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Development of the Democratic Institutions & (and) the Rule of Law in the Former Soviet Union: A Round Table Discussion, 28 J. Marshall L. Rev. 865 (1995)

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DISCUSSION

DEVELOPMENT OF THE DEMOCRATIC INSTITUTIONS & THE RULE OF LAW IN THE FORMER SOVIET UNION: A ROUND TABLE DISCUSSION

ELENA BONNER*
KAREN HALVERSON**
LOUISE SHELLEY***
JOHN P. WILLERTON****

HALVERSON: Good afternoon. The purpose of today's discussion is to allow our participants to respond to various questions relating to the social, political, legal and economic situation in Russia and the former Soviet republics. A few of the questions are mine; others were submitted to me this morning from the audience, from the participants themselves or from my colleagues at the John Marshall Law School.

Those of you who did not have an opportunity to submit questions this morning will have an opportunity to do so at the end of this discussion. We ask that you keep your questions brief.

My first question for the panel is as follows: In her address today and in her letter dated December 28, 1994 to President Boris Yeltsin, Dr. Bonner accused the Russian state-controlled media of waging an anti-Chechen propaganda campaign.

How free is the Russian media on this and other issues?

DR. BONNER: Formally Russian media is free, however censor-

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ship is not all, there are also certain interests that make the media dependent. Russian media now, as Western Press always has been, reflects various interests and influences of various power and economic agencies.

HALVERSON: Are there any other responses?

WILLERTON: Yes, I'll just add as someone who relies upon the Russian media for information in terms of my own research, following events in the former Soviet Union, there is a wide diversity of sources.

There is great debate and editorial lines vary considerably. I think it's very striking when you look at the media coverage of the invasion of Chechnya, contrasting it with other major historical events through which we have lived in the last few years, how open the media have been, and how varied the material, information and prospectives have been.

I certainly can't comment as to the informal background pressures that may affect editors and newspapers; but as a consumer of the Russian media, I would have to say that it is a changed world for those of us who began in this field during the Soviet period.

This is a totally different media than you and I would think about from the time of, say, Brezhnev.

HALVERSON: Second question: Article Eighty of the Russian Federation Constitution provides that the president shall be the guarantor of human rights and freedoms.

How has President Yeltsin fared under Article Eighty?

DR. BONNER: It is hard to speak today of guarantees of Constitution and what they are in my country. Certainly what happened to Chechnya can hardly be defined as restoration of the constitutional order, as the press would have us believe.

It seems doubtful that these and similar events can serve as an example of a guarantee of a Constitution. But the most concern these days is that the President and the Russian Parliament, or Duma, will, in cahoots, change their mind about elections and not have any.

SHELLEY: In the last six or eight months and even earlier with the storming of the Parliament in October 1993, Yeltsin has not only failed to protect human rights, but has been responsible for major human rights violations.

As I listed this morning in my talk, Yeltsin was responsible not only for the bloody events of 1993, but also for the decree against organized crime and banditism. His praetorian guard under Korzhakov stormed MOST bank and at that time many individuals were beaten. It's a continual list of human rights violations apart from the war in Chechnya. The war has brought attention to the abuse of military power. But many more violations have been going on that haven't been as much noted by the

Western press.

WILLERTON: I would simply add that as we noted in this morning's presentations and discussion, the Russian polity, society and economy have been in the midst of profound transformation. This is a process that began a decade ago. It's going to continue for perhaps a generation, two generations.

For the current leadership, I believe human rights is not a top priority. I think their focus is in other directions. Whether it has to do with the economic transformation of the country or the maintenance of the integrity of the Russian Federation, I think that compared with these two broad concerns, and there are numerous policies one would associate with them, human rights is not of particular importance.

DR. BONNER: I am afraid that I cannot agree with this. I think that political transformation and human rights are the only basis for the democratization of the economy and the entire life of the country.

You have just mentioned the need for unity, or integrity of the Russian Federation. I am advocating an uncontrolled disintegration of the Russian Federation; however, to add some depth to the subject, I would like to share my personal information regarding the unfolding of the war in Chechnya.

This was not an unavoidable war. The issue of Chechnya could have been resolved in the same way as that of Kazakhstan. However, the intellectual milieu surrounding the President worked for a long time in creating an image of Dudaev as an enemy with whom you cannot talk; and an image of the Chechen people as criminals.

