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Newsletter of the Institute of Slavic, East European, and Eurasian Studies

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Notes from the Director

Two thirds of my way through a term as acting director (while Yuri Slezkine continues to take the waters at a major academic institution in the South Bay) I would like to tell you what has been happening in a busy semester at the Institute.

In early March, our colleagues at Stanford’s Center for Russian, East European and Eurasian Studies organized the 34th annual Berkeley-Stanford Conference on Slavic and East European Studies, entitled *Memory and Media in Russia, Eastern Europe, and Eurasia*, inviting UC Berkeley faculty members Luba Golburt (Slavic), Steven Lee (English), and Anne Nesbet (Slavic and Film Studies) and Slavic collection librarian Allan Urbanic to present papers and moderate panels. Our executive director Jeff Pennington capped proceedings with reflections upon the day’s events.

Professor Melissa Bokovoy of the University of New Mexico delivered this year’s annual Kujachich Endowed Lecture in Serbian and Montenegrin Studies. In this talk, Professor Bokovoy examined how, in the interwar Kingdom of Yugoslavia, Serbs, individually and collectively, commemorated and remembered the dead of the Balkan Wars and World War One.

On April 15, UC Berkeley Executive Vice Chancellor and Provost (and former Slavic Center director) Professor George Breslauer gave the Annual Colin and Elsa Miller Lecture in Slavic Studies, addressing patterns of leadership in Soviet and Post-Soviet [Russian] history, focusing upon circumstances under which Soviet and Russian leaders have defined and redefined the trajectory of policy, and how these leadership patterns shape our view of rhythms of change in Soviet and post-Soviet history.

A few days later, the Institute co-sponsored a day-long symposium honoring Professor Andrew Janos (Political Science) making use of generous support from the Hertelendy Endowment in Hungarian Studies. Former students and colleagues contributed original papers on a theme that has engaged Andrew for much of his career: *Peril from the Periphery? The Politics of International Inequality*. Andrew concluded a day of invigorating scholarship with his own musings – by turns gloomy and hilarious but steadfastly sane – on the deeper forces shaping modern life. Many thanks to Jason Wittenberg and Jeffrey Kopstein for undertaking the organization of this unforgettable event.

On April 24 we closed our semester’s activities with our annual outreach conference, this year entitled *From Old Regimes to New Democracies? Transitions in Eastern Europe, 1989-1990*. Seven speakers from three disciplines considered the Soviet world’s transition through this heady period, including several Berkeley colleagues as well as specialists from Rice (Gale Stokes), McGill (James Krapfl), Oberlin (Veljko Vujacic), and Stanford (Jovana Knezevic).

In the next couple of weeks ISEEEES will make available on its website podcasts of Professor Bokovoy's lecture, the presentations from the Andrew Janos *Festschrift* and this year's outreach conference. Podcasts of these and other selected events can be found under the "Events" tab on the ISEEEES website, <http://iseees.berkeley.edu/>.

ISEEEES was pleased to host a number of visiting scholars for the spring semester, many of them young faculty at their home institutions. These scholars represented a wide variety of fields and disciplines, and their presence added to the academic richness which ISEEEES fosters at UC Berkeley and in the local community. You can find out more about these visitors on pages 8-9 and 28.

In addition to our many events, ISEEEES was busy this semester preparing its quadrennial application for the U.S. Department of Education Title VI National Resource Center and Foreign Language and Area Studies Fellowships programs. This is an important source of funding for the Institute, which entails a demanding and time-consuming application process; results of the competition are expected mid-summer. Owing, however, to the vicissitudes of federal funding and yet another impending cut in state funding for ISEEEES operations, we are more dependent than ever on the loyal support of private donors to maintain superior programming as well as research and academic support. As such, we have expanded opportunities for more targeted giving in order to encompass a variety of ISEEEES programs. These giving opportunities include: the ISEEEES General Support Fund, the ISEEEES Graduate Student Support

Fund, the Hungarian Studies Fund, the Fund for Romanian Studies, and the Colin and Elsa Miller Endowment Fund. Detailed descriptions of these funds are found on page 14 of this newsletter and on our website at <http://iseees.berkeley.edu/give>. By making a gift to any of these funds, you will automatically become a member in our annual giving program: *Associates of the Slavic Center*.

With your sustained support, ISEEEES will continue to offer informative and exceptional programming, including our visiting speakers series, the annual Berkeley-Stanford Conference in Slavic and East European Studies, the annual Outreach Conference, the annual Colin Miller Memorial Lecture, the annual Peter N. Kujachich Lecture in Serbian and Montenegrin Studies, our biannual ISEEEES Newsletter, graduate student working groups, and faculty-student seminars. We look forward to seeing you and reconnecting at one or more of these events throughout the course of next academic year.

Lastly, I would like to invite you to our annual fall reception, to be held Thursday, September 30, from 4 – 6 p.m., in the Alumni House on the UC Berkeley campus. In the meantime, be sure to check our website, <http://iseees.berkeley.edu> for additional events and updates to the calendar.

John Connelly
ISEEEES Acting Director
Associate Professor of History

Fashioning Russia: The production of a new Russian 'other' *Nina Renata Aron*

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The titles of recent articles about Russian fashion say a lot. Some, like "Slavs to Fashion," "New Slavs of New York: All Bling and No Borscht," "From Russia With Luxe," and "Glamour and Sickle" draw an explicit connection between the former Soviet socialist republic and sumptuousness. Others, like "The USSR Is Back (On Clothing Racks)" or "Russia Challenges West...On Runway" seem to kindle cold war-style anxiety, only to then playfully assuage it parenthetically, as if to remind us to *relax: we're only talking about shopping*.

This paper will explore the discursive production of Russia and Russianness in the United States. Through an engagement with Russia as it is treated in popular media outlets, this paper aims to situate the fashioning of Russia in the contemporary American consumer consciousness, and to link this fantasy of Russia to the broader geopolitical issues that inform Russian-American relations.

In recent years, numerous scholars have critiqued the unfortunate shorthand with which Western discourse has frequently rendered postsocialist transition (Zhang 2001, Humphrey 2002, Yurchak 2006). This discourse presents "a vision of (post)socialist transition as a progressive and unilinear move toward a known end: liberal capitalism and democratic polities" (Zhang 2001:5), and represents postsocialism through a series of binaries: public/private, official/unofficial, state/society. In this formulation, Russia is understood to be both immature—that is, a younger democracy, at an earlier developmental stage—and stalled, because its current patterns do not always indicate movement toward more familiar Western forms of democracy. The latter condition is framed alternately as the result of enduring Soviet practices—the stubborn residue of a corrupt and failed system—or, according to a path dependence model, as continuing proof of a historical disinclination toward participatory systems of government.

Anthropologists of postsocialism, among other scholars, have pointed to the fact that framing Russia in this way makes possible the continuation of a cold war logic that collapses and obscures the immeasurable complexity that attended the dissolution of the Soviet Union, and contributes to the perpetuation of associations between socialism and bleakness. In this accounting, the socialist world is unremittingly, monochromatically grey, punishing, and repressive. Enduring associations like these make the (much chronicled) presence of forms of “Soviet nostalgia” in the postsocialist context confusing. Indeed, nostalgia for the Soviet era, when seen through this lens, only substantiates the idea that Russians are inherently both lovers of autocracy and gluttons for punishment.

Even works that aim to redress this reductionist impulse often unwittingly perpetuate the notion that the inner lives of socialist subjects were simple—more often than not, simply miserable. For example, in their introduction to the edited volume *Privatizing China: Socialism from Afar*, Aiwha Ong and Li Zhang describe the effects of neoliberal technologies of governance and self-governance in China, arguing that while privatization has produced new forms of subjectivity, it has also served to further legitimize or “reanimate” state socialism (2008:4). In their analysis, the postsocialist subject, newly imbricated in the neoliberal logic of a rapidly privatizing China, is focused “more directly on the ethics of managing the self—one’s health, career, and spiritual needs” (2008:5). This subject is an individual, engaged in practices variously denoted as “self-enterprise,” “self-governing,” “self-management,” “self-animating,” “self-staging,” and “self-orientation.” Ong and Zhang refer to these as “calculative practices,” that “crisscross and interweave between state and society, public and private, other and self” (2008:7). And while impacts of the infusion of new market-oriented logics and practices into socialist or formerly socialist spaces should not (and perhaps cannot) be underestimated, the *socialist* subject posited by such analyses is one made from without, by centralized and all-powerful state apparatuses dispensing ideology and propaganda.

Applying a (neo)liberal framework for understanding personhood, these authors posit a subject that seems, in fact, utterly without a self. In this narrative, it is only following the introduction of market activity into social, cultural, political and economic life that individual reflexivity takes root, and the cultivation of the self becomes valued. I also think it is important to challenge the notion that “calculative practices” are in any way new in socialist contexts; numerous studies of *blat* (the Soviet informal exchange economy) have suggested that such practices were highly normalized, and in fact critical survival skills in the Soviet era, and that they have continued into the post-Soviet period (Ledeneva 1998, 2006).

The presence of market forces in the formerly socialist world and the changes they have wrought in consumer desires and practices is well documented (Mandel &

Humphrey 2002, True 2003). I argue here that such changes have produced a corresponding shift in American attitudes toward formerly socialist countries, focusing on Russia in particular.

Russia has long been an enigma in American popular consciousness. American cold war-era representations, varied as they were, tended to vacillate between treating Russia as pitiable and sinister. However, the dissolution of the Soviet Union produced a crisis of signification on both sides of the “Iron Curtain,” and in the nearly two decades since, various new tones and strategies have emerged in the American press for talking about this formerly forbidding enemy. A focus on the world historical significance of the ‘collapse’ of Soviet communism, and its implications for international geopolitics, has skewed much of this attention away from the terrain of culture. But recently the inner life – the tastes, predilections, desires – of Russians has been resurrected as an object of American curiosity, specifically through media attention to fashion and new modes of consumption in post-Soviet Russia. This paper will focus on major metropolitan American media outlets, specifically *The New York Times*, but also mainstream news and fashion magazines. I argue that this coverage deploys three main tactics: *deep reflexivity* – in other words, a tendency to view changes in Russia only through their relation to the United States; *infantilization*; and the production of a *total contrast* between state socialism (meaning here the past, or what was) and capitalism (meaning the present, or what is). There is, it should be noted, room for some hybridity within the space of this total contrast. But the caricatured nature of hybridity here only serves to reify further a binary distinction between socialism and capitalism.

Often couched in celebratory terms—language that seems to say *welcome to capitalism!*—such pieces rely on surprisingly harsh stereotypes produced during the cold war, when the circuitry for meaningful cross-cultural exchange between the United States and Russia was effectively disabled. These stereotypes are used to construct a portrait of Russia as it used to be; this Russia is then set as a contrast to the “new Russia,” where the free market reigns over a populace wild with consumer desire.

The articles I discuss in this paper are, first and foremost, written from a distinctly American point of view, and tend to see changes in Russia in terms of the United States or the West. For example, one piece mentions that “a few rich Russians are [...] becoming art patrons,” but rather than collecting art because of a personal interest, this article maintains that such patrons are “seeing it as an opportunity to remake Russia’s image in the West, from that of a chaotic superpower to a sophisticated repository of high culture” (Singer 2005). Another article points out that Moscow is now home to “the greatest concentration of billionaires outside of New York City,” and refers to *Tverskaya ulitsa*, Moscow’s main drag, as a “Cyrillic-lined Broadway” (Sherwood 2007). An editor interviewed in a *New York Times Magazine* piece on Russian fashion in London

compares the Russian “look” to a Britney Spears video, adding, “Britney’s definitely an honorary Russian. We’re all a little bit Russian” (Silva). And another claims “visitors to Moscow and St. Petersburg are often startled at how well-dressed Russian women are when compared to Americans” (Piatetsky 2008). On the whole, these articles emphasize a new degree of porousness in cultural boundaries: in terms of fashion and travel, they suggest that Russia occupies a new position on the global radar. However, mobilizing a tone of friendly competition (based on comparisons between Russia and the West), they simultaneously suggest and refuse to take seriously the notion that Russia could resemble the West. Though not representing a singular attitude toward Russia, the tone of much coverage of Russia establishes firmly that the country is seen and evaluated from a distinctly Western point of view.

The second tendency I have observed in representations of Russian consumer-subjects is an infantilizing tone, which confirms Russians’ status as “younger” in terms of a linear progression toward liberal democracy and advanced free market capitalism. Frequently, these representations cast advancement toward democratic and/or capitalist maturity as a form of natural, sometimes even beautiful, ontogenetic growth. In a 2005 *New York Times* article entitled “New Slavs of New York: All Bling and No Borscht,” American fashion designer Diane von Furstenberg, asked to comment on the growing fashion market in Russia, speaks about its development through



Natalia Vodianova at the premiere of her lingerie collection by Etam Lingerie (Paris, France).

the personal narrative of Natalia Vodianova, a prominent Russian fashion model: “think about Natalia Vodianova, a divine girl who only a few years ago was selling fruit in some Russian market,” Ms. von Furstenberg said. Now Ms. Vodianova, 23,

has exclusive contracts with Calvin Klein and L’Oréal, a loft in TriBeCa, a British aristocrat husband, and a charity that plans to build playschools for Russian children” (Singer 2005). In this quote, von Furstenberg vaunts Russia’s initiation into the ranks of global capitalism through the success of one of its most overexposed exports. Vodianova, who has a home in New York (a city that, according to this article, is enjoying a “Slavic moment”), is portrayed as having been too “divine” to remain confined by the backwardness of her homeland. Catapulted out from primitivity and obscurity as a fruit-seller in “some Russian market,” the model has achieved a celebrated American-style maturity: she works for major international corporations (though von Furstenberg foregrounds the notion of collaboration by saying she has contracts *with* these entities), has married a wealthy Westerner, and has

even embraced humanitarianism. In some articles, the mere fact of having gotten *out* of the former Soviet Union is advancement enough—as Anne Applebaum put it in a recent piece curiously titled “Where Did All Those Gorgeous Russians Come From? The Same Place As the Unglamorous Assembly-Line Workers,” “The fashion world is ludicrously silly and superficial, but it did get Vodianova from Nizhny Novgorod to London, far away from her mother’s abusive boyfriends, which wouldn’t have happened before 1989” (Applebaum 2008). Here, some degree of personal growth and freedom is achieved simply by making a westward move. The reader is intended to interpret Western Europe as a far safer place for the young woman, who was seventeen when she moved to Paris to begin a modeling career.

