

NATURAL DIFFERENCES IN THE LEGAL DIMENSION: INSTITUTIONALISATION OF THE NORTHERN AND MOUNTAIN REGIONS OF RUSSIA

Yuri N. Golubchikov¹, Alexey N. Gunya^{2*}, Matthias Schmidt³

¹Faculty of Geography, Lomonosov Moscow State University, Leninskie Gory, 119991, Moscow, Russia

²Institute of Geography, Russian Academy of Sciences, Staromonetny pereulok 29, 119017, Moscow, Russia

³Institute of Geography, Augsburg University, 86159, Augsburg, Germany

*Corresponding author: a.n.gunya@igras.ru

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ABSTRACT. Natural differences in the regional development of Russia are presented in many legislative acts dedicated to the Russian Far North. In contrast, the unique nature and complexity of mountainous and high-mountain territories are protected only by a few regional acts. The reason for this lies in the complexity and multicomponent criteria required for assigning these territories the status of protected areas and in the fact that their boundaries do not correspond with administrative boundaries. The main materials underlying the article are legal documents (regulations, laws, etc.) concerning the institutionalization of the northern and mountainous territories. A comparative analysis of regional policy in relation to mountainous and northern territories takes into account similar criteria, such as vegetation types and patterns, forest borders or crop frontiers. Almost two-thirds of the territory of Russia refers to the North and more than half of the territory is occupied by mountains. The first attempts to institutionalize the North were undertaken in the 1930s, while the programmes for the development of mountainous territories gained legal support only at the end of 20th century and only in some regions. The most important difference between the institutionalization of the North and the mountains is the fact that the state initiated the creation of special legal conditions for the North. In the case of the mountains, the initiator was the public, initially at the regional level. Currently, three constituent entities of the Russian Federation adopted laws on mountain areas, but so far there are no all-Russian laws. The main lobbyists are the North Caucasian regions, while the Siberian regions (with the exception of the Altai Republic) are rather passive in discussing mountain issues. The elaborated legislation for the North seems to be closely related to the potential and realised income from natural resource extraction. For this reason, corresponding legislation for the mountain regions is not expected particularly soon, due to the lack of legal resources. Efforts aimed to provide legal support for mechanisms that compensate the socio-economic discrepancies between mountainous areas and more developed “flat places” should take into account the experience of institutionalizing the Northern territories of the Russian Federation.

KEYWORDS: Russia, northern regions, Arctic, mountain territories, regional development, institutionalisation

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INTRODUCTION

Russia has huge regional differences in terms of natural conditions and living environments. This impacts state policy and Russians’ way of life, resulting in a special geographical outlook. According to Laruelle (2012), there are three important geographic meta-narratives about Russia that characterise its territorial-spatial position: Eurasianism, Cosmism, and Arcticism. In line with these

meta-narratives, Russia occupies an intermediary position in the Eurasian space and unites European and Eastern civilisational components. The northern region of the country is considered a promising geopolitical axis.

Russia’s huge natural differences are mirrored in instruments of governance such as strategic planning and regional development. The Federal Law on strategic planning (2014)¹ originally outlined many spatial development priorities that were later reflected in the

¹Federal Law “On Strategic Planning in the Russian Federation”. 2014. Available at http://www.consultant.ru/document/cons_doc_LAW_164841/. [Accessed 29 July 2021].

spatial development strategy (2019)². In particular, the document on the foundations of state policy for regional development (2017)³ calls for a reduction in regional disparities in terms of the socio-economic situation and quality of life. It is barely possible to take into account the diversity of living conditions and developments within existing administrative zones. Therefore, the Spatial Development Strategy, in addition to administrative units, designates new territories and regions, such as urban agglomerations, border regions, special strategic areas, etc. By taking into account the spatial characteristics and natural contrasts of Russia, the state's regional policy pays most attention to differences caused by the country's location in the extreme natural and climatic conditions of the North. Much less attention is paid to the particularities of Russia's mountain areas. Meanwhile, according to the latest data, mountains occupy more than 50% of the country's territory and are characterised by no less difficult conditions for living and regional development. Recognition of the importance of mountain specifics in state policy is a noticeable global trend, with which Russia has recently begun to join. An important event in this regard is the adoption by the CIS Interparliamentary Assembly of the Model Law on the protection and development of mountain territories⁴ at the end of 2020. The adoption of specific laws and establishment of corresponding institutions for mountain regions can be based on legal support experiences of not only other countries, but also on the Russia's own experience on the development of the North.

