

**A COMPARATIVE STUDY OF THE RUSSIAN MEDIA
UNDER YELTSIN AND PUTIN**

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DECLARATION

I declare that the dissertation entitled "A Comparative Study of the Russian Media under Yeltsin and Putin" submitted by me for the award of the degree of Master of Philosophy of Jawaharlal Nehru University is my own work. The dissertation has not been submitted for any other degree of this university or any other university.

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For Mummy and Papa

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CONTENTS

Acknowledgements

Preface i

Abbreviations ii

Chapter I

Introduction..... 1 - 12

a) Marx and Lenin on the Press..... 3

b) Russian Media after Lenin..... 4

c) Structure of the Soviet Press..... 5

d) Gorbachev and Glasnost..... 7

e) Yeltsin, Putin and the Media..... 7

f) Rationale and Hypotheses..... 8

g) Existing Literature..... 9

h) Research Methodology..... 11

Chapter II

The Media under Yeltsin..... 14 - 27

a) Yeltsin as President..... 14

b) Laws in Russia under Yeltsin

i) The Media Law of Russia, 1991..... 15

ii) Rights guaranteed by the 1993 Constitution..... 19

iii) Other Legislations..... 19

c) Economic Reforms in Russia

i) Impact of the Economic Reforms on the Russian Media..... 21

ii) Government Sponsorship..... 23

d) Rise of Private Media..... 24

e) Presidential Election (1996)..... 26

f) An Overview of the Yeltsin Years..... 26

Chapter III

Media in Putin's Russia	29 - 40
a) Putin as President.....	29
b) Major Events.....	31
i) Case of Vladimir Gusinsky.....	32
ii) Case of Boris Berezovsky.....	33
iii) Dubrovka Theatre Siege.....	35
iv) Beslan School Crisis.....	35
c) Laws in Russia under Putin	
i) Doctrine of Information Security.....	37
ii) Federal Law on Emergency Situations.....	38
iii) Anti-Terrorist Convention.....	38
d) Presidential Election (2004)	39
e) An Overview of the Putin Years	40

Chapter IV

The Yeltsin and Putin years: A Comparison	42 -50
a) Summary of Events during Yeltsin's Time.....	42
b) Summary of Events during Putin's Time.....	44
c) Perspectives on the Media.....	44
d) A Comparative Analysis.....	46

Chapter V

Conclusion	52 - 54
References	55 - 63
Appendices	64 - 73

Tables

1. Organization of the Soviet Newspaper Network.....	6
2. Circulation of Russian Newspapers: A Comparison.....	47
3. List of Newspapers Established After 1993.....	48
4. National Television and Ownership in Russia.....	49

PREFACE

The Russia that succeeded the Soviet system in 1991 enacted the Media Law of Russia later the same year. This was an ambitious document which promised the freedom of speech and abolished censorship. The other laws that were adopted later (Constitution of 1993) also promised freedom to the media in the country. Yet, the media situation as it developed in Russia over the years was very different from what had been visualized earlier.

During Yeltsin, the press, which had been so vibrant after glasnost, started facing problems due to the economic crisis, leading to a fall in circulation figures. Other trends witnessed were a shift to television and a change in the ownership patterns. Putin, after he assumed control, made efforts to bring television, especially the national network, under state control.

The research schema is as follows. The work is divided into five chapters. Chapter one introduces the topic by giving a brief background of the media developments in Russia from the times of Marx and Lenin. The chapter also deals with the existing literature and the research design. Chapter two begins with the Yeltsin years -- laws relating to the media that were legislated, the different changes that were introduced by the state in the form of market reforms, the ensuing economic crisis and the consequent changes in the ownership pattern of the media. Chapter three analyses the media situation under the presidency of Putin.

Chapter four makes a comparison of the condition of the media under the presidencies of both Yeltsin and Putin. It outlines the changes that occurred during their presidencies, analyses what scholars have to say about the media condition in Russia that has developed over the years and makes a comparison of the same. Chapter five is the concluding one that sums up the whole research and examines the extent to which the hypotheses stands proved.

ABBREVIATIONS

CIGs	Cross-institutional Groups
CIS	Commonwealth of Independent States
CPSU	Communist Party of the Soviet Union
EPF	Effective Policy Foundation (PR agency)
FM	Frequency Modulation
GDP	Gross Domestic Product
ORT	Public Russian Television
SFSR	Soviet Federative Socialist Republic
TNT	Your New Television
USSR	Union of Soviet Socialist Republic
VI	Video International

Chapter 1

Introduction

INTRODUCTION

Russia in 2008 was a different country from the one that had once stood as the guardian of the communist ideology worldwide. Nearly seventeen years post its dissolution¹, the country in 2008, had witnessed a lot many changes in the form of a multi-party system², transition to market reforms and had moved from state control of the media to judicial guarantees for freedom of expression.

It was Mikhail Gorbachev who laid much of the groundwork for media freedom in Russia: the policy of glasnost made possible the appearance of anti-communist views and the media law of 1990³, gave judicial guarantees to the freedom of expression. When Yeltsin became president in 1991, he was faced with the breakdown of a social, political and economic order that had been in place for over seventy years. The breakup of the Soviet system presented many new challenges for both Yeltsin and the media.

The Media Law of 1991⁴ that was later introduced in the country was an extension of the previous law of 1990, and gave judicial guarantees to freedom of speech to the people. The Russian media, however, did face problems in the Yeltsin years in the form of an economic crisis, wherein it was forced to look for subsidies. All these factors led to changes in the patterns of ownership in the print media and the rise of television.

The present work aims to make a brief outline of the changes that occurred in the sphere of the media in Russia over the years and make a comparative study of the same. The work will also look into the contribution of Marx and Lenin in the development of the press in Russia. It

¹ The dissolution refers to the breakup of the Soviet Union in 1991 into a number of independent republics.

² The Soviet Union was earlier under the control of the Communist Party, known as the Communist Party of the Soviet Union (CPSU). The dissolution of the USSR ended the monopoly of the CPSU in Russian politics and ushered in a multi-party system through a repeal of Article 6 of the 1977-Soviet constitution.

³ In 1990, after lengthy debates in the Supreme Soviet, the first USSR Law on Press and other Mass Media came into force, the earliest draft dating back to 1986–7. The Law prohibited censorship and allowed organizations and individuals to set up media outlets aside from the state. Before that the Soviet Constitution had only allowed citizens to use mass media, not to establish them; as for special legislation on media, it had not existed at all.

⁴ In late 1991, the parliament of the Russian Federation adopted the Russian Law on Mass Media (Law of the Russian Federation On mass media, 1991).

will analyse the various rules and legislations, decrees that were passed under the presidencies of Yeltsin and Putin, identify the ownership patterns that evolved, look at trends in censorship, among other such issues.

Marx and Lenin on the Press

Marx's contribution to the development of the Soviet media was in two spheres. First, along with his colleague Friedrich Engels, they came up with the theory of historical materialism⁵, which was to be the crux of the communist movement worldwide, and second, while applying this doctrine to the world, Marx advocated for the establishment of communist media organs, which would provide examples for later generation of Marxists in Russia and elsewhere to follow.

“For Marx, not least among the preconditions which were required before a revolutionary transformation of capitalist society could take place, was the coming into being of an effective communications apparatus. The media, which in Marx's time meant the press and the telegraph, was an important means by which the proletariat would overcome its isolation and become a class for itself — a collective possessed of an awareness of common class interests and the necessity of revolutionary change. Establishing a proletarian media thus became in the materialist schema an important political priority, and an essential element in developing class consciousness to its full revolutionary potential.” (Brian Mc Nair 1991)

Lenin too advocated the establishment of a centralized party press for the socialist revolution that would follow and called for the founding of an all-Russian political newspaper in the country⁶. For Lenin, the press had three main roles in society – collective propagandist, collective agitator and collective organizer – and all these could be met through a newspaper, which would be used to conduct a systematic, all-round propaganda and agitation for revolution⁷.

⁵ The idea of Historical Materialism was given by Karl Marx in his writings. Historical Materialism is a major tenet in Marxist theory that regards material forces as the base on which the socio-political institutions and ideas are built.

⁶ Lenin, along with George Plekhanov, Pavel Axelrod and other members of the Socialist Democratic Party decided to publish *Iskra*, meaning Spark.

⁷ “The newspaper is not only a collective propagandist and collective agitator – it is also a collective organizer.” From *With what shall we begin?* in V I Lenin, *Sochineniye* (Vol. 5; Moscow Gosizdat Publishing House, 1935).

While Lenin did not favour absolute freedom of criticism and considered it a “bourgeoisie construct”, he did believe in criticism of the shortcomings of the party and government. He reiterated that the Soviet journalists must combine high ideological-moral qualities with professional mastery to be active bearers of the policy of the party and was of the opinion that the newspaper should work as a major source for probing public opinion and for channeling grievances, frustrations and criticism.

Lenin also proposed a number of guidelines for media-workers to maximize their effectiveness as an instrument of revolution under four headings: i) *Partiinost*; ii) *Massovost/ Narodnost*; iii) *Pravdivost/ Obyektivnost* and iv) *Otkritost* (Brian Mc Nair 1991).

Russian Media after Lenin

After Lenin’s death, the reigns of the party came under Stalin, better known for his “personality cult” and under whom, Lenin’s insistence on criticism and openness in the Soviet media remained largely ignored. Roy Medvedev⁸ remarked that during the time Stalin was in power, journalists, like other cultural workers in the Soviet society, were intimidated by the “prevailing political atmosphere into relative ideological and stylistic uniformity”.

Stalin remained at the front of the Russian political scene for over 20 years until his death in 1953, after which Nikita Khrushchev emerged as leader following a brief power struggle. The Khrushchev years were known as the “thaw” period in Russian history in the backdrop of the Cold War. He was also known for his condemnation of the “personality cult” at the 20th Congress of the Communist Party of the Soviet Union in 1956.

Alex Inkles⁹ remarks that in the “thaw period” that became the hallmark of Khrushchev’s regime, there was a “period of relative liberalisation in all spheres of Soviet life, including the mass media”. He argued that although the media, for Khrushchev, remained “the chief ideological weapon, called upon to rout the enemies of the working class”, but it would do so without the “clichés, generalizations and political jargon” of the Stalinist era. The removal of

⁸ Medvedev quoted in Brian Mc Nair 1991.

⁹ Inkles quoted in Brian Mc Nair 1991.

Khrushchev from leadership in 1964 and the consolidation of the Brezhnev–Kosygin regime in 1966 halted the “thaw”. The ensuing period was known as the period of “stagnation” under Leonid Brezhnev.

