

(Self-?) Censorship of the Internet in Russia

Abstract

Russian state control of the media may soon stretch as far as the Internet – the last free domain in the mass media (Balzer, 2003). In 2004 the Duma prepared a bill to censor Internet usage in Russia (Corwin, 2004). Government approval of the proposed bill on ‘Internet content filtering’ is still under discussion in 2005 and ministers realise the diminishing returns of legislation that would be difficult to enforce as well as unpopular at home and could constitute a breach of human rights in the eyes of the international community. Behind this change of heart is a realisation that, if censored, internet dissidents may just find other media where they can express their views; additionally, ministers now interpret the existing Law on the Mass Media as applying to the internet: individuals posting material on the internet deemed ‘slandrous’ may be prosecuted in the same way as those publishing ‘slander’ elsewhere in the Russian media (Corwin, 2005). The removal of newspaper *Izvestiia*’s editor following his mild criticism of the handling of the Beslan School siege in Autumn 2004 and the subsequent censorship of internet material critical of Putin’s Chechnia policy may provide an adequate warning to potential dissidents.

Alternately, there is evidence to suggest that some aspects of this legislation may already informally be in operation. The fact that 32% of Russians consider censorship acceptable *in theory* (Colton & McFaul, 2002) indicates a resignation on the part of Russian society to relinquish its fundamental freedoms to the state. The practice of ‘self-censorship’ identified as applying to the Mass Media (Belin, 2001), appears now to stretch as far as the Internet. This paper presents the results of a small pilot study (conducted Spring / Summer 2005) investigating Russian ISP employees’ views on the proposed legislation and how these ISPs predict such legislation would impact internet usage in Russia. The empirical research entailed firstly e-mailing a questionnaire to over 200 ISPs in Moscow and Saint Petersburg¹; secondly evidence for Russian citizens’ attitudes towards censorship and practice of ‘self-censorship’ in general was explored at internet fora. The paper argues on the basis of the empirical evidence gathered that although the internet is perhaps technically the last free domain of the Russian media, that Soviet style ‘self-censorship’ persists and that the proposed legislation – designed in part to curb the propagation of terrorism and other criminal activity – is likely in the Russian context to further limit the activities and campaign potential of groups, parties or individuals perceived in opposition to ‘Unified Russia’.

¹ See Appendix for questionnaire

1. The proposed legislation

The proposed legislation on Internet regulation has already had a long incubation period of two years and is still under review. In November 2004 the Russian government drafted a timetable for finalising the 'Law on Technology Regulation' to be completed by 2006 specifying planned target dates for the final draft to be presented to the Duma. The programme specifies the consultation period and which respective federal executive organs are involved in preparing the draft legislation. Of the 74 areas of technology to be regulated – from nuclear reactors to baby food production – ICTs are to be regulated under articles no. 45 "On the Security of Information Technology" and no. 46 "On the requirements for provision of the security of Information Technology." The target deadline for presentation of both of these is November and December 2005 respectively and the executive bodies preparing the draft are: the Ministry of Information and Communications Technology, the FSB², the Ministry of Defence, FSTEK (Federal Services for technological and export control) the Ministry of Internal Affairs and the Ministry of Energy & Industry.³

Although the precise technical specifications of the regulation remain to be finalised there has been some discussion in the Russian press of what these might entail and some reflection on possible consequences for society and ICTs in Russia. In preparation for the proposed introduction of regulation, new content filter products have been recently launched; the target market is parents wishing to protect their children. Iuliia Vinogradova, of the News Agency 'Sviaz' outlined in May 2005 what this comprises.⁴ The technology that is likely to be used for all of 'Runet' (Russian cyberspace) is that devised by Master Sviaz' for their product 'Internet with Parent's filter'. The product is a card which buys internet time; these cards are for purchase on a daily basis and grant access to a limited duration of internet connection time only – just five hours for each card. Connection using the card is made via a specially constructed proxy server that blocks access to a list of 'undesirable' sites. 'Master Sviaz' designed the filter together with the US company 'PO ClearTalk Software'. The programme is made up of two parts: firstly a regularly updated database of classified internet resources and secondly from the client's side a 'plug in' which connects the user to the internet browser. This browser is designed to prevent access to those sites classified as undesirable; when a URL is typed into the address box the programme scans for that URL through the database of blacklisted sites. Access is denied in the event that the URL is listed in this database. According to the chief technician at Master Sviaz', this process does not cause a connection delay 'in the majority of cases', this implies that a delay is at the very least possible.

