

THE PUBLIC ZONE:
CROWDFUNDED HUMAN RIGHTS
JOURNALISM IN POST-2014 RUSSIA

By

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Submitted to

Central European University

School of Public Policy

in partial fulfilment for the degree of Master of Arts in Public Policy

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Budapest, Hungary

2019

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A handwritten signature in black ink, appearing to be 'E. Klochkova', written over a horizontal line.

Abstract

This thesis is concerned with crowdfunded critical journalism initiatives specializing in human rights in Russian Federation. It studies the bottom-top media projects contributing to human rights awareness-raising through process-tracing and expert interviews. The central questions of this thesis are (1) the feasibility of the narrow-themed critical media resources operating on donations and (2) their role in the agenda-setting in the human rights sector. This research aims to contribute to the literature on awareness-raising through digital media.

Acknowledgements

I would like to acknowledge the wise advice, feedback and eternal patience from my supervisor professor Cameran Ashraf, and the tips provided by professor Sanjay Kumar from CEU Academic Writing Center during the classes on thesis writing. I also express gratitude towards the teaching and administrative staff of CEU School of Public Policy, as well as my fellow students and the University as a whole. Last, but not least I am thankful to Marc, Sergei and Igor for their feedback during our discussions about this work.

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Introduction

Most papers on the techniques of awareness-raising focus on the ‘best practices’ employed by NGOs in countries with democratic governance and transparent decision-making systems. Mechanisms pursuing the same goal under hybrid and authoritarian regimes receive limited attention. One reason for this is that the legal, political and financial restrictions placed upon such campaigns in non-democratic countries vary. This aspect makes defining the ‘best practice’ difficult, since the journalists and NGOs in these countries must find specific loopholes in the system that will allow their operations. This thesis is focused on the issue of human rights awareness-raising campaigns through critical journalism resources in Russian Federation.

The ‘End of History’ understood as a global reign of liberal democracies (Fukuyama 1992) is now widely criticized as a Western-centric concept that does not correspond with reality. Increasing regionalism with various economic and ideological centers is proposed as a more viable form of global order where no state (or economic power) holds enough leverage to influence other states’ policies (Acharaya 2017, Stuenkel 2016). Studies in different regions’ histories argue incompatibility of a common narrative on the global order (Mishra 2012). However, the concept of human rights remains to cause seemingly universal attention from both global and local NGOs worldwide. It must be recognized that the concept has been challenged – e.g., in Arendt (2017), it is argued that ‘human rights’ always presuppose exclusion of certain groups from access to such rights. The tradition of thought exploring the concept of the rights of *the Other* (e.g. Agamben 1998) seeks to explore which mechanisms are used to justify oppression of various groups.

Among the groups that suffer from the exclusion from *having the right to rights* are people facing Weber’s legitimized state violence – in the form of law-enforcement, judicial or penal systems. One of the challenges presented before human rights defenders is providing a counternarrative on the vulnerable groups. Use of excessive force against some of these groups is often justified by them

(presumably) presenting a threat the law-abiding society. This perception leads to the assumption that state violence is not a concern for – us – those who abide the laws.

Judicial mechanisms, penal system and law-enforcement brutality that some of the resources discussed in this thesis are now covering daily have not received focused media attention till Summer 2012. The Russian ‘middle class revolt’ that started in Winter 2011-2012 had its first encounter with the state repressive apparatus during a peaceful demonstration on May 6, 2012. The *Bolotnaya case* (titled after the square where the demonstration was held) has resulted in randomized arrests of protestors resulting in prison sentences. Combined with the widely covered case of a punk-group *Pussy Riot* during the same year, this precedent has placed the attention of the urbanized middle class first on the police brutality and judicial processes and later the penal system. The following years saw the emergence of media resources specializing in human rights violations by the state (OVD-Info, Zona.Media). At the same time, the themes covered by *OVD-Info* and *Zona.Media* have been discussed in larger outlets (*Meduza.io*, *Novaya Gazeta*, *MBK-Media*).

As a result of a massive crackdown on the critical press after Crimean Referendum in 2014, several major critical media resources in Russia have received pressure by the investors. This meant changing their approaches which included entirely replacing the editorial boards and teams of reporters. Some of these journalists have joined the teams of remaining or newly established critical resources. These events have also raised the issue of financing which then started shifting towards being funded by the readers. The two approaches employed were: establishing paywalls and collecting donations. While *OVD-Info* has initially relied mostly on small donations from its readers, *Media.Zona* has initially been funded by charitable organizations, but also started collecting donations in 2017.

It has recently been argued in academic literature that Russian critical journalism is unable to impact the policy-making process in the country due to its both financial and ideological separation from the state (Repnikova 2019). This thesis is concerned with the ways that allow critical journalism to

remain active under censorship and financial pressure on investors. Through process-tracing, provision of context, collecting and analyzing expert interviews, it explores the role of crowdfunded critical journalism in formulating the agenda-setting in the human rights sector from below. The tested hypothesis is whether the critical journalist resources covering narrow issues can survive on crowdfunding. Another explored question is the role of these resources on the human rights agenda-setting as perceived by the journalists and human rights defenders working in Russia. The aim of this research is to study the possible models of human rights awareness-raising through media in non-democratic countries, if these media only cover a narrowly defined theme.

This thesis consists of four chapters: Chapter 1 concerned with the role of media in governance and definitions and theoretical approaches to awareness-raising in the sector of human rights. Chapter 2 will expand on the methodology of the study, and Chapter 3 will provide the reader with context for the establishment of the media resources in question. In Chapter 4 the analysis of the transcribed interviews will be presented. Due to the sensitivity of the subject of this thesis, the respondents will remain anonymous.

Chapter 1. Definitions and Theory

1.1. Preface

Giovanni Sartori's article *Concept Misinformation in Comparative Politics* (1970) warns the scholars of politics and policy against concept-stretching – i.e., compiling processes occurring in various contexts under a single umbrella-term. Although large comparative studies are useful for developing our understanding of tendencies, logic and regularities of political sphere, they can also cloud our understanding of the differences between the variables at work in each case. Following the existing literature on methodology, this chapter will establish the background concepts for the terminology used in this thesis.