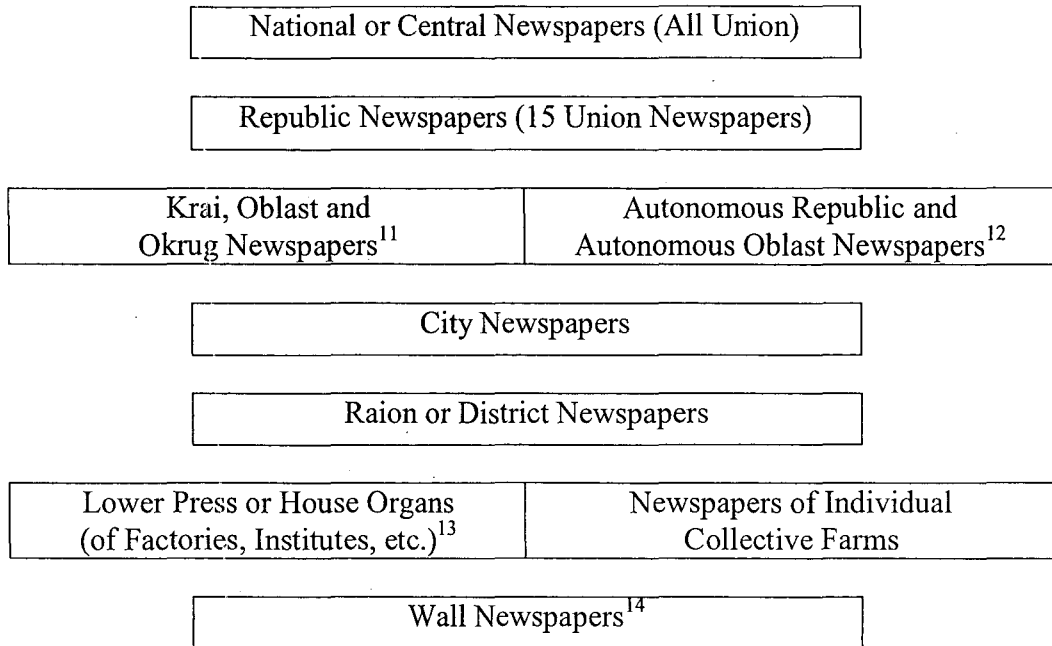
Structure of the Soviet Press

The structure of the Soviet press can be likened to a pyramid. In his study, Gayle Durham Hollander gave very a comprehensive structure of the media at the time, comparing it to a pyramid.

“At the top lay the most important press organs — the central, all-union publications, so-called because they were produced in Moscow and distributed throughout the USSR. They were published by the highest-level organisations of the relevant bodies, the Central Committee of the CPSU (*Pravda*), the Supreme Soviet of the Council of Ministers (*Izvestia*), and the Central Council of the all-union trade union movement (*Trud*). At the next level lay the republican media. Each of the fifteen union republics had its own apparatus of the Party, government and public organisations, with corresponding media organs affiliated to them. The next tier of organisation was the *oblast*, a word with no exact equivalent in English but could be translated as ‘provincial’. The regional/ district (*raion*) newspapers were at the next level. In addition, there were also a large number of newspapers published at individual towns, villages, collective farms and factories. Sometimes, these were no more than broadsheets, known as ‘wall newspapers’, but were regarded by the Party as important in covering the minor problems and events of economic and social life at the local level. Regardless of their formal institutional affiliation all Soviet newspapers were considered organs of the Communist Party of the Soviet Union,” Gayle Durham Hollander: 34.

Figure 1¹⁰

Organization of the Soviet newspaper network



Source: Gayle Durham Hollander (1972).

The relationship between the press and CPSU was always such that throughout the pre-glasnost period, the party controlled, guided and directed the press. The directive guidelines of the CPSU were the principal guidelines in the work of the Soviet media. The main aim of the news media in the Soviet Union was thus to act as the party's most powerful means of communication with the masses and devote the largest proportion of its output to the problems of organizing the economy and social infrastructure.

¹⁰ From Gayle Durham Hollander, page 31.

¹¹ Roughly equivalent to provinces and counties, respectively.

¹² About equal to Krai or Oblast, but having a separate identity as the home of a minority nationality.

¹³ Printed in editions of one copy per 3 to 4 workers, and distributed among members of the enterprise, educational institutes, etc.

¹⁴ Not newspapers in the usual sense, but rather bulletin boards in the form of an open newspaper with article and features.

Gorbachev and Glasnost

Gorbachev's introduction of glasnost or transparency was aimed at implementing a productive dialogue in the Soviet society on how to improve the system. He was of the opinion that glasnost "would enable him to draw on popular support from the masses to fight stagnation and even corruption within the party ranks".

"The foundations for media freedom in Russia, both in law and practice, were laid down in the Gorbachev period. It was towards the end of that period that openly anti-communist views first appeared in print: Solzhenitsyn's *Gulag Archipelago* was published in the literary journal *Novyi Mir* in 1989. The legal framework for freedom of expression was created by a media law – the first of its kind – which came into force on August 1, 1990 and which prohibited censorship and laid down that newspapers (or broadcasting stations, to which the law also applied) could be closed only by a court order and on specified grounds. Finally, in 1991, even television became pluralized: On May 13 of that year, the Russian television channel (then effectively under Yeltsin's influence) began to broadcast its own programmes with a slant markedly different from that of the All-Union Soviet television. The first event in the history of the post-Soviet Russian media occurred almost immediately after the demise of the USSR. On December 27, 1991, a new media law was signed by President Yeltsin, having been passed by the then Russian parliament. It was broadly similar to the 1990 law, having been drafted by the same authors and remains in force till today." (David Wedgwood Benn, 1996)

There was progress in terms of free speech and the mass media during the glasnost era. Meanwhile, the political events quickly outstripped legal changes. As the political struggles among the Politburo factions increased, media outlets found themselves "*de facto* free to print and broadcast virtually whatever they wished". As opposition to the Communist regime hardened, it became relatively easy for the central media to promote a popular anti-communist agenda (ibid).

Yeltsin, Putin and the Media

The beginning years after the dissolution in 1991 were troubled and difficult times for many institutions in Russia, including the media, as the new government struggled to rule with outmoded Soviet laws and a deeply divided leadership. Finally, the Russian parliament, which had been elected during the Soviet era in 1990, openly revolted against the pro-market

policies of Yeltsin and his advisors in a coup in September, 1993. Following the coup, Yeltsin called for immediate elections in 1993 and a new parliament was elected that year, along with a new constitution, which gave extensive powers to the Russia president.

Thus, the main task before Yeltsin was to bring about stability in the country – economic, social and political. Keeping in vein with the earlier policies of glasnost, the media was also given various freedoms in the form of a media law, in the constitution, and in other legislations that were enacted.

When Putin assumed leadership, his foremost approach lay in reasserting state control over the various institutions and this found reflection in his policies.

Rationale and Hypotheses

The fate of the Russian media is inextricably linked to the history of the Soviet Union and the changes it underwent. To understand the various developments that took place in the sphere of media, it is important to grasp the unique history of the Soviet state, the changes it underwent from a monarchy to the first communist state in the world and then to become a multi-party democracy.

For any study of the Russian media, it is important to understand the constraints and situations that were unique to the Russian state itself. The present study proposes an analysis of the Russian media and understand the changes it went through in the light of regime changes, policy developments, change in ideology and most uniquely: a dissolution of the state itself.

The organization of the study responds to the need for an analytical discussion of developments and events occurring in the Russian media and affecting their attitudes, relation with the state among other points.

For an understanding of the media in the post-Soviet Russia under the regimes of Putin and Yeltsin, the research would compare the media scenario between the two presidents. It would

gauge the ownership patterns in the media that developed during Yeltsin's presidency, where the acquisition of media assets by oligarchs led to their intervention in domestic policy.

The research would also explore Putin's action in the media sphere where efforts were made to bring national television under state control, which resulted in enhanced power of the Kremlin over the media in Russia.

Existing Literature

Notwithstanding the plethora of scholarly publications on the subject of media in Russia under Yeltsin and Putin, there is no particular work that deals in comparing the two presidents. The existing literature has dealt with the various aspects of the press as it evolved in Russia post the disintegration but there is no work that looks into the trends that emerged in the media under the two presidents. The need to look into this aspect emerges mainly because the media in Russia developed in different circumstances owing to its unique history. Scholars have discussed the development of the media system in post-Soviet Russia putting across various viewpoints but no study has been made on this aspect so far.

The literature available on the Russian media is manifold. They deal with the patterns of ownership; the question of censorship as it exists in Russia, among others. Most of the work done on media in post-communist societies comprises of research papers conducted by scholars, journalists, international organizations highlighting the trends that emerged in the media before and after dissolution. The present work would also look into newspaper reports for a basic understanding of the events that occurred.

While a survey of the available literature brings forth many issues both, internal and external, responsible for the media situation in Russia today, it falls short while dealing with a systematic comparison of the trends in the Russian media during the presidencies of Yeltsin and Putin. Keeping the aforementioned broad themes in mind, the work of prominent authors like Brian Mc Nair, Ellen Mickiewicz, Masha Lipman, Micheal Mc Faul, Laura Belin, Jukka Pietilainen, Andrei Richter, Martin Dewhirst, David Wedgwood Benn, Gayle Durham

Hollander, Daphne Skillen, Adam Jones, Olessia Koltsova, Sarah Oates, Kathrine Voltmer, would be surveyed.

The literature reviewed would be divided into two main groupings, the role of elections in Russia and the trends in patterns of ownership.

Sarah Oates and Laura Roselle (2000) argued that television has a political role in the post-Soviet state. They tested this argument in light of the news coverage of parliamentary and presidential elections on Russia's primary state television channel and on its largest private television channel during the campaign periods in 1995 and 1996.

Similarly, Stephen White and Sarah Oates (2002) while comparing the role of television in the 1996 and 1999 elections wrote that while the media helped Yeltsin win against the communists in 1996, in 1999, state television was responsible for the "creation" of a party at a very short notice and finally helped it win.

Regarding the ownership patterns that emerged, Laura Belin (2002) argues that by early 1997, the media that developed in Russia was financed by private players and "it was difficult to find Moscow-based media that had no direct or indirect links with banks or the financial sector". Giving reason to this claim, she argued that although glasnost gave unprecedented freedom to the media, this "golden age" of Russian journalism was short-lived as the economic problems made newspapers costlier. Television replaced newspapers as public's trusted source of news. In 1996, the Russian media provided widespread support to Yeltsin against communists in the elections and its reliance on outside financing became firmly entrenched between 1996 and 1998. Referring to Putin, Belin argued that his top priority was to consolidate state influence over news content on major television networks.

Continuing Laura Belin's argument in the same vein, Masha Lipman and Micheal Mc Faul (2001) argued that Putin's action against the media houses owned by Berezovsky and Gusinsky had led to the balance between private and state controlled press becoming "highly skewed in favour of the state in Russia".

Jukka Pietilainen (2008) also argued that Putin's presidency resulted in an increase in the state's control over national television. Television has now become the most important medium of news and is government-owned although a diverse regional press still exists in Russia today.

Another theme discussed among scholars is regarding the media situation in Russia. Greg Simmons and Dmitry Strovsky (2006) argue that in the light of terrorism, the authorities have now got ample excuses to curtail media reporting. Institutionalized indirect censorship is what exists in Russia under Putin's Russia today. Censorship and self-censorship is ingrained in the Russian media and what is happening under Putin in Russia today is the re-emergence of self-censorship, closely aligned with the politics of ownership. Martin Dewhirst (2010) refers to the various types of censorship that exists in Russia today.

Andrei Richter (2007) provides an overview of how the media in post-Soviet countries are regulated by law and how in the sociopolitical structure of a law-based state, their work can be optimized to become a foundation for public accord and stability.

Referring to the attitude of the people, Hedwig De Samele (1999) writes that although the constitution provides for theoretical and legal transparency of governance, it is not the case in Russia. By law, all media are equal, but some media are more equal than others. The reality of Russia media today is that media owners voluntarily associate themselves with political or economic power groups to secure their own wealth, status and influence and individual journalists tend to support the system.

Research Methodology

The present study is based on a comparative and analytical approach to the subject. For an evaluation of the media as it evolved over time and to gain an understanding of the trends that emerged over the period, the study would make use of the historical method. The study does not claim to be theoretical in nature and is a descriptive study of the Russian media during the presidency of Yeltsin and Putin.

Moreover, the study would make use of primary sources in the form of qualitative indicators like legislations, speeches and decrees of the President to trace the evolution of the media. The quantitative indicators used in the study to grasp the changes that occurred would be in the form of surveys on ownership patterns, readership, among others.

The secondary sources would include articles and materials relating to the subject, published in important Russian and English print media, scholarly articles as well as contributions by Soviet, Russian and Western scholars to various research studies on the patterns of media ownership, presence of censorship, the role of media in elections. This process would make possible a critical discussion and logical analysis of the findings of the literature to synthesize and form an informed and unbiased conclusion on the status of media during the regime of Yeltsin and Putin.