² Federalnaia Sluzhba Bezopasnosti = Federal Security Services

³ Programma razrabotki tekhnicheskikh reglamentov na 2004-2006 gody, utverzhdena rasporyazheniem Pravitel'stva Rossiiskoi Federatsii ot 6 noiabria 2004

⁴ Vinogradova (2005a)

At the highest levels, however, there is continued disagreement over the need for such Internet regulation; the Minister for Information and Communications Technologies, Leonid Reiman, announced at the Internet conference “Information Security in Russia in the context of the global information society” in January 2005 that he is opposed to such regulation:

”I am opposed to the introduction of any kind of [content] filter, opposed to the introduction of a special regime for the Internet. The Internet is developing well, and our job is to ensure that continues. The issue over the incidence of erroneous information on the internet is one which is solved by the application of the law on the Mass Media; one needs to consult the appropriate section in which the regulation of information between ‘suppliers’ and ‘users’ is defined. We are ready to furnish a few legal structures which would help solve this problem. This is not a technical problem, but a legal one.”⁵

Reiman concluded in this statement that any e-mail filtering system for spam should be one that users *themselves* decide whether to activate or not, and that the ministry considered no centralised regulation should be imposed. There appears, therefore, to be a blurring of issues and motives behind the proposed legislation; perhaps foremost in the eyes of those seeking to ‘rein in’ internet users from expressing their thoughts freely but ‘erroneously’ (such as those belonging to the camp of Moscow Mayor Yurii Luzhkov), clarification has been made that the law on the Mass Media applies to cyberspace just as it does to other forms of the media.

The proposed ‘Content filtering’ is designed to block access to websites and spam considered harmful; whether harmful equates with criminal, however, is not defined although the words of the Minister for Press and Mass Media – Andrei Romanchenko – suggest that not all material considered ‘harmful’ is indeed criminal:

“The state policy on content filtering of the Internet is to provide society and the individual with the service of protecting them from harmful and criminal content.”⁶

In 2004 the Director of the FSB Viktor Ostroukhov clarified specifically which types of websites ‘destabilise society’ and which would consequently be targeted for blocking by the state. These are, firstly, those with direct links to international terrorist organisations and those propagating holy wars; in the context of Russia this would constitute primarily, websites of Chechen separatists (for example: www.chechenpress.com). The second and third categories are ‘extremist

⁵ Reiman (2005)

⁶ Romanchenko cited in Vinogradova (2005b)

religious organisations' and 'ultranationalist' parties respectively (Murashev, 2004)⁷

2. The Proposed Legislation and the Communist legacy

In a culture where as recently as 2005 Salvation Army personnel were denied entry to Russia due to their membership of 'a militarised organisation' it is clear that many types of organisation could fall into any of these categories.⁸ Of course this is not just limited to foreign NGOs and Churches; commentators have flagged how many Russian individuals, groups and parties perceived to oppose the Putin administration have been systematically targeted by the authorities; even weak opponents have been subject to cruel and violent persecution (Politkovskaya, 2004). The application of other more insidious tactics has been well documented; these range from smear campaigns and reduced media time for opposition parties during electoral campaigns (White, Rose & McAllister, 1997) to constitutional changes to ensure the fractured liberal parties remain unrepresented in the Duma and ballot-box stuffing to secure the desired outcome (Wyman, 2001). Those that might report in the Press negatively about the regime have been silenced by fear; more than 300 journalists have been killed in Russia over the last 10 years under suspicious circumstances considered by many to be politically motivated murders.⁹

That the soviet culture of political persecution and political dissidence has persisted into post-communist times is not a new claim; this 'Communist legacy' has been well described in its non-communist form as 'an antimodern society': the antithesis to the modern society which is transparent and founded on the rule of law as one instead which is corrupt and subject to the arbitrary application of law (Rose, 2001a).¹⁰ Commentators conclude that conditions have worsened. Freedom House relegated Russia to the category of 'not free' in 2004 after more than 10 years of a rating of 'partly free' (since 1991) to equate it now with states such as Rwanda. The few states ranking lower than Russia include for example more repressive CIS regimes¹¹ (most Central Asian states and Belarus) Burma and UAE.

