
Negotiation Culture in a Post-Soviet Context: An Interdisciplinary Perspective

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An American negotiates for a car, for a house, and for a place within the society. Negotiation is engraved in the informal social relations of the American culture and embedded in the institutional design of the American state. However, given the past authoritarian structure in the post-Communist countries and the current political hardships on the course of democratization, currently negotiation is not a frequently used strategy in that region. However, its role in dealing with the democratization processes, ethnic strife, and globalization trends affecting the region is extremely urgent. The rapid social changes in the region require adequate adjustments in the decision-making modes in both formal governance structures and the informal public realm.

This article puts forward the concept of *negotiation culture* and argues about its fragility, and even the lack of it, in a post-Communist context. It is true that there is a noticeable increase of civic vibrancy in a number of the post-Communist republics, as evidenced by the emergence of independent newspapers, television and radio stations, religious associations and women's groups, and nongovernmental organizations, and by the availability of conflict manifestation channels. However, this civic vibrancy is not linked with the government structures. It is institutionally isolated from the reforms that are implemented in the economic and political spheres of the society. This factor jeopardizes the political sustainability of the reforms, which increases the transition costs. Public alienation from the decision-making processes is a problem in a number of post-Communist countries, and conflict resolution has the disciplinary power to address it. Introducing the concept of a negotiation culture, this article explores forces that hinder the transformation of governance structures and

Note: I thank Candy Fish for her valuable input in conducting a workshop on negotiation skills (Russian-Armenian International University, Armenia, 1996), which became the point of departure for this article.

empowerment of public forums in the implementation of democratic reforms both in the political and economic spheres of the post-Communist context. Why is a negotiation culture important for the societal changes affecting the post-Communist region? How does the institutional design of the polity relate to the negotiation culture? What is the role of a negotiation culture in transforming the decision-making modes of the formerly highly centralized Soviet republics? Along with addressing these central questions, this article examines the role of western negotiation and conflict resolution structures. In addition, their applicability in the post-Communist context is discussed within the framework of past legacies and cultural peculiarities of the post-Communist countries.

This article focuses specifically on the republics of the Caucasus, which are collectivist cultures and have similar evolving patterns of Soviet legacies. Although it acknowledges the differences in contexts across republics, the article offers a generalizable framework of conflict resolution intervention.

The theoretical segment of the research is built on Putnam's (1993) framework of social capital and Pierson's (1994) model of political institutions and policy development. The article argues that despite the established civil society, civic vibrancy does not translate to democratic governance. Further, the article argues that the fragility of the institutional and relational dimensions of negotiation culture is part of the problem.

The empirical section of the article will analyze the *globalization, privatization, constitutional change*, and transformation of *political culture* in these regions as factors that perpetuate the negotiation vacuum in the post-Communist context. The third section presents a potential intervention framework, aimed at introducing the institutional and relational dimensions of a negotiation culture, designed to eventually expand the public forum of deliberation (Gutmann and Thompson, 1996) and increase the transparency of economic and political reforms in the post-Communist context. By linking the two theoretical frameworks presented in the first section of the article, the author presents the idea of intervention-through-local-partnership programs. The notion of these proposed partnership programs among local levels, international donor agencies, and the central government is a policy innovation which aims at facilitating the formation of interest groups (Pierson, 1994; Skocpol, 1992), and is so critical to democratic governance, in the centralized polities of post-Communist republics. The article argues that the mobilization of interest groups and the provision of channels for their input in the decision making will enhance the development of social capital in the post-Communist context.

Theoretical Frameworks

Conceptualization of a Negotiation Culture. Recently, the role of social capital in the economic and political developments of democratic governance has sparked a significant amount of scholarly attention (Fukuyama, 1995;

Granato, Inglehart, and Leblang 1996a, 1996b; Jackman and Miller, 1996; Lipset, 1995; Putnam, 1993, 1995; Swank, 1996; Tarrow, 1996). It is a frequently made argument that high levels of social capital engender norms of cooperation and trust, reduce transaction costs, and mitigate the intensity of conflicts. The collapse of the former Soviet Union did result in the emergence of voluntary civic organizations, which failed to translate into social capital (Putnam, 1993) and democratic governance. The article argues that in a number of post-Communist countries, the linkages between the public forums of civic organizations and the governance structures that are critical to the robust development of social capital and its translation into economic growth and democratic policy development were missing. Further, the article argues that the absence of a negotiation culture, which has resulted from past legacies, current institutional design of conflict resolution mechanisms, and peculiarities of political culture, is an important variable for assessing the current course of democratization in post-Communist countries.

A negotiation culture is a framework of analysis composed of two pillars—the institutional dimension and the relational dimension. The institutional dimension of a negotiation culture refers to institutional arrangements conducive to deliberation among and between individuals, interest groups, social organizations, and governance structures. The relational dimension of a negotiation culture embodies sociocultural patterns of interactions at the individual level, targeted toward the “basic means of getting what you want from others” (Fisher and Ury, 1981, p. xvii). It expresses itself through discourse structures (Campbell and Pedersen, 1996), which are defined as meaning systems made up of models of reasoning, symbols, and cognitive frames. The proposed definition of a negotiation culture stresses both the institutional, or structural, aspect of negotiating and the individual one. The rationale of this distinction rests on the importance of both the structure and the culture of the social system in fostering democratic governance. “Strong democracy rests on the idea of a self-governing community of citizens who are united less by homogeneous interests than by civic education and who are made capable of common purpose and mutual action by virtue of their civic attitudes and participatory institutions rather than their altruism or their good nature. Strong democracy is consonant with—indeed it depends upon—the politics of conflict, the sociology of pluralism and the separation of private and public realms of action” (Barber, 1984, p. 117).