Chapter 2

The Yeltsin Years: Rise of Private Media

THE YELTSIN YEARS: RISE OF PRIVATE MEDIA

Yeltsin as President

The rivalry between Boris Yeltsin and Mikhail Gorbachev, who was elected president of the Russian republic in June 1991 led to the formal dissolution of the Soviet Union. By late 1991, reserves of foreign exchange had depleted and the authority of the Soviet state to implement economic policy had disappeared. After the failed putsch of August 1991, Russian president Boris Yeltsin effectively “seized power” from Soviet president Mikhail Gorbachev (Marshall Pomer: 2001:155).

By the time Yeltsin inherited the political leadership of Russia in 1991, the country was in the midst of an economic crisis. The GDP had dropped to 13 per cent, industrial production had fallen by 15 per cent and retail prices had risen by 90 per cent; inflation had reached a monthly rate of 13 per cent, and budget deficit exceeded 30 per cent of GDP. The collapse of trade with the Eastern countries, the pressure to service the foreign debt, and the production plunge in oil and gas only compounded Russia’s economic troubles (Andrei Schleifer 1995: 4).

Taking into account the economic problems and the alternatives to be followed, Yeltsin while addressing the Congress of Russian SFSR People’s Deputies on October 28, 1991 said:

“The most important, most decisive actions will have to be taken in the sphere of the economy. The first area is economic stabilization. It will be based on tough monetary, financial and credit policy, a tax reform and the strengthening of the ruble. The second area is privatization and the creation of a healthy mixed economy with a powerful private sector. Giving greater dynamics to land reform and creating a fundamentally new situation in the agrarian sector by the spring of 1992 are of special significance for Russia,” (Izvestia, October 28, 1991).

With the aim of broadening his powers in the legislative regulation of the economic reform, Yeltsin banned all elections in the republic for one year and appointed a reformist government headed by Yegor Gaidar¹⁵. Over the following three years, the government pursued a radical

¹⁵ Yegor Gaidar was made the Deputy Chairman of the Russian government for economic policy issues.

economic transformation. Yeltsin's economic programme called for "simultaneous attacks on various fronts: macro-economic stabilization, price liberalization, privatization, strengthening the social safety net, and attacking the monopolies," (James H Noren 1992:4).

Keeping in mind the purpose of our study, the present chapter would be divided into three parts. The first part would deal with the laws passed in Russia in the context of the media and make a detailed and analytical study of the same. The second part would focus on the changes witnessed as a result of the economic reforms and their definite impact on the media. The third part would look into the rise of private media.

Laws in Russia under Yeltsin

Immediately after 1991, the country adopted the first document that was to deal with media freedom in the country - the Media Law of Russia. The constitution of the country that came into effect later in 1993 also contained provisions related to the freedom of media. With time, other laws also came into existence. This chapter would look into the following:

- a) The Media Law of Russia, 1991
- b) Rights guaranteed by the 1993 Constitution
- c) Other Legislations

The Media Law of Russia, 1991

The Law of the Press and other Mass Media was adopted in 1991. Drafted by journalists and academics, it was the first comprehensive document that laid down rules for journalists and media outlets. The whole document was divided into 7 chapters and contained 62 articles. The main idea behind the formulation of such a law in a country where the press had mainly been a party mouthpiece was to formulate a proper relationship between the media and the state.

Some of the articles of the law that are importance from the point of everyday working of the media outlets, like ownership issues, censorship are as follows:

Article 1 of the law states that “the freedom of mass communication implies “the retrieval, receipt, production and dissemination of mass communication, the foundation of mass media, the possession, use and disposal of these media, the manufacture, acquisition, storage and use of technical facilities and equipment, raw and auxiliary materials designed for the production and spread of products of mass information media; shall not be restricted unless prescribed by legislation of the Russian Federation on mass media¹⁶.

Article 3 talks about the inadmissibility of censorship. “No provision shall be made for the censorship of mass information, that is, the demand made by officials, state organs, organization, institutions or public associations that the editor’s office of a mass medium shall get in advance agreement on a message and materials (except for the cases when the official is an auditor or interviewee) and also for the suppression of the dissemination of messages and materials and separate parts thereof¹⁷”.

Article 4 lays down certain specific limits to free expression; forbidding in particular the disclosure of state secrets, the incitement of national, religious or class intolerance, incitement to overthrow the existing system by force of and use the media for the committing of criminally punishable acts. The law lays down rules for registration, procedures to be followed while starting a media organization, status of a founder, the status of an editorial office, licenses for broadcasting, cancellation for licenses, among others¹⁸.

Other clauses in the law contained details regarding registration of newspapers and broadcasting media, along with a right to appeal to the courts if registration of newspapers or broadcasting media is refused (Articles 8-15)¹⁹. The law also forbade the closing down of any media outlet except by order of a court by due warning (Article 16). In addition, it contained provisions to restrict the dissemination of “erotic” material (Article 37).

Article 39 referred to the right of the editorial office or broadcasting section to request for information about the activities of state organs and organizations, public associations and their officials. The request for information is possible both in oral and written form. Other parts of

¹⁶ Law of the Russian Federation on Mass Media. http://www.medialaw.ru/laws/russian_laws/txt/2.htm, accessed April 11, 2011.

¹⁷ Ibid

¹⁸ This portion was amended in July 4, 2003.

¹⁹ See Appendix.

the law gave the right of information to private citizens for the operative receipt of authentic information about the activities of state organs and organizations, public associations and their officials.

Article 49 guaranteed a journalist the right to look for, receive and spread information; ask questions, investigate a matter, get access to documents and materials, among other clauses. It also made reference to the duties of a journalist to observe the statutes of the editorial office with which he maintained labour relations; verify the authenticity of the information he provided, among others.

The freedom to write and publish in public interest led to a proliferation of publications and in 1992 alone, approximately more than 400 periodicals and companies were registered, that is more than one newspaper, magazine or radio station in a day. However, only a few of them survived. The right to register newspapers and journals “brought in thousands of non-professionals to journalism; tabloid journalism appeared; the first pornographic magazines materialized, as did ladies’ magazines (Nadezhda Azhgikhina 2007).

The media law was the first effort throughout all of transition societies²⁰ to enact a modern framework for communication policy and reflected the enthusiasm of the people. Drafted by journalists and academics in a time of dramatic change, it was “an awkward version of an ideal, a sometimes apolitical formulation of the proper relationship between the media and the state”. The Russian Mass Media Law is not a statute that begins with language glorifying the state, or in which the state is even a central actor. The idea of the statute, as Monroe Price²¹ discussed, was “to involve the state as little as possible, to move towards autonomous information providers that had rights against the state, rather than the other way around. As an embodiment of Western traditions of independence, the statute may be an emblem of democratization — an ingredient, like a new flag of a new national identity — rather than the means to implement or require aspects of loyalty.”

²⁰ The term transition societies, refers to the erstwhile Communist countries that adopted democracy and liberal reforms after the breakup of the USSR in 1991. The process of transition that would be involved led to the coining of this term.

²¹ Quoted by Monroe Price in Andrei Richter, *Post-Soviet Perspective on Censorship and Freedom and the Media* (2007).

Since it was the first attempt of its kind, the law was not all encompassing. Olessia Koltsova highlighted certain limitations of the law:

“The Law on Press and other Mass Media prohibited censorship and allowed organizations and individuals to set up media outlets aside from the state. Before that the Soviet constitution had only allowed citizens to use mass media, not to establish them; as for special legislation on media, it had not existed at all. In late 1991 the parliament of the Russian Federation adopted the Russian Law on Mass Media. However, the law did not introduce the notion of media owner and contained no rules regulating relations between the owner and the media personnel.” (Olessia Koltsova 2006: 31)

Regarding the impact of the law on the people of Russia, Daphne Skillen (2007) wrote that so far, the battle for media freedom had certainly not been lost, nor had been won. She referred to an amendment to Article 57, which previously (Article 57:6) stated that a media outlet was not responsible for reproducing and disseminating incorrect information verbatim from another original source that damaged the honour and dignity of a candidate or political party. After amendment, the media was made liable for reprinting or re-broadcasting erroneous reports during the election campaign, which raised the problems for less well-off outlets, especially regional media that depended on other sources for their news as they did not have the staff or resources to provide only original material.

Despite the criticism that it faced, not everything was wrong with the media law. It gave judicial guarantees to the freedom of expression that had not existed in Russia prior to 1990 and received widespread support from journalists as it granted them wide-ranging rights to seek information, write and publish in public interest and most importantly, prohibited censorship. The ban on censorship, in theory was very important for the survival of a free press and the press law of Russia guaranteed it to the people. Scholars have called the passing of this law “the first major event in the history of post-Soviet Russian media” which occurred almost immediately after the demise of the USSR.

Rights guaranteed by the 1993 Constitution

The 1993 constitution²² reiterated the need for a free media in the country and guaranteed freedom of thought and speech and abolition of censorship (Art 29). Regarding censorship, the law states “no one may be coerced into expressing one’s views and convictions or into renouncing them”. The article, however, also contains limitations while outlining the need to curb “propaganda or campaigning, inciting social, racial, national or religious hatred and strife (Art 29.2). Overall, the document guarantees freedom of the mass media.

Other Legislations

The other law which contributed significantly to the overall media freedom in Russia is the Criminal Code. According to Article 140, failure to supply information to a member of the public, which is directly related to his rights and freedoms is labeled as a criminal offence and invites a fine of up to 50,000 ruble. However, withholding the information is not considered a criminal offence if the applicant’s rights and freedoms are not affected.

In the Federal statute of the Russian Federation “On the Procedures to Cover Activity of Public Authorities in State-run Mass Media (1995), Russia gave journalists “the right to access information about the work of parliament”. In addition, the Federal Law on Information, Informatisation and Protection of Information guaranteed the citizens “the right to access state information resources other than security secrets”.

Some scholars are of the opinion that the freedom of the mass media is not really guaranteed under the legal system of Russia, which is used to “limit rather than protect” both the ability of journalists to disseminate information and the rights of citizens to receive it.

Sarah Oates (2007) identified four main flaws in the legal system in terms of protection of free speech in Russia:

- a) The Russia Federation lacks a comprehensive law on broadcasting.

²² See Appendix.

- b) Media freedom stands limited at times because of the different sets of laws in existence. While the media is regulated by laws passed by the parliament and signed by the president, they are also subject to presidential decrees. Thus, while the president cannot unilaterally repeal the media law or issue one that completely contradicts the existing law, he can quite effectively limit freedom of speech with edicts that address specific issues. This is what Oates calls the “war of laws”.
- c) Media regulation in Russia often works against Russian journalists. The Criminal Code (1997) introduced criminal liability for slander (defined as dissemination of false information defaming other people) in Article 129. In addition, Article 146 stipulates that those who abuse copyright or plagiarise can be subjected to fines, a jail term or even forced labour. More ominously, Article 151 of the 1995 Civil Code and Article 43 of the statute on the mass media “lay the responsibility for the correctness of information with the defendant (i.e. “the journalist of the media outlet”). Oates refers to this as the “selective application of the law”.
- d) In the absence of an enforceable legal code or a system of impartial judicial review, the guarantees cannot be upheld by the political institutions within the society.