The purpose of this article is to analyse the relationship between the natural and socio-political factors that have influenced the institutionalisation of the northern and mountainous regions of Russia. We will focus on the analysis of two types of institutions: a) underlying the official recognition and the legalization of geographical differences, which is primarily expressed in the definition of the boundaries of the north and mountains, b) regulating social relations arising from special (northern or mountainous) conditions.

MATERIALS AND METHODS

This work is based on legal documents (regulations, laws, etc.) on the institutionalisation of the northern and mountainous territories. There are two types of such documents: 1) advisory decisions (declarations, conventions, charters, etc.) and 2) documents of mandatory execution (laws, regulations) (Galinovskaya 2020). In the regions themselves, in the course of field research, we revealed the connections between decisions made and their implementation, the involvement of various actors in the institutionalisation, in particular, and the role of the state and the local community.

We summarised the current efforts on the institutionalisation of mountainous areas and the Russian Arctic. Thus, the Russian experience of institutionalising the Arctic reveals that in this process involves aspects such as leading actors (for example, the state), coverage, national status, development priorities, correlation with other grids, regionalisation, etc. (Katorin 2016). The institutionalisation of mountainous regions, as a rule, is accompanied by the

formalisation of traditional practices and customary law (adats), which to one degree or another are enshrined in documents, although some of the traditional rules remain unformalised but still play an important role in regulating mountain management at local levels (Gunya 2013).

Theoretical context

This work uses an institutional approach to analyse the specifics of modern territorial processes, in particular legalisation on new spatial boundaries and regions that do not coincide with administrative boundaries. Institutionalisation is initially understood as a process involving the development of new institutions, i.e. rules governing political life, the use of resources, environmental protection, etc. In the context of our work, the emerging new institutions did not replace but supplemented existing ones. Lindner (1998) singled out two complementary directions for the emergence of new institutions: the organisation of new conditions and rules from above (for example, imposed by central authorities through the introduction of new laws), and the formalisation of existing, including traditional, institutions that are not officially recognised. Institutionalisation, if it is based on socio-cultural and political roots, is called "regionalisation" (c.f., Paasi 2010, Agnew 2013). Natural factors can also play an important role in regionalisation. The designation of a new region according to natural criteria is often referred to as "framing" (De Vreese 2012; Debarbieux et al. 2014). Therefore, the framing of drainage basins (for example, identification of the Danube region), mountainous countries (the region of the Alpine Convention), etc. can be indicative in this sense. The experience of institutionalising a region (be it socio-political regionalisation or framing based on natural-ecological unity) is a complex process of interaction at the social, spatial, and temporal large-scale levels (Dörrenbächer 1998).

The Russian North and the mountainous territories of Russia are macro-regions covering an area of several million square kilometres. They do not coincide with administrative boundaries, but they are nevertheless often used in socio-political documents and serve as the subject of legal relations. As will be shown below new laws developed for them create a special institutional environment that contributes to the development of these macro-regions. In this context, by "institutionalisation" herein we mean the process involved in the legalisation of the North and the mountainous territories of Russia as special macro-regions with their inherent and special legal preferences that differ from other Russian regions. Considering the huge amount of sources devoted to the institutionalisation of the Arctic and, to a lesser extent, mountain regions, the task of the study is limited to the geographical aspects of institutionalisation and their comparative analysis. The aim is to analyse the ratio of natural and socio-political factors that have influenced: 1) the allocation of the northern and mountainous regions of Russia into special territorial units and 2) the delimitation of their areas (substantiation of their boundaries). Achieving the stated goal will also make a certain contribution to the development of interdisciplinary areas in geography, social anthropology, and political ecology.

²The Spatial Development Strategy of the Russian Federation until 2025. 2019. Available at https://www.economy.gov.ru/material/file/a3d075aa813dc01f981d9e7fcb97265f/130219_207-p.pdf. [Accessed 11 December 2021].

³Fundamentals of State Policy for Regional Development of the Russian Federation for the period up to 2025" (2017). Available at http://www.consultant.ru/document/cons_doc_LAW_210967/. [Accessed 29 July 2021]

⁴Model Law "On the Protection and Development of Mountain Territories". 27 November 2020. Available at https://iacis.ru/baza_dokumentov/modelnie_zakonodatelnie_akti_i_rekomendacii_mpa_sng/modelnie_kodeksi_i_zakoni/10. [Accessed 29 July 2021].

