

Research Paper

Yulia Belinskaya

How the internet is being tamed in Russia

Chronicle of state securitization measures

Abstract: As a communicative space, the Russian public sphere is dramatically prosecuted, and it suffers from pathologic efforts to have it systematically shut down. This article looks back into the history of the new restrictive media laws and their framing in the state media. The analysis is disclosing how, or through which instruments and conditions, the state enabled, justified, and legitimized the act of securitization. It seeks to answer if there is a space left for dissident voices to be heard and for digital activism and resistance to exist or if the Russian media system has become a place solely defined by constant manipulation, censorship, and restrictions.

Keywords: securitization, Russian media, media laws, internet, Russian invasion of Ukraine

Introduction

On February 24, 2022, the world woke up with news about the Russian invasion of Ukraine. The president of the Russian Federation, Vladimir Putin, addressed the nation and announced his decision to start a »special military operation« in order to »protect people who have been subjected to humiliation and genocide by the Kyiv regime for the last eight years« (RIA NOVOSTI 2022). In March 2023, the war still cannot be called »the war« in the open media discourse in Russia, and censorship is assured through even tougher media laws. Those independent media outlets that up to that day have survived the constantly increasing regulatory pressure, had to interrupt their services, close their offices, and relocate their staff.

In the very first sentences of the aforementioned speech, Putin described the security threats for the Russian Federation that were created by the expansion of NATO. Putin also mentioned the ability of Russia to fight terrorism and protect its neighboring countries. The speech further appealed to traditional values, »recognized norms of morality and ethics«, and truth as opposed to lies and hypocrisy as well as to attempts to solve the conflict with peaceful diplomatic tools as opposed to the »war machinery of the West.« Russia was clearly put into opposition to the »collective West« and the USA, which was described as an »empire of lies«.

This was not a new development, and the Anti-Western or anti-American frame is not an innovation in the elitist discourse. As described by Zimmerman et al. (2020), the public in Russia has been holding strong anti-American attitudes, which have constantly increased since the beginning of the 1990s. The newest surveys confirmed this trend, indicating that anti-American attitudes reached their historical peak in January 2015 after the annexation of Crimea (LEVADA 2022). After a certain fluctuation period, it rose again significantly in 2022.

Putin's speech clearly represented the prevailing frame in the Russian media discourse. The war is addressed as a »special operation« which is supposed to bring peace to the »historically Russian« territories »terrorized by the Ukrainian government.« The military action was legitimized through the perceived threat coming from the West, in line with what Buzan, Wæver and Wilde (1998) from the Copenhagen School of security studies describe in their securitization theory. Balzacq (2005) claimed that the central role in the process of securitization belongs to the audience, as that it first has to widely accept the effectiveness of this type of justification.

In the case of the Russian invasion of Ukraine, the question arises: Why did the public in Russia accept the military intervention? One of the most straightforward answers lays in the current state of the Russian media ecosystem. The state media deliver the state-driven discourse. At the beginning of the 21st century, new media and online spaces were seen as a remedy for these restricted systems: The extensive development of technology brought all available information to the mobile devices in our pockets while being constantly connected to the internet. The censorship machinery, however, also continued to develop. For instance, the internet can be turned off during a protest, in addition to several other innovative practices that are executed by the Russian and other regimes.

The Russian media system went through several waves of increasing restrictions on the freedom of expression. Various authors claim that there has never been any »decade of democracy« after the failure of the Soviet Union and up to the nationalization of the private TV channel NTV in 2001 (REGIONS 2001).

This article looks back into the history of restrictive media laws and their framing in the texts of the laws and in the state media. It seeks to answer if there

is a space left for dissident voices to be heard and for digital activism and resistance to exist or if the Russian media system has become a place solely defined by constant manipulation, censorship, and restrictions.

Securitization Theory

The notion of security, described by Putin in his speech, is not objective: it is constructed through social practices. According to Buzan (1983), different issues could be presented as issues of security when they are called »alarming,« »dangerous,« and »threatening« in public discourse. Securitization theory explains how security policies are not merely provided by a state to a society but are carefully designed and transmitted by politicians and decision-makers.

The referent object for security could be any entity or even idea that was framed as existentially threatened and in need of protection. In the classical tradition of security studies, the focus was on the survival of the state, which normally justified the logic of war and military interventions (WILLIAMS 2003). The immediate danger, however, could be associated with national identity, society, or, for example, a specific tangible place such as a lake or forest. The issues that are being securitized, such as the »refugee crisis,« are not threatening by nature, they are rhetorically constructed to seem threatening (BUZAN/WÆVER/DE WILDE 1998).

Securitization theory postulates that to constitute a given issue as extreme and elevate it above politics as »usual,« decision-makers and persons with the power of social and institutional change clearly articulate that an issue has high priority. The process of framing an issue as threatening is referred to as a speech act. The groups or individuals that perform the security speech act aiming to frame the issue as a security one are called securitizing actors. Overall, the security landscape is formed by numerous actors that can go beyond politicians and include also police, military, and immigration services. The acts of securitization are, in fact, the processes of discursive legitimation of governmental actions.

The conceptual framework of securitization is also tied to »othering«, the process of determining who is the other, opposing »the other« to »us« (BUZAN/WÆVER 2003), and moving the »other« beyond the legal field. The securitization of a constructed or perceived danger inevitably leads to the withdrawal of the danger from the normal political discourse, which is a convenient premise for dealing with security problems through the insertion of extraordinary measures.

Deibert (2008) underlined the importance of a medium that affects fundamentally the reception of speech acts. Media are defining the landscape and forming the discourse, even if they are not necessarily bound to the institutions that are involved in the process of securitization (DEIBERT 2008). Media are traditionally

seen as functional actors – these actors do not choose an object but have a significant influence on the process securitization (BALCI/KARDAS 2012).

Security theory then posits that in turn a targeted audience in turn will agree and accept a constructed threat – to securitize an issue therefore means to persuade the public through the means of a speech act. »Conceptualising securitisation as a speech act is important as it shows that words do not merely describe reality, but constitute reality, which in turn triggers certain responses« (EROUKHMANNOFF 2017: 106). At the same time, Wæver (2015) writes that audiences in democratic societies are not speechless either and are equipped with agency and social responsibility.

