

Foreign Agents in Russia

Discursive Analysis on Foreign Agents in Russia 2012-2013

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Abstract: In my pro gradu thesis I examine the concept of foreign agents which arose into the focus of Russian public debate in 2012. My goal is to describe, understand and evaluate critically the phenomenon where the formerly informal and controversial concept was taken into juridical implementation on Russian civil movements. I strive to describe the official and non-official co-existence of foreign agent ideas, their essences, beliefs and various appearances. Through foreign agents my goal is also to evaluate Russian politics and society in perspective of the national tradition of governing and global governmentality.

I have a structuralist approach and my primary methods are Foucauldian discourse analysis and archeology of knowledge. My research material consists of the federal law making foreign agents juridical concept in 2012 and news articles from three Russian media companies from the time of the first year since introducing the law. Addingly I reflect relevant Foucauldian theories and research on Russia to bring the research better in contact with established framework of social sciences.

Foreign agents embody traditional Russian vertical governing which is in conflict with civil movement activities connected with foreign influences. There appears contradiction of whether the foreign agents are advocates of the will of foreign regimes, if the term usage is correct and legitimate, do the Russian government follow principles of good governing, democracy and human rights. The basic units of foreign agents in Russia are non-commercial organizations that unlike the popularly synonymously used non-governmental organizations have strong discursive connection with governmental politics in Russia. The non-formal structures in Russia tend to favor existence of the non-foreign agent subjects in Russia.

Keywords: Russia, political style, democracy, civil society, sovereign democracy, non-governmental-, non-profit-, non-commercial organizations, governmentality, biopolitics, geopolitics, foreign agents

Muita tietoja

Suostun tutkielman luovuttamiseen kirjastossa käytettäväksi x

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Abstrakti: Tarkastelen pro gradussani Venäjällä vuonna 2012 merkittäväksi keskusteluaiheeksi nousseen ulkomaalaisten agenttien käsitettä. Tarkoitukseni on kuvata, ymmärtää ja arvioida kriittisesti ilmiötä, jossa aiemmin epämuodollinen ja erittäin kiistanalaista käsitettä alettiin soveltaa juridisesti venäläisiin kansalaisjärjestöihin. Pyrin kuvaamaan ulkomaalaisten agenttien käsitteen virallisten ja epävirallisten tasojen yhteisoloa, näiden olemusta, ideoita, uskomuksia ja käytännön ilmentymiä. Tarkoitukseni on myös arvioida tämän ilmiön kautta venäläistä politiikkaa sen kansallisen hallintavaltaperinteen ja kansainvälisen hallintavallan näkökulmista.

Lähestymistapani tutkimukseen on rakenteellinen ja tutkimusmenetelmäni on foucault'lainen diskurssianalyysi ja tiedon arkeologia. Aineistoni koostuu Venäjän Federaation laista, joka teki kesällä 2012 ulkomaalaisista agenteista juridisen käsitteen, minkä lisäksi käytän primääriaineistonani uutisartikkeleita kolmelta venäläiseltä mediayhtiöltä ensimmäisen vuoden ajalta siitä, kun edellä mainittu laki hyväksyttiin. Lisäksi käytän teorioita hallintapolitiikasta ja Venäjän tutkimuksesta apunani luodakseni näkökulmia tutkimusaiheeseen.

Ulkomaalaiset agentit ilmentävät perinteistä venäläistä vertikaalia hallitokulttuuria, joka on konfliktissa globaalien vaikutusten alla olevan kansalaisjärjestötoiminnan kanssa. Ulkomaalaisten agenttien diskursseissa ilmenee perusteellinen ristiriita siitä, ovatko kansalaisjärjestöt näiden ulkomaalaisten tukijoiden poliittisen tahdon ajajia, onko ulkomaalainen agentti-termi oikeutettu ja rikkovatko uudet hallintosäädökset hyvän hallinnon periaatteita, demokratiaa ja ihmisoikeuksia. Ulkomaalaisten agenttien juridinen perusyksikkö Venäjällä, voittoa tavoittelematon järjestö, on käsitteellisesti voimakkaasti valtiopolitiikka sidonnainen. Venäjän epämuodolliset rakenteet suosivat vahvasti toimijoita, joita ei leimata ulkomaalaisiksi agenteiksi.

Avainsanat: Venäjä, poliittinen tyyli, demokratia, kansalaisyhteiskunta, suvereeni demokratia, kansalaisjärjestöt, järjestöt, hallintavalta, biopolitiikka, geopolitiikka

Muita tietoja:

Suostun tutkielman luovuttamiseen kirjastossa käytettäväksi x

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1. Research Introduction: Foreign Agents in Russia

In my pro gradu thesis I take an in-depth look into one of topical troublesome concepts in Russian sociopolitical entity: *foreign agents* (*иностранные агенты*, *inostrannye agenty* sometimes referred to in short as *иноагенты*, *inoagency*). This loose concept embeds emotional and political value globally and it is something that from late 2012 became a subject that foreigners and Russians suddenly might engage themselves into when they are dealing with each other. In summer 2012 the Federal Assembly of Russian Federation introduced a new law on non-commercial organizations (закон о некоммерческих организациях, НКО), that was popularly nicknamed 'the foreign agents law'. (RIA Novosti 2012.) According to the new law associations contributing to political activities in Russia should be registered and labeled as *foreign agents*. The law was received with criticism inside and outside Russia. Those who supported the new law regulations argued for them among other by international practices and transparency others claimed it repressive. Overall it seemed rather unclear or disputable that what does '*foreign agent*' in practice mean? I got my first picture onto the topic from critical international media seeing it as political repression, but I wanted to take a more comprehensive look onto it.

If the definition of being a foreign agent is defined by the law then one might make the conclusion that the meaning is set straight in the law. Practically this however is not the case since the concept of foreign agents is not without social history and background. Examining it historically some might remember foreign agents as they were portrayed during the Soviet era when it referred to the enemies within the people. How much has this idea molded 20 years after the collapse of the Soviet Union? Today this perspective of foreign agents is supported in action movies where agents are portrayed as spies practicing espionage in foreign countries but it is also part of scientific terminology and jargon of various fields. There is no doubt that in a country as vast as Russia with population of approximately 140 million, there is a variety of interpretations of this term and that is why it is controversial for Russian administration to claim hegemony of the definition of any concept with lots of historical – also pejorative – background. Addingly looking at the subject in perspective of a non-Russian as I do, one must remember that despite of the seemingly similarity of it, the term should not be seen as a synonym of what foreign agent means outside Russia. Even though ideas of foreign agents are also influenced by globalization, undoubtedly they have spatial and lingual characteristics to be concerned. In year 2012 foreign agents was taken in use as a juridical concept regulating non-commercial organizations, which not only in Russia but in other countries as well has raised critical questions of foreign lobbying and support to domestic civil society. What does the case of foreign agents tell about this phenomenon?

1.1. Scientific Research on Foreign Agents

This is not a juridical thesis, I am not going to exact the concept or issue of foreign agents in Russia in perspective of juridical studies as I do not have the expertise to do it. Neither this is a lingual thesis examing the language of foreign agents. I do not have required academic competence in either jurisprudence or linguistics to have focus on them. Instead this is a social science research combining the aforementioned two to certain limit. I take a look to the socio-political dimension of the case of foreign agents in Russia in the time of the new law on non-commercial organizations by examing their discourses. Here the national and international laws are only one dimension of the social phenomenon I examine and while also the linguistic dimension is co-existing here, the main focus is in the general social structures: What kind of meanings are given to foreign agents? How does the law on NKO or the media news coverage describe it? What does it tell about the foreign relations of Russia?

I will use both theoretical approach and empirical approach with this empirical case. This is an empirical research in the sense that I examine actual events and discussions on the subject of foreign agents. Moreover I will further examine this case in perspective of social science theories, and research on related issues to place my research into existing theories of the discipline of social sciences. The research question on foreign agent discourses cannot dispute existing theories because there are no previous theories on the exact subject. The existing theories can be seen in perspective of their relevance either or not appearing in the discourses of foreign agents.

My theoretical-methodological standpoint is mostly Foucauldian characterized by theories and methods originated from Michel Foucault, because my academical background is strongly influenced by it. As foreign agency does not exist outside discourses, the epistemological point of view points out that the concept is formed not only by random events but it also can be affected by and directed with an agenda. When the dispute is about naming, it has potential for political conflict since the object of definition can be re-named (Palonen 1993, 103). Foucauldian (and feminist) view is that discourses are tools of embedded power. This takes me to theoretical approach for my study. I am not looking for a positivist answer to *who* are foreign agents or *what* is the purpose of the usage, but I will try to depict one point of view on *how are the discourses of foreign agency depicted and implemented*. This will give some perspective on the agendas of introducing the foreign agents by law but I try to avoid far-reaching speculations of agencies behind the discourses and discourse building. Hence I will do a discourse analysis on foreign agents in Russia. In practice my research presents the juridical definition of foreign agents but my goal is to be critical towards this definition and reflect how it is defined and implemented in practice. Accordingly, the first analysis chapter will analyze the discursive event and the content of foreign agents in the new NKO law. This is important because the law gave a concrete trigger to the rising of the foreign

agent's concept into the political discussion. Addingly this central concrete visibility of the foreign agent discourses provides perspective on the relations of other competing discourses.

