yet another conclusion: the population’s involvement into education policy making becomes difficult because lawmakers create specific conditions for Russian young people educated in Russia to go abroad (see “Russian Education Development Program” for 2013-2020). Among these conditions are: transfer to Western education standards, intense study of foreign languages, promotion of Western values and lifestyles to the detriment of Russian ones (see below – mechanism of traditions). These participants in the education process, who do not even intend to work in Russia, have, of course, little motivation to improve, elaborate and implement the best practices into Russian education.

The results obtained from the survey conducted among students, their parents/guardians, employers and members of different educational institutions (see below) show that modern national policy ensures the movement of young people along the following route: village – big city – far abroad countries. As an example, closing of branches of academic institutions in small and medium-sized Russian cities redirects the flow of students to big cities, and there is no need to explain where they will head to after that. It appears that this is yet another untimely step. In fact, this reformation creates one more obstruction to involving the general public into education policy making. This assertion can be easily explained: students’ parents and employers who send youth to academic institutions in accordance with their own plans for creating a talent pool (for example, this is an established practice in institutions specializing in agricultural studies) and pay their education fees, artificially isolate themselves from the learning process. This attitude also makes it difficult to directly implement Federal State Education Standards (see above – bachelors, masters). Besides, according to experts, education policy has not yet taken into account one more

factor. Today, the university (and its branches) is, a priori, part of economy's market mechanism assuming major social functions not only in the education sector, but also in other sectors of Russian society. Its elimination will only lead to social complications related to the rise in unemployment (faculty and staff will be discharged), young people's search for new opportunities to acquire knowledge and socialize, the emergence of new problems among employers, prospective and current students, young people's mass exodus from their places of permanent residence. These issues will, in their turn, exacerbate demographic contradictions, housing problems and many other things. Besides, the state facing complex geopolitical contradictions will be obliged, in order to survive, to train a new generation and make it remain in its places of permanent residence, in an effort to ensure equal economic development of all Russian regions and, when at threat, a rapid manning and equipping of all armed forces deployed far from the center (Gostev 2011, p. 27).

Furthermore, such education policy does not ensure, in some places, the national provision of social safeguards strategy, declared in the presidential decrees. As an example, the elimination of branches of academic institutions and creation of 11 major universities in Russian regions will make it difficult for handicapped people and other persons in difficult situations to get an education (Gostev 2015, p. 76). There are 13 million people with disabilities in the Russian Federation, which accounts for 8,8% of the total population (Russia in Numbers, 2012, p. 89). Analysis of statistical data provides an accurate picture of, say, social organizations set up for the protection of human rights of the disabled. The All-Russian Society of the Disabled alone comprises 24 300 primary organizations, 2 100 regional and urban associations, 81 organizations representing the republics, territories, regions and areas (All-Russian Society of the Disabled). These organizations will, a priori, initiate protests, while the implementation of these actions will force youth to move to big cities, which will not only cause even greater suffering for them, but also pose a threat to public order.

Such experiments with large numbers of people, certainly, upset stability, activate protest movements, lead to an increase in migration and in the number of radical organizations and, finally, bring chaos into almost all sectors of national security.

Poor quality of Russian education is another issue that social organizations are to address. In recent years, this issue has become one of the most relevant in Russia, and, due to it being system-wide, concerns state, scientific and educational organizations along with common people and the public.

Objectively speaking, they are all part of some social mechanisms participating in the shaping and regulating the implementation of education policy.

It is evident that, theoretically, there may be a great many of such mechanisms. Their number depends on that of organizations cooperating in the given field. Thus, if a system includes 5 organizations, they can be integrated into 25 mechanisms; if there 25 organizations, they will be merged with 625 mechanisms, etc.

The analysis of social practices, expert survey, logical deductions, projection and modelling along with legal monitoring has allowed us to determine and find a rationale for some major mechanisms, among which are legal, political and economic mechanisms along with those concerning public responsibility and oversight, awareness raising, transparency and traditions. Certainly, it is

perfectly acceptable that organizational structures of some mechanism be integrated into other system groups.

Results of the specific research on the involvement of the population into education policy making, legal monitoring and assessment of the Russian Federation education policy show that the legal mechanism contains many deficiencies resulting from gaps in legislation (see above) and law enforcement/judicial practices.

Possible organizational elements of such a mechanism may be: institutions vested with rights to present bills (Constitution of the Russian Federation); federal legislative authorities; various civil institutions represented, as a rule, by the participants in the educational process; universities and other educational organizations; judicial authorities, etc.

The surveys conducted on sound empirical foundations among students, their parents/guardians and school and university staff reveal that all of them face difficulty in terms of professional activities resulting from the low level of legal support.

School staff pointed to this fact (Figure 2).

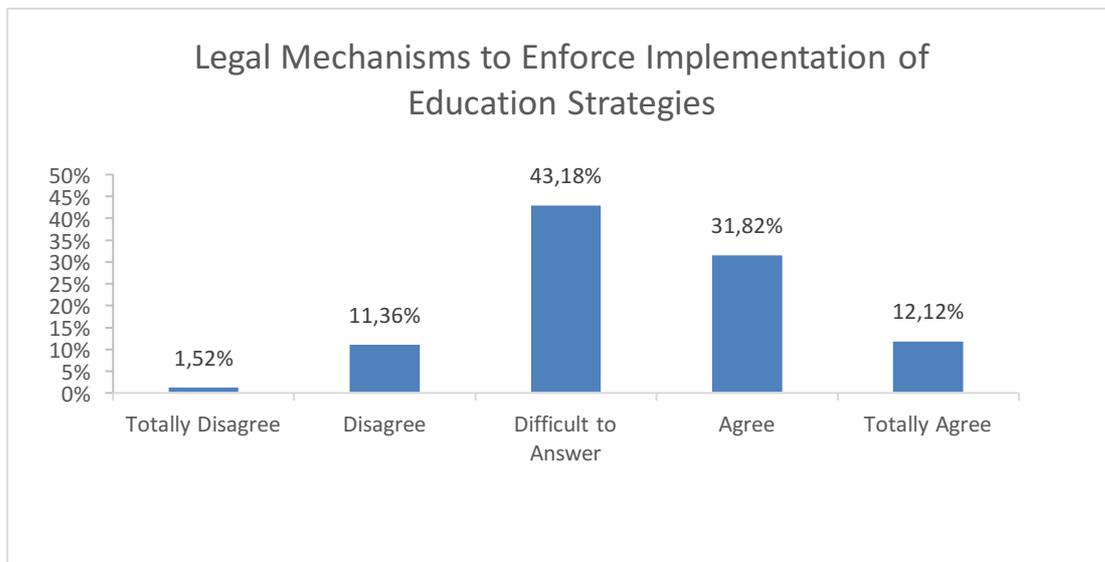


Figure 2 School staff's views on the need to improve legal mechanisms to enforce implementation of education strategies

As you can see in Figure 2, almost 44% (add 12,12% to 31,82%) agreed that there is a need to improve the legal mechanism to enforce implementation of education strategies, while 43,18% had difficulty responding. This is not a coincidence, given the overall low level of the population's legal awareness and negative law enforcement practices.