Economic Reforms in Russia

By 1991, the radical approach²³ embodying Western suggestions was put forward by Yeltsin. To take up responsibility of the transition programme, a new government, composed largely of radical liberals, was formed in Russia in November 1991, and headed by Yeltsin. Yeltsin delegated the implementation of “Shock Therapy²⁴” to his Deputy Prime Ministers: Yegor Gaidar, Gennady Burbulis and Alexandr Shokhin, while Anatolii Chubais became the

²³ The radical programme for market economic reforms was supported by three powerful groups. The first group consisted of primarily American macroeconomists such as Jeffery Sachs, Stanley Fischer, Lawrence Summers and David Lipton. Harvard University, the Massachusetts Institute of Technology, and the London School of Economics were focal points of radical reform thinking. The second group comprised the group from the East, notably Leszek Balcerowicz in Poland, V’aclav Klaus in Czechslovakia, and Yegor Gaidar in Russia and politicians with economic insights, such as Mart Laaar in Estonia and Einar Repse in Latvia. The third group consisted of the international financial institutions, primarily the International Monetary Fund (IMF) and the World Bank, and the major Western governments. This programme had been named the “Washington Consensus” by John Williamson (1990). It can be summarized as “prudent macroeconomic policies, outward orientation, and free-market capitalism,” and it drew on neoclassical mainstream economic theory (Anders Aslund 2007).

²⁴ The shock therapy strategy of economic transformation, which independent Russia adopted one day after the formal dissolution of the USSR on January 2, 1992, is often identified as a trilogy of specific economic policies: liberalization (freeing of prices), stabilization of the new economy through fiscal and monetary policies and privatization of state enterprises. But shock therapy is actually broader than that and calls for a very rapid transformation of the economy. The huge task of transforming the state socialist system into a capitalist system was to be carried out as rapidly as possible – within a few years. An entire set of radically new policies were to be introduced simultaneously rather than in sequence.

chairman of the State Committee on Managing State Property (GKI) (Pinar Bedirhanoglu 2004: 23).

The Russian Federation government chose the “shock therapy” model that was applied in Yugoslavia in 1986 and Poland in 1990. The strategy behind this was to embody a “shock therapy” that left prices to find market-clearing levels, freed the private sector from bureaucratic restrictions, set in motion the process of privatization, and maintained micro-stability by restructuring credits and balancing the budgets. This policy was adopted by Yeltsin in December 1991, launched in January 1992 and involved immediate price liberalization, attempts to bring down the rapidly rising inflation, conflicting fiscal policies, continuance of state subsidies mainly to non-competitive industries, failure to reduce the growing unemployment, absence of coordination with regard to capital markets and privatization involving the auctioning of state property with large concessions to the nomenklatura of managers and to the workers collectives (Pinar Bedirhanoglu: 23).

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Impact of Economic Reforms on the Russian Media

In the sphere of the media, the solution found for the press included a change in the ownership of the newspaper's intellectual structures, which would be transferred to the staff of the institutions themselves. Each journalist, editor or other staff was given aktsy²⁵ in the enterprise, which depended on the journalist's experience in the profession. According to this, someone who had a longer experience in the organization got more stock than someone who was new, which was no guarantee for better performance. Therefore, the economic reforms that were supposed to bring about a rapid transition of the Russian economy, building an efficient, technologically progressive, consumer oriented, prosperous capitalist system, actually led to Russia witnessing a severe decline in production.

The policy of liberalization of prices led to a huge increase in the cost of newsprint, distribution and printing, leading to an overall increase in the cost of production. The operating costs for media outlets thus rose, far outstripping its capacity to generate revenue.

²⁵ Aktsy, meant shares in Russian.



With the lifting of price control, the cost of newsprint alone rose from 300 rubles per ton to 13,000 rubles per ton. For example, *Izvestia* reported an increase in the overall production expenses of as much as 200 times the previous charges. It started suffering losses from subscriptions and slowly, the situation deteriorated to such an extent that *Izvestia* was actually subsidizing its subscribers in the amount of more than two rubles per issue²⁶.

Covering the increasing costs through subscriptions, sales and advertising was no easy task for the newspapers now. Although the number of publications had increased during the Gorbachev era, but the rampant inflation and widespread wage and pension arrears diminished the purchasing power of the Russian people, leading to a drop in the newspaper circulation figures by the early 1990s.

Alexi Pankin²⁷ wrote:

“Even before the reforms were initiated, editing a magazine meant looking for money all the time, lobbying the government for subsidies, sub-letting office space at commercial rates when you were getting it for free, various types of hidden advertising. It was really rather boring, always looking for money and struggling against inflation. But difficulty and inconvenience gave way to full-blown crisis known as the Gaidar reforms: the market oriented measures introduced by Yeltsin’s PM Yegor Gaidar in January 1992.”

Certain trends became very clear now. Most readers now subscribed to only one newspaper, instead of buying several as commonly in the past. Regional newspapers began to print more copies than those at the centre. By 1993, the regional press outsold the central press by seven million copies. Another result of the economic crisis was the dearth of foreign investment – in contrast to what had happened in East Europe. The steep decline in circulation of the central press could also be demonstrated if one compared the print runs of certain well-known papers between the end of 1991 and the beginning of 1995. During that period, the print run of *Izvestia* dropped from 4,700,000 to just over 811,000. The print run of *Pravda* fell from 120,000 to 325,000. And the highly popular weekly *Argumenty i Fakty* an even steeper decline from just over 245,270,00 to 420,000,0 (David Wedgwood Benn 1996: 474).

²⁶ Quoted by Frances H. Foster in Adam Jones.

²⁷ Alex Pankin in Adam Jones: 363.

Scholars like Olessia Koltsova, Ellen Mickiewicz, David Wedgwood Benn and Andrei Richter, argue that the policy of liberalization adopted by the Yeltsin government, led to an increase in the input costs, which made newspaper publication a costly affair. Along with this, the rising inflation led to a decrease in the disposable incomes of the people, thus lowering the circulation of newspapers.

The impact of the economic reforms was also felt in the realm of television. By the end of 1993, there were two channels with nationwide reach in Russia – Channel One (Ostankino) and Channel Two (Russian Television) – both owned and managed by the state. Due to the economic crisis that had befallen the country, Channel One was suffering losses and had to be privatized in 1995. It was renamed as the Public Russian Television (ORT) and the state held 51 per cent stake in it. The year 1993 also saw the launch of two major private stations: TV-6 with a potential audience in 60 cities of Russia and the former Soviet Union and NTV, with a potential of 100 million viewers in the European part of Russia.

Government Sponsorship

In a situation where the press was suffering losses due to the market policies of the government, the newspapers were left with limited choices, either to seek sponsorship from the Yeltsin regime or approach the new private corporations. The post-Soviet round of subsidies began on February 20, 1992 when Yeltsin introduced the Decree on Additional Measures of Legal and Economic Protection for the Periodical Press and State Publishing²⁸. The decree specifically targeted the dual threat identified by the mass media in the form of continued government monopolization of all major publication services and new price liberalization policies. Most notably, it established a mandatory price-controlled quota for newsprint production, guaranteed state compensation of state communications enterprises to reduce delivery of distribution costs, called for rapid de-monopolization of distribution networks, and authorized subsidies to Russian publications. The decree itself, however, was

²⁸ The decree introduced subsidies and certain other breaks, instituted state orders for paper for magazines and newspapers put out in accordance with programs confirmed by the Russian Federation Ministry of the Press and Information.

legally and practically unenforceable and failed to recognize the severe budget constraints of the Russian government²⁹.

The system of financial assistance for the media changed from late 1995, with the adoption of a federal statute "On State Support for the Mass Media and Book Publishing in the Russian Federation" which gave indirect subsidies (tax concessions, customs duty exemptions, reduced rate for utilities) on the entire media sector. The law established concessions for the print and electronic media, which would be withheld within only from what the law called "specialized" publications and from sponsored and erotic programming.

Another federal statute, "On financial support for district (town) newspapers" was passed in 1995. Under this law, money from the federal budget would be used to develop newspapers' physical infrastructure, pay for delivery costs, buy in paper and cover printing costs. In theory, state and municipal as well as public and private publications were eligible for receiving subsidy. The main criterion for receiving public money was a newspaper's inclusion in the "federal register" of district (municipal) newspapers, compiled by a commission made up of representatives of the federal regions' legislative and executive authority and regional branches of the Russian Union of Journalists and public associations.

Rise of Private Media

As economic conditions worsened, journalists realized that the easiest way out of a difficult financial situation was either to seek government subsidies or look for investors among emerging businesses. While the state too did give subsidy to the press, the latter option also became quite popular in Moscow, where business tycoons quickly figured out the political importance of the media for the advancement of their interests.

In 1993, there were two state television channels in Russia: Channel One (Ostankino) and Channel Two (Russian Television). Channel One was later privatized in 1995 and renamed as the Public Russian Television (ORT), with the state having 51 per cent stake in it, while the

²⁹ Frances Foster, quoted in Adam Jones, 1999.

other 49 per cent was held by Boris Berezovsky, head of Logovaz, an industrial conglomerate. By the end of Yeltsin's second presidential term, Berezovsky's media empire included control over channels ORT and TV-6, newspapers *Nezavisimaya Gazeta* and *Kommersant*.

Vladimir Gusinsky was another businessman who rose on the media horizon in Russia as the owner of private television network – *NTV* – in 1993, leading to the creation of his *Media-Most* holding. He later went on to own two dailies – *Segodnya* and *Itogi*. The following year, he bought the controlling stake in the radio station *Ekho Moskvy* (Echo of Moscow).

Thus, by the year 1995-96, most media organizations in Russia were divided among major cross-institutional groups (CIGs) who had either bought shares or controlled the media organizations informally. Of the major groups of national significance that emerged in Russia, the ones that had special relevance for the media included a group centered around Moscow mayor Yuri Luzhkov, who owned TV-Center; the alliance of entrepreneur and political adventurer Boris Berezovsky and businessman Roman Abramovich, one of the owners of Sibneft, an oil company; Media-Most, owned by Vladimir Gusinsky and Rem Vyakhirev, director of Gazprom, a gas industrial company (Olessia Koltsova 2006).

Nazdezha Azhgikhina (2007) was of the opinion that 1996, the entire system of the media had acquired an almost Soviet-like stability and was divided among the empires of the oligarchs, and increasingly reflected the interests not of society, but of financial-political groups. No trace of the former romanticism remained. For many journalists, their profession had become business.

By early 1997, it was difficult to find Moscow-based media “that had no direct or indirect links with banks or the financial sector³⁰”.

³⁰ Elena Vartanova quoted in Laura Belin: 143.

Presidential Elections (1996)

The presidential election held in 1996 was another hallmark of this period, worth mentioning because of the many changes that were taking place in Russia during this time. Scholars argue that the media played a central role in boosting the candidature of Yeltsin during this time and said that he received favourable media coverage in the 1996 election on both *NTV* and *ORT*. The coverage of the presidential election was so biased that the “lines between support for the electoral process and support for Yeltsin became particularly blurred”. Laura Roselle and Sarah Oates wrote that although *NTV* was not under the direct control of the government, it still “promoted Yeltsin in its coverage: a dangerous trend in journalism.”

During the primary elections held in June 1996, Yeltsin got 35 per cent of the popular votes while his opponent Gennady Zyuganov got 32 per cent. And although “political observers had warned that Yeltsin would not be able to maintain his post, he won in the runoff elections with 54 per cent of the vote, while Zyuganov received 40 per cent in the July elections”. Sarah Oates (2007) argued that “*ORT* and *NTV* colluded in their attempts to hide the true state of Yeltsin’s health”.

An Overview of the Yeltsin Years

Boris Yeltsin rose to power in Russia in a climate of uncertainty when the country was reeling under various challenges in the face of a breakdown of a social, political and economic order that was the order of the day for over 70 years. However, the policy changes brought under Yeltsin have to be understood in the backdrop of these special circumstances.