The introduction of the new law on non-commercial organizations is still rather new, so there has not been too much study on the subject and the juridical concept still has not been completely established in Russian society. When I made background interviews for the research in late 2012 and early 2013, people involved with Russian non-commercial organization answered often that people are waiting to see what does foreign agents -label actually mean in practice. By the end of the year 2012 the concept was dealt mostly in discussions and there was little concrete action taken place in the early stages. In Russian media it was a big discussion topic whether it is appropriate to label some organizations as foreign agents or not. Only in early 2013 measures were taken for implementation of the law in action.

The concept 'foreign agent' has not emerged from void, people tend to have more or less formerly digested ideas on what does or can a foreign agent mean. Different relative appearances of foreign agents in Russian history have appeared in pejorative contexts from the Czarist era 'False Europeans' and 'Westernizers'(Neumann 2010) to the Soviet era's 'enemies of the people' and 'spies' (Grimmes 1986, 73-75). The concepts involved are common in language, yet the meanings are not exactly the same for everybody. As a singular discursive event the introduction of the foreign agents in the law on non-commercial organizations which not only embeds statements of foreign agents but as an event it can be viewed as a disposif of Russian contemporary governmentality. I will further examine the governmentality issues in chapter two.

The discourses of foreign agents actualize in used language and action, and that is what I am going to look in my analysis of foreign agents. It is always important to recognize the contemporal and spatial dimensions of the statements. One statement might be differently understood by different interpreters and the foreign agents definitely have both national Russian and international discursive (spatial) dimensions. I examine the discourses of foreign agents mostly in their domestic Russian context in chapters three and four but I will take an analytical universal perspective on the issue in chapters five and six. Not only the foreign agent phenomenon but the discursive term is under globalization influences. Some statements of representatives of foreign nations have been published in Russian media and consequently such statements are part of the discursive formation inside Russia. I examine the foreign agents' discourses in the Russian perspective where the foreign statements are important in how they are represented and reacted to and what kind of beliefs and ideas are they based in. I will not make far-reaching conclusions on what statements are only based on existing ideas and beliefs and what are creating new one because such analysis would be difficult to make valid. In the international dimension I examine the foreign agent discourses in the perspective on how it is represented to international community, which

considers different arena where the discourses are presented and different positions between the subjects – meaning international subjects instead of one state and non-commercial organizations performing in this state's territory.

This research seeks to understand the deeper social level and power relations of language. It gives relatively comprehensive picture onto the Russians view of themselves and others, politics, international connections, influences and relations. In practice my research will analyze the relations of the foreign agents discourses with theories of the Russian governmentality and few other contemporary events of Russia, namely disbanding of the USAID and the Magnitsky act. This paper is also takes a look on more general questions of international relations, mainly on approaches towards international influence in civil society movements which have been under international attention among others in the events of the 'Arab Spring' of 2011. These are just few examples of how the discourses of foreign agents can help to understand other social phenomena of the same time period. Addingly the subject of resistance of western influences is noted to be uniting most of the non-western cultures such as Ottoman, Persian, Japanese, and Chinese (Neumann 1996, 204) or resistance against global biopolitics.. The primary research question is however, what kind of socio-political reality does the foreign agents discourses embed and produce?

1.2. Amendments to the NKO Law

The new law on non-commercial organizations(закон о некоммерческих организациях, НКО, zakon o nekommercheskih organizatsyah, from here on referred to by its Russian abbreviation NKO) was accepted in the State Duma of Russian Federation in July the 13th 2012, signed by president Putin in July the 18th and set in force four months later in the 20th of November. Among the updates to the law the sixth section of the second article states that *the non-commercial organizations receiving financial or material support from directly foreign sources or sources receiving money from foreign sources and participating to political action should register themselves as foreign agents for the responsive local state organ* (RIA 2012a). In spoken language and in some of the news coverage the law is sometimes also referred to as the law on foreign agents.

According to the law, political activities mean participating in action in order to influence local decision making and public opinion. Political activities exclude activities in spheres of science, culture, art, healthcare, profiling and preservation of citizen health, social support and protection of citizen, maternity and child support, social support of invalids, promoting of healthy ways of life, physical culture and sport, protection of flora and fauna, charity, and volunteer work. The foreign agent criteria does not fulfill if the foreign source of support is open joint stock company with state participation or subsidiary of such NKO. (konstantplyus.ru 2013.)

NKO acting as foreign agents have to publish a biannual report of their activities and carry out an annual financial statutory audit. The regulation is the same with foreign NKOs but the traditional Russian NKOs are not subjected to the statutory audit. An additional inspection can be performed if the NKO acting as foreign agent has 1) ignored the cautions and warnings given by the authorized administrative body or 2) been accused of extremism activities or 3) been accused of breaking the Federal law or 4) with the order of the head of the administrative body and prosecutors demand, an unscheduled audit can be executed. In addition any NKO and the banks they use are obliged to inform the Justice Ministry about any foreign funding transactions greater than 200,000 rubles (about \$7,000), the NKO may receive from foreign sources. The NKOs acting as foreign agents have to publish biannually a report of their activities in internet or provide the information to media. For non-foreign agents this obligation is annual. The local authorized administrative bodies shall annually inform the State Duma on the political activities and the expenditure of funds of NKOs acting as foreign agents. (Constantplyus.ru)

Non-compliance to the NKO law is criminalized. There are number of penalties defined for non-compliance of the new NKO law on foreign agents. For not submitting the necessary information to the responsive state organ will lead to a warning or the imposition of a fine on organization representative officials - from 10,000 to 30,000 rubles (approximately 235 to 706 euros) and for legal entities (NKOs) - from 100 thousand to 300 thousand rubles (approximately 2350 to 7060 euros). From the same offence a citizen will get fined from 3000 to 5000 rubles (68-113 euros). The failure for an NKO acting as a foreign agent to register as a foreign agent will pay the same fine from 100 to 300 thousand rubles for a legal entities and from 300 thousand to 500 thousand (11 780 euros) rubles for juridical entities. (RIA Novosti 2012a.) Not registering can also lead to suspension up to six months and the suspension will be indefinitely lifted if the suspended NKO registers itself as a foreign agent (constantplyus.ru). If a foreign agent NKO publishes information in media or internet without the label 'foreign agent', it will lead to fines worth of 100-300 thousand rubles for the person responsible or 300-500 thousand rubles for the juridical person. If a foreign agent NKO continues its activities despite of decision of halting, then a fine worth of 30-50 thousand rubles fines is given to the executives and worth three to five thousand rubles for the participants of the organization. (RIA Novosti 2012a.) Spokesman of the Russian Ministry of Justice stated that an NKO suspended for not abiding the law will be:

“(banned) from holding mass rallies and public events, using bank accounts except for routine payments, issuing payments to employees, reimbursing losses caused by its activities, as well as the payment of taxes, dues or fines.” (RT 2012c)

Inquiring from experts of the Russian NKO's and looking from internet sources I have not found out if there was any distinguishing on foreign co-operatives of non-commercial organizations prior to the new law. There is a chance however that such measures already had been embedded into the vast bureaucracy and red tape the organizations had to deal with already before the new law on NKO's. One case of such administrative bureaucracy leading into administrative procedures during the Russian 'sovereign democracy' was present in 2009 when the administration of the State University of Saint Petersburg reinforced their monitoring and controlling of the university connections, grants and publications to abroad. The new regulations were based by demands of national information security. (Petlyakova 2009.) In 2012 there was couple of other famous laws introduced by the Russian State Duma that could be related to the NKO field. The so-called 'Anti-Magnitsky act' Federal Law *On Sanctions for Individuals Violating Fundamental Human Rights and Freedoms of the Citizens of the Russian Federation* in December the 21st for example claims an immediate suspension for NKO's receiving support from American citizens or organizations (Kremlin.ru). I will further examine this and other juridical developments of 2012 later in this thesis.

1.3 Primary Research Material

When one of the research goals is to understand Russians better, it is important to look discourses of foreign agents in their Russian environment. Thus the meanings of the statements out from the Russian sphere are not in the main focus of my analysis. It is the statements in Russia and from Russians to abroad what is important for my research questions. This is why I am looking for material mainly from Russian media sources, the Russian domestic mediators. The language aspect is also something to be considered in research such as this. Among other scholars Marjo Kauppinen and Max Wahlström (2012, 40-41.) have pointed out the power using in material that is published in international languages – the messages for audiences of foreign languages are often filtered with agendas to provide information that it is beneficial for the mediators. Moreover administrative officials are often not required to publish the obligatory public documents in English so Russian information is likely to be more comprehensive. In written text there is the advantage for discourse analysis that the words are already transliterated. There are few cases where I analyze pictures or events, which require transliterating the context and details involved very profoundly. While one can claim that there is political agenda behind media communications anyway, it is more important to acknowledge from who to whom is the message directed. Therefore I consider accordingly the context where to examine the messages directed to the Russian public and when in more global perspective.

I divide the primary research materials so that with the first analysis chapter I use juridical text which has its own special normative character compared to the media material I use later. The juridical text – the NKO law – is an official document making solid statements that not only Russians but foreign facets can use as their source of information and it is has more harmonized discourses than the public debate. The Russian language media sources on their side are good in describing the discourses in Russian domestic sphere whereas statements towards foreign public can be inspected in a bit different point of view because there the issue has different platform of appearance.