However, if the targeted audience rejects a securitizing actor's speech act, securitization has failed, according to the Copenhagen School. Thus, securitization is understood here as a process of negotiations between the decision-makers and audiences. This premise, however, could be approached differently in authoritarian societies: »Domestic demand for rights may behave differently under authoritarian regimes and may have different consequences in states where the public does not have a direct check on the government« (DIETRICH/CRABTREE 2019: 352). In such cases, the state as the main securitizing actor has the power to decide at which point democratic practices could be interrupted due to certain issues to manipulate the population. A group of authoritarian decision-makers is then able to adopt extraordinary measures and policies without seeking the support of the general public, as explained by Wæver (2015), although other relevant audiences still need to be persuaded, such as the military.

Securitization theory, according to Wæver (2015), is not aimed to answer *why* an issue became a question of national security, but rather *how*, meaning through which instruments and conditions the state enabled or legitimized the act of securitization. In order to observe modern instruments and securitization strategies, this article will first look at censorship practices employed in the communist system of Soviet Russia.

Censorship in the 20th century

Over the past decade, the Russian independent press has faced numerous challenges that came in the form of restrictive legislation and the state's co-optation of media, prompting severe self-censorship. These more recent practices have played out differently in comparison to the censorship of the 20th century, which had more direct and straightforward tools and implications.

Journalism in general had quite a different trajectory in Russia in comparison to the West. The first regular state-owned newspaper *Sankt-Peterburg's Vedomosti*

appeared in 1702: in the Soviet Union there was *Iskra*, later replaced by *Pravda*. There was only a short time between the 1860s and 1917 when Russia was free of a state monopoly on news making. At the same time, in 1895 the censors were ordered not to »admit for publication works whose contents would not be unconditionally considered harmless for the people's reading« (as cited in BLUM 1998): Thousands of books were prohibited »as per the circular of 8 May 1895.«

In October 1917, the Council of People's Commissars signed a Decree on the Press, which suppressed dissident newspapers and claimed that any outlet calling for »open resistance or disobedience to the workers' government; sowing confusion through a clearly slanderous distortion of facts; calling for deeds that are clearly criminal, i.e. have criminally punishable character« (Decree on the Press 1917) was subject to closure. On this basis, 470 newspapers were closed by June 1918.

In 1921, the Soviet government founded Glavlit¹ which became the main institutionalized organ of state-imposed censorship. This involved a system of pre-publication control when censors decided whether a book could be published and also post-publication censorship when an already printed edition could be destroyed before it reached stores or books already in circulation could be seized (FOX 1992). Similarly to the *Index of Repudiated Books* (KOBJAL, n. a.), a »List of Information Constituting State Secrets« including banned authors and texts existed; it was distributed by the Glavlit in Moscow to its regional branches (PLAMPER 2014).

Throughout the entire Soviet period, censorship practices were aimed at eliminating dissent, hiding negative information about the state of affairs in the country, and destroying so-called »anti-Soviet propaganda;« censors also tried to eradicate the possibility of unintentional unorthodox interpretations of materials (PLAMPER 2014). During the Second World War, any information that did not confirm the official narrative, was forbidden; the punishment »for spreading false rumors in wartime« was up to five years in prison (Decree No. 32 1941).

After Stalin's death in 1953, during the so-called »Khrushchev Thaw,« several censorship restrictions were lifted, however, after 1964-1966, bans were reinstated. During this period, Glavlit protected state and military secrets to a lesser extent, but rather implemented ideological decisions.

One of the ways to oppose state censorship became *Samizdat* – the parallel, unofficial, illegal, and, therefore, uncensored production and distribution of various kinds of texts. At the very end of the Soviet era, in 1989, there were more than 300 alternative media working as *Samizdat* (MJALO/SOKOLOV/SVERDLOV 1990). A new censorship theory claims that censorship is not a foreign and repressive act that restricts freedom, but rather a necessary instrument to shape the discourse

1 Main Directorate for the Protection of State Secrets in the Press

and, in some cases, appears as a productive and emancipatory tool (Bunn 2015). Furthermore, the simple omitting or banning of content is juxtaposed with self-censorship that takes its roots in social norms, rules of the industry, and also economic conditions. Following this line of thought, literary scholars stated that censorship »fostered the development of literary forms, especially irony and allusion, as well as forced authors into more figurative and challenging forms of expression that prolong the interpretive process to positive aesthetic effect« (BUNN 2015: 42).

It is believed that at the end of the Soviet era, between the 1980s and 1990s, objective conditions for the development of the public sphere existed, which then was further liberated and de-communized between the 1990s and 2000s (GLUKHIH/ELISEEV 2018), as the Constitution of Russia from 1993 included the freedom of expression as a core constitutional law. It is, however, a debatable question if the public sphere existed in the Soviet Union in general. All internal official channels of distribution, including newspapers, radio, television, cinema, theater, and literature as well as external channels such as foreign radio stations or printed materials, were controlled, and self-censorship was also widespread. In such a repressive environment, meaningful public debate seems to be simply not possible (cf. BEYRAU 2014).

Atnashev and Velizhev (2020) argue that the classical model of the public sphere cannot be applied to the USSR. They present the concept of different modes of publicity, which describe different sets of rules and sociopolitical and cultural contexts, that are accepted by the participants of discussions in a given genre. These genres may include newspapers, open letters, art exhibitions, TV talk shows, but also kitchen debates and feature different characteristics, such as barriers to entry and audiences (ATNASHEV/VELIZHEV 2020). These fragmented modes of publicity could be seen as alternative channels, where »grassroots« strategies for an appropriation of public spaces were implicitly enacted, even in an over-administrated, manipulated, and controlled public sphere.