Other pieces more straightforwardly personify Russia as newly youthful and, by extension, irresponsible, for example with observations of the following type: “Since independence arrived a decade ago, [Russia] has always been a binge and purge kind of place — an insecure teenager who spends the family lunch money on a makeover, even though she knows better” (Wines 2001). Or, in another piece about Russians in London: “Ironically, as Russian women are moving away from the gaudy, status-conscious glamour that seemed to be their Byzantine birthright, the streets of London are beginning to resemble one long walk of shame after an ’80s night at a Moscow disco” (Silva). In these two quotations, Russia is feminized (a tendency that frequently accompanies infantilization) and depicted respectively as immature and sexually promiscuous. In the first example, Russia-the-teenager spends irresponsibly, but she is not without a conscience; in fact, her choice is all the more juvenile (and all the more naughty) for the fact that she “knows better.” Here, Russia is shown to be cultivating a brazen relationship to consumer products that is as yet unregulated; the country has yet to learn self-discipline.

An article about an actual Russian teenager, Kira Plastinina, the fashion designer daughter of a rich entrepreneur, emphasizes the temporal shift that has made Russian participation in global fashion a possibility: “A generation ago Russian teenagers were trading for jeans on the black market and listening to hopelessly out-of-date Billy Joel. But there’s no lag, anymore, between the culture that European and American teenagers consume and what makes its way to Russia” (Larocca 2008). Here, the suggestion is that the Russian free market as well as the temporal equalization of Russia and the West—their new occupation of the same global temporality—represent the rescue (by the free market) of Russian youth from tackiness, hopelessness, backwardness. And, according to some, Russia is poised to enjoy this boon, and to grow from obstreperous capitalist adolescence into Western-style maturity. After decades of punishment living under socialism, they are even shown to deserve it. For example, explaining, in a 2007 interview, why he intends to open two stores in Moscow, fashion designer Tom Ford answers:

“Russians are hardwired to appreciate the fine things in life,” he says. “They have been denied nice things for years” (Barnett 2007).

The discursive production of Russia in American media contexts has long relied on a dichotomous split between socialism and capitalism. American media treatment of new trends in Russian fashion similarly turn on the idea of total contrast between these two systems, and produce the sense that the dissolution of the Soviet Union marks a straightforward and complete reversal from one to the other. One piece points out that “today’s Russians have embraced the heritage of the Romanovs from czarist times,” then continues, “but in doing so, they have cut out completely the more recent Bolshevik period. There is no attempt to meld the two contrasting eras” (Menkes 2008). Embedded in this notion, that the “melding” of these two contrasting eras is a conscious choice available to Russians, but one they have deliberately chosen not to make, is a renunciation of communism (here, anachronistically and perhaps pejoratively denoted as “Bolshevism”), which can be rejected wholesale, and indeed a renunciation of history itself. Periodization here serves not merely to mark, but to sever one era from another. Continuity in this narrative is a choice—one that Russia refuses, in order to omit completely the communist experience. Other articles make similar reference to a history fundamentally incompatible with capital, progress, or style. Russia’s gluttonous embrace of European fashion is cast as “a reaction to a past colored *entirely* in gray” (Wines 2001, emphasis mine). An article that focuses on Moscow reads:

Few cities have sloughed off as much leaden history to reinvent themselves. Only 16 years ago, the Soviet Union, the grandest political experiment of the 20th century, sputtered and drew its final breath. Even in the late 1990s, the idea of Moscow as a fast-money style center would have seemed like the twisted punch line to a Yakov Smirnoff joke. The anemic ruble was on the verge of collapse, and the erratic Boris Yeltsin seemed equally rickety. When the cosmic jalopy known as space station Mir began falling to pieces, its woes seemed an apt metaphor for those of the nation. (Sherwood 2007).

Here, late Soviet and early post-Soviet Russia are seen, in very straightforward terms, as a joke. The notion, just ten years ago, that Moscow could come to embody a globalized elite aesthetic was beyond ridiculous: it was perverse, or “twisted,” in this author’s words. (Masha Lipman has written that foreign friends, “mostly Americans,” long conceived of “the Soviet Union as the incarnation of anti-style”). Here, the Soviet Union, as represented by some of its most official metonymic markers—Moscow, Yeltsin, the Mir space station—is anthropomorphized; in this paragraph, it is portrayed as a body that was unequivocally ill—“anemic,” “rickety,” “falling to pieces.” And, like a cinema villain, it perishes with dramatic flourish, “sputter[ing] and draw[ing] its final breath.” But that history, like the weighty

imperial history that preceded the October Revolution, can happily be “sloughed off” in this analysis, rendering Russia a *tabula rasa* ripe “for reinvention.” The next paragraph begins, “But a decade on, the oil boom has helped remake the former global headquarters of Communism and cold-war politics” (Sherwood 2007). Interestingly, Moscow is drawn in this piece as the former core not only of (capital ‘C’) Communism, but of “cold-war politics,” a designation that obscures the dynamic dual nature of the cold war, and subtly maintains that the United States, though embroiled in the conflict, was innocent (in other words, in a more just analysis, wouldn’t Moscow be one of *two* formal global headquarters of cold-war politics, Washington being the other?).

History functions in a number of these articles as a burdensome encumbrance that can be thrown off or unchosen; some pieces also choose to diminish its importance by mockingly minimizing certain harrowing chapters of Soviet history. For example, a *New York Times Magazine* article about the increased presence of fashion-conscious Russians in London begins with the line, “Unless you’ve been holed up in a gulag, it’s been impossible to miss the Russification of London” (Silva). This line crudely aims to render humorous one of the darkest chapters of Russian history, but by making this anachronistic reference also boldly implies that Russia is still totalitarian, and that the gulag system may still be in place. Even if it is not, presumably some dark humor can be found in the fact that it is not unthinkable in the present moment. Such playful invocations of Russian injustice and terror highlight the degree to which the fraught nature of cold war relations has not found meaningful resolution. One can hardly imagine a similar article on German fashion making flippant reference to the concentration camp.

There is some attention paid to the fact that not all of Russia gives the observer a sense of capitalist bounty—there are still “plenty of people and places untouched by the city’s new fortunes — low-paid police officers in green uniforms, stubbly cabbies driving beat-up Brezhnev-era Ladas, stooped babushkas, ashen concrete apartment blocks.” But, the article continues, “21st-century Moscow is nonetheless a much more diverse, energetic and multidimensional place than ever before” (Sherwood 2007). By identifying these figures as representatives of an another time, “untouched” by current conditions, this writer suggests that in a fully capitalist context—that is, once capitalism and democracy are in full bloom in Russia—these “stooped babushkas” and “stubbly cabbies” will disappear. Thus, this acknowledgment of some form of hybridity, a co-existence of socialism and capitalism only serves to reinforce their antithetical relationship to one another. Clearly, “stooped babushkas” and “stubbly cabbies” impart an air of local flavor to the influx of capital. Regardless, these stolid reminders of days gone by cannot obscure the fact that the city is now “much more diverse, energetic and multidimensional.” The total contrast here produces

the sense that, even if these two paradigms currently overlap a bit, urban life under socialism was somehow unidimensional, whereas under capitalism it is pulsing with energy.

The tone used in media coverage of the “new” Russia is resoundingly playful, reflecting a spirited engagement with forms and symbols of Russianness. However, this playfulness with the excesses of capitalism—particularly, the supposed treatment by Russians of capitalism *as a playground*, as represented in American media—serves to legitimize American capitalism and validate American modes of consumption by viewing them as somehow more modest or mature. These representations, of “oligarchettes [...] in the market for super-spending” (style.com), or Russians who “slavishly bought European brands” in the 1990’s (Fitzgerald 2007) do more than infantilize and diminish Russia; they turn on the idea that advanced capitalism, really ‘making it’ as a liberal, free market democracy requires the cultivation of some refinement and sophistication, a de-vulgarized relationship between self and objects. The mocking tone with which the Russian consumer is depicted posits a savvy American counterpart—the American reader is enough in the know to be amused by the Russians, at least—who has a more detached, skeptical (late capitalist) relationship to consumer objects. It is the earnestness, the dupe-ability of the Russian consumer, who does not understand the mechanisms of commodity culture, let alone how he/she is implicated in that culture, that drives these articles, and presumably offers the American reader a feeling of smug pleasure.

Furthermore, this tone also revels in some voyeuristic capture of Russia frozen, caught in the act of conspicuous consumption, thereby dispelling the notion that socialism ever succeeded in making a “new man” and signaling total victory in the ideological battle that divided the United States and Russia for decades. The overtones of moral superiority that characterized communist condemnation of capitalist consumption are shown to have been utterly spurious. This revelation works to produce a story of American innocence. Marita Sturken has argued that “the self-image of the United States as innocent has been key to national identity throughout much of American history” (2007:15). An investment in innocence, which “affirms the image of the United States as a country of pure intentions” (2007:15) certainly informed America’s self-conception during the cold war, when communism was represented as a vicious assault on American notions of freedom. In terms of my analysis above, innocence is also maintained through the production of a new critical gaze through which the United States comes to understand Russian capitalism. Russian consumption in these pieces is situated *outside* of the realm of normalcy; it is seen as immodest and immature. And unlike in Sturken’s analysis, where the notion of American innocence is frequently dependent on a “negation of ironic distancing or critique” (2007:17), in the case of American media attention to Russian consumerism, I argue that it is

precisely the American capacity for ironic engagement, the savviness of Americans vis-à-vis consumer products, that allows the American reader to look derisively upon Russia(ns). Therefore, the innocence produced by these news articles is complex. The “business of materializing innocence” (Wexler 2000:11) through these engagements is about legitimizing American consumer practices and anchoring them in a normative value system where they represent the center. But insofar as these efforts involve the savviness of the postmodern consumer, they also serve the purpose of domesticating Russian consumption. In other words, they work to cynically initiate Russia into the free market economy and to naturalize consumerism and desire for luxury or status. They demonstrate, in short, that Russians *did* have these desires all along; they were just forced to repress them and denied their fulfillment.

How do these representations shape our understanding of Russia? What do they tell us about how Russia figures in the American imagination? For one thing, they frame post-Soviet nostalgia (another theme that has garnered a great deal of media attention) as proof of an innate Russian predisposition for and love of authoritarianism, and as such, as a danger. But Alexei Yurchak has argued that post-Soviet nostalgia reflects in part a “longing for the very real humane values, ethics, friendships and creative possibilities that the reality of socialism afforded—often in spite of the state’s proclaimed goals—and that were as irreducibly part of the everyday life of socialism as were the feelings of dullness and alienation” (2006:8). And other scholars have seen these new affective practices as testament to the fact that life in the Soviet Union was not always only a struggle—that, in fact, socialism is sometimes missed because it is miss-able.

The representations of Russia in news articles also frequently define the country through a deeply stereotyped and caricatured, cold war-inflected understanding of its people; many of the articles cited in this paper include taxonomies of dysfunctional Russian ‘types.’ For instance, the aforementioned “low-paid police officers in green uniforms, stubbly cabbies driving beat-up Brezhnev-era Ladas, [and] stooped babushkas” (Sherwood 2007). Or, to describe Russian New Yorkers: “They are neither insular denizens of Brighton Beach swaddled in head scarves, bull-necked mobsters in track suits, nor overdressed New Russian nouveaux riches on wild spending sprees up and down Madison Avenue” (Singer 2001). This cataloguing impulse reinforces a set of uncomplicated and mocking clichés of Russianness even while the articles’ writers purport to be challenging these clichés by pointing to ways in which Russia has become more “multidimensional” (Sherwood 2007).

In all, I find that the increased presence of Russianness in American culture through the significant number of news articles on Russian fashion (and self-fashioning) demonstrates a form of engagement with the former cold war “enemy” that, while different, can also be seen as more of the same: the mainstream American press produces and

polices its own domestic contours—and correspondingly, validates what transpires within them—through a specific, mocking engagement with Russia—this time, with Russian capitalism, instead of communism.

Sociological research in Russia has shown that processes of globalization, while impacting Russian conceptions of selfhood, particularly among young people, have also necessarily been partial and contingent; they have mingled and even fused with, not replaced, existing Russian social and cultural structures (Pilkington et al. 2002:217). Similarly, research on the impact of the introduction of neoliberal forms of governance demonstrates that its effects are uneven and dependent on context. Aiwha Ong and Li Zhang, whose work I critiqued above, among many others, have complicated the very concept of neoliberalism in fruitful ways, and advocate for seeing it neither as a state apparatus, nor as “universal structural condition,” but rather as “a mobile set of calculative practices that articulate diverse political environments in a contingent manner” (2008:9). That is, the transformation of Russia through market reform and privatization cannot be understood to be a progressive move toward the “known end” of liberal, free market democracy (Zhang 2001:5). An appreciation of the fact that the establishment of market forces and new consumptive practices in the space of the former Soviet Union is uniquely contingent and mediated by numerous factors would preclude the kinds of assumptions frequently made by American and Western governments regarding how Russia *should* be developing. For example, a more complex reckoning with contemporary forms of Russianness would necessarily problematize the notion that a withering of authoritarian state power must necessarily follow from market reform, or the idea that Russian capitalism is developing “unevenly,” providing evidence of a “backward” slide toward authoritarianism.

The representations of Russia that I have examined in this paper serve, in my view, to reify America as an exceptional nation. As with the production of Iraq as a discursive object during the past five years of American occupation, Russia is produced in these articles as a space of incompetence—it is frequently seen as a country not yet ready to take care of its people or to join the ranks of the ‘civilized’ world.

Following Laura Wexler’s notion that “public images” are “active, difference-producing mechanisms” (2000:22), I advocate for a richer, more complicated reading of Russia’s current consumer culture and of the public images created to explain it. In refusing the cold war binary which posits socialism as old and bad and capitalism as an unassailable good representing the present and the future, we make room for the possibility of understanding Russian culture in deeper, more nuanced ways, and, perhaps more importantly, for the possibility of truly thinking through the new.