One of the slogans was "Chechnya is the gateway of drugs and narcotics flowing in." The airports and customs are out of control. But even during these unabashed lies, nobody said that Chechnya manufactured drugs.

It was Russian customs who would take drugs produced in Chechnya and, without any control, ship them as part of their trade to all corners of the world. The same was true about arms trade.

If they wanted to combat illegal drug and arms deals, they should have cleansed all Russian airports of the corrupt and the mafia, and then there would be no mafia in Chechnya. However, it was the corrupt of Russia and to the very top of the power structure who were profiting from illegal trade. The same is true about the Chechnya financial papers.

Up to the very beginning of bombing of Grozny, there was the Russian bank with Russian bank tellers who, up to the very last moment, were using these papers which are bank drafts. Who got all this money, nobody knows.

Not everybody knows that Prime Minister Chernomyrdin's

son represents Russia in the Kaspian oil contract, and they badly need this oil deal.

Do you know that on the very eve of the cruel bombings of Grozny on December 20, the chairman of the Council of Ministers of Chechnya to be shaped by Russia signed a piece of paper that authorized oil transportations through Tuapse? This was on December 20, right before the bombings.

This is not all. I have in my possession information which is absolutely true even though I cannot name the source. On November 21, Yeltsin had decided to run for president (he may have changed his mind since then, though). He needed new popularity. He needed higher ratings; and because of that, three days later, on the 25th, the war was started. This was done for the sake of the president's ratings. This is true although the source cannot be named, but I have never lied to the West, either when there still was Soviet power, or when it ceased to exist.

The mediocre General Grachev did not want to go to war. But the Security Council we have, a body created in violation of the Constitution and contrary to the President's guarantees and promises to protect the Constitution, decided to have the war. For the sake of one man's rating an entire people is being exterminated!

One of the most serious charges against Dudaev is that he disbursed the parliament; but if you will pardon me, not a single former Republic of the Soviet Union has retained its Soviet-era elected parliament; and Yeltsin, God pardon him, shot at his parliament point blank with artillery shells. Dudaev never did anything like that.

There was something else that Dudaev did, and that we, especially the West, choose to forget completely. When the congress of the Chechen people passed the ruling on independence, the congress of the Ingush people, Ingushetia being a part of the Chechen-Ingush Republic, had decided that Ingushetia remains a part of Russia. Dudaev said, "The Ingush want to be with Russia, let them be with Russia." We only know of one such example in history.

It's very possible that Russia was hoping and counting on a civil war between the Chechens and the Ingush people, but the Czechs and the Slovaks divorced peacefully. It was under the influence of Dudaev that the separation of Chechnya and Ingushetia occurred peacefully.

You speak of Russian mass media. The only paper that writes of these issues in the way I have been speaking is the Moscow News. The rest of the media offer half-truths. In this case half-truth equals a lie. Thank you.

WILLERTON: I need to make a comment. I'm afraid I was misunderstood in what I said, and I want to make sure that Dr.

Bonner and those of you here understood my point in reaction to the question.

I am not an apologist for the Yeltsin government, and I agree with Dr. Bonner's very impassioned statement in her address to you a few minutes ago regarding the history of Chechnya and the crimes being committed by the current Russian government.

My point was simply: looking at it from the perspective of this elite, this ruling elite, it seems to me human rights are not a priority. That was my point, and thus I think she and I are in agreement. In fact, the elite has other concerns: economic, political, the maintenance of power of those currently in charge of the executive. There should not be any confusion because I think we're probably all agreed about the criminality of these actions.

DR. BONNER: I agree with you. However, we have lived for seventy years thinking they are the power, they are the authorities, while we are only people. As long as we keep thinking this, how can we speak of democracy and new country?

Another point. Russia is about to receive six billion dollars in aid at the time when it has been calculated that just rebuilding Chechnya will cost five-and-a-half billion dollars. Of course, one can rebuild buildings. One cannot rebuild human lives or missing arms or legs of children.

But Gorbachev already said that to restore what the Army has lost will cost five billion dollars, and I do not know what will be considered the priority, to build up what has been destroyed by the Army or to build up the Army.

In any event, I have first hand experience when it comes to the Ingush refugees. This is because the Sakharov Foundation worked together with Norwegian Peace Institute on the issue of the Ingush refugees. Eighty thousand Ingush people were expelled from Northern Ossetia slightly more than two years ago. There were either twenty-one or twenty-four, I can't recall exactly for the moment, presidential decrees restoring their dwellings and their return home.