1.2. Democratic Governance

The Democracy Index produced annually by the Economist Intelligence Unit estimates a fall in the level democracy in Russian Federation from 5.02 in 2006 to 2.94 in 2018 on a 10-point scale (The Economist 2019). Along with Kazakhstan, the country has been placed on the 144th place out of 167 observed countries in the 2018 report. The 2018 report published by Human Rights Watch (World Report 2018) notes widespread and systemic violations of the rights of various groups (women, LGBTQ+, religious and ethnic minorities, political opposition etc.). The issues attributed in these ranks to Russia are not confined to one country – e.g., only 20 states in the Democracy Index 2018 report are ranked as 'full democracies', while 38 are classified as 'hybrid regimes' and 52 as 'authoritarian' with low scores on civil liberties, political participation and other measurements. Both datasets require to place increased attention on the practices of human rights defense within the countries which do not fall in the 'democracy' or 'full democracy' categories. This chapter deals with definitions of democracy, the theoretical approaches to the role of the media, human rights, violence and the study of social movements. Even though Russian Federation is classified as a non-democratic country in most scholarship and rankings, it is important to begin

the study with defining democracy. This is required to establish how media freedom is a crucial part of larger political and policy-making processes.

1.2.1. Democratic Forums

Democracy is among the most-debated concepts in history of thought. It can be used both as a normative and a descriptive concept. In the Western tradition, democracy has not always been the ideal form of governance (Plato 1955). As Macpherson (1977) notes in his work *Life and Times of Liberal Democracy*, until the past couple of centuries, democracy has only been understood as a form of governance that could either only work in a classless society or serve the interests of a single class.

Macpherson traces the definitions of democracy in the liberal tradition from Jeremy Bentham through Mill to Schumpeter. Schumpeter (1918) proposes the definition of democracy as a mechanism of electing and legitimizing the ruling elites. This conceptualization is criticized by Macpherson for downplaying the political potential of people not belonging to the elites. Macpherson argues that if provided with economic stability and opportunities for education and growth, the public will be capable of making weighted political decisions in their own interests. Macpherson suggests that the mechanistic approach to democracy (elections and legitimization) is unsuitable for contemporary context where more demand is placed upon the quality of life and social security. Instead, he suggests that our understanding of democracy needs to be shifted towards the participatory mechanisms.

Participatory mechanisms are required to ensure that the public can set the agenda for themselves. Considering the contemporary landscape, the public cannot be viewed as a monolith. As Bauman (2018) argues, the growing complexity of socio-economic structures and rapid technological advancement produce increasing differentiation between interest groups and decrease the trust in expertocracy. Literature on the foundations of democracy speaks of local (in terms of territory) interest groups or interest groups focused on narrow topics as prerequisites for democratic

governance (Hoffmann 2017). To achieve participatory democratic governance, these groups need to have shared forums to debate, discuss and negotiate the policy options to secure their interests (Keane 2013). Media resources can provide this forum for debate, but, as Keane notes in his work *Democracy and Media Decadence*, they can also form echo-chambers around individuals and impede productive communication.

1.2.2. Democracy and Contemporary Media

The popular maxima of the turn of the century of the Global Web contributing to better dialogue, education and improved democratic mechanisms across the Globe, has been visibly challenged in the recent years. Following the 2016 US presidential election, the word ‘post-truth’ has been chosen as the ‘word of the year’ by the Oxford Dictionaries (BBC 2016). The ‘alternative facts’ and ‘fake news’ are a threat to democratic governance worldwide, and the problem is expected to grow deeper and wider with the advancement of the AI mechanisms (Meserole, Polyakova 2018). As noted in the previous paragraph, the ‘echo-chambers’ produce the spread of misinformation and produce (often) false sense of universal agreement on some issues. The approach commonly recommended for solving this problem on an individual level is to at least double-check all the information consumed. However, following Baumann’s line of thought, as the world grows increasingly complicated, everyone has less time to achieve an informed understanding on multiple problems. This leads to fragmentation not only in terms of echo-chambers, but also in terms of the media agenda.

The new problems did not replace the old ones – in case of non-democracies the echo-chambers and fake news have only added to the issues of censorship inherited from the ‘analogue’ world. The Chinese Firewall, persecution of political dissidents through monitoring their online presence (Ashraf 2015) might be innovative practices from the technological point of view but are a continuation of the pre-digital world politics and policies. Another important aspect of the censorship is the ousting of political figures, critical journalists and social activists from the media

with broader reach (e.g. TV channels). Even though, these collective and individual actors can voice their concerns on the Web resources, legislations directed at the freedom of the Internet significantly limit their options.

The financial side of running a media resource also affects the situation. The pressure on/from investors in case of Russian Federation will be further discussed in chapters below. It is also important to recognize that large digital outlets experience financial struggles regardless of political context they are operating in, due to the shift of advertisement financing to social media platforms. Among the latest consequences of this dynamic is a large layoff of media employees in several Western-based outlets (Bell 2019).

The shifts in media consumption mechanisms, technological advancement of censorship and financial pressure on media platforms all create obstacles for operating independent media platforms worldwide, although combinations and intensity of these problems vary. Social media echo-chambers generate awareness in a fragmented way – as different social groups have different agendas on different issues and produce different responses. The possible strategies of awareness-raising on specific issues such as human rights in this landscape will be discussed below.

1.3. Human Rights Framework

The shift of politics towards judicialization during the 20th century has been widely noted by political theorists and scholars of law alike (Dyzenhaus & Poole 2008; Hirschl 2011). At the core of this process is the increasing tendency to outsource political questions – from ‘broad’ moral issues to ‘particular’ public policy issues to the judicial powers. This does not mean that the policy-making processes become more impartial. Human rights are a part of the judicial vocabulary, but they also refer to broader questions on values and definitions of humanity. In terms of public policy, the political connotations of human rights can influence state policies with reference to specific social groups – e.g., ethnic and religious minorities, LGBTQA+ persons, etc. The growing discussions on the variability of the impact that judicial systems have on different racial and ethnic

groups are a good example here. The narrative of the ‘Other’ presenting a (criminal) threat to the public is political but can be produced through judicial mechanisms.