Democratic governance is a function not only of a social capital referred to as “trust, norms and networks that can improve the efficiency of society by facilitating coordinated actions” (Putnam, 1993, p. 167). It is also a function of a negotiation culture that fosters bilateral linkages between networks of civic engagement on the one hand and corresponding governance structures on the other. Putnam (1993) has noted that it is not the degree of political participation that distinguishes civic from uncivic regions, but rather its character. In this regard, a negotiation culture is pivotal to refining the character of the

linkages between public and governmental forums of deliberation. The number of civic associations in the republics of the Transcaucasus has been growing since the collapse of the Soviet Union. The public forum is established, which subsequently leads to civic vibrancy (Putnam, 1993). In the case of Armenia, there are a number of independent newspapers, television and radio stations, religious associations, and women's groups (U.S. Department of State, 1998), which are all important indicators of slowly crystallizing democratic governance and public deliberative forums. Although the republics of the former Soviet Union seem politically conducive to generating social capital and democratic governance, in reality the public remains relatively passive. In certain circumstances, the public aligns around an issue on a national agenda. Mobilization around common socioeconomic issues of more limited scope—*interest group politics* (Pierson, 1994; Schneider and Ingram, 1997; Skocpol, 1992)—does not seem to emerge. Interest group politics, as a conduit of public needs to the governance structures, is not a utilized channel by the public. It is true that because the republics are in transition and struggle with restructuring the economy, government will face difficulties in prioritizing public interests over more strategic reforms and retrenchment of popular policies. However, despite the necessity of redefining the concept of democracy in transitional periods, the failure of public interests to be reflected in the decision-making agenda (Kingdon, 1995) is still problematic. Thus, the character of political participation again appears as pivotal, and a negotiation culture has a paramount role to play in that regard.

It is unarguable that the expansion of formerly centralized deliberation to public forums has created channels of conflict manifestation, which opens a discussion about the new politics of conflict (Barber, 1984) in the post-Communist context. The "lid" on the conflict has disappeared, which has created new sources of social change (Coser, 1998). However, the institutional mechanisms of conflict resolution have not been provided. The ones that are in place—the independent Constitutional Court of Armenia, for example—are under strong pressure from central governmental structures (U.S. Department of State, 1998). In the case of Armenia, it is the president who, vis-à-vis the legislative branch, possesses enormous power in the decision-making process (U.S. Department of State, 1998). In Azerbaijan, the constitution adopted in 1995 established the strong presidency and a judiciary with limited independence (U.S. Department of State, 1998). In both cases, the central government exercises enormous power and control over the central institutions of conflict resolution, which do not guarantee deliberative processes in dealing with internal problems. These examples are used to underscore the importance of differentiating between conflict manifestation and conflict resolution channels in the societal levels as a necessary precondition for democratic governance.

The politics of conflict in this region has been evolving and has passed through conflict containment and currently is evolving into conflict manifestation stage. Conflict containment was the main strategy for Soviet

governments in relating to social tensions. By relying on the information management institutions, such as television and newspapers and the educational establishment, an illusive reality was able to be created (Gitelman, Pravda, and White, 1990), with no place for conflict. The collapse of the Soviet Union has launched a strategy change in relation to the politics of conflict practiced in the republics of the former Soviet Union. The political reforms, such as freedom of speech, initiated by Gorbachev in 1985 provided a forum for talking about and engaging in conflict. Thus conflict became intertwined with the revival of political participation in shaping the new polity. Conflict manifestation has emerged as the second stage of the politics of conflict. In the case of Armenia, it is referred to as "street democracy" (Dudwick, 1995, p. 7), which brought the public out to mass demonstrations to discuss the urgent socio-economic and political issues. In the public forums, the concept of democracy mainly was equated with freedom of speech and the legitimization and availability of conflict expression channels. This stage, which did not require and did not result in major institutional changes, was the major shift in the post-Communist political culture in the region.

The third transformation stage of the politics of conflict is the institutionalization of conflict resolution mechanisms, which is critical to ensuring the political participation of the public in the decision-making processes. As the next section of the article will demonstrate, the third stage of the politics of conflict in the post-Communist context has yet to emerge. A negotiation culture as an encompassing phenomenon has not been established in the post-Communist republics. This is a big obstacle to fostering the social capital in a post-Communist context. A negotiation culture is an extension of democratic governance across the vertical linkages of decision making. It expands the deliberative forum to include the public. Legitimizing conflict resolution modes is a logical continuation of forum expansion. It requires the decentralization of public-government relations and the establishment of a dialogue between the two. In this regard, an increase in representation is a necessary, but not a sufficient measure.

Legacies of the Past. "Path dependence means that history matters. We cannot understand today's choices without tracing the incremental evolution of institutions. But we are just beginning the serious task of exploring the implications of path dependence. . . . Informal constraints matter. We need to know much more about culturally derived norms of behavior and how they interact with formal rules to get better answers to such issues. We are just beginning the serious study of institutions" (North, 1990, p. 140).

The emergence of a public forum and an autonomous web of associations did not result in the formation of a civil society, defined as the power of citizenship to impact policymaking (Taylor, cited in Kligman, 1990). Currently, the policy formation in many post-Communist republics evolves separately from the transformations in the public realms of the society. At this point, previously centralized political decision making and the economic sector on the

one hand and strong *clientelism* on the other prevent any drastic scenario changes in the current patterns of post-Communist politics.