Such a record supports the view that 'content filtering' would be yet another arm with which the authorities would retain tight control over society, by limiting the flow of information, further reducing freedom of expression and potentially outlawing new areas in an already weak civil society. This does appear to bear out Richard Rose's prediction that in authoritarian regimes there will be an inherent tension between the democratic, end-to-end nature of the internet and the authoritarian desire to channel and censor information. Such a tension is

⁷ Fourth category is not defined in article.

⁸ http://www.forum18.org/Archive.php?article_id=555

⁹ <http://www.mosnews.com/news/2005/05/04/presspressure.shtml>

¹⁰ For thorough discussion of this see Pravda, Whitefield & Tompson, 2005

¹¹ I.e. all Commonwealth of Independent States except Georgia, Moldova and Ukraine.

likely to spark off friction between authorities continuing their practice of censorship and citizens making use of their newfound freedoms:

“Where governments have little or no accountability, the capacity of the internet to promote the free flow of information is likely to create frictions between governors and recalcitrant subjects as it offers citizens the means to publicize activities that governors want kept quiet.¹²” (Rose, 2001 b)

In 2004 Mayor Yurii Luzhkov persistently demanded that the Internet be ‘reined in’ to ensure that individuals expressing themselves in cyberspace be subject to the same laws as those governing the mass media and that filters bar access to ‘undesirable’ sites. Such demands are symptomatic of this kind of authoritarian reaction to the new and challenging sphere of digital civil society.

3. The ISPs – Persecutors or Victims?

Although it has not yet been precisely determined who would be in charge of enforcing the ‘content filtering’, should it be endorsed, the finger does point towards the ISPs. However, just how much room the ISPs will have in determining and interpreting the law is not clear; from the debate in the media and from ISP employees’ responses to the questionnaire there is little to suggest that the state will be devolving its ‘law-making powers’ to the specialists. Although the ISPs look to be those who would be expected to police these laws (although, as one respondent made clear, this is the domain of the FSB), there does not appear to be a plan to introduce ‘self-regulation’ as defined by Price & Verhulst (2005, p.5):

“The product of historical dialogue between government and an association or grouping of businesses. ‘Self-regulation’ occurs when, as a result of this dialogue, there is a deliberate delegation of the state’s law-making powers to an agency, the membership of which completely or mainly comprises representatives of the industries or individuals whose activities are being regulated. Often, such delegation takes place because the private body is considered to possess specific expertise and knowledge. The ‘self’ here can be institutionalised into (separate) self-regulatory agencies (SRAs) (or in some cases cartels) that combine the governmental function of regulation and enforcement with the institutional and legal structure and interests of a private body (Black 1996).”

Those ISP employees who responded to my questionnaire, a mixture of technicians and managers, did indeed think they would be responsible for the regulation, that it would be centralised and mandatory and that costs would be incurred. The centralised nature of the proposed legislation makes it difficult to classify as Price and Verhulst (2005, p.11) define the term:

¹² Rose 2001b cited in *Promise and Problems of E-Democracy* (2003) OECD, pp. 156-7

“In terms of content regulation of the internet, self-regulation has come to mean some degree of collective or community constraint with some form of rules imposed on members or actors by an entity created by some or all of the actors, who are often under pressure from the government.”

No respondents expressed positive views on the legislation. The letter sent out to more than 200 ISPs in Moscow and St Petersburg was written in both English and Russian; responses came in either language; only 6 replied – three in each language.