RESULTS

The North and mountains as the study objects

In Soviet-Russian geography, the term “Northern studies” (or Severovedenie in Russian) has long existed as a scientific direction for the comprehensive study of problems relating to the northern regions (c.f., Zaydfudim, Golubchikov 2003; Agranat 2007). The population of the vast sub-Arctic and Arctic areas (zones typified as tundra, forest-tundra, and northern woodlands) account for less than 0.1% of the world’s population, i.e. approximately 5 million people. There are no permanent settlements north of 78° N or south of 54° S (Golubchikov 1996). The largest cluster of the world’s circumpolar population is concentrated in Russia. Among the Arctic countries, the Russian North is distinguished by the highest ethnic diversity, with eleven ethnic groups, and the total indigenous population amounting to approximately 200,000 people, of which the Nenets account for the largest share with 34,000 people; the smallest group is the Enets (209 people) (Golubchikov 2015).

Much less attention in Russia has been paid to the comprehensive study of mountains as a separate subject (sectoral studies, such as the study of mountain glaciers, have of course been conducted for a long time). Global trends in the study of mountains (Debarbieux and Price, 2012; Adler et al 2020), which have also penetrated into Russian geography, have gradually begun to receive more and more attention (c.f., Kotlyakov and Badenkov 1999; Kotlyakov et al 2014). Furthermore, geographical surveys of the mountains of Eurasia have recently appeared (Schmidt and Stadelbauer 2017; Schmidt 2017).

Mountains and northern territories exhibit many similarities and are dealt with by specific scientific approaches and sub-disciplines, such as periglacial geography (Golubchikov 1996). In our understanding, periglacial environments encompass cold, treeless, non-glacial spaces mainly in tundra and forest-tundra, or their high-altitude analogues. The snow line and cold forest boundaries – some of the planet’s most complex frontiers – constrain periglacial environments, the geography of

which covers both high-altitude and high-latitude areas (Golubchikov 1992, 1996).

Significantly different from many other areas, periglacial environments are particularly difficult to live in, and so they are the harshest environments, in which the human still constantly lives. Moreover, these mainly “peripheral” regions are usually economically underdeveloped.

Geographical aspects of the institutionalisation of the North

The allocation of the northern territories into a special macro-region of Russia is due to their resource significance and the urgent need for their development. This macro-region began being institutionalised a relatively long time ago and now it is well studied (c.f., Lukin 2013). Therefore, it makes sense to dwell on some of the geographical features of its institutionalisation.

The “Far North” concept was mentioned for the first time in the regulation on benefits for persons working in the Far North of the RSFSR (1932)⁵. Later, a list of localities equated to the Far North regions was determined (1945). To date, the list of regions in the Far North and equivalent areas covers 25 constituent entities of the Russian Federation, covering an area of more than 11 million km² (two-thirds of the territory of Russia) with a population of more than 10 million people.

The current growth in the geopolitical “weight” of the North has led to the allocation of the Arctic Zone, covering the territory of the Murmansk region, as well as the Nenets, Chukotka, and Yamalo-Nenets autonomous areas and the municipal formation of the Vorkuta urban district (Komi Republic)⁶. In 2021, the list of territories belonging to the Arctic zone changed and now it includes nine regions, including four entire constituent entities of the Russian Federation (Chukotka Autonomous Area, Yamalo-Nenets Autonomous Area, Nenets Autonomous Area, and Murmansk Region) and 45 municipalities of five subjects of the Russian Federation (the republics of Karelia, Komi, Sakha (Yakutia), Arkhangelsk region, Krasnoyarsk Territory)⁷ (Fig. 1).