As an example, over 31% declared that their opinion about the current state of affairs in education "is neglected", and 54,45% refrained from answering (see Table 1).

Meanwhile, none of the persons surveyed – for instance, students' parents and/or guardians – is indifferent to the state of affairs in education. Most of them

(86,61%) are closely following the changes in education, while 13,39% have already joined in the work of public councils.

Table 1. Respondents' opinions about their chances to assert their rights to take part in social management of an educational institution

My opinion as a parent has never interested anybody, university authorities neglect it	31,25 %
My opinion is occasionally of interest to university authorities, but they appear to just observe formalities	1,79%
My opinion is of interest to university authorities only in regard to major university issues, but usually it is respected	11,61 %
As a parent, I exert considerable influence on university affairs. Parents' opinions is a key factor for decision-taking in our university	0,89%
Difficult to answer	54,46 %

University faculty and staff suggests that a "management board" should be included into this mechanism. According to them, this entity will motivate lawmakers to work out an effective rate of implementation of an education development strategy (see Figure. 3).

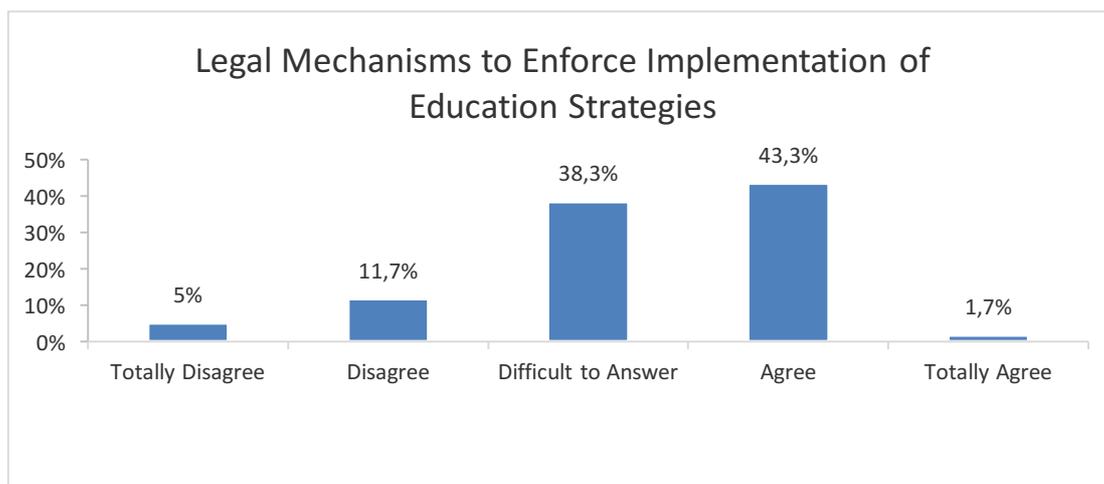


Figure. 3. University faculty and staff's opinion on including a "management board" into the legal mechanism with a view to motivate lawmakers to work out an effective rate of implementation of an education development strategy

In this regard, some experts also pointed to the importance of revising some of the provisions of the Federal Law No. 212-FZ of July 21, 2014 on the Foundations of Public Oversight in the Russian Federation.

There is a clear need, therefore, to improve or set up new legal standards that would incite interested citizens to contribute to the development of education on a voluntary basis.

Certainly, legal mechanisms have direct links to economic ones. It is generally known that laws are traditions that society has officially recognized and



institutionalized as well as long-standing practices that are almost always underpinned by material incentives. This assertion can be interpreted within the context of education policy as follows: first and foremost, law must comply with national education traditions; second, it must be enforceable, i.e. substantially financed, among other things.

Our analysis of modern practices along with the results of legal monitoring reveal that the following elements must be part of the economic mechanism: logistics management authorities; facilities and equipment; institutions that provide extra-budgetary funding (sponsorship, charity, patronage, etc.). In other words, in Russia, the economic mechanism may contribute to the population's involvement into the education policy elaboration and assessment system in four directions (see below), and legal support must be provided to implement it.

Research has revealed that, for example, university faculty and staff (50%) was inclined to participate in setting up and/or upgrading universities' material facilities. Students' parents/guardians may be involved into the functioning of the economic mechanism by participating as volunteers in the preparation and presenting reports on the organizations' educational and financial activities to the public (see Figure. 4).

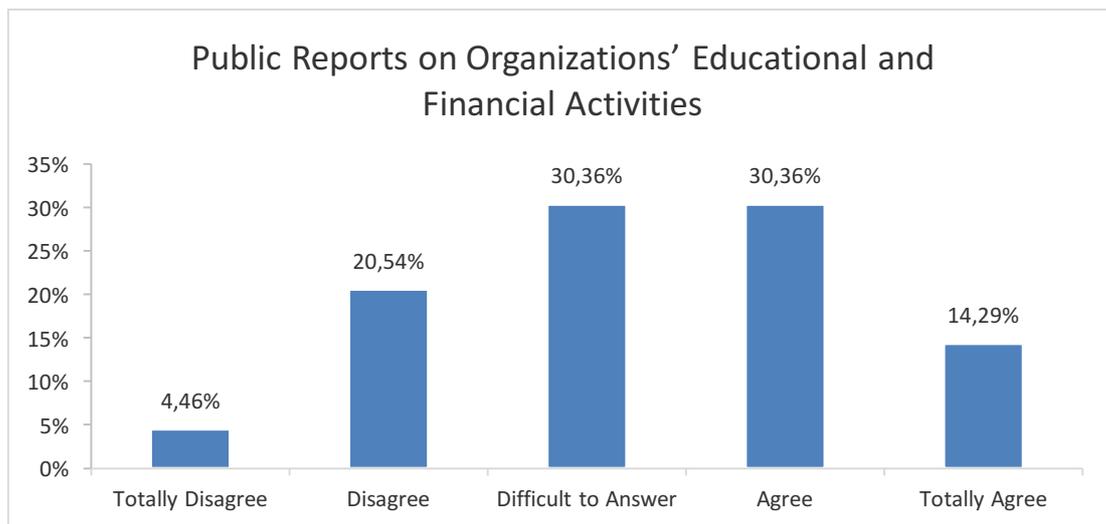


Figure 4. The willingness of students' parents/guardians to participate as volunteers in the preparation and presenting reports on the organizations' educational and financial activities to the public

The population has, thus, expressed its willingness to work within economic mechanisms, and all other prerequisites are available for it. The realization of people's desire (and willingness) is hampered by insufficient legal support along with relative inaccessibility of university financial records, which results from market factors, and also by poor development of law enforcement practices. Research has shown that almost all experts point to the following fact: "The data on the implementation of Article 29 (Informational Openness of Educational Institutions) of the Federal law on Education in the Russian Federation, which regulates educational institutions' reports on incoming and outgoing financial flows upon the results of the financial year, are not publicly available".

