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## REPORT ON THE RESEARCH WORK

# “BELARUSANS’ IDEAS OF HUMAN RIGHTS AND RIGHTS DEFENSE ACTIVITIES”

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### METHODOLOGY

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In accordance with the terms of reference, the purpose of the study was to identify concepts that exist in the Belarusian society regarding the relationship between the man and the state, human rights and their defence. Focus-group interviews that allow revealing not only views and opinions of people, but also the grounds on which they are built, were chosen as the research method. The main hypothesis was that concepts and attitudes Belarusians have with regards to questions of our interest do differ depending on how their social group is related to the state system. Proceeding from this, we chose four social groups, from which focus groups participants were recruited, namely: 1) students; 2) public sector workers; 3) businesspeople; and 4) government officials. Additional tasks were: balanced composition of focus groups as per main socio-demographic characteristics (age and gender), and possibility of analysis as per “centre-provinces” parameter.

Unfortunately, we were unable to bring together public officials to conduct focus groups. Even through personal contacts we failed to secure participation of at least one mid-level official. The closed nature of this group was quite predictable, yet the implication was that a certain level of participants’ distrust could be overcome if they were to be invited to participate in the study by people they knew personally. We can assume that additional “negative” factors in that situation were the very subject of the research and the unfolding election campaign,

during which the rules of self-discipline in the government apparatus are as a rule getting even stricter. We have to admit that this group still remains closed to all types of sociological studies (at least for independent research services and organizations). Perhaps the use of less “public”, but at the same time, individualized (qualitative) methods (f.e. in-depth interviews) could be more efficient.

The optimum size of the focus groups was determined to be 6-10 people. As a result of combining all requirements, the following design of the focus groups was developed:

**“Students” category:**

- students of universities and colleges: under 30 years old, males (Minsk);
- students of universities and colleges: under 30 years old, females (Minsk);
- students of universities and colleges: under 30 years old, balanced by gender (Mahilou).

**“Public sector workers” category:**

- government employees: under 40 years old, balanced by gender (Minsk);
- government employees: over 40 years old, balanced by gender (Minsk);
- government employees: 25 to 60 years old, balanced by gender (Mahilou).

**Category “entrepreneurs and self-employed”:**

- businesspeople, sole proprietors and other self-employed: under 40 years old, balanced by gender (Minsk);
- businesspeople, sole proprietors and other self-employed: over 40 years old, balanced by gender (Minsk);
- businesspeople, sole proprietors and other self-employed: 25 to 60 years old, balanced by gender (Mahilou).

The selection of participants for the focus groups was conducted primarily via the networking approach (searching for people that meet specified characteristics via friends, on the next stage — via their respective friends, etc.). Since the starting point of the search was set at least a step away from the members of the research group itself, it was possible to ensure a sufficiently diverse (including as far as involvement in social or political activities is concerned) composition of the focus groups. Some other ways to find people to participate in the study as respondents were tried: through social networks, visits to “places of concentration” of representatives of the needed category (e.g., markets, hospitals, schools), but they yielded minimal result. A total of nine focus groups were conducted, while the number of respondents who participated in the study totalled 60 people. The distribution by major controlled socio-demographic characteristics looks as follows:

**Table 1.** *Socio-demographic composition of focus groups.*

Age \	Students		Public sector workers		Businesspeople	
	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>
<b><i>Under 40 years</i></b>	9	11	3	7	7	6
<b><i>Over 40 years</i></b>	–	–	2	9	4	2

The guide, developed for the focus groups contained three large sets of questions:

- 1) the relationship between the citizen and the state (ideal notion and characterization of the Belarusian situation);
- 2) human rights (knowledge and understanding of human rights in general, understanding of the meaning and the origin, acceptable limits in the expansion and restriction of human rights, assessment of the situation in Belarus);
- 3) human rights defence activities (knowledge and understanding, assessment, characterization of the Belarusian situation, notion of the role of the international community and supranational regulatory mechanisms in the field of human rights).

At the programming stage assumptions were made (and these hypotheses were generally affirmed) that: a) the set of issues that is being researched is not actualized in practices and beliefs of the respondents; b) the level of competence of the respondents as to the specified issues is not very high. This fact explains the low degree of dissemblance of views between participants of focus groups with different socio-demographic characteristics. Extra attention is drawn to these distinctions at the description of the results of the study.

The main discursive technique, included into the focus groups scenario, was mutual reversal of the generally accepted concepts of human rights and subjective behavioural attitudes of the respondents. In cases where the gap between the proclaimed norm and the actual behaviour of a person was too large, we had to abandon the technique. The distance between the ideal notion and participants' own life practices could lead to strong emotional experience and problematization of too high an order, which was unacceptable as far as the format of this study is concerned.

## MAIN RESULTS OF THE STUDY

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### 1. CONCEPT OF THE STATE, CITIZENSHIP, RELATIONS BETWEEN A PERSON AND THE STATE

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In order to reveal concepts of the state and characteristics of the “individual — citizen — state” relationships, the following measurement criteria were used in the study:

- qualitative characteristic of the relationship between the person and the state (the normative notion of the “proper” nature of these relations and evaluating characteristics of their realization in Belarus);
- substantive characteristic of the mutual obligations of the citizen and the state, the degree of relativism in the execution of established obligations;
- reconstruction of concepts about the nature and mechanisms for the implementation of the state authority;
- length and characteristics of the distance between the person (citizen) and the state.

It should be noted at once that questions about the nature of the relationships between the person (citizen) and the state were one of the most inscrutable during the focus groups. One of the factors here was a purely technological issue of the implementation of the focus group method (that unit was discussed first, i.e. the group hadn't yet “warmed-up”), but this factor is unlikely to be considered a decisive one. In order to check its significance, the order of units was changed for two focus groups in such a way that this set of questions was the last to be discussed, but the effect can be estimated to be negligible. The nature of the discussion, the lengths of pauses, the way of re-interpretation of questions show that the “citizen — state” dyad is an abstract construct for the majority of respondents and one needs to spend a lot of time and efforts to begin to correlate themselves with it.

