

## Information and the Media Conditions of Extremism's Prevention

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**Abstract:** The study is devoted to the investigation of the information and communication problems of law enforcement of anti-extremist legislation in Russia. It presents the dynamics of statistical data on the offenses of an extremist nature and quantity index of wrongful warnings and convictions relating to the information and media sector. Analysis of sociological data nationwide survey allowed to determine public opinion on the prohibitive measures in the Internet space and to develop anti-extremist recommendations of the information and media field. Extremism as violence in the socio-political practice poses a danger to the government and citizens and inadequate forms of anti-extremism countering are dangerous for the free functioning of media and communication.

**Key words:** Extremism, media, the Internet, anti-extremist legislation, freedom of speech, law enforcement

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### INTRODUCTION

Extremism as a special form of social-conflict activity of a social subject or a community is produced in a situation of social tensions and a growing number of social problems that have no clear strategy for resolution. Motivation of proneness to conflict with the social world involves the rejection of dissent, refusal of rights and freedoms of another person in the name of approval of own idåå fixe. Worldview dominance is achieved at any cost with no alternative identification of "Friend or Foe". Construction of a positive identification on the basis of respect for the social significance of "Others" the task of information policy and the means of its realization are the media. "Media have become recognized as social institutions that play an essential part in social economic and cultural life and in consequence are variously respected, feared, controlled, valued and criticized (McQuail, 2003). If the media accept the transformation of meanings and political party declarative nature sets the standards for media, the construct of the "Other" from the opposition can go into antagonism, thus creating extremist trends. Russian media situation is complicated by the lack of clear definition and specific signs of extremism as an offense in the Federal Law N114-FZ of July 25, 2002 "On counteracting extremist activity". Extremist activity is qualified not only and not so much through violence and specific wrongful acts as through propaganda, public appeals, public prosecution of the officials, mass actions. As a result, limitations in the

information field are inevitable. However, the reader, the viewer has the constitutional right to access the information and to participate in the informational exchange. This testifies to the fact that the society requires transition:

- From declarativity of the government transparency principle to open data
- From the state of lethargy in the field of public politics to initiated by citizens public involvement and horizontal communication
- From politically engaged media to independent discourse actualizing pluralism of communication technologies of anti-corruption enforcement (Leontieva *et al.*, 2015). Media pluralism in terms of the constitutional prohibition of censorship involves not only a considerable number of sources of information but also a qualitative and meaningful variety. This requires representation of the interests of the different actors in the information space which circulate different media versions of socially significant events in the media field and it means there is a possibility of comparison, verification and individual solution. Therefore, any restrictions on the media should not break the balance and the principle of freedom of speech; should be clearly defined and reasonable from the point of view of human rights rather than political situation. "Preventing violent extremism and promoting human rights go hand-in-hand"

**MATERIALS AND METHODS**

The research rests on a communicative-activity approach, which is based on the theory of communicative action, communicative essence of power and the understanding of the phenomenon of extremism as a form of social and political activity.

According to J. Habermas, communication is social action in order to achieve consensus. Such objective requires not only a direct communication but also the entry of subjects of communicative action “in the intersubjective relationship” in the lifeworld (Habermas, 1985). If according to J. Habermas the main function of power is a function of communication, then Luhmann (2012) defines the power itself as a mean of communication as “symbolically generalized medium of communication”. Thus, in accordance with the communication theories dominating subject is interested in the functioning of various mass media and interested in the development of information links in the name of self-preservation and stability of society.

The concept of extremism has ambiguous interpretation and different research approaches. Some scholars consider it as a system of views and opinions; as the ideological basis of terrorism (Martin, 2012). Others, such as Peter T. Coleman and Andrea Bartoli, apply activity-research approach, noting, however, that “the designation of the activities, of individuals and groups as “extremist” and the definition of what should be considered as “normal” or “conventional” are always subjective and political issues”. As “a form of political activity, which directly or indirectly denies the principles of parliamentary democracy” (Recommendations PACE, 2005) extremism is defined in the official materials of the Parliamentary Assembly of the Council of Europe (PACE). In accordance with the Shanghai Convention (June 15, 2001) extremism is “any act aimed at the forcible seizure of power or forcible retention of power, as well as a violent change of the constitutional order of the state, as well as a violent encroachment upon public security. It is also including organization of illegal armed formations and participation in them with the above aims” (Shanghai Cooperation Organization, 2001). Thus, a key characteristic of this negative phenomenon is violence in a social and political practice, which inevitably breaks communication links in the community, creating a danger for the ruling subject. A logical consequence of attempt to preserve the status quo of power is the toughening of legal basis of functioning of the media, so that it comes to a conflict with its communicative essence and the democratic principle of freedom of speech.