Today, *the public responsibility mechanism* becomes mandatory, its basic components being various non-governmental business companies and others, cooperating with educational institutions (see below).

According to experts, the emergence of this social phenomenon is conditioned, on one hand, by the market, competition for human and material resources and market channels, State fragility and other factors, and, on the other, by an objective, traditional and necessary connection to educational institutions.

All citizens of the country pay income taxes, i.e. they bring in money to the national budget, which, then, funds activities aimed at creating favorable and safe working conditions for business organizations, among others. In that case, all organizations owe quite a lot to society and, in their turn, are obliged to contribute a portion of their revenues to the national budget and to the local population, if the latter is not properly financed by the State. As practice show, this is what public (social) responsibility exists for.

In Russia, experience shows that public responsibility is based on moral qualities of the entrepreneur and interpersonal moral relationships. Charity is one aspect of such responsibility. Being charitable means building theatres and museums, schools and hospitals for the sake of society in places where the State is inactive (Gostev 2015, p. 110).

The main objective of big business in market economy is, without a doubt, to keep the impoverished population away from destructive protest actions.

The results obtained from the expert survey conducted in the city of Belgorod (#=5) show that business leaders have begun to show interest in charity. As an example, all low-income families with many children are provided with free cars, and the wealthy cover all costs relative to heart and eye surgeries and cancer treatments for people of retirement age.

The results obtained from legal monitoring, analysis of scholarly works (Bokareva 2012; Gostev 2016; Gostev 2011; Gostev 2015; Demckenko 2015; Sablukov, 2014; Serikova 2015, pp. 204-207) and real-life observational studies have also revealed some negative aspects of unorganized charity. As is known, there can be no void in highly organized systems, such as society and nature. A system's adjacent spheres or areas immediately fill any new void. Any charity involves financial expenses, destabilization of the organization and interference with its plans. To restore balance, costs are always offset by consumers by means of price increases.

In this regard, new theoretical and practical research is required to explain this social phenomenon.

Statistical analysis shows that, in Russia, there are about 936 business companies that are local economic mainstays. This means that they are, in fact, the main source of subsistence for 155 medium-sized towns (50 000 to 100 000 inhabitants) and 788 small towns (781 for those whose population is below 50 000) (Demckenko 2015, p. 12). In these circumstances, businesses are expected to assume various duties that include job placement for the disabled, job creation, granting of additional social benefits to their own employees, setting up skills upgrading and retraining courses for employees, providing financial assistance to vulnerable segments of society, developing social and cultural infrastructure (health, educational, social, cultural and sports facilities), giving grants to talented cultural and scientific figures, supporting activities of civil institutions that promote human rights as well as social initiatives coming from individuals,



fighting discrimination in employment, taking measures to prevent forced and child labor, etc.

Entrepreneurship is, evidently, part of the very complex system of social relations, in which it maintains contacts with many other sectors, including the education sector, by means of various communication channels.

Those surveyed within the context of the mechanism under discussion set conditions for showing interest and participating on a voluntary basis in the Russian education policy elaboration and assessment project:

- Eliminate superfluous administrative barriers, including mediation, and, consequently, reduce corruption in allocating funds for charitable purposes.
- Ensure reporting and openness concerning expenditures of financial resources coming from businesses. To this effect, create, in the education management system, a Public council responsible for distribution and oversight of funds.
- Grant businesses the right to choose ways of implementing provided financial and material resources.

Legal monitoring, observation of public practices and document analysis show that all major mechanisms of the social system are dependent on and controlled by political mechanisms.

When addressing the issue under consideration, the political mechanism may consist of mechanisms pertaining to the legislative, executive and judicial powers, as well as to social movements, mainstream and non-parliamentary political parties and other civil society bodies. Its purpose is to struggle for retaining or seizing power by bringing around the voters, dissatisfied with education policy and interested in its improvement.

Practice shows that this mechanism is also central to the education system. As an example, mainstream political parties share ministerial posts, other parties try to win over the voters on the education field, and education providers are, thus, potential members of these parties.

The results obtained from the survey conducted among faculty and staff in the legal monitoring process indicate that, today, mainstream parties' success on the education field is questionable. Most voters do not approve of their activities in the legislative assembly, that is why opposition parties, which will try to take advantage of protest moods among teaching staff, may step up political pressure on the authorities. Judging by the survey, this process is likely to speed up in the near future. For example, the respondents are dissatisfied with the fact that the general public has not been recognized as a full education policy member and that public opinion is neglected in shaping education standards (see Table 2).

Table 2. Views of university faculty and staff on the assertion which reads: "The general public has been recognized as a full education policy member and public tender as a major foundation for shaping education standards"

Totally disagree	0,00%
Disagree	71,97%
Difficult to answer	6,82%
Agree	6,06%
Totally agree	15,15%

As is clear from the table, almost 72% disagree with the above-mentioned assertion, which can be considered as a sufficient cause for possible protest actions.

As for the surveyed school representatives, they doubt that information openness policy will help ensure the rights of those who use educational services and become an important factor guaranteeing the competitiveness of educational institutions in terms of standard funding (48% do not agree; 31% did not respond). The reason for mistrust (disagreement) is clear here: the authorities are fast losing the trust of those involved in education.

It is worthwhile noting that Russian authorities have recently become more active in taking strong measures to address this situation: meetings are being organized with public representatives, the mass media's coverage of education issues has been intensified, the staffing changes in the education management system are now taking place.

The results of the study have also shown that, despite the fact that reforms have been carried out for 25 years now, most respondents are in favor of their continuation (67%).

This fact leads to, at least, four conclusions: first of all, education legislature needs to be improved; second, modern high education in Russia has not fully proven itself; third, political mechanisms are inactive and need upgrading; fourth, they do not ensure positive, but rather protest, engagement of those involved in education into the Russian education policy elaboration and assessment system.

To obtain reliable information, the structures of the above-mentioned mechanisms, certainly, always interact with public oversight organizations that constitute the same-name mechanism.

The structures and mechanisms of this social phenomenon are present in the Federal law on Basic Principles of Public Oversight in the Russian Federation. Public oversight in terms of law is identified as "activity of public oversight providers, which is implemented with a view to monitor the activities of the bodies of state power and local self-government, the state and municipal organizations, other representative bodies and organizations vested, in compliance with federal laws, with some public authority and also for the purposes of public inspection, analysis and assessment of laws promulgated and decisions taken by them" (Benevolensky and Marchenko 2009). Our analysis of scholarly works and real-life observational studies make it possible to affirm that such a definition is not exact. As an example, it does not comply with Article 3 of the Constitution (see above). Thus, if "the people ... exercise[s] their power directly, and also through the bodies of state power and local self-government", the people not only is an "observer", but also regulates the activities of the State. In the second place, this definition does not comply with academic thinking. As an example, not only "public oversight providers", but also traditions, law, social institutions and practices, among other things, detain control (Bakhanova 2013).