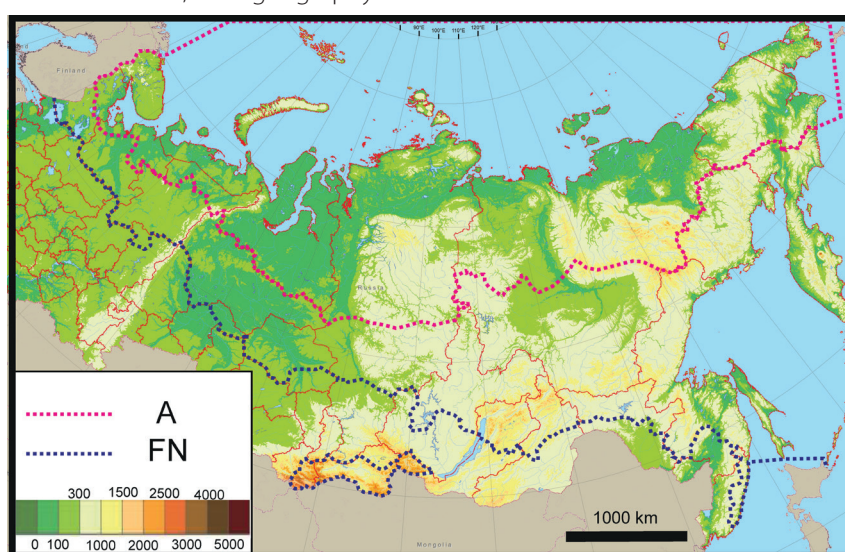


Fig. 1. The southern borders of the Arctic Zone (A) and the „Far North“ (FN).

⁵Resolution of the All-Russian Central Executive Committee, SNK RSFSR dated 05/10/1932. “On Approval of the Regulations on Benefits for Persons Working in the Far North of the RSFSR”. Available at <http://www.consultant.ru>. [Accessed 29 July 2021]

⁶Decree of the President of the Russian Federation of May 2, 2014 No. 296 “On the land territories of the Arctic Zone of the Russian Federation”.

⁷Decree of the Government of the Russian Federation of October 30, 2021 No. 1877 “On Amendments to the State Program of the Russian Federation” Social and Economic Development of the Arctic Zone of the Russian Federation”

The goals of special policy in the Arctic Zone are related among other things to the need to preserve the natural environment and to ensure general live standards. Currently, institutionalisation is closely related to international processes and trends in the Arctic Zone, in particular to initiatives and projects within the Arctic Council (an intergovernmental forum of the Arctic countries) framework, created in 1996, which contributes to sustainable development and environmental protection of the Arctic regions. An increase in energy prices at the beginning of the new millennium and a clearly manifested trend toward climate warming fueled interest in the Arctic, which in turn led to the adoption by the polar countries of strategic documents for the development of their own zones. It is these factors, according to Katorin (2016), that became a key prerequisite for the formation of the modern state policy of the Russian Federation in the Arctic, thus highlighting the Arctic Zone of the Russian Federation (AZRF) as an object of state policy regulation.

One highly relevant feature of the "North", "Far North", and "Arctic" lies in their boundaries. Agranat (2007, p. 8) noted that "The lack of firm ideas about the borders has a detrimental effect on policies and practices 'for the North' and 'in the North'". As such he correlated the borders of the North with the areas where the reliable cultivation of grain crops ceased (Concept ... 1992). Other well-known criteria for referring to northern territories are climatic discomfort, inaccessibility, and remoteness from transport hubs (including seaports). However, the allocation of the Far North was also motivated by political issues, due to the inclusion of new localities in the development project with the aim of attracting new people to the region by offering them "northern" benefits (higher wages, early retirement, higher pensions, etc.).

Modern Russian official documents, instead of the concept of the North, use the concept of the Russian Arctic (AZRF), distinguished by a combination of many features. The Arctic zone is very heterogeneous; geographically it is an island or a quasi-mainland (Pilyasov 2020). From physical and geographical points of view, the delimitation of the AZRF's southern borders raises questions: in the western (relatively highly populated) areas, it runs in the northern taiga zone; in the east, this border shifts to the north. As a result of this shift large areas of tundra do not fall into the Arctic Zone. Savchenko and Treivish (2017) note that in Russia, due to the climate and spatial location, the more east it is, the more north it is. These territories are subject to a general pattern involving the displacement of natural zones and subzones to the equator on the eastern margins of the continent, which are exposed to cold ocean currents (in contrast to the western margins washed by warm currents). However, the official southern border of the AZRF, on the contrary, moves to the north in the east, and to the south in the west. For example, the northern regions of the Arkhangelsk Region (excluding the Nenets District) and the Republic of Karelia included therein are located outside the tundra zone or permafrost. They are found in the northern and even middle taiga. Magadan region or Koryak autonomous area, on the contrary, are not included in the AZRF, even though their main areas are occupied by subarctic charrs, cedar thickets, and coastal tundra. Furthermore, even the "Pole of cold" for the northern hemisphere, which is home to the forest-tundra of the Abyisky ulus on the middle Indigirka, the Oleneksky ulus with a population density of 1 person per 100 km² and the Koryaksky district of the Kamchatka region, are not included in the AZRF.