Characteristics of the relationship between the person and the state in Belarus that were made in the course of the study can be combined into several groups:

- “faraway”, “distant”, “estranged”, “autonomous”;
- “vertical”, suppressing (“the state is everything and the person is nothing”, “personality and a person is entirely subordinate to interests of the state” ), “patriarchal”, “paternalistic”;
- “cautious”, “unpredictable” and even “tensely-mysterious”.

Quite often respondents could not give any characteristic at all, such as: *“These are simply different things: a person is one thing, and the state is another. For me they are in different dimensions”*.

Formal nature of characteristics or inability to characterize the “citizen — state” relationship is usually related to the fact that participants do not have a clear idea of the concept of “state”. During the focus group discussions different versions were put forward as to what and who a person (citizen) is building relationship with: “with the

authority”, “with the ruling elite” or “with the law”. In focus groups conducted with the students, there were several discussions related to the definition of concepts, from which we can conclude that ideas of differences and relations between the state and the authority, authority and politics, politics and administration (even the country and the state) amongst many students (especially of the humanities which is, in principle, not surprising) are quite controversial. In general, the idea of the state and correlation of the state with a person was one of the most confusing issues for the participants. On the one hand there is a supposition that “we all live in the state” and “you cannot be independent of the state”, on the other hand ideas of what this relationship is about are blurred and unshaped. Quite interesting are differences in the personalization of the “state” between different groups. For students it is more of “power”, for those employed in the state sector — “officials”, for businesspeople — all of the “administrative system” and “budget sphere”. At the same time, most frequent answer to the direct question of “Who do we mean when we say ‘state’?” refers to the president of the country (regardless of the social group).

One of the manifestations of the essence of the concepts of the state system is *issues of mutual obligations and responsibilities*. An ISEPS poll conducted in March 2012 with classical methodology of Yuri Levada, showed that almost 70% of Belarusians believed that “the citizens of Belarus perform their duties to the state”, and only just over 30% that “the Belarusian state fulfills its obligations to citizens”. The focus group method is not intended to be representative, but in this case “it felt like” ISEPS results coincided with the distribution of opinions of study participants. At the same time the concepts of what the mutual obligations of the citizens and the state were, were dissimilar. Paying taxes was practically the only obligation of citizens mentioned during all the focus groups; in various forms and combinations such obligations as “law observance”, “paying public transport fares”, “observance of the rules of the road”, “participation in elections”, “work for the good of the state”. It is noteworthy that the “military service” was never mentioned without leading questions.

The set of obligations of the state towards the citizens, mentioned by the respondents, was also quite broad: “education and protection”, “cleanliness and safety”, “provision of the social benefits package”, “transparency, controllability, change of power”, “rule of law”, and “ensuring the rules of the game”. At the same time there is a significant difference in the assessment of how the state fulfils various types of obligations: the majority of the middle-income participants (judging by indirect indications) believe that the state might be given credit for the provision of a minimum social benefits package, while representatives of the lower-paying jobs are more critical in their estimates of this parameter. Obligations as to ensure the rule of law, the transparency of governance, and freedoms where they were mentioned, were characterized as being not fulfilled by the state.

As mentioned above, the respondents were mostly of the opinion that Belarusian citizens generally fulfil their obligations towards the state. In order to measure the level of relativism in relation to civil obligations the focus groups discussed issues of eligibility and admissibility of such violations of civil obligations as tax evasion, evasion of military service, etc. Judging by the focus groups, the majority of modern Belarusians are ready to justify any violation of the “civil duty” by a number of arguments from different dimensions: starting from the primacy of the individual interests over those of the state, to the lack of legitimacy of the incumbent authority; hence it is not necessary that citizens fulfil their obligations towards the state. However, the most common argument (especially as far as avoidance of military service and taxes are concerned) is a low estimation of the efficiency and rationality of the established system of relations. For example, the logic of the arguments in response to the question “Can we consider avoidance of military service to be acceptable?” is constructed as follows: Of course military service is a civic duty, but Belarusian army is ineffective, improperly organized, incapable; moreover



“nothing good is taught there” and hence avoidance of military service is quite a rational thing to do. Tax evaders are using similar scheme to construct their “apologetics”: Of course, you have to pay taxes, they built the budget, yet the size and the system of tax collection is so that if you pay them all honestly, “you will be left without your shirt”; which means that tax avoidance is not only possible, yet also necessary. It should be noted that this kind of reasoning is characteristic of not only sole proprietors and self-employed, but also of the public sector workers (whose first reaction to the question of the admissibility of tax evasion was the sad and aggressive “that does not apply to us: one might try avoiding them, being in our shoes!”). An additional (though quite rare) argument on that issue was the opacity of the budget allocation (arguments of the kind: if I know that my money will be spent on schools and hospitals, rather than on the police and government officials, it would make more sense to pay taxes).

Concepts of responsibility of citizens within the framework of the country and the state are constructed in a somewhat paradoxical way. The absolute majority of study participants agreed that “we are responsible for what is happening in our country”, but much fewer discussion participants felt responsible for actions of the government. Quite often there were statements such as: *“Of course, we should be responsible for actions of the government, but we are not”*. Among reasons behind such “irresponsibility” participants mentioned the inability of a person to be responsible for the actions of the state machine and lack of influence mechanisms, lack of elections (at the same time while “being responsible for everything that happens in the country”, no one is ready to be responsible for “having no elections in Belarus”). Another type of ideas is attributing the supreme authority with responsibility for everything that happens, both in the regulatory and implementary dimensions. It occurred significantly less often during the study, yet was present in all social and age groups.