Clientelism is characterized by dense networks of patron-client relationships, which are perpetuated in the political and economic arena. Martz (1996) discusses "corporate clientelism," in which the patrons are typically arms of the state. In the current post-Communist transitional context, the redistribution of economic and political resources continues along the lines of the patron-client relationship (Martz, 1996), and this hinders the democratization and economic growth of the countries. The republics of the former Soviet Union are collectivist and traditional by their nature, which implies that there are dense personal relationships among community members. Hence, government members in some cases perform the functions of patron for their family-community members, thus institutionalizing the vertical linkages (Putnam, 1993). This dynamic not only negates true democratic governance and citizen participation of the community but also slows down the growth potential of the region (Putnam, 1993). Clientelism also diminishes any possibilities for transparent political and economic reforms, hence decreasing the public stake in the process and increasing the political costs connected with the implementation of those reforms. Moreover, clientelism takes up the institutional space of a negotiation culture, as the power holders (who are at the top of the patron-client relationships) become very resistant to expanding the deliberation forum to the public because that threatens their status quo. The emergence of post-Soviet oil politics on the international agenda makes discussion of clientelism especially urgent because the republics of Central Asia and Azerbaijan are both considered oil-rich countries, and both have a rich history of clientelism. In Azerbaijan, the economy is still state run, with the private sector operating illegally. The distribution of oil revenues both in Azerbaijan and Central Asia is going to be critical for the sustainable economic growth of those states. Depending on the fate of an institutionalized negotiation culture, the economic sector will either foster more equitable development, or it will increase the social stratification along patron-client relationship lines. Collectivist cultures are more conducive to fostering clientelism than are individualist cultures because in the first case, the group is the essential unit, and in the second case, the individual is central. Clientelism rests on communal linkages, hence it thrives in many collectivist cultures.

Second, centralized decision making in the former Soviet Union, combined with the tradition of centralized policy development, makes the social forces that are generated from the local levels unnecessary, nonfunctional, and unwanted. According to article 6 of the Soviet constitution, the Communist Party of the Soviet Union (CPSU) was the sole political party and guiding force of Soviet society (Gitelman, Pravda, and White, 1990). The essential principle of the CPSU constitution was democratic centralism, which was characterized by unconditional subordination of all lower organs to those above them. Regional levels of government were almost nonexistent. Even the

economic sector of the society was ideologized and centralized. In 1921, central planning was institutionalized by creating the state planning commission, which would present a five-year plan concerning the volume of material goods and services to be produced, their distribution, labor needs, labor productivity, and the like (Gitelman, Pravda, and White, 1990). The centralized power structures did not discontinue with the collapse of the Soviet Union because a new ruling stratum emerged from the members of the privileged party—the *nomenklatura* (an elite of bureaucrats, managers, and technicians with the Communist party), their children, and senior managers (Kolko, 1997). Even the republics, such as Armenia, which went through government changes and political inertia in governing modes and decision-making structures, have experienced concentration of power in the center, with weak local levels of self-governance, although the decision-making environment is quite different from the previous era.

One of the major pillars of democratic decision making is the strong focus on the wants and needs of the public (Schneider and Ingram, 1997). Each development in the public interest almost immediately reflects in the market and results in subsequent policy changes in the governing structures. Currently, even with the circumstances of the new market economies and the relatively open political systems of the post-Communist republics, the political institutions still fail to act in a responsive manner to the changes occurring at the local levels. Lack of experience in interest group politics in these regions is part of the problem, and it is currently shaping the direction of social forces toward issues of a larger scope. Nowadays, the party politics that have resulted from the political changes in the decision-making process do not reflect the issues of concern to the more narrow interest groups. In most cases, the current political parties appeal to issues that are broad in scope and center on the national security and well-being in general (Dudwick, 1995). The political transformations have facilitated the formation of civic organizations and public forums, although a sound bridge between the two has failed to emerge. Civic vibrancy (Putnam, 1993) in a post-Communist context is not an indicator for social capital because there is a negotiation vacuum between the civic deliberation bodies and governmental structures. In other words, the civic engagement networks are linked very weakly (if at all) to the decision-making bodies of the society. Past legacies and institutional structures cause path dependencies in the system: where you can get depends on where you are coming from (North, 1990; Skocpol, 1992; Putnam, 1993; Pierson, 1994).

As the subsequent sections of the article will demonstrate, due to the past legacies and the current institutional design of governance structures, institutionalized conflict resolution mechanisms have failed to form. Moreover, their formation and crystallization as a viable solution to the problems still will require some time to emerge. However, the role of conflict resolution practitioners in institutionalizing a negotiation culture can be important to bringing

about the long-awaited social change in the post-Communist republics, where more constructive management of conflict will be a crucial factor if democracy is to succeed.

Theories Applied

Now that the cultural and sociopolitical legacies in the post-Communist context have been addressed, it is time to discuss how these legacies prevent the social systems from adapting to the economically and politically liberalizing environment. Among the major factors that highlight the problematic nature of the current lack of a negotiation culture are globalization, privatization, constitutional changes, and the political culture of the society. These factors point to the necessity of increasing the number of channels through which the public can participate politically so as to influence governmental structures (Putnam, 1993).

Globalization. Globalization is a deregulation of the economy and an expansion of market production that exposes “a deep fault line between groups who have the skills and mobility to flourish in global markets and those who either don’t have these advantages or perceive the expansion of unregulated markets as inimical to social stability and deeply held norms” (Rodrick, 1997, p. 2). Globalization expands the arena for foreign private actors to provide public goods (Graham, 1998), such as transportation, telecommunications, electricity, and so forth.

Globalization, which expands through deregulation of the economy and privatization of markets (Sassen, 1998), does not always result in public policy changes that will soften the impact of the market liberalization on the population. Globalization is an expansion of the supranational environment, for which the localities are not prepared in terms of skills and education. In most of the republics, such as Armenia, decision making around these issues remains limited to the transnational corporations and the government. However, the reforms of public institutions are critical to the political sustainability of the market reforms (Graham, 1998). This fact emphasizes the institutional pillar of a negotiation culture as *critical* for the public to be able to “digest” the deregulation of markets and face the “invasion” of transnational capital. The lack of an institutional pillar of a negotiation culture increases the political costs of those reforms. Involvement of the citizens in these reforms changes their perceptions and the outcomes of the deregulation. The way the benefits are produced and distributed matters and subsequently provides a social support for the implemented market reforms (Graham, 1998). This underscores the importance of participation channels for the public as critical to social capital (Putnam, 1993) in the changed socioeconomic and political context. Unfortunately, in a number of post-Communist countries, economic reforms are overemphasized by national and international agencies vis-à-vis the role of political reforms.

