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Why Putin is Rethinking Russia's Crackdown on Social Media Memes (Op-Ed)

The Kremlin wants to look scary, but jailing people for silly social media posts it calls “extremist” makes it look ridiculous.

By Leonid Bershidsky

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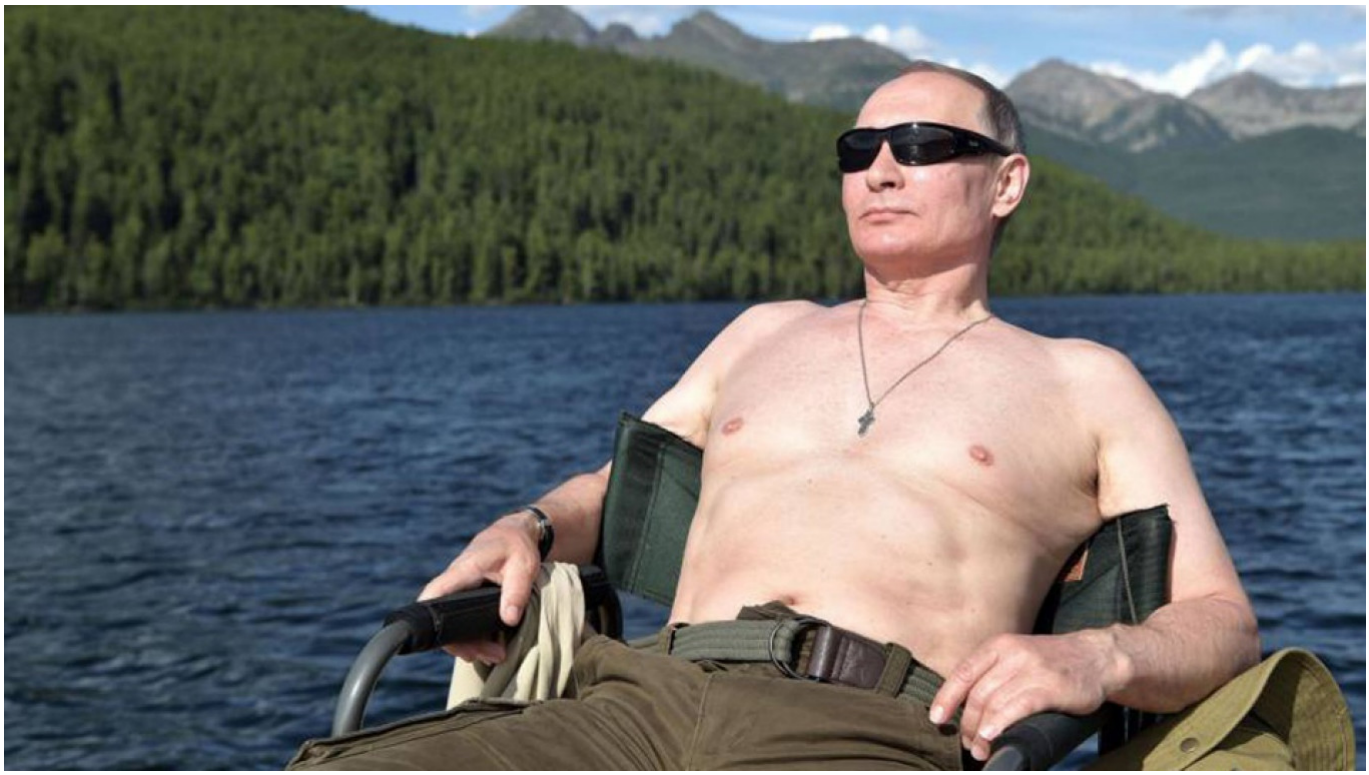

Kremlin.ru

Good news: The repressive machine relaunched in Russia by President Vladimir Putin has a reverse gear. Bad news: It takes far more effort to engage it than the ones that push the machine forward.

In Russia, home of the meme-heavy propaganda and trolling operations that drew the attention of Special Counsel Robert Mueller and his investigators looking for links between Russian interference in the 2016 U.S. presidential election and the campaign of President Donald Trump, one can go to jail for reposting a meme on a social networks. The

number of convictions in such cases has increased steadily in recent years.

Last year, according to Sova, a nongovernmental organization that tracks radicalism and human rights violations in Russia, 658 people were convicted for various forms of "extremist" speech — "insulting the feelings of religious believers," "incitement of hatred," calls to terrorism and separatism — and another 3,511 were fined for similar administrative violations. That's up from 133 and 182 respectively in 2011, the year before Putin began his third presidential term, which was marked by stepped-up reprisals against any kind of political opposition.