The new restrictive laws

As a communicative space, the Russian public sphere is dramatically prosecuted, and it suffers from pathologic efforts to have it systematically shut down. The Sixth Convocation (2011–2016) of the Russian State Duma – called »mad printer« due to the speed with which laws were passed – imposed new kinds of restrictions on the internet after a series of protests in 2011–2012. The first major attack on the freedom of expression was executed in 2012 after »The Bolotnaya Square Case« when a peaceful rally in Moscow escalated into a confrontation with police forces and ended with mass arrests of public activists. A report by a commission

by Amnesty International claimed the Bolotnaya case was »the mass violation of the Constitution of the Russian Federation and Russian laws, planned by authorities in advance, consciously, purposefully, with particular cruelty and cynicism« (2014). With record-setting speed, the law on rallies and the Code on Administrative Offenses were changed and another new wave of restrictive laws were passed.

Already in 2012, a first version of the legislation on »Foreign agents«^[2] was adopted in Russia. According to these amendments, organizations that receive funding from abroad and are engaged in political activities could be assigned the status of a foreign agent. Contrary to Putin's later statements, the threat of imprisonment for up to two years for »foreign agents« existed in the very first version of the law (FZ-121). In 2017, the Russian State Duma adopted amendments to the law »On the Mass Media«, allowing the Ministry of Justice to include media outlets in the register of foreign agents. In 2019, the law was amended so that any individual who reposted information from a media-foreign agent and has at any point received funding from abroad could be assigned the status of »foreign agent« as well. The law directly targeted individual journalists, oppositionists, and activists. Finally, in December 2022, the new law on »On control over the activities of persons under foreign influence« came into force. Foreign agents received a set of discriminating norms: among others, they are forbidden to teach or work in the civil service, to be members of election commissions, and to organize any public events, including protests.

A year after the first version of the law on foreign agents was passed, the State Duma passed another law that established administrative liability for »Propaganda of non-traditional relations among children«. This law established fines for individuals and suspension of activities for up to ninety days for organizations. In June 2017, the European Court of Human Rights (ECtHR) found this Russian law on »LGBT propaganda« discriminatory, and also pointed out that it violates articles of the European Convention for the Protection of Human Rights. Furthermore, in December 2021, Vladimir Putin instructed the government to submit proposals for updating the Concept of Information Security of Children. The updated concept preceded the new edition of the law^[3] that was approved and signed by the president a year later, in December 2022. Article 6.21 of the Code of Administrative Offenses, that earlier prohibited the propaganda among minors, was amended, to forbid »propaganda« of gender reassignment and pedophilia, without specifying the age. The law also distinguishes in a very vague manner between »propaganda,« »imposing of information,« and »demonstration.« The

2 Amendments were made into federal laws »On public associations« (82-FZ) and »On non-profit organizations« (7-FZ).

3 Amendments are proposed to the federal laws »On Information, Information Technologies and Information Protection«, »On the Media«, »On the Protection of Children from Information Harmful to Their Health and Development«, »On Advertising« and »On State Support for Cinematography of the Russian Federation«.

punishments for all these violations have become stricter, reaching the maximum in the code across all the articles. The law aimed to control cultural production, including books, providing licenses to movies given by the Ministry of Culture, only if scenes with LGBT+ heroes are cut. This involves online and offline cinema, social media with a big audience, theaters, online and offline bookshops, and news aggregators. This has led to censorship within the industry. For instance, one online book subscription service asked its authors to »change the content« so that books can be returned to the shelves (MEDUZA 2022a). This sets a precedent for censorship that is not exercised by a special governmental body but comes directly from within a media industry.

Moreover, in 2016, several amendments known as the »*Law on news aggregators*«^[4] were passed, which became one of the most critical steps that the Russian government has ever taken with the goal to restrict access to online information for millions of citizens. According to this law, news aggregator websites with an audience of more than one million users a day were obliged to check the accuracy of the cited information, in case it would come from unlicensed media outlets. News aggregators, as noted by the author of the law, representative Aleksey Kazakov, are the most popular sources of news. For instance, in 2021, the service *Yandex.news* was visited by the 70 million people monthly (according to *Meduza*, in 2016 the audience was 6.5 million users daily). The news disappeared from the page in September 2022, when vk holding closed the deal for the purchase of Zen and News services from Yandex.

At the same time, in June 2016, an anti-terrorism law or so-called »*Yarovaya package*« or »*Yarovaya law*«,^[5] named after its author, Irina Yarovaya, was adopted. The law contains a number of proposals to fight extremism and terrorism online. In particular, it strengthens the responsibility for »public justification of terrorist acts.« It meant that citizens were supposed to be judged by the same rules as media and could be punished with imprisonment of up to seven years. All »organizers of information distribution online« were obliged to store all the user-generated content. Intelligence agencies were given the right to access these data without a court decision if it was required for an investigation or public security. In addition, the law stipulated that companies are obliged to provide government agencies with tools for decrypting secure services. The law clearly violated the right of Russian citizens to confidentiality guaranteed by the Constitution. The law returned the political police to the Russian reality: by legalizing unlimited access of law enforcement agencies to information about the private life of citizens, the state, using the information received, will be even more careful to »clean up«

- 4 Amendments to the federal law »*On Information, Information Technologies and Information Protection*« (149-FZ)
- 5 Bill »*On amendments to the Federal law« on counterterrorism*« (No. 374-FZ of 06.07.2016); and »*On amendments to the criminal code of the Russian Federation and the code of Criminal procedure of the Russian Federation regarding the establishment of additional measures to counter terrorism and ensure public safety*« (No. 375-FZ of 06.07.2015).

the political field, suppress civil activity, and monitor all those whom it deems objectionable. In this regard, the Russian state's struggle with mythical »foreign agents« became one of the new stages in the suppression of civil initiative.

More recently, the so-called law »*On fakes*« passed with a new record-setting speed in March 2022 immediately after the beginning of the invasion of Ukraine. It demarcated a new borderline that divided pseudo-democratic legislative practices from de facto authoritarian war censorship. The law was described in the press as a »complete defeat of independent journalism« (MEDUZA 2022b). The law entails criminal punishment for the dissemination of »fakes« about the Russian army, anti-war appeals, and calls for sanctions against Russia with a prison term of up to 15 years. The law was prepared among other measures that ensure the implementation of a federal law from 2018 »*On measures to influence (counter) unfriendly actions of the United States of America and (or) other foreign states.*« The law describes the necessity to protect the »security of the Russian Federation, its sovereignty and territorial integrity« or that are »aimed at the economic and political destabilization of the Russian Federation« (FZ-127). On March 25, 2022, Russian President Vladimir Putin signed a new law criminalizing the dissemination of fake news about the activities of Russian state bodies abroad. The punishment is similar to the law »*On fakes*«, with prison time of up to 15 years.