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Campus Visitors

Vera Asenova is a visiting student researcher with ISEEEES during the Spring 2010 semester. She is a Ph.D. candidate at the Central European University in Budapest, Hungary, which is financing her visit. Her field is political economy, international relations and European studies, and she is currently researching the effects of foreign monetary and trade relations on domestic institutional change in the case of German – Bulgarian economic relations in the 1930's.

Francesca Biagini is a visiting scholar with ISEEEES during the Spring 2010 semester. She is currently Assistant Professor at the School for Interpreters and Translators of the University of Bologna in Bologna, Italy. Her visit is sponsored by a grant from the University of Bologna, and, while in Berkeley, she is working with Professor Zhivov on the study of coordination and subordination in Russian chancellery language in the Medieval period.

Inna Blam is a visiting scholar with ISEEEES during the Spring 2010 semester. She is a Senior Research Fellow at the Institute of Economics and Industrial Engineering at the Russian Academy of Sciences in Novosibirsk, Russia. Her visit is funded by a Fulbright grant.

Rustam Burnashev, Associate Professor at the Ablai Khan Kazakh University of World Languages and International Relations, Kazakhstan, came back to Berkeley as a visiting scholar with ISEEEES this spring. His visit is sponsored by the Open Society Institute, and he will conduct research on post-communist political systems.

Mariam Elizbarashvili is a visiting scholar with ISEEEES during the Spring 2010 semester. She is Assistant Professor at the Faculty of Exact and Natural Sciences, I. Javakhishvili Tbilisi State University. Her visit is sponsored by American Councils' JFDP program. Her fields of interest include climatology, anthropogenic impact on the environment, and radioactive pollutants. She will continue working on these topics during her stay in Berkeley.

Andrea Fejős is a visiting scholar with ISEEEES during the Spring 2010 semester. She is currently Assistant Professor at the Department of Law, Faculty of Law and Business Studies, University of Novi Sad. Her visit is sponsored by American Councils' JFDP program. Her fields of interest include consumer protection law, European law, and Anglo-American contract law. During her time in Berkeley, she plans to explore alternative teaching methodologies and work on curriculum development.

Elena Filipovska is a visiting scholar with ISEEEES during the Spring 2010 semester. She is a teaching assistant at the Department of Roman Languages, Blaze Koneski, Faculty of Philology, University St. Cyril and Methodius, Macedonia. Her visit is sponsored by American Councils' JFDP program. Her field is Macedonian and Italian Language and History, and she is particularly interested in foreign language teaching methodology and management in

education. During her time in Berkeley, she will be working on acquisition of new foreign language teaching methods and curriculum development in Italian language teaching.

Elira Karaja is a visiting student researcher with ISEEEES from October 2009 to October 2010. She is a Ph.D. candidate in economics at the Institute for Advanced Studies IMT in Lucca, Italy. Her visit is funded by the Institute for Advanced Studies, and, during her time at Berkeley, she will conduct research for her dissertation, under the supervision of Professor Gerard Roland.

Eva Loy is a visiting student researcher with ISEEEES during the 2009-2010 academic year. She is currently studying at a Masters program at the European University Viadrina in Frankfurt (Oder), in Germany. Her visit is sponsored by her university. Her field is Socio-Cultural studies with an emphasis on linguistic minorities, especially Russian-Speaking Minorities in the South Caucasus. During her time in Berkeley, she will continue conducting research for her thesis, and she will take various classes from experts in her field.

Jeong-O Park is a visiting scholar with ISEEEES starting with January of 2010 until January of 2012. He is Professor at the Department of Romanian Studies, at Hankuk University of Foreign Studies. His visit is funded by Hankuk University, and during his visit in Berkeley he will use its resources to continue his work on Romanian literature.

Vahram Ter-Matevosyan is a visiting student researcher with ISEEEES during the 2009-2010 academic year. He holds a Ph.D. in History from Yerevan State University and is a doctoral student at the University of Bergen, Norway. He is also the Head of the Analytical Centre at the Institute for National Strategic Studies, Armenia. His visit is sponsored by a Fulbright grant. During his time in Berkeley, he will conduct research on prospects of national security strategies in the South Caucasian Republics.

Gohar Shahnazaryan, Assistant Professor of Sociology at Yerevan State University, Armenia, is returning to Berkeley and is a visiting scholar with ISEEEES this spring. Her visit is sponsored by the Open Society Institute, and she uses her time at Berkeley to develop a course that would examine the impact of macro social and cultural transformations on the micro level, like transformation of identity, values, and attitudes.

Ayselin Yildiz was a visiting student researcher with ISEEEES from September 15, 2009 to February 15, 2010. She is a Ph.D. candidate in International Relations at the Middle East Technical University, Ankara, Turkey. She is also a lecturer and director of the European Union Research Center at Yasar University, Izmir, Turkey. Yasar University is funding her visit, during which she will research migration policies of the European Union.

Mikayel Zolyan is a visiting scholar with ISEES between February and June 2010. He is currently assistant professor at the Department of Social Sciences of the Valeri Brusov Yerevan State Linguistic University. He received his MA from the Central European University in Budapest in nationalism studies and his Ph.D. in history from

Yerevan State University. His sphere of research includes nationalism, ethnicity and ethno-political conflict, and issues of politics of post-Soviet space, particularly in the South Caucasus. During his stay in Berkeley, he plans to work on course and curriculum development in the field of nationalism and conflict in Post-Soviet Caucasus.

Annual Teacher Outreach Conference

From Old Regimes to New Democracies? Transitions in Eastern Europe, 1989-1990

The Annual Teacher Outreach Conference has been the centerpiece of ISEES' outreach to educators for 36 years. Funded in part by the Department of Education under Title VI, this year's conference, on the theme of *From Old Regimes to New Democracies? Transitions in Eastern Europe, 1989-1990*, took place on Saturday, April 24, 2010. Below is a summary of this year's presentations.

Jason Wittenberg, Assistant Professor of Political Science at UC Berkeley, began the conference with his presentation on *Hungary's "Revolution," 1989-1990*. Wittenberg argued that the rapid collapse of communism that began in 1989 came as a surprise to almost everyone. Until the collapse, the communist system had appeared all powerful and had brutally snuffed out opposition, often jailing people for exhibiting the slightest dissent. Suddenly, in a matter of months, communism disappeared from Eastern Europe. Two years after that the Soviet Union was no more, and the Cold War ended. Professor Wittenberg pointed out that the nature of the break was less radical in Hungary than it was in other countries. The opposition was closer to the ruling circles than it was elsewhere, and the masses played a smaller role. Unlike the breaks in other countries, there was no dramatic moment to mark the transition from one system to the other. For this reason, Hungary's revolution has been called "a negotiated revolution." Although there were milestone events that greatly effected the lives of everyday people, Wittenberg concluded, there was no clear transition point to mark the change from one system to the other.

John Connelly, Associate Professor of History at UC Berkeley, presented on *Germany and Poland: from Socialist to Capitalist Neighbors*. Professor Connelly explained that the relationship between Germany and Poland is a historically troubled one. Additionally, each country had recently suffered enormous human and territorial losses as a result of World War II. Thus, relations between the two peoples were strained. Nevertheless, Germany and Poland diligently worked to heal their relationship and, eventually, succeeded in making it peaceful and neighborly. The evolution of their association from the end of the Second World War through the collapse of the Soviet Union demonstrates that when dealing with difficult pasts it is necessary to speak openly about the wounds of the past. The collapse of the Soviet Union and the end of the Cold War allowed Germany to approach Poland honestly as a unified country, and dialogue and various acts of reconciliation stand at the foundation of what has become a very healthy relationship between these two neighboring nations.

James Krapfl, Assistant Professor of History at McGill University in Montreal, delivered the next presentation, titled *Placing 1989 in the History of European Revolutions*. Professor Krapfl suggested that all too often the process of wholesale institutional and intellectual reconstitution that began in east-central Europe in 1989 is reduced to "the end of the Cold War" or "the collapse of Communism," while the term 'revolution' is set in quotation marks. Downplaying the centrality of creation in 1989, however, is as absurd as reducing 1776 to "the end of the first British Empire" or "the fall of monarchism," and it dismisses the agency of millions of east-central Europeans who consciously and concertedly strove to establish democracy and constitute freedom not just in 1989, but for long years afterwards. If we look, for example, at Czechoslovakia (where the revolutionary process was neither aborted, as in Romania, nor overtaken, as in Germany), we see that public discussion of "revolution" in the present tense, and of the need to realize or defend "the ideals of 1989," continued until European Union accession in 2004: a fifteen-year epoch of reconfiguration not without parallels to the "critical period" in early American history or the first self-consciously "revolutionary" period in France.



Flag draped protesters on Wenceslas Square, Czechoslovakia, in November 1989.

Source: Piercetp, Wikimedia Commons.

Jovana Knezevic, Acting Assistant Professor of East European History at Stanford University 2006-2008, presented on *Violent Transition: The Yugoslav Wars in Historical Context*. Professor Knezevic discussed

how after the fall of the Berlin wall, there was a general expectation that the post cold war era would issue in a time of peace, democracy, and capitalistic progress. And up to this point, Yugoslavia appeared to be one of the most prosperous, successful, and liberal countries in Eastern Europe. It is for these reasons that the level of violence and conflict associated with the war that had erupted in March 1992 between the Serbs, Croats, and Bosnians sent shock waves through western governments. Many western politicians, journalists, and even scholars argued that this violence was the result of some ancient ethnic hatred, going all the way back to the medieval era. This idea is not substantiated by history. There are grievances among the various groups, but they were seized used by politicians and escalated in a bid to gain political advantage.

Veljko Vujacic, Associate Professor of Sociology and Chair at Oberlin College, presented on *Nationalism, Myth, and Politics: Russians and Serbs in the dissolution of the Soviet Union and Yugoslavia*. He examined the similarities and differences between the collapse of the Soviet Union and the disintegration of Yugoslavia. He discussed how while some predicted that Yugoslavia would fall apart after Tito's death, few were able to predict the collapse of the Soviet Union. The system implemented in both the Soviet Union and Yugoslavia could be described as ethno-territorial federalism. Both countries included socialist republics and autonomous provinces. Most of the constituent units of each country have since become independent states. The features of communist federalism included the promise of self – determination by peoples or republics, and each republic was a unit of central planning, with its own government structures, party organizations, and cultural institution. Both countries relied on communist ideology and the forceful suppression of ethnic nationalism to maintain unity, and both countries unraveled around 1991, but in different ways. The differences can, in part, be attributed to the differences in each country's historical experience.

Steve Fish, Professor of Political Science at UC Berkeley spoke on *Russia 1989-1991: Why Didn't the Breakthrough Generate a Foundation for Democracy?* He argued that the reforms put in place by Gorbachev seemed to have incredible promise for remaking Russia into a democracy. There were two attempts at major reforms during the Gorbachev period: the establishment of national parliaments and an all union parliament, and Gorbachev's set of economic reforms. They had great potential at the time but ended up destroying the Soviet system without creating a working democracy in post Soviet Russia. By 1988 Gorbachev had an economic reform program in place with three prongs: A revocation of the ban on private enterprise, self financing of enterprise, and a law in 1987/88 on joint ventures to allow foreign investment. None of the forms worked out as planned because they clashed with the communist mindset. This led to a political capitalism based on ties to political power. The most dramatic thing that Gorbachev did in office, the only real

act of democratization as opposed to liberalization, was his decision to hold elections for the Congress of People's Deputies, which was his version of the Supreme Soviet. It soon became clear, however, that Gorbachev wanted to use these elections to create a powerful presidency, after he was elected president of the Supreme Soviet of the Soviet Union. In the post-Soviet circumstance, it is apparent that a strong parliament increases the country's chances to create a strong democracy, and Russia's legislature remained weak in comparison to the presidency.

The last speaker at the conference was **Gail Stokes**, Mary Gibbs Jones Professor of History at Rice University. He examined *The Significance of 1989*. Professor Stokes commented that while many Americans view Ronald Reagan as a key player in the end of the Cold War, his policies were mostly traditional policies of containment. In the Soviet Union, Gorbachev led liberalization in Soviet society, which undermined the ability of the party to control the social and economic situation and pushed the economy closer toward collapse. The USSR did not collapse because of the arms race nor because it was socialist and thus doomed the collapse, but rather for political reasons, brought about by Gorbachev's reforms. Professor Stokes then described the revolutions in Eastern Europe and argued that while the economic hardships in certain countries contributed to the willingness of the people to revolt, what they really wanted was political freedom and human dignity. They wanted to become a part of Europe - not just the historical idea of Europe but the European Union, with its promise of security, human rights, and economic development and cooperation. The transformation of Eastern Europe was relatively bloodless, which, despite obviously being a very positive legacy, lessens the myth of 1989. The main significance of 1989 is the fact that it created a safe Europe, for the first time in many years. Thus, 1989 was less of a revolutionary moment and more of an enabling moment that allowed for fundamental underlying processes to proceed.



Polowce border checkpoint - "welcome to the European Union." Photo by Krzysztof Maria Rózański.

This conference was funded in part by the U.S. Department of Education under Title VI.

Most of the papers presented at this conference will be available as podcasts by June 1, 2010 at <http://iseees.berkeley.edu/podcasts>.

Revolving Power: A Diary of Another Kyrgyz Revolution

Nina Bagdasarova

Nina Bagdasarova is a former visiting Fulbright scholar with ISEES and Associate Professor at the American University in Central Asia, Bishkek, Kyrgyzstan

One year from now, on April, 7th, there will probably be a new public holiday in Kyrgyzstan, marking “Revolution Day.” At least this is how it was in 2006, one year after the “orange” revolution of 2005, when President Akaev left the country. Now, in turn, President Bakiev has left Bishkek after a new revolution.

The “velvet” transition, which started in socialist countries in 1989, ended with gunshots and dead bodies at the central square in Bishkek. What kind of comparisons or analogies should we look for when discussing this revolution? There is nothing “velvet” or “orange” about it. Perhaps Yerevan in 2008 would be an appropriate comparison. Then too people died on the streets while trying to overthrow the regime. Of course no one called that event a “revolution”; failed revolutions are little more than “disorderly conduct.” For many years “democratic regimes” avoided the use of weapons against their people, but now they started shooting. Did “democracy” stop working at last? Yet this time around, during the Kyrgyz revolution of 2010, what was significant was not the fact that the authorities had opened fire at the people (who could really be surprised at that?), but rather that the people were ready to keep advancing under fire. Which begs the question: Why did they do it, and what do they get for this “victory”?