Considering Russian media publications as my primary research material, I point out that the Russian media is often considered fairly polarized in its attitudes towards politics. (Arutunyan 2009.) The uneven division of major pro-Kremlin and minor oppositional media is popularly recognized although they still offer little space for the other camp's arguments as well. Thus there is a hypothesis that the discussion is rather two-mentional, either the pro-Kremlin in supporting the usage of foreign agents law and term, or the oppositional which is critical against it. Accordingly I pick my sources from both sides of the traditional recognized division, still considering it possible that there are more moderate and different approaches to the subject. From three primary research sources two are generally considered pro-Kremlin and one oppositional. This is because there is no Russian oppositional conventional media agencies that are directly directed to foreign audiences that can be analyzed as such. The vast majority of Russian media is seen as pro-Kremlin (ibid.) so the expected emphasis of such statements of foreign agents can be expected to match the overall information flows in Russia. My research material does not include the less conventional media portals of oppositional forces such as internet blogs because of the lack of my time resources and the arguable emphasis such sources give to random individuals.

Despite of some established theories of Russian trust in their domestic media by for example Nordenstreng, Vartanova ja Zassoursky (2001), Nikula (2006), Vartanova, Nieminen ja Salminen (2009) ja Huttunen ja Ylikangas (2010), there is previous research according to which the Russian nation has fairly high trust on their national media according to BBC research (2012 a, b). Despite of the theoretical disagreement on the Russian trust on media information, the past idea of distrust is currently contested and both recent and past research acknowledge media as an important part of Russian everyday life, hence discourse describer and producer.

From the pro-Kremlin -considered sources I have chosen Ria Novosti group that is an established leading Russian media holding company and it works under the Ministry of Press and Information. It's official strategy is to provide news coverage considering all sides of the stories and it has been visible in the material used in this research – both arguments criticizing and defending views on foreign agents issue have been published by RIA Novosti. The company is a major owner

of several minor news publishers such as English language newspaper Moscow News and international news channel Russia Today. Not only is RIA Novosti in the top three of the biggest news agencies in Russia, it is also important media source internationally. According to U.S. research firm 'comScore' July 2011, the website of the Russian news agency RIA Novosti - www.ria.ru - was among the ten most popular electronic media in Europe. RIA news are published in various media sources according newspapers, radio and most importantly television. All of the news coverage is published for the internet users so the internet material should not be missing any news from newspapers, television or radio. This is due to the fact that the target audience is not only Russian describers but Russian and non-Russian observers abroad as well. (RIA Novosti a, b.) Hence the material fits for both analyzing the discourses in Russia domestically and internationally. For usage of the latter I will however prefer using the material RIA agency has translated into English and for the former the original Russian texts. In RIA Novosti there was overall 326 articles mentioning foreign agents which is the vast majority compared to the amounts of Echo Moskvy and Russia Today. The misbalance of sources represents fairly well the mismatched situation between the biggest and the medium-sized Russian media companies and consequently their share of public attention and discursive formation.

The second source expected to represent the pro-Kremlin media source is Russia Today – RT. The RT news coverage is directed fore mostly to foreign audiences outside Russia to provide alternative news reports via internet and international television broadcasts to those directed by American international mass media (rt.com 2013a). Consequently RT gives a good view at what is wanted to report about Russia to abroad, in my case how the foreign agents are described. More over Russia Today covers an adequate cut-through of the discussion within Russia not reporting each minor event but rather filtering the events that are seen of more significance. From the RT web pages I found 56 articles where foreign agents were mentioned what is least related news from the three media companies.

Echo Moskvy is one of the most famous oppositional media companies of Russia. Although Echo Moskvy today is currently indirectly connected to Kremlin by Gazprom ownership, it is recognized as an critical oppositional and liberal alternative perspective company (Economist.com 2012) and claims editorial independence (Krasnoboka). Once the first licensed private radio channel has broadened its information coverage to internet where its news and programs can be listened everywhere within the reach of internet connection. The radio waves of Echo Moskvy's broadcasts can be heard by 47.8 million of 140 million Russian citizens.(Echo 2013a.) While Echo Moskvy's information coverage is not among the most spread ones in Russia, it should provide a good alternative perspective to the mainstream of Russian media coverage, represented by RIA Novosti and Russia Today in this research. The critical views can be expected to reflect more than those of

media company's followers. However as following to my research method, Foucauldian Discourse Analysis, I am not conducting a research poll on popularities of different views. I simply look what kind of different views are there represented in Russian media. Echo Moskvу is a good alternative media source to Ria Novosti as it is very different platform originally focusing on radio broadcasts compared to more generalized and television related Ria Novosti and RT. It represents the smaller media companies of Russia. Moreover although I found only 73 news articles with foreign agents from Echo Moskvу and 326 from Ria Novosti, the fair dominance of news/knowledge coverage from Ria has the resourive edge in creating dominating discourses. Russians in general simply hear and read more news from Ria Novosti adding the validity of the misbalance in the research material.

Different from the other primary research material I use is the law on non-commercial organizations(закон о некоммерческих организациях) which was updated in July 2012 by amendments famous from the foreign agent stipulations. It is important to examine the law's content because much of the news material on foreign agents is connected to the law that made foreign agents a legal norm. The law was written by members of the United Russia (Единая Россия) , accepted by Russian parliament Duma and signed by Russian president Vladimir Putin in July 18th. I will perform the analysis on the law without juridical expertise in terms of what kind of discourses it embeds. Russian laws and legal information are published in database of service network Konsultant Plus (Консультант Плюс) www.konsultant.ru which I use as my source. Konsultant Plus follows actively the legislative processes and as a source it displays the validity of laws.

Together put there is a heterogeneous group of reporters, politicians and experts whose speech and actions I will analyze. Addingly I will analyze related action and events per se from these sources. Following the Foucauldian research principles to pick up fit research material, I consider the relevance of the content to be more important than the status of the ones who make statements. I will not analyze why something is published but how. Still, the people involved are part of the whole contexts analyzed.

As I noted above, discourses have temporal and spatial dimensions and my hypothesis is that especially in case of foreign agents they are also influenced by globalization. My primary interest is in combined discourses of *foreign agent(s)* which is also the key words I searched my material with. I also ran up with material with these two words separately. Such material helped me to context the less established term *agent*, but my primary material is conditioned by the connection of the two words. In the vast majority of the research results in Russian language the context with foreign agents proved to be in NKO and the amendments of the NKO law while the few exceptions had another references making it easier to analyze the ideas behind foreign agents. Most of the research material was somehow descriptive or at least making a statement that foreign agents are somehow

related to the main news story.

The time limitation of my primary research material is one year forward from the accepting decision of the State Duma to the new NKO law in July the 13th 2012. I do not analyze the time when foreign agents was only talked about as an abstract meaning because beginning of that discussion is hard to describe although the clear discussion in media about the law started only in June 2012. It is much more easy and clear to start the analysis from the day the law was accepted by the legislative body, the State Duma. In the temporal dimension there were many events that can be seen indirectly connected to foreign agents in news stories and supplement the view of Russian politics at the time. The introduction of the juridical concept of foreign agents has affected to the discourses of foreign agents but as the law has not been established in one year, its effect to the dominant discourses can be expected to be quite limited. Originally my intention was to cut the time limitation into the end of 2012 but during the spring of 2013 there was so many relevant events on the subject of foreign agents, among other the first official allegations of NKO's to register, that out limiting of them would have seemed invalid. While some of the news give statements on foreign agents that are later corrected or changed, my outdated material can still be considered valid as it describes the discourses at the time of the NKO law's first year. Moreover an average person following the news would miss at least part of the news coverage on one subject, so even if the new and the old statements were in conflict with each other, both should be considered as either one of them might have contributed stronger in formation of discourses.

As I am taking the archeological research method for my study, the relevantly short period of a 'snapshot' of the discourses is fit for my goals (Kendall and Wickham 1999, 28). The time period is also short enough for me to get most of the relevant news coverage from the sources of my choosing. The recency of this time period is both pleasant and challenging in the view that by October 2013 I have not found a qualitative scientific research on this exact topic, hence it should be relevantly easy to find something new with my research, but at the same time I cannot be sure of the historical significance of the events or discourses I am looking into here. The introduction of the new NKO law was not considered as one of the main events of 2012 by all of the Russian mainstream media (i. ex Argumenty i Fakty 2013) but some publishers (i. ex. Vlast' 2012, Russia Behind Headlines 2012) did recognize this in their annual summaries. In the perspective of Russian democracy in general, the year 2012 had plenty of interesting events including new law on party registration, introducing blacklists of internet pages, and taking steps to prohibit homosexual propaganda in the federal level. The wave of anti-Putin protests that started in late 2011 after the Russian parliamentary elections continued in spring 2012 peaking in May when – depending on the source – up to 20 000 protestors gathered in Moscow. While the events are not necessary directly connected to each other they are interconnected in larger scale by the same spatial and temporary

structural factors.