Obviously, substantiation of the Arctic Zone's southern border requires further scientific research that could define the criteria and adapt them to modern challenges, such as melting permafrost, population outflow, and unfavorable conditions – the most specific factors relevant to the northern regions.

Geographical aspects involved in the institutionalisation of mountain areas

Why have the mountain specifics of Russia not become a meta-narrative contributing to the development of mountain policy and the adoption of relevant laws and programmes? For Russia, the mountainous component of the nation's development has long remained in the shadow of the "northern" trend. A number of mountainous regions of Russia located in the south (Altai, Tuva, and Buryat republics, etc.) were included in the list of territories equated to the regions of the Far North (see Fig. 1). Thus, in the absence of their own mountain laws, the regulation and economic and social support in some mountainous areas has relied on legal mechanisms developed for the Far North.

For a long time, the "invisibility" of mountains in the policies of the Russian Federation was associated with the fact that their significance was underestimated; in fact, an accurate calculation of the mountainous area did not exist (Samoilova 1999). The mountains were considered atypical of Russia and mountainous regions were considered too sparsely populated to have any political significance. Insufficient information about the mountains and their specificities did not contribute to the emergence of public opinion and the development of a mountain "lobby", which could have encouraged higher political engagement.

The current attention to mountain issues is largely determined by the influence of knowledge transfer from other mountainous countries, and by the social problems of the mountain population, which have worsened in recent decades and led to a number of conflicts, primarily in the North Caucasus. Some publications have thus stated that Russia needs to develop and adopt a special mountain policy (Gornye Issledovaniya 2014).

Globally, the importance of mountains was first recognised in an ecological context. At the 1992 UN conference, the mountain theme was highlighted among other key themes in Agenda 21, and the International Year of Mountains was held ten years later – in 2002.

The Mountain Chapter 13 of Agenda 21, adopted at the UN summit in 1992, can be considered as the most important documents of "soft" law. Paragraph 42 of the Plan of Implementation of the World Summit on Sustainable Development published ten years later in 2002 was also devoted to mountains. In 2012, at the UN Conference Rio + 20, the problem of mountain regions was also included in the 2030 and 2050 agendas.

In some countries, the importance of mountain specificity was recognised even earlier. In the early 1950s was initiated an agreement to protect the Alps, which later resulted in the Alpine Convention. At the UN World Mountain Summit in Bishkek (in the International Year of Mountains 2002), five Central Asian countries (Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan, and Turkmenistan) adopted the Central Asian Mountain Charter. The Charter deals with the issues, use, and management of mountainous areas. On the initiative of the Congress of Local and Regional Authorities of Europe (an advisory body to the Council of Europe), the Charter of the European Mountain Regions was drafted. It defines the basic principles of the

European mountain policy (Report 2003). It is addressed to all member states of the Council of Europe and, in a sense, is an extension of the principles of the European Union's mountain policy and the Regional Alpine Convention. The Charter consists of six parts and 31 articles. The first part defines a mountainous region in terms of localities where elevation, relief, and climate create special conditions that affect daily human activities" (Treves et al. 2004).

The authorities of countries such as Switzerland, France, Bulgaria, Georgia, Kyrgyzstan, Tajikistan, etc. pay special attention to mountain legislation. Mountain areas there have a special status, and the legislation aims at enhancing living conditions of the mountain population. At the same time, the fundamental concept, on which the institutionalisation of mountain differences is based, is the definition of mountain territory. In France, for instance, a mountainous zone is defined as a territory of communes, at least 80% of which is located at an altitude of more than 600 m above sea level, or in which the difference in altitude between the lower and upper boundaries of cultivated land is at least 400 m. The European Agricultural Fund for Rural Development has identified mountain areas that may be eligible for payments in case of significant restrictions on the use of the land and a significant increase in the cost of its cultivation. This is caused by one or a combination of two factors: mountain climate and mountainous relief. At the same time, areas north of 62nd parallel, and some adjacent areas, should be considered as "mountainous". According to literature (c.f., Castelein et al. 2006; Mountain 2004; White Book 2000), the criteria for classifying an area as mountainous differ from country to country. In Germany and Austria, for example, any territory higher than 700 m above sea level is deemed mountainous. In Austria, the areas even higher than 500 m above sea level are deemed mountainous if the slopes occupy more than 20% of the area. In Poland, mountain areas are deemed those above 350 m and even lower if slopes with a steepness of more than 12 degrees occupy at least 50% of agricultural land in the municipality. About two-thirds of Switzerland's area is designated as "mountainous" under the 1974 Federal Mountain Investment Act (Castelein et al. 2006). In 2001, the Committee on Agriculture of the European Parliament adopted a more general view of mountainous areas within the EU. Administratively separate regions with more than 50% of the agricultural area used are located at least at an altitude of more than 600 meters above sea level (if necessary, with a higher limit of up to 1000 m above sea level, depending on the number of frost-free days) and with a shorter growing season as well as in regions where the average slope exceeds 20% (Report 2003).