The lack of political reforms capable of filtering the sometimes-destructive effects of globalization for the public is clearly expressed in the case of the privatization of the telecommunication network of Armenia and its transfer to foreign investors. Since the transfer of the telecommunication network to a transnational corporation, the telephone rates have skyrocketed, brought about by a transition to a per-minute billing system in the provision of local services. This case has fueled a social conflict involving the government, the political parties, the public, and the transnational corporation. The off-shore company, TransWorld Telecom (TWT), registered on the island of Jersey, Great Britain, managed to establish a joint venture with one of the few profit-making organizations in Armenia—Intercity Automatic Telephone Station (ArmenTel). After contributing \$5 million U.S. dollars to the established joint venture, TWT became the second shareholder in the country's telephone network. It is important to mention that prior to privatization ArmenTel was an organization yielding stable revenues; thus, there was little rationale to privatize the enterprise. The next step was the adoption of the government and Ministry of Communication decree to finalize the arrangements between TWT and Intercity Automatic Telephone Station, which according to Petrosyan (1999, p. 2) contradicts the "Armenians' law on privatization." Further, 90 percent of ArmenTel was sold to Greek Hellenic Telecommunications Organization (OTE), which according to Petrosyan (1999) violated the privatization laws of the constitution and guarantees the antimonopoly ownership of private property. Further, a bill on telecommunications was drafted for this specific case, which, prior to emerging on the plenary session agenda, was pushed through the Committee for Sciences, Education, Culture and Youth Affairs and was not discussed in the Committee for State and Legal Issues of the national assembly. On February 17, 1998, only ten deputies voted against the bill. The deal was finalized and the economic transaction was facilitated, totaling \$142 million, from which TWT received \$70 million and Armenia got the rest. The case came to the attention of the media because of the recent attempts of the new owner of ArmenTel (Greek OTE) to raise the telephone rates to international standards. Due to the legal design of the bill, the state has no power to amend it. The republic is locked into a fifteen-year contract and has to pay the \$60 million that TWT has managed to receive in this deal (Petrosyan, 1999).

As the case of ArmenTel demonstrates, due either to the lack of expertise in the policymaking environment or to the emphasis on the personal benefits of the political elite (Petrosyan, 1999), globalization has fueled a social conflict and has exacerbated the existing hardship in social conditions (Rodrik, 1997). The public, the most interested party in this deal, was not enlightened about the process nor about the outcomes of this privatization deal, which was contrary to the constitution of the country (Petrosyan, 1999). One could argue that the public was misled and uninformed, which, combined with general apathy in relation to the policymaking process in the country, has created a conducive environment for globalization to hurt the economic interests of the

population. The absence of a negotiation culture in this case was illustrated by the lack of institutions and channels capable of including the public in the governmental decision-making process. The lack of transparency and the lack of a negotiation culture are directly related.

Noncrystallized interest groups and lack of mobilization experience around interest issues also diminish public control over globalization patterns in post-Communist republics. The public mobilizes around general issues related to national security, identity, and ideology with much higher success than around specific issues. The power of deputies is curtailed by the constitution (U.S. Department of State, 1998; Petrosyan, 1999; Dudwick, 1995), which unfortunately makes the legal environment of the policymaking concerning globalization highly undemocratic. The institutional dimension of a negotiation culture and the creation of a deliberation forum between the public and the government are important variables in addressing these deficiencies in Armenian political culture.

These issues are also relevant in analyzing the legal environment of the republics of Central Asia and Azerbaijan, also characterized by concentrated power structures and lack of transparency in economic reforms (U.S. Department of State, 1998). The absence of a public voice in policy choices that have resulted from globalization in these republics is especially urgent due to the vast oil resources that these countries possess. In the context of the post-Communist republics, the question raised by Graham (1998)—whether the private sector can provide public goods—is contingent on the political reforms in the region and the political will for reinforcing the negotiation culture within the institutional arrangements of those countries.

In any case, the institutional dimension of a negotiation culture is central to mediating the integration of national economy with world system. At this point, the negotiation vacuum in facing the deregulation of markets and the acceleration of globalization is problematic for a number of post-Communist countries, due to the peculiarities of their political cultures and path dependencies (North, 1990).

Privatization. Privatization is the second factor highlighting the negotiation vacuum as problematic within the current institutional arrangements in post-Communist republics. In this research, privatization is defined as changes in property structure (Poznanski, 1995), allowing entry of new actors into the economic sphere of the system as a result of an expanded private sector. Of course, privatization varies from one republic to another by the success and pace of its implementation. The republics of Central Asia and Azerbaijan, which are reluctant to embrace full-speed privatization programs due to their highly centralized state power, endanger the establishment of an environment conducive to foreign investments, especially concerning the economics of oil. Moreover, the legacies of the Soviet past and the deep-rooted patron-client vertical relationship within many of the post-Soviet republics raise the importance of economic democracy, in which the transparency of private and public

interactions is central. The earlier-mentioned case of ArmenTel clearly demonstrates the urgency of economic democracy in these regions. Moreover, the absence of a negotiation culture, expressed through lack of citizen involvement in economic and political decision making, is an issue that needs more attention from foreign policymakers, national institutions, and researchers as they promote market-based democracies. Parliamentary developments in the post-Communist republics are going hand in hand with the clientelist networks that are central in privatizing state-owned property. The establishment of market-based economies will foster conducive environments for foreign investments (Pressley, 1998), but how the majority of the public will benefit from it is an issue yet to be explored.

