

## Putin's Crackdown

### SOURCES, INSTRUMENTS, AND CHALLENGES

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Brian D. Taylor  
*Syracuse University*

The government of President Vladimir Putin has tightened the screws on Russian society since his return to the Kremlin in May 2012. This crackdown has been carried out by the parliament, law enforcement agencies, and the courts. There have been high-profile trials like those of Pussy Riot and Aleksey Navalny, a campaign against “foreign agent” NGOs, increased penalties for participation in unauthorized protests, broadened definitions of treason, and culpability for those “abusing the religious feelings of believers” or spreading “homosexual propaganda.” In analyzing these stifling trends, this memo makes three central points:

- 1) The crackdown should be seen not just as a response to the 2011-2012 protests and the rise of an active opposition movement, but as a repudiation of the main tenets of “Medvedevism,” which embraced (especially rhetorically and symbolically) a more liberal and modern vision for Russia.
- 2) Although the clampdown gives the impression of a well-directed plan from a single center, the unfolding process also shows clear signs of bureaucratic and clan competition and freelancing, and is not simply the product of a unified well-oiled machine.
- 3) The Kremlin clearly has the advantage, but there are definite risks that follow from this campaign, including potential future problems within the very law enforcement organs that have spearheaded the offensive.

#### **Burying Medvedevism**

The notion that Dmitry Medvedev as president was significant enough to have his own “ism” seems implausible, given that he was the clear junior partner in the so-called tandemocracy, a bland placeholder to be swept aside by Putin's triumphal return. But in this case, the differences in style and image between the two leaders were important enough that Medvedev's presidency generated certain expectations for some Russians.

The iPad-toting tweeter himself was the least of it. More significant were such initiatives as the Skolkovo high-tech innovation center that welcomed the involvement of Silicon Valley and MIT, a military-industrial policy that embraced foreign deals as a way of putting pressure on Russian heavy industry to modernize, and economic and legal reforms that relied on liberal academics and civil society representatives not just for general advice but concrete initiatives. The less-than-impressive results from all of these efforts affirm Medvedev's weakness as president, but they do not entirely negate the political impact among liberal-minded elites and some segments of the population.

Perhaps the starkest example of the liberalizing and modernizing discourse associated with Medvedevism was captured in a December 2011 interview with chief Kremlin ideologist Vladislav Surkov after that year's parliamentary elections and initial protests. Surkov spoke of the indefensibility of the existing system, suggested that the protests were "real and natural," and declared that those protesting were the "best... [and] most productive" part of society whose "reasonable demands" should be embraced.

December 2011, however, was the beginning of the end for Medvedevism. The policies pursued since May 2012 strongly suggest that Putin and other more conservative elements blame Medvedev and Surkov for unleashing forces that threaten the regime. Although Medvedev is still prime minister, many of his initiatives have been cast aside and even criminalized. Surkov left his post as deputy prime minister in May 2013 amidst an Investigative Committee (*Sledstvenniy Komitet*, hereafter SK) probe of Skolkovo, with accusations that Surkov used Skolkovo money to finance the opposition. The SK also has been investigating the so-called "experts affair," insinuating that a group of lawyers, economists, and human rights experts conspired to "create the illusion that criminal jurisprudence should be liberalized"; this investigation led to the departure of prominent economist Sergey Guriev to Paris. Although the SK apparently thinks that this group of experts was working on behalf of Mikhail Khodorkovsky, journalist Leonid Nikitinsky correctly pointed out in *Novaya Gazeta* in May 2013 that the most influential participant in this "terrible group of wreckers" was then-President Medvedev.