We may say that during the regime of Yeltsin, certain major changes occurred in the domain of the media: the first ever media law came into force, which gave judicial guarantees to a free press in Russia, calling for a ban on censorship. Similarly, the constitution of 1993 gave freedom of thought and speech, banned censorship thus reiterating the need for the creation of a free media in the country. It now became possible to write and express opinions freely.

An important trend observed in the domain of the newspapers was that circulation figures went down. This happened due to liberalization policy adopted by the government, which caused an increase in the input costs thus amplifying the overall cost of publishing a newspaper. Along with it, the ensuing inflation led to a fall in the disposable incomes of people, which made it costly for publishers to take out newspapers and for the public to purchase them. Both these trends impacted the circulation of newspapers that ultimately fell. Considering the economic problems that befell the media in this time, the state did provide subsidy and suitable legislations were enacted towards the same.

Television too was affected as a result of all the changes taking place in the country. The economic crisis had led to a fall in advertising and newspapers were left looking for sponsors. While the state was forced to privatize the state-owned *Channel One*, some private players invested in television and new stations came up – *NTV* and *TV-Centre* (Yuri Luzakhov), along with the state-controlled *ORT* and *RTR*. These channels later went on to promote Yeltsin in the presidential elections.

Finally, looking at the Yeltsin years, it would not be wrong to say that while the media was given guarantees, but the events that occurred in the realm of the economy had their impact on newspaper circulation and the people shifted to television. Also, in the face of an economic crisis, the media owners were left with two choices: either to go in for private help or to seek help from the government. The private media that evolved in this period rose to new heights and did try to interfere in the domestic policy of the country, in the form of influencing the presidential elections.

Chapter 3
Media in Putin's Russia

MEDIA IN PUTIN'S RUSSIA

Putin as President

Two important events were lined up in Russia by the end of Yeltsin's presidency from 1999 onwards: the Duma and the Presidential elections. Added to it was the problem of the ruble devaluation in 1998, along with the absence of a successor to Yeltsin. At this moment, it appeared that Prime Minister Yevgeny Primakov and his *Fatherland-All Russia* would be the best-placed of all parties expected to compete for places in the new Duma, which would set the context for the presidential election that was to take place six months later. In such an event, a new party – *Unity* -- was formed at the end of September 1999 and it managed to finish a close second in the party-list election to the new Duma.

In the presidential elections that were brought forward to March 2000 by Yeltsin's earlier resignation, Prime Minister Vladimir Putin swept to victory in the first round of the contest. Scholars argue that "this dramatic reversal in the fortunes of Putin appeared to be the doing of the media, particularly state television, which operated under the direct control of the Kremlin and a wealthy oligarch who was at that time closely associated with the ruling circle - Boris Berezovsky³¹".

The two television channels during this time -- *ORT* and *RTR* -- promoted Prime Minister Putin and his electoral bloc *Unity*. Journalists and scholars argue that Putin found favour with the media, "especially state-owned television, along with print and electronic media controlled by Boris Berezovsky, which waged an unprecedented campaign to destroy the reputations of the opposition bloc led by Primakov, Luzhkov and their *Fatherland-All Russia* alliance³²".

³¹ Stephen White, Sarah Oates and Ian McAllister: 191.

³² Laura Belin, 2002.

In an article that appeared in *Izvestia*³³, Yulia Zaitseya and Yevgeny Savin wrote about the various parties contending the Duma elections and the various political blocs that had formed in the country:

Berezovsky's Bloc: In the parliamentary election of 1999, the "party of power" was the *Unity Interregional Movement*. It was both "a party of power" and "a party for those in power". All of the system's propaganda means were available to the *Unity Interregional Movement*.

Vladimir Gusinsky's Bloc: Gusinsky was betting on the *Russian United Democratic Party Yabloko* and the *Fatherland-All Russia* simultaneously. *Media-Most*³⁴ was assisting *Yabloko* in developing an ideology, providing advice on public relations, producing some video products and advertisements. The bulk of television airtime purchased by *Yabloko* was on the *NTV* and *TNT* (Your New Television) network. Gusinsky was also working from behind the scenes in the *Fatherland-All Russia's* election campaign.

Chubais's Bloc: Antoly Chubais was leading the trio of Sergei Kiriyenko, Boris Nemtsov and Irina Khakamada in the Duma elections, relying on tried and true partners -- *Video International* and (VI) and the *Effective Policy Foundation* (EPF) PR agency.

Russian Federation Communist Party: The Communist Party's superiority was an old name. The party was working hard with radio stations that were broadcast on medium-wave frequencies while the entire FM range had been bought by the oligarchs.

Zhirinovsky's Bloc: The pre-election strategy of Vladimir Zhirinovsky's bloc was a hybrid of new advertising techniques and communist methods of agitation. The bulk of supporters of the Liberal Democratic Party of Russia lived in the provinces and the election campaigning was invariably in the regions. The channels *ORT*, *Russian Television and Radio*, *NTV* and *TV-6*, were airing the bloc's TV campaign advertisements.

³³ Yulia Zaitseva and Yevgeny Savin, *Izvestiya Media*. No 1, Nov 29, 1999.

³⁴ *Media-Most* was the media holding of Vladimir Gusinsky, which owned the *NTV* television network at this time, along with the newspaper *Segodnya* and *Igoti*, and the *Echo of Moscow* radio.

Putin as President

The media climate in Russia by the time Putin assumed political leadership was quite different from the time that had greeted Yeltsin in the beginning of his rule. The media had moved beyond the insecurity of the beginning years and now had experience in the post-Soviet climate. The experience of the Yeltsin regime with liberalization and the events that unfolded had led to certain changes in the sphere of the media now. While newspapers were largely continuing with their battle with circulation, the television network, which had come up as an alternative to newspapers for the public and also enjoyed much wider reach, were now privatized. The main players in the domain of television were the state-owned *ORT* (state owned 51 per cent stake while a major portion of the channel was also held by Boris Berezovsky), and the private stations – *NTV* (Vladimir Gusinsky) and *TV-Centre* (owned by Yuri Luzhkov).

These channels that had emerged as an option for national news were owned by business oligarchs, some of who also defied the government and were “politically powerful”.

After he took over the reigns of the country, the first thing that Putin did was to “identify the mass media, and first and foremost national television, as a target for expanding state power³⁵”. This, the government did carefully, without harassing journalists or editors and “went after media owners whose outright negative public image made them a better target³⁶”.

Keeping in mind the purpose of our study, the present chapter would be divided into two parts. The first part would look into the mindset with which Putin approached the big media outlets in Russia: state action against Vladimir Gusinsky and Boris Berezovsky; the crises that struck Russia in the form of the Moscow Theatre siege and the Beslan School event, during Putin’s time. The second part of the chapter would analyse the various legislations that were passed later.

³⁵ Masha Lipman, 2005.

³⁶ *ibid*: 2005.

Major Events that occurred

Case of Vladimir Gusinsky

Immediately three weeks after Putin was elected president and had assumed office, oligarch Vladimir Gusinsky, founder of *Most-Bank*, a private bank and *Media-Most*, a company which included the second largest television network *NTV*, daily newspapers *Segodnya* (Today) and *Itogi*, was arrested. The arrest received publicity because Gusinsky was one of the key players in the economic and political life of the country. The charges leveled against him were regarding tax evasion and embezzlement of property³⁷.

In the months that followed the first raid, affiliate offices of Gusinsky's corporation were raided and searched dozens of times, proceedings opened and closed, Gusinsky's employees interrogated and their apartments searched³⁸. On July 20, 2000, Gusinsky agreed to sign a deal to sell his controlling stake in *Media-Most* to Gazprom in return for his freedom, which was guaranteed in "Protocol 6"³⁹ signed by Minister of Press Mikhail Lesin.

By April 2001, *Gazprom* had managed to change the management of *Media-Most* after two years of court hearings. While the staff continued to protest, the new management assumed office in April 2001. Several dozen journalists of the erstwhile *NTV* left the channel and joined *TV-6*, a channel owned by Boris Berezovsky. Slowly, *Gazprom* managed to wholly control the other subsidiaries of *Media-Most* – including the publishing house *Seven Days*, which published *Segodnya* and *Itogi* and the Echo of Moscow radio station⁴⁰.

In an article that appeared in the *Guardian Weekly*, Ian Taylor, while reporting the on *NTV* episode from Russia, wrote:

“There were protests against the changes brought about by Gazprom in the management of *NTV* and nearly 20,000 people gathered together in protest in Moscow in support of *NTV*, Russia's only independent news channel, to back what the station's journalists called a fight against the Kremlin to save the media. In this protest, the station's 357 staff refused to leave the building against a boardroom coup, led by Gazprom, the state-controlled gas

³⁷ Gusinsky was charged with embezzlement of property and tax evasion of Russkoe Video Channel 11, a St Petersburg television station (founded in 1997).

³⁸ Masha Lipman and Micheal Mc Faul, 2005.

³⁹ Ibid, 2005, Gusinsky was granted freedom from arrest after signing Protocol 6.

⁴⁰ Ibid, 2005.

corporation that owned 46 per cent of the station. The last Soviet president, Mikhail Gorbachev, pronounced the hostile takeover a disgrace and a challenge to all of society. He said he wanted to discuss the matter with President Vladimir Putin, suggesting that, as ever in Russia, the tsar was being misled by his courtiers. Yevgeny Kiselev, Russia's best-known current affairs presenter and ex-head of *NTV*, says the whole crisis has been engineered "on the orders of the tsar". Gazprom, which is 38 per cent owned by the state, argues that it is acting solely on financial grounds⁴¹."

Case of Boris Berezovsky

Russia's other prominent media baron, Boris Berezovsky, a former executive secretary of the CIS and Deputy Secretary of Russia's Security Council also did not escape the "wrath" of the Putin government. By 1999, Berezovsky had acquired a large stake in the *ORT* television company as well as in commercial television station *TV-6*, a radio station -- *the National News Service* and several news publications including the national *Nezavisimaya Gazeta* (Independent newspaper) and *Kommersant* (Businessman). Berezovsky's media empire had supported Yeltsin during his re-election campaign in 1996 and was also "close to Putin". He, however, soon came in "conflict with Putin" after the 2000 presidential elections, particularly due to his "plans to compete for power with the president". Thus, "in another series of selectively applied financial laws, Berezovsky was stripped of his controlling stake in *ORT* and lost control of *TV-6* as well⁴²."

The events that occurred in Russia following the action against the media oligarchs was said to have ended the brief era non-state television that had existed in Russia with the state having total monopoly on the national channels⁴³. The *Nezavisimaya Gazeta*, asked its readers that going by the events that had unfolded at *TV-6*, if the society should say goodbye to the dream of independent electronic news media. The article wrote that the "quiet and inconspicuous technical pulling of the plug on *TVS*" was a seminal event in Russia's current history.

⁴¹ Ian Tranyor in the Guardian weekly, "Kremlin tries to silence its principal media critic", 2001.

⁴² Sarah Oates: 36.

⁴³ In an article in *Nezavisimaya gazeta*, "Era of private television in Russia is over", June 23, 2003.

While arguing that after the collapse of the Soviet Union, the new Russia faced threats from certain individuals who began influencing political decisions and underlying the need for a strong political regime, Putin in an interview to *Kommersant* in January 2003⁴⁴ said:

“After the collapse of the Soviet Union and the establishment of the new Russia, things began happening that could happen only in a country with a weakened political regime, with a political regime that had not yet firmly established itself. A threat arose that Russia would take an oligarchic path of development, as certain individuals who had gotten close to the authorities and partially monopolized them and began influencing political processes in the country while being guided by interests that were not national. These people, in circumvention of democratic institutions and representative bodies of government, using the material resources they had obtained during privatization or other processes, used them in ways that were by no means always legal to further their own group interests. In order to build a foundation for a genuinely free press, we have to build an economic foundation for our own development. We are going to work on this, of course, while simultaneously strengthening the judicial and administrative system and creating, I repeat, conditions in which journalists can perform their professional duties without being dependent on anyone.”