Privatization in the republics encompasses two forces that facilitate the transfer of economic power to private sectors, internal and external. According to Frydman (1998), 80 percent of the new millionaires in Romania are part of the old nomenklatura. In Russia, that number is 61 percent. In a number of countries, the old nomenklatura was capable of transferring its political power into economic might (Frydman, 1998). This is the context in which the external dimension of privatization comes into play. The external forces of privatization materialized through international financial institutions. Foreign aid, generously provided by donor countries, does not take into consideration the procedural nuances of privatization and the redistribution of economic resources. At this point, it only perpetuates the social stratification within the republics. The external dimension of privatization is out of touch with the domestic structures. The suitable actors, those equipped to bridge that gap, have yet to emerge. In this regard, the institutional negotiation culture is a channel through which to increase civil involvement in the economic decision-making process, which, unfortunately, in a number of republics (especially in Armenia), has been blocked due to weakened regional levels of governance.

Despite the procedural flaws of privatization in the post-Communist republics, privatization of land as well as of small and medium-sized enterprises has resulted in the formation of a new social class—property owners. Property owners in one way or another enter into interactions in both the internal and external domains of the country. Whether they are skilled enough to navigate in the deregulated sociopolitical and legal environment, which is “biased” toward western values of democracy and negotiation, is questionable. Soviet authoritarian structure has discouraged the individual initiative of social action because of the input-oriented subsidized economy. Specifically, in the case of the Caucasus, the negotiation strategy is much more relationship oriented than it is in the west. The cultural makeup of the republics in the Caucasus and the high level of clientelism are the main independent variables explaining that phenomenon.

During the workshop conducted at Russian-Armenian International University, Yerevan, the western models of negotiation introduced by Fisher and Ury (1981) were not greeted with enthusiasm. Separating people from the

problem is a pivotal step in that model; this is a problem in itself in negotiating in the post-authoritarian and traditional-collectivist environment of the Caucasus. Western conceptions of negotiations are related to the economic norms of the market environment, which at this stage of economic reforms still may seem alien and not applicable in the local contexts. Negotiating in a western context is also about asserting one's interests and needs. From this standpoint, western models of negotiation are based on liberal value sets, which are alien in the traditional-collectivist context of many post-Communist republics. The "when you . . . I feel . . . because" assertion formula presented by Bolton (1989) sounds like a selfish statement in a collectivist society. However, one should not assume that those society members disregard their needs and interests. The mechanism that works to satisfy those needs is reciprocity, which is a critical notion to grasp before designing any models of conflict resolution and negotiation for a post-Communist context.

Despite their possible differences in bargaining power, the negotiating parties in the western model appear as equal counterparts. In the post-Communist context, the rapid privatization and emergence of property owners did not result in transformations of vertical-hierarchical decision making. Hence, there is a difficulty in dealing with power issues in the bargaining process if western models—for example, the "horizontal" negotiation models, which are characterized by nonhierarchic relationships between the parties—are pursued (Fish and Ohanyan, 1998). It is unarguable that the knowledge of people (Nierenberg, 1969) as well as the context (Fish and Ohanyan, 1998) are crucial in negotiations in cross-cultural settings. It is true that western liberal negotiation models also need to be applied with some significant revisions. However, the western models, despite the cultural gap, have an empowering effect, freeing the individual from cultural constraints, which in a number of cases (especially those dealing with foreign actors) can be disadvantageous for the local negotiator. Hence, western negotiating models have a lot to offer in the post-Communist countries, in empowering the local public to be skilled enough to face the changing negotiating environment of their localities. This article does not seek to downplay the richness of the local cultures and the cultural values that are part of the fabric of the societies in the region. It does seek to expose the local public to new negotiation models, which have the potential to improve their bargaining positions with the newly emerging actor of the private sector.

Oil politics in the Caucasus and Central Asia and ethnic disputes in the Caucasus are the two major developments that have dense linkages with the external negotiating environment, hence necessitating the introduction of negotiation models that are more direct and responsive to the attributes of Western cultures. In this regard, the relational aspect of a negotiation culture in the Caucasus has to be understood in relative terms. There is an absence of the relational aspect of negotiation, which is based on western models of negotiation, not an absence of negotiation skills in general.

Constitutional Change. The third factor that highlights the negotiation vacuum in the post-Communist context is the constitutional change that many republics have gone through. Constitutional changes in those regions have resulted in a major transformation of political institutions, which vary along such dimensions as the rules of electoral competition, the relationship between the legislative and executive branches, and the role of the courts. These institutions establish the rules of the game for political struggles, for shaping group identities and their coalitional choices, and for enhancing the bargaining power of some groups while devaluing that of others (Pierson, 1994). Political institutions shape the politics of conflict, either by providing outlets for constructive conflict manifestation and resolution or by putting a lid on any social tensions that may develop within the society. As was mentioned earlier, the collapse of the Soviet authoritarian regime has ended the first stage of the politics of conflict—repression of conflict and turbulence within the system. Glasnost, as a political reform initiated by Gorbachev (Gitelman, Pravda, and White, 1990), has facilitated the chain of conflict manifestation, which unfortunately has not been followed by the next stage of conflict politics—the resolution of conflict.

The way political institutions handle the politics of conflict is central to understanding the operation of the system. They are central to crafting democratic governance, because strong democracy is consonant with the politics of conflict. Because the politics have a lot to do with the way conflicts are handled in the society, it is critical to explore the current constitutional changes. However, despite the possibility of managing the conflict through institutional arrangements, there is always a possibility of the mismatch between the location of the political struggles and the locations of the institutions at which state policies are formed (Offe, 1993). Specifically, "Both the location of major political conflicts and struggles and the institutional location at which state policies are formed shift away from those institutions which democratic theory assigns to these functions" (p. 166).