1.4. Methodology

I have taken examples on how to conduct a research from various literature and academical models in the extent that they have absorbed into my own hybrid way of conducting a research. Among others the primary research material has shown me some of the available approaches related to my research question. Most recent methodology literature worth mentioning are *Theory and Methods in Political Science* (2010.) edited by David Marshin Gerry Stroker and *Suuri ja Mahtava Metodologia?* (2010) Edited by Viljanen Elina, Aitamurto Kaarina, Lassila Jussi and Salmi Anna-Maria. Both of these works have contributed to the general and practical research approaches and processes that I imply.

Likewise much of my research theory, also my primary research methods are compatibly Foucauldian: Foucauldian discourse analysis (FDA) and the archeology of knowledge. Discourse analysis per se is nothing new for Russian studies, as many of the scholars important for my study have used it, but most often by the genealogy of knowledge -approach. Susanna Hast used a discourse analysis to examine Russia first in her research of identity politics, recognition and agency (2004, 2007) and then later to define discourses of spheres of influence (2010, 2012). Iver Neumann on the other hand examined Europe as the other for Russia and vice versa in Foucauldian approaches (1996, 1999). Later he used discourse analysis on the issue of governmentality and Russian great power recognition. Partially these studies are close to mine in their efforts to describe Russian political and social identity, but my interest is to see an updated snapshot of the discursive reality not only in international community but also inside Russia. Moreover in general there seems to be some existing public discussion on what 'foreign agents' have meant historically, which would be a good research question but I rather make a study directly connected to the presence and simply present the historical background to contextualize my research.

The prior technical implementation of Foucauldian discourse analysis (FDA) I follow from *Foucault'lainen Diskurssianalyysi* by Sari Husa(1995.), from Jokinen, et. Co *Diskurssianalyysi liikkeessä*(2002) and *Using Foucault's Methods* by Gavin Kendall and Gary Wickham (1999). The FDA highlights the intertwined connection between language and social reality, words and things, the statements and visibilities which fits for examining and interpreting the discourses of foreign agents and their juridical realization in 2012-2013. The FDA seeks to interpret speech, text and events per se without looking for hidden meanings and agendas. Hence I ask how do ideas condition the usage of foreign agent discourses and how the usage itself describes these ideas.

I start my analysis chronically by analyzing the introduction first of the idea and then the

law of foreign agents then proceeding to the news reports emerging on basis of the subject and related politics later finishing in more theoretical and global approach to the issue. Both the NKO law and the Russian media statements on their behalf demonstrate the nature of the foreign agents' discourses. With the FDA I examine the epistemological base of the discourses: on what positivist basis are the statements referring to, and how is the position of the hegemonic discourses pursued? In the FDA, discourses are given independence from their presenters what is compatible to the discussion of the foreign agents as people often have the assumption that discourses already possess their positivist character. (Husa 1995.) I will not ignore the presenters of statements, but I will have the structuralist, not the agency perspective on them, i.e. I avoid personal analyses and focus more onto the relations of the subjects. Accordingly differing discourses are not analyzed as something particular to certain individuals but to certain ideas or discourses. The FDA is recognized to be a good way to analyze power and politics, but its weak point is that pre-assumptions of its applicator might get into strong role, hence I try to make my pre-assumptions and hypotheses transparent throughout the research process and moreover I do the discourse analysis before and separately from comparing the empirical data and existing relevant theories.

Another important source of Foucauldian methods is *Using Foucault's Methods* by Gavin Kendall and Gary Wickham. (1999, 26-27, 46.) Adding to the literature presented above Kendall and Wickham examine the critical approach of the FDA and – what is useful for me - Mitchell Dean's way of using the archeological method. Accordingly the archeology is implemented by:

1. Understanding the relation between the sayable (statements of foreign agents) and the visible (law, protests etc.). The mutually conditional relationship between word and things
2. analyzing the relation between the statement and the other statements (foreign agents, non-foreign agents, international norms, democratic development, sovereignty etc.)
3. formulating rules for the repeatability/use of statements (t. ex foreign agents instead of representatives or spies)
4. analyzing the positions which are established between subjects (individuals, collective groups, organizations) in regard to statements.
5. describing 'surfaces of emergence' where objects are designated and acted upon (NKOs, parties, humanitarian organizations etc.)
6. describing institutions with authority to provide limits within which discursive objects exist (administrative and legislative authorities)
7. describing the discursive phenomenon's particularity in relation to other phenomena (other contemporaneous events such as the anti-Magnitsky act and the disband of the USAID)

Further Kendall and Wickham write on how to execute FDA:

1. Examine discourses as a body of statements organized in a regular and systematic way.
2. Identify how statements are created
3. Examine what can be said or written and what cannot
4. Point out where the spaces for new statements can be made are created
5. Analyze how making practices material and discursive at the same time (ibid.)

It has been suggested that most of communication is non-verbal, which puts discourse analysis as a research method under question: is it valid if I examine mostly printed text? It may exclude the non-discursive reality and some of the translittering might have failed to capture all the relevant non-verbal communication or rhetoric but nevertheless I believe that even the limited perspective is relevant to offer scientific understanding. My own role as a non-Russian observer is fitting for the discourse analysis because it can be difficult for an outsider to understand the non-discursive existence of foreign agents while discourses are much easier to find and analyze. Addingly, being the outside observer, it would be very difficult to make a competent rhetorical analysis – another reason why discourse analysis is more preferable than for rhetorical analysis.

1.5. Important Theoretical Terminology and Concepts

- *Biopolitics* compound the perspectives on life and politics. Despite considering the relation of life and politics Michel Foucault considered the limits of politics and the limits of life to be the core question of biopolitics (Lemke 2011, 5). Moreover Roberto Esposito (2008, 15) categorized the relations of life and politics so that the life as subjugated to politics mean *biopower* and the politics subordinated under life as the subject and highest legitimation of politics mean *biopolitics*. The many different theoretical perspectives of biopolitics on how to critically analyze politics help me positioning the analysis of the Russian governmentality in the discourses of foreign agents.
- *Geopolitics* in my research is in the neogeopolitical and critical views not focusing on the political physical space but the political social space in knowledge, images and identities of actors, in my case Russia, Russianness and Russians.
- By *discourses* in this research I mean body of statements as in the ways in which speech, text, and action produce, reproduce and mold systems of ideas or beliefs in how world functions and what is considered 'natural' or 'true' (Johnstone 2002, 27, Kendall, Wickham 1999, 46).

- *Governmentality* is a Foucauldian term used in few of different contexts. The aspect I am going to use here is the same as Foucault himself used e.g. in his lectures 1982-1983 and other relevant theorist Iver Neumann used in his work: The rationality or art of government which has most popularly been divided in the liberal indirect *governance* from distance and the sovereign direct *governing*. What is important in governmentality is not *who*, but *how* power is conducted. Neumann used governmentality as an alternative constructivist point of view the realist one in the definition of a great power in international relations. Governmentality can also include Subjectification or organized practices of governing (Mayhew 2004), thus the link to biopolitics/power is apparent, but to avoid any confusion I will use the terms governmentality and Subjectification separately.
- *NKO, non-commercial organizations* (некоммертическая организация, nekommerticheskaya organizatsya) are closely related to NGO and in literature (among others translations of Russia Today) they are often used as synonymous, but I use these abbreviations according to the research material – which excluding the English material is almost always an NKO. The English translation of NKO is often non-profit organization or non-commercial organization, but by sticking with the original 'NKO' -term I remind of the Russian definition in concern. Among NKOs there is a recognizable group of human rights organizations that have been raised in discourses as a significant group. I use the abbreviation *HRO* on human rights groups even if they are also NKOs.
- *Sovereign or managed democracy* is a term used to versions of democracy where a segment of grass-root movements is limited by the sovereign to prevent foreign interventions on state politics (Kratsev 2006).
- *Sovereignty* is a status established in the Westphalian peace in 1648 which recognizes the highest secular legal authority to belong to the sovereign states. The international law can be seen to be based on the sovereignty of states, but ideas of the sovereign right have been historically contested often. (Hakovirta 2002, 76, 240)
- The course of *ruble* I used in this research was 40 rubles per euro. During the first part of 2013 the course was 38 to 42 rubles per euro so I used the average value.
- *The Foreign Agents Registration Act (FARA)* is referred much in Russian discourses of foreign agents. According to some of the highest Russian legislative officers including president Putin who signed the NKO law, much of the Russian legal definition of the foreign agents is copied by from this American law (2012b). Other terms of connection between the two laws included adoption, borrowing and inspiration. The American law states following:

”*The Foreign Agents Registration Act (FARA) was enacted in 1938. FARA is a*

disclosure statute that requires persons acting as agents of foreign principals in a political or quasi-political capacity to make periodic public disclosure of their relationship with the foreign principal, as well as activities, receipts and disbursements in support of those activities. Disclosure of the required information facilitates evaluation by the government and the American people of the statements and activities of such persons in light of their function as foreign agents. The FARA Registration Unit of the Counterespionage Section (CES) in the National Security Division (NSD) is responsible for the administration and enforcement of the Act.” (The United States Department of Justice)

Linguistically as in English, also in Russian to some the term *agent* might mean representatives of foreign background with for example commercial interests as the liberalized and more internationalized markets have presented. However in such contexts *agenstvo* (агeнcтвo) – agency is the word used in most often practice instead of agent. According to dictionary electric data base <http://translation.babylon.com/>, *agent* can also mean person authorized to perform a certain action; courier, emissary, envoy; factor, medium; promotion man, man of business. To academical groups agent can mean among other the person of subject or by agency a self-recognized actorship often as counterpart of structures. I will note the other possible meanings of the term agent as it appears in my discursive research.