The last action mission sent by the Sakharov Foundation to the area of Nazran and vicinity was on November 18. Out of 80,000 people that fled Ossetia, only sixteen families came back. Two of these families suffered the consequences of their return. In one of them, the mother was killed and a girl was wounded and in another, the head of the family, father of six children, was killed.

I do not believe in any rebuilding or reconstruction in this situation. One could recall that when the city of Spitak and other Armenian cities were destroyed by the earthquake of 1988, the whole world was collecting money to rebuild.

Gorbachev promised the whole world that in two years everything would be back to normal and rebuilt. He managed to stay in power for these two years. He was dethroned later, and eighty

percent of international aid was stolen, tucked away in Moscow mainly and partially in Azerbaijan.

SHELLEY: I would say on the reconstruction fund for Chechnya, that there is already some discussion in Moscow that some of the corrupt individuals close to Yeltsin or the political leadership are already vying for these contracts to rebuild Chechnya. So that's one new area for massive corruption.

HALVERSON: The next question was submitted by a member of the audience this morning.

Given the current state of morale in the red Army, particularly among the officer corps, the loss of economic resources previously allocated to the military and the obvious disorganized performance of forces in Chechnya, are there serious fears of the Army asserting itself on present or future Russian governments?

To repeat the last part of the question, are there serious fears of the Army asserting itself on present or future Russian governments?

WILLERTON: It is very difficult for someone outside to comment on this because we are really talking about the interests of an element which is not particularly open to discussing this matter publicly.

What I would say is: in looking at the political system, the military industrial complex as a sector is quite powerful. It's well represented in the Yeltsin government as I noted in my presentation this morning. It's well represented in the State Duma.

I want to understand your question less in terms of a military coup. I wouldn't know how to comment on the possibility of a coup from the military. But we could talk about the military more as a powerful sector, very disillusioned with events of the last decade, not happy with the Yeltsin government generally or his leadership. In that sense, we can acknowledge there are powerful forces at work through lobbies influencing various elements in the parliament and society.

I think military-industrial interests will likely play an important role in the coming election if the elections are held. While we can't address the conspiratorial theories, I think we all wonder at some moment if a leader is vulnerable to a coup, et cetera. But I don't know how to gauge that.

The military-industrial complex is quite powerful, and I would anticipate it will continue to be very influential in setting the agenda and perhaps influencing the outcome of the upcoming elections.

SHELLEY: When you talk about the military you should be aware that there is no longer a unified military. One of the very interesting things to think about that hasn't been mentioned in our discussions of the Chechen war is that some of the greatest and earliest objections came from some of the military generals.

They were asked to fire on the Chechens and refused to do this, and they are being prosecuted by the military. This was not an isolated one or two cases. There were, I believe, four or five generals that refused to participate in this, so one can no longer talk of a unified military that does one thing anymore.

DR. BONNER: This is all true, but it would be wrong to exaggerate the significance of Army protests. These protests are few and far between, while the significant aspect is that Yeltsin and the corps of the Army need each other.

If the old Communist slogan "the people and the Communist Party are one" was a lie, the unity of Yeltsin and Army leadership of today is real. Now, who leads whom is of less significance to us.

WILLERTON: I would like to add one other comment on this question coming from a different angle. I happen to be from Tucson, Arizona, and as such I am somewhat aware of recent decisions in the United States regarding military base closures.

I am not aware of any military base near Chicago, but we happen to have a major Air Force base in Tucson, and it was very interesting for me to watch this process. As we have gone through the second round, we have "dodged the bullet," but we think we may get hit the third time.

Tucson is a very liberal Democratic community in a state which has the longest running record of voting Republican for president. It's one of the most conservative states, but our city happens to be politically liberal.

Tucson is not necessarily pro-military shall we say. But let me tell you, when we looked at the possibility of a major base being closed and the economic losses, everybody rallied around that military base, and we have pulled out all the stops to save it.

Now, my point is: when we look at the former Soviet Union, whether we like it or not, the military industrial complex was a favored sector of the economy. There are many who are affected by that sector and its continuing flourishing.