The mismatch between the location of the conflict eruption and the locations of the institutions that are handling them, both in Armenia and Azerbaijan, is pronounced due to the centralized political power in these regions. Social tensions in post-Communist countries are diffused and scattered throughout the social system, whereas the institutions handling them are very concentrated. Whether the institutional dimension of a negotiation culture is capable of bridging that gap will be addressed in the last section of this article. At this point, it is important to assess the role of constitutional changes in terms of situating the conflict and its institutionalized resolution within the political environment of the republics.

This article argues that specifically in Armenia and Azerbaijan, strong presidential power and very weak local levels of government (U.S. Department of State, 1998) increase the gap between political conflict and its resolution, which is a major obstacle for establishing democratic governance.

In "Democracy in America," Tocqueville ([1835], 1969) underscored the role of local institutions (townships) as critical for empowering the people in the governance process, hence providing more constructive conflict resolution channels. For example, in the United States the simplicity of appealing a parking ticket gives the individual an opportunity to enter into institutional negotiations with the government before obeying the established rules. In this example, the sources of small-scale and local conflict are being addressed with accessible and easy-to-reach conflict resolution mechanisms, which are critical to establishing a civil society. This article does not argue that the republics of the former Soviet Union have to transplant western models of democracy. However, what it does underscore is the centralization of power in some republics, which are counterproductive to successful transformation. In general, the judiciary is an institution vested with legitimate conflict management powers. However, the way that power is exercised varies from country to country, hence shaping the course of democracy one way or another.

According to the Constitution of the Republic of Armenia (1996), the administrative divisions of the former Soviet republic have decreased from thirty-seven to ten. The new constitution, adopted on July 5, 1996, acknowledges the role of local self-government and differentiates between provinces and districts (Article 104). Only the latter is selected from the local community and is responsible for the district budget, implementation of the budget, and determination of local taxes and fees prescribed by law (Article 106). The provinces are governed by the state government, and the state government appoints and removes the governors of the provinces (Article 107). Moreover, the government may remove the administrator of a district on the recommendation of the governor of the province (Article 108). The share of the central government in policymaking is much larger than that of the local governments. This curtails the institutional environment from fostering any form of social capital and public deliberation. The local levels of governance are the closest and most accessible institutions to the public, who, however, are not free to shape the politics of conflict. Thus, the institutions of conflict resolution remain centralized, diminishing the possibility for democracy to bridge that gap.

Another important institution of conflict resolution is the judiciary. In the republic of Armenia, despite the fact that the constitution recognizes the independence of the judiciary, the constitutional court is not free from the political pressures of the president (U.S. Department of State, 1998). According to the constitution, the president appoints the members and the president of the constitutional court and has the right to remove them from office (Article 54). The president also appoints the president and judges of the court of appeals and its chambers, the courts of review, the courts of first instance and other courts, the deputy prosecutors general, and prosecutors heading the organizational subdivisions of the office of the prosecutor general. The president may remove from office any judge, sanction the arrest of a judge, and—through the

judicial process—authorize the initiation of administrative or criminal proceedings against a judge and remove the prosecutors that the judge has appointed (Article 54). In the case of Russia, the president and the duma engage in frequent stalemates due to the exercise of the veto, which, according to Cooke and Orenstein (1999, forthcoming), has blocked the leftist parties from carrying out social policy agendas. Azerbaijan is also distinguished by a strong presidency vis-à-vis the executive and legislative branches of government. In the circumstances of patron-client networks (Martz, 1996), weak institutions of local governance, combined with a history of authoritarian regime and a strong presidency, seem to be destructive for the success of democracy. The role of conflict resolution practitioners, researchers, and foreign policymakers is to foster some flexibility through institution building, which would allow the maneuvering of top-down linkages in motivating local initiative in the transitional processes of the region. The interrelation between the strength of local self-governance and the economic performance of the country has been established (Putnam, 1993). Thus, democracy in the political arena shapes the ground for democracy in the economic arena. Consequently, economic development is not strictly in the domains of economics and financial analysis but also in the domains of conflict resolution and political science, which have the disciplinary power to shape the dynamics of the politics of conflict in the region.

Political Culture. Political culture is the last factor identified in the article as highlighting the negotiation vacuum in the post-Communist context. Political culture is the environment of socioeconomic and ethnopolitical decision making in the region and in this research is defined through norms, values, and institutions governing conflict manifestation and conflict resolution patterns. In 1985, when Gorbachev started the glasnost reform to promote freedom of speech, a wave of mass demonstrations swept Armenia. The discussions and debates around pressing issues and social tensions moved to the streets, partly because of the unavailability of ways to address them through legitimate channels of conflict resolution. Despite the rapid political reforms, decision making still was concentrated in Moscow, which actually was rendering the national government impotent to face the problems raised by the people. Thus, mass demonstrations as a form of rally to support and mobilize people around problems of national scope have now become characteristic of the political culture of Armenia, eloquently defined by some analysts as street democracy (Dudwick, 1995). At this point, mass demonstrations still serve as a communication channel between the society and the state. The politics of conflict has evolved to its manifestation stage due to the lack of conduits for channeling the public energy into the institutional arrangements. Surprisingly, the independence of Armenia and the change of government did not transform the politics of conflict. High centralization of decision making and institutional detachment between the public and the government have perpetuated the past practices of street democracy, which at this point are