1.6. The Research Process

The process of developing the research question has taken big shifts on its main empirical focus. The original idea to understand Russian biopolitics (or the lack of it), its domestic and international social structures have gone through focusing on different organizations in Russia and abroad until eventually I figured out to combine these interests in the new NKO law amendments. By February 2013 I felt satisfied with my research question, found promising research method, had got acquainted with relevant research theories, and figured my tentative primary research material which originally limit until the end of 2012 and included blog writings and more news agencies.

I had to reconsider my primary research material as in the spring of 2013 there occurred many important relative events such as the mass inspections of NKO and official foreign agent allegations and registrations. It felt that my research would be deficit of major content the discourses of foreign agents had got at the time so I broadened the research material period and due to the limits of working time I cut blogs and news agencies of Russia Beyond Headlines and Novaya Gazeta. The blog texts would provide very descriptive material for the study but it would have given an over emphasized role to individual interpretations of foreign agents compared to the

role of news agencies. Addingly the remaining news agencies would cover some of the discussions and interviews in their news coverage. Novaya Gazeta as a representative of Russian Kremlin critical media is well known but their news coverage in internet was not as comprehensive as Echo Moskvyy's. Russia Today I preferred to Russia Beyond Headlines because of its television visibility internationally making the discursive statements more visible. The basis of the first analysis chapter (chapter III) I did in the spring much earlier than the rest of the analysis chapters making that chapter different not only by its primary material but by the The first full body of this thesis got ready in the end of October 2013.

2. Theoretical Background of the Research

The non-commercial organizations that the Russian foreign agent legal stipulations concern are popularly recognized as one of the main actors of grass-root civil society movements. From a western perspective such as mine to some degree, the developments of Russian civil society are dominantly seen under the range of democratization/authoritarization trends. For example an official article on the nation's state by Dmitry Medvedev in September 2013 in foreign media was examined highlighting its (non-existing) stand on civil society (Staalsen 2013). This interest is mostly due to the western tendency to see democracy more safe for civil rights, trade and international peace. Democracy – despite of its often loosely defined content – is often portrayed even as a synonym of good. The contribution and role of civil activity has traditionally been highlighted in the western tradition of social sciences.

Robert Putnam (1993, 168-172) is one of the many scholars who has drawn the connection of active and independent civil society and democratic political structures supporting the hypothesis often used in international politics of western countries: support civil societies by development policies and you cultivate democracy. The Russian approach to the civil society issue has been affected by the Western influences, among others the former finance minister Aleksey Kurdin has made public writings supporting the sivil society's strong role in developing Russia (Staalsen 2013), but such views are often in collision with the Russian political tradition. Because of my academical background as the writer of this thesis the understanding of the Russian political tradition or governmentality is inseperable from comparison of the Russian and West European perspectives. This background unfortunately preassumes the western tradition as the other to the Russian tradition but it has quite comprehensive background in scholars of my discipline in social sciences.

2.1. Historical Background of the Foreign Agent Discourses

Historically Russia have had an exceptional art of governance from the European perspective since the medieval times (Neumann 2010, 71-72, 78-79.), but it is sensible to look the drift to different directions when the liberal governmentality started to gain popularity in West Europe. While in most of Europe some implementation space for the liberal non-direct governing were given by authorities starting gradually from the 17th century, the Czarist Russian regime was very conservative towards the liberally influenced segment of Russians, that looked towards Europe for remedies to solve Russia's material and economic problems. The reformist ideas were often received as something that would endanger the ancient traditional political structures and the representatives of reforms – notably the Decembrists – were seen as 'an enemy within' by the

Conservative and Romantic nationalists. As one response to the emerging ideas of liberal revolutionary 'false Europe', Russian government proclaimed a doctrine of the 'Official Nationality', which included three pillars: autocracy, Orthodox religion and nationality or nation-mindedness (all three have been depicted as the Czarist Russian empirist ideology by Arkady Moshes 2009, 108). This doctrine was not a legal code for Russians as the law on NKO is, but it rather served as the preservative of Russia as a member of a true member of the ancient regime instead of the reforming West Europe. The autocracy as a pillar of the Russian Official Nationality describes the direct governmentality: traditional strict hierarchies, up-to-down management and legitimacy of the sovereign. (Neumann 1996, 13-15, 21, 25.)

When the Bolsheviks took over Russia and formed the Soviet Union in early 20th century, the particular Soviet type of civil society was gradually formed and strictly conducted by the Communist Party of the Soviet Union. Despite of the massive reforms, the basic governmentality remained the same traditional top-to-down directed conduction and replacing the higher divine power from the Orthodox religion to idealism of communism as the base of the Soviet regime's legitimization. The communist party control reached all throughout the society from labor organizing and sports to pioneer activities of the children. The socialist 'people's democracy' implied by Russia remained very distant in terms of citizen initiative in social development from that of western 'liberal democracies'. Since the glasnost started in 1985 and through the fall of Soviet Union in 1991 and until sometime of the mid 1990's Russia's official agenda was to take the path of more democratic development towards idea of 'common European home' which included adopting of liberal models of western market economy, political, and ideological systems. Despite of continuing to promote itself as a democratic republic, little by little in the 1990s Russia changed its direction away from the Western trends when the imported western models applied in 'shock therapy' proved very unsuccessful especially economically. Throughout the 1990's the power was strongly in the hands of so-called business oligarchs, social problems such as disease, poverty and criminality boomed, political extremes gained high popularity and Russia engaged into two difficult wars in separatist region of Chechenia. (Ross & co 2000, 8-12, 21-49, 103-135, 206-219.)

When the Soviet Union fell there grew a strong vision in the West that the international cooperation is in central role in building of the transitional states – among others Russian – civil societies. Civil society activities and connections to abroad increased significantly with the civil freedoms gained after the fall of the Soviet system in 1991. Following the serious domestical economic troubles of following years, the flourishing civil society activities in Russia stagnated and especially in the western countries there has been concern on the stagnation effect to the Russian democratic development ever since. To improve the situation the West has not given only moral, but also financial support to Russian NKOs, which in Russia has at times been considered as negative

intervention to the country's internal affairs by some. Already in the 1990's some considered that fact that many of the new Russian movements (e.g. Environmental) got their finance from abroad as a negative phenomenon because it refocuses resources away from local socio-economic problems. Addingly the internationalization of Russian NKO's is seen harmful, even for the state security, because such connections provide influence to political influence in Russia. (Tynkkynen 2003, 211, 243, 247-248.) This political dogma including the suspicion and control towards the 'infected' civil society that instead of contributor of democracy is seen as a threat to the state sovereignty is popularly referred to as '*managed*' or '*sovereign democracy*'. Accordingly democracy is supported by policies controlling the sovereignty threatening forces in the civil society. The concept was first introduced in Latin America by Hugo Chàvez and in Russian context Kremlin's ideologue-in-chief Vladislav Surkov. (Kratsev 2006.)

The reigning era of the former KGB agent Vladimir Putin has continued since late 1999 when Boris Yeltsin receded his presidency, although his close friend, prime minister Dmitry Medvedev acted as the president for one term in 2008-2012 during which Putin acted as the prime minister. Putin has been mostly successful at gaining the control of Russia back to the center of Russia and Moscow, Kremlin. Little by little the Putin administration set new mechanisms of control spreading throughout country and into the civil society at the same time as new regulations made operating increasingly difficult for opposition parties, media, and NKO's. (Cambell 2012.) Demonstrating such perspectives in the work of Russian grass-root organizations an expert researcher Suvi Salmenniemi(2007, 3) writes that while in the beginning of 2000 there was overall general optimism within civil society activists, by 2005 the trend had turned for concerned pessimism due to unfavorable developing climate from authorities and general attitudes.

Putin's administration has declared that Russia has taken a new path of democratic development of its own, where the political powers were submitted to center in 'power vertical'. (Sukhov 2008.) In 2006 the Federal Non-Commercial Organization law was updated with more control over the NKO's. The new regulations included complicated reporting and registration requirements, high penalties for non-compliance, added with new and interpretable instruments for local authorities to monitor activities of the NKO's. Despite the fact that in 2009 some liberal reforms were made to the law under Dmitry Medvedev's presidency, the popular belief sees that the new NKO law is continuation of the strict amendments of 2006. (ICNL 2012.)

In terms of finding its geopolitical stance in the international society Russia has taken steps away from the West not only in domestical but also in international politics. After the state of degradation in the 1990s, Russia has re-gained some of her domestic and international strength and prestige back as the political situation have stabilized and the Russian GDP has grown from 195.9 billion USD in year 2000 to 2014.8 billion in 2013 (Trading Economics 2013). In international

affairs Russia's relations to the West have been constantly more or less tense. Despite of few positive developments in Russia-West relations, such as new FIRST-treaty and the formations of Nato-Russia council and Russian inclusion in industrialized countries forum G8, Russia has approached towards developing countries that are regarded to some degree closer to Russia's governmentality. Consequently Russia co-founded the BRICS (Brazil, Russia, India, China, South Africa) group of commercial, political and cultural cooperation (Roberts 2013, 40) and have left the international organs with strong western representation misrepresented in early 2010's (Neukirch and Schep 2012).