I am not simply talking about the generals. I am talking about the millions of civilians who have been tied economically into this "monster." And I think it's fair to conclude, as we look to the present and the future, that those elements are very concerned about the future standing of the military industrial complex, and they vote.

So when we think about the influence of that sector, we should think not only about the generals, but also realize that it is a privileged element and one that encompasses many societal interests. This is a significant force, and it will continue to be so.

I expect they will champion their interests in their own way just as I look at my own community and see how we champion our economic needs. It's a reality of life, I think, in many countries.

HALVERSON: This morning, Professor Shelley mentioned the

role of the Soldiers' Mothers' Group, a Russian non-governmental organization (NGO).

What role can NGO's and other civic organizations play in the development of a democratic society in Russia?

Do such groups represent a feasible alternative to state control?

SHELLEY: I think that any democratic society has a need for non-governmental organizations. I think it is particularly true in the former Soviet Union that one is not going to have democracy until non-governmental organizations develop more.

At this point unfortunately, non-governmental organizations are not strong enough or large enough to assume major functions in the political process or to perform many activities that NGO's provide in this society.

To give you a concrete example, look at victims' assistance programs for abused women or abused children. Assistance is now being provided by a limited number of non-governmental organizations, but they do not have enough resources nor enough people involved to perform the range of functions or provide the level of service delivery that one might hope for in a society.

This is a problem that's being confronted as we give aid to the former Soviet Union. We want to promote the non-governmental sector. The Moscow Helsinki Group with which Dr. Bonner is involved is very important.

They are an important NGO along with the major independent trade unions. The free trade unions are very concerned about problems of labor, being forced to work in organizations in which organized crime has assumed an important role. They are concerned with what is happening to workers' pension funds as they are being put in corrupt banks. What will this mean for the social safety net?

If you are trying to initiate a project in Russia to deal with some social problems such as organized crime, there is not yet enough of an infrastructure among the NGO's to run and sustain a program in different parts of the countries.

You need to work with an institution such as a university that has facilities. Most NGO's do not have the facilities that can maintain or support some sustained intellectual activity.

So it's a very difficult moment. You want to foster such organizations, and they need to be fostered, but at the same time they don't have all the resources that they need to assume some of the functions we would like them to assume.

HALVERSON: Any other responses?

DR. BONNER: I would like to say a word about Soldiers' Mothers' Group. When the Afghan war began, there were only single protests, and they were all from dissidents. In the beginning of the war in Chechnya, Soldiers' Mothers' Group was suc-

cessful in making itself heard.

There are two million soldiers in the Russian Army, and there are two hundred mothers in the Mothers' Group. With two million soldiers, there are four million parents. It could have become a mass movement, but it never did. The inertia of old life is still very strong.

HALVERSON: The next question was submitted from a member of the audience.

A comment please on the prominence if any of organizations such as Pamiat' which has espoused the imperialist aspirations of the Russian population.

What can we anticipate from these organizations? Should the other republics be wary?

SHELLEY: I would say one of the most alarming elements of the situation with Pamiat' is that there have not been significant efforts undertaken by the law enforcement apparatus to suppress it. Pamiat' is not what I would call a healthy form of civil society.

Its activities are in violation of the Constitution because they promote ethnic hatred and conflict, and yet there has been very little effort by the police or prosecution to deal with manifestations of Pamiat'.

Pamiat' is a Russian-based organization, but the problem of groups based on ethnic hatred is not a problem that is unique to Russia. It is important to consider how much support exists for such organizations among employees of the governmental apparatus.

WILLERTON: Well, I'll comment in terms of Vladimir Zhirinovskiy and the Liberal Democratic Party, which strike me as a more formidable force in recent times.

I do take seriously the threats that mis-named party and that politician represent, but I think there has been an ironic consequence of Zhirinovskiy's behavior and the very good performance of that party in the December 1993 election; that is to say that they won more seats than any opposition party.

When that sort of extremist develops through the electoral process a solid faction within parliament, that development can compromise other individuals, including people in the government, from promoting similar extremist policies.

There has been an ironic consequence in that I think Zhirinovskiy's extremism has raised other people's skepticism about Russian imperial interests, and I think it has made it more difficult for the Yeltsin government to maneuver in that direction.

I am not saying that the Yeltsin government has not tried to do so, and I am not saying that there is not an extremist threat, but I think this has been an interesting consequence of the Zhirinovskiy "show," shall we say, of the last year.