It’s quite difficult to analyze certain political events, especially if they are referred to as “revolutions” and recur every 5 years, obviously substituting a legitimate transfer of power. And it’s hard to say whether it is more difficult to understand these events from “outside” or “inside” the situation. In this case, I am writing from the “inside,” and I know that it would be valuable for me to write this in order to organize my own thoughts. Yet what can I say so soon after the event? All I can offer now are scattered impressions. It might be useful anyway, so I will keep writing.

The previous Kyrgyz revolution in 2005 was seen by most as an “orange” or “color” revolution, similar to revolutions in Georgia and Ukraine. It looked playful, festive, full of enthusiasm and mass participation. Even the lootings (which did not occur in Georgia and Ukraine) that ensued the night after the victory were associated with “excess” in the Bataillan sense, with its unrepressed explosion of energy, drawn by a festive spirit. This new revolution feels much gloomier. It is bloody. It is about deaths, riots, and cruel confrontations between different social groups. It is much more serious and much more “real” than all of the preceding events in the post-Soviet history of the republic. And it doesn’t look “colored” anymore. But despite that, everybody around me seems to be haunted by an obsessive desire to compare 2005 and 2010. I guess that

way we have at least some sort of a comparative framework.

When peace was broken on April 6th (in Talas, the smallest center of the smallest oblast of Kyrgyzstan), and people started attacking police stations and local administration buildings, it was scary. Everyone knew that “Bakiev is not Akaev; he will open fire.” He did, and as events were unfolding, no one doubted that he would shoot until a complete victory, and that after that we would be living in another country (After “another Andizhan” we will have “another Uzbekistan” here).

Bishkek seemed extremely quiet on April, 6th. But – “just in case,” they told to me – all of my friends who own a business started (very quietly!) to remove goods from their shops and offices. Our businessmen remembered 2005 and the crowds of looters on the streets back then. Such expectations were obviously not in line with the expectations for “Bakiev’s complete victory.” I did not perceive this as symbolic behavior, a sign for things to come, and I was wrong. Apparently, deep down, no one was willing to live in “another Uzbekistan.”

April 7th, 9 a.m. – 12.30 p.m. The day of the revolution starts as a normal day in Bishkek. I answer e-mails at the office, discuss various urgent work related issues. At 12:30, being late to an appointment, I call for a taxi. The taxi driver says that “it’s a good thing that we are going to the western part of the city, because the eastern part is closed – the opposition is organizing a demonstration.” I ask him about downtown, and he answers that it is open and looks normal. We exchange several trivial jokes about how “stupid politics interfere with our lives.” Nothing seems out of the ordinary.

April 7th, 1:30 – 4 p.m. The meeting doesn’t last very long and I manage to leave the city center area quickly. Then my cell phone rings; it’s my daughter, who tells me that classes at her university are canceled and that she is trying to reach home. I hear gunshots through the phone. Everything changes immediately. She comes home two hours later, on foot because of traffic jams in the downtown area. At 4 p.m. the city center area is already empty. Bishkek is again very quiet, but this silence feels eerie. There is only one group of people, gathering at the square near the White House, ready to storm the building and confront the police. Cries, screams, shootings, burning of cars – these will start soon.

Recall 2005 – public transportation was working without any interruptions, while people stormed the White House; busses sometimes went through the crowds. Nobody closed shops; in fact, everybody was at work (except for the people who sneaked out “to look at the gathering at the square”).

April 7th, 8 p.m. Now everything seems clear. Bakiev has lost. His troops shot at the protesters, but it was not enough. A new interim government is shown on TV. Pogroms are expected, as the police is expected to be useless (*like in 2005*).

April 7th, 10 p.m. Units of volunteers (*druzhinniki*) have already organized in order to defend the big stores (*it took almost 2 days in 2005*). The phone numbers of organizers are shown on the TV and on numerous websites. You can call and join them, or you can call and ask for them. Shockingly, the Internet works flawlessly.

April 8th, morning. No one seems upset, but no one seems particularly excited (*the way people were in 2005*) either. There's no hurry to support the new authorities. People take time to look at names of the dead and injured on the Internet.

April 9th. One more night of people patrolling the streets is over. Some shops are destroyed, but most of the big ones withstand the attacks. The attacks are so selective this time that it seems almost comical. Stores with broken windows stand next to stores with bright flashy displays; they will stay that way for many days. Public transportation works flawlessly. Children are playing outside, while Bakiev is sitting in Jalalabad. The atmosphere is anxious, but not exceptionally so.



A closed shop in Bishkek, with a sign saying "The Store is Empty". Photography: Nina Bagdasarova

We finally find the time to look at some other websites, besides forums and blogs discussing the immediate situation within the capital and regions of the country. I find out that the moment right after shooting began was a moment of emptiness and discursive chaos. I learn that my country is going to be another Afghanistan, a “failed state”¹ Great! What else? *Civil war is on our threshold.*² Thank you very much.... This guy from Kazakhstan is the most impressive of the pundits, and he really is tireless, writing something

daily: apparently, all of our problems with revolutions are simply the outcome of our nomadic past. He is of course alluding to the popular notion that the wild Kyrgyz people don't need any civilization. He covers other popular topics as well, especially the conspiracy theories.

Conspiracy is a painful topic... “The Hand of Moscow” is almost palpable, and Russian experts are the champions of conspiracy theories: www.polit.ru³ for instance. There is too much to quote; here in Kyrgyzstan Russian representatives also never sleep.⁴ The subject of offended Russians in Kyrgyzstan seems to be something very new. One of *our people* (Kyrgyz intellectuals) loses patience at last. Elmira Nogoibaeva, political scientist, posts her view of the media reaction on the web.⁵ I don't particularly like this analysis, but at least it's something. Most of us keep silent. I am staying silent as well; I just feel unable to write anything. Maybe I just don't want to.

Afterwards the “*almost our people*” chime in – Madeleine Reeves, a wonderful anthropologist from Manchester University is trying to counterweight the Russian Internet.⁶ She's practically Kyrgyz; she never misses anything important here. She was with the crowds at the square in 2005. On April 7th, 2010 she was in Bishkek but stayed home – as many of my other friends who participated in previous revolution. Madeleine's text is better than other materials on www.polit.ru, but it can not save my poor country from the dirty wave of misinformation and extravagant interpretations, covering us from head to toe.

April 11th, 8 p.m. I am sitting with Madeleine in a café, drinking beer. She asks: “Why did only ethnic Kyrgyz storm the White House this time?” “Only rural Kyrgyz.” I answered. “I haven't seen a lot of urban Kyrgyz from Bishkek either. It's not a matter of ethnicity in my view....” But the question still lingers in the air.⁷ Why didn't rural Russians come to the square? People called each other on their cell phones, urging them to “participate in the revolution.” Many of them must have been close friends or relatives. But this doesn't explain everything. Some of the political parties in the opposition are mono-ethnic (like Tekebaev's “Ata Meken”), but Atambaev's social-democratic party seems to be quite open... Why then? Non-Kyrgyz appear to be excluded from the political opposition movement this time. An “ethnic problem” has appeared, and it is getting more and more serious every day.

1 <http://www.nytimes.com/2010/04/10/opinion/10mcglinchey.html>;
http://www.chaskor.ru/article/permanentnaya_revolyutsiya_16564

2 <http://www.dialog.kz/?lan=ru&id=94&pub=1969>

3 <http://www.polit.ru/event/2010/04/08/kyrgyz1.html>

4 <http://www.politcom.ru/9954.html>

5 <http://www.ferghana.ru/article.php?id=6548>

6 <http://www.polit.ru/institutes/2010/04/22/reeves.html>

7 She published her opinion in English in London Review of Books a bit later: <http://www.lrb.co.uk/v32/n09/madeleine-reeves/the-latest-revolution>

April 19th. Today, more than a week after the revolution, there was a clash in Mayevka – a multiethnic Bishkek suburb. People died again. Finally troops come in to defend the residents and restore order. *There was nothing like that in 2005.* Meanwhile, the interim government is absolutely mono-ethnic, and there have been no formal statements released yet on the ethnic diversity of our country.



Signs near the White House, stating that the Dargin and Avar people are mourning for the heroes who died fighting against Bakiev. Photography: Nina Bagdasarova

The “mourning area” around the White House also reflects this problem. There are a couple of banners on the fence surrounding the White House with statements like “the Ingush people grieve for the dead of April 7th,” “the Dungan people grieve for the dead heroes...” Every day there are new peoples mentioned – the Uighur people, the Korean people. There are more than 80 ethnic groups in Kyrgyzstan; will there be 80 signs by next week? Why can’t I express sorrow simply as a citizen? Why can’t I help collect money for families of the dead in private? People haven’t found other methods of self-defense. They are trying to show solidarity in any way possible. Suddenly, many of us are beginning to feel like minorities. *Again, I can not recall such a feeling in 2005.*

Rumors of a conspiracy keep resurfacing. Somebody wants to destabilize the situation. There are several variations of these polemics – for example: conspiracy +

social and political technologies + big money (the Bakiev’s family is seen as an agent of destabilization) or conspiracy and social technology + “big game politics” (referring to Russia vs US + military interests + big money, of course). It is a painful topic. I feel helpless, listening to these debates.

Today, I find hope in our everyday routine. Our cafes opened the day after the “events” (a nerve wrecking situation stimulates the appetite?). Most of the grocery stores never closed at all. Public transportation has been working consistently. We have water, electricity, and even Internet, despite the fact that all of our Internet providers’ offices are located in the city center (which is still dangerous sometimes). There are pogroms and lootings – obviously organized by criminals, but with the participation of “ordinary” people.... But there are also thousands of volunteers, who are ready to come and protect their fellow citizens. “Life must go on” is our motto. It worked in 2005; it seems to work in 2010... at least at the moment.



Nina in a demonstration for a secular Kyrgyzstan in Bishkek.

I don’t feel that my country is a “failed country”. Actually I’m proud. Our everyday routine here is much stronger than any awful “events.” Our simple routine, with its simple pleasures, is much more appealing to people than the games of politicians. I don’t know about “contemporary social technologies”; I’m not sure about “big money”; I avoid thinking about “big game politics.” I’m just trying to believe that in the end, life will win.



Save the Date
ISEEES Annual Fall Reception
Thursday, September 30, 2010
4 – 6 p.m.,
in the Alumni House
UC Berkeley campus

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ISEEEES Graduate Student Support Fund

The ISEEEES Graduate Student Support Fund is a new UCB Foundation endowment that was established by a generous gift from an anonymous donor. When fully funded, the ISEEEES Graduate Student Support Fund will be used to support graduate students in the field of Slavic, East European, and Eurasian Studies. The endowment was launched by the initial gift and matching funds from the Graduate Division. Additional gifts to the Fund are encouraged and gratefully accepted.

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The Annual Colin Miller Memorial Lecture honors the memory of a journalist and radio and TV producer who was devoted to the Center for Slavic and East European Studies (as ISEEEES was called before the year 2000). The endowment funds an annual lecture given by a respected scholar in the field of Slavic, East European, and Eurasian Studies.

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INTERNATIONAL COMMERCIAL ARBITRATION: THE MODEL LAW AND THE CZECH, LATVIAN, AND SLOVAK ARBITRATION LAWS COMPARED

By Ekaterina Apostolova

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I. Introduction

International arbitration is now widely practiced. Businesses prefer to settle disputes on their own terms, and thus, favor international arbitration over any other form of dispute resolution such as domestic litigation.¹ In fact, a study conducted by Queen Mary University of London showed that 73% of the major corporate entities preferred international arbitration to any other method.² International arbitration is particularly attractive because of its flexibility, as it allows the parties to choose which laws to apply, while avoiding the idiosyncrasies of national legal systems and the parochial laws of different countries. International arbitration also allows the parties to choose a neutral site and neutral substantive and procedural laws, and thus, offers an “equitable playing field.”³ Moreover, compared to the clogged courts in some countries, arbitration offers more expedited proceedings and greater certainty of enforcing the award.⁴ Finally, international arbitration is predictable in terms of costs and the laws that will be applied to the dispute.⁵

These advantages are particularly significant in Eastern Europe, where attracting business depends on the presence of an effective dispute resolution mechanism.⁶ While international arbitration is an important way to settle disputes in general, it is especially so in those countries where ineffective judicial systems discourage businesses. Two features present in most Eastern European court systems particularly affect business’ refusal to litigate there—the backlog of cases and corruption.⁷ Businesses are reluctant to resolve a dispute in national courts that have a backlog of cases pending, which results in unwanted delay in the process and an increase in costs. Corruption in the judicial systems also erodes the rule of law in the region by causing undue influence in the adjudication process. Thus, international arbitration, where the parties get to choose who the arbitrators are and whose only task is deciding that particular case, is a valuable alternative to litigation, and therefore, plays a key role in attracting business to Eastern Europe.

This article expands on the limited discussion of arbitration in Eastern Europe. Specifically, it seeks to identify whether Eastern European countries have the potential to be the seat of international arbitration. The article shows that there is a need for harmonization of arbitration laws in Eastern Europe. The laws of the countries

discussed here have not incorporated modern practices and do not contain important provisions concerning court assistance and interim measures. Substantial changes in the statutory framework for arbitration can rectify this situation in the Czech Republic, Slovakia, and Latvia.

To show the need for these substantial changes, the article compares the UNCITRAL Model Law on International Commercial Arbitration (hereinafter “Model Law”) with the arbitration rules in the Czech Republic, Latvia, and Slovakia with regard to international arbitration. The focus is on the Model Law as this law is widely adopted by countries all over the world and approved by practitioners, arbitrators, and businesses alike.⁸ The article also narrows the comparison to the Czech Republic, Latvia, and Slovakia exclusively since there is, although scarce, information on their arbitration rules. Although several other countries in Eastern Europe have not yet adopted the Model Law,⁹ the lack of available primary or secondary sources on arbitration prevents us from including them in this study.

Section II of this article provides some general information on international commercial arbitration. Section III lays out the procedures developed in the countries in question and compares and contrasts their rules. It further compares the local arbitration laws to each other as well as to the Model Law. The similarities emphasize the familiarity of arbitration laws while the differences draw the attention of practitioners to potential areas to be cautious about. Section IV contains concluding remarks.