The most important document in the human rights legal framework is the Universal Declaration of Human Rights adopted in 1948 as a ‘common standard’ for all United Nations participants. One of way of evaluating the compliance with the UN Declaration by a state is studying the contents of the state’s constitution. As Tom Ginsburg (2010) warns, the constitutions can serve as a good starting point, but it is the administrative law that usually plays a more important role in policymaking and protection of the citizen’s rights. While definitions in the Constitution can be broad and provide ground for interpretations, the administrative law proves to be more definitive and precise. The third level of investigating the rule of law is the practical realization of administrative law, which is also the hardest to monitor. Understanding the practice, however, is vital to making a conclusive evaluation of a state’s compliance with universal declarations – including the human rights sector.

Human rights organizations often must deal with violations of these rights that can be classified as ‘extreme’ – e.g., illegal detention, slave labor, torture etc. These themes exist out of the ‘comfort zone’ of many persons – especially those who have enough resources to form pressure groups to achieve changes in policy. As already noted above, most times the most vulnerable groups fall under the category of the ‘unknown’ Other. If the violations come from the state structures, they are sometimes justified by providing a narrative of them having (at least partially) deserved such treatment. The literature on the ‘othering’ of people who face conviction or had already entered the penal system is broad – among the most notable examples here are Foucault’s *Discipline and Punish* (2011) and Agamben’s *Homo Sacer* (1998). The logic of abandoning the persons suspected of/incarcerated for criminal offences is presuming them to be dangerous to the society and requiring their isolation. Violations of human rights committed against them are justified through the narrative of preserving the public safety.

1.3.1. Explaining Structural Violence

Violations of human rights can involve both action (unlawful detention, use of slave labor, torture, etc.) and inaction (e.g., refusing to provide medical assistance). Both can be classified as violent as they often lead to physical and psychological struggles on the receiving end. A common strategy for defining violence is reducing the social mechanisms behind it to a single factor (Sen 2008). In his article *Violence, Identity and Poverty*, Amartya Sen defines the two usual ways of talking about reasons for violence – scholars and commentators blame either cultural specifics, or economic inequalities. According to Sen, both approaches are wrong as they oversimplify the root causes, ignoring their symbiosis and variability in strength.

When speaking about systematic violence condoned (and/or encouraged) by the state, Arendt (2010) identifies indifference and conformity as the primal reasons for participation in it and/or non-resistance. Increasing atomization among individuals in modern societies leads to the lack of solidarity and being concerned solely with the well-being of oneself/immediate close circle (Wildanger 2019). In this logic, others' struggles only become important to an individual, when she feels that these processes affect her on a personal level.

1.3.2. Awareness-Raising on Human Rights Violations

Awareness-raising is a part of policy advocacy that attracts public attention to a specific issue. In order to create an enough pressure group to place a policy on the public officials' agenda, there needs to be a dialogue with the public. Awareness-raising campaigns in the policy sector are supposed to convince individuals that a policy problem requires collective action. The usual target audience of these campaigns are not the people who are affected by any given issue immediately and not those who have a formed and solid opinion on the matter. Awareness-raising narratives are (for the most part) concerned with people who are undecided and/or can be swayed on the issue.

In conversations on violence, the awareness-raising through narratives in media can have a spontaneous aspect. Some isolated gruesome acts that do not constitute a structural problem are presented as events that need to be dealt with through a policy intervention (Lodge, Hood 2002). As described by Cohen (2011) in his classic work on this type of agenda-setting, *moral panic* fueled by disproportionate public outrage can cause harmful from the legislature. The moral panic following a large-scale disaster can also be further promoted by public officials to move their policies forward with the public (Rothe, Muzzatti 2004). The policies produced by a society subjected to moral panic often only affect the surface and do not have a significant impact on the problem. Moreover, these policies can prove to be harmful, as their formulation is driven by emotion rather than rationalization. Therefore, awareness-raising campaigns on sensitive subjects need to be carefully strategized by the human rights organizations and NGOs dealing with the issues to produce a narrative. However, studying the precedents of *moral panic* can prove helpful in planning awareness-raising campaigns – in order to learn from the mistakes and the mechanisms of attracting public attention.

1.3.3. On the Universality Narrative

In cases when issues are entwined in the state structure, the pressure groups often need to come from social movements. The intuitive prerequisite for starting a movement is reliance on loud and well-publicized precedents of injustice and/or policy failure as a starting point. However, as suggested in analysis conducted by Bauhr (2017) in the field of anti-corruption movements, these precedents tend to lose their appeal over time and fade from the agenda. Bauhr argues that while the ‘common’ struggles and outrage caused by them are harder to aggravate due to their routine practice, it proves more useful in achieving long-term policy response. Changes in policy rarely come from isolated personalized stories which cause temporal outrage but can be reached through wide recognition of an issue and its effect on everyday lives of the public.

1.4. Conclusion

Despite obvious emotional connotations of the theme, public conversations on human rights violations by the state are hard to start, due to often marginalized social position of the victims. Personalized stories of injustice attract attention, but do not usually create a lasting effect on the policy making or implementation. Public forums provided by the media are necessary to formulate the agenda and provide bottom-to-top pressure on the public officials. Modern digital media resources provide an unprecedented visibility of various issues and need to be used in these processes. The strategies of awareness-raising need to be carefully planned in order to avoid moral panic with its chaotic and/or cosmetic response, but to create meaningful change in the system.

Chapter 2. Case Justification and Methodology of the Study

2.1. *Case Justification*

This thesis is concerned with Russian media resources working in the field of awareness-raising in the field of human rights. The two media resources of primal focus are *Zona.Media* (independent journalism platform focused on the country's law-enforcement practices, judicial and penal systems) and *OVD-Info* – a media project that has initially started as a hotline for people detained during the protests of 2011-2012. *OVD-Info* currently serves as a complex platform that assembles the news on political persecution, provides the detained with legal support and publishes articles related to these cases. Both *Zona.Media* and *OVD-Info* are projects that have been initiated by and/or for people who had experienced state persecution, and both operate primarily on public donations.