While talking about the condition of the Russian media, Putin said that the “just as a strong, stable, multi-party system has not existed in our country, a free press is likewise only in the formative stage and in this light, the most important thing to do is to create an economic foundation on which a free press and independent press can exist on its own⁴⁵”.

Thus, we can say that the initial years of Putin’s presidency were engaged in state’s reassertion to control the media, especially independent electronic news media and by 2003, both the big media oligarchs had been brought down -- Gusinsky and Berezovsky both were forced to live abroad -- Gusinsky in Israel and Berezovsky in the United Kingdom.

As the years progressed, the country under Putin was a witness to a series of hostage crises, the most prominent ones being the Dubrovka Theatre Siege and the Beslan School Crisis. It was in this backdrop that the Russian government came up with different laws and conventions for the media to follow.

⁴⁴ Putin in interview with *Kommersant* on January 16, 2003.

⁴⁵ *ibid.*

Dubrovka Theatre Siege

This crisis occurred in the country on October 23, 2002 when 53 armed men and women seized the Moscow theatre during a performance. The siege, with 979 hostages, lasted for 58 hours and ended with the death of 128 people, largely during the rescue operations that took three days. The storming of the building by the Russian special counter-terrorism forces and the use of gas, which overwhelmed both terrorists and hostages, became a contentious issue in the aftermath of the rescue. This siege got non-stop coverage in the television⁴⁶.

“During this event news organisations altered their broadcasting content and even their broadcasting schedule. The TV stations *NTV* and *TVS*, together with the radio station *Ekho Moskvi* provided non-stop coverage of the crisis. *NTV* even switched to 24-hour broadcasting. The correspondents covering the hostage-taking drama worked 12-hour shifts on location. The previously entertainment-only TV station *CTC* altered its programming to include news slots for a three-day period, cutting back the amount of commercials shown. The state channels *ORT* and *RTR* ran frequent live reports and changed their normal programming schedule of entertainment to include more serious films and documentaries. CNN used *NTV*'s footage in its own broadcasts.”
(Gregory Simons, 2005)

Considering the new threats that plagued the country and keeping in view the information technology revolution with the coming of the internet, government sought to bring about an amendment in the Law on Combating Terrorism. The Anti-Terrorist Convention was convened in 2003.

Beslan School Hostage Crisis

This incident occurred on September 1, 2004 when around 10-15 armed gunmen (including women) occupied School No. 1 in the Beslan town of North Ossetia. The crisis was spread over a period of three days, with over 1,100 people taken as hostage leading to 334 deaths, of which 186 were children. In the beginning, their demands appeared a little unclear: whether to free the bandits who had been arrested in Ingushetia in June earlier that year or had demanded the presence of North Ossetia president Alexander Dzasokhov, along with the head of

⁴⁶ The Moscow Times, “*Television Coverage Comes of Age*”, October 30, 2002.

Ingushetia Murat Zyazikov and Dr Leonid Roshal, who was earlier involved in negotiations at the time of the Dubrovka theatre crisis in 2002⁴⁷.

Regarding the coverage of the Beslan event by the television channels, the newspaper wrote that although information about the event was provided in the different channels and was quite precise, the only channel that preserved its traditional transmission was *Channel One*⁴⁸.

The *Izvestia* wrote on September 4⁴⁹

“When the Beslan school siege occurred, CNN broadcasted a live uninterrupted feed from the scene, Echo of Moscow Radio was reading out Russian news agency reports and commenting on CNN’s video feed on events in South Ossetia but Channel 1 and Rossia were broadcasting a movie and the “World of Adventure show”. I can just picture the state TV executives, as they sat in their offices watching CNN and receiving reports from their own correspondents, frantically phoning their overseers in the government: Should we show it or not?”

The Industry Committee⁵⁰ issued a statement urging the media to observe the Anti-terrorist Convention in covering the events in North Ossetia. The statement read: “Fully cognizant of the responsibility that attends to handling of information, we have proposed a number of voluntary restrictions and rules predicated on the idea that in extreme situations the saving of lives and the right to life takes precedence over any other rights and liberties”

Comparing the tragedies in Dubrovka and Beslan, the *Kommersant*, wrote on September 3, 2004⁵¹:

“There was a marked difference in the television coverage of this [Beslan] event, with news shows not showing exactly how many hostages there were, or discussing how the school came to be seized or how the terrorists managed to enter the city, and they most certainly did not show relatives of the hostages or interviewed them on camera. This was due to the action taken up by authorities after the Dubrovka Street incident (amendments were made in the laws on combating terrorism and on the news media that imposed restrictions on media coverage of terrorist act).”

⁴⁷ The *Izvestia*, September 1, 2004.

⁴⁸ *ibid.*

⁴⁹ *Izvestia*, September 4, 2004

⁵⁰ The Industry Committee comprised of the heads of the largest electronic and print media outlets.

⁵¹ *Kommersant*, Sept 3, 2004.

Laws in Russia under Putin

While Putin inherited some laws regarding the media from his predecessor, his regime too approved a number of legislations, signed informal agreements, regarding the same. These regulations were related to media access to war zones, media behavior during events of national crisis, among others. In addition to the laws passed, journalists also reached informal agreements with the state regarding the manner of covering certain events, like terror attacks, a new feature in the years of Putin's presidency. The specific regulations that would be discussed in this chapter are: Doctrine of Information Security, Federal Law on Emergency Situations and the Anti-terrorist Convention.

Doctrine of Information Security

The political leadership inherited a changed media environment under Putin with television becoming an important source of news and the internet fast becoming popular. In such circumstances, information dissemination became much easier. The preamble of the document⁵² reads:

“The Doctrine of Information Security of the Russian Federation is a set of official views concerning the goals, tasks, principles and main directions of ensuring the information security of the Russian Federation. It provides the basis for the shaping of the state policy of ensuring the information security of the Russian Federation; preparation of propositions on improving the legal, methodological, scientific-technical and organizational support of the information security of the Russian Federation; development of target-specific programs of ensuring the information security of the Russian Federation.”

Although not a legal document, the doctrine was important because it provided an explanation and guidelines for national interests in informational policy. It covered everything from the development of the national telecommunications market to questions of intellectual property and “is united by a single idea on the need to increase governmental control over the flow of

⁵² See Appendix.

information and outlines the new state thinking concerning the question of information security from the state's point of view⁵³”.

Although the doctrine was not a legal document binding on the state, public or organizations, it reflected the official views of the government on the aims, purposes, principles and main directions for ensuring information security as part of national security in the Russian Federation.

Federal Law on Emergency Situations

The Federal Law on Emergency Situations became active on 1 June 2001 and was later amended in 2003 and 2005 respectively. The law allows for the “introduction of censorship in the territory where the president has declared a state of emergency”. The use of censorship is only to be “with an indication of the conditions and procedure for its implementation” included in the president's decree. The responsibility to evaluate whether introduction of censorship is appropriate falls with the president, who is the guarantor of human rights and civil liberties. The law also contains provisions regarding the accreditation and activity of journalists working in territories where a state of emergency has been declared.

Point I of Part 1 of Article 18, meanwhile, stipulates that the commandant of the territory, appointed by the president, “establishes a special accreditation procedure and working procedures for journalists on the territory where a state of emergency has been declared.”

Anti-Terrorist Convention

Gradually, as the Putin years unfolded, they brought a lot of new challenges in the form of terror attacks in the country. In times of such a crisis, the media had a daunting task ahead in which it was supposed to report on the crisis along with ensuring that the coverage hurt no one. Nearly six months after terrorists seized control of a theatre in Moscow and arguing for

⁵³ Law, Judiciary and Media Freedom in the Russian Federation. Report of the Moscow Media Law and Policy Institute (2004).

the need of certain guidelines to be followed in times of crisis, an Anti-Terrorist Convention on Mass Media was held in 2003. The convention contained new guidelines for the conduct for journalists covering acts of terrorism.

The document reads: “The mass media must be aware that hostages taken by terrorists are also hostages to the situation, which at a certain stage turns into an instrument of pressure on public opinion.”

The convention prohibited from interviewing terrorists during the commission of a crime and at their own initiative, from permitting terrorists to go on the air live without advance consultations with operational staff, banning journalists from acting as independent mediators or insulting and humiliating terrorists who have hostages, lives in their hands. It also stated that “the journalist’s right to gather information is subordinate to the activities of the security services to protect people”.

Presidential Election (2004)

Putin decided to contest the presidential election for the second time in the year 2004. The election results this time were already known to be in Putin’s favour, considering that none of the three main opponents – Gennady Zyuganov, Grigory Yavlinsky or Vladimir Zhirinovskiy – contested the presidential election. As a result, Putin won with 71.3 per cent of the votes.

Giving credence to this opinion, Stephen White, Sarah Oates and Ian McAllister argued that the role of political parties was diminished as there was no realistic choice to Putin in the 2004 presidential elections and “there was little discussion on Putin as a candidate – in terms of campaign promises or ideology⁵⁴”.

⁵⁴ Stephen White, Ian McAllister and Sarah Oates (2002).

An Overview of the Putin Years

The first thing Putin did after assuming control was to control national television with an aim to expanding state power. At this time, there existed in Russia, “a variety of actors who defied the central government: business oligarchs, unruly local governors, and liberal opponents in the parliament⁵⁵”. The government did not attack individual journalists but went after the media owners. The Kremlin thus “embarked on a sophisticated media campaign against television, while leaving the print press largely alone⁵⁶”.

Putin’s strategy for the media included an attempt to bring national television under state control instead of going after the newspapers and it became clear that through this, he was trying to “reassert” state ownership of key parts of the media sector.

The years that Putin served as president of Russia were different from the Yeltsin years in view of the different problems that each faced. For one, Putin’s accession to power marked the decline of the epoch of the media oligarchs and the new consolidation of the state. Re-nationalization of major media outlets, especially television was a part of a broader policy of the government under Putin.

⁵⁵ Masha Lipman 2005: 321.

⁵⁶ Ibid.

Chapter 4

The Yeltsin and Putin Years

THE YELTSIN AND PUTIN YEARS

The years since *perestroika* proved very different from what experts and scholars of post-Soviet studies had imagined. Many connect the situation that arose in Russia to the vacuum that occurred in the absence of an economic, social and political system that was once the USSR. Immediately after the breakdown of the Soviet system, a major task before Yeltsin was to deal with the problems the country now faced in the domain of society, economy, polity and the media.

The present chapter would be divided in to two parts. The first part would look briefly at the different events that occurred – legislations that were enacted, trends that were witnessed in the media sphere -- during the regimes of the two presidents. The second part would analyse these changes while also mentioning the viewpoint of scholars and would conclude by summing up the findings on the basis of the comparison made.

Summary of Events during Yeltsin

The major events that occurred during Yeltsin's presidency in Russia included:

- a) The Media Law of Russia 1991 was passed. The Soviet press had always been subordinate to the party. But the new media law gave freedom of speech and the right to establish independent publications to the people. The law abolished censorship in the country, which implied that "the editor's office of a mass medium would get an advance agreement on a message and materials (except for the cases when the official is an auditor or interviewee) and also for the suppression of the dissemination of messages and materials and separate parts thereof". The Constitution of Russia adopted in 1993 gave freedom from censorship of the press. Other legal rights which also guaranteed freedom of speech and expression in Russia were the Criminal Code (1995), the Procedures to Cover Activity of Public Authorities in State-run Mass Media (1995).