II. International Commercial Arbitration: Background

This section briefly explains how international arbitration proceedings are conducted in general, before examining in depth the similarities and differences between the Model Law, and the Czech, Latvian, and Slovak Arbitration Laws.

In international arbitration, the parties have to make three choices of law: the substantive law that governs the dispute, the procedural law that the tribunal will follow, and the *lex arbitri* or the legal system overseeing the arbitration.¹⁰ The substantive law governs the merits of the case. The procedural law governs the way in which the arbitral proceedings are conducted.

This article addresses the third choice of law, namely, the *lex arbitri*. The *lex arbitri*, or the law of the seat of the arbitration, is the law of the place where the actual proceedings occur. It identifies the legal system that oversees the arbitration. Thus, if the parties choose to conduct the arbitration in Latvia, unless they agree

otherwise, it will be Latvian Arbitration Law that governs the arbitration agreement.

The *lex arbitri* is important because if the parties did not expressly agree on a law to govern the arbitration agreement, it is the law of the seat of the arbitration that is applied.¹¹ The reason is that the arbitration agreement is most closely connected to the seat of the arbitration because that is the place of performance of the arbitration agreement.¹² Moreover, the *lex arbitri* is chosen by the parties, allowing them to indirectly choose which law should apply to the arbitration agreement. Consequently, selecting the law of the seat of the arbitration honors the parties' autonomy by following their choice.

The UNCITRAL Model Law

The goal of the Model Law is convergence through unification, establishing "harmonious international economic relations."¹³ It was developed for countries to adopt as their national law on arbitration.

There are several advantages to adopting the Model Law. First, it deals with the problem of outdated and inadequate national laws that do not distinguish between arbitration and domestic litigation.¹⁴ The consequence of following such outdated legislation is that "traditional local concepts are imposed on international cases and the needs of modern practice are often not met."¹⁵ Adopting the Model Law allows countries to follow the most current legal practices. Secondly, the Model Law creates a uniform procedure for arbitration, which helps parties avoid confronting unfamiliar provisions.¹⁶ It is expensive for a party to decipher a local law that is not translated into an easily accessible language, or that has not been interpreted by court decisions.

After its adoption in 1985, the Model Law was amended in 2006 to reflect the most current practices in international arbitration. Specifically, the sections on the form of the arbitration agreement and interim measures were expanded. The goal of the revisions was to "significantly enhance the operation of the Model Law."¹⁷

Since its drafting by UNCITRAL, the Model Law has been adopted by 62 countries. However, the Czech Republic, Latvia, and Slovakia have not adopted the Model Law. They have their own laws on arbitration, which reflect different approaches.

III. Basis for Comparison

In this Section, I will compare and contrast the rules governing international arbitration discussed in Section II. I will compare the laws based on the elements of an arbitration proceeding using five areas of comparison. The first basis for comparison is the arbitration agreement, since every arbitration must begin with an agreement. The second basis is the procedure governing the appointment and challenges of arbitrators, since the deciding body in every arbitration is the arbitral tribunal. Interim measures,

which ensure that the award can be enforced, are the third basis for comparison. The fourth basis of comparison is court assistance. Even though arbitration is an independent from the court system process, court assistance can be important and is addressed by most rules. After the award is rendered by the arbitral tribunal, the winning party seeks its recognition and enforcement, and this is the fifth basis for comparing the rules in question.

The Arbitration Agreement

Before choosing the seat of the arbitration procedure, it is important for every practitioner to find out how broadly or narrowly key terms are defined in the arbitration laws in the particular country. One such important term is "arbitration agreement." The form and content of an arbitration agreement are essential for the proceedings, because every arbitration starts with the agreement between the parties.

To conform with the current practice in international arbitration, in 2006 the Model Law was amended in regards to the form of the arbitration agreement.¹⁸ Now, the Model Law contains two options as to the definition of "arbitration agreement" in Article 7, allowing the adopting state to make a choice. Option I requires that the arbitration agreement is in writing, as was the case in the original 1985 text, but does not require the signature of the parties.¹⁹ Option II of the Model Law removes any form of requirements.²⁰ It does not require a written arbitration agreement or a signature by the parties. Accordingly, an arbitration agreement can be oral and may be implied.

In contrast, according to the Czech and Latvian Arbitration Laws, the arbitration agreement must be in writing.²¹ That is consistent with the old version of the Model Law but not with Option II of the 2006 amendments to it. The arbitration law in Slovakia also requires the arbitration agreement to be in writing. The Slovak Arbitration Law is even more restrictive because it requires that the arbitration agreement is signed by the parties.²² In contrast, the Model Law and the Czech and Latvian Arbitration Laws do not expressly require signatures from the parties. The written form of the arbitration agreement is a significant difference to modern practice as an oral agreement to arbitrate will not be valid under the Czech, Latvian and Slovak Arbitration Laws but will be valid under Option II of the Model Law.

However, it is important to note that even though the Czech and Slovak Arbitration Laws are not as liberal in their definition of "arbitration agreement" as Option II of the Model Law, they are more liberal than the Latvian Arbitration Law. In Slovakia, the parties can declare on record to an arbitrator that they wish to submit their dispute to arbitration and this is considered a valid arbitration agreement. Moreover, an agreement can be formed if letters containing an arbitration agreement are exchanged by the parties and such an agreement is stipulated through fax or another communicative device.²³ Similarly, Article 3 of the Czech Arbitration Law provides that "[a]rbitration

agreements made by telegram, telex or electronic means... shall be deemed to be made in writing.”²⁴ There are no such provisions in the Latvian Arbitration Law.

The Arbitrators

The deciding body in every arbitration is not a court, but an arbitral tribunal consisting of one or several arbitrators, who render the final award. Arbitration laws govern the appointment, resignation, and challenge of the arbitrators.

Latvian Arbitration Law provides that parties are free to choose their own arbitrators.²⁵ Similarly, under the Slovak and Czech Arbitration Law and the Model Law, party autonomy plays a key role in the arbitrator selection process.²⁶ Autonomy of the parties or their freedom to choose is crucial in international arbitration. Party autonomy allows parties to tailor the proceedings according to their own specific needs and wishes.

The laws in consideration differ in the approach taken when the parties do not exercise their right to choose. In Latvia, in cases in which the parties have failed to agree on the procedure for the appointment of the arbitrators, the Arbitration Court of the Latvian Chamber of Commerce will appoint them or in case of an *ad hoc* arbitration, each party will appoint one arbitrator and the third arbitrator will be appointed by both parties.²⁷ The Slovak and Czech Arbitration Laws and the Model Law do not distinguish between institutional and *ad hoc* arbitration. They allow the parties to each appoint one arbitrator and then the two arbitrators appoint the presiding arbitrator.²⁸

The Latvian Arbitration Law does not provide for the replacement or the resignation of arbitrators.²⁹ In contrast, the Slovak Arbitration Law states that if an arbitrator is removed, another arbitrator will be appointed according to the same procedure.³⁰ It also contains a provision on resignation, requiring the arbitrator in question to finish all urgent acts that cannot be postponed.³¹ The Model Law also provides for the replacement of arbitrators and outlines the procedure for such a replacement.³² Under Czech Arbitration Law, “[a]n arbitrator may resign his (her) function only for serious reasons or with the consent of the two parties.”³³ Thus, the Latvian Arbitration Law is the only one that does not provide any details on the replacement or resignation of the arbitrators.

In regards to challenging arbitrators, the Latvian and the Slovak Arbitration Laws are very similar to the Model Law.³⁴ An arbitrator can be challenged if there are doubts as to his or her objectivity or impartiality and independence.³⁵ This provision is also available in the Czech Arbitration Law.³⁶

The laws also differ on who decides on the merits of the challenge of the arbitrator in question. In Slovakia, the court, and not the arbitral panel, decides on the merits.³⁷ The Model Law, however, states that it is the arbitral tribunal that decides on the challenge, unless the parties agree otherwise.³⁸ This is also the case under Latvian

Arbitration Law.³⁹ Czech Arbitration Law also allows the parties to choose the procedure in which an arbitrator is to be challenged. However, if such an agreement is not reached, the state court, and not the arbitral panel, decides on the merits.⁴⁰

The requirements on the number of arbitrators are also different. In contrast to both Latvian Arbitration Law and the Model Law, in Slovakia and the Czech Republic the number of arbitrators has to always be odd.⁴¹ Article 10 of the Model Law provides that “[t]he parties are free to determine the number of arbitrators.”⁴² Only if they cannot reach an agreement, the Model Law sets the number of arbitrators to three.⁴³ In contrast, Article 7 of the Czech Arbitration Law states that “[t]he final number of the arbitrators shall be always odd.” This is also the case under the Slovak Arbitration Law.

The Applicable Law

All four laws discussed in this article recognize party autonomy in determining the applicable law. In terms of the applicable procedural law, under the Latvian Arbitration Law and the Model Law, the arbitrators choose it unless the parties have agreed on such a law.⁴⁴ Czech and Slovak Arbitration Laws also give precedent to the parties’ choice. However, Czech and Slovak Arbitration Laws differ from the Latvian Arbitration Law and the Model Law in that in the absence of such an agreement, the applicable law would not be determined by the arbitrators. Rather, the procedure will be governed by Slovak Arbitration Law and the Code of Civil Procedure of 1963 will be used to fill the gaps.⁴⁵ Similarly, under Article 30 of the Czech Arbitration Law, the provisions of the Civil Procedure Code apply.

As for the merits of the dispute, the parties are also free to choose what substantive law to apply under Article 489 of the Latvian Arbitration Law.⁴⁶ This is also the case under the Slovak Arbitration Law, the Model Law, and the Czech Arbitration Law.⁴⁷ The laws differ in their provisions on what happens in case of an absence of an agreement between the parties. The four different laws discussed in this article offer four different options. In Latvia, if the parties did not choose a specific law to govern the merits, then the law of the state where the contract is to be performed is applicable.⁴⁸ In contrast, Slovak Arbitration Law provides that the arbitral tribunal will apply the conflicts of laws rules of the Slovak legal system.⁴⁹ The Czech Arbitration Law provides that “[u]nless the parties choose the proper law under paragraph (1) of the present Article, the arbitrators shall apply the local conflict of laws rules for the determination of the applicable law.”⁵⁰ The Model Law provides that “[f]ailing any designation by the parties, the arbitral tribunal shall apply the law determined by the conflict of laws rules which it considers applicable.”⁵¹ Thus, in this regard, the power of the arbitrators is considerably broader under the Model Law, compared to Latvian, Czech and Slovak Arbitration Laws.

Interim Measures

Interim measures are a crucial element in international arbitration, “an absolute necessity to protect what is at stake in the arbitration.”⁵² Without such measures a party may hide assets which would make it difficult to enforce the final award. More and more parties are asking for interim measures and their use will continue to increase.⁵³

The 2006 amendments to the Model Law reflected the importance and increased reliance of parties on interim measures. More specifically, Article 17 grants power to the arbitral tribunal to order interim measures. The Model Law distinguishes four different types of interim measures and thus, now it requires a certain degree of specificity.⁵⁴ While the previous trend was to have broad description of interim measures, the amendments of the Model Law reflect a new approach.⁵⁵ This is not the case in Latvia. Article 23 of the Latvian Arbitration Law used to govern interim measures;⁵⁶ that article, however, was removed from the law after its amendment in 2005. The Czech Arbitration Law also does not contain a detailed definition of what interim measures can be granted. In fact, in the Czech Arbitration Law, they are not referred to as “interim measures” but as “injunction.”⁵⁷ Slovak Law also only contains a generic description of what interim measures are, following the pre-2006 Model Law approach.

An important issue to address is who has the authority to provide those measures under the different laws: the arbitral tribunal or the national courts?⁵⁸ There are three different approaches to interim measures.⁵⁹ The traditional approach is that courts have the exclusively authority to grant interim measures.⁶⁰ The second approach gives the arbitrators exclusive authority to grant measures, but the enforcement is left to courts. The current trend is “free-choice” model, providing both the court and the arbitral tribunal with that authority.

The Model Law reflects the current trend in international arbitration. Article 9 allows the party to request interim measures from the court. Article 17 addresses the power of the arbitral tribunal to order interim measures. Latvia, as discussed previously, has very limited provisions on interim measures. There, the court can grant interim measures only before the proceedings begin.⁶¹ In addition, Latvian courts are cautious about granting them. In contrast, under the Model Law interim measures can be granted by a court before or during the arbitration.⁶²

Slovak Arbitration Law reflects the second approach. The law gives power to the arbitrators to grant interim measures expressly.⁶³ However, it is the court that enforces the decision of the arbitral tribunal. In addition, the court has power to issue interim measures when the tribunal is not yet constituted.⁶⁴ The Czech Arbitration Law follows the traditional approach. Article 22 of the Czech Arbitration Law gives only a state court the power to order interim measures. Moreover, only the parties and not the arbitrators can apply for such injunctions.⁶⁵

In addition to following the most current trend, the Model Law is also more detailed. It identifies several factors that guide the arbitrators in ordering interim measures.⁶⁶ The laws in Latvia, Slovakia, and the Czech Republic, on the other hand, are not as detailed. The Model Law also has a provision on the enforcement of interim measures granted by the tribunal, but the general trend is not to have such specific provisions. However, this addition to the Model Law was considered necessary because “the effectiveness of arbitration frequently depends upon the possibility of enforcing interim measures.”⁶⁷ These provisions are modeled after the recognition and enforcement of arbitral awards under Articles 35 and 36 of the Model Law. The Czech, Latvian, and Slovak Arbitration Law do not have such provisions.

Court Assistance

Since arbitrators do not have coercive power, there are instances when it is necessary for an arbitral tribunal to resort to national courts for assistance. This is particularly necessary when the arbitrators are appointed and in the process of gathering evidence to prove factual assertions. The current trend in international arbitration is to limit and clearly define the involvement of courts in international arbitration proceedings.⁶⁸ The justification for this approach is that parties choose arbitration to avoid courts and allowing local adjudicatory bodies to get involved too often will hinder this advantage of arbitration. Nevertheless, the laws recognize the importance of having access to the enforcing capabilities of courts.