One junior technician offered his own personal opinion (not the official opinion of the company) that the technology was not sufficiently advanced to prevent access to the website addresses as claimed; the technician believed that more experienced users would – at the time of writing in July 2005 – easily bypass the filter.¹³

A manager of another ISP responded vaguely that innovation had become particularly difficult due to various hindrances that prevented fast access to other websites, possibly implying that he was already experiencing difficulties and some kind of interference.¹⁴ One respondent ceded that content filtering for children and educational establishments could be justified, but tentatively proposed that, on a universal level, content filtering for all citizens could infringe civil liberties.¹⁵

A very frank response in English from another ISP employee suggested that the ‘law’ would be introduced anyway – whether informally or approved formally as legislation. His reply rehearsed the widely held view that in Russia laws are applied arbitrarily, bribes are commonplace and costly and act as a deterrent to budding independent operators.

“First, you should imagine [the] basic principles of Russian laws and laws in practice. It is NOT [the] same. The base is everyone is in crime, but some crime is investigated, and some not. It depends on bribery and on the key feature of Russian "free market" - informal regulations. All of them based on the main principle - you technically should violate laws just to [be able to] work.

“For example, let's see what I have to do to be an Internet provider. First, I have to get the license. That is potentially cheap (telematics and data transfer both costs near \$500, let it be \$1500 with bribes). But don't think that it is enough. You have to present [it] to officials [from the] so-called

¹³ ISP Respondent ‘A’ July 2005

¹⁴ ISP Respondent ‘B’ July 2005

¹⁵ ISP Respondent ‘C’ July 2005

telecommunication node to check it. Only after that you can work. Of course, licenses and node work permits are expiring in time...”¹⁶

He described how in any case the FSB insists on ISPs (even down to the level of an individual with a router) using specially approved technology and hardware that enables FSB surveillance of Runet activity.

“That node also includes strong certifications (even screws should be certified by Ministry of Communications) of anything (it doubles, triples costs), a large amount of wasted paper and SORM¹⁷ – direct channel to the FSB so they can sniff all traffic and do what they want. It is from \$20000 to \$50000, even if you are small home network and have only a Linux router and a switch. If you have changed something (for example, changed ethernet-to-fiber convertor from one model to other) - you have to re-present node and get new node work permit.”¹⁸

He explained the practice of the arbitrary application of laws whereby certain favoured ISPs are unofficially granted free licenses, essentially subsidising compliant ISPs and concentrating the lion’s share of the industry into the hands of just a few favoured companies.¹⁹

“Of course, real operators, even large [ones], don't do that. Some of them even didn't get license. Some have license, but don't have (or have expired) node work permits. A few have permits, but in the real life their nodes hasn't anything similar to what they have presented.”²⁰

The strong unofficial links between the staff of these favoured ISPs and the FSB facilitates the growth of a web of informal regulations set by the FSB and applied and enforced by the ISPs:

”And here is the key moment - informal regulations. Officials know real situation and close eyes on it and even make a 'roof' to friendly ISPs. Until they need to do something - for example, shut down domain or get information about certain user's activity without any legal permits. Because of what I said above, and because of ISP owners, technicians and FSB agents know each other and drink beer often with each other - ISP personnel often do what agents want without any papers or something else.”

¹⁶ ISP Respondent 'D' July 2005

¹⁷ Sistemy operativno-rozysknykh meropriiatii = systems of measures for operational investigation

¹⁸ ISP Respondent 'D' July 2005

¹⁹ This tendency towards monopolization in Russia is certainly not limited to the Internet. See: Van Siclen (2004)

²⁰ ISP Respondent 'D' July 2005

The hidden application of these informal regulations and the monopolisation of the industry empowers the government and affords them *de facto* control over Runet, yet equally the surreptitious way in which these levers are applied also maintains a smokescreen of credibility behind which the corruption hides – lulling the public into a false sense of security that their civil rights have not been infringed:

“Let's see the second. Government [is] going to be much smarter. For example, they are monopolizing VoIP and large distance phone call markets. They made new technical requirements for long distance operators - they should have own equipment in all cities - now only RosTelecom and probably TransTelecom have. But! They didn't close working operators - they [are] only waiting until their licenses expire. It is a soft method [that] doesn't lead society to protest immediately.