These resources will serve as examples of the public attempts at grassroots agenda-setting on human rights violations through state violence. Critically examining their development and strategies will contribute to the study of local awareness-raising and agenda-setting initiatives. The practices of international human rights organizations are more visible to the policy community but are less context adaptable. Through the case of these resources, this thesis aims to investigate the strategies and policy impact of local initiatives.

2.2. *Methodology of the Study*

Chapter 3 is based on process tracing and context examination, while Chapter 4 consists of the findings from the expert interviews. The descriptive process tracing and provision of context is important for assessing the socio-political background in which the media resources in question have emerged and continue to operate. Chapter 4 presents an analysis of the interviews with journalists from *Zona.Media* and *OVD-Info*. Experts from two other resources systematically reporting on human rights have been interviewed – *MBK-Media* (provides news and analysis of

events and is privately funded) and *Moloko+* (aims to raise awareness on these issues through news-aggregation and artistic reflections on violence, founded entirely on donations and currently operating on the revenues from three analogue issues). Interviews with legal professionals working human rights defense in Russia have been conducted to evaluate the impact these initiatives have for awareness-raising.

The respondents will remain anonymous. Snowball technique has been used for assembling the sample. Because of the possible unwillingness of the respondents to provide specific information on the particularities of their work, the open questions have been formulated as relating to the broader processes in the field and impact evaluation of collective efforts. Vignettes have been used for the practices of awareness-raising and journalism as presented in the academic literature for the respondents to comment on.

Chapter 3. Process-Tracing and Context

3.1. *Introduction*

The dissolution of the Soviet Union has provoked widespread proclamation of the liberal democracy's global victory – the most notable example in academic literature here is Fukuyama's *The End of History*, originally published in 1992. The events following the Cold War, however, have proved these proclamations to be rushed. The absence of established democratic institutions and economic struggles in some countries including Russian Federation has caused some states to evolve in the non-democratic direction (Gelman 2013). The fear of the return of communism caused an armed confrontation between the first president of Russia Boris Yeltsin and the Parliament in 1993. This event has caused the adoption of a new constitution in the country during the same year. The new version of the foundational legal document has broadened the powers of the president and limited the power of the parliament.

This Chapter contains three parts: the process tracing of political events preceding the emergence of the examined media resources, context of law-enforcement and human rights practices, and a brief overview of Russian critical media landscape prior to Spring 2014.

3.2. *Process-tracing*

3.2.1. *Centralization and Security*

Following the terrorist attack on a school in Beslan (located in North Osetiya region of Russian Federation), the government of the president Vladimir Putin has openly adopted a course on centralization. Among of the most resonant policies was abolishment of regional governor elections in favor of appointment by the president with confirmation by the regional parliament. This has arguably increased political subordination of regions to the center (Shulman 2014). Such reforms have been met with little resistance due to the narrative of improved security and the population's economic recovery from the financial catastrophes of the 1990's. This recovery has

started under the second president and was attributed to his administration. Despite other systematic instances of public sector becoming more centralized and public freedoms and rights being gradually decreased, a large protest movement against the state's policies did not emerge until the Winter 2011-2012.

3.2.2. *Protest Movement of 2011-2012*

The protest movement has been mostly led by the urbanized middle class. Its initial goals have been economic and political – corruption control and fair elections (Gelman 2015). The demands have shifted towards the compliance with human rights standards later – after the protestors had their first immediate encounter with police brutality, judicial and (later) penal system.

The parliamentary elections of December 1 2011 have caused a political upheaval in Russian Federation. The *For Fair Elections* movement started with reports of mass falsifications across the country. The protestors have claimed that the parliamentary elections have been rigged in favor of the *United Russia* party linked with Vladimir Putin. The spontaneous leader of the movement was an anti-corruption blogger Alexei Navalny, who has emerged as a center-right oriented political activist in the 2000's. His slogan *The Party of Crooks and Thiefs* in reference to *United Russia* has become a catchphrase of the protest movement, accusing the leading party of corruption and voter fraud.

For several months, the protest movement has encountered arrests and short-term detainments, avoiding large-scale persecution. In early March 2012, law-enforcement began arrests of the members of the *Pussy Riot* punk-group (BBC 2012) which became the first resonant case. Two of the *Pussy Riot* members (Nadezhda Tolokonnikova and Maria Alyokhina) have been sentenced to two years of prison for 'hooliganism motivated by religious hatred' for participating in the group's dancing performance *Virgin Mary, Make Putin Go Away* in Moscow's Cathedral of Christ the Savior (Snob 2012). In June of the same year, Article on the *Insulting of Religious Feelings* of the

Administrative Code of Russian Federation has been partially criminalized (State Duma Bill 142303-6).

The first wave of mass arrests resulting in criminal prosecution came on May 6, 2012 during a peaceful demonstration on the Bolotnaya's square in Moscow. Out of more 400 protestors detained, 34 have been tried on criminal charges for allegedly clashing with law-enforcement. Half of the latter have been convicted – with two people getting a suspended sentence and one receiving compulsory treatment in a mental health institution. The public commission assembled after May 6 has concluded that the mass disturbances on which the convictions had been based did not take place, and the law-enforcement initiated isolated incidents of violence during the demonstration ('Roundtable of December 12'). A poll conducted by Levada Center in June 2012 has concluded that 46% of Russian citizens have found the actions of law-enforcement 'excessive' with 67% suggesting that the government should begin negotiations with the movement (Lenta.ru 2012).

The *Bolotnaya case* will be cited as the starting point of media coverage on judicial and penal mechanisms by the respondents in Chapter 4. The *OVD-Info* initiative was started as digital tool of communication between protestors in 2011 during detainments in order to monitor the actions of law-enforcement and provide aid to the detained (Okhotin 2012). *Zona.Media* (more commonly referred to as *Mediazona*) began as an initiative by Maria Alyokhina and Nadezhda Tolokonnikova from the *Pussy Riot* group after their release in 2013 (Reilly 2014). While *OVD-Info* limits its agenda to political persecution, *Zona.Media* is covering other topics ranging from domestic violence to the technological aspects of the Web control by the state.