destructive for the country as a whole. A series of peaceful demonstrations took place in 1997, organized by the opposition groups to protest the presidential elections of 1996. Later that year, the wave of demonstrations was targeted toward the president's foreign policy in relation to the Nagorno-Karabakh conflict. Eventually, the demonstrations against the president's foreign policy have forced him to resign. The most important characteristic of political culture in many post-Communist countries is the absence of any institutional conflict resolution mechanisms, which makes it difficult for established civic organizations and public forums to engage in a meaningful dialogue with the governmental structures. According to Taylor (cited in Kligman, 1990, p. 420), the creation of a web of autonomous associations that are independent from the state is an important dimension of civil society. However, whether that established web is functional enough to affect the decision-making environment of the government is questionable in the post-Soviet environment. The past regimes of the Communist party in post-Communist states are still firmly in place (Kolko, 1997), which is a factor preventing the formation of a strong civil society in the region. The institutional dimension of a negotiation culture, in this regard, is a bridge toward civic vibrancy, resulting in the empowerment of the public forum in the governmental decision-making processes. In the restructuring of the economy and the redistribution of state property, the role of public forums is especially critical in starting a sound and democratic base for further transition to market-based democracy. As Pressley (1998), quoted in the *Washington Post*, put it, "Twelve newly independent states are still at 'odds with themselves.' . . . They are fluctuating between modernism and authoritarianism—they want to regain wealth and prestige but are still unwilling to fully abandon all-too-familiar Soviet era leaders and institutions" (p. 1).

Thus, despite the increase in civic organizations, the governance structures are not being affected very much, which is the basis for Putnam's (1993) argument about the nature of political participation channels of the public versus the quantity of those channels. At this point, public participation does not result in meaningful social change in the post-Communist republics. There is an institutional gap not only between the political parties and the government but also between the majority of citizens and the political parties. In the case of Armenia, political parties, which appeal to the entire Armenian nation (Dudwick, 1995), are not representative of public interests. The government is not responsive to the interests of the public because the connections between the public and the government are not strong enough, given that the culture of politics fails to bridge the two. The emergence of a constitutional court and reforms in the judiciary of Armenia had the potential to provide the institutionalized space for public-government dialogue and to serve as an institutionalized mechanism of conflict resolution. However, as a number of sources (U.S. Department of State, 1998) and previous observations made in this article have indicated, the constitutional court has failed to fulfill those hopes due to the past legacies of the Soviet era. In this regard, the responsiveness of the government and the political parties becomes an important indicator for a

negotiation culture in any political environment. In this regard, let us turn to the role of conflict resolution and western models of intervention.

Conflict Resolution and Deliberative Democracy: Policy Implications

To illustrate the potential role of western conflict resolution structures and to assess the possibility of any form of intervention affecting the policymaking environment, it is important to reiterate some of the characteristics of the current developments of policymaking and the politics of conflict. This study is focusing on the republic of Armenia to offer a model for intervention in a post-Communist country. Although the research suggests that there is a generalizability in intervention strategies across the countries, it does not downplay the uniqueness of the socioeconomic and ethno-political environment in each country.

The transition from command economies to market economies in the many republics of the former Soviet Union was greeted and welcomed in the west. The major financial institutions, such as the World Bank, the International Monetary Fund, and financial agencies of donor countries, have distributed financial aid packages contingent on the implementation of privatization reforms and the establishment of market economies. In the majority of cases, the donor organizations and the west are interested in the outcomes of the liberalization of the economies, paying very little attention to the actual process of liberalization. It is true that political democracy and human rights have been included as a necessary precondition in almost all cases of financial aid. However, there has been very little stress on the economic democracy and the process of privatization, which, under the circumstances of past legacies and patron-client networks, have turned out to be very distanced and detached from the public.

The lack of conflict resolution channels (which has resulted in mass demonstrations) to serve as a viable mechanism to influence governmental decision making has prevented the formation of interest groups and the crystallizing of a more limited scope of issue areas. At this point, the war is a central matrix around which the rest of the socioeconomic and policy-related issues gather. The civic organizations and the well-established public forums have little weight in terms of affecting governmental policy development in the region. Public dialogue with the government is missing due to the lack of deliberation structures. In other words, there is a negotiation vacuum on the institutional level, which is problematic, as it results in hindrances to the implementation of economic reforms. The privatization of the major state enterprises, such as the Yerevan cognac factory and ArmenTel, has caused public disfavor and mistrust toward the privatization process. The cutbacks in social provisions and the transformation from previously universal availability to more means-tested techniques for determining social assistance and the increase in the pension age have decreased mass support for the economic

reforms that are taking place in this country. The power structures are skewed in the center, which leaves the public largely uninvolved in the socioeconomic and political reforms implemented in the region. Once again, public dialogue is missing, and the population is not empowered with the necessary information about deregulation reforms. In many instances of privatization, especially the cases of the cognac factory and ArmenTel, the number of beneficiaries is very small, which becomes yet another crucial factor for lack of public support for the reforms (Graham, 1998). Subsequently, it diminishes the political sustainability of the reforms, opening a space for potential social conflict. In this regard, this study makes the following policy recommendations for conflict resolution interventions capable of filling the void of a negotiation culture.

The centralization of the authority already has been established by the constitution. Thus, the decision-making environment has already been "cast." That is why this study proposes to reinforce the very few already-existing institutions of local government, called districts. Relying on an existing network of civic organizations and nongovernmental organizations along with the local offices of international organizations, such as the United Nations and the World Bank, this study suggests the formation of partnership programs in the local levels of governance. The main aims of the proposed partnership programs are

To provide information about the reforms being implemented, to decrease the disparity in such information between geographical regions and social groups, thus increasing information access countrywide.

To serve as liaisons between the public and the government, in terms of channeling the tensions and specific issues to the governmental structures.

To offer mediation and arbitration services. It is crucial to note that especially in the rural areas the arbitration boards should incorporate the elderly in the community, who traditionally perform conflict resolution functions in these regions.

To train district officials in administrative and management skills.