One more characteristic of notions about the state stems from participants’ arguments about grounds and motives Belarusian government officials are guided by in their decision making. Most frequent response to this question was eye-rolling and emotional statements like: “We would like to know ourselves”. Informative answers came down to few options: “guided by the ‘public interest’” (moderator’s attempts to clarify the mechanism of the formulation of this interest were unsuccessful); guided by the “orders from top” (the “top” in that case had different meanings: from the President to the immediate supervisor).

Overall, by topologizing the complex of ideas about citizenship and the state, one can identify three basic types of “person — state” relationships that “come into view” most clearly during the focus group discussions:

1. **“Naturalistic” type:** almost complete naturalization of the processes of the formation and functioning of the state system. The state is something that is always there, by itself and it establishes laws for the person. No concepts of citizenship are possible within this type, yet the notion of being the subject is not present either. The person is rather adapting to the state as some sort of a natural phenomenon, has to reckon with it, regardless of the attitude to and understanding of what is happening. The state in this sense is mysterious and incomprehensible, unpredictable and unrationalizable. Personal relationship-building strategy in this case is always constructed as a survival strategy, but this is one of the most psychologically comfortable normative complexes, since conditions of survival are not that brutal after all, and the scope of responsibility of the person is reduced to a minimum. This type of ideas is rarely manifested in the pronounced form, yet it can be found in all age and social groups.

2. **Late Soviet type:** the state is the machine of implementing power relations, and the sources of legitimacy of this power are very questionable. Power (and hence the state) has its own interests, inhabitants (the word

“citizens” is hardly applicable here) live their interests and needs. At the same time both parties declare some common ideology, goals, values, etc., that only exist at the level of rhetoric. The main relationship-building strategy is to adapt to and follow the “tacit agreement” that remains unchanged since the Soviet times: “We do not stick out, and you do not touch us”. In this system, the further you are away from any state affairs and issues, the better. In the field of mutual obligations of the citizen and the state there is a principle of mutual slyness (in terms of Yuri Levada): we are ready to accept the fact that the state is not fulfilling its obligations, in return for the fact that it turns a blind eye to ours failing to fulfill our own. A distinctive feature of this model is that all of the concepts are not just realized, but recognized and quite openly expressed.

**3. Democratically oriented type:** based on the concept of the rule of law state and knowledge of democratic procedures of formation and functioning of state power and administration. This knowledge and understanding, though often being fragmentary and contradictory, sets the pattern for the criticism of the state system existing in Belarus, assessing its compliance with normative concepts. However this type in most cases sees not realizational (behavioural) implementation, because it is either transmitted formally and declaratively or the “common sense” of its bearers does not allow them to behave in accordance with their ideas even in local situations (the following formula is being applied: it is correct, but you understand that in our case it is not possible).

## 2. KNOWLEDGE AND UNDERSTANDING OF HUMAN RIGHTS

### 2.1. Human rights: concept and sources

The very phrase “human rights” sometimes seemed so obvious to respondents that its meaning slipped away. That is why the first question that was asked in this section, “What is human rights?” often caused confusion and bewilderment. The most common way to define human rights was via characteristics of their “naturalness” and “universality”: *“If you are a human, you have these rights a priori. You're a human and you have human rights, here they are. All other rights — it them that are given”; “There are different human rights: there are natural rights...”; “These are rights that every human being regardless of their properties and qualities are vested with”*. However other variants of reasoning and attempts to define human rights were also common: for example, via freedom and opportunities: *“I think this is the degree of freedom that a person has. It's like Maslow's Pyramid: first there is the right to life, right to education, and then you go higher and higher, and in the end, as in the [United] States, the right to same-sex marriage”; “Human rights is rather the implementation of the capacity to act and to receive benefits under the law and practices of public relationships”; “or via the relationship between the person and the state: “These are some safeguards the state gives to the person”; “This is the minimum set of high-priority possibilities that a person should be guaranteed in accordance with the constitution: the right to education, for example”; “These are possibilities that are given to a person in the state and fixed in the law. And a person chooses whether to use this right or not”*.

It should be noted that the Universal Declaration of Human Rights was never mentioned in responses to this question. Sometimes it “showed up” in responses to questions that followed, but none of the respondents referred to it while trying to give a definition of what human rights were.

Answers to the question “What human rights do you know?” also looked quite chaotic. We would like to note in the first place that on two occasions during the focus group we received systematic answers to this question (with a list of the main categories of human rights, and examples for each category; one of the answers was from a teacher of social sciences and humanities, the second — from a journalist, who quickly consulted the Wikipedia via her iPad ). Most creative and at the same time most contradictory answers to the question about human rights came from students who were clearly familiar with this issue, because this way or another it happens to be on the curricular of Belarusian universities. However, knowledge of this group of respondents is not systematized, so students are constantly confusing aspects of historical development and current status of human rights, various categories and differences between them, etc. It is of course the right to life that was mentioned most frequently in the list of human rights (it is also recognized as the most important). It is followed by the right to education and the right to work, freedom of speech and freedom of assembly. This collection was mentioned this way or another during each focus group, though in different, sometimes amusing, combinations: for example, the right to work was sometimes mentioned with the right to rest. Rights from the category of civil rights were mentioned much more rarely. Apart from the existing ones, fictional rights were mentioned, ones that are not related to human rights: *“Be yourself, in the end”, “Be different from the others: I can wear mohawk or anything else”, etc.*

Respondents found it next to impossible to tell the difference between “rights” and “freedoms” (positive and negative rights). Sometimes two of these categories were equated, but not often. Most people feel that there is a difference, but cannot describe or articulate it: *“The right is what we have, i.e., the right to life: we live. And*