“Similar soft method in conjunction with informal regulation and (most important) preparing public opinion I think will be used in content filtering implementation. People just will say "we want it". And of course, they have to implement such regulations just to survive, as they did it on TV and newspapers.”²¹

So, whether the legislation is passed or not, this statement is evidence that there already exist channels by which such measures could be informally introduced. If this ISP employee's views are correct, then censorship is still being widely practiced in a manner very much akin to that of the Soviet era. Generically Soviet censorship was conducted by means of a set of informal laws established and enforced by certain institutions empowered by the government to do so:

“In the strict sense of the word, censorship should still be taken to mean the control by the state of the content, publication and distribution of printed texts. In totalitarian states its main characteristic and the basis on which it exists is found not in published laws, but in secret instructions issued by the ideological hierarchy and in the establishment of a special institution not answerable to public opinion.” Blyum (2003, p.3) ²²

4. The Application of Censorship and Self-Censorship

However, the Russian constitution guarantees *de jure* freedom of speech and since 1993 censorship has been outlawed:

“Everyone is guaranteed freedom of thought and speech.
Freedom of Mass Information is guaranteed. Censorship is forbidden.”²³

²¹ ISP Respondent 'D' July 2005.

²² The term 'totalitarian' to describe the Russian regime may be anachronistic, but the rest of the definition accurately describes current practice.

²³ Article 29, §1, §5, Konstitutsiia Rossiiskoi Federatsii, 1993.

However, the Soviet Constitutions of 1936 and 1977 also guaranteed such freedoms,²⁴ but these of course were regularly contravened in practice with the help of articles 70 and 90 of the criminal code prohibiting certain utterances of ‘prohibited’ content in written or oral form (Hough & Fainsod 1979, p. 284).

It appears that this practice is still in operation, albeit supported by different rules – many of which are informal. Analysts have clearly traced how since its ‘liberation’ after the fall of Communism in 1991, the Mass Media have increasingly come under the control of the authorities, with the result that bias is marked and censorship rife (Belin, 2001; Oates, 2001).

Although it is acknowledged that the proposed new content filtering legislation could undermine civil liberties, commentators explain that this is not ‘censorship’ on the scale of the ‘Great Chinese Firewall’ which allows only access to officially approved material; the proposed Russian variant – barring access to selected items – is considered less repressive.²⁵

In China, as in Russia, freedom of speech and information is constitutionally guaranteed; however, legislation is immaterial when it comes to how the law is applied in practice. Instead of genuine freedom of expression, a system of ‘self-censorship’ has evolved whereby the bounds, never formally fixed in written laws remain blurred and people – in fear of transgressing these hidden boundaries – carefully avoid expressing anything they believe could offend and so incur retribution. Where these bounds lie is gauged anecdotally from individuals’ own or others’ personal experience of transgression. These invisible but palpable boundaries come to control people’s expression of opinions *de facto*.

“Self-censorship is self-imposed limitation in the creation or dissemination of a work by which the author accommodates himself to particular taboos imposed either by the state, society, the reading public or by his own aesthetic taste and moral principles” (Blyum, 2003)

Belin’s (2001) and Cheung’s (2003) work on Self-censorship and the media has carefully unpicked the interlocking boundaries of self-censorship, expression, censorship and retribution in Russia and China. In the context of the Internet self-censorship has been identified by the ‘zones of silence’ that typify most repressive regimes (Coleman, 2003, pp.155-6).

²⁴ The USSR Constitution of 1936 – at the height of the Stalinist purges – §125 1-5 guaranteed ‘freedom of speech and freedom to publish’ http://www.hrono.ru/dokum/193_dok/cnst1936.html ; the 1977 Constitution of the Brezhnev era goes further specifying the right to privacy as well as free speech in chapter 7, along with §56 ‘the freedom to free correspondence and telephone conversations.’ <http://www.hist.msu.ru/ER/Etext/cnst1977.htm#7>