Securitizing discourses in the news

In order to explore how governmental actors legitimize the restrictive laws in the state media, the news archive of the biggest Russian state-owned domestic news agency, *Ria Novosti*, was chosen as a case study. The archive is freely accessible and contains news articles from as early as 2001. All news items containing a word combination that includes the term »law,« for example, »Yarovaya Law« or »Yarovaya Package,« in a headline or within the first three paragraphs of an article during the given timeframe for each law (Table 1) were included in the sample. Also, the author included articles from a week before the introduction of the amendments and one week after the signing. The collected sample for each law was then qualitatively analyzed, following the procedures of thematic analysis (BRAUN/CLARKE 2006). The news articles were first interpreted as neutral, critical, or supportive, then the main points of critique and main legitimization narratives were distinguished. Additionally, the actors that performed the »speech acts« were differentiated.

Table 1
Timeline of the laws

The title under which the law is known	Law No.	Intro-duced	Readings			Signed by the president
			1.	2.	3.	
On foreign agents (2012)	121-FZ	29.06.2012	6.07.2012	13.07.2012	13.07.2012	20.07.2012
On foreign agents (2017)	327-FZ	29.09.2017	26.10.2017	15.11.2017	15.11.2017	25.11.2017
On foreign agents (2019)	426-FZ	19.12.2017	12.01.2018	19.11.2019	21.11.2019	2.12.2019
On foreign agents (2022)	255-FZ	26.04.2022	7.06.2022	28.06.2022	29.06.2022	14.07.2022
On LBGT propa- ganda (2013)	135-FZ	22.03.2012	25.01.2013	11.06.2013	11.06.2013	29.06.2013
On LBGT propa- ganda (2022)	479-FZ	20.10.2022	27.10.2022	23.11.2022	24.11.2022	5.12.2022
On news aggre- gators (2016)	208-FZ	25.02.2016	19.04.2016	8.06.2016	11.06.2016	23.06.2016
Yarowaya law (2016)	374-FZ; 375-FZ	7.04.2016	13.05.2016	24.06.2016	24.06.2016	06.07.2016
On fakes (2022)	32-FZ	14.05. 2018[6]	15.05.2018	4.03.2022	4.03.2022	04.03.2022
On fakes (2022, new redaction)	63-FZ	18.03.2022	25.01.[7] 2022	22.03.2022	22.03.2022	25.03.2022

Source: Legislative support system, <https://sozd.duma.gov.ru/>

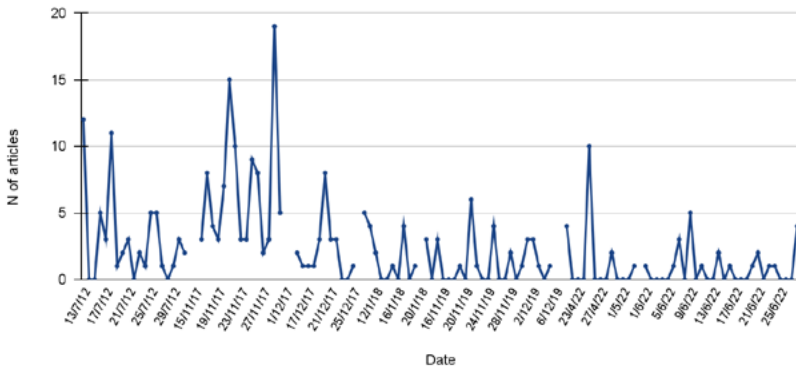
Law on foreign agents

In sum, 275 articles covering all the editions of the law were identified (Graph 1). The first law, passed in 2012, received critique from various actors, including international ones: the US ambassador, the EU commissioner, and the Ministry of Foreign Affairs (MFA) of Britain. Additionally, 24 of 64 (38%) articles contained critical statements from various experts, political scientists, NGOs, volunteers, human rights activists, Human Rights Council (HRC), and governmental officials, such as a prime minister. The law was described as raw, not specific, and potentially turning all NGOs and media into foreign agents and leading to their closure. As a response to the critique, the law was described as being consistent with other similar legislations around the world.

6 Amendments were added to bill No. 464757-7 that proposed to establish criminal liability for assistance in the implementation and introduction of anti-Russian sanctions.

7 Amendments were added to law 304-FZ to toughen penalties for deforestation.

Figure 1
Law on foreign agents, all editions (July 2012-June 2022)



One of the authors of the bill, Vasily Piskarev, stated that this initiative would be critically important because foreign organizations would be trying to actively influence the internal political situation in Russia, shape the outcome of elections, and persuade young people. As new committees were formed, such as the Commission for Investigating Interference by Foreign States in Russia's Internal Affairs and the Council of Federation Commission for the Protection of State Sovereignty, they became the most vocal actors of the securitization frame. The commissioners stated that it was necessary to strengthen the protection of society and the state from threats caused by the »total hybrid war unleashed by the West against Russia.«

Law on LGBT propaganda

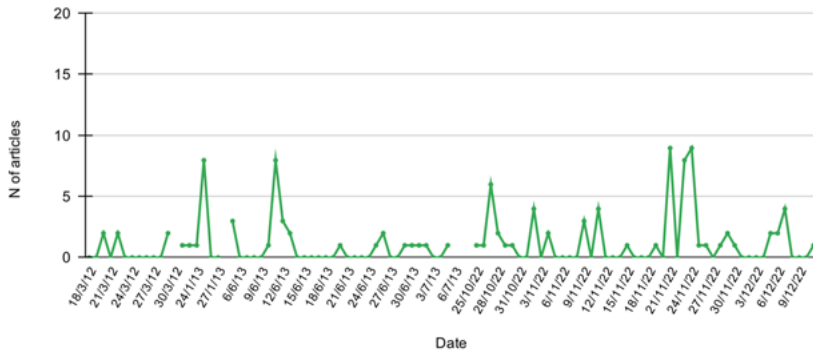
The first law, proposed in 2012 and enacted in 2013, was referred to in the state press as the »law on gay propaganda.« Towards 2022 this terminology was replaced by »LGBT propaganda,« however, it was usually placed alongside propaganda against pedophilia, making »non-traditional relationships« a threatening and criminalized issue. Both laws received moderate coverage, with 42 pieces in 2013, and 68 in 2022, with peaks around the second and third readings (Graph 2).