- b) The economic reforms that were proposed for Russia included the policy of privatization and in the domain of the press, this translated in the issue of *aktsy* to journalists, meaning that they were given shares of the organization where they worked, on the basis of their experience.
- c) Due to the liberalization of prices in Russia, the prices of input goods increased, thus increasing the publishing costs. At the same time, the ensuing inflation led to a decrease in the disposable incomes of people. The advertising revenues also fell, thus making it costlier to both publish newspapers and purchase them, leading to a dip in circulation figures.
- d) Another development in the media sphere during this time was the coming up of private media in television: Channel One (Ostankino), was privatized in 1995 and in the newly-created channel, now known as the Public Russian Television (ORT) the state had 51 per cent stake, the other major shareholder being businessman Boris Berezovsky.
- e) Other private television channels that were launched in Russia by 1993 were *NTV*, *TV-6* and *TV Centre* owned by Vladimir Gusinsky, Boris Berezovsky and Yuri Luzhkov respectively.
- f) In 1998, the National Circulation Services⁵⁷, Russia's first, independent, non-profit organization to control the circulation and distribution of periodicals was founded. The founders of this body included the Chamber of Commerce of the Russian Union of Journalists of Russia, the Russian Association of Advertising Agencies, Union Press Distribution Association of Distributors, Association of Publishers and Editors. It gives certificates and regularly audits circulations and propagations of newspapers and magazines that have volunteered to enter its services. Since the year it was founded, the NTC certifies and audits the circulation and distribution of those newspapers and magazines that volunteer to join the National Circulation Service.

⁵⁷ Source: <http://www.pressaudit.ru/about>.

Summary of Events during Putin

Similarly, the events that occurred during Putin's presidency included:

- a) The Doctrine of Information Security was adopted in 2000. Although not a legal document, the document provided an explanation and guidelines for national interests in informational policy.
- b) Putin's rule witnessed two hostage crises, beginning from 2002. The first crisis occurred at a theatre in Moscow where people were made hostages was shown on television and interviews with terrorists also appeared. After this, there occurred an amendment in the Law on Combating Terrorism. An Anti-terrorist convention was also held in 2003, which contained guidelines for the conduct of journalists covering acts of terrorism.
- c) The second hostage crisis occurred at Beslan in 2004 when around 10-15 armed gunmen attacked a school in Beslan. The crisis was spread over a period of three days, with over 1,100 people taken as hostage leading to 334 deaths, of which 186 were children. After this event, amendments were made in the Federal Law on Emergency Situations (2001) in the years 2003 and 2005 respectively. The document allowed for the "introduction of censorship in the territory where the president has declared a state of emergency". It also contained provisions regarding the accreditation and activity of journalists working in territories where a state of emergency had been declared.
- d) Another event directly related to Putin's presidency was the action that was taken against the media oligarchs -- Boris Berezovsky and Vladimir Gusinsky. The state at this time also made efforts to bring the television channels previously owned by them under its control.
- e) In 2011, the NTC, in its report blacklisted some 126 magazines, some among them being *Zhurnal Moi Malinki*, *Joy*, *Playboy*, among others, all of which had reported an increase in circulation by over 2 times.

Perspectives on the Media in Russia

Scholars and journalists have written voluminously on the media situation as it exists in Russia today. The dominant argument developed by journalists and academicians is that

although the Media Law was passed in 1991 and the 1993 Constitution banned censorship in the country, there exists “a trend towards self-censorship”.

Hedwig De Smaele (2007) writes that scholars, journalism practitioners while comparing the media scenario in Russia argue that in post-communist Russia, “democracy, press freedom, and a ban on censorship was proclaimed but access to information, remains severely limited”.

Andrei Richter contends that while there are legal guarantees calling for a ban on censorship, the media traditions of a country are shaped by its specific historical situation, new traditions of statehood and the historical mindset. And in post-Soviet journalism “self-censorship is a generally accepted fact and its consequences are clearly visible”. While he argues that the presence or absence of a particular law is no guarantee of media freedom, what matters is the “quality of the law and the media restrictions and guarantees that it contains”. Giving credence to the state, however, Richter argues that “the very existence of legal criteria approved by parliament means that there are defined and long-term rules of conduct, and it is easier for the media to live with these than in a situation where the rules change daily at the discretion of officials who are unrestrained by law and therefore beyond control”.

While comparing the level of media freedom since the dissolution, Sarah Oates (2007) argued that Russia by the year 2007 had less media freedom. She writes that “although democratic institutions like media outlets, elections, parliament and a popularly elected president, are present in Russia, but these institutions lack democratic content. Any attempt to challenge the government on key issues such as corruption at the top, the progress of war in Chechnya, bribery or the oppression of political challengers, is not tolerated”. She wrote that although there were significant problems of bias (particularly in election coverage) from 1993 onwards, “the more serious attacks on media outlets began after Putin took elected office in March 2000”. While agreeing to the presence of a wide range of media outlets in Russia, she pointed out that “self-censorship is a particularly worrying and corrosive condition and there is little political efficacy in alternative ideas found in some minor media outlets in Russia”.

Referring to a shift from earlier censorship, Greg Simons and Dmitry Strovsky asserted that, the influence of censorship had shifted from the strongly hierarchical and predictable position of the old to a much more personal form created by a particular institution or its owner. Despite the change in form over the historical development in the country, they wrote that

“self-censorship is ingrained in the Russian media and stems from a strong cultural tradition forged by political circumstances not easily overcome, if at all and the result of a deep-seated legacy affecting modern life”.

Continuing in the same vein, Nazezhda Azhgikhina argued that censorship was not a new occurrence in Russia, but was born together with Russian journalism and had developed alongside it, and “had been in existence over 300 years”. The only change now was that it had become “more sophisticated”.

A Comparative Analysis

A comprehensive analysis of the media climate during the presidencies of Yeltsin and Putin brings a few broad trends to notice. However, before going into any kind of examination, it is important to understand that both Yeltsin and Putin rose on the political climate during different circumstances. Yeltsin inherited a Russia that was struggling to begin afresh after the collapse of a communist system that had been in existence for over 70 years. Initially, he was faced with the huge task of reforms in the economy, which he sought to tackle by bringing in shock therapy and liberalization. In the political sphere, Russia had shifted from a Communist system to a multi-party democracy.

While various laws were enacted during Yeltsin’s time, which gave wide ranging freedom to the media, the media that actually developed was quite different. This was because of the practical problems the press had to face – liberalization led to an increase in prices, along with the ensuing inflation that led to a fall in disposable incomes. All this compounded into a fall in circulation figures of newspapers, which had already become expensive. The fall in the circulation figures has been discussed in the table below.

Table 2

Circulation of Russian Newspapers: A comparison

Newspapers	1991	1995	1997
<i>Argumenty i Fakti*</i>	245,270,00	420,000,0	3,100,000
<i>Izvestia</i>	4,700,000	811,000	531,000
<i>Pravda</i>	120,0000	325,000	60,000

*weekly publication

Source: Compiled after a perusal of the circulation figures of these newspapers.

In the year 1991, *Argumenty-i-Fakti*, a weekly publication, had a circulation of 245,270,00, which fell down to 420,000,0 by 1995 and further down to 3,100,000. Similarly, *Izvestia*, which had once enjoyed 4,700,000 circulation figures in 1991 fell down to 811,000 and 531,000 in 1995 and 1997. Another major daily newspaper, *Pravda* which once had a circulation running into 120,0000 fell down to 325,000 and 60,000 over the years.

An important point that needs to be understood is that despite a fall in circulation, new newspapers were started in Russia. The following table contains the list of a few of those newspapers that were started after 1993.

Table 3
List of newspapers established after 1993

Newspapers	Founded in year
<i>Delovoy Petersburg</i>	1993
<i>Nezavisimoye Voyennoye Obozreniye (Weekly)</i>	1995
<i>Muzykalnaya Pravda</i>	1995
<i>Delovoy Gazeta.Yug</i>	1997
<i>Parlamentskaya Gazeta</i>	1997
<i>Novye Izvestia</i>	1997
<i>Moskovskaya Komsomolka</i>	1999
Russia Beyond the Headlines	2007

Source: National Circulation Service: <http://www.pressaudit.ru/about>

Another feature of the Yeltsin period was the emergence of private television and the rise of oligarchs – Vladimir Gussinsky and Boris Berezovsky. While Boris Berezovsky, owned a large stake in *ORT*, *TV-6*, *the National News Service* radio station and news publications like *Nezavisimaya Gazeta* and *Kommersant*, Gussinsky owned *Media-Most*, which included the second largest television network *NTV*, daily newspapers *Segodnya* (Today) and *Itogi*.

When Putin took over the reigns of the country, the effects of the reforms initiated earlier had already begun to show effect and Russia was more stable than before. Putin also came up with a well-defined approach regarding handling the media situation in Russia. With this aim, he undertook what was called the “reassertion” of state’s control on the media, especially television. This decision brought an end to the trend of media oligarchs that had risen in Russia during Yeltsin’s time.

Table 4
National Television Channels and Ownership in Russia

Channel Name	Ownership
Russian Public Television (ORT) now called First Channel	51 per cent owned by state; rest by a mix of public and commercial corporations
Russian Television and Radio	State-owned
<i>TV Centre</i>	Funded primarily by City of Moscow
<i>NTV*</i>	Commercial but now controlled by state interests
<i>Culture</i>	State-owned; cultural channel created by Presidential decree in 1997. Only national television not to carry paid advertising
<i>TV-6*</i>	Sports Channel. Formerly a commercial station carrying some news; briefly inherited NTV news team before financial takeover by state interests in 2002

* *NTV* and *TV-6* changed ownership. *TV-6* was changed from a commercial news/entertainment channel to a Sports-only channel.

Source: Oates, Sarah (2006), *Television, Democracy and Elections in Russia*, London, Routledge.

The various legislations that were enacted during Putin's time related to the media -- the Doctrine of Information Security, the Anti-Terrorism Convention and the Federal Law During Emergency Situations -- were enacted and were the need of the hour. Russia, under Putin faced terrorist threats and the media, especially television had to report responsibly in such circumstances. Thus, there was a need for such legislations in the country, providing guidelines to the media. While it cannot be denied that the media needs to have the freedom of speech, but in situations that include war or elements of war, the public's right to know

needs to be balanced with security concerns. The journalist has a great responsibility in his hands during any crisis, especially when real-time radio and TV broadcasts are being made.

Chapter 5

Conclusion

CONCLUSION

The research began with a perusal of the ideas of Marx and Lenin, the founding fathers of Russia's Communist system regarding the press. Both of them advocated the establishment of media organs that would serve the party's interests and later help in the mobilization of the Communist movement worldwide. The press that developed in the USSR functioned as the party's mouthpiece and had a huge reach across the country.

The Gorbachev years and his doctrine of glasnost gave individuals the freedom to express their opinions freely and prepared the ground for plural voices across the country. Boris Yeltsin, who rose next on the political horizon, seemed to genuinely value press freedom and it was one of the democratic liberties he secured for the nation. An examination of the various laws enacted during the Yeltsin's years in Russia support this statement.

Two trends were witnessed in Russia during Yeltsin's regime: the rapid liberalization increased input costs and the ensuing inflation led to a fall in the disposable income of the people, resulting in a decline of circulation figures of newspapers; television now emerged as the preferred medium of information. However, due to the overall dip in revenues, television too faced problems and was forced to look for subsidies or outside support. State-controlled channel -- Channel One was privatized in 1995 following huge losses. From 1993 onwards in Russia emerged private television stations which were largely under the control of two businessmen: Vladimir Gusinsky and Boris Berezovsky, who owned the *NTV*, *ORT* and *TV-6* respectively.

The businesses of these two men became examples of cross institutional groups, with stakes in television, newspapers, radio and banks. Slowly, their interference in the domestic sphere also increased and they were able to influence voters during election times.