²⁵ <http://lenta.ru/artiles/2005/03/18/censorship/>

5. Self-Censorship among Bloggers at the *Izvestiia* Newspaper Forum

Identifying and researching the practice of self-censorship, that is the presence of a 'zone of silence' (or the absence of utterance) is clearly problematic; since it is something that is 'not there' we could conclude that perhaps it should not be there, might never be there even in an ideal world and indeed is an absence of opinion rather than an absence of expression. To conclude that the reason no one is expressing a controversial opinion on a sensitive subject is motivated by fear of retribution is too simplistic; logically there is the possibility that the opinion simply may never have been held, and so for that reason never expressed. To state the obvious: self-censorship is practiced all the time all around the world – people rarely voice their thoughts entirely honestly on all subjects for many complex reasons, motivated by many more emotions than just fear.

Ideally, in seeking out 'zones of silence' for this pilot project the research design would be to compare many different fora to see how well the Russian political spectrum is represented on 'Runet'; unfortunately there was insufficient time to apply this methodology wide enough to garner meaningful results. Therefore it was decided to target one newspaper forum and one interesting and significant issue for in-depth analysis. The newspaper selected was *Izvestiia*, which is akin to mainstream newspapers in the UK: *Times*, *Guardian* or *The Independent*. The *Izvestiia* forum has about a dozen main areas, ranging from 'health' to 'the economy' from which 'politics' was chosen; within the 20 or so topics in 'politics' a suitable topic was selected.²⁶

The issue selected was one where it was estimated that Russian bloggers would be most likely to be practicing self-censorship. The topic is entitled "Kasparov wants to lead people out onto the streets." The title refers to Gary Kasparov's challenge to the Russian people, made early this year, to come out onto the streets in peaceful protest in the vein of the Ukrainian 'Orange' and Georgian 'Rose' 'revolutions' of late 2004. Kasparov is leader of the 'Committee 2008: for a free election', a group of high profile political activists dedicated, amongst other things, to opposing a change in the constitution that would enable Putin to run for a third term of office in 2008.²⁷

The debate at the forum was emotionally charged among a group of some 40 people and stretches to about 300 or more pages of A4 paper; the discussion helpfully shed light on self-censorship and the culture of fear surrounding expressing views considered inimical to the authorities.²⁸

²⁶ <http://main.izvestia.ru/forum/> Discussion posted in June 2005 and analysed at end of July. The original *Izvestiia* article which sparked the debate: <http://www.izvestia.ru/politic/article1901507> the discussion has now (September 2005) been taken down from the forum as these debates are regularly updated with new topics. The debate was saved in a word format for future reference in anticipation of its removal.

²⁷ <http://www.komitet2008.ru/>

²⁸ At time of writing the first 100 pages of contributions were analysed only.

What is most significant is that although there are many contributors to this discussion, only one apparently speaks out in support of Kasparov, and is abroad. The supporter is an expatriate Russian who knows Kasparov personally and is resident in the US. Interestingly, other contributors quickly pounce on his expatriate status and claim it a reason for disqualifying him from passing judgement on Putin's administration. The debate soon deteriorates into a slanging-match between the Kasparov supporter and the rest of the forum, where the man's opponents resort to personal jibes, childish name calling and offensive racist comments escalating to threats of violence.

The forum kicks off with a statement from blogger 1 that support for Kasparov is negligible to the extent that, although he has followers abroad, he is a political 'nonentity' in Russia. This is followed by a comment from 2 that 'revolution' is unlawful and that anyone attempting it should be prosecuted. Blogger 4 endorses this view saying:

“[Kasparov] is demanding a change of power and is picking personally on the President. Russia certainly needs to apply a few laws on this count.”

Two other bloggers, 5 and 6, mock Kasparov as “a cripple” and “the new father of Russian democracy – tee hee hee!”

More threatening comments ensue:

“In response to his call the army will come out onto the streets after *him*. If this is an announcement then of course it will be made use of. You see in childhood people learn – you don't play with matches.”

And then from 8:

“Kasparov has a 'negative' majority politically. He still has no power or party but already has an utterly ruined reputation. I hope you noticed on the day of Victory how that Mister addressed the veterans on May 8th in bad Russian (he's been too long out of his homeland?) He urged them to call the [liberation of the Baltic states] the occupation of the Baltic states. He celebrated the day of victory as a liberal pro-westerner would have.