There are several interesting developments that differ in the framing of a new law. In 2022, there was clear »othering« and juxtaposition of European or Western values to Russian »traditional values.« In 2013, the official with whom the law is associated, Elena Mizulina, justified the amendments by referring to the decision of the European Court that »clearly states that among children we can prohibit both the promotion and dissemination of homosexual practices.« Concerns voiced by various international actors were presented in the press: The European Parliament, the Council of Europe, the US ambassador, and the German ombudsman. In 2022, critique from the US received the following response: »US criticism of LGBT law is a gross interference in Russia's affairs.« Furthermore, the Russian ambassador discussed the »tolerance problem in Europe,« and the State Duma speaker referred to »the actions of countries that impose non-traditional values.«

The criminal liability was not discussed in 2013, but in 2022 was present in eight pieces, however, as it was not supported by officials and also criticized by the church, the final edition did not contain such an amendment. The church increasingly became a more vocal actor: While in 2013 only one article presented the opinion of the Russian Orthodox Church, in 2022 six (8%) articles did so.

Another legitimization trope often used by the Russian government has been to present the results of surveys that show that the majority supports the decision to pass a new law. The same principle underpins the essence of astroturfers – to give an impression that a certain opinion is much more widespread in

Figure 2
Law on LGBT propaganda, two editions (March 2011-May 2013;
October-November 2022)



Source: Own illustration

society than it may actually be (BELINSKAYA 2020). One of the articles stated: »the vast majority of Russians (88%) support the introduction of a ban on the promotion of homosexuality in the country, more than 40% of respondents believe that non-traditional sexual orientation should be criminalized.«

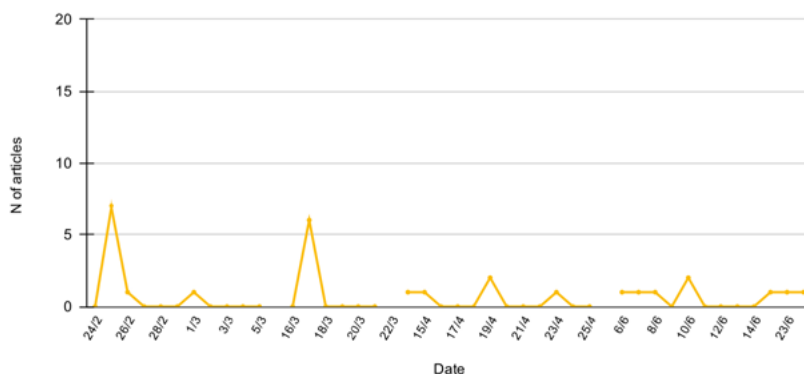
The main goal of the first law was to »protect the children from the dangerous information.« The explanatory note to the law that is cited in the articles stated: »It is especially dangerous for children and young people who are not yet able to critically consider the avalanche of information.« As the new law prohibited propaganda in general, among the new referent objects under threat, were named: »the normal world,« Russian society, traditional or family values, »the natural continuation of life,« and also »the demographic situation in the country.«

Law on news aggregators

The sample concerning the law on news aggregators contained 28 articles; the timeline distribution is presented in Graph 3. As shown by the graph, the law did not receive wide coverage in the state press.

Ten (36%) articles contained a rather neutral explanation of the law, 14 (51%) expressed critique from the industry, experts, Ministry of Communications, and internet ombudsmen, who called the law »a surreal proposal that kills technological progress.« Also, the Electronic Communications Association voiced the concern that amendments will restrict access to »scientific, technical,

Figure 3
Law on news aggregators (February-July 2016)



Source: Own illustration

educational, cultural, and sports information.« In only one article the necessity of the law is explained, based on the responsibility for the authenticity of the information that the aggregators should bear alongside media outlets. In a short explanatory note to the law (bill No. 570420-7), it was claimed that the restrictions were proposed »in order to prevent a threat to public order in Russia.« Another goal involved »ensuring the independence of the dissemination of news information in Russia from foreign political forces,« pointing to the threat from international interference.

Yarowaya law

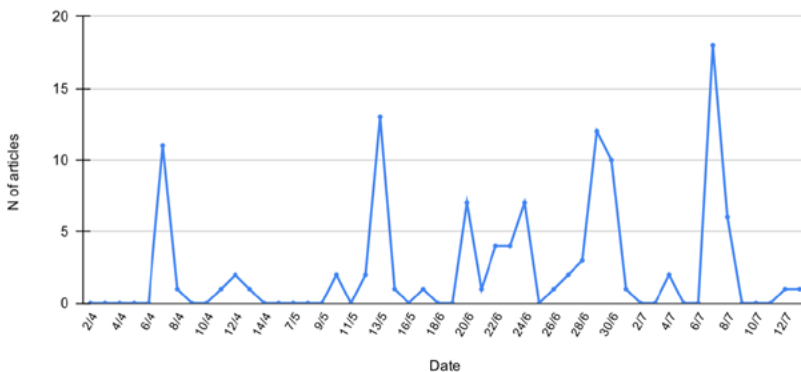
In sum, 115 articles containing the relevant terms were found. Graph 4 illustrates the distribution of the articles over the discussed period of time. Eighteen (16%) articles were updates containing neutral explanations about the law, possible fines, and criminal liability. At the same time, 25 articles (22%) characterized the law as a necessary tool to fight terrorism and extremism: It was presented as an important and inevitable reaction to the questions of national security or an indispensable move to secure the well-being of the citizens. The three main referent objects mentioned were: society, state, and citizens. The justification of the law is performed by framing terrorism as an existential threat. It was described as the most dangerous form of crime or »crime against peace and security of humanity.« As the Senate speaker in Russia explained: »additional measures to ensure security must be taken – this is required by the situation in the world today – the growth of terrorist manifestations.« To legitimize the strict norms,

the authors of the law underlined that similar anti-terroristic laws contain even tougher punishments in other countries, and several officials emphasized »the inevitability of punishment.« According to the State Duma, all countries should be involved in a »relentless fight against terrorism.«