**RESULTS AND DISCUSSION**

According to the statistical data of the Main Information and Analytical Center of the Ministry of Internal Affairs of Russia (Petryanin, 2014), we can state a continuous increase in the number of registered and solved crimes of an extremist nature in Russia (Table 1).

Sixfold increase in statistics indicates the intensity of internal and external political situation in the country and the intensification of extremist tendencies. As a result, the objectively specified anti-extremist activity linked with inevitable intensification of regulatory barriers in society. The free information exchange is disrupted; legislative restrictions are enacted since legislator includes to the category of “extremism” such expressions as crimes:

- Solicitation to a specific crime, incitement to hatred (Art. 282 of the Crime Code)
- Public calls for extremist activity (Art. 280 of the Criminal Code)
- Publications which might be attributed to the Activities of extremist community (Art. 282.1 of the Criminal Code) or to the activities of organization, that was banned for extremism (Art. 282.2 of the Criminal Code)
- The demonstration of Nazi symbols and similar to it (Art. 20.3 of the Administrative Code)
- Distribution of materials that were already banned for extremism (Art. 20.29 of the Administrative Code)

The dominance of the “information” interpretation of this conception in the work of law enforcement administration is certified by statistics of the Main Information and Analytical Center of the Ministry of Internal Affairs of Russia. The maximum number of extremist crimes, for example, in the Volga Federal District due to the information-communicative relationships, i.e., due to public statements in the media or on the Internet (Art. 282 of the Criminal Code) (Table 2).

Table 1: Statistical data on crimes of an extremist nature of the 2003-2013 years (Head of Information and Analytical Center of the Russian Interior Ministry)

Years	Number of registered crimes	Number of solved crimes	Percent
2003	157	122	18.5
2004	130	103	15.6
2005	152	133	12.5
2006	263	169	35.7
2007	356	217	39.0
2008	460	438	6.5
2009	548	484	11.7
2010	656	632	3.7
2011	622	503	20.4
2012	696	611	12.1
2013	896	743	17.1

Table 2: Data on the registered extremist crimes for 2008-2013 years at the territory of Volga Federal District

Article/Year	2008	2009	2010	2011	2012	2013
Art. 280	4	8	3	3	4	5
Art. 282	30	32	25	56	55	59
Art. 282.1	3	9	11	4	14	17
Art. 282.2	19	7	14	27	25	29

As a consequence, the Federal Law of June 28, 2014 No. 179-FZ was amended, reinforcing the penalty for these articles. Particular attention was given to the Internet. Due to decree of the Russian Federation government, dated October 26 2012 there was created the blacklist in November 2012. It is called the “Unified Register of domain names, index of pages of sites in the network “Internet” and the network addresses that enabling the identification of sites in the network “Internet”, containing the information, dissemination of latter is prohibited in the Russian Federation”. With the adoption of the Federal Law No. 398-FZ of December 28, 2013, there were introduced extrajudicial blocking of websites that were calling for extremist actions, mass riots and even inconsistent conduct of public events. According to the Russian Public Opinion Research Fund “On the register of banned sites”, 01.16.2013, the introduction of the register approved 33% of the population and 47% of daily Internet audience. Only 1 and 2% of the respondents according to the samples did find such prohibited information on the Internet and contacted the Roskomnadzor. Legitimacy “of a ban on the distribution of some information on the Internet without a court order” admitted 43 and 44%, respectively. However, the information, that should be fallen under the ban in terms of respondents, is not directly related to the political sphere, is not related to the activities of the parties, of the government and of certain officials. Population is concerned about the level of morality and safety of own life activity. Nevertheless, due to the admissibility of extrajudicial information restrictions in the Register of banned sites, according to data of the Center for the protection of digital rights “RosKomSvoboda”/ RuBlackList. Net there are already 16584 entries, in the registry of bloggers 1028, in the register of the organizers of the dissemination of information-49. Moreover, there is very impressive number of unreasonably blocked domains 442267 (on 08.11.2015). The total number of locks of all authorized state structures for the period of operation of the law 998085. About 949525 of these are wrongfully blocked, i.e., 96% of the Internet resources. Number of unreasonable locks, depending on the agency made the decision, is shown in Fig. 1.