3.2.3. State Policy Response to the Protests

Rhetorical reaction to the protest movement of 2011-2012 from the government officials has been mixed. Then-Prime Minister of Russian Federation Vladimir Putin has referred to the elections of December 2011 as 'objective and fair' and suggested that some of the protestors have been acting 'in the interests of foreign governments and [have been funded by] foreign money', while then-

president Dmitiy Medvedev has underscored that participants of the movement ‘have the right to voice their position’ (BBC 2016). In terms of his policy response, Medvedev has proposed a package of reforms that included restoration of the governor elections (Federal Law from May 2, 2012 №-40 FZ) and eased the process for political party registration (BBC 2016). Both reforms have passed in 2012 but have been partially adjusted later.

The legislations adopted by the parliament elected in 2011 in the following years have received backlash from some protest leaders and media resources. The term ‘a printer gone mad’ has been used to describe production of initiatives deemed as repressive. These have included the ‘foreign agents’ law for the NGOs receiving funding from outside of the country, criminalization of ‘spreading misinformation of the USSR’s actions during World War II’, alternative obligations to report additional citizenship to the authorities and register blogs as ‘mass media’ (Novaya Gazeta 2014). These measures have not produced a movement comparable to the 2011-2012 elections.

3.3. Context

3.3.1. Overview of Russian Law-Enforcement Institutions

As has been stated in the Introduction, the state violence is the legitimate violence. Legitimization is a political process that requires a narrative – in this case, a narrative of a threat and provision of security. The “armed bureaucracy” of Russian Federation is often referred to by the Russian word *Siloviki* (those who have force) in both academic literature and press, but this term is confusing due to its broad definition. *Siloviki* is commonly used as an umbrella term for law-enforcement, intelligence agencies, military units and political actors and businesses allied with them (Renz 2013). Since all these institutions have different level of authority and political influence, we will focus on the law-enforcement and its connection to the judicial and penal system for this thesis. The law-enforcement structure includes the following institutions:

1. Prosecutor’s Office of the Russian Federation
2. The Investigative Committee of Russian Federation

3. Federal Security Service
4. Federal Service of the National Guard
5. Ministry of Interior Affairs (includes Police)
6. Federal Customs Service
7. The Ministry of Justice of Russian Federation (includes The Federal Service of Court Bailiffs and Federal Service of Execution of Punishments)

The Federal Customs Service will be excluded, while it is also important to note that the Courts are sometimes also attributed to the law-enforcement system in some educational literature (Gazetdinov 2012). Due to limited availability of data on the practical approaches, the part of law-enforcement will rely on analyses conducted by independent researchers based on official statistics and human rights organizations' reports.

3.3.2. Detection Rate Policy

In 2013, the Committee for Civil Initiative has published an analysis conducted by scholars Ella Paneyah and Mariya Schklaruk on the data used for estimating the efficiency of police departments. The report explains the main statistic used for each department's accountability and budget allocations – the detection rate. Detection rate equals the amount of solved cases divided by the amount of registered cases, and the higher this number is, the more efficient the department is considered. According to the authors of the analysis, the emphasis on the detection rates provokes two problems: departments are trying to limit the amount of cases to those that can be solved most easily, while also trying to get confessions from the suspects at any cost. These actions produce an overall good statistic with high percentage of convictions. Paneyah and Schklaruk cite the experience of the neighboring state of Kazakhstan which has abolished a similar system in 2012. The amount of registered cases that did not result in convictions has raised to 62% in the first eight months of the policy change.

A similar situation is persistent in various branches of law-enforcement that deal with crime investigation – high efficiency estimates are required to legitimize increasing government spending. However, the methods of the law-enforcement remain questionable – e.g. a quantitative analysis published by the research fellow of the European University of Saint-Petersburg suggests mass fabrication of drug-related offenses (Knorre 2019). Knorre has analyzed the official data on the amount of confiscated drug substances in years 2013-2014 and concluded that a prevailing number of confiscations involves amounts that are insignificantly over the cap that is required for conviction.

3.3.3. Public Observation of Prisons and Detention Centers

The penal system of Russian Federation administrated by the Federal Service of Execution of Punishments is affecting a significant proportion of the population in comparison with other countries providing data for these international estimations. The 2018 report by the Institute for Criminal Policy Research (ICPR) has placed Russian Federation on the 18th place in a global ranking of countries with highest percentage of incarcerated citizens (World Prison Brief 2018). According to the ICPR data, the ratio of incarcerated persons to the entire population in Russian Federation constitutes 381:100 000.

In June 2008, legislation on the public observation of prisons and pre-trial detention facilities has been adopted by the government of Russian Federation (Federal Law N 76-FZ). This legislation has provided a legal framework for the operations of human rights and legal professionals with regards to access of places of detention. The founder of NGO *Russ' Sidyashia* (Russia Incarcerated) that provides aid to convicted persons and their families Olga Romanova has criticized the legislation (2018). According to Romanova, the regulations placed on the participants of Public Supervision Commissions defined by Federal Law N 76 limits the access of independent human rights defenders to places of detention and imprisonment in favor of individuals approved by the state and local law-enforcement. These limitations impede the abilities of independent public

observers to monitor the compliance with the rights of those convicted and detained by the employees of Federal Service of Execution of Punishments and state agencies conducting investigations.