“If I was to follow him out onto the streets then it would be to give him a punch in the mouth. To celebrate.”

These comments finally elicit a response from a Kasparov supporter, 9:

“Lord, your attitude towards Kasparov only emphasises what evil dunderheads continue to live in sad Russia. Gary is brighter and more upright than the whole presidential apparatus along with your Duma.”

The immediate sequitur to 9's comment – 10 – is one which could either be intended as a threat, a statement of fear to explain why that contributor does not want to side with supporters of Kasparov, or concern that 9 is being too outspoken. In any case it is a clear expression that it is dangerous to voice certain opinions in Russia and that journalists have lost their lives on this account:

“Does the name Larisa Iudina mean anything to you? And Kirsana Iliumzhinova? And what connects Kirsana and the great chess player? Are you with me? Do you know for what and why Larisa was killed? And you imagine these people in the capacity of alternatives to Putin. Are you joking?”

A debate ensues between 9 and others over whether there really is freedom of speech in Russia; 9's anecdote to describe the culture of self-censorship in Russia is a graphic one:

“A Russian is talking with an American [on the subject of civil liberties]
American – As a sign of protest I could **** on the lawn in front of the White House and nothing would happen to me
Russian – Well yesterday I ****ed right in front of the Lubianka.
American – And nothing happened to you?
Russian – Of course not, I kept my trousers done up.”

Interestingly, no one at the forum really challenges what is said about self-censorship in Russia but instead the discussion focuses on whether it really is any better in the US.

Conclusion

The empirical research conducted, although very limited in scope, had consistent results: ISPs are against the legislation because it is likely to be detrimental to the industry, costly and a possible infringement of civil liberties for users. Freedoms, however, may already be curtailed; there is evidence from forum participation that Runet users practice a degree of self-censorship – a culture that has persisted from Soviet times. This paper has painted a gloomy picture of the present and an even dimmer prospect for the future of Runet should this legislation – in whatever format – be endorsed, whether *de jure* as legislation or just *de facto* via informal channels.

Projecting this research from the specific case of Russia to other states raises questions over how such undesirable regulatory mechanisms might be developed elsewhere. Although convincing arguments have been made in favour of blocking harmful and criminal websites how this is done in practice must be treated with care; attention should be paid to the introduction of mandatory governmental regulation of the internet and other ICTs generally in the light of such findings.

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Appendix

Dear Sir/Madam,

30th July 2005

I apologise for troubling you, I understand very well that you must be busy. If you by any chance might have a few minutes to spare to answer some questions I would indeed be very grateful. I am writing to Internet Service Providers for a project on the regulation of the internet, and more precisely the aim of the project is to compare regulations governing the internet around the world.

Could you possibly, please, let me know your opinions about the intended introduction of the law (in preparation) 'on the regulation of technology' ('zakon o tekhnicheskoy regulirovaniy') drafted December 2004. What do you think about the intended 'content filters' from the point of view of:

- 1) **Internet service providers.** Will this raise costs and subscription rates (potentially diminishing subscription rates) or will the costs incurred by the legislation be subsidized by the state?

Will ISPs be held entirely responsible for enforcing these laws, or will some other body be responsible?

- 2) **Users – People – Society.** Do you think such censorship could be a potential infringement of peoples' civil liberties? Do you consider that the law is a form of censorship, or a necessary evil for the sake of security?

What do you think about the consequences of such legislation, that for example, if I were to conduct a search with an 'undesirable' word in the search phrase, then the websites that such a search finds just won't be accessible?

Such 'censorship' could be justifiable for the sake of protecting children and adults from harmful or criminal material. However could the powers such legislation gives to the authorities, in censoring internet site content, be used ultimately for political ends?

- 3) **'Runet'.** Will this law, in your opinion, have a deleterious effect on the development of the Internet in Russia, and consequently on information technology and education in Russia?
- 4) Do you have any other comments concerning this legislation and its consequences for ISPs and society in general?

Thank you very much indeed in advance for your help in this matter,

Yours sincerely

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