So I take the threat seriously. But perhaps it has also caught

the attention of many within Russia and many in the West and in particular those living in the countries which used to be a part of the Soviet Union. They have felt most vulnerable to the reemergence of Russian imperialism.

HALVERSON: Unless there are more comments, I'll go on to the next question which is also from the audience from a student from the Republic of Georgia.

What kind of policy would be appropriate for other republics in dealing with Russia in order to resolve the regional conflicts within the other republics?

How do you evaluate the role of Edward Shevardnadze in that respect?

DR. BONNER: I am of a poor opinion about Shevardnadze's role. Shevardnadze was brought to Georgia by the Russian Army. At the same time he was fully aware that he will conduct extreme nationalist policies or else Georgia will not accept him.

Thus upon entering Georgia, he made 180 degree turn from a democrat who was preaching new thinking, new way of thought; he turned into an extreme nationalist. Unfortunately, he failed to understand that the only way to preserve Georgia is through the creation of a federation or a confederation. This failure to understand it is typical for all new states. But this is the only way; either they will go through a transformation or have a blood bath for many years. This is equally true for Georgia and Russia.

WILLERTON: I'd like to make a comment, not focusing on Georgia, but considering generally the relationship between the now independent states and Russia.

The history of these relations is obviously very complicated. However, one comes to the nature of the relationship between say Russia and Ukraine, Russia and Kazakhstan, and the reality is that there are economic interdependencies. There is going to be a continuing important relationship between all of these countries and Russia.

So it's incumbent upon the elite in those countries to try to work with the Russian government, with Russian politicians. As an observer, it's been striking to me in the last years to see the willingness of different electorates to put into power politicians and regimes which seem to have greater promise in their ability to work with Moscow.

I would simply point to what I think is the most dramatic example in Lithuania where Sajudis, which led Lithuania to its independence, and its President, Landsbergis, were voted out of office overwhelmingly and replaced by Brazauskas, the former communist party leader now repackaged as a social democrat.

Brazauskas is a very savvy politician and he conducted a very impressive campaign. Part of his argument was "I can work with Russia." He contended that many of Lithuania's problems

are fundamentally economic. They (the Russians) are a reality; we have got to learn to deal with them.

You look at the more recent electoral results in Ukraine and Belarussia in which the pro-Russian candidate won. And in both cases, those candidates postured themselves as individuals who could work with Moscow without necessarily abandoning the interests of their respective states.

So I think this is simply a reality of life in that part of the world. Unfortunately for inhabitants of those countries, given the recent (Soviet) past, it is understandable why there would be great tension and anxiety around the relationship with Russia. But there is no getting around trying to construct a working relationship with whatever regime is in power in Moscow.

HALVERSON: The next question is also from the audience.

There is a saying that under Lenin, the Soviet Union was run like a religious revival. Under Stalin, it was run like a prison. Under Krushchev, it was run like a circus, and under Brezhnev it was run like the United States Postal Service.

Along those lines, how would you characterize the Yeltsin era?

SHELLEY: I think this question is talking very much about the personalization of power. Each period of Soviet history can be identified with one person. I think this underlines American thinking. It's part of America's problems in developing a foreign policy towards Russia. We keep thinking that there has to be that one crucial political figure we have to deal with just as we dealt with Brezhnev and then we dealt with Gorbachev. We want to deal with Yeltsin in the same way.

Because of the Russian Constitution and the discussions we had this morning on the power structure, there is already a tendency within Russian society to give great weight to the executive branch. I think it's a problem of our government that we are also trying to look for that one leader to deal with when there are multiple forces in the society. There is a parliamentary process that is more vital than it was in the Soviet period and there are the beginnings of NGO's and civil society.

So to characterize this as the Yeltsin period is wrong. I don't want to deny that Yeltsin is a very important figure, but I don't want us to characterize these years and think about them just as the Yeltsin period. There should be more complex thinking about what is going on in Russian society, politics, policy and the economy in this transition period. In some ways one can say it's a mess. Some people will comment that the old society collapsed, and something new is coming out of the ashes. I think it's a little premature to talk about societal rebirth.

There have certainly been some very alarming tendencies of Yeltsin's policies in the last six or eight months. I think the

Chechen war of which we talked is a very significant phenomenon. But I don't want us to draw the immediate conclusions on what is happening. It's much more complex.