Several points of critique were voiced by the industry, and by the Supreme Court or Russia. In one of the articles, the Association of Electronic Communications noted that the proposal to decode correspondence on the internet would threaten to leak personal data. Additionally, the Supreme Court pointed to a violation of the principles of proportionality and fairness of punishment. The opinion of the HRC was also reflected, as it was underlined in five different articles that the law was passed in a hurry, contradicts the Constitution, and contains many inaccuracies; moreover, the violation of human rights was mentioned: »these are issues are related to human rights, here we need maximum accuracy and delicacy.« However, the strongest criticism of the law came from the telecommunication industry and not from civil society: Of 115 news articles in the sample, 35 (30%) addressed the high costs of the implementation for the telecommunication industry.

The answers to the critique voiced by the authors or various committees of the State Duma or Senate indicated that there should be a severe punishment for terrorists, however, the law was supposed to be safe for Russian citizens. It was stated by several actors, such as the Federation Council Committee on Defense and Security and by the State Duma speaker, that the law was fair, »based solely on legal grounds and procedures,« thought through, and was written together with external experts.

Figure 4
Yarovaya law (April-July 2016)



Source: Own illustration

Law on fakes

The law on fakes and its second edition were passed by the State Duma in a record-setting time. Both of the laws were introduced for readings as amendments to the different laws that had already passed the first reading, one in May 2018 and another one in January 2022. Such an approach allowed the State Duma to pass the law through the second and third readings, receive the approval of the Federation Council (or Senate), and the signature of the president on the very same day. The new edition of the law required four days. As shown by Graph 5, the law on fakes was not mentioned in the state press before the peak that happened on January 4th. The new edition did not receive the same attention from the press as the original law.

Sixteen of 35 (46%) articles devoted to the original law on fakes repeated almost the same paragraph with several iterations, stating that the »special military operation« was aimed at »demilitarization and denazification of Ukraine,« and at the protection of people »who have been subjected to genocide by the Kyiv regime for eight years.« It was emphasized that the armed forces would only strike military infrastructure, but nothing would threaten the civilian population of Ukraine, and as the President of Russia emphasized, »there is no question of the occupation of Ukraine.« Therefore, the citizens of another country as well as citizens of Russia, the Russian troops, and the country as a whole were named as referent objects under threat. One of the most popular arguments justifying the strict punishments was voiced by the press secretary of the president, the heads of the regions, and by secretary of the Union of Journalists of Russia – all of these actors stated that an information war was declared to Russia and there was necessity to protect the country.

The Chairman of the State Duma, Vyacheslav Volodin, insisted: »If we succumb to the influence of those who make such statements, our country may not exist.« Moreover, various articles underlined that the truth should be protected at all costs, and »those who tell the truth may not be afraid in this case for anything. At the same time, the involvement of foreign intelligence services supposedly coordinated by NATO was also mentioned by the Ministry of Foreign Affairs.

The coverage of the second edition also involved a justification of the invasion (in 3 of 18 articles). However, this coverage struck a rather neutral tone describing the new amendments, the fines, and criminal punishment, and no discussion about the law was reflected. The necessity to »strengthen the fight against fakes and all unlawful activities« was used as a formal justification.

Figure 5
Law on fakes, with amendments (March 2022)



Source: Own illustration

Conclusions

New technological developments have transformed the public sphere in modern societies in remarkable ways. The utopian belief was voiced that the internet can become the new barrier-free forum where active and open participation of citizens in the discussion of socially significant issues is granted. Nevertheless, already in the beginning of the online era, scholars raised concerns about the fragmentation of audiences (HABERMAS 2006).

Nowadays, it is increasingly difficult to establish a monopoly on information as there are countless sources available online without paywall, in various languages, representing discourses that differ from the official one. In order to justify the legitimacy of government actions, the propaganda machinery had to create a new media environment, where undesirable sources were not so immediately visible due to the law on news aggregators, or simply not accessible without a VPN. Simultaneously, in this media ecosystem, different state-affiliated media have complemented and repeated the narratives translated by the state television – as was visible in the example with the framing of the law on foreign agents or the law on fakes; the same justification was repeated in almost all the articles on the topic. As a result, readers came across the same information multiple times, which created an impression of greater credibility. Moreover, astroturfers were entering alternative channels and, by posting multiple messages, repeated the same ideas.

In such a context, platforms such as Telegram became an important tool for independent outlets, for journalists to reach their audiences without restrictions, and for the organizations that fight misinformation and censorship (ΚΟΥΡΕΡ 2022). But those same affordances of Telegram that grant anonymity can also be used as a powerful instrument of state propaganda by reproducing the same state-approved discourse.

These are the new types of censorship compared to the Soviet model: a flooding of the discourse, penetration of alternative channels, and repetitiveness of arguments. At the same time, the legislative framework became tougher and much more complex, however, repeating the Soviet tropes. For instance, two new laws have been forming a new »war censorship:« the so-called »law on fakes« and »law on »disinformation« are line with the decree on rumors from 1941 and the anti-American or anti-Western rhetoric which is also not in any way innovative.

Such rhetoric was identified across all the laws. In the case of foreign agents and LGBT propaganda, the clear »othering« of the actors and displacement of them, beyond the normal legal field, is in line with the securitization premises described by Buzan and Waever (2003). The same logic applies to actors who are receiving findings from abroad, or to those spreading narratives foreign to traditional Russian values. Members of elites often addressed the new edition on the LGBT propaganda as legislation that would protect traditional or family values, after the frame of aiming for the protection of children that was relevant for the first edition, had been abolished. However, the first edition of the law on the protection of children created a precedent and gave Roskomnadzor the scheme, and the tools to restrict access without a court decision and to impose censorship in this new era.