3.3.4. Approval Ratings and Public Trust in Law-Enforcement

According to the surveys conducted by polling companies, law-enforcement agencies in Russian Federation have different levels of public trust. In case of the judicial system, the survey conducted by the Foundation of Public Opinion (2017) concluded that 43% of Russian citizens believe the courts verdict to be ‘often unjust’, with 56% certain that most judges are involved in corruption and accept bribes. Data on public approval of public institutions collected by the Russian Center for Public Opinion Research (WCIOM) during Spring 2019, suggests a 52.8% approval of law-enforcement agencies (3rd out of 9 public institutions included in the questionnaire), but only 34.2% for the judicial system (6th out of 9). The survey conducted by WCIOM during the Fall 2018 has given more detailed estimates of public trust in various law-enforcement agencies. The most trusted institution among Russians is the Prosecutor’s Office (48%), while the Ministry of Interior Affairs ranked 2nd with 21%. Down the line are courts (14%), Federal Security Service (11%), the Investigative Committee (9%). The National Guard was unknown to 15% of respondents (with a 5% trust score) and the lowest position is occupied by the Federal Service of Court Bailiffs (only 3%). Member of the Presidential Human Rights Council of Russian Federation Nikolai Svanidze has assumed that the reason behind high public trust in the Prosecutor’s Office comes from the fact that this is an institution that citizens ‘interact the least with’ (RBC 2018).

3.4. Media Landscape Overview

In his work *This Lasted Forever Until It Ended* a Russian-American anthropologist Alexei Yurchak (2017) cites the official language of the USSR among the central reasons of the state’s collapse. According to Yurchak, the gap between the reality and its strictly formulated descriptions in the press and officials’ speeches was significant enough to cause a failure in the feedback mechanisms

between the public and legislators. Following dissolution of the USSR, private-funded media resources (newspapers, magazines and TV-channels) have begun to emerge – with the help of emerging Russian businesses and expansion of international publishers. This has caused the variability of descriptive formulations to increase.

The re-emergence of censorship in post-USSR Russia is commonly linked to the events surrounding the replacement of investors and (later) the journalist team of a federal-level TV-channel NTV. In 2000, the chief investor of NTV, oligarch Vladimir Gusinsky has left Russian Federation due to criminal charges pressed against him. The channel has been fully acquired by a state-affiliated natural resource company *Gazprom* during the following year (Kuravsky 2011). In subsequent years, printed press and TV-stations have seen increased pressure from the authorities, while the online publishing has remained relatively undisturbed until the Crimea crisis of Spring 2014.

The events of Ukrainian Revolution of Winter 2013-2014 have caused investors to replace the reporting teams and businesses grew cautious around financing the critical press even in its online form (Boghani 2015). These issues will be further elaborated on in Chapter 4 within the analysis of the expert interviews.

3.5. Conclusion

Despite expectations of the victory of liberal democracy in the 1990's, the collapse of the USSR did not result in democratization of all its former republics. The government of Russian Federation has embarked on the route of centralization and concentration of state control in few institutions. Large social movements against these tendencies have began with the demands for corruption control, increased election transparency and government accountability. After the protest movement has experienced the mechanisms of law-enforcement practices, judicial and penal system, issues of human rights of incarcerated persons were placed on the agenda of the movement participants – primarily, the urbanized middle class.

Public trust in specific law-enforcement agencies cannot be classified as high. The analyses of the quantitative data provided by these agencies themselves paired with procedures of law-enforcement accountability to the centralized powers suggest existence of violations of the rights of the suspects and detained persons. Limited access to the places of detainment for independent observers restricts NGO's and human rights professionals to monitor situation in these places of vulnerability, while Russian Federation ranks high in the ICPR prison population rating.

TV-channels remain an important mechanism of consuming information – according to polls conducted by the Public Opinion Foundation in 2019, 71% of Russia's adult population are receiving news from the television (Kiryan 2019). However, 44% of the same poll's respondents have stated that they also monitor news on the Web, and this number had been growing in recent years – assumingly due to younger generation's preferences. Creation of large public forums with no or limited state control still presents a challenge due to political and financial constraints placed upon the critical journalism – especially in the case of topics that potentially involve violations of the citizens' human rights by the state.

Chapter 4. Expert Interviews and Analysis

4.1. *Introduction*

This chapter is concerned with the media strategies for awareness-raising in the field of human rights and the law-enforcement institutions of Russian Federation. Due to the increased reliance of critical journalism resources on public donations, questions on contemporary media financing will also be investigated. The chapter will also include recent reports published by human rights NGOs and analyses of the interviews given by professionals of the field. It will conclude with two case-studies on the issues underscored by the respondents and impact evaluation of the awareness-raising initiatives.

4.2. *Summary of the Interviews*

Due to limited existing research on the topic and its sensitivity, the formulated broad questions related to process-tracing and strategies were asked. This has allowed for the respondents to highlight the information they considered necessary, and the author of this thesis has led the interviews through follow-up questions when required. The questionnaire presented to the journalists and human rights professionals interviewed for this thesis consisted of open questions and vignettes. It has referred to the following topics:

1. The formulation of the demand for the discussion on human rights and the compliance of law-enforcement with them
2. Differences between regions in the agenda
3. Demand for policy change in the fields of law-enforcement and human rights
4. Shifts in the media landscape during 2014
5. Significant changes in media landscape after 2014
6. Strategic approaches
 - 6.1. Awareness-raising

6.2. Financing

4.2.1. *Public Demand for Reporting on Human Rights*

The demand for the topic is linked to the clash between urbanized middle-class public and law-enforcement – especially in Moscow during the *Bolotnaya case*. All respondents have stated that emergence of human rights-oriented media resources was due to the mass detainments of protestors in 2011-2012.¹ Any mass public demand for change in the field is hard to evaluate due to a limited availability of data – here, the polls showing the lack of trust towards the judicial system have been cited as a possible example of the demand. As one respondent suggested, regional interest in the field may correlate with the protest activity of a given region,² but no conclusive data is made public.

4.2.2. *Pressure on Media Resources*

The starting date of media persecution by the state varies. In case of the ‘old’ media resources, one respondent has spoken of attacks already in 1998, still citing the 2001 precedent with the NTV as a milestone.³ Online media resources have started to attract the attention of the state during the 2011-2012 protest movement, due to the spread of information on the cases of election fraud through the Web. The 2014 crackdown on critical journalism is viewed as a part of larger processes that began prior to the Crimea crisis and were just accelerated by it. Among the reasons behind the

¹ Anonymous Interviewees 1-5. May 2019. Elizaveta Klochkova. Web Audio Communication between Budapest and Moscow.