*freedom, like the freedom of expression, i.e. I do express myself if I want, or do not if I don't want to... Freedom comes from a personality, i.e., a personality uses this or that freedom. As for rights it's more about existing in the world, in the society...". "The freedom you have is defined by the totality of rights"; "Freedom is the very right, but the right of action, i.e. a person is free in certain actions: for example in self-expression", "Freedom is better described by continuous mathematics, while the right — by discrete. Is there a right? Yes, there is. As for freedom: you I can do it that way or another". It is obvious that the term "freedom" is not linked to human rights in the public mind, it is being reinterpreted in the general philosophical understanding of freedom as absence of compulsion: "Freedom is a broader concept. If you have freedom, then you have rights. These are a bit different concepts. Freedom itself is wider. Freedom is absolutely abstract, philosophical concept. If one can say about the right that it is the right, because it is written somewhere, then as to what freedom is...". However attempts to discuss the implementation of different types of rights on different matter, without opposing the rights and freedoms (exemplified by the right to work) similarly resulted in failing to understand the differences between negative and positive rights.*

The issue of sources of human rights was no less difficult. The spread of opinions on this subject was very wide, from people being the source of human rights, via the social contract, the historical formation, the state will, to the Universal Declaration of Human Rights and the UN. While responding to this question "studied" formulas about the "naturalness" of human rights are being refracted in a very representative way: *"Human rights were there originally, a man just learned to identify them. Yes, he became aware of them and gave them specific definition. And now we can talk about it as a right. It was there before, it's that just nobody was calling it a right"; "Rights exist as physical laws. Even if the law is not discovered and not given someone's name, it still exists. So do the rights. Maybe there are some more rights that we are not yet aware of"; "A man was born, born and created with these rights, right? So we are born. But in this process people just realized, agreed, put into words and wrote on a piece of paper". It is obvious that the formula of "natural character" of human rights, that is a normative guide, is being reinterpreted into the "natural character" and "naturalness" of their origin. It would not be a problem unless it set a certain very specific logic of further discussions about human rights, when all the flaws in their implementation also look "natural" and, therefore, do not require human intervention.*

The role of the state in the implementation of human rights was also very ambiguously described by focus groups participants. Only a small part agreed that the state "gives human rights", the rest were either not able to answer that question, or were inclined to the point of view that the state would rather "provide" and "guarantee" human rights observance than be their source. At the same time the majority of respondents are not likely to ascribe the responsibility over human rights observance to the state; most common here is the point of view that "everyone is responsible" for the human rights observance, i.e. the one who violated a right, should be held responsible: *"The responsibility should be mutual: of society towards the state and of the state towards the society. Because, as I see it, the government cannot keep an eye on everything". And again, sometimes "the concept of naturalness of human rights" is interfering into that: "No, definitely, I think that even those documents that were adopted, and the organizations had nothing to do with it. If it were not for the state, there would be no UN, and still human rights would have been observed, one way or another. It all comes from common sense, that there should be some kind of rights that are the same for everyone, the ones that everyone has. It's not about some state institutions, even not about certain organizations, it is that these rights are there and they cannot be taken away". Another aspect of disagreement with the statement that the responsibility over human rights observance lies with the state bodies is linked with postulating one's civil involvement: "A person should protect their rights themselves, it's not like it just should be that way. A person should understand themselves when their*

*rights are violated. They should fight... “; “Even though I said earlier that, yes, the government gives us the rights... But on this question, I would say ‘no’, because there should also be the civil society, that would bear responsibility via civil organizations, individual activists, etc. that would constantly stir up this society, that would constantly have some new problems raised or would force the government to pay attention to certain issues. And, thus, it would appear to be defending the interests of some ... In general, the interests would be defended, so to speak”.*

Thus, we can say that respondents’ level of knowledge about human rights is mostly low. The major deficiency of this knowledge is that “human rights” are not treated as a separate category, having a very definite meaning and subject matter. For the most part, respondents (though not immediately) recall the existence of the Universal Declaration of Human Rights, are able to identify some types of rights or list the rights they remember (mostly individual rights and the rights of the socio-economic group). In discussing sources, guarantees and responsibility for human rights observance, they are mixed with all of the subjective rights that are provided for by the law. In the views of the focus group participants the category of human rights is practically indistinguishable from the rights granted to a person as a participant of legal relationships. Quite common are ideas of “naturalness” of rights (any rights): they used to be and are always around, it’s just they are being observed in some places and not observed in other. Variants of ideas about the state being the source of rights and about the social contract, made about the register of rights, are less common. In general, questions about the sources — of rights, duties, state power — caused most difficulties. There was virtually no concept that the sphere of human rights is the sphere of relationships between the citizen and the state. There was also no differentiation of positive and negative rights.

## **2.2. The universality of human rights, equality and restrictions in the implementation of rights: the difficulty of differentiating**

The assertion of the universality of human rights, which respondents themselves actively referred to when trying to define this phenomenon, on closer examination is assessed quite critically: *“Utopian views. Even in the state that will position itself as the most democratic, rule-of-law country, there still be people born in the slums, and people born with silver spoons in their mouths”; “Of course it depends on where that child was born: to an ordinary family, rural family or family of a government official. Of course an official’s child will have more possibilities to realize themselves. Will have more rights”.* Apart from social inequality, there was a popular argument that served as the “empirical refutation” of the universality of human rights claim, and namely the existence of “wild”, “uncivilized” countries where the principle of universality of human rights is generally impossible to implement. Thus, the principle of universality of human rights and formal equality is not seen as the ideal or the principle one should aspire to. Most often the universality of human rights is understood as objective existence (everyone has rights), but is interpreted as hardly attainable (reality denies universality). Just a couple of times during the focus groups respondents mentioned the correct status of the statement about the universal equality of people in their rights.