The Model Law follows the current trend and limits the involvement of the courts to specific circumstances.⁶⁹ However, Latvian Arbitration Law does not follow the current trend, as it does not have provisions on court assistance. Latvian courts do not play a supportive role and cannot provide assistance with the formation of the arbitral tribunal or evidence production.⁷⁰ In contrast, Slovak Law allows courts to decide on the challenges of arbitrators. Similarly, under Articles 11, 13 and 14 of the Model Law the courts can assist in the appointment, challenge and termination of an arbitrator. The Czech Arbitration Law also provides that “the Court of law shall appoint such arbitration” and that “shall appoint a new arbitrator in case the already appointed arbitrator resigns his function or is not in a position to exercise the function.”⁷¹

Latvian Arbitration Law also does not provide for court assistance during the arbitration proceedings with determining the jurisdiction of the tribunal. In contrast, Article 16 of the Model Law allows courts to decide on the jurisdiction of the tribunal. In Slovakia, the court can decide whether or not the matter before the arbitral tribunal is beyond the scope of the arbitration agreement, if the arbitration agreement is invalid.⁷² There is no such provision in the Czech Arbitration Law.

The laws in focus also differ in their approach to court assistance in document production. The arbitral

tribunal does not have the necessary coercive power to obtain documents from parties that refuse to comply with evidentiary requests or from non-parties. The Model Law has a special section on court assistance in taking evidence. Article 27 provides that: “[t]he arbitral tribunal or a party with the approval of the arbitral tribunal may request from a competent court of this State assistance in taking evidence. The court may execute the request within its competence and according to its rules on taking evidence.” The Slovak Arbitration Law allows the arbitral tribunal to seek assistance from a local court, although it forbids the parties themselves to do so.⁷³ Slovak Arbitration Law allows courts to enforce evidence decisions of the arbitral tribunal.⁷⁴ The court can use fines to enforce document production requests.⁷⁵ Similarly, under Czech Arbitration Law only arbitrators and not the parties can request court assistance in the taking of evidence.⁷⁶

Setting aside the award is another area where courts can interfere. Latvian courts cannot set aside an award rendered by an arbitral tribunal. In contrast, the Model Law and Slovak Arbitration Law allow courts to set aside an arbitral award. Article 34 of the Model Law states that “[a]n arbitral award may be set aside by the court.”⁷⁷ It further lists exhaustive grounds under which an award can be set aside.⁷⁸ Slovak Arbitration Law goes even further and provides more in depth details on the grounds for setting aside an award.⁷⁹ Under Czech Arbitration Law, the circumstances under which an award can be set aside follow the ones from the Model Law, with some discrepancies. Importantly, the Czech Arbitration Law does not provide for setting aside an award conflicting with public policy.⁸⁰ Public policy can be taken into account in the enforcement stage. Instead, Article 31 of the Czech Law provides that an award can be set aside if it “condemns a party...to performances impossible or not allowed under the local law,” which seems to be much broader than the public policy provision.⁸¹ However, there is no court decision interpreting this provision since there has not been an award set aside based on it. Thus, there is no guidance on how it compares to the public policy ground.⁸²

Moreover, a unique feature of both Czech and Slovak Arbitration Laws is that they provide an additional recourse against the award: an award can be reviewed by another arbitrator or an arbitral tribunal.⁸³ Thus, it provides for quasi-“appeal” which does not exist under the Model Law, as during the drafting process of the Model Law speed and efficiency were seen as more desirable and valuable. Under Latvian Arbitration Law, an appeal of the arbitral award is expressly forbidden. It is justified on the ground that the courts in Latvia are already overloaded with other cases and they do not have the resources to hear arbitration cases.⁸⁴ This is a significant deviation from the accepted approach and has been recognized by the Constitutional court in Latvia as such.⁸⁵ Nevertheless, this is the current law in Latvia.

Recognition and Enforcement of the Arbitral Award

The recognition and enforcement of arbitration awards is governed by the Convention on the Recognition and Enforcement of Foreign Arbitral Award (hereinafter “New York Convention”). The New York Convention was adopted by a United Nations diplomatic conference in 1958 and is widely recognized as a fundamental instrument in international arbitration.⁸⁶ Latvia, Slovakia, and the Czech Republic have adopted the New York Convention.⁸⁷

For an arbitral tribunal’s award to be recognized and enforced, it must conform to the requirements of the New York Convention. The most debated ground for not enforcing an award is contained in Article V(2)(b) of the New York Convention, which states that the recognition and enforcement of an award may be refused if it is contrary to public policy. What exactly constitutes “public policy” has been an increasingly debated issue and one with which an increasing number of cases are grappling.⁸⁸ And there are different approaches that have been taken.⁸⁹ Thus, it is particularly important to know how national courts in the country where the proceedings are taking place have interpreted this provision. It is important to know if the public policy exception was designed to protect local politics or only international policy, and whether the exception is mostly procedural or also substantive.⁹⁰ However, there are no cases that reveal interpretation of this provision in Latvia, Slovakia, and the Czech Republic.⁹¹ Thus, there is no basis for comparing the application of the New York Convention in those three countries.

It is important to know, however, that there is no reason to believe that those countries will interpret the public policy exception more broadly, and thus, allow for more awards to be nullified. In fact, a study covering the first twenty years of the New York Convention has shown that out of the 112 decisions applying the New York Convention, only three refused enforcement on the basis of a breach of public policy.⁹² Thus, successful challenges on the ground of public policy are rare and it does not seriously threaten arbitration in Eastern Europe.

In addition to the New York Convention, the enforcement of the award is also governed by the arbitration laws in the respective countries. The Model Law is identical to the New York Convention. The Czech Arbitration Law has more limited grounds on enforcing the award. It only provides three grounds.⁹³ In Slovakia, the arbitration law contains more detailed grounds for refusing to enforce an award.⁹⁴ The unique feature under Czech Arbitration Law is that it requires reciprocity in order to enforce a foreign award. Article 38 provides that “[a]rbitral awards rendered abroad shall be recognized and executed in the same way as local awards, only if reciprocity is granted.” Thus, the Czech Arbitration Law is not as favorable to international arbitration in this regard as the New York Convention. It is also not as favorable as the Model Law and Latvian

and Slovak Arbitration Laws since they do not require reciprocity in the recognition and enforcement of arbitral awards.

IV. Conclusion

There is a need for harmonization of arbitration laws in Eastern Europe. The Czech Republic, Latvia, and Slovakia have yet to align their statutory framework for international arbitration to modern trends represented by the Model Law. The comparative study undertaken in this article clearly reveals the laws' constraints in several respects. The limitations imposed on the form of the arbitration agreement in Latvia and the Czech Republic and the requirement of the signatures of the parties in Slovakia frustrate future businesses from conducting arbitration in those countries. The restrictions imposed on party autonomy in the number of arbitrators they can choose and on the power of arbitrators in selecting the procedural law under Slovak and Czech Arbitration Laws are also undesirable.

Moreover, the lack of detailed provisions on interim measures and court assistance leaves unanswered many procedural questions, which are difficult to settle while the proceedings are ongoing. It is also difficult for parties to predict how courts in those countries would interpret the public policy grounds for refusing the recognition and enforcement of arbitral awards since there is no case law on the issue. With significant divergences from the modern practices reflected in the Model Law, parties will likely hesitate or even outright refuse to agree to conduct their arbitrations there.

The Czech Republic, Latvia, and Slovakia have recognized the significance of international arbitration by becoming signatories to the New York Convention. However, the extent of the increase of arbitration in the region depends also on the development of the local arbitration laws. In their endeavor to become important actors in this legal institution, the Czech Republic, Latvia, and Slovakia should change their current legislation to more friendly and pro-arbitration laws. They would be considered much more viable options for the seat of arbitration if they adopt the Model Law. An important advantage of implementing such a pro-arbitration policy is increased trust of foreign investors in the adjudicatory system of the particular country. Having a reliable and effective dispute management system in place is in the vital national interest of those countries, if economic development is considered.

Endnotes

1 SIR MICHAEL J. MUSTILL & STEWART C. BOYD, *COMMERCIAL ARBITRATION* 33 (Butterworth 1989). In fact, a study conducted by Queen Mary University of London showed that 73% of the major corporate entities preferred international arbitration to any other method of resolving cross-border disputes. See Dr. Loukas Mistelis, *International Arbitration – Corporate Attitudes and Practices – 12 Perceptions Tested: Myths, Data and Analysis Research Report*, 15 AM. REV. INT'L ARB. 525, 540 (2004). This study, however, is highly critiqued by Michael McIlwrath in *Ignoring the Elephant in the Room: International Arbitration—Corporate Attitudes and Practices*, 74(4) INT'L J. ARB., MED. & DISP. MGMT. 385 (2008).
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6 Eugen Salpius & Marina Pavlovic, *International Commercial Arbitration in Eastern and Central Europe* 323, in INTERNATIONAL COMMERCIAL ARBITRATION: PRACTICAL PERSPECTIVES 323 (Andrew Berkeley & Jacqueline Mimms eds., 2001).
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8 Currently, there are 62 countries that have enacted legislation based on the Model Law. http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/1985Model_arbitration_status.html.
9 Those countries are Albania, Macedonia, Moldova, Montenegro, Romania and Bosnia and Herzegovina.
10 See generally FOUCHARD, GAILLARD, GOLDMAN ON INTERNATIONAL COMMERCIAL ARBITRATION (Gaillard & Savage eds., 1999).
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26 *Id.* at SLOVAK-36; Article 11 of Czech Arbitration Law.
27 *Id.* at LAT-25.
28 *Id.* at SLOVAK-36; Article 11(3) of the Model Law; LIEBSCHER & FREMUTH-WOLF, *supra* note 22, at CZE-37.
29 *Id.* at LAT-25.
30 *Id.* at SLOVAK-38.
31 *Id.*
32 Article 14-15.
33 Article 5(3).
34 LIEBSCHER & FREMUTH-WOLF, *supra* note 22, at SLOVAK-38-39; LAT-26.
35 *Id.*; Article 12(2).
36 Article 8.
37 LIEBSCHER & FREMUTH-WOLF, *supra* note 22, at SLOVAK-5.
38 Article 13(2).
39 LIEBSCHER & FREMUTH-WOLF, *supra* note 22, at LAT-27.
40 *Id.* at CZE-6.
41 *Id.* at SLOVAK-5, CZE-4.
42 Article 10(1).
43 Article 10(2).
44 SALPIUS & PAVLOVIC, *supra* note 6, at 338, quoting CP Article 506;

- Article 19, stating that “stating such agreement, the arbitral tribunal may, subject to the provisions of this Law, conduct the arbitration in such manner as it considers appropriate.”
- 45 LIEBSCHER & FREMUTH-WOLF, *supra* note 22, at SLOVAK-41.
- 46 *Id.* at LAT-37.
- 47 *Id.* at SLOVAK-9; Article 28(1) of the Model Law; Article 37(2) of the Czech Arbitration Law.
- 48 LIEBSCHER & FREMUTH-WOLF, *supra* note 22, at LAT-37.
- 49 *Id.* at SLOVAK-9.
- 50 Article 37(2).
- 51 Article 28(2).
- 52 Rafal Morek, *Interim Measures in Arbitration Law and Practice in Central and Eastern Europe: the Need for Further Harmonization*, in INTERIM MEASURES IN INTERNATIONAL COMMERCIAL ARBITRATION 75 (Association for International Arbitration ed., 2007), citing W. Wang, *International Arbitration: The Need for Uniform Interim Measure of Relief*, 28 BROOKLYN J. INT’L L. 1061 (2003).
- 53 *Id.*
- 54 Article 17(2).
- 55 Morek, *supra* note 52, at 82.
- 56 LIEBSCHER & FREMUTH-WOLF, *supra* note 22, at LAT-35.
- 57 Article 22.
- 58 Morek, *supra* note 52, at 78.
- 59 *Id.*, citing Jan K. Schaefer, *New Solutions for Interim Measures of Protection in International Commercial Arbitration: English, German and Hong Kong Law Compared*, available at <http://www.ejcl.org/22/art22-2.html>.
- 60 *Id.* at 78.
- 61 LIEBSCHER & FREMUTH-WOLF, *supra* note 22, at LAT-36.
- 62 Article 9.
- 63 LIEBSCHER & FREMUTH-WOLF, *supra* note 22, at SLOVAK-4.
- 64 *Id.* at SLOVAK-5.
- 65 *Id.* at CZE-49.
- 66 Article 17A(1).
- 67 Explanatory Note, *supra* note 14, at 24.
- 68 *Id.* at 27.
- 69 Article 5.
- 70 LIEBSCHER & FREMUTH-WOLF, *supra* note 22, at LAT-3.
- 71 Article 9(1)-(2).
- 72 LIEBSCHER & FREMUTH-WOLF, *supra* note 22, at SLOVAK-33.
- 73 *Id.* at SLOVAK-9.
- 74 *Id.* at SLOVAK-34.
- 75 *Id.* at SLOVAK-48.
- 76 Article 20(2).
- 77 Article 34(2).
- 78 Article 34(2).
- 79 LIEBSCHER & FREMUTH-WOLF, *supra* note 18, at SLOVAK-10.
- 80 *Id.* at CZE-10-11.
- 81 *Id.* at CZE-11.
- 82 *Id.* at CZE-64.
- 83 *Id.* at SLOVAK-11, CZE-10.
- 84 *Id.* at LAT-44.
- 85 *Id.* at LAT-44-45.
- 86 UNCITRAL, 1958 – Convention on the Recognition and Enforcement of Foreign Arbitral Awards – the “New York” Convention, available at http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/NYConvention.html.
- 87 Chrisoph Liebscher, *Application of the New York Convention in Austria and Eastern Europe*, 25(6) J. INT’L ARB. 771, 785, 786 (2008); Status, *supra* note 86.
- 88 David W. Rivkin, *The Public Policy Exception to the Enforcement of International Arbitral Awards*, 2 STOCKHOLM INT’L ARB. REV. 151 (2008).
- 89 *See Id.* Rivkin discusses six approaches in interpreting the public policy exception: the U.S. Approach, the German Approach, the English Approach, the French Approach, the European Aspect, and Other Courts.
- 90 *Id.*
- 91 Liebscher, *supra* note 87, at 786.
- 92 Rivkin, *supra* note 88, at 162, citing Peter Sanders, *A Twenty Years’ Review of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards*, 13 INT’L LAW 269 (1979).
- 93 Article 39.
- 94 LIEBSCHER & FREMUTH-WOLF, *supra* note 22, at SLOVAK-12-13.