2.2.1. Russian Governmentality

What does foreign agent discourses tell about Russian governing? This research question deals with governmentality aspects of politology discipline making the question how is governed and further making even more theoretical analyses on power. This question can be examined under the empirical event of the introduction of the juridical concept of foreign agents reflected with relevant theories. From relevant theoretical hypotheses two theses inspired me; One by Vesa Oittinen (2012, 79-80.) suggests that the Slavophiles consider the problematic character of the Russia-Europe relations not to be due to their ethnical or national differences, but bevsidr of the different moral culture and rationality. The Slavic or Russian rationality is traditionally considered more collective and less individualistic than the western rationality. The structural difference is visible not only in the famous Kremlin's 'vertical of power' politics, but also throughout the society as a whole.

The second argument that rose my eyebrows was in Alexander Etkind's (e.g. 2009, 186-210) oeuvre where he suggested that in politics Kremlin has always favored the geopolitics in favor of biopolitics, which appears in the relatively weak support to the human security issues such as public health and environmental problems compared to the hard security that is appearing in political and financial support of military sector, border control, and internal police. Geopolitics as the politics of spatial sovereign states does not exclude biopolitics as politicizing the aspects of life but the counter positioning of the two helps to demonstrate the nature of governing, for example in legitimatization of applied politics. Moreover I link geopolitics with sovereign politics as according to one of the geopolitical paradigms the sovereign state governs the spatial state through the alternative base of political legitimation.

As for my research question relations to biopolitics, I reflect the thesis of Etkind on Russia's favoring of geopolitics or politics of sovereignty to biopolitics not to criticize against the thesis, but to use it as an approach perspective to characterize the NKO law and foreign agents in the Russian governmentality. The discourses of foreign agents describe only one case so I cannot take a stand on

general Russian attention towards biopolitics or geopolitics, I can only see how these perspectives reflect in foreign agents. What does the foreign agents' codification tell about Russian governing and nature of politics in this historical case? What kind of discursive statements and functions does it produce? I will start this analysis by examining the Russian governmentality providing the framework to examine the context of foreign agents in a snapshot of Russian contemporary governmentality – what is the tradition and what is the NKO law's relation to it as an apparatus of governance. In next chapter I examine the institutional and non-institutional practices of governance in law and discourses.

2.2.2 The Russian Governmentality in Recent Research Context

Examining further the thesis Vesa Oittinen (2012, 79-80.) which suggests that the main structural difference and source of conflicts between Russia and the West is in their traditions of governmentality – a difference penetrating the whole political, social, and sometimes even economical spheres. In its nature of penetrating the whole rationality of governance it can be examined in both domestic and international spheres of contemporary Russia.

The famous power vertical introduced by Vladimir Putin in early 2000 describes the Russian governmentality as Neumann sees it very well - in centralization of power it subordinates local administrations and civil society under the rule of the top of power hierarchy – into Kremlin. In this model initiative, ideas, the claims for hegemonical discourses and knowledge move in hierarchy vertically downwards, instead of upwards or horizontally. (Sukhov 2008.) In very relevant research to formulation of discursive ideas of self and (foreign) other Lara Ryazanova-Clarke(2012) examined the discourse formation of Russianness and described how the social positions where discourses are produced in 21st century Russia:

“The dominant discourse associated with the voice of authorities produces its own picture of Russianness, which diverges from that depicted by the counter-discursive stream located, during Putin regime, at the margin of the public space.” (ibid. 4)

The direct governmentality in Russian social structures is documented among others in studies of Russian working culture (Karhunen 2008, Castén 2011) where the power relations work fairly vertically compared to western working cultures that are often characterized with relatively much employee and local manager independence and initiative. In Russian working places the culture of strong leadership and its general involvement in employee tasks is strongly rooted. Addingly studies on public institutions have pointed out the tendency of

different governmentality as well. For example Tatyana Rynkänen (2013, 58-64.) conducted a research on experiences in the Finnish school system of pupils with Russian background. Rynkänen noted that the students experienced the teacher-pupil relationship much less formal, strict, and hierarchical than in Russia. Moreover they were surprised about the relatively little responsibility the teachers have on study results of their students.

Given the nature of Russian governmentality argued in the related studies, the discourses of foreign agents have a hypothesis to represent the typical vertical power management where the role of the sovereign interests is high and the initiative comes from up to down. In usage of the term foreign agent the juridical definition comes from top of the state hierarchy, but the possible differing ontological definitions of the content of discourses between the legislative (Kremlin) and the grass root levels would indicate sovereign governmentality. In this assumption the definition from the upper level is made more or less aware in accordance to their agenda.

Michel Foucault (e.g. 2008) brought up the perspective of liberalism not only as an economic or political doctrine, but also as an art of governance. While Foucault noted that the indirect governing was attracting because of its efficiency i.e. in allowing the information flows emerge from civil society by the down-to-up principle compared to the sovereign system where the top claimed hegemony to discourses, Iver Neumann (2010, 71-72.) added that the liberal governmentality was also attracting due to the states' willingness to appear socially 'normal'. Hence the states are applicable to the subjects of structural global governmentality. As a consequence of the differing form of governmentality than the European one, Neumann argues that Russia has suffered in its social power in international relations for example in the great power status recognition. Hence one can question if the Russian regime is willing to follow any global norms in foreign agent governing.

2.3. Theories Related to Russian Civil Movements

Despite of the current state of Russia is much developed from the fractured state it was in in the aftermath of the Soviet Union, Russia remains a very diverse country with multinational heterogeneous population. Ivan Sukhov (2008.) argues that the problematic question of state unity is inheritance of Russian Empire and Soviet Union. While in the Soviet Union foreign influences were treated often with countering suspicion at least, the nation-building was focusing on slogans of multinational normalized Soviet man. As the USSR ceased to exist as a political entity, so did the uniting ideological Soviet identity of the diverse people in Russia and many were afraid of further dissolution of Russian Federation. Currently the nationality issue still arises at times in Russia, very often in context of arising extreme right wing movements. Finding an appropriate terminology and

policies for promoting civil unity of all Russian people has proven to be difficult. Accordingly, from the centralization of the federal power to Moscow to the oppression of oppositional forces, many of Putin's administration's policies can be seen with the perspective of pursuing improved national unity by among others the 'sovereign democracy politics'.

Documentarist Fiona Cambell (2012) argued that the color revolutions of early 2000 in former socialist countries caused the Kremlin reaction of tightening up control of the Russian civil society, due to the popular conception that the revolutionary sparks had been supported from abroad, namely the West. Many see the strong role of agency of Vladimir Putin and his administration in the Russian politics. News analyst of *der Spiegel* Benjamin Bidder (2012.) was one of the many arguing that such repressive politics are characteristic for Putin and his administration. According to Bidder, the Putin administration believes that America and some of the European Union countries support a regime change in Russia by financing NGOs critical towards the government and leading to extension of the color revolutions or the Arab spring, extending from the popular anti-Putin protests of Moscow in December 2011 and May 2012. Moreover Bidder claims that the new law on NGOs, along with strengthening of penalties to unauthorized public demonstrations and for committing treason, is part of Putin's agenda to repress the threatening opposition. From the 'opponent's' point of view, the author of the new NGO law, Sergey Zheleznyak (Masyuk 2012.) has stated that the new law supports transparency and protects Russia from external influence on Russian public opinion and politics. Addingly he notes that the same kind of law is actually applied in the United States since 1938 in Foreign Agents Registration Act.

Russian politolog Sergey Markov has noted that the management of civil society in concern of foreign influences threatening the sovereign state politics is a global phenomenon where the Russian foreign agent politics is only one possible political application (Ria 2013j1). In a related political event of late 2012 The United States Agency for International Development USAID was disbanded from Russia because Russian authorities saw the company trying to affect the political processes in Russia by attempting to manipulate election processes and financing institutions in Russian civil society. Addingly the Russian authorities argued that since the country is not anymore in the weak state it was in the 1990s but strong instead, the development activities of the USAID were not seen any more as redundant but even humiliating. (RT 2012a.) Overall the disband of the USAID was described as foremost an act to prevent foreign interventions. Noteworthy is also what was not mentioned in *Echo Moskvy*, *Ria Novosti* or *Russia Today* was that the USAID along with two other American organizations promoting democratic development; The National Democratic Institute and the International Republican Institute that shared the USAID faith in Russia (Earle 2012) were suspected to be some of the main agencies involved in the grassroots campaigns of color revolutions in other post-socialist countries (Traynor 2004).

2.4. On the Russian Legal System

Russian justice system can be considered to be part of the Slavic justice tradition apart from for example Roman-Germanic, Anglosax, Islamic, Indian or Latin American traditions. In Russian way of thinking justice is considered to be a very holistic phenomenon that has deep national, spiritual, historical, and juridical background rooting in the Orthodox religion. Generally Russians use much the word law – *zakon* – in spoken language, although they might be suspicious with the law per se. Russian legal philosophers argue that legal nihilism is very general in Russia. Accordingly the state and the legal system run by it are considered the source of injustice. In practice this has meant disregard of laws and general attitude that laws cannot solve real problems. (Parikka 2011, 145.)