In the discussion concerning the laws on foreign agents after 2017, the US was blamed multiple times for initiating the conflict concerning the television station RT and was also mentioned in the context of »whataboutism« – shifting attention to unlawful practices of other countries. Towards 2022 and the laws on fakes, the anti-American frame and the idea of foreign interference were becoming even more strongly tied to the immediate danger of war. In the case of Yarowaya law, the anti-terrorist frame was widely used to justify strict measures. State security concerns and the fight against terrorist threats were used by governments all over the world to justify limitations on freedom of expression online. Even in media outlets that had criticized the law, the dangers were framed around the industry, the high costs of the implementation, and threats to the telecom companies.

In sum, any of the restrictive Russian laws of recent years were justified by the necessity to protect one of the following three pillars or variations of them – children, traditional or family values, or national security. Interestingly enough, the law on fakes also added the protection of truth as a security goal.

The Russian virtual public sphere is, in fact, securitized. The analysis has shown how various legislative initiatives, officially aimed at the protection of the state, society as a whole, or certain parts of it, served to securitize the online media system. The oppression of the freedom of expression was accompanied by the state capture of media, eradication of the free press, and recently by securitization processes, which were reflected, among others, in an acceptance of »anti-terroristic« laws. The legitimization of the laws, which have mitigated surveillance practices and violations of privacy, has been carried out through state media which imposed a positive framing of the law and through silencing of the intellectual elites and limiting the public discourse.

A legitimate question arises if there is any possibility for a public discussion in such over-restricted public sphere. Perrin and Vaisey (2008) apply the concept of a parallel public sphere, according to which the official discourse does not cross with the discourse proposed by the alternative channels. Atnashev and Velizhev (2020) proposed that modes of publicity describe the available public debates in the Soviet Union better than the classical theory of Habermas. The existence of different alternative channels in form of social media that are still out of official legislative control such as YouTube, TikTok, and Telegram, or in form of various Russian-speaking media and investigative projects in exile, show that the dissident political discourse still exists. In order to access the audiences under conditions of new censorship, several independent media united to create a common platform in a form of a smartphone application. This makes it impossible for the Russian authorities to block access to a video or to remove an article. This block-protected aggregator is called *Samizdat* and clearly creates a parallel with the Soviet practice. Such virtual public sphere is, however, highly fragmented.

This analysis has certain limitations, as it was not possible to know how many news articles had already been deleted from the database used to create the sample. Also, the analysis covered exclusively the official state discourse; alternative channels and media outlets were not considered in this study. It is, however, highly important to analyze the official discourse and its metamorphoses throughout time, as on the one hand it shows the issues that are perceived by elites in Russia as threatening and on the other hand also objects that are presented as being threatened.

About the author

Yulia Belinskaya, PhD, is a research assistant and lecturer at the University of Vienna. She received her first master's degree from St. Petersburg Technical University and her second from Stockholm University, specializing in media and communication. Her research interests include issues of freedom of expression,

urban communication spaces, the public sphere, and digital media. Contact: yulia.belinskaya@univie.ac.at

Translation by Yulia Belinskaya

References

- ATNASHEV, TIMUR; VELIZHEV, MIKHAIL (2020): The (Late) Soviet Public Sphere: Imitation, Mastery, Art. In: *Novoe Literaturnoe Obozrenie*, 164.
- BALCI, ALI; TUNCAY KARDAS (2012): The changing dynamics of Turkey's relations with Israel: an analysis of ›securitization‹. In: *Insight Turkey*, 14(2).
- BALZACQ, THIERRY (2005): The three faces of securitization: Political agency, audience and context. In: *European journal of international relations*, 11(2), pp. 171-201.
- BELINSKAYA, YULIA (2020): Trollfabriken und das Protestnetzwerk der russischen Opposition auf YouTube. In: *Kommunikation.medien*, 12, pp. 1-28.
- Bill No. 570420-7 (2018): *Legislative support system*. <https://sozd.duma.gov.ru/bill/570420-7>
- BLIUM, ARLEN (1998). Censorship of public reading in Russia, 1870-1950. In: *Libraries & culture*, 33(1), pp. 17-25.
- BRAUN, VIRGINIA; VICTORIA CLARKE (2006): Using thematic analysis in psychology. In: *Qualitative research in psychology*, 3(2), pp. 77-101.
- BUNN, MATTHEW (2015): Reimagining repression: New censorship theory and after. In: *History and Theory*, 54(1), pp. 25-44.
- BUZAN, BARRY (1983): *People, States and Fear; The National Security Problem in International Relation*. The University of North Carolina Press.
- BUZAN, BARRY; OLE WÆVER; JAAP DE WILDE (1998): *Security: A new framework for analysis*. Lynne Rienner Publishers.
- BUZAN, BARRY; WAEVER, OLE (2003): *Regions and powers: the structure of international security* (Vol. 91). Cambridge University Press.
- DECREE ON PRESS (1917): *Digital library of historical documents*. <http://docs.historyrussia.org/ru/nodes/73420-dekret-locale-nil-o-pechati-locale-nil-27-oktyabrya-1917-g#mode/inspect/page/1/zoom/4>
- DECREE NO. 32 (1941): On responsibility for spreading false rumors in wartime that cause anxiety among the population. [Об ответственности за распространение в военное время ложных слухов, возбуждающих тревогу среди населения]. *Digital library of historical documents*. <http://docs.historyrussia.org/ru/nodes/131190-ob-otvetstvennosti-za-rasprostranenie-v-voennoe-vremya-lozhnyh-sluhov-vozbuzhdayuschih-trevogu-sredi-naseleniya-ukaz-ot-6-iyulya-1941-g>