The list of criteria that can be used as a reason for restricting human rights for certain individuals and cases is quite broad and indicative of unchecked fantasy: children are mentioned there (restriction of the suffrage), prisoners, people with mental and physical disabilities, police and military officers (who are prohibited from going abroad), government officials (prohibition to disclose information as restriction of the freedom of

expression), epidemic situation (restriction of the freedom of movement), etc. As for the restriction of human rights in relation to the categories of people who have committed serious crimes, the majority of focus group participants demonstrated a high degree of humanity, pointing out that the human rights of this category shall certainly be restricted (the right to freedom of movement, at the very least) but only within the limits defined by law. Of course, the issue of the death penalty as a violation of a basic right — the right to life — turned out to be problematic in this discussion. Despite the fact that the opinions expressed in that regard differed, most of the respondents were in favour of the abolition of the death penalty in Belarus. We can say that there were more participants who supported the abolition of the death penalty in Belarus than the opponents of the death penalty as such. The results of the focus groups suggest that the death sentence to Uladzislau Kavalyou and Dzmitry Kanavalau had a fairly strong influence on Belarusians' attitude to death penalty: the irreversibility of the death penalty with the possible miscarriage of justice or an unfair trial is put forward as the main arguments against the death penalty, often with reference to this particular precedent.

Retaining the difference between the equality in one's rights and the equality of opportunity in the implementation of these rights was quite difficult during the discussion (for example, when the thesis "women have fewer rights to serve in the army" was suggested, the stance is being based on the fact that the way of implementation of this right for women and men are very different). It should be noted that when discussing various issues that difference is being retained with varying degrees of severity. Thus, in response to the question "Are there any categories of people who should be provided with more rights?" the majority of respondents were very well aware of and articulated the difference between the granting of additional rights and creating conditions for implementing the already available rights. But when discussing the "distribution" of graduates and gender equality (i.e. specific topics), that difference was being retained with great difficulty.

Most respondents believe that for some categories special conditions should be created for fuller realization of their rights: *"There are categories of people who are subject to additional social protection: dysfunctional families, the disabled, orphans"; "The duty of the state to do more to create the barrier-free environment, so that people with disabilities could realize their own rights. We should somehow reach this equilibrium. That is the obligation of the state: houses and the subway should be built in such a way that people with disabilities can easily get inside"*. It should be noted that answers to that question mentioned other categories that are to be provided with "more rights": *"For example, witness protection, they are being ensured more of the right to life, of course. Diligently"; "Of course, if this person is a scientist, a smart one, is working for the good of our state, he definitely should have conditions created for him"*. However, the most common is the position that there is no need in "special rights" for anyone; you need only to provide a condition for the implementation of existing ones. The need for special measures to implement the rights of people with disabilities has shown that this topic is sufficiently actualized in the views of respondents: this is demonstrated by the fact that the participants in the focus groups not only advocated the need for such and such measures, but also showed some awareness of what they should be.

However most common is the viewpoint that there is no need to grant "special rights" to anyone, you only need to ensure conditions for the realization of existing ones. The issue of whether special measures are needed to realize the rights of people with disabilities has demonstrated that this issue is quite actualized in the views of respondents: this is demonstrated by the fact that the participants of the focus groups not only advocated the need for such measures, but also showed some awareness of what they should be like.

Much more controversy was provoked by the discussion on graduates' distribution. It should be noted that, although the question was about the distribution in principle ("Would you agree with the following statement: 'The system of distribution of university graduates is a guarantee of the right to work?'"), the discussion in the focus groups was immediately built around the Belarusian system of distribution, i.e. prefixed with "mandatory": *"The system of distribution of graduates is more of a duty rather than the right to work, because if a graduate who has studied for free doesn't want to exercise this right, the state will take them to court"; "Because distribution is not a right but a duty. You have no choice whether to go or not, and you're forced to"*. Illustrative was the discussion during one of the student focus groups, when the issue of distribution was put forward in the context of discussing another topic, and all the "horrors" of distribution were eagerly debated for at least ten minutes, despite moderator's attempts to return the conversation to the planned course. When the question was asked on purpose, most participants agreed that the system itself is acceptable, with only wish being that the workplaces being offered should at least to some degree be related to the training graduates have received and match the aspirations of young professionals. We can say that the issue of distribution in most cases provoked ambivalent reaction: on the one hand there was resentment over implementation practices, but also recognition of fairness and even necessity of such a system as some sort a social guarantee for young professionals, on the other side. One can assume that this attitude is related to the fact that respondents are unaware of and cannot imagine any other ways to ensure the implementation of young professionals' right to work; hence with all the deformity of distribution practices they have to recognize it as a lesser evil.

It should also be noted that the idea of distribution as some sort of a "contract" between future professionals and the state is gradually getting more popular: *"On the one side, when you're enrolling at the university, you already know what is coming to you, i.e. you're enrolling for free, you study, and you know what is coming to you, you make your choice and enrol. No, of course, this is some sort of infringement of your rights to freedom. But here you also have a choice, in principle: you can study if you want to, or don't study if you don't want to. That is, the state is telling you about the conditions from the very beginning"*. On the other side, some of the participants paid attention to the fact that it is contrary to the right to education: *"Well, for example, in the medical university we have one of the highest tuition fees. Who can afford paying these fees? Not all people. Therefore, a person realizes his dream of becoming a doctor, he enrolls with the university to study for free as he cannot pay, and he is studying, working hard, gets a cum laude diploma, and then being told: 'If you're so smart, go raise the village. You'll be number one there'"*. Many respondents noted that the distribution system in its current state is not only infringing upon certain rights and destroying social and family ties, yet also not contributing to the efficient use of labour resources, when talented graduates are being sent to workplaces, where they not only have no chances to grow professionally but also lose their qualifications.