A detailed study of the media laws enacted or the changes brought in them during Putin's time hint at efforts towards reassertion of state control in the media sphere. Putin started this process by first taking action against both Gusinsky and Berezovsky, who had built a huge media empire under themselves. While the action taken against these men was largely aimed at bring a change in the "ownership patterns", the changes made at the policy level took the form of legislations and conventions -- the Doctrine of Information Security, the Anti-Terrorism Convention, the amendment to the Counter-Terrorism Law, all of which reflected the state's inclination towards protection of information.

Our study begins with two hypotheses. First, during Yeltsin's presidency acquisition of media assets by oligarchs led to their increasing control over the media which facilitated their intervention in domestic policy. Second, Putin brought national television under state control, which resulted in enhanced power of the Kremlin over the media in Russia. Our comparison of the two presidents and their policies in the earlier chapters looks at the various trends that were observed in the country with an aim to testifying these hypotheses.

Our first hypothesis stands testified in the second chapter which delineates the various events that occurred during Yeltsin's time. It points out that the events that occurred led to the creation of a category of men, who owned major stakes in television, newspapers and radio and were labeled as "oligarchs". These men and their media played an important role in the elections in 1995-96 and 1999-2000 and also intervened in the domestic policy.

Our second hypothesis stands testified in the third chapter on Putin, which outlines how the media, especially television was brought under the Kremlin.

In our final analysis, it can be concluded on the basis of our study that the media which evolved in Russia after the collapse of communism has come a long way since the Soviet times. Legal guarantees to media freedom exist in Russia today. And although certain

limitations do exist, they have emerged due to the need of the hour and it would not be right to label them as limiting media freedom in the country.

The job of the media is to educate the people; not only about events and happenings, but also to make them aware of their responsibilities. It can mould public opinion and has been rightly termed the “Fourth Estate” for the immensely important role it has in the democratic building process. While it has such immense scope, there are certain limitations to the media too, especially in the wake of the technological revolution, where it has become very important to project information responsibly.

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Appendices

Media Law of Russia, 1991 (extracts)

Source: <http://www.medialaw.ru/>

Chapter 3. The rights and duties of the journalist

Article 8. The rights of the Journalist

a) The journalist shall have the right:

- 1) to look for, inquire, receive and spread information;
- 2) to visit state organs, bodies of local administration, organizations, public and religious associations, political parties and their press services in the order, determined by such organs and organizations;
- 3) to be received by officials in connection with the inquiry of information;
- 4) to get access to documents and materials, with the exception of documents and materials or their fragments, containing information comprising a state, commercial or any other secret specially protected by the law;
- 5) to copy, publish, announce or reproduce by any other method documents and materials subject to the observance of the requirements of the clause 1 of Article 16 of the present federal law and sub-clause 4 of the clause 1 of the present Article;
- 6) to make recordings with the use of audio- and video-equipment, photography and cine-photography, except for the cases provided for by the present federal law;
- 7) to visit specially protected places of natural disasters, accidents and catastrophes, mass disorders and mass gatherings, and also localities where a state of emergency is declared; to attend meetings and demonstrations;
- 8) to express personal judgments and assessments in reports and materials intended for dissemination under own name or the pseudonym;
- 9) to refuse from dissemination of the message or the material under own name or pseudonym in case if the given messages and materials are against his or her convictions;

10) to remove his or her signature put under the report or material whose content was distorted, in his or her opinion in the process of editorial preparations or to ban the dissemination of the given report or material under his or her name or pseudonym;

11) to spread messages and materials prepared by him or her under own signature, under pseudonym or without any signature.

b) The journalist shall enjoy other rights granted to him by the legislation of the Russian Federation on mass media.

c) The State guarantees to the journalist in connection with his professional activities to protect his honor, dignity, health, life and property as the person, fulfilling his or her public duty.

Article 9. The Duties of the Journalist

a) The journalist shall be obliged:

1) to check the authenticity of the information, which is contained in the materials prepared by him or her;

2) 3. to satisfy the requests of the persons who submitted information concerning the indication of its source, and also the authorization of a cited pronouncement;

3) 4. to preserve the confidential character of information and/or its source except for cases, provided in the Article 16 of the present federal law;

4) to receive the consent (except for cases, when it is necessary to protect public interests) to spread in mass media information about personal life of a private citizen from such citizen or his lawful representatives;

5) to inform private citizens and officials about audio- and video-recording, photography and cinematographic recording while receiving information from these persons and officials, except for cases, provided by the present Federal Law;

6) to inform the owner, publisher (broadcaster), editorial office about possible suits and presentation of other claims envisaged by law in connection with dissemination or message or material prepared by him of her;

7) to decline the assignment given to him or her, if its fulfillment involves the infringement of law;

8) to produce as soon as required the identity card issued by his editorial office or any other document that certifies his identity and rights, when he carries on professional activities.

b) The journalist shall also bear other duties established by the legislation of the Russian Federation on mass media.

c) In his professional activities the journalist shall be obliged to respect the rights, lawful interests, the honor, dignity and business reputation of private citizens and organizations.

Article 10. Accreditation.

1. The owner, publisher, broadcaster, editorial office have the right to file its application with a state organ, local administrative bodies, organizations, public and religious associations, political parties for the accreditation of its journalists with them.

State organs, local administrative bodies, organizations, public and religious associations, political parties shall accredit said journalists provided the editorial offices observe the accreditation rules, established by such organs, organizations, associations.

The refusal to provide the accreditation can be appealed in the court of law.

2. State organs, organizations, institutions which accredited the journalists shall be obliged to notify them in advance about their meetings, conferences and other events, to supply them with verbatim reports, minutes and other documents, and to create favorable conditions for recording.

The accredited journalist shall have the right to attend the meetings, conferences and other events held by the accrediting organs, organizations, and institutions, except for cases when decisions have been taken to hold closed gatherings.

3. The journalist may be deprived of his or her accreditation, if he or she and the editorial office have infringed the accreditation rules or information and documents which denigrate the honor and dignity of the organization that accredited the journalist and which runs counter to the reality, which fact has been confirmed by the court's decision that has entered into legal force.

Article 11. A Hidden Record

The dissemination of reports and materials prepared with the use of hidden audio- and video-recording, photography and cinematography shall be allowed in the following cases:

- 1) 1. if this does not infringe the constitutional rights and freedoms of a person and a citizen;
- 2) 2. if this is necessary to protect public interests and if measures have been taken to prevent a possible identification of outside persons;
- 3) 3. if the record is demonstrated by decision of a court of law.

Article 12. Inadmissibility of Abusing the Journalist's Rights

The rights of the journalist stipulated by this Law shall not be used with the purpose of the concealment or falsification of publicly important information, the spread of rumors under the guise of authentic reports, the collection of information in favor of an outside persons or organizations, which are not an owner, publisher (broadcaster) or their authorized body.

It shall be forbidden to use the journalist's right to spread information with the aim of discrediting a private citizens or particular categories of private citizens exclusively on account of sex, age, race, nationality, language, religion, profession, place of residences and work, and also of political convictions.

Chapter 4. The right to information

Article 13. The right to receive information

1. Through mass media private citizens shall have the right to operative receipt of authentic information about the activities of state organs, local administration bodies, organizations, political parties, public and religious associations and their officials.
2. State organs, local administrative bodies, organizations, public and religious associations, political parties and their officials shall submit information about their activities to mass media in reply to the inquiries of owners, publishers (broadcasters),

editorial offices, journalists, and also by holding press conferences, circulating reference and statistical materials and other forms.

Article 14. Information inquiry

The owner, publisher (broadcaster), editorial office and journalist have the right to request information about the activities of state organs, local administration bodies, organizations, public and religious associations, political parties and their officials.

The request for information is possible both in oral and written form.

The heads of the said organs, organizations and associations, their deputies, press service workers or other persons authorized within their terms of reference, or the authorities, whose activities were questioned by the information request, or their representatives shall provide requested information to the requesting person within three days after receipt of the respective information request.

Article 15. Refusal to Submit Information and Delayed Information

1. Refusal to submit requested information is possible if only the latter contains the information comprising state, commercial or any other secret specially protected by the law. A notification about the refusal shall be handed over in writing to the owner, publisher (broadcaster), and editorial office or to the journalist, within three days since the day of the receipt of the inquiry about said information. The notification shall indicate:

- 1) the reasons why requested information can not be separated from the information comprising a specially law-protected secret;
- 2) the official who refuses to submit information;
- 3) the date of decision-taking on the refusal.

2. A delay in submitting requested information is possible, if the required data cannot be presented within three days. A notification about the delay shall be handed over in writing to the owner, publisher (broadcaster) or journalist within three days since the day of receipt of the written inquiry for information.

The notification shall indicate:

- 1) the reasons why the requested information cannot be presented within three days;

- 2) the date, when requested information will be presented;
- 3) the official who fixed the delay;
- 4) the date of decision-taking on the refusal.

The delay in providing the requested information shall not exceed 20 days.

Constitution of the Russian Federation (extracts)

Source: <http://www.medialaw.ru/>

Article 29

- 1) Each person is guaranteed freedom of thought and speech.
- 2) Propaganda or agitation exciting social, racial, national, or religious hatred and enmity is not permitted. Propaganda of social, racial, national, religious, or linguistic supremacy is prohibited.
- 3) No one may be compelled to express his opinions and convictions or to renounce them.
- 4) Each person has the right freely to seek, receive, pass on, produce, and disseminate information by any legal method. The list of information constituting a State secret is determined by federal law.
- 5) The freedom of mass information is guaranteed. Censorship is prohibited.

Doctrine of the Information Security of the Russian Federation

(extracts)

Source: <http://www.medialaw.ru/>

The Doctrine of the Information Security of the Russian Federation is the body of official views on the goals, tasks, principles and main directions of ensuring the information security of the Russian Federation.

This Doctrine provides the basis for:

- a) the shaping of the state policy of ensuring the information security of the Russian Federation;
- b) preparation of propositions on improving the legal, methodological, scientific-technical and organizational support of the information security of the Russian Federation;
- c) development of target-specific programs of ensuring the information security of the Russian Federation.

This Doctrine elaborates the Concept of the National Security of the Russian Federation with reference to the information sphere.

I. INFORMATION SECURITY OF THE RUSSIAN FEDERATION

1. The National Interests of the Russian Federation in the Information Sphere and the Securing Thereof

The present stage in the development of society is characterized by the growing role of the information sphere which represents a combination of information, the information infrastructure, the agents that gather, form, disseminate and use information as well as the system of regulating the social relations arising from this. The information sphere, being a pivotal element in the life of society, exerts a strong influence on the state of the political, economic, defense and other components of the security of the Russian

Federation. The national security of the Russian Federation depends to a substantial degree on ensuring the information security, a dependence that will increase with technological progress.

By information security of the Russian Federation is meant the protection of its national interests in the information sphere that are determined by the balance of the interests of the individual, society and the state.

The interests of the individual in the information sphere consist in the exercise of the constitutional rights of man and citizen to have access to information, to use information in the pursuit of activities allowed under the law, for the purpose of physical, spiritual and intellectual development as well as in the protection of the information that ensures personal security.

The interests of society in the information sphere consist in ensuring the interests of the individual in that sphere, in strengthening democracy, in creating a rule-of-law social state, in achieving and maintaining social harmony and spiritual renewal of Russia.

The interests of the state in the information sphere consist in creating conditions for harmonious development of the Russian information infrastructure, for the exercise of the constitutional rights and freedoms of man and citizen in obtaining information and using it for the purpose of ensuring the immutability of the constitutional system, the sovereignty and territorial integrity of Russia, political, economic and social stability, in unconditionally ensuring legality, law and order, and promoting equal and mutually beneficial international cooperation.

Based on the national interests of the Russian Federation in the information sphere, the strategic and current tasks are determined in the domestic and foreign policy of the state aimed at ensuring information security.