- DEIBERT, RONALD; ROHOZINSKI, RAFAL (2008): Good for liberty, bad for security? Global civil society and the securitization of the Internet. In: DEIBERT, RONALD J.; PALFREY, JOHN; ROHOZINSKI, RAFAL; ZITTRAIN, JONATHAN (eds.): *Access Denied: The Practice and Policy of Global Internet Filtering*. Cambridge, MA: MIT Press, pp. 123-149.
- DIETRICH, NICK; CRABTREE, CHARLES (2019): Domestic Demand for Human Rights: Free Speech and the Freedom-Security Trade-Off. In: *International Studies Quarterly*, 63(2), pp. 346-353.
- EROUKHMANTOFF, CLARA (2017): Securitisation theory. In (eds.): McGlinchey, Stephen; Walters, Rosie; Scheinplflug, Christian: *International relations theory*. England: E-International Relations Publishing.
- FOX, MICHAEL (1992): Glavlit, censorship and the problem of party policy in cultural affairs, 1922-28. In: *Soviet Studies*, 44(6), pp. 1045-1068.
- FZ-127 (2018): *RG.ru*. <https://rg.ru/documents/2018/06/06/kontrstankcii-dok.html>
- GLUKHIH, VLADIMIR; ELISEEV, SERGEY (2018): Trends and challenges in the development of the public sphere in Russia. [Тенденции и проблемы развития публичной сферы в России]. In: *Discourse*, 4(6), pp. 96-101.
- HABERMAS, JÜRGEN (2006): Political Communication in Media Society: Does Democracy Still Enjoy an Epistemic Dimension? The Impact of Normative Theory on Empirical Research. In: *Communication Theory*, 16(4), 411-426. DOI: <https://doi.org/10.1111/j.1468-2885.2006.00280.x>
- INTERFAX (2017, July 10): Dvorkovich calls for changes to »Yarovaya Law« [Дворкович призвал изменить »закон Яровой« для его поэтапной реализации]. *Interfax*. <https://www.interfax.ru/russia/570061>
- KREMLIN (2022, September 30): Signing of treaties on the accession of the DNR, LNR, Zaporozhye and Kherson regions to Russia. [Подписание договоров о принятии ДНР, ЛНР, Запорожской и Херсонской областей в состав России]. *Kremlin*. <http://kremlin.ru/events/president/news/69465>
- КОВЯЛ, Н. (н.а.): Index of Repudiated Books. [Списки отреченных книг]. <http://lib.pushkinskijdom.ru/Default.aspx?tabid=4646>
- LEVADA (2022): Attitudes towards countries. [Отношение к странам]. *Levada*. <https://www.levada.ru/indikatory/otnoshenie-k-stranam/>
- MEDUZA (2016, February 25): Why Yandex. News is important. [Почему »Яндекс.Новости« — это важно]. *Meduza*. <https://meduza.io/short/2016/02/25/pochemu-yandeks-novosti-eto-vazhno-v-odnoy-kartinke>
- MEDUZA (2022a, December 6): Litres service to ask 1% of authors to rewrite books over LGBT »Propaganda« ban. [Сервис »Литрес« попросит 1% авторов переписать книги из-за запрета »пропаганды« ЛГБТ]. *Meduza*. <https://meduza.io/news/2022/12/06/servis-litres-poprosit-1-avtorov-perepisat-knigi-iz-za-zapreta-propagandy-lgbt>
- MEDUZA (2022b, March 5): The Russian authorities have trashed the entire media market in a matter of days. Here’s how it looks. [Российские власти

- за несколько дней разгромили весь медиа-рынок. Вот как это выглядит]. *Meduza*, <https://meduza.io/feature/2022/03/05/rossiyskie-vlasti-za-neskolko-dney-razgromili-ves-media-rynok-vot-kak-eto-vyglyadit>
- МЯЛО, KSENIA; SOKOLOV, S; SVERDLOV, V. (1990): Through the pages of Samizdat. [По страницам Самиздата]. Moscow, Molodaja Gvardija
- МОЙКА 78 (2022, September 13): Where has the news gone? Details on Yandex and VK deal that changed the news aggregator. [Куда пропали новости? Подробности о сделке Яндекса и VK, изменившей новостной агрегатор]. *Moika 78*. <https://moika78.ru/news/2022-09-13/807280-kuda-propali-novosti-podrobnosti-o-sdelke-yandeksa-i-vk-izmenivshej-novostnoj-agregator/>
- PERRIN, ANDREW; VAISEY, STEPHEN (2008): Parallel public spheres: Distance and discourse in letters to the editor. In: *American Journal of Sociology*, 114(3), 781-810.
- Plamper, Yan (2014): The ban on ambiguity: Soviet censorship practices in the 1930s. [Запрет на двусмысленность: советская цензурная практика 1930-х годов]. In: *Novoe Literaturnoe Obozrenie*, 6, 141-161.
- RADIO SVOBODA (2022, March 7): Patriarch Kirill: the war is going on because Donbass does not want brides. [Патриарх Кирилл: война идёт, потому что в Донбассе не хотят гей-парадов]. *Radio Svoboda*. <https://www.svoboda.org/a/patriarh-kirill-voyna-idyot-potomu-chto-v-donbasse-ne-hotyat-gey-paradov/31739224.html>
- REGIONS (2001, April 14): Moscow. Management change at NTV channel, with a number of leading journalists suspended. [Москва. Смена руководства на канале НТВ, ряд ведущих журналистов отстранен от эфира]. *Regions*. <http://regions.ru/news/512240/>
- RIA NOVOSTI (2022, February 24): Text of Russian President Vladimir Putin's address. [Текст обращения президента России Владимира Путина]. *Ria Novosti*. <https://ria.ru/20220224/obraschenie-1774658619.html>
- THE CONCEPT OF INFORMATION SECURITY FOR CHILDREN (2013): <https://istina.msu.ru/collections/5315788/>
- THE CONCEPT OF INFORMATION SECURITY FOR CHILDREN (2015): <https://docs.cntd.ru/document/420320316>
- WÆVER, OLE (2015): The theory act: Responsibility and exactitude as seen from securitization. In: *International Relations*, 29(1), 121-127.
- WILLIAMS, MICHAEL (2003): Words, images, enemies: Securitization and international politics. In: *International studies quarterly*, 47(4), 511-531.
- ZIMMERMAN, WILLIAM; INGLEHART, RONALD; LAZAREV, EGOR; SOKOLOV, BORIS; VARTANOVA, IRINA; TURANOVA, EKATERINA (2020): Russian Elites—2020. [Российская Элита—2020], http://vid-1.rian.ru/ig/valdai/Russian_elite_2020_rus.pdf Atnashev, Timur; Velizhev, Mikhail (2020): The (Late) Soviet Public Sphere: Imitation, Mastery,