The overall thrust of the crackdown, whether consciously chosen or not, is that Putin no longer aspires to be the president of all Russians. He has had to sacrifice the intelligentsia, small business owners, the so-called "creative classes," and "internet hamsters." The regime instead has oriented its policies toward more conservative elements of society: the *siloviki*, heavy industry, the working class, the Russian Orthodox Church, and a paternalistic electorate dependent on state support. The political and economic elite, many of whom seek financial and cultural integration with the West, are now being asked to "renationalize," to declare or forfeit their foreign holdings and demonstrate their loyalty to Russia.<sup>1</sup> These tendencies are not absolute and universal—the cultural and economic ties connecting Russia to the liberal West are still strong, and

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<sup>1</sup> See Viatcheslav Morozov, "[Nationalization of the Elites' and its Impact on Russian Foreign Policy](#)," PONARS Eurasia Policy Memo No. 251, June 2013.

plenty of liberals remain in the government—but they represent a definite contrast with Medvedevism.

### **A Dis-ordered Police State**

The dream of past European absolute monarchs was a “well-ordered police state.” This vision probably resonates at some level with Putin, once labeled “the German in the Kremlin” by Alexander Rahr. Putin projects the image of a man with a lot of self-discipline. Is his government equally disciplined?

In some respects the current crackdown appears to be tightly coordinated. Most centrally, the combination of new laws designed to make life difficult for the liberal opposition (the NGO law, the treason law, the unauthorized protest law) and other initiatives designed to paint their supporters as some kind of alien, anti-Russian force (Pussy Riot, anti-homosexual and -blasphemy laws) seems both clever and effective. On the implementation side, we have different law enforcement organs taking the lead in different areas, suggesting coordination and centralized control.

But things may be less well-ordered than they appear; this is Russia, after all, not Prussia. Take the “foreign agent” NGO law. The law went into effect in November 2012, but in January 2013 Minister of Justice Aleksandr Konovalov made clear in comments to the Russian parliament that he was not in a big hurry to enforce it. This seemed to displease Putin, who in a speech to the Federal Security Service (FSB) in February criticized “structures financed from abroad and serving foreign interests” and insisted that the new law be implemented. But the signal was received most clearly not by the FSB or the Ministry of Justice but by the Procuracy, which in March began a far-reaching inspection campaign of foreign-financed NGOs. Procurator General Yuriy Chaika seems to have made this issue his own, even uncovering “foreign agents” in the Presidential Council on Human Rights in a July 2013 speech. However, Chaika’s zeal may be more about his ongoing struggle for influence with SK director Aleksandr Bastrykin than any coordinated plan. Regional court cases in Perm and St. Petersburg in July that ruled in favor of NGOs also suggest there is no firm “vertical of power” on this issue that dictates every outcome.

Similarly, the Navalny prosecution in the *Kirovles* case was almost stillborn at the regional level; Bastrykin had to step in to push the case forward. Bastrykin has clearly been a key player in the crackdown, but it is hard to know if he is working at Putin’s direction (he went to law school with Putin and was handpicked for his current job) or acting on his own to please Putin and demonstrate his loyalty. The Navalny prosecution also has a highly personal element for Bastrykin, since Navalny suggested that Bastrykin himself should be investigated for several possible crimes, including an apparent murder threat against *Novaya Gazeta* journalist Sergey Sokolov in June 2012 and false statements and tax declarations about business and real estate holdings in the Czech Republic. Bastrykin’s checkered reputation may be useful to Putin—as political analyst Tatyana Stanovaya put it, a weakened Bastrykin may be the ideal person to carry out “dirty work,” even “taking the initiative where, perhaps, he didn’t need to.” The curious affair with Navalny’s prosecution, arrest, and then release on appeal the next day also

seems more easily explained by competing groups within the upper elite than some kind of clever scheme manipulated from the very top.

A final question about the coherence of the crackdown concerns the role of the FSB. The SK and Bastrykin have been out in front on many episodes, including the Navalny and Pussy Riot trials, the “Bolotnoe affair” targeting 28 people accused of inciting or participating in violence during the May 2012 protests against Putin’s inauguration, and the investigations into Skolkovo and the “experts affair.” The Procuracy has taken the lead on the “foreign agents” campaign. And the Ministry of Internal Affairs (MVD) provides the front-line troops for policing demonstrations, as well as uses its Department for Countering Extremism (“Center E”) to gather materials on the opposition. At least publicly, the FSB has been less central to the crackdown, which is particularly striking given Putin’s background and the widespread perception of “Chekist” (secret service) domination of the Russian state. Obviously the FSB’s electronic capabilities—wire-tapping, internet monitoring—give it a definite role, but it is much less visible in the crackdown than other agencies; the same goes for its head Aleksandr Bortnikov. Russian specialist Andrey Soldatov has suggested that Putin himself is unhappy with the FSB’s “passive role,” and that even Putin has trouble monitoring and controlling the FSB from the outside, given its traditions and privileges.