To conduct seminars and training about business development and to offer skills development in western-based negotiation models, which may serve as more functional in navigating the sophisticated and increasingly globalized legal environment of the market economy.

To gather data about the types of conflicts that arise at the local level, which, being stored in one center, can serve as a rich information source about non-crystallized issues of interest. Moreover, it will promote understanding of conflict dynamics beyond the ethnic strife.

To channel foreign aid, tailoring it to the specific needs of each location—for example, reinforcing the school system in rural areas or investing in agricultural mechanisms, which in the rural areas will pump up the development of agricultural outputs.

To offer a forum of public deliberation about specific reforms and economic and sociopolitical developments in the governmental structures.

The proposed intervention strategy is aimed at bridging the institutional gap between civic organizations and governmental structures. This will eventually fuel the social capital in the communities that is so necessary for economic growth and democratic governance in the region (Putnam, 1993; Fukuyama, 1995). This strategy targets the transformation of political channels without causing any major structural changes in the political environment of the country. The main rationale for the proposed strategy is

To increase the transparency of the decision-making process, especially in the economic sector of society.

To introduce the stakeholder approach (Graham, 1998) during the implementation of reforms, which has proved successful in Peru, Chile, and the Czech Republic (Graham). The stakeholder approach focuses on more sophisticated mechanisms of marketing the reforms and increasing the political sustainability of the reforms.

To transform the politics of conflict and offer a channel that can facilitate the transition of the system from conflict manifestation to conflict resolution stage. Eventually, this is a measure that will legitimize not only the conflict but also the institutional approaches to its resolution.

Most important, the proposed conflict resolution strategy is a preventive strategy. The central role of ethnic conflict has diverted the public from very important socioeconomic issues and reforms. In the case of Armenia, the public easily mobilizes around issues of national scope, related to national security and the dynamics of ethnic conflict. Meanwhile, important decisions pertaining to redistribution of economic resources are being carried out without any input from the public. Social tensions around the privatization reforms and changes in the social policy are a reality in the republic, although at this point they do not translate into overt social conflict. However, the possibility of that unwanted transformation of tensions into social conflict is very high due to an already-established norm in the politics of conflict—mass demonstration. Lack of mobilization at this point is not a guarantee for tomorrow's social harmony.

The proposed intervention strategy offers a structure that is conducive to the formation of interest group politics along with party politics, which is not always a reflection of public interests. Interest group politics is critical for the establishment of pluralist democracy (Schneider and Ingram, 1997). In the circumstances of the relatively homogeneous Armenian culture, interest group politics will not fragment the citizenship (which sometimes is the case in the United States) but will expand the scope of the beneficiaries of the economic reforms. According to Skocpol (1992), interest groups often seem to follow rather than precede the adoption of public policies. Pierson (1994) argues that policies shape interest groups. In this regard, the proposed intervention strategy, which aims at policymaking changes at the local level by expanding the

deliberation forum into the public forums, installs the structures for the formation of interest group politics in the post-Communist context. This measure will counterbalance the centralized policymaking in the circumstances of a negotiation vacuum between the public and the government.

A negotiation culture is needed to facilitate further cultivation of social capital, to link the existing networks of civic organizations to the governance structures. Because any official measurement of the expansion of the deliberation forums may encounter structural constraints due to the resistance of the central government, the proposed intervention strategy targets the nongovernmental channels of implementation, while still providing public-government dialogue. In this regard, the donors of foreign aid are crucial actors in the implementation of this intervention strategy. Their role may vary from active and central to limited and advisory. However, this study argues that their active role in setting up partnership offices attached to local districts will prove very constructive, at least in the transitional period.

Conclusion

This article concurs with Putnam (1993), Barber (1984), Fukuyama (1995), and Pierson (1994) on the importance of social capital for economic growth and democratic governance and the role played by past legacies in that regard. It has demonstrated that in assessing the course of democratization in post-Communist countries, a unique approach is needed. The increase in civic organizations and established civic vibrancy in public forums on the one hand and the crystallizing of party politics on the other do not offer a reliable framework for rating the implementation of democratic reforms. This article has argued that democratic governance is a function not only of a social capital, defined as "trust, norms and networks that can improve the efficiency of society by facilitating coordinated actions" (Putnam, 1993, p. 167), but also of a negotiation culture that fosters bilateral linkages between networks of civic engagement and corresponding governance structures.

The article has pointed out the gap of deliberation between public and governmental forums of society that has resulted in a lack of transparency and a lack of public support for the reforms implemented in the region. The article has emphasized the significance of an institutional bridge between public and governmental structures as a necessary support for the robust development of social capital, which has the potential to be a corrective measure for the procedural flaws of reform implementation in the region. It has been argued that a negotiation culture targeted toward more responsiveness between the public and the government is a factor that allows more procedural fairness during the implementation of reforms. In this regard, the availability of institutional arrangements that allow conflict manifestation and resolution is critical to political and economic democracy.

The proposed intervention strategy of partnership programs aims at two dimensions of a negotiation culture—institutional and relational. In the first

case, the partnership programs enhance the local levels of self-governance, providing institutional channels and networks to establish a direct linkage between the local levels and the central governance. The rationale of this measure is to counterbalance the absence of interest group politics, a circumstance that does not allow for public interests to be reflected in the policymaking process. The relational aspect of a negotiation culture is addressed by targeting skill building, which will facilitate the integration of the public (especially in the rural areas) into the deregulated economy of the countries. While acknowledging the cultural richness of negotiation skills, the article has argued about the role of western negotiation techniques in certain spheres of the sociopolitical environment of the country. The world is becoming a smaller place, and compromise between cultures will only facilitate that global societal change. In a post-Communist context, that compromise, expressed through the adoption of certain frameworks of western negotiation models, could facilitate a smoother adaptation of the public to a rapidly changing legal, political, and socioeconomic environment.

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