WILLERTON: I would simply add that what we have witnessed and what people in the regions of the former Soviet Union have been living through has been fundamental transformation: economic, political and perhaps societal transformation.

I think the importance of what we have watched go on in those countries is of the historical magnitude of the French Revolution. This is a major series of events which are going to define that part of the world and perhaps influence all of the world for a century.

So I completely agree with Professor Shelley that we have to be careful about either focusing specifically on an individual or trying to capture the essence of this in a cute phrase. Not that you haven't posed a good question, but the bottom line is that transformation involves more than simply chaos.

We are talking about more than one system: a political system collapsing. The command economy has collapsed and the nature of social relations and perhaps ethnic relations may change. Many facets of life are being transformed. This will take generations to complete, just as the full consequences of the French Revolution would take decades, if not a century or more, to follow through in terms of impact.

So I look at what we are talking about now, and it's difficult for me to be definitive. But I tend to think in these terms, in terms of a century, not simply in terms of a couple of years and one leader.

SHELLEY: Organized crime, as I tried to explain today, is such a complex phenomena that it's more than Al Capone and Chicago.

DR. BONNER: I would like to add to these comments with which I am in full agreement. It seems to me of utmost importance that although the current Russian Constitution isn't perfect, although it was passed with many doubts, we do not shrink away from the effort to live by the letter of this Constitution. We shouldn't dwell too much on whether we are going to have a worse leader or Duma; since it is the Constitution we should hold the election at the designated time. Some things may be worse, some better, but the country has to become accustomed to living by law, not by the whims of this or that leader.

We have never lived according to a written law, the decisions were always made arbitrarily by whoever happened to be at the pinnacle of power. This is what we must overcome at the present moment in history.

Yes, it is most likely that at the next elections a pro-communist tendency will be quite pronounced (For the Communists these days, one doesn't know what to use: "right" or "left"). But this is

happening everywhere. We will just have to grin and bear it. The important thing is not to resort to extraordinary or emergency means and procedures.

HALVERSON: Thank you. Now, we'll take questions from the audience.

AUDIENCE: First, I want to say that the question from Georgian student was not mine but another Georgian student, but I agree with Ms. Bonner that Shevardnadze was brought into Georgia by Dasham.

I am just surprised to hear that Russia brought Shevardnadze into Georgia, which wants independence from Russia, in order to have nationalistic politics.

But I have different question. I want to address the words about Boutros Boutros-Ghali about balance of the right of self realization and the right of integrity. So in order, let me suggest to you a simple drawing. It will take five seconds.

What you see here. This is Georgia. There is the capital. The first number is Abkhasia. This by second is Adzharia. They are Georgians, but they are just Muslims. The third number is part of Georgia where it dominates Armenian population. The fourth number, the part of Georgia where it dominates Azerbaijani population. The fifth is South Ossetia. It was called so about 100 years ago. The sixth number where it dominates Greek population. The seventh number dominates Asombyde, and there are 300,000 Russians in Georgia and many Jewish people who came twenty-five centuries ago and who have excellent relations with them and so on and so on.

So let me ask: if we say that the right of integrity is inferior to the right of self-realization, what will happen with Georgia?

Now, I am here in the United States, and I am going back there. If it will be done before I go there, where am I to go and where is the right of Georgia and where is my human right to have my motherland? This is a question to everybody and this is a question to nobody.

And I am just curious how it happened that when people say in Russia about right of independence, Russian democrats say the same as Saidjuroffski. If you want independence from Russia, okay, but you will get problems in Abkhasia, in Ossetia and so on and so on. So let's stay at Russia and with Russia.

As regards of status of Apazia, I must say that until Saidtofore, it was not same as Georgia. Soviet Union was comprised of Russia, Ukraine, Belorussia, Asian Republics and Caucasian Republics.

In Caucasian Republics there were three Republics: Georgia, Armenia and Azerbaijan. So there is Abkhasia with the same status as Georgia.

Abkhasia was in Caucasian Republics by contract of Georgia

first, and the second, let's ask what was the status of Abkhasia before Russia occupied Georgia?

I will answer. Abkhasia was a part of Georgia.

And the third, and so I think the main point which we have to make here lawyers and humanists and every people, we have to ask ourself and we have to define what does self-realization mean. What is nation? What is people and where people or nation has right to self-realize itself. Why Jewish people self-realize itself in Israel and not in other parts of this world?