During the Soviet era there was a completely different legal system from the current one and the transition towards the rule of law more familiar to the European ideas has required a thorough change of mentality from the people. The basis of the Russian Federation constitution law was adopted from the liberal European models, but some direct Soviet inheritance was left present. Coming to the 2010's the rule of law has established much further than before and by the written law it does not differ much from laws of the western democracies, but there is still problems in the execution and the practical monitoring of the implementation of laws. People cannot be sure if laws are implemented or not as much is dependent of the officials. There are numerous laws set without practical execution in Russia. The laws are often contradictory and applied when seen fit by the officials and the predictability of the judgments is low. (Parikka 2011, 145-147.) However the court independence has developed in more predictable direction despite of the fact that corruption and pressure towards judges still appears in Russia. According to Jarmo Koistinen (2010, 86-76, 94) the Russian justice system follows the categorical definitions of *the rule of political law*, meaning that the influence of politics on the law is significant. Another distinctive feature in the Russian legal system is that the social danger of a crime committed is the central criminalization principle i.e. the direct cause of damage is considered more important than principal violation of the law. This legal praxis is inherited from the Soviet legal system.

In Russian legal hierarchy, the second most important level of regulations after the constitution are the laws – *zakony*, set by the State Duma (Parikka 2011, 148) although their stand on codes (*кодекс, kodeks*) has not established. The law on non-commercial organizations is a *zakon* law meaning that if it is in conflict with lower regulations and rules, the law will be followed, but against the constitution, law will be disregarded. Addingly there are regional laws and Federal laws that make even more variables in the Russian legal system, although during the regime of Putin has tried to harmonize the Federal legislation in accordance to the principles of power vertical politics. The Russian justice culture sets hypothesis that the numerous new disputed laws, among them the

NKO law, will be loosely followed and implemented, but they would to some degree have effects onto the Russian social sphere.

2.5. Additional Theoretical Approaches and Perspectives on Foreign Agents

By fall 2013 I have not found any comprehensive research done on the foreign agents issue in Russia. Therefore I can make the discursive analysis without strong pre-assumptions and existing theories on the exact research subject. It is good for the principles of discourse analysis to have as little pre-assumptions as possible but there are many existing theories that make pre-assumptions to the power relations in the discourses of foreign agents. Addingly after conducting my discourse analysis of foreign agents in the NKO law and news reports, I can further analyze the discourses found through perspectives of biopolitics, biopower, governmentality, sovereignty, and critical/neogeopolitics. I will use these concepts in a way that their perspectives partially overlap each other and therefore do not drift too far away from the focus, yet they still provide some different aspects on the subject. Addingly theories of my use give plenty of hypotheses that can be tested in my research. The theories involved are dominantly structuralist.

I will utilize three approaches of the theories on biopolitics in my research. One of the contexts Michel Foucault (2003) used the term *biopolitics* was in his description of the shift from sovereign based governing into the point where sovereign basis of the legitimate exercise of power was reduced and conducting life emerged the center of politics. Consequently the historical way of political thinking and practice has gone through revolutionary development that can be seen as biopolitics. Relevant analysis question I use is how the power is legitimized, what is the subject of governing, what kind are the institutional power relations revealed in the case of foreign agents and does the case appear in a new sphere of politics? Addingly I will use two other Foucauldian perspectives of biopolitics as specified by Thomas Lemke (2011, 34.): Biopolitics as the core in rise of modern state racism where life will be harnested towards development by disallowing the unwanted forms of life or supporting one segment of life in the expense of the other. Accordingly the relative analytical question is: are the discourses of foreign agents favoring or hampering the life of The third Foucauldian perspective is in the liberal forms of self-governance appearing in social regulation making the question: what kind of subjectification does the discourses of foreign agents produce?

Researcher Iver Neumann reflected this alternative rationality or governmentality in perspective of the Russian other (1996, 1999) and the Russian perspective in international governmentality norms (2010), which had not followed the trend Foucault had examined – liberalism – meaning indirect governing. Via the governmentality perspective I will analyze the

introduction of the new NKO law as the discourses portray the recent ways of governing. Neumann's latest oeuvre on Russian governmentality focuses on the long-term international governmentality where my contribution would be to provide a case study testing the validity of his theory. Besides the genealogical perspective on Russian governmentality, presented by Neumann (ibid.) there are many other theses on Russian political trends of the 21st century that I note as theoretical framework of my analysis.

The strongest paradigms in Russian contemporary governmentality include ideas of nation building by scholars like Ivan Sukhov (2008) and Lara Ryazanova-Clarke (2012) and sovereign democracy by Ivan Kratsev (2006). The nation building paradigm states that Russian politics is strongly driven by agenda to unify the diversified Russian nation by emphasizing different national others outside and within Russian borders. Ryazanova-Clarke (2012, 16) notes that there is co-existing attraction in the West creating dualism in ideas of the western other and Russian self. According to the sovereign democracy politics is legitimized by eliminating harmful foreign influences in civil society. In the global biopolitics I will reflect the critical literature of contemporary scholars such as Jens Sørensen & co (2012), Aleksander Etkind (2009) and Michael Hart and Antonio Negri (2001, 2005, 2009) who examined global governmentality and conflicts it creates with sovereign states and other local governing.

Different forms of governmentality can be seen in politics fostering life, that is biopolitics, or the power over life, that is biopower (Esposito 2008, 15). A relevant scholar Alexander Etkind(2009) argues that for Russian politics, in international competition the Russian population(life) is a weak point or an obstacle to overcome, and thus the hypothesis would be that the Russian politics resemble more of biopower than biopolitics. To make such analyses without making avoidable pre-assumptions I first introduce the discourse analysis on each chapter's primary material and only then reflect the research result discourses to relevant theoretical paradigms. Further theoretical paradigms of biopolitics per se in this research are provided by Foucault (2003, 2007), Roberto Esposito (2008), Giorgio Agamben (2001) and Thomas Lemke (2011).

Because the concepts of biopower and biopolitics are familiar and interesting to me due to their overlapping features of the social, political, and ecological aspects, it is interesting to use them as theoretical approaches for my research. How does the foreign agency reflect on issues of Russian sovereignty, the relation of power and life or Russian subjects? My assumptions based on previous studies (e.g. Hast 2012) are that foreign agents occurring in civil organizations involved with t.ex humanitarian development politics and opposition or separatist movements, is seen as a universalist threat to the Russian (state) sovereignty. By excluding itself from states receiving development aid I believe Russia tries to improve its profile as a great power. Distinguishing the foreign agents is implemented as a pejorative social exclusion and counter reaction for foreign influence. I will look

into some of famous events of year 2012 in Russia and look if my assumptions have places in discourses of foreign agency.

While geopolitics can be seen as a form of governmental research approach where physical and social spaces are the driving forces of politics, the concept of *critical geopolitics* is related to governmentality approaches in the point where it creates discursive social reality, norms, and subjects but it has more focus on production of the self and the other (Rasku 2007, 46). As foreign agency obviously makes an exclusive distinction from domestic i.e. Russian, the otherness is a natural discourse for my thesis. According to Foucault, self-understanding and -conducting are connected with political, because one cannot conduct himself without conducting the other. Molding the self and technologies of self-understanding within people are folding strongly according to authorities' interests. (Ilpo 2010, 46.) When foreign countries are involved with discourses, one can talk about state identity politics (Neumann 1996, 2). In chapter five I will use the critical approach to geopolitics to reflect the state-centered governmentality argumentation by questioning Russia's positioning in global politics with the rationality in the foreign agent politics. Addingly identity and information/knowledge issues in global norms of governmentality can be connected to geopolitical imagination and the method of governance and governing can be considered as perspectives of neo-geopolitics.

Antti Helanterä (2003, 218) argues that there is a shared interest towards Russian geopolitics among Russians and global science community. Accordingly, one reason for the Post-Soviet Russian interest in geopolitics is that besides of possessing nuclear weapons and a permanent seat in the UN Security Council, geopolitics is one of the few spheres where Russia can legitimately be considered as a global great power. Indeed Russia is popularly considered struggling behind Europe in qualitative and behind Asia in quantitative human resources and therefore the highlighting of realist approaches to international relations would seem desirable alternative to the biopolitical or liberal governmentalist approaches.

One geopolitical hypothesis of sovereignty in Russian politics is formed after John Agnew's (1998, 53.) thesis: According to it a modern state claims sovereignty all over its territory and citizens. It creates a strong conceptual division between inside and outside and is attempted to pursue homogenized nation state due to its apparent domestic efficiency and security against international competition. My hypothesis is that the politics of Russia in 2012 were presented in accordance to this theory of a modern state trying to unify and effectualize its citizens.

Where the discourses of foreign agents in Russia categorize Russian companies and indirectly the people working in these companies, the discourses can also be seen in international relations. The juridical question of sovereignty and political question of humanitarian influence or influence is profoundly studied in Susanna Hast's work on Russia and spheres of influence (2012.).