The same reasoning makes it possible to identify the objective of public oversight of education policy, which is to ensure implementation and protection of human and civil rights and freedoms in the education sector as being the only source of authority in the Russian Federation.

The research on social mechanisms aimed to engage members of the educational process into the Russian education policy elaboration and assessment system has revealed that public oversight may address the following major challenges:



- Increase the efficiency of activities of the bodies of state power (the legislative, executive and judicial power) in the education sector;
- Ensure transparency and openness of activities of the state and other representative bodies and organizations, vested, in compliance with federal laws, with public authority in the education sector;
- Detect (and counteract) corruption in educational institutions;
- Facilitate conflict prevention and resolution in education and other sectors.

The results of the survey conducted among respondents according to the above-mentioned parameters suggest that participants in the education process will enhance the importance of the public oversight mechanism, if universities work out a compilation of the best practices relating to public participation in managing education (see Figure. 5).



Figure. 5. The respondents' awareness of the availability, in the organization, of a compilation of the best practices relating to public participation in managing education

As you can see in Figure 5, only 36,7% of the respondents have heard of such a document.

Participants in the educational process will undeniably be much more motivated to contribute to working out education policy, if they are given an opportunity to work in organizations that are legally empowered to carry out this kind of activities. One such organization existed in the Soviet era, and its activity showed very fruitful results. Thus, the USSR People's Oversight Committee, which functioned on a par with ministries, had the power to put forth proposals before the Council of Ministers of the USSR on issues of state importance, to submit reports on the state of affairs in economic sectors, on the performance of the ministries and departments. Departmental, sectorial and production committees of public oversight issued legally-binding rulings. Directors of enterprises and departments were required to eliminate defects and infringements that had been revealed and to report the results to the committees of public oversight. Other organizations and public officials were charged with the responsibility of assisting public oversight authorities. Committees of public oversight were entitled to demand elimination of shortcomings, hear reports and accounts, request necessary documents, carry out audits and inspections, suspend orders and activities of public officials, remove public officials from their posts for failing to implement decisions, refer cases of corrupt practices to the investigation and prosecution authorities, impose disciplinary sanctions on and reprimand offenders (Gostev 2015, p. 112).

Creating public organizations vested with legal authority is a slow process, as reflected by the popularity of public expertise and audit in the state and public administration system. 38,3% of surveyed university members, i.e. professionals, are aware of this mechanism (see Figure. 6).

It is true that citizens will be considerably more interested to take part in the implementation of education policy where there are representatives of public oversight organizations vested with legal authority, which inspires respect and obedience in people around them.

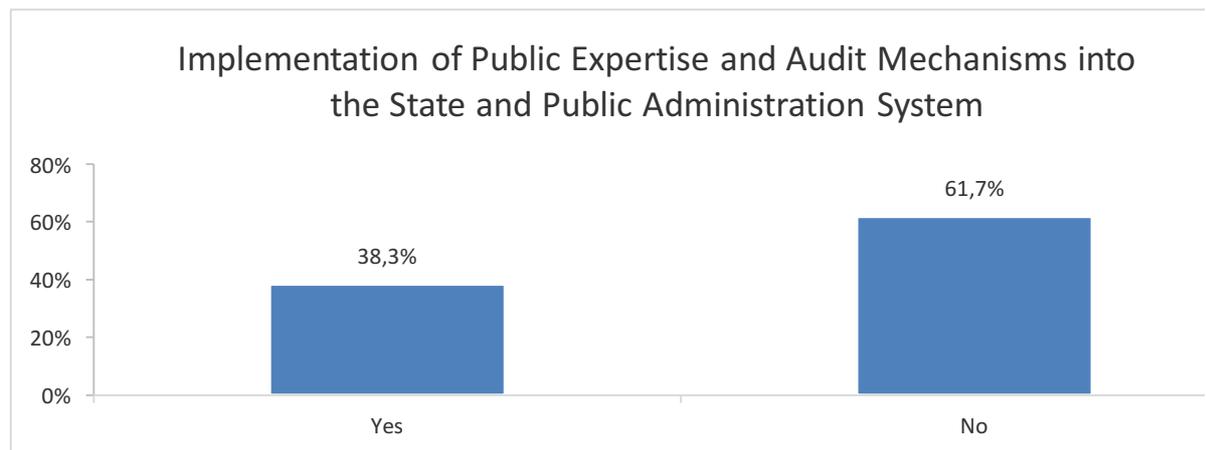


Figure 6. The respondents' awareness of public expertise and audit in the state and public administration system (Implementation of Public Expertise and Audit Mechanisms into the State and Public Administration System: Yes, No)

The study has shown that most respondents from schools and universities agree to exercise regulatory oversight in the education system, and 82,6% find it necessary to become involved with the work of public councils at different levels.

The public oversight mechanism, if properly organized, can thus create favorable conditions for involvement of the participants in the education process into the Russian education policy elaboration and assessment system.

Evidently, the involvement of the participants in the education process into the Russian education policy elaboration and assessment system will be difficult without a well-functioning *information mechanism*.

Methods, including persuasion, indoctrination, information sharing, misrepresentation of information, deceit, demonstration, manipulation, spreading of rumors, are known to have an informational impact on people. Progress in information technology, development of the mass media, free exchange of opinions and values have opened up unprecedented opportunities for improving existing concepts and technologies of eliminating political (economical and other) opponents and for creating new ones. Obviously, if Western countries are imposing economic, political and other sanctions on Russia, the above-mentioned new technologies also exist in the Russian education sector, but they are hidden. As an example, is it possible to involve the participants in the education process into the Russian education policy elaboration and *positive* assessment system, if this policy does not exactly correspond, to some extent, to national traditions, conditions and culture? (See below – mechanisms of tradition).



Certainly, the work of the information mechanism does yield positive results. The results of the present study have thus revealed that, for example, it is possible to enhance the process of involving the participants in the education process into the Russian education policy elaboration and assessment system, if open reports on educational, financial and business activities are made available online. 63,3% of the respondents subscribe to this opinion.

Organizational and content gaps have been revealed in the functioning of the information mechanism during legal monitoring and research on education practices. As an example, over 40% of the surveyed university faculty and staff make no use of the information about the university public management facilities (evidently, they do not have access to this information and do not know where to find it).

Another gap in the functioning of the information mechanism is the low quality of propaganda (advertising, presentation) in education. As an example, over 75,4% of the participants in the educational process do not benefit from the information posted on university websites about the parents' rights and responsibilities as participants in the educational process.

Some of the above-mentioned structures (the information mechanism) are, a priori, integrated into public oversight mechanisms and, above all, into *the transparency mechanism*.

Transparency is a major means of *inciting* (stimulating) people to being active and the main criteria for the efficiency of moral motivation. The data obtained from legal monitoring makes it possible to assert that lawmakers did not afford proper weight to this issue when establishing the legal foundations of education. Clearly, people's active or passive participation in an activity depends on how well they know and realize its essence and on the extent to which it affects their interests. This assertion is also relevant to developing ways to involve the participants in the education process into the Russian education policy elaboration and assessment system.