In Russia, as in the case with the definition of the North's border, the level, from which the area is deemed mountainous, is not clearly defined. As a result, at the

regional level, there are several definitions of mountainous territory. For example, in the Law of the Republic of Dagestan (2010)⁸, mountainous areas include zones 1,000 m above sea level and those with rugged relief and relative elevations 500 m above sea level or more within a radius of 25 km. According to the Law of the Republic of North Ossetia-Alania (2019)⁹, a mountainous territory is understood as an area with rugged relief and an absolute relief height above 800 m.

Our research in the regions of the Russian Federation, which included the use of GIS, showed that purely formal criteria, such as absolute height above sea level, are insufficient to classify a municipality as a mountainous territory. Thus, classification of mountainous territories in the Russian Federation should be based on elevation marks. Presumably, if the mountains begin at a height of more than 1,000 m, then the mountainous territories occupy about 8% of the land mass of the Russian Federation. If mountains 300 m above sea level are counted, then the mountains occupy 40% of the total area of Russia.

According to GIS analysis, the mountainous territories of the North Caucasus Federal District (NCFD) 300 m above sea level occupy almost half of the entire territory of the district; around a quarter of the area lies 1,000 m above sea level (Table 1).

The maximum height of settlements differs by almost 1,000 m. For instance, the village of Dombai in the Western Caucasus is located at an altitude of 1,600 m above sea level and the village of Kurush in the east is located at an altitude of 2,650 m above sea level. In the Urals, in mountains of Siberia and the Far East, the overwhelming majority of settlements are located below 1,000 m. A few settlements in the mountains of Southern Siberia, for example, in Altai are located at a height of 1,500 m. This means that territories above the indicated marks are not inhabited. However, the local population in these places uses the high mountains for cattle grazing and breeding or for tourism.

Assessments of population living in particular mountainous areas show large differences in the number of people registered and actually residing. In Dagestan, most mountain inhabitants registered in mountain settlements live seasonally on the plain (in kutans).

Studies of the entire variety of mountainous areas have shown that in order to develop criteria for classifying municipalities as mountainous areas, it is first necessary to identify mountain zones characterised by a complex mix of natural and socio-economic conditions for life and nature management. The location of rural settlements in a particular mountain zone, as well as the location of the bulk of land, which form the core of these settlements (regardless of the location of the settlement itself) are the main criteria for classifying municipalities as mountainous.

Table 1. The share of mountains in the North Caucasus Federal District (according to GIS analysis)

Sea level, at which the area is deemed mountainous	Share of mountain area
more than 300 m	47.7%
more than 500 m	40.3%
more than 800 m	33.0%
more than 1000 m	26.7%

⁸Law of the Republic of Dagestan "On the mountainous territories of the Republic of Dagestan" 16.12.2010 N 72. Collected Legislation of the Republic of Dagestan, 31.12.2010, N 24, Art. 1205.

⁹Law of the Republic of North Ossetia-Alania dated February 12, 2019 No. 9-RL. Available at <https://docs.cntd.ru/document/802042100>. [Accessed 29 July 2021].

The list of mountain municipalities should be determined by the authorities of the constituent entities of the Russian Federation, based on the historically established settlement system and on a detailed analysis of local characteristics with the involvement of scientists, experts, and representatives of local municipalities.

DISCUSSION

The main similarities in the development of institutional mechanisms in mountains and in the North are the complex and multi-component criteria used to delineate mountains or the northern territories, aligned with non-coincidence in administrative boundaries (Table 2). There are also significant differences in the institutionalisation of the mountains and the North (Table 3).