The subject of gender equality is a great deal less actualized, according to the results study. Almost all of the focus group participants agreed that men and women in Belarus are equal in their rights, while there are some obstacles to the implementation of some of them. The main areas where these obstacles arise are professional and labour relations. The main manifestation of inequality appears to be reluctance of employers to hire young women because of high chances that they will be soon going on the long-term paid maternity and child care leave (although one of the focus groups gave an example of the opposite: employers are more willing to hire women, as they may be offered lower salaries "since they are not supposed to support their families"). Participants also recalled spheres where the rights of males were violated: the prerogative of the mother to keep the children after the divorce, for example. However, the discussion was very diffuse, respondents routinely caught themselves in contradictions and doubts as to whether certain cases were related to discrimination or



natural differences. One of the illustrative examples in discussion of that issue was an expressive appeal by a clearly feminist-minded focus group participant to name “five really powerful women in Belarus”. When asked — in response — to name “five really powerful men”, she began listing members of Lukashenka’s family.

Another fundamental right, the idea of which was being “sounded out” during the focus groups is the protection from torture. To this end the participants were offered a model situation: there is a bomb in the building, and there is a possibility to obtain information from the offenders to help prevent the explosion. In general, we can say that the views of the discussions participants were divided if not equally, then with a slight preponderance of the opponents of torture, but what is interesting is the motivation behind these viewpoints. If the motivation of those who allow the use of torture is quite expected (“the Talion Principle”, the primacy of the common good over personal, prevention of greater harm by causing the lesser); the reaction of the opponents of torture was somewhat surprising. There are two most common types of explanations of non-use of torture in that situation. The first is based on the distrust of any special services and any “law enforcement” bodies (actually, the discussion of this issue implicitly demonstrates how distorted the perception of the role of law enforcement institutions in Belarus is). In principle, within this type of explanation only possible malice or incompetence of security services are discussed, and that is a sufficient argument. The second most common type of explanation is related to the concept of non-rationality of torture: they say there is no certainty that torture will lead to the desired results, there is no certainty that people being tortured are really the perpetrators, etc. Arguments based on the value of human life and non-violence, were mentioned more infrequently, and were more based on religious views.

However, the greatest difficulty was caused by the same situation, turned inside out into the dimension of personal choice, when members of the focus groups were asked to put themselves in the security services’ shoes and make a decision about their own actions in such a situation. The situation of moral choice was practically unmanageable for the majority of participants (regardless of their attitude in relation to the use of torture). The hypothesis was that the majority of responses in this situation would be coming to “I do not know how I would have behaved in such a situation”, but even such answers can be counted on the fingers of one hand. Most participants did everything to avoid answering this question at all, listing the reasons why such a situation is impossible in principle, talking about the different ways to evacuate people within five minutes, or special chemical and psychological means police might use, efficiency of physical violence, etc.

Thus, we can say that very diverse and often conflicting views on the equality of rights and criteria for restricting this equality exist in the Belarusian society. One of the significant distortions in the process of translation of norms in the field of human rights lies in the re-interpretation of the principle of the “universality” of human rights. The lack of the conceptual notion of human rights does not allow them to be discussed in principle, all discussions are reduced to discussing specific examples and real life cases. Everyday ideas dominate any normative notions of human rights. Another finding (possibly somewhat categorical) is that most of the focus groups participants (and, quite possibly, most of Belarusians) do not have sufficiently specific and explicit attitude to human rights in general. The majority of articulated opinions are unstable, the respondents are not active in defending their theses, easily abandon them or change them in the course of the discussion.



### 3. HUMAN RIGHTS DEFENCE, NOTIONS OF HUMAN RIGHTS DEFENCE

The vast majority of focus group participants said that human rights are being violated in Belarus. It is obvious that almost all participants were aware of violations of the freedom of speech and the freedom of assembly. It should be noted that reference were often made to last year's "silent protests", even by apparently apolitical respondents. At the same time there is quite a big gap between those human rights that are being violated in Belarus "in general" and violations of human rights that affect the respondents personally. For example, either directly or indirectly, the majority of respondents noted the lack of democratic election, but the violation of the right to free election as one's personal right that is being violated, was mentioned only once.

Attitudes and mindsets about protecting one's rights in case they are being violated by the state are quite different, amongst other things depending on the availability of personal experience in dealing with the state (particularly judicial) authorities. Quite common were opinions that whether rights could be protected or not was determined in the first place by what kind of rights they were: respondents singled out political and civil rights as those that are impossible to protect in Belarus. Certain international bodies (the UN, the Hague tribunal) that can be appealed to in order to protect one's human rights were mentioned quite often but for the most part these arguments were quite abstract (it is assumed that such a way exists, but the success of such action is very doubtful). Apart from that, the participants mentioned other protection options that were discussed with a sufficient degree of seriousness, and notably: friends, connections, independent media, and social networks. It is only once during the focus groups that human rights organizations were mentioned as a possible mechanism for the protection of one's rights: *"Human rights centres. You just need to search for them on the Internet. There are educated, competent lawyers who can help you"*. However, judging by the initial response, the majority sticks to the attitude that was voiced aloud several times: *"Belarusians will try to avoid the problem rather than solve it"*, in the sense that it's easier to accept the violation of one's right than to try to restore it in a situation where it is almost impossible.