The present research project has focused on detecting the efficiency of the modern rule of law in education and on finding the ways to release the main procedures, techniques and learning content to the public with a view to involve all participants in the educational process and the concerned parties into improving them. As an example, when working out transparency (openness) techniques, we took into consideration the respondents' views on their possible participation in the educational process to organize and monitor it.

As you can see in Figure. 7, almost half of the parents want to closely follow what their children are being taught and in what ways.

Transparency is, certainly, also needed elsewhere in the educational process, for instance, in accreditation and licensing of higher education institutions by public experts. Remarkably, even some students, who do not even know, for the most part, anything about these procedures, stated the need for transparency (57%).

Transparency is needed to ensure public trust in those who manage the educational process.

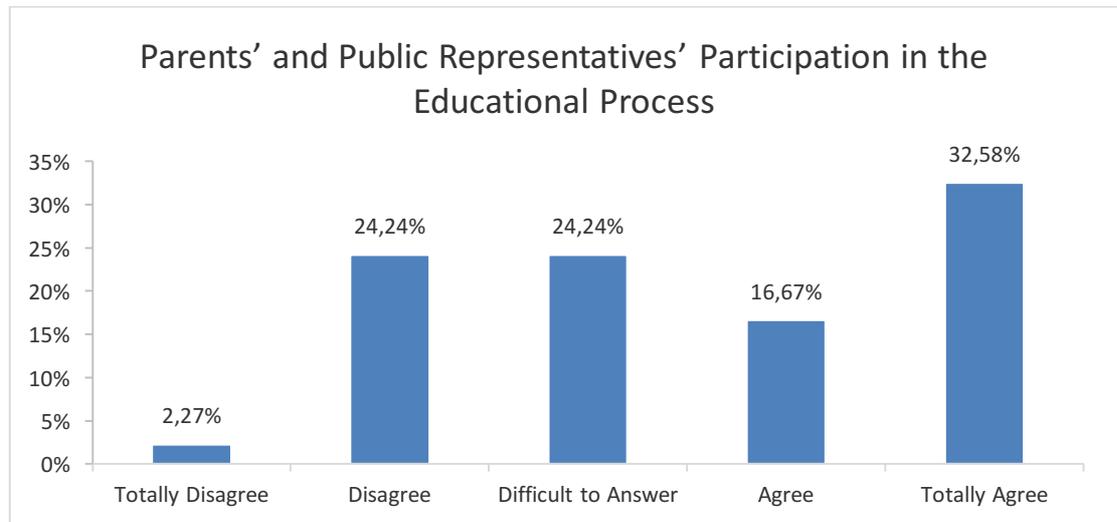


Figure 7. Attitudes of the students' parents to participation in the educational process

The subordinates always respect an honest and open manager, which facilitates a priori his work and makes it his main achievement in life, bringing joy instead of fear and pain. Almost everybody understands that (see Figure 8).

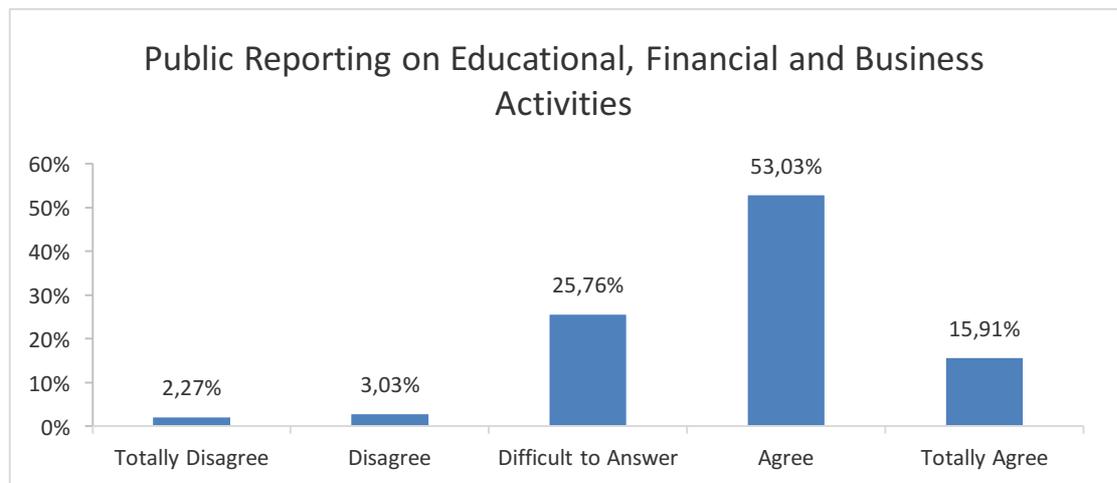


Figure 8. School staff's views on the necessity to implement the practice of public reporting on educational, financial and business activities in education

Of utmost importance in the process of involving the participants in the education process into the Russian education policy elaboration and assessment system is mechanism of traditions. Traditions are long-established group experiences reflected in social stereotypes. In other words, they are essentially habits that are based on the knowledge of a specific phenomenon, the ability to transform and work with it without much stress and constant thirst for dealing with them. A habit (tradition) is a mandatory step towards shaping firm and conscious convictions and, later, a worldview. Accordingly, a tradition together with its bearers and members of an educational organization acts as a magnet,



attracting any person to the educational process. The results obtained from legal monitoring and the legal survey reveal that modern rule of the law in education is, unfortunately, mostly based on Western traditions in terms of social relationships, which, in the long run, will not produce the desired effect in Russia.

The strength of traditions lies in the fact that they are intrinsically linked to the cultural identity and lifestyle of people. The Russians have their own traditions that ensured Russia worldwide recognition as a global geopolitical center. The Russian writer and philosopher Nikolai Gogol described the strength of national educational traditions as follows: “Ten years or so will pass, and you shall see that Europe will no longer buy our black oakum and lard, but it will buy our wisdom, which is not on sale in European markets any more” (Demckenko 2015, p. 25). The *Izborniks* of 1073 and 1076 can provide insights into the then Russian erudition, as they feature articles on grammar, philosophy and other disciplines (Anisimov, et. al. 2000, p. 11). At that time, the Russians were fully aware of the fact that “...the books are rivers filling the Universe with wisdom” (Mindibekova 2005, p. 123). Vladimir the Great (960-1015) ordered that local clergy should be involved into the “learning process” and founded schools in every settlement for children to learn basic literacy skills. Yaroslav the Wise (978-1054) was not only devoted to learning himself, but also sought to enlighten his subjects: “Thereto, he sent clergymen to towns and villages and paid them salary so that they teach children better” (Rybakov 1984, p. 143).

It has been so throughout Russian history. All interested citizens were involved in the learning process. This is why ideas about the Russians’ “ignorance”, “darkness” and “barbarity” during the Russia’s Age of Serfdom represent nothing but lies of those who came to Russia to earn money.