² Anonymous Interviewee 4. May 2019. Elizaveta Klochkova. Web Audio Communication between Budapest and Moscow.

³ Anonymous Interviewee 5. May 2019. Elizaveta Klochkova. Web Audio Communication between Budapest and Moscow.

dissolution of numerous journalistic teams, the state pressure is cited together with a ‘mental gap between the investors and the journalists’⁴ in terms of understanding the role of media.

4.2.2.1. *Influence of the Funding Type on Resources’ Functioning*

The reasoning behind relying on donations is complex. Respondents have stated that private businesses are suspicious of funding critical media as such investments carry potential political and legal problems.⁵ Some have raised concerns that drawing investment from private business may influence the inner policies of the resources and have an impact on their objectivity and mission.⁶ The global trend of journalism losing investment and revenues from advertisements has been brought up. One respondent stated that he expects media platforms to shift towards funding by readers entirely (through crowdfunding or paywalls), with investment involved solely in the case of investor’s personal ambitions.⁷ As the readers will chose which content to pay for, the agenda-setting will become increasingly fragmented.

⁴ Anonymous Interviewee 5. May 2019. Elizaveta Klochkova. Web Audio Communication between Budapest and Moscow.

⁵ Anonymous Interviewee 3. May 2019. Elizaveta Klochkova. Web Audio Communication between Budapest and Moscow.

⁶ Anonymous Interviewee 4. May 2019. Elizaveta Klochkova. Web Audio Communication between Budapest and Moscow.

⁷ Anonymous Interviewee 3. May 2019. Elizaveta Klochkova. Web Audio Communication between Budapest and Moscow.

4.3. *Evaluation*

4.3.1. *Target Audience and Precedent-Based Approach to Awareness-Raising*

Persuading the swayed audiences is sometimes seen as problematic due to the following factors:

(1) the aim of critical journalism is seen as providing the reader with facts and not trying to influence her opinion,⁸ (2) the above-mentioned fragmentation of agenda-setting.

A report on the role of the critical media released by the human rights NGO *Agora* in Spring 2019 suggests that even the interest groups that consume information from ‘narrow-themed’ resources can pressure the state into providing a policy response to their concerns (Kolbasin 2019). The author of the report cites the attention to the topics covered in the human rights-oriented media resources receive on state-affiliated media. Even when the narrative on these issues is conveyed through the devaluation and blaming of the victims of violations, the fact of a wide conversation is considered a success. According to the report, ‘celebrity cases’ of human rights violations force the state-affiliated media resources to place the matter on their agenda.

When asked about the impact of critical media resources on the policy making, the cases of partial removal of the article *On Extremist Activity* (Article 282) from the Criminal Code in December 2018 (Novaya Gazeta 2018).⁹ The formulation of the article had allowed law-enforcement agencies throughout the country to boost their detection rates by convicting people based on their own posts and reposts of statements and meme pictures based on these posts inspiring hatred against certain social groups. Due to the absence of a clear definition of ‘social groups’, any negative statement referring to a group of individuals could have been classified as such – the incidents have

⁸ Anonymous Interviewee 5. May 2019. Elizaveta Klochkova. Web Audio Communication between Budapest and Moscow.

⁹ Anonymous Interviewees. May 2019. Elizaveta Klochkova. Web Audio Communication between Budapest and Moscow.

been frequently reported by *Zona.Media* and other resources. ‘The partial decriminalization of the article (now an administrative offence in cases where the person has not violated the Article before) was assumingly forced by the wide outrage caused by this practice in media.

4.3.2. Analysis of Strategy

4.3.2.1. Impact on the State Decision-Making Process

One of the respondents has suggested existence of groups with varying interests in the theme in the government.¹⁰ The arrests and convictions of public officials are assumed to cause increased attention to the law-enforcement practices in the government branches not affiliated with the ‘armed bureaucracy.’ The most notable example here is the former minister of Economic Development Alexei Uliukayev who had been sentenced for 8 years of imprisonment due to his alleged involvement in corruption schemes (Mediazona 2017). On the other hand, it has been noted by some respondents and publicly available analytics from human rights professionals that the decision-making processes behind the respective policies remained concealed from the public (Smirnov, Chikov 2019). One of the respondents has compared evaluating impact in this context with ‘guessing between the lines of the [main Soviet] newspaper *Pravda*.’¹¹ It has also been noted, that even in case of critical resources’ impact on the state decision-making, the officials will not admit the influence.¹²

¹⁰ Anonymous Interviewee 2. May 2019. Elizaveta Klochkova. Web Audio Communication between Budapest and Moscow.

¹¹ Anonymous Interviewee 3. May 2019. Elizaveta Klochkova. Web Audio Communication between Budapest and Moscow.

¹² Anonymous Interviewee 1. May 2019. Elizaveta Klochkova. Web Audio Communication between Budapest and Moscow.

4.3.2.2. *Fragmentation of the Agenda-Setting*

Based on the theoretical approaches laid out in Chapter 1 and context provided in Chapter 3, the strategy will be assessed from awareness-raising perspective. The strategy of choosing to focus on a narrowly defined theme and maintain the activity of a resource through crowdfunding and donations is viable due to the cuts in investment and advertisement financing noted in the first chapter of this thesis. As pointed out by the respondents, this approach also allows the media resources to keep their agenda in line with the agenda of the readers. Potential issues with this approach may include further fragmentation of the public sphere through echo-chambers where people only read the resources that fit their worldview.

In terms of awareness-raising, this approach may have deeper issues – as the resources can choose to focus on those aspects of the issue that affect their current readers and donators, while devoting less time to the subthemes that affect larger public. The ‘celebrity case’ of the movement against the *On the Extremism* Article seems to prove this theory. While the article was referred to as an instrument of political repression and reported on by *OVD-Info* and *Zona.Media*, the most resonant case prior to decriminalization was not concerned with a visible political activist. A resident of Altai region, Maria Motuznaya who has told her story of persecution for images saved on a social media page on Twitter in June 2018 has provoked mass discussions on the implementation of the article (Meduza 2019). Motuznaya’s participation in political affairs was limited to attending rallies and volunteering, and her public statements provoked a conversation on critical media resources on the influence the version of the Article had on non-politically active citizens.