Peril from the Periphery? The Politics of International Inequality

A symposium in honor of Professor Andrew Janos took place on April 23, 2010.

It was organized by Professor Jason Wittenberg and Professor Jeffrey Kopstein.

Executive Vice Chancellor and Provost **George Breslauer** opened the symposium with welcoming remarks and an introduction of Andrew Janos.

Mietek Boduszynski, diplomat at the US Department of State) gave a presentation titled *The Unbearable Weight of Structure: A Personal and Intellectual Journey through the Politics of Backwardness*, which focused on the integration of former Yugoslav states into the new Europe. He discussed the reproduction of disparity, explaining how the economies which were poorer than the Yugoslav average in the 1980s (Macedonia, Montenegro, Kosovo, Serbia) continued to have lower incomes in 2009. He also showed that most people within the former Yugoslav states were dissatisfied with their democracies, although they were optimistic about the possibility of joining the EU.

Daniel Ziblatt, the Paul Sack Associate Professor of Political Economy in the Department of Government, Harvard University, presented a paper titled *Legacies of Land: Three Episodes in the History of German Democracy*, which drew on the traditions of Gerschenkron and Andrew Janos of examining a country’s pre-industrial past to explain its historical trajectory. He analyzed the enduring

impacts of agricultural structure on the democratization of Germany in the 19th century. Professor Ziblatt selected three episodes in Germany’s democratization over the centuries: the 1871 national parliamentary elections and the introduction of universal male suffrage, the attempts to democratize Prussia’s state elections before 1914, and the implementation of West Germany’s political structures in eastern Germany after 1989. He demonstrated that inequalities caused by land-holding papers created barriers to democratization.

Venelin Ganev, Associate Professor of Political Science, Miami University, spoke about *Post-Communist Political Entrepreneurs*. Political entrepreneurship in this context refers to actors who are separated largely from larger social constituencies, but whose actions are linked to the transformations of state structures. Dr. Ganev applied the idea of political entrepreneurship to post-Communist states, and showed the different ways in which states were shaped by individual actors. He showed how bureaucratic actors were committed to and were important agents of Europization. He concluded by looking forward to the changes that entrance into the EU would create in East Europe’s political landscape.

Lucan Way, Assistant Professor of Political Science at the University of Toronto, presented the paper *Linkage, Leverage, and the Democratization of Eastern Europe*, co-authored with Steven Levitsky of Harvard University. The paper focused on states in Post-Communist Eastern Europe (Albania, Croatia, Macedonia, Romania, Serbia, Slovakia), which transitioned from being authoritarian to democratic (or nearly democratic in the case of Albania). This outcome came from “linkage and leverage”—leverage from the governments of Western European democracies, and linkage to the economies and societies of these states. Dr. Way discussed specific examples from the countries, and argued that Western European democratic states had a huge influence on Eastern European democratization, by providing support to East European democratic actors as well as putting political pressure on East European states.

Zoltan Barany, Professor of Government at the University of Texas, presented a paper titled *Militarization and Modernization in Post-Colonial Settings: Comparing Ghana, India, Pakistan, and Tanzania*. Dr. Barany drew on Professor Janos’ re-thinking of modernization and militarization. However, his talk used the modernization-militarization paradigm developed by Dr. Janos in a different setting—4 postcolonial states in Asia and Africa. His talk dealt with the developmental choices made by these newly independent states: What strategies did they choose and why? Were modernization and militarization mutually exclusive alternatives or did they complement each other? His main argument was that the modernization-militarization context was very pertinent for Russia and Germany’s socioeconomic and political paths, but that a slightly different approach was necessary to understand the fates of postcolonial states. Specifically, he argued that it was necessary to pay more attention to the *ratio* of modernization versus militarization. Professor Barany’s paper updated the framework developed by Andrew Janos to explain a theory of modernization and militarization trade-offs for post-colonial states.

James Goldgeier, Professor of Political Science and International Affairs, George Washington University, presented a paper titled *The United States, Russia and the Post-Cold War World: From Realism to Idealism, and Back Again to Realism*. His talk drew on Andrew Janos’ studies of backwardness, and he argued that the United States had bungled its attempts to assist in the democratization of Russia because it underestimated the enormity of the task. In Goldgeier’s analysis, there were two major flaws in the US approach to Russia’s democratization. The first was that the US over-looked the continuities between the two political regimes, expecting that any non-democratic or non-free-market elements were simply a transition phase, rather than a final outcome. Secondly, the US and Europe did not sufficiently encourage the economic integration of Russia into the rest of Europe, which led to feelings of betrayal and exclusion. Goldgeier concluded that, while the Clinton era involved a number of mistakes, idealism, and high

expectations, during the Bush and Obama administrations the expectations for the Russian-American relationship were becoming more rational.

Veljko Vujacic, Associate Professor of Sociology, Oberlin College, spoke of *The Leopards and the Jackals. Relative Backwardness, Nationalism, and the Circulation of Elites on the Periphery*. The talk compared Andrew Janos’ *The Politics of Backwardness in Hungary* to Guiseppe di Lampedusa’s *The Leopard*. Dr. Vujacic expanded Janos’ discussion of backwardness and politics to 19th century Italian history. His main conclusion was that the “peril from the periphery” in Eastern Europe came not only from anti-western, totalitarian ideologies but also from the political opportunism of rent-seeking elites.

Victor Rizescu, Assistant Professor of Political Science at the University of Bucharest, presented a paper titled *Critical Cultures and Sociologies of the Elites: Two Romanian Departures*. Professor Rizescu explored Romanian perceptions about the theory of modernization as a top-down state-led program. Dr. Rizescu explained that Romanians do not necessarily accept the common theory that state-led modernization eventually stifles capitalism with its over-bureaucratization. His presentation further compared this attitude towards the state bureaucracy with historical attitudes towards Romania’s landholding class. His presentation stressed this interesting “cultural oblivion” towards the negative effects of state-led industrialization policies.

Jeffrey S. Kopstein, Professor of Political Science, University of Toronto, presented a paper titled *Ulbricht’s and Honecker’s Volksstaat? The Common Economic History of Militarized Regimes*, which explored the commonalities between Germany’s two 20th century dictatorships: East Germany and Nazi Germany. Dr. Kopstein argued that the similarities were significant, as both were militarized societies whose leaderships were constrained in the economic policy choices by popular opinion as mediated through everyday resistance. However, he found that in the Nazi dictatorship, political rule was stabilized and everyday resistance was negated, or at least muted, through racism, war, and plunder. Nazism could therefore only fall from “without.” The East German regime did not have the “luxury” of war, extreme nationalism, or conquest to act as internal stabilizing factors and was thus paralyzed by everyday resistance, ultimately becoming susceptible to revolution from “within.” Dr. Kopstein concluded that the commonality, to the extent that it existed, lay in the dynamics of mobilization, constraint, and war (or absence of war) that the elites of two militarized economies confronted.

Professor Andrew Janos then responded to the papers and concluded the conference by commenting on the future of international politics.

Most of the papers presented at this conference will be available as podcasts by June 1, 2010 at <http://iseees.berkeley.edu/podcasts>.

Faculty and Student News

Sarah Garding, Ph.D. candidate in the Department of Political Science, presented a paper titled “Party Competition and Diaspora Policymaking in Postcommunist Croatia and Serbia” at the conference *Migration: a World in Motion* at the University of Maastricht (Netherlands).

Kristen Ghodsee, UC Berkeley alumna and Associate Professor of Gender and Women’s Studies at Bowdoin College, published a book titled *Muslim Lives in Eastern Europe: Gender, Ethnicity and the Transformation of Islam in Postsocialist Bulgaria*.

Cammeron Girvin, Ph.D. candidate in sociology, presented the paper “Gnomicity and Verb-Final Word Order in Bulgarian Proverbs” at the *Slavic Languages: Time and Contingency* conference at Berkeley in February. He also presented the paper “Socialist Imagery and Ideology in the Poetry of Dimitrovgrad” at the Midwest Slavic Conference in Columbus, OH.

Luba Golburt, Assistant Professor in the Department of Slavic Languages and Literatures, published an article titled “Catherine’s Retinue: Old Age, Fashion, and Historicism in the Nineteenth Century” in the Winter 2009 issue of *Slavic Review*.

Yuriy Gorodnichenko, Assistant Professor of Economics, was awarded the Russian National Prize in Applied Economics for 2009-2010.

Joan D. Grossman, Professor Emerita at the Department of Slavic Languages and Literatures, published a book, titled *Ivan Konevskoi, “Wise Child” of Russian Symbolism*. Boston: Academic Studies Press, 2010. 275pp.

Anastasia Kayiatos, Ph.D. candidate in the Department of Slavic Languages and Literatures, received an honorable mention for the Graduate Student Research Prize offered by the Association for Women in Slavic Studies, where she serves as the Graduate Board Representative. She was also awarded a stipend by UC Berkeley’s Designated Emphasis in Women, Gender, and Sexuality Program (DEWGS) to conduct research in the spring of 2010 on queer and deaf presence in post-Stalin Soviet pantomime. Additionally, she presented a paper titled “The Silence of Race in Post-Stalin Performance” at the Center for Race and Gender’s Thursday Forum Series on *Speaking Through Silence & Erasure: Race, Sexuality, & Expression in Marginalized Language Communities*. She also has an article coming out in *Theatre Survey* in May titled, “Sooner Speaking than Silent, Sooner Silent than Mute: Soviet Deaf Theatre and Pantomime after Stalin.” She will be conducting research in Moscow this summer, funded by a grant from the DEWGS Program. Lastly, Anastasia will be a dissertation fellow at the Townsend Center during the 2010-2011 academic year.

Irina Paperno, Professor in the Department of Slavic Languages and Literatures, published a book titled *Stories of the Soviet Experience: Memoirs, Diaries, Dreams*.

William Quillen, Ph.D. candidate in the Department of Music, recently accepted a three-year appointment as a Junior Research Fellow at Clare College, University of Cambridge. The appointment begins in October; William plans on filing his dissertation—a study of new music in Russia from the mid-1980s to today—in August.

Shawhin Roudbari, Ph.D. candidate in the Department of Architecture, received a grant from ISEES to support research in Dushanbe, Tajikistan during January 2010.

Gerard Roland, Professor in the Department of Economics, organized an international conference for the World Institute for Development Economics Research of the United Nations University, titled *Reflections on Transition: Twenty Years After The Fall of The Berlin Wall* in September 2009 in Helsinki, Finland.

Victoria Smolkin, Ph.D. candidate at the Department of History, accepted an academic appointment as Assistant Professor in the History Department at the College of Social Studies at Wesleyan University (Middletown, CT). She also presented a paper titled “The Meaning of Life: The Making of the Soviet Ritual Cosmos,” at the Columbia University Religion Graduate Conference: *Divining the Message/ Mediating the Divine*, New York, NY, April 1-3, 2010.

Cinzia Solari, Ph.D. Candidate in sociology, accepted a tenure-track assistant professor position in the Sociology Department at the University of Massachusetts, Boston. Her dissertation title is: “Exile vs. Exodus: Nationalism and Gendered Migration from Ukraine to Italy and California.” She has a forthcoming article: “Resource Drain vs. Constitutive Circularity: Unpacking the Effects of Post-Soviet Emigration Patterns on Ukraine” at *Anthropology of East Europe Review*. She presented her working paper: “‘Prostitutes’ and ‘Defectors’: Gendered Migration and the Ukrainian State” at the Social Science History Association conference in Long Beach, CA in November 2009.

Luke Stratton, Ph.D. candidate in the Department of Slavic Languages and Literatures, received a Berkeley Language Center fellowship for the Spring 2011 semester. He will create a website that relies on futurist poetry as a means to teach Russian phonetics.

Susanne Wengle, Ph.D. candidate in the Department of Political Science, received the John L. Simpson Memorial Research Fellowship for the 2009/2010 academic year. She also received a two year post-doctoral fellowship of the Swiss National Science Foundation, and Columbia University’s Harriman Institute has agreed to serve as a host institution for the duration of the fellowship.

AAASS Convention 2009

The AAASS annual convention was held in November 2009 in Boston, MA. The following ISEEEES affiliates made presentations:

Ronelle Alexander, professor in the Department of Slavic Languages and Literatures, served as a discussant for the panel on *Speaking Lives III: The Secular and the Sacred*, as well as on the panel on *New Research in South Slavic and Balkan Linguistics*.

Katya Balter, Ph.D. candidate in the Department of Slavic Languages and Literatures, presented a paper titled “The Space of the Dream, the Place of the Spectator: Suture and the Oeneric in Tarkovsky’s *Stalker*” at the panel on *Modes of Expression in Tarkovsky’s Cinema*.

David Beecher, Ph.D. candidate in the Department of History, presented a paper titled “Generation of Strangers at Tartu University, Estonia” at the panel on *Generational Identities: Cultural Producers in the Soviet National Satellites*.

George Breslauer, professor in the Department of Political Science and Executive Vice chancellor and Provost, participated in the roundtable discussion on *Categories and Individuals in Political Science –An Assessment and Russia in the Year 2009: The Ed Hewett Memorial Roundtable*.

Greg Allan Castillo, Associate Professor in the Department of Architecture, served as a discussant for the panel on *Brussels Dreams: State Socialist Pavilions at Expo ’58*.

John F. Connelly, Associate Professor in the Department of History, presented a paper titled “Universal Church and National Body” at the panel on *Catholicism and Nationalism in Modern Poland*. He also served as a discussant for the panel on *Brussels Dreams: State Socialist Pavilions at Expo ’58*.

Polina Dimova, Ph.D. candidate in the Department of Comparative Literature, presented a paper titled “The Poet of Fire: Alexander Scriabin’s Prometheus and the Russian Symbolist Poetics of Light” at the panel on *Music and Literature*.

Nicole Eaton, Ph.D. candidate in the Department of History, presented a paper titled “The Battle for East Prussia: Soviet and German Stories in 1945 and Beyond” at the panel on *Telling the Second World War*.