Research shows that, for example, in 18th-century Russia, most petitions were written by peasants in their own hand, something which was inconceivable in Western Europe. The tradition of denigrating Russia and the Russians was suppressed in the USSR, but it has been ... restored today.

It is not generally known that the law on the introduction of universal schooling came into force in Russia in 1908. Incidentally, there was no such law in any Western country, at that time, whereas 10 000 new schools opened their doors every year in Russia. In 1914, there existed 50 000 zemstvo schools, attended by 3 000 000 schoolchildren and staffed by 80 000 schoolmasters. 12 627 public libraries were created in 1914 in the zemstvos, which were local self-government bodies (Serikova 2015, pp. 143-149). The plan was to implement mandatory free secondary education by 1918, and Soviet authorities did put it across. A century later, that is, today, it looks like this achievement is about to be eliminated.

Rigorous testing and training of teachers and preceptors (tutors?) was also part of traditional Russian education practices.

Incidentally, the results of the survey conducted among students’ parents show that they do not have a handle on education issues and do not participate in the educational process (see Figure 9). For example, the vast majority of the respondents believe that the university is staffed with qualified teaching personnel, whereas experience and expert surveys shows a different side to the situation. It is possible that the respondents’ opinion is true in regard to a certain number of higher education institutions, i.e., those specializing in technology. However, it would be wrong to extrapolate this data to all educational institutions and, thus, assess the quality of the implementation of education policy.

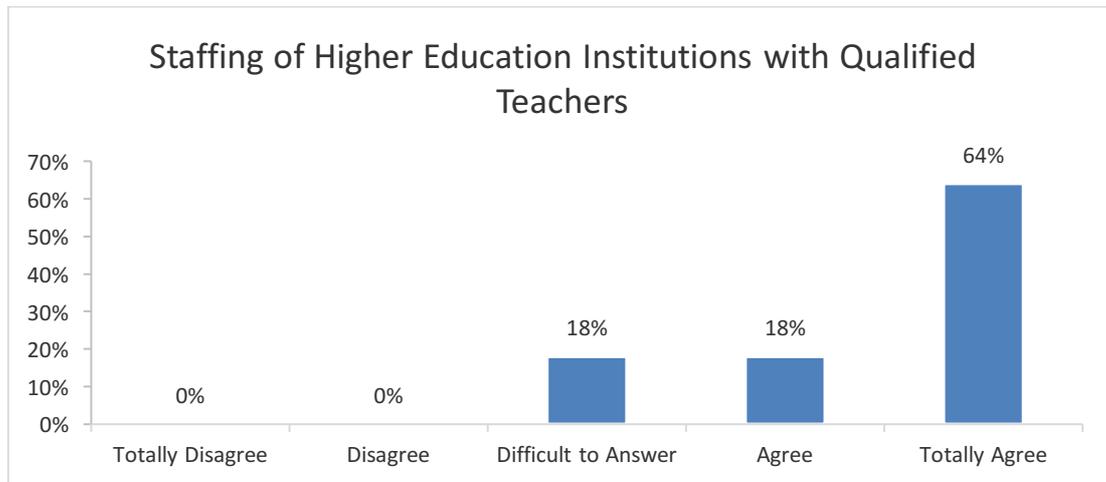


Figure 9. Opinions expressed by the students' parents about the staffing of higher education institutions with qualified teachers

It seems that the comparison of most of these opinions with the examples cited by M. S. Persky or G. K. Zhukov (see below) does not hold ground.

Also, it is highly questionable whether the respondents know anything about education quality assessment techniques (see Figure 10).

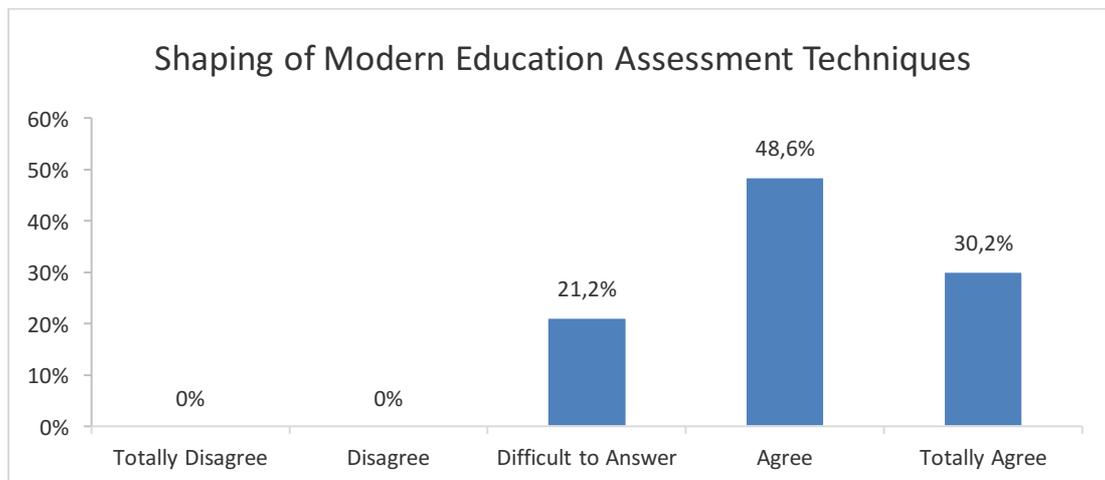


Figure 9. Opinions expressed by the students' parents about the quality of modern education assessment techniques

The Russian writer Nikolai Leskov proudly describes in the short novel entitled "Cadet Monastery" the management of the Moscow Empress Catherine II Cadet Corps, headed by M. S. Persky, who had served for fourteen years in the same institution before his appointment as a director. All contemporaries had always spoken highly of him: "The director considered it his duty to know inside out every subject taught at the corps" (Leskov 2012, p. 108); "... Persky was a man of valor... Mikhail Stepanovitch Persky was once a student at our cadet corps, and we believed that he personified the cadet spirit and mind" (The Posthumous Papers of Aleksey Alekseevitch Odintsov, p. 308). "He lived," Leskov

says, “and died a man of integrity, without a flaw and beyond reproach” (Leskov 2012, p.200).

The tsar often visited the corps, and its graduates, regardless of their merits and positions, were honored to always stop by “their second home”, even if they were just passing through”. The graduates, who had already become, by that time, living legends and national heroes, influenced the corps’ educational and disciplinary “policy” by the very fact of their visiting the institution.

Corruption, theft or ignoble misconduct was not even an option. The study carried out in 5 modern higher education institutions points to the results of a different tradition, the negative one (see Figure 11).