Notions of human rights protection activities and human rights defenders are also very blurred. Let's start with the fact that the word "human rights defender" has many interpretations, with the share of normatively correct notions being not very high. So, the question "Do you know who 'human rights defenders' are?" yielded answers and arguments like: *"Lawyers. That is the association"*; *"I think that is in general, any interested citizen, even some head of the curriculum department at a school. It seems to her that something is being violated in terms of education; she takes some kind of position and tries to take it to the department of education that something somewhere is being violated, she proves something and protects the rights. That is anyone if he or she sets such goal, can be human rights defender"*; *"You know, in certain cases, even the police can be mentioned as an example. In principle, they do not always arrest people, but if something was stolen in the house or someone got beaten, we immediately go to the police. Prosecutors can be human rights defenders. That is, if you wish to protect your rights and do not want to pay for it, you can go the prosecutor's office, they will represent your interests: family-related, work-related, etc. Lawyers as well"*; *"Maybe there are certain groups, not related politically. For example, the Union of Belarusian Women, the Footballers Union. And, accordingly, they define certain rights internally: a football player cannot be disqualified without a violation, as an example. And there are organizations: the Footballers Union, that in the case of violations at the local, at the international level, they resolve situations that arise. They are like human rights defenders in sports"*. Interpretations that were closer to adequate understanding of human rights defence activities were also quite blurred: *"No, a lawyer is something*

else. The lawyer is someone who is at the court specifically... Human rights defenders: they deal with natural rights, the Constitution, the Declaration of Human Rights..."; "The people who can offer a consultation about the situation where you do not know what to do, and related to your colliding with the state". The following reply can be "scored" as the most complete and appropriate during all of the focus groups: "They are doing the monitoring so that human rights are observed, can defend people whose rights have been violated".

Knowledge of the activities of Belarusian human rights defenders is often reduced to knowing of some organizations and people. At the level of names almost every focus group mentioned the Human Rights Center "Viasna" (uniquely associated with Ales Bialiatski) and — less frequently and less confidently — other organizations and human rights defenders: Elena Tonkacheva, Legal Transformation Centre, Belarusian Helsinki Committee, "For Freedom" Movement. Some idea of activities (not just existence) of Belarusian human rights defenders were identified only amongst students: "Just observers who can make a report, send it to Luxembourg, so that one more economic sanction was introduced, another hundred of officials banned"; "They are monitoring. That is, if you read, the Legal Transformation Centre wrote 15 resolutions on the case of Ales Bialiatski. BHC was also writing its resolution on Bialiatski's case. Take it out to court, they present their opinion — that's what they do, i.e, they help to find the truth"; "They are doing something, what they do specifically, they train young people, organize seminars, and accumulate defence funds. All tries of the participants of 19 December 2010 events were covered by Viasna's money". However, these cases are rare (and almost exhausted by the above mentioned quotes), the majority of focus group participants generally preferred to keep silent when discussing these issues.

In general, on the criteria of availability of more or less adequate knowledge about the human rights defence sector, four groups of respondents were identified (quantitatively very unequally represented):

- 1) having an idea of what human rights defence activities are as such, and a little bit aware of the activities of human rights defenders in Belarus (this group is the smallest);
- 2) having an idea of what human rights defence is in general yet knowing nothing about activities of human rights defenders in Belarus;
- 3) knowledgeable about the activities of human rights defenders in Belarus, positively assessing those, but having virtually no understanding of what human rights defence is;
- 4) having a very vague idea of human rights defence and human rights defenders (at the level of mixing law enforcement and human rights defence activities, human rights activists and lawyers, etc.) (the group has biggest quantitative representation).

Attitude towards activities of human rights organizations as a whole can be described as approvingly aloof. It can be assumed that the aloofness of this attitude is mostly related to two factors: 1) the low level of knowledge about the activities of Belarusian human rights defenders, and 2) lack of confidence in the ability to withstand the state.

The majority of respondents, who were able to answer those questions, considered that ideally the state should either "have no attitude" to the activities of human rights organizations ("neither help them nor hinder"), or support their activities: "The state should support their activities in every possible way. Because the state is not the all-seeing eye, and if it is the guarantor of human rights, a human rights organization is to be its right hand. That is, if someone's right was violated somewhere, they help the government restore order" (a student from

Mahilou). The most concise and accurate answer to the question of what the attitude of the Belarusian state to the activities of human rights defenders was, came from one of the businesspeople: *"They put Bialiatiski in prison, do you know that? So what are you asking about?"*. We would like to once again note that a maximum of 2-3 people were able to discuss these issues during each focus group, as well as actually the following section related to issues of the role of the international community in the human rights observance.

Despite the limited number of people included in the discussion of the mechanism of influence of the international community on countries that do not respect human rights, the range of views was quite wide. There are a few basic viewpoints that were presented during the focus groups:

- The unconditional acceptance that the international community can and should impose sanctions in case of human rights violation (*"I think this is right. Who else can help?"*), but the nature of those sanctions should depend on the degree of violation (however we were unable to identify, at least very relatively, "the degree of violation" that allows you to move, for example, from visa sanctions to military intervention).
- The postulation of differences in approach to the signatory states of the Universal Declaration of Human Rights (in relation to which competent international intervention is eligible), and to those countries that have not signed it (*"If the state has signed the Declaration of Human Rights, i.e. agreed at the international level to observe all of these rights. And then it systematically violates human rights, then yes, the international community must intervene. But if there is some Mozambique that has never seen this Declaration, and never signed it, the international community has no right to interfere. Well, the maximum they can do is take people from there to safer countries"*).
- Absolute disagreement with the possibility of interference by other countries or international institutions into state's affairs. The motivation of this position may be different from references to national sovereignty or human rights violations in the course of the intervention (*"If they use force, they themselves violate the rights of the very people... Then what is they stand for?"*) to arguments like *"The best is the enemy of the good"* and that scaling the structure up will not yield good results (*"I came to the conclusion that no sanctions should be imposed. There is danger that we will come to something new, and you will not impose sanctions against that. Once a state was formed as a good thing, to regulate people's lives, and now we are trying to solve the problem of how to regulate the state. Is building a bigger thing worthwhile?"*).