About 90 percent of the cases, compared with about 10 percent in 2007, involve speech on the internet. An overwhelming majority of these, in turn, involve posts on social networks — or, to be precise, one social network: Vkontakte, which started as a Facebook clone but eventually diverged from the original in terms of both technology and ideology. In July, 68 percent of Russian internet users were on Vkontakte; Facebook has about half the reach.

Vkontakte, says Sova analyst Mikhail Akhmetiev, is "receptive of official requests by Russian law-enforcement agencies and hands over information to them." It also easier to search than Facebook, and it's popular with young Russians, who make up the bulk of the convicted "extremists."

In the first half of 2018, however, the number of hate-speech cases handed over to courts by the police is down markedly, Akhmetiev says, and it's possible that the growth in convictions has stopped. That's no accident: The brakes are being applied from on high.

Mail.ru Group, the owner of Vkontakte, realized that the cases were giving the network a bad name. Last month, it allowed owners to make their accounts fully private and unsearchable, a feature Facebook has long had. The Russian tech giant has also petitioned the Supreme Court in Moscow to reconsider judicial practices in "extremism" cases and the parliament to grant amnesty to those convicted.

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This month, the Supreme Court is expected to issue new instructions to judges in "extremism" cases, telling them that a social network post isn't in and of itself proof of intent to incite hatred, and that the size of an account's audience should be considered before its owner is convicted. A bill decriminalizing the posts is making its way through parliament; it's backed by the Communications Ministry, and Putin himself has ordered an analysis of the cases.

It's easy to see why the Putin establishment is willing to take a step back from its crackdown on supposedly extremist speech. Most of the cases deal with far-right utterances and memes, often anti-Semitic or anti-immigrant ones, which would probably qualify as illegal hate speech in a number of European countries, too. But a noticeable number are so absurd they open the Kremlin to ridicule and unwelcome comparisons with the Soviet regime in its late, senile phase.

Last year, Viktor Nochevnov of Sochi was convicted of insulting religious feelings and fined

50,000 rubles ($712) for posting images lampooning Jesus Christ; in one of them, the cross is replaced with a pull-up bar; in another, spoofing a glue ad, Jesus is glued rather than nailed to the cross.

Also in 2017, Mikhail Penkin, a left-wing activist, was jailed for four days in the town of Dzerzhinsky for publishing anti-Nazi pictures that contained forbidden Nazi symbols — for example, one of a fist squeezing a swastika-carrying Nazi eagle.

In April 2018, Alexander Byvshev, a former rural schoolteacher from the Oryol region in central Russia, was banned from teaching and sentenced to 330 hours of public works for posting a poem he'd written praising Ukrainian independence and condemning Putin's aggression:

Let NATO weave a big strong net

To stop the Russian bear from harassing neighbors.

Last month, Eduard Nikitin from St. Petersburg faced trial and forced treatment in a mental institution for posting a joke on Vkontakte. Here's the joke:

Son to father: Daddy, do you think anything will change in our country after the election?

Father to son: I don't think so. If you put a couple of cherries on top of a pile of [excrement], that won't make it a cake.

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This was supposedly "extremist" speech meant to incite hatred toward elected officials.

Last week, Magomed Dudov from Nalchik reported to Sova he had received a suspended sentence for publishing memes, which included a crown-wearing Putin and a picture of Stalin with the legend, "The more you kill Russians, the more they like you."

In July, an anonymous Twitter user set up an account that posts the descriptions of memes from the "extremist" cases. Russia's internet censor, Roskomnadzor, promptly threatened to shut it down because even the descriptions ("Picture #84: A depiction of the Teletubbies cartoon characters with Nazi swastikas") can be considered "extremist," but the account is still live.

The ridiculous convictions make Russia look like a two-bit dictatorship scared of its own shadow. That's not the impression Putin would like to create, thus the top-level attention to Mail.ru's attempt to shift responsibility for the hate speech convictions away from its social network.

The softening is mostly about appearances, however. Even if "extremism" laws and current judicial practice are relaxed, the Kremlin will come up with a more finely tuned replacement. On Monday, Putin's technology adviser, Dmitry Peskov, aired a proposal to set up special "digital law courts" that would consider hate speech cases.

“It is important now to take a look at the mass of cases we’ve had recently and separate those where reposts and memes led to negative consequences from those that were merely posted for the sake of a ‘like,’” Peskov said. “I certainly agree that social network activity can be a threat to society. It’s a way of manipulating consciousness.”

In other words, there’s no plan in the Kremlin to give up the search for enemies of the state on the social media. Putin has no intention of weakening the repressive machine he needs to maintain his grip on power. Now, “extremism” laws provide an easy way for local cops to get points for solving cases. In some regions — most recently the Altai in Siberia — the police have caught on to this, generating a disproportionately large number of charges. That’s not Putin’s intention; he wants the reprisals to be scary rather than ridiculous.

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