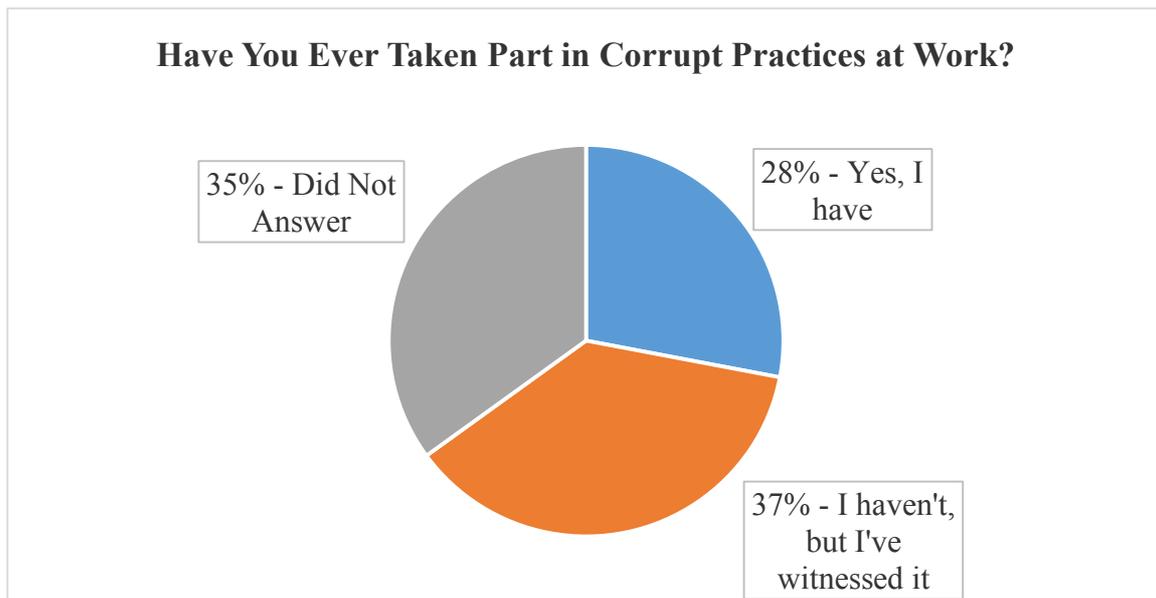


Figure 11. Participation of higher education managers in corrupt practices

In education, there are fewer and fewer people similar to Persky who was familiar with all subjects taught at the corps.

Patriotism becomes the Russian national ideology as early as the beginning of the 18th century. The slogan “God, Tsar and Fatherland” reflected main ideological values of that time.

Similar traditions were restored during the Soviet era. In the USSR, all superiors were obliged to participate personally in preparing young people for working life. Even military officers of all classes were encouraged to benefit from education services provided by nearby higher education institutions and schools and to establish close ties between military forces and civil organizations. The latter were encouraged to act likewise. Both command and control organizations and civil institutions followed these recommendations nationwide. As an example, Belarusian State University patronized the Melekessko-Pugachevsky cavalry regiment, commanded at that time by the Marshal of the Soviet Union, Georgy K. Zhukov. Head of university, V. I Picheta, presided joined military and university commission. University faculty and students delivered lectures to the regiment’s military personnel and were in charge of general education study groups. Georgy Zhukov, the regiment’s commanding officer, worked at the same time as a

professor at the university's Preliminary Military Training Department.

Practice shows that social mechanisms aimed at involving the participants in the education process into the Russian education policy elaboration and assessment system can be effectively implemented in the following (traditional!) ways:

- topic-focused workshops in educational institutions (for instance, "Equality in Getting Education");
- tele-trainings with students on a given topic ("Russian Traditions in Education", "Education, Responsibility, Honor, Fatherland");
- awareness-raising meetings with the old stagers of Soviet education, distinguished scholars, researchers, etc.

Representatives of various religious faiths should hold a leading position here, as they are known to be more conservative and stick to traditions to survive. To address the issue under investigation, it is therefore necessary to make use of religious techniques in an effort to influence the conscience of all participants in the educational process. Furthermore, the strengths and resources of religious organizations may be used as parts of secular techniques used to restore and implement Russian traditions into the education sector. Potentially, the Church may have a huge impact on human conscience, since it has well-educated staff and considerable financial, material and technical resources. The Church is well-structured, and its internal organization reminds of that of a military organization. Unlike the state administration that failed to prevent the country from collapsing, the Orthodox Church has retained its influence in places, of which it had managed to take hold (Gostev 2014, p.14). It appears that, just as the Church's attachment to traditions kept Russian society away from atheism for a century, it will not tolerate that national educational values be destroyed altogether (Shcheglova 2000, p. 171).

War veterans organizations must also be integrated into the social mechanism. People with considerable life experience, veterans could be of great help to society: they could be academic advisers, deal with letters and complaints from people in various educational institutions, etc. Veterans can have a special place within the system of patriotic upbringing of young people in Russia. Certainly, there are also other means to enhance the work of the mechanism of traditions aimed at involving the participants in the educational process into the Russian education policy elaboration and assessment system.

Discussion

The content material of the article has been discussed with public representatives at the following academic forums: the International Conference on Social Programming of Higher Education in Moscow, held on March 15, 2016 in Moscow; the 6th International Conference on Academic Prospects in the 21st century, Achievements and Prospects in the New Century, held in 2014 in Novosibirsk; the International Conference on Science and Modernity, held on November 8, 2014 in Ufa; the International Conference on Modern Technologies in Liberal Education, held on December 3, 2015 in Moscow; the All-Russian Forum on Public Expertise on Developing Science and Innovations in Russia", held on December 10, 2015 in Moscow; the Round Table, held on December 2 to 4, 2015 and entitled "Program for the Development of Innovational Structures in Higher Education Institutions: From Creation to Generation of Demand for Innovations. Best practices.



AL.

Development Issues” (approved by the Russian Federation Government Degree No 219 of April 9, 2010), etc.

Some of the issues, fragmentarily investigated in the present study, are presented in the following print and online publications: “Sociology of Education”, “System Psychology and Sociology”, “Adyghe State University Bulletin”, “Humanities, Economics and Social Sciences” (Krasnodar); “Taganrog State Educational Institute Bulletin”, “Theory and Practice of Social Development” (Astrakhan), “Society: Sociology, Psychology, Pedagogics” (Astrakhan), “Modern Research on Social Issues (Online Academic Journal), etc. The topics analyzed in the article have generated debate and approval of the academic community.

Conclusion

The results obtained from legal monitoring and the sociological research have revealed that gaps in Russian education legislation are mainly responsible for the low level of positive involvement of the participants in the educational process into the Russian education policy elaboration and assessment system. The adoption and implementation of the Federal law No 273-FZ on Education in the Russian Federation have not produced the expected results relative to the improvement of education quality within the context of Russia’s socio-economic development and have not upgraded its rating in the global education system.

The vast majority of the participants in the educational process in Russia show hidden dissatisfaction with the current state of affairs in education.

This fact is mainly due to underdevelopment of social management structures and mechanisms in education. Practice shows that many issues in education can be solved by creating and implementing new social mechanisms aimed at involving the participants in the educational process into the Russian education policy elaboration and assessment system. These mechanisms, amended and complemented with new structures, are to be found in the fields of law, economy, public responsibility, politics, public oversight, confidence, reporting, transparency and traditions.