In much the same way participants' opinions split with regards to evaluation of the European policy towards Belarus. While evaluating the motives behind sanctions opinion divided almost equally from conviction or cautious belief that EU policy is aimed at the democratic changes in Belarus (*"I want to believe that these are the goals they declare, i.e. encouraging the state apparatus to take some steps to change the situation"*; *"The main effect that EU is waiting for is citizens' discontent that will lead to demands of the change of power or the power will envision that and will begin changing itself"*) to attribution of motives that are not related to the strengthening of democracy and human rights (*"I think it's all connected with the globalization of world markets, the conquest of the white spots on the map"*; *"We also have to realize that the EU pursues its own interests, various ones. Any powerful organization has its own ideology"*). At the same time the efficiency of EU of sanctions was estimated as low by virtually all participants (there was an attempt during one of the focus groups to say that those sanctions affected "ordinary Belarusians", yet it was hushed up by the joint efforts of other participants;

one more argument was related to the possible impact of sanctions on the release of political prisoners; all in all discussions were built on “how EU sanctions do not affect anything”). There were cases when sanctions opponents who believed that the EU is acting solely in their own selfish interests were enthusiastically discussing why the sanctions do not work and how they should be tightened, for them to have effect. This kind of “split” indicates instability and ill-conceived positions on these issues that are at the philistine level being grasped in parts, without a holistic perspective of problematics and personal attitude. However, apart from accusing the EU of being unable to impose effective sanctions, there were viewpoints that the roots of the problem is not in Europe, yet in Belarus (although quite pessimistic): *“Sanctions may have effect on a country in which at least something is possible. In Belarus, it is not possible”*.

In summarizing this section, it must be noted that, with rather negative assessment of the human rights situation in the country, Belarusians’ ideas about how to overcome these problems are rather blurred. For most people human rights activities as such is not the way of overcoming the problems with human rights, quite often simply due to unawareness and conflicting ideas about its nature. Students happened to be most knowledgeable about the human rights defence as such and the activity of Belarusian rights defenders, for other social groups these issues are clearly on the periphery of their interests. Among the students there were also more active supporters of the EU policy of democratization in Belarus, including through the expansion of sanctions. Yet in most cases the evaluation of EU policies are also quite superficial, albeit rather categorical.

## GENERAL CONCLUSIONS

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Results of the focus groups show that the content of participants' ideas on the subject of human rights and related issues is rather poor. This does not mean that such ideas are not available. Rather, we can say that the respondents "snatch" separate and fairly random aspects of the full range of knowledge about human rights and do not tie any of them into the somewhat wholesome structure. For the respondents the human rights are something quite obvious, familiar, and understandable, but in most cases they are not able to disclose the content of the "seemingly known" notions and concepts. The ideas are in the most part based on everyday reasoning, specific situations when rights are being violated, mixed with the concepts of law, replaced or even colliding with other knowledge and attitudes of social and humanitarian domain (state, person, society, politics, law and etc.). We can say that respondents' understanding of the essence and the meaning of human rights is very contradictory, eclectic and chaotic. This whole situation is linked to the low level of humanitarian knowledge, without which concepts of human rights are deprived of their natural context and are "left hanging in the air". This makes them even more abstract and detached from other behavioral mindsets and regulators of the respondents. With enough confidence we can say that the focus group participants are not guided by notions of human rights in their everyday lives and activities and they remain more of formal knowledge.

Poor knowledge about human rights in general also predetermines smaller differences between socio-demographic groups. Compared to others, only students have a wider range of knowledge, which is explained by educational context. However, this knowledge the young people have, is even more controversial and complicated than that of the respondents from other groups. The same can be said about the differences in views between the participants from Minsk and smaller cities and towns. Regional focus group participants have similarly scarce amount of mindsets, yet are more closed and less prone to free and open discussion of human rights issues. Differences are rather identified by social circles, education, and social status, etc. Even while speaking respondents were clearly separating themselves from other groups (we, the state sector employees have our own problems, those working in the private have their own ones), although if judged by the actual content of ideas there are hardly any difference of the kind. In fact it reveals some kind of the isolation and division effect between groups of Belarusian society (and even personal atomization), when the real commonness of problem is not recognized as such.

One of the main characteristics of the content of notion of the human rights is ascribing it with natural, practically nature-like status. The vast majority of focus group participants perceive human rights as something that exists naturally rather than being the cultural and social product (and even knowledge of the history of philosophical thought in that regard and the history of the Universal Declaration of Human Rights does not change this perception). Human rights are not perceived as something man-made, yet rather as an entity that come into existence "by itself". This attitude defines the concept of the ability of people to do anything with human rights: to introduce, approve, to defend them. Interpretation of rights (and human rights among them) is going through the specifics of experience, respondents "undergo", "live through", "encounter" with. It is only in isolated cases that human rights are seen as a principle or an ideal that requires organized work to be realized and implemented into real life through conscious activities of people.

Problems of implementation of human rights in Belarus, as well as ideas of human rights defenders' activities are inessential for the respondents, being on the periphery of their knowledge and views. Focus group participants



has heard about it, but no more than at the level of recognition, they cannot expand deeply on that, contemplate on details and freely operate this knowledge. In general it was rather difficult to keep the discussion running on fundamental issues of human rights and rights defence activities: the respondents had no established point of view they would like to defend in case of outside criticism. In order to more effectively meet the goals and the objectives of human rights defence activities in Belarus, ideas and attitudes of target groups about human rights defenders and defence activities should be adjusted. One of the most significant changes in the information policy may be shifting the focus in the positioning human rights defence as a particular kind of activity related exclusively to the protection, promotion, and monitoring of human rights, as opposed to other types of activities related to the law.