The most important difference between the institutionalisation of the North and the mountains is that in the case of the North, it was the state that initiated the creation of special legal conditions. In the case of the mountains, the initiator was the public, initially at the regional level (North Ossetia-Alania, Dagestan, etc.) and then via federal discussion and the eventual adoption of special laws. The years 2014–2016 became an important milestone in the formation of state mountain policy, facilitated by the activities of the Head of the Republic of Dagestan, R.G. Abdulatipov. A number of conferences and forums were held. In particular, in 2014, at the Gray Caspian forum, the Gunib Declaration “Mountainous regions of the North Caucasus: development through the integration of the culture of economy and ecology” was adopted. Next, 2016 was declared the Year of the Dagestan Mountains. The Government of Dagestan appealed the Russian president to support the Charter for Sustainable Development of the Mountainous Areas of Russia, as well as the Federal Law “On the Socio-Economic Development of Mountainous Regions of Russia”. However, the Presidential Administration deemed both factors non-viable and did not promulgate special measures to support mountainous areas at the federal level.

As a result, mountain institutionalisation is not included in the list of the tasks priority for the state; instead, it is associated with costs that are unlikely to pay off in the short term (in contrast to the North, which provides income).

Nevertheless, there are important signs that the state is starting to pay more attention to the mountains. In the Strategy for Spatial Development of the Russian Federation (2019)¹⁰, there is no direct mention of mountainous territories or mountainous regions receiving special status. However, clause 60 of the Plan for the Spatial Development Strategy of the Russian Federation (2019)¹¹ provides for the development of criteria for classifying municipalities of the Russian Federation as mountainous areas, as well as for adopting a set of measures for the sustainable development of the Russian regions in mountain areas. This decision necessitates scientific substantiation of the criteria for “mountainousness”, which requires detailed research in different regions of Russia.

The institutions of the North and the mountains differ in legal, economic, political, and other aspects. Geographically, institutional differences can be correlated with the main functions of institutions according to Paasi (1986): 1) fixing boundaries; 2) regulating social relations arising from special conditions (northern or mountainous); 3) ensuring the emergence of northern or mountain symbols; 4) supporting the development of a northern or mountain identity. These types of institutions may be indicative of some kind of institutional evolution. Thus, the development of a special regional identity may indicate deeper results of the development processes (Zamyatina, Pilyasov 2018).

While formal institutions that secure boundaries and provide benefits for the North were established long ago, institutions that secure symbols and maintain identity are at the stage of formation or are absent at all. At the socio-cultural level, in particular in terms of identity and values, mountains have undoubtedly greater potential. In contrast to the mostly utilitarian goals of the institutionalisation of the North, mountainous regions are able to reveal the deep

Table 2. Comparison of “North” and “mountain” factors

Characteristics	Territories of the North and those included	Mountains
Number of regions in the Russian Federation	25	43
Share (%) of the country's area	65	53
Assignment criteria	Geographic latitude, climate severity determined by the degree of discomfort of living, northern limit of grain growing, presence of permafrost, transport accessibility, working capacity and labour productivity, duration of the heating period, etc.	Altitude, terrain ruggedness, small outlines, shortage of arable land, increased risk of natural disasters, accessibility, increased construction costs, fuel consumption, etc.
The beginning of institutionalisation – taking into account factors in legal regulation	1932 (Acts on benefits for persons working in the Far North of the RSFSR)	1998 (Acts on mountainous territories in the Republic of North Ossetia-Alania)
Major challenges	Melting of permafrost and shelf ice, population outflow	Melting of mountain glaciers, hazards
Scientific institutions in the Russian Federation, dealing with complex issues in the development of northern and mountain areas	Arctic and Antarctic Research Institute, Arctic institutes and universities in some regions (Yakutsk, Murmansk, etc.), laboratory of geoecology of the North at Moscow State University, etc.	Laboratory of Mountain Geosystems at the Institute of Geography of the Russian Academy of Sciences (in the 1990s), Institute of Ecology of Mountain Territories in Nalchik, etc.

¹⁰The Spatial Development Strategy of the Russian Federation until 2025.2019. Available at https://www.economy.gov.ru/material/file/a3d075aa813dc01f981d9e7fcb97265f/130219_207-p.pdf. [Accessed 11 December 2021].

¹¹Implementation Plan for the Spatial Development Strategy of the Russian Federation for the period up to 2025 (2019). Order of the Government of the Russian Federation of December 27, 2019 No. 3227-r.