The federal list of extremist materials is generated and placed on the Internet by the Ministry of Justice in accordance with the Presidential Decree of 13.10.2004 No. 1313. List is regularly updated: 590 points over 2013 year, 556 points over 2014 and currently (08.11.2015) consists of

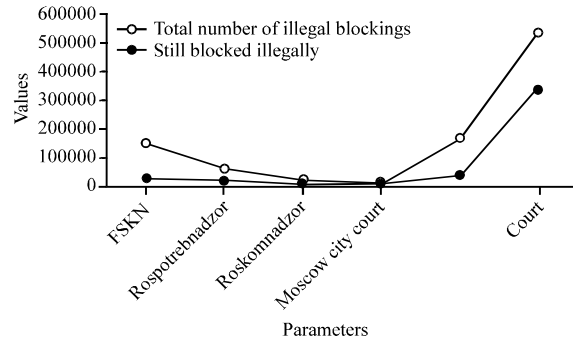


Fig. 1: The number of unjustified blocking of departments

3136 materials. With the increasing number of prohibited materials even on 28 June 2011, Plenum of the Supreme Court of the Russian Federation adopted a decree No.11 “On judicial practice in criminal cases on extremist crimes”. Defending constitutional rights and freedoms, the supreme court emphasized the need for a tolerant attitude to the political and ideological opponents even a few years before communique by the OSCE representative on freedom of the media on the impact of laws countering extremism on freedom of expression and freedom of the media.

The OSCE participating States declare that the “anti-extremism laws only should restrict activities which necessarily and directly imply the use of violence different understanding of these “crimes against the State” opens the way to curtailing legitimate political debate and may have a chilling effect on journalists reporting on matters of public interest” (Communicated by the OSCE, 2014). The purpose of anti-extremist legislation consists in crossing of socially dangerous manifestations of intolerance. Therefore, the specific threats and challenges should have an adequate reaction of specific subjects: the law enforcement structures, public organizations or require a tolerant attitude of society. Otherwise, the anti-extremist law enforcement may transform into an imitation of the struggle against extremism for the sake of increasing departmental reporting or destruction of political opponents. The number of wrongful convictions and warnings relating to the scope of information and media is increasing every year. Thus, according to the Information Analytical Center “Sova”, in 2012 Roskomnadzor issued 16 (of total 21) illegal “anti-extremist” warnings of various media publications editorial offices (according to the legislation, occurrence of two warnings is a reason for closing the media). There were 37 wrongful convictions for the mass dissemination of extremist materials or possession for such an extension (under Art. 20.29 of the Code of Administrative Offences) in 2013 and 46 in 2014. During 2013-2014 years, nine providers had been wrongfully fined under Art. 6.17 of the

Code of Administrative Offences (“Violation of legislation on protection of children from information harmful to their health and (or) development”) for the low quality of content filtering. The 15 people for the public demonstration of Nazi or similar symbols (under Art. 20.3 of the Code of Administrative Offences).

Despite the growth of quantitative indicators, including illegal penalties, there are “instruction-manual on street terror”, “hit list” with free Internet access, i.e., materials that directly incite violence or associated with real violence. Therefore, monitoring of public discourse by the “linguistic analysis and critical discourse analysis” is necessary and urgent, say Mazzoleni *et al.* (2015) “Extremist, radical or populist, rhetorical style and content of political communication demonstrate the political extremism and populist policies”.

### CONCLUSION

The analyzed statistical, sociological facts indicate the unsatisfactory features of anti-extremist law enforcement in Russia, the urgency of the mandatory professional expertise of the legislation, especially in the regulation of the media, for their extremist vulnerability. According to researchers, the trend of restrictions in information and media space for political-ideological principle and qualification of dissent for “extremist” articles may be regarded as “legitimate violence that the legitimate authorities use against their political opponents and enemies”.

However, according to N. Luhmann, in cooperation with the public authorities is enhanced by increasing the degree of freedom of both sides (Luhmann, 1982) and the result of the authorities’ violence is its own destruction due to the growth of social and political entropy.

As a result, the formal legal authorities lose its legitimacy and their actions take on the features of the “state extremism”. To avoid such transformations “need to clearly separate the legitimate oppositional social activity which is present in every democratic country and extremism which is built on hatred, on incitement to national and ethnic hatred, on the rejection of the constitution and the law”, emphasized Russian President Vladimir Putin at the meeting of the Russian Federal Security Service (April, 2014). Strengthening the capacity of information and ideological power, the effective use of anti-extremist advocacy technologies includes:

- Adequate information filtration system with a clear elaboration of criteria-legislated signs of extremist offenses as a consequence reducing the abuse in the use of anti-extremist legislation
- Legislative expertise in the field of mass media involving the self-regulatory bodies of the media and public organizations

- Grant support of media of social and political orientation, aimed at overcoming the “egal nihilism” of citizens and representatives of power structures
- Informational competition that supposed to have equal socio-economic and legal conditions for the functioning of the state and non-state media

The consequence of the implementation of the above information and media arrangements is supposed to reduce the entropy processes in information space and communicative legitimation of power through the expansion of media alternatives for the citizens who have the political and legal culture and the ability to choose and exchange social information consciously, excepting radical extremist extreme.

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