Several cases publicized by the described media resources, as well as larger ones (e.g., *Novaya Gazeta*, *Meduza*) have been connected to the use of torture by the employees of law-enforcement agencies during interrogations and in places of incarceration. Among the first of them was the case of a political activist Ildar Dadin who was sentenced to three years of imprisonment for protesting activity in early 2015 (Amnesty International 2017). While serving his sentence, Dadin has made a

statement on being physically abused by the guards on a regular basis. This case has resulted in revocation of his sentencing by the review of the Constitutional court and the decision to prosecute the warden of the prison where Dadin was held (Yarovoy 2018). Despite regular reports on frequent and routine physical abuse of detainees monitored regularly both on *OVD-Info*, *Zona.Media*, *Novaya Gazeta* and other media resources by providing the statements from the abused, their close circle and legal representatives in the following years, the Federal Service of Execution of Punishments has not yet provided a policy response.

The political context in which the resources operate limits their options of employing legal and financial opportunities available to international initiatives but ensures trust from the audience which can prove useful in assembling sensitive materials.

4.4. Conclusion

Due to the sensitivity of the human rights violations theme and often continuously vulnerable position of the victims, it is hard to assume a viable reporting system on the cases of torture and physical abuse on an independent resource will be successful. Assembling personal stories in the media resources is a work in progress, but the ubiquity of this type of human rights violations is often overclouded by the ‘celebrity cases’ that have found their way to the media reporting, been heard by the public, but only produce *ad hominem* responses as in case of Dadin. However, widely published cases potentially can serve as a trigger for accumulating such reports and creating enough pressure as in case of Motuznaya.

The blocks of cases required for such impact take longer time to assemble and produce a slower effect. In case of human rights violations committed by the state, this can prove exceptionally hard due to (1) the victims’ reluctance to speak of their experiences due to trauma and/or continuous vulnerability, (2) the emotion-provoking contents of each case. In order to achieve lasting change in policy, the focus needs to be shifted from personalized cases of injustice as presented as isolated incidents to the systematic policy problems causing such cases. This is done through media

resources described in this thesis, but the impact is so far achieved only in individual cases, not structural problems.

An initiative of *Zona.Media* is establishment of a form for persons who had been planted drugs on by law-enforcement officers (Mediazona 2019). This initiative is so far limited to Moscow residents and was started in a response of a resonant case involving planting of drugs in the belongings of a prominent investigative journalist in June 2019 (OSCE 2019). The aim of the initiative is showing the structural role this problem plays in the state violence system. According to the literature on social movements cited in Chapter 1 (Bauhr 2017), such initiatives tend to have more capacity to cause structural changes, since they place the focus on routine encounters with injustices. In contrast with the precedent-based approach to awareness-raising, they require more time to cause public to react. If successful in terms of policy agenda-setting, this initiative will show how the precedent-based approach can be productively combined with systematic collection of personal stories and their quantification through elaborating on structural reasons behind single cases.

Conclusion

The two main aims of this research were examining the feasibility on the media strategy of the resources and evaluating their role in the agenda-setting. It was explained how the described practice of operating on readers' donations to cover a narrowly defined topic can potentially serve as a model for other journalistic resources in both democratic and non-democratic countries. In the case of the former, this may help the media resources maintain regular staff despite cuts in investment and maintain the interests of the readers. For critical journalistic resources operating in non-democratic countries with limited opportunities for voicing the concerns of the public and/or interest groups, this option provides additional benefit of raising awareness on the violations of citizens' rights.

Question of awareness-raising and agenda-setting has proved to be more nuanced. On one hand, the narrowly themed media resources operating on donations must report on a theme demanded by an already pre-existing interest group. Another aspect is the closure of the interest group in its echo-chamber due to the establishment of a media resource the audiences can call 'their own.' The unclear decision-making mechanisms, lack of transparency and accountability in non-democratic countries can allow the states to either ignore the given interest group's agenda and/or occasionally produce *ad hominem* responses instead of policy change to temporarily calm the public upheaval. As shown in the case of Russian Federation in Chapter 3, the systematic reporting with a focus on human rights violations by the state was preceded by collision between urbanized middle-class protestors and law-enforcement. If Arendt's thought (2010) on correlation between isolation and inclinations towards/acceptance of state violence is correct, then solidarity movements can play a larger role in changing the public's perspective on the matter.

As cited in Chapter 1, Russian Federation currently ranks 144th in the Democracy Index placed under the 'authoritarian' category which is arguably a result of the lack of democratic institutions developed after the dissolution of the USSR. Since decreased government transparency and

accountability produce gaps between the public demands and the state policies, this thesis has covered theoretical approaches to democratic governance and its foundations. Following Macpherson's (1977) argument, Schumpeter's definition of democracy as a competition between elites has not been used. The term '*participatory mechanisms*' was chosen as a background concept for democratic governance.

Media resources reporting on political and policy issues play the role of the link between the public and the state. The emergence of contemporary Global Web resources has been greeted as a mechanism for improving public awareness and enable better dialogue, but Keane (2013) argued that echo-chambers (strengthened by the social media algorithms that present individual users with information unchallenging to their *status quo* views) pose a significant threat to the practices of democracy.

As Bauman (2018) states in his work *Liquid Modernity*, expertocracy is losing its appeal to the public due to the growing complexity of socio-economic structures. It is no longer believed that experts now better than the specific interest groups that constitute the public. Participatory mechanisms are now used by these groups with fragmented interests and agendas. In non-democracies, this problem is escalated due to the state control over media resources with large outreach, limiting their agenda-setting capabilities. A problem for human rights awareness-raising (especially in the field of state violence) arises from this tendency, as the agenda is not widely considered as universal – those with enough resources to influence the media agenda are rarely willing to and/or interested in this theme.

Among the challenges for the awareness-raising initiatives dealing with potentially shocking themes is avoiding single-case media splashes and create a stable movement based on common understanding of the persistence of the threat. Further exploration of the strategies involved in these processes is required.

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