Table 3. The institutional differences between the North and mountainous regions

Institutions	North	Mountainous regions
1) Fixed boundaries	The laws define the border of the Arctic zone, the North.	Regional laws define the boundaries of mountainous territories (North Ossetia, Dagestan, Ingushetia).
2) Regulation of social relations arising from special conditions	The laws regulate the use of natural resources and providing benefits.	Regulations exist only at the regional level (support of mountain residents through development programmes in certain regions).
3) Ensuring the emergence of northern or mountain symbols	at the stage of formation (for example, the establishment of cultural and administrative centers with own symbols)	no institutions
4) Supporting the development of a northern or mountain identity	no institutions	no institutions

spiritual and cultural potential of the mountain population. The priority task in the development of the Arctic Zone is to ensure national security and to develop the resource base, while the main objective for the mountains is sustainable development, in which the cultural component plays an important role. The boundaries of the North are defined 'from above', but for the mountain territories, this principle is inapplicable, that is why their borders should be determined at the municipal level, which in turn would give the local population a chance to be involved in the decision-making process.

In relation to cross-border and international cooperation, the North remains a relatively closed territory. Many mountainous regions are also closed, due to border regimes. However, mountainous transboundary rivers, ecological, migrational and ethnical problems make it necessary to include the transboundary issue in lawmaking. In particular, the Model Law of the CIS countries (Article 8. Transboundary cooperation in the development and protection of mountain areas) provides for establishing national and (or) interstate councils for the development and protection of mountain areas. The prevailing economic focus is another important distinctive feature of laws on the North; thus, the criteria for granting state benefits and guarantees are determined primarily by economic payback. After a series of environmental disasters in the Arctic Zone, for which large business enterprises were responsible, the monitoring system has undergone significant changes. However, the principles of interaction between government, business, and society are still based on economic interests and income. This situation is almost impossible in the mountains, since there is not enough (potential) income to cover costs. A striking example in this regard is the constant conflict of interests around the tourist complexes of the North Caucasus, initiated and financed by the state (Gunya 2017).

CONCLUSION

The comparison of different territories as subjects of legal regulation is dealt by interdisciplinary areas of research, primarily geography, social anthropology, political ecology, and law. This study focused on the Russian North and the mountain territories of Russia, which, due to their natural characteristics, differ significantly from regions in the temperate zone or lowland territories in their potential of natural resources and environmental management. An institutional approach based on the analysis of mechanisms (institutions) that fix the boundaries of regions, regulate the use of natural resources and life standards, and lay

the foundations for future development can serve as a methodological approach for such an interdisciplinary analysis. The available material allows tracing the logic and history of the institutionalization of Russia's North. The borders of the North and the Arctic have changed several times. Legislation on these regions has been developing for almost a hundred years. The main initiator promoting the institutionalization of the North was the state interested in exploiting the rich resources and protecting its geopolitical interests. The institutionalization of Russia's mountainous regions is just beginning. The mountains, in comparison with the northern territories, have significantly smaller reserves of natural resources; they require large expenditures for the development and regulation of emerging social conflicts. The initiators of the institutionalization are scientific and public organizations that disseminate legal practices in the development of mountains. Institutionalization is initiated by scientific and public organizations that disseminate legal practices in the development of mountains and is supported by politicians. It is necessary to adopt laws on mountain areas in three North Caucasian constituent entities of the Russian Federation, as well as a model law on the protection and development of mountain areas in the CIS countries. It is obvious - that the "mountain" factor has begun to influence the processes of institutionalization to foster the development of mountainous territories in Russia albeit with a certain amount of delay. The comparison of the institutionalization of the North and of mountainous territories shows that it is important to define borders (both external and internal differentiating the region). The definition of the mountainous territory and its boundaries is still discussed. In regions where mountain laws have been adopted, these boundaries are drawn in different ways. It seems that the selection of the border of the mountainous territories of Russia according to uniform criteria is hardly possible due to large natural and socio-economic differences. The development of institutions that regulate social relations and benefits for the resident population reveals more similarities in the institutionalization of the North and mountainous territories. Other aspects of institutionalization associated with the development of northern or mountain symbols and identity remain understudied. The range of tasks for a deeper study of the processes of institutionalization of regions should include interdisciplinary aspects that reveal the peculiarities of the constellation of key actors (first of all, the state, local population, and business) competing for access to key natural resources, as well as claiming the right to participate in institutionalization itself. ■

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