Mieka Erley, Ph.D. candidate in the Department of Slavic Languages and Literatures, presented a paper titled “‘Reclaiming the Land’: Melioratsiia and Andrei Platonov’s Central Asian Prose” at the panel on *(Re)claiming Russia: Russian Prose and National Borderlands*.

Christine Evans, Ph.D. candidate in the Department of History, presented a paper titled “A Good Mood for the Holidays: Celebrating the New Year on Central Television” at the panel on *Soviet TV Night: Television and its Audience in the Brezhnev Era*.

Melanie A. Feakins, Visiting Assistant Professor and Research Associate in the Department of Geography, presented a paper titled “In-shore Industries” at the panel on *Beyond Soviet/Post-Soviet Dichotomies*. She also participated in the roundtable discussion on *Russia’s ‘Global Cities’ in the Economic Crisis*.

M Steven Fish, professor in the Department of Political Science, participated in the roundtable on *Russian Politics in 2009: A Look Back at an Unpredictable Year*. He also served as a discussant for the panel on *Islam’s Influence in Central Asia and Azerbaijan*.

Victoria S. Frede, assistant professor in the Department of History, presented a paper titled “‘If There is no God, then Everything is Permitted’: Atheism in Nineteenth Century Russia” at the panel on *Atheism in Russian over the Longue Durée*. She also chaired the panel on *Emotions Across the Disciplines: Past, Present, Future*.

Emily A Frey, Ph.D. candidate in the Department of Music, presented a paper titled “Onegin’s Journey: Chaikovsky and Evgeny Onegin from Pushkin to Dostoyevsky” at the panel on *Music and Literature*.

David Frick, professor in the Department of Slavic Languages and Literatures, presented a paper titled “Maciej Vorbek-Lettow’s ‘Treasure-House of Memory’: A Life Written across Borders” at the panel on *‘Living on the Edge’: Writing and Recording Lives in the Borderlands of the Polish-Lithuanian Commonwealth, 1600-1800*.

Jordan Gans-Morse, Ph.D. candidate in the Department of Political Science, presented a paper titled “Out of Chaos? Business Elites and Property Rights in Russia” at the panel on *Economic Reform and Political Liberalization in Russia and Eastern Europe*.

Luba Golburt, Assistant Professor in the Department of Slavic Languages and Literatures, presented a paper titled “‘Pushkin’s Readers and Consumers’” at the panel on *Pushkin’s Traders: Gambling, Reading and Prostitution*. She also chaired the panel on *Visualizing Trauma: Images of Historical Propaganda*.

Theocharis Grigoriadis, Ph.D. candidate in the Department of Political Science presented a paper titled “EU Aid Effectiveness in the Former Soviet Union: Evidence from Russia, Ukraine and Kazakhstan” at the panel on *The Impact of Economic Reforms: National and Transnational Factors*. He also served as a discussant for the panel on *Economic Reform and Political Liberalization in Russia and Eastern Europe*.

Anastasia Kayiatos, Ph.D. candidate in the Department of Slavic Languages and Literatures, chaired the panel on *Reading and Writing Queer Lives in 20th Century Russia*.

Anaita Khudonazar, Ph.D. candidate in the Department of Near Eastern Studies, presented a paper titled “Nostalgia and the Production of National Past in Soviet Central Asia”

in the panel on *Generational Identities: Cultural Producers in the Soviet National Satellites*.

Anzhelika Khyzhnya, Ph.D. candidate in the Department of Slavic Languages and Literatures, presented a paper titled “‘Taras Bulba’: Nikolai Gogol Beyond Ukrainian and Russian Nationalism” at the panel on *(Re)claiming Russia: Russian Prose and National Borderlands*.

Leonid Kil, Ph.D. candidate in the Department of Political Science, presented a paper titled “Internal Conquest: Origins and Evolution of Authoritarian Liberalism in Russia” at the panel on *Institutions and Individuals in the Russian Autocracy*.

Tony Hsiu Lin, Ph.D. candidate in the Department of Slavic Languages and Literatures, presented a paper titled “Alexander Scriabin and Viacheslav Ivanov: The Fusion of Music and Poetry” at the panel on *Music and Literature*.

Traci S. Lindsey, Ph.D. candidate in the Department of Slavic Languages and Literatures presented a paper titled “Balkan Sprachbund Influence on the Lexicalization Patterns of Bulgarian Motion Verbs” at the panel on *New Research in South Slavic and Balkan Linguistics*.

Olga Matich, professor in the Department of Slavic Languages and Literatures chaired the panel on *New Spins on Russian Cloth Culture, 1900-1920s*. She also participated in the roundtable titled *Literature and the Visual (Arts): Clouds, Steppe, Road, Etc.*

Marcy Elisabeth McCullaugh, Ph.D. candidate in the Department of Political Science, UC Berkeley, presented a paper titled “Democracy, Globalization, Oil and Social Spending in Post-Communist Countries, 1999-2005” in the panel on *Unexpected Variation in Post-Communist Outcomes*.

Elizabeth Anne McGuire, Ph.D. candidate in the History Department, presented a paper titled “Writing Lives that Aren’t Over: The ‘Created Family,’ Interdom 1933-2009” at the panel on Big Decisions: Framing the Writing of Soviet Lives. She also served as a discussant for the panel on *Socialist Internationalism, Part III (Cultural Geographies)*.

Eric Naiman, Associate Professor in the Departments of Slavic Languages and Literatures and Comparative Literature, presented a paper titled “What is the Point of Rita in Lolita?” at the panel on *Lolita*. He also served as a discussant for the panel on *Literary Organization: The Uses of Biology in Russian Modernism*.

Irina Paperno, professor in the Department of Slavic Languages and Literatures, presented a paper titled “‘My Life’: Tolstoy Writes his Diary and Plans his Biography” at the panel on *Writing and Reading Lev Tolstoy’s Life*. She also served as a discussant for the panel on *Russian Literature in the Post-Emancipation Era: New Media and Expanded Contexts*.

Alexis Peri, Ph.D. candidate in the Department of History, participated in the *Banias and Bodies: Life and Death in the Soviet Bathhouse* roundtable. She also participated in the *Reading and Writing the Siege: Narratives of Space, Survival, and Intellectual Inspiration inside Leningrad, 1941-1944* roundtable.

Jilian Porter, Ph.D. candidate in the Department of Slavic Languages and Literatures, presented a paper titled “Pushkin’s Economic Sentiments” at the panel on *Pushkin’s Trades: Gambling, Reading, and Prostitution*.

Harsha Ram, Associate Professor in the Department of Slavic Languages and Literatures, presented a paper titled “Revolutionary Internationalism and Futurist Utopianism in the Late Khlebnikov” at the panel on *Socialist Internationalism, Part II (Genres)*. He also participated at the roundtable discussion on *Concepts of Symbol and Image in Russian Modernism*.

Brandon Schechter, graduate student at the Department of History, presented a paper titled “‘The Language of the Sword’: Aleksandr Bek, the Writers Union and Baurdzhan Momysh-uly in Battle for the Memory of Volokolamskoe Shosse” at the panel on *Telling the Second World War*.

Kathryn Schild, Ph.D. candidate in the Department of Slavic Languages and Literatures, presented a paper on “The Imperial Traveler’s Moments of Wonder in Hero of Our Time” at the panel on *Negotiating the Periphery: Literary Perspectives on Russian Imperial Discourse*. She also served as a discussant for the panel on *(Re)claiming Russia: Russian Prose and National Borderlands*.

Erik R. Scott, Ph.D. candidate in the Department of History, presented a paper titled “Familiar Strangers: The Georgian Diaspora in the Soviet Union” at the panel on *Identity Formation: Self and Other in Diaspora*.

Victoria Smolkin, Ph.D. candidate in the Department of History, presented a paper titled “‘A Parasite on the Unsettled Questions of Communist Construction’: The Transformation of the Soviet Ritual Cosmos” at the panel on *Atheism in Russia over the Longue Durée*.

Katy Sosnak, Ph.D. candidate in the Department of Slavic Languages and Literatures, UC Berkeley, presented a paper titled “Dostoevsky’s Modern Illustrators: ‘Prestuplenie i Nakazanie’ as 1950s Propaganda” at the panel on *Visualizing Trauma: Images of Historical Propaganda*.

Alyson Louise Tapp, Ph.D. candidate in the Department of Slavic Languages and Literatures, presented a paper titled “The Elegiac Future: The Sound and Shape of Hope” at the panel on *Russian Elegy from Zhukovsky to Mandel’shtam*.

Allan Joseph Urbanic, Librarian for Slavic and East European Collections, participated in the roundtable discussion on *Librarianship as Career Path for Scholars in Slavic and Eurasian Studies*.

Susanne Wengle, Ph.D. candidate in the Department of Political Science, presented a paper titled "Power Politics: The Role of Experts in the Liberalization of Russia's Electricity Sector" at the panel on *Economic Reform and Political Liberalization in Russia and Eastern Europe*.

Alexei Yurchak, Associate Professor in the Department of Anthropology, participated in the roundtable discussion on *Presidential Plenary: Reading and Writing Lives*. He also served as a discussant for the panel on *Russian Language and Literary Culture in the New Media Age 2*.

New Digital Collections at the Slavic Library

Over the past several years, the amount of material acquired by the Slavic collections in digital formats has increased significantly. This matches the general trend in libraries to opt for digital representations of books and serials over their print counterparts. Digital content presents advantages for patrons, who can not only remotely access these materials from their offices and homes, but who even can access the materials wherever in the world they might be conducting research provided that internet connectivity is available.

While most materials that we purchase digitally for Slavic collections are serial publications (magazines, scholarly journals, newspapers, etc.) an increasing number of books relating to our fields of interest are being acquired. One of the Library's collections, **ebrary**, has a significant number of materials of this kind. For example a simple search on the word Russia resulted in 17,140 hits. All of these can be read on any computer after downloading their small text reading application.

Through recent support from ISEES's Title VI grant, the Library has been able to acquire two significant collections of scholarly journals, the **Russian Social Sciences and Humanities** journal collection from East View Information Systems containing over 80 serial publications and the **Central & East European Online Library** which contains well over 400 scholarly journals. I am happy to say that we have been able to continue support for these two collections for an additional year and a sustainable funding model is being fashioned for the future.

Then there are the many hidden pools of digital resources that I try to highlight on the Library's Slavic and East European Collections web page. There are literally hundreds upon hundreds of full text newspapers, economic reports, and third party analyses for all of the regions of the Former Soviet Union and Eastern Europe in the **ISI Emerging Markets** collection. Added to these are the many newspapers contained in the resource **Factiva**, which unfortunately does not have the most intuitive search engine. If it is statistics you want you will find them on all kinds of topics in the **Russia/NIS Statistical Publications** collection, which includes the complete 2002 All-Russia Census.

All of the above mentioned resources not only provide full text of the equivalent print versions, but because they are digitally represented, they have the added value of powerful searching tools which their print counterparts lack.

And there are more resources on the horizon. The Library is currently trying to negotiate a discounted licensing agreement, along with its sister institutions of the Pacific Coast Slavic Library Consortium (PACSLAV), to acquire the entire digital run of **Pravda** (1912 to 2009) which will replace our aging and deteriorating microfilm of this publication. It will be fully represented in PDF format and fully searchable. No longer will our scholars have to deal with darkened passages on a film frame or the need to consult a cumbersome index to unlock the information in this publication. The future is truly digital.

Sites to try for Slavic digital content (you must go through the Library's Proxy Server to access these from off campus)

ebrary: <http://site.ebrary.com/lib/berkeley/home.action>

Russian Social Sciences & Humanities journals: <http://dlib.eastview.com/browse/publications?uid=4>

CEEOL: <http://www.ceeol.com>

ISI Emerging Markets: <http://site.securities.com>

Factiva: <http://uclibs.org/PID/98470>

Russian/NIS Statistical Publications: <http://udbstat.eastview.com/>

One final note: You may have noticed that certain records in our Library's online catalog, Oskicat, contain bibliographic data in both Cyrillic and in transliteration. For a sample record see: <http://oskicat.berkeley.edu/record=b16470454~S1>. This is a new development that our system can now support. One can, with an installed Cyrillic keyboard, actually search for these records in the catalog. However, they are few in number at this time, and there are no plans to go back and add the Cyrillic text to older records, so for now the best strategy is to search using the standard transliteration tables for Cyrillic (Russian, Bulgarian, etc.). A reliable transliteration table can be found at <http://www.indiana.edu/~libslav/slavcatman/sltrans.html>

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CASE-UC Berkeley Field Project: Spring 2010

The Berkeley Program in Eurasian and East European Studies is pleased to report on its latest group of CRRC scholars who came to Berkeley from the Caucasus in April 2010 for a two-week stay. Their visit was sponsored by a generous grant by the Carnegie Foundation to ISEEEES. Our CRRC scholars for Spring 2010 were Medea Badashvili, Yuliya Antonyan, Lia Tsuladze, and Anar Valiyev.

Dr. Badashvili is from Tbilisi, Georgia, where she is Professor at the Department of Social Sciences, Human Geography, Tbilisi State University. During the program, she worked with Ph.D. candidate advisor Nina Aron and faculty mentor Mary Kelsey on a research project on "Family and Religion in Post-Socialist Societies."

Dr. Antonyan is from Yerevan, Armenia, where she is Assistant professor at the Department of Cultural Studies, Yerevan State University. Her area of expertise is Ethnography and Cultural Anthropology. During her time in Berkeley she worked with Ph.D. candidate advisor Alexis Peri and faculty mentors Alexei Yurchak and Charles Hirschkind on a research project titled "Models of Religiosity in Contemporary Armenia."

Dr. Tsuladze is from Tbilisi, Georgia, where she is Associate Professor at the Department of Sociology, Faculty of Social and Political Studies and Center for Social Sciences (CSS) at Tbilisi State University. During her time in Berkeley she worked with Ph.D. candidate advisor Nicole Eaton and faculty mentor Victoria Bonnell on a research project titled "Youth and Identity in Post-Socialist States."

Dr. Valiyev is from Baku, Azerbaijan, where he is Program Director, Master of Arts in Diplomacy and International Affairs (MADIA), at the Azerbaijan Diplomatic Academy. His area of expertise is urban and public affairs. During his time in Berkeley he worked with graduate student advisor Brandon Schechter and faculty mentor Melanie Feakins on a research project titled "Post-Socialist Cities."