So I think the main point which we have to make from today's conversation is that let's think about this problem or this nation where to self-realize and how to make the world so that in order to observe rights of one, not to diminish the rights of other. Thank you.

DR. BONNER: You are absolutely right. We do need to think, and this is why I keep saying that today the concepts that we still live by are no longer adequate.

Georgia for one, has already changed. This map that you drew today has already changed. For example, there are no more Greeks in Georgia. Most of them were killed: by the Abkhasian, by the Georgian. There are no more Greeks left in Georgia. There are also no more Jews left there. So in front of our very eyes, your country is being violently recut. Now to the part which you termed "so-called Southern Ossetia." Russians are also vanishing, not because of the killing, seems they're safe, but life is too hard in Georgia today.

But in Southern Ossetia in front of every house both in a Georgian village or in an Ossetian village, there is a soldier of the Russian Army or of the Joint Army standing with a machine gun ready. Will this region continue to live in this form forever?

Just now speaking of Shevardnadze, I said that we should seek the ways of either a federative or confederative system, and this will only be a beginning of future changes. But no one does seek them for now.

Parallel with problems in Georgia, there are problems elsewhere such as twenty-nine million Kurds in one of the corners of the globe.

HALVERSON: The gentleman in the blue sweater.

AUDIENCE: I am going to write this number in number six where Greek population live. They are still there, and they are not in Abkhasia because there is no Georgians there, we go up 250,000 refugees from Abkhasia. They don't have anything now.

DR. BONNER: If this is so, then I must have been mistaken. But I have seen the results of the census and the numbers of those who left Georgia with the assistance of Greece and U.N., and according to these, no Greeks are left in Georgia.

WILLERTON: I would like to add one comment before we move

to the next question. In her address to us during the convocation a few minutes ago, Dr. Bonner in essence challenged us and I think challenged the broader community to think in new ways about how we have organized ourselves politically.

The reality of course is that we live in a nation-state system, fortunately or unfortunately. The reality is power has been organized through a nation-state system in which sovereignty lies with states, not necessarily with people; and we have examples of this dilemma on every continent. We can look within the English speaking world at the recent dilemmas between the United States and Great Britain regarding Sinn Fein and Northern Ireland as only one more example of an ongoing dilemma.

So I welcome the challenge of Dr. Bonner to develop new concepts, but I have to say, as someone who studies international relations, that the interests are so entrenched and so many are affected by challenging this nation-state system that I think we have to be realistic about what the prospects are.

Does it mean we should not look for those concepts? No. But realistically speaking, it's clear when you look at the way the United States and other Western democratic countries have reacted to events in the regions of the former Soviet Union that we are not prepared to challenge that nation-state system and its logic.

Turning to Georgia, it would seem to me that just as Georgians will press their interests and have rightful grievances against some, so in the pressing of their interests they will commit grievances against others. I would anticipate this will continue and in essence then the responsibility to resolve conflicts will fall on all of you, regardless of your ethnicity, who live in Georgia. Our role on the outside would be to champion your rights to resolve those conflicts, but without our meddling.

We had a really nice example raised this morning of Western meddling in Russia's economic transformation and the likely negative consequences of it. So I think we must not unduly involve ourselves in these sorts of very complicated processes which we really don't understand.

HALVERSON: Thank you.

DR. BONNER: I completely agree with you, and I've been thinking of one more thing, and this thought is not of today. I've had it for a while.

Many years ago, when I tried to formulate for myself the advantages and disadvantages of each of one quintessentially socialist country like Russia and another equally quintessentially capitalist country like, let's say, United States.

In this comparison, I believed the main advantage of the United States to be not the high standards of living, social security, social guarantees and all the other things. Not all this, but that this country had succeeded in the course of 200 years in

creating a people, a nation, where nationality means not an ethnicity, but statehood, citizenship. This had already been for me the most important advantage of your country.

The person is who it says in his passport. He is a citizen of United States, and this is the main advantage of capitalism. While my country, despite all talk about social equality and economic equality, failed to accomplish this. Moreover, it did everything to exacerbate the contradictions.

The questions posed before us will not be answered soon. Many generations will pass before we on earth are able to make sense of all these issues.

AUDIENCE: Welcome.

DR. BONNER: Thank you, I am leaving already.