The following can be some of the instrumental functions of social mechanisms aimed at involving the participants in the educational process into the Russian education policy elaboration and assessment system:

- focusing on goals (goal identification, rationale and elaboration);
- ensuring conditions for projecting, finding and taking management decisions and for planning necessary measures;
- influencing the selection, placement and training of staff in the education management system;
- monitoring the activities of educational institutions;
- exercising control over material and technical equipment;
- gathering and transferring information to organizations’ management systems;
- ensuring social protection of management subsystem staff, handling contradictions in time, etc.
- showing motivation (inciting the participants in the educational process to be as active as possible)
- setting the stage for objective assessment of the extent to which the participants in the education process are involved into the Russian education policy elaboration and assessment system.

Acknowledgements

This article is based on the research study entitled “The Analysis of Law Enforcement in Relation to Education Legislation in 2016” and carried out by SRI FRCEC as part of the state assignment in the fields of scientific endeavor (assignment No 29.198.2016/Ministry of the Education and Science of the Russian Federation).

References

- All-Russian Society of the Disabled. Access mode: <http://www.voi.ru/>.
- Anisimov P. F. et. al. 2000. *Istoriya srednego professionnalnogo obrazovaniya v Rossii* [History of Secondary Vocational Education in Russia]. Moscow: NMTS SPO, pp. 432.
- Benevolensky, S. B. and Marchenko, A. L. 2009. *Ispolzovanie virtualnykh trenazherov v protsesse izucheniya elektrotekhnicheskikh distsiplin*. [Using Virtual Training Devices in the Study of Electrical Engineering]. *Pedagogicheskiy Informatika*, 3: 24-30.
- Bakhanova, Y. V. 2013. *Formy i metody obshchestvennogo kontrolya sotsialno-trudovoy adaptatsii osuzhdennykh* [Forms and Methods of Public Oversight of Social and Professional Orientation of the Convicts]. *Scientific dialogue*, 3: 151-162.
- Bokareva, V. B. 2012. *Sotsialnoe upravlenie vneshney i vnutrenney sredoy predpriyatiya malogo biznesa v Rossii* [Social Management of External and Internal Realities in Small Business in Russia]. *Proceedings of the Ural State University. Series 3: Social Sciences*. – Yekaterinburg, 1 (100): 112-120.
- Constitution of the Russian Federation. 1994. Moscow: Yuniti, pp. 63
- Decree of the President of Russia No 597 of May 7, 2012 on the Implementation of National Social Policy. *Rossiyskaya gazeta*, May 10, 2012.
- Decree of the President of Russia No 599 of May 7, 2012 on the Implementation of National Education and Science Policy. *Rossiyskaya gazeta*, May 10, 2012.
- Decree of the President of Russia No 601 of May 2012 on the Main Areas of Improvement in the State Administration. *Rossiyskaya gazeta*, May 10, 2012.
- Demckenko, T. S. 2015. *Sistema trudoustroystva naseleniya: sotsiologicheskiy aspekt* [Employment System: A Sociological Aspect]. *Sociology of Education*, 2: 9-23.
- Demchenko, T. S. 2013. *Upravleniye informatsionno-psykhologicheskoy zashchitoy sotsialnoy organizatsii: monografiya* [Controlling Psychological and Information Security of Social Organizations: a Monography]. Moscow: Publishing House of the SSU, pp. 252.
- Demchenko, T. S. 2012. *Fakty aktivizatsii gosudarstvennogo kontrolya vysshego obrazovaniya* [Activation of State Control Over Higher Education]. *Sociology of Education*, 11: 23-29.
- Gostev, A. N. 2016. *Obshchestvennye mekhanizmy вовлечeniya naseleniya v sistemu razrabotki obrazovatelnoy politiki Rossiyskoy Federatsii* [Social Mechanisms Aimed at Involving the Population into the Russian Education Policy Elaboration System]. *Sociology of Education*, 8: 80-101.
- Gostev, A. N. 2011. *Grazhdanskoye obshtchestvo: kontrol nad deyatelnostyu gosudarstva* [Civil Society: Oversight of Government Action]. Monograph. The Moscow: Publishing House of the SSU, pp. 193.
- Gostev, A. N. 2014. *Institut vysshego obrazovaniya v sisteme obshchestvennogo kontrolya Federalnoy sistemy ispolneniya nakazaniy* [Public Oversight of Higher Education Institutions in the State Corrections System]. *Sociology of Education*, 10: 4 - 22.
- Gostev, A. N. 2015. *Obshchestvenny kontrol proizvodstvennykh kompaniy* [Public Oversight of Business Companies]. *Bulletin of the Adygeya State University. A series of "Regional Studies: philosophy. History, sociology, political science, cultural studies"*, 3: 108-116.
- Gostev, A. N. 2015. *Sotsialnoye upravleniye obshchestvennymi obyedineniyami invalidov vsledstviy boevykh deystviy i voennoy travmy: monografiya* [Social Management of Non-Governmental Organizations for the Support of People Disabled as a Result of War Injuries: Monography]. Moscow: Publishing House of the SSU, pp. 45.
- Leskov, N. S. 2012. *Cadet Monastery: A Short Novel and Stories*. Moscow: Children's literature, pp. 200.



- Mindibekova, L. A. 2005. Upravleniye sistemoy obrazovaniya v tranzitnoy Rossii: monografiya [Education System Management in Russia During the Transitional Period: a Monography]. Orel: Publisher Orel acad. Civil Service, pp. 43.
- Russia in Numbers. 2012. Krat. stat. sb. Rosstat. Moscow: Goskomstat, pp. 87-90.
- Rybakov, B. A. 1984. Iz istorii kultury Drevney Rusi [On the History of Ancient Russian Culture]. Moscow: MGU, pp. 341.
- Sablukov, A. V. 2014. Obshchestvennaya otsenka khoda realizatsii obrazovatelnykh program: metodika otsenki i rezultaty [Public Assessment of Educational Programs Implementation: Assessment Methods and Results]. Law and Education, 12: 46-64.
- Serikova, V. P. 2015. Vozrozhdeniye i vnedreniye rossiyskiykh traditsiy v vyssheye obrazovaniye [Revival and Implementation of Russian Traditions into Higher Education]. Monitoring of public opinion: economic and social changes, 1 (125): 143-149.
- Serikova, V. P. 2015. Otechestvennye traditsii v sisteme podgotovki upravlencheskikh kadrov instituta obrazovaniya [Russian National Traditions in Education Executives Training]. The humanitarian, socio-economic sciences and obshchestvennye, 1: 204-207.
- Shcheglova, L. V. 2000. Sudby rossiyskogo samopoznaniya, P. Y. Chaadayev i N. V. Gogol: monografiya [Destinies and Russian Self-Knowledge: P. Y. Chaadayev and N. V. Gogol: a Monography]. Volgograd: Peremena, pp. 342.
- The Posthumous Papers of Aleksey Alekseevitch Odintsov. 1889. Russian old, 11: 301-312.