### **Controlling the Controllers**

Overall, the effort to tighten the screws since May 2012 should be judged a success from the regime’s point of view. The government increased the use of what political scientists Steven Levitsky and Lucan Way call “low-intensity coercion”—surveillance, harassment, investigations, and detentions—to harass actual or potential regime opponents. If Russia is more of a dis-ordered than well-ordered police state, however, then there are potential future problems with the police, broadly conceived. Specifically, two features of the state’s coercive and law enforcement organs may become problems for a sustained crackdown: the pervasiveness of corrupt and predatory practices among these bodies, and questions about the reliability of the police in the face of social protests.

A prominent aspect of Russia’s dis-ordered police state is not just clan and bureaucratic competition, but corruption. Russian law enforcement personnel do not just serve the powers that be; they also serve their own pockets. In the context of the generalized crackdown on actual or potential oppositionists, arguably there are even fewer checks than before on discretionary, arbitrary, and just plain predatory behavior by investigators and police. The legal justifications in the Navalny *Kirovles* case were so flimsy—“selling wood at incorrect prices”—that many observers anticipate expanded attacks on business from law enforcement, as happened after the Yukos/Khodorkovsky case. But a well-ordered police state cannot function properly if law enforcement personnel are motivated as much by corruption as by service to the ruling regime. As Putin’s erstwhile Chekist ally Viktor Cherkesov once famously remarked, “you cannot be a trader and a warrior at the same time.” Cherkesov overstated the matter, as it seems

quite common in Russia to combine both functions, but it is hard to do both of them well simultaneously.

Another risk from the controllers is at this point purely hypothetical but worth raising because it is also potentially the most significant one. The MVD in general, and its OMON special forces in particular, has been able to handle political protests in Moscow reasonably well. Dealing with major social protests, either in Moscow or the regions, may present greater challenges. Social protests could emerge for multiple reasons, including ethnic and economic ones. Confrontations between ethnic Russians and young men from the North Caucasus have been the flashpoint for social protests in Kondopoga in 2006, Moscow's Manezh Square in 2010, and Pugachev in July 2013. The possibility of further clashes along ethnic lines, including large and violent ones, should be a concern for the police and the regime in general. Economically-motivated protests also could be a cause for concern, especially given current and projected low levels of economic growth. Events such as the 2005 protests over the monetization of social benefits, the 2008 Vladivostok demonstrations concerning imported car duties, or the 2009 protests in Pikalevo over the nonpayment of wages at the sole factory in town are the type of episodes that the authorities would like to limit and control as much as possible.

Russian police and security personnel have done well under Putin, with higher salaries, the promise of a respectable pension and maybe an apartment if they keep their heads down and stay out of trouble, and opportunities for enrichment on the side. But there is not much evidence of a strong ideological commitment to the regime that would make them highly resilient if called upon to violently repress large groups of protestors. The plan for full professionalization of the MVD internal troops by 2016, on top of earlier steps to increase the number of OMON personnel, suggests that someone in the Kremlin is thinking about the possibility of having to cope with widescale protests, whether political or social.

Force is obviously an option of last resort, and Putin retains considerable popularity. This memo should definitely not be read as a prediction of future disorder; indeed, the multipronged crackdown described above seems to have been more successful than unsuccessful. But that does not mean Russia has a well-ordered police state—there is a lot of disorder inherent in Putinism, even with Medvedevism on the run.

Elliott School of  
International Affairs

THE GEORGE WASHINGTON UNIVERSITY

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