AUDIENCE: Not before one more question. You mentioned that the Moscow Press is a source of free opinions or freely available opinion in Russia.

I am wondering if there are any other sources of free press in Russia and whether Russians use new technology such as computers and fax machines to communicate without government censorship?

DR. BONNER: Private electronic communications are not very developed in Russia at this point, but it's coming. As to the Moscow News, I singled out this paper not for general fairness of their coverage but for their truthful coverage of the war in Chechnya. Evidently, it is less dependent on banks or oil companies which are heavily involved in the Chechen conflict.

SHELLEY: I would comment on this question of E-mail and its uses as a way of communicating information. For example, Express Khronika which was an underground publication in the Soviet period and is now, I can't say fully official, but at least it exists above ground. It's run by a former dissident named, A. Podrabinek.

He has correspondents throughout the country linked by E-mail. His newsletter and his daily bulletin are available on E-mail. These publications concern police abuses and other human rights violations in the country.

So computer links can get information to various parts of the country where the distribution of newspapers has broken down. There are all kinds of other NGO's in very different fields who are being supported and are getting information from outside the country.

Much academic exchange is going on via E-mail, a new channel, which is not being controlled as communications were controlled in the past. Now there is much more intellectual exchange. I can be on E-mail to Siberia or on E-mail to Kazakhstan and get information that way. They also can get information from me that they never could before.

So it's hard to calculate how much free exchange there is, but it's massive. This human rights publication of Podrabinek is one example of the kind of service that's available. The U.S.I.A. is planning on putting intellectual periodicals and other information sources on electronic mail. They think that there are enough individuals within academic communities, NGO's and institutes who would have access to information in this way.

DR. BONNER: While all this is true, it exists on the money received from foreign grants: Soros Foundation, McArthur Foundation, Ford Foundation and so on and so forth. The Russian government hasn't done a thing to help dissemination of truthful information.

WILLERTON: If I can share a personal anecdote addressing this question. At the end of my first prolonged stay in what was the Soviet Union in 1982-83 (the late Brezhnev-early Andropov period), I had some very good professional contacts, and I left with the possibility I would never be in touch with these people again. They were part of the establishment, so I couldn't write them, I couldn't call them, and I didn't want to risk letters being carried in, et cetera. So it was simply a matter that when I showed up the next time, I hoped they were still living in the same place and could be reached.

Well, I welcomed one of those friends to Tucson, Arizona last October, and he went out with me and helped me buy a fax machine. He already has one and he is nicely set up in Moscow. I didn't and I was the one who was holding up our working together on a project. So he gave me advice on fax machines.

My Moscow colleague works as a representative for a number of German companies and is doing very well. He has the monies for such equipment. My point is that he could now possess such equipment, and I think many people of his social group, that is to say, well-educated people positioned in places like Moscow, have such facilities. Such individuals have fared well under the post-Soviet changes, but they are a minority, a small minority of the overall population.

So at this point when I deal with my friend, I'm at the technological disadvantage. He has four computers. He has a fax machine. All of these things are there, and he is helping me to make these types of decisions.

This is what is now possible in Russia. I don't offer this as representative, but this is going on; and I know in terms of my dealings with this friend and others, it's unrestricted. I now have direct access to Moscow colleagues.

HALVERSON: Thank you.

AUDIENCE: Referring to last question, I'm student from Ukraine, and I am waiting during this week couple fax messages from my friend from my country, so I think communication be-

tween different countries and especially with independent states is okay now. I don't have problems with this.

And my question to Mrs. Bonner: Let me ask in English and then I'll translate it in Russian.

I am student from Ukraine, and I would like to know your personal opinion.

How should the problem of the region of Crimea be solved between Russia and Ukraine?

DR. BONNER: I do not know how its fate should be decided, but this brings up the conversation about the arbitrary actions of the Soviet government when regions were given away as gifts or administratively at will transferred from one Republic to another. How these issues are to be resolved I cannot give a simple answer.

I can only tell you of myself, my own experience. When on August 23, 1991, the members of the Russian parliament, excited by the victory at the White House, said to the Ukraine "Crimea should belong to Russia," I gave them a scolding. My daughter can testify to this. I said then, "For God's sake, be quiet, we do not need any of this right now." Maybe we should not even try to "solve" this now, but wait until we become mature enough to not shoot each other from the hip over these issues, even if it takes another fifty years.

HALVERSON: Thank you all.