Hast reflects the English school of science in International Relations onto Russia's stand to international great power and intervention politics. She notes the division of pluralist-solidarist approaches to international politics presented by Barry Buzan (2004). Russia favors the pluralist approach to international relations, which emphasizes the state centrism and the sovereign superior legitimacy in opposition to the hegemonic western solidarist approach, which believes in universal values according to which the state sovereignty is not the highest international authority and thus intervention is allowed to support superior values (t. ex. democracy/humanitarianism/liberalism). I will examine how is the foreign influence depicted in my research material and compare it to the different types of influence politics of the English School of international relations presented by Hast. It is easy to draw the governmentalist connection of the Foucauldian power theories and the pluralist/solidarist juxtaposition of Russia and the West – the hypothetical position of Russia in this dualist division is pre-defined by existing theories as solidarist, but what about the 'foreign agents'? My hypothesis from the beginning has been that discourses describe foreign agents presenting the universalist counterforces of the pluralist/solidarist world views of the Russian regime.

	Russian administrative (according to the relevant theory)	Critical to foreign agents (my hypothesis)
governmentality	Conservative: sovereignty/'power vertical', direct conducting	Liberal : Directed from far/indirect governing
Solidarist/pluralist	Pluralist: sovereign-based – legitimized by sovereign rule	Solidarist: universalism, shared moral norms (liberal?)

The English school of International relations (Neumann 2010, 92, Hast 93-94, 103) suggests that great powers are taken into consideration in international decision making such as questions of peace and war or recognition of new states, which has been in Russian interest e.g. With independence questions of Abkhazia, Kosovo, and South-Ossetia. Addingly great powers possess regional authority and influence, but they cannot be influenced states themselves. As for example humanitarian interventions are sometimes considered as a form of practicing influence over its object country (see Sörensen, Söderbaum et. Al 2012), Russia tries to get rid of such influence and gain 'soft power' of their own (Piattoeva 2012). I argue that the new law on NKO is supporting these hypotheses and it is visible in the justifications of the foreign agent policies.

In the governmentality perspective I will look on how the emphasis on the state sovereignty in case of foreign agents appears in the implementation of the Russian regime and how this can be seen in lights of critical geopolitics. Like Susanna Hast, also Iver Neumann (1996, 2010.) has examined Russia's ambitions in great power politics and reflected them to Foucauldian

governmentality and the English school political science. Neumann's hypotheses for my research subject include that historically, the internal other was never de facto described too distant from unhealthy substance or enemies of the Russian state. He also suggests that historically the supreme foreign 'other' for Russians has been the 'West' as in Europe or the United States. Albeit e.g. Milan Hauner (1990) in her research has pointed out relevant significance of Asian other for Russias, my hypothesis is that the *foreign*, in foreign agents is referring most often to the western other. In governmentality perspective Neumann's(2010.) hypothesis stands that due to Russian 'archaic' art of governance, Russia has had difficulties with being recognized as a great power. Compared to the realist view of great power status, where military and economic resources are enough to be considered as a great power, the structuralist perspective demands addingly social recognition from other states. The governmentality perspective emphasizes that the international recognition efficient way of governing is essential for the state's social power. In following analysis chapters I will consider the relevance of the above mentioned theoretical perspectives in relevance to the appearing discourses in my research material.

3. Analysis on the Juridical Content of Foreign Agents

The first visibility produced by statements of foreign agents discourses I am examining is the law which introduced a juridical definition of *foreign agents*. The law on non-commercial or non-profit organizations, zakon o nekommercheskih organizatsiyah, (закон о некоммерческих организациях [non-commercial organizations from here on will be referred accordingly to the Russian abbreviation as NKO]) which in July 13th was accepted by the Russian State Duma with three members of parliament against, one absent and 374 for the law. The law is available for public reading among others in the internet site of konsultant.ru, which I use as my primary source. The president Vladimir Putin signed the law in 20th of July and it was to step in force the same year 20th of November (Ria Novosti 2012a).

Because foreign agency does not exist outside discourses, the epistemological point of view points out that the concept is made out for a reason – For what and how have the discourses been used? The statements on foreign agents actualized first in the new non-commercial organization law and they co-created much of the consequences I am examining later on in this research.

I start my analyses with a discourse analysis of the law in the points where it is dealing with foreign agents. This chapter examines the relation of the idea or statements of foreign agents and the historical visibility that is the law itself, which itself makes further new statements on foreign agents, the Russian state, society, and governmentality. What are the ideas and beliefs that the statements rely and construct? What kind of content is given to the juridical concept of foreign agents? I try to keep first part this analysis relatively theory-free analyzing only what is written in the law without too far reaching conclusions and theory influences. However for background knowledge of Russian legal system I have briefly introduced the Russian legal system perspectives of general governmentality background in the chapter two. In second part of this chapter I examine the law in perspectives governmentality relying much on the existing theories of the discipline. This is in line of the Foucauldian discourse analysis principle where the discourses themselves are given strong independence. I will reflect the research results and perceived hypotheses with the discussion and action that followed the introduction of the law later in chapter four. In the last paragraphs (3.4.1. and 3.4.2.) of this chapter I discuss about the essence of the mere idea of foreign agents within Russians in more abstract level of analysis reflecting it to the theoretical concepts of governmentality. To do this I give more relatively much emphasis to the theoretical perspectives and pre-assumptions to foreign agents than the discourse analysis usually allows but by doing so I can further examine the event of the juridical introduction of foreign agents apart from the meanings given to them by the Russian discussion, onto which I focus in the following chapter four.

3.1. The Juridical Content on Foreign Agents

Foreign agents are defined by the Russian Federal Law on non-commercial or non-profit organizations (закон о некоммерческих организациях, zakon o nekommercheskih organizatsiyah, [НКО, NKO]). The law itself indicates how NKO can be foreign agents, but on the other hand non-NKO foreign agents are not defined by the law. If there is no other juridical definition on foreign agents, then we can assume that currently only an NKO can be codified legitimately as one by the discursive statements of the law.

What kind of entities are the NKOs in Russia? The second article of the law (consultantplyus.) defines the characteristics of the NKOs:

1. NKOs do not seek for profit as their main organizational purpose nor distribute profits among their members or other participants.
2. NKOs can be created for social, charitable, cultural, educational, scientific and administrative purposes, to protect public health, the development of physical culture and sports, meet spiritual and other non-material needs of citizens, protection of rights and legal interests of citizens and organizations, dispute resolution and conflicts, legal assistance, and for other purposes to achieve the public good.
3. NKOs can be created in the form of social or religious organizations (associations), indigenous peoples of the Russian Federation, the Cossack communities, non-profit partnerships, institutions, autonomous non-profit organizations, social, charitable and other funds, associations and unions as well as other forms required by federal laws
4. Foreign non-profit non-governmental organization must register for Russian officials. Addingly a foreign non-profit non-governmental organization should not distribute its profits outside Russian and the founders or participants are not government agencies.

These definitions provide perspective on what can and therefore consequently what cannot be foreign agents. The first general characteristics of NKOs suggest that they do not aim at their own profit. According to the assumption that only NKOs can be legally foreign agents, the profit-seeking organizations cannot be foreign agents. The second definition for an NKO is the foundation that contributes to the public good by broad scale of specific purposes meaning that the foreign agent label can be put on organizations considered to operate for the general benefit, at least by their founding purposes. NKOs from abroad are considered and distinguished in the law. To be a foreign NKO without the addition of agency does not have significantly differing legal status, despite of being distinguished in a separate register if they are non-governmental as well as the domestic

Russian foreign agents. The definitions of NKO's do not exclude governmental organizations if they are not foreign NKO's, so the definition in this perspective is broader than the definition of non-governmental organization (NGO).

The sixth section of the second article of the NKO Law (consultantplus.) makes the basic distinction and definition of the NKO's as foreign agents as following:

- A non-commercial organization acting as a foreign agent in the present Federal law is a Russian NKO that receives money and other property from foreign states and their public authorities, international and foreign organizations, foreign citizens, stateless persons or persons authorized by them, and (or) from the Russian legal entities that receive money and other property from specified sources (except for public companies with state participation, and their subsidiaries), and is involved in political activities in the Russian Federation.

In making the basic distinction of being an NKO acting as a foreign agent, the codification implies that an NKO cannot be defined as a foreign agent if it is not Russian NKO. It must receive benefits from non-Russian sources or Russian sources which receive money from abroad consequently making each source of organization financing and donations throughoutly accounted. All the NKO's receiving foreign money are required by the NKO Law's article 32's third section to report on all the funds received from foreign sources or foreign agent NKO's and to detail how these funds are allocated or used in their annual reports to authorities. Further supported by amendments to the article, the definition of a foreign agent NKO does not apply to organizations with any direct Russian public (state or municipal) administrative participation in them. The Russian juridical basic unit NKO compared to the internationally established NGO institutions, do not make exclusion to governmental agency in the organization thus making already the starting point per se different compared to the popular western idea of NGOs as basic units of civil society. Considering this basic idea of NKO's with the definition according to which domestic administrative participation in an NKO is a revealing factor for the foreign agent recognition, the idea of foreign agent NKO's can be considered to have relatively much state influence compared to the basic idea of NGOs where civil movements work independently.

The list of foreign sources of money and other property is holistically inclusive. Compared to the definitions of political action of foreign agent, which as well is relatively inclusive, the definition of foreign assets of foreign agents could be almost anything. Neither is there any minimum proportion of foreign assets for an NKO to be defined a foreign agent. Such a wide scope comprehension of foreign assets in foreign agent definition without any exceptions except the

Russian administrative participation makes a strong statement suggesting that any donation from any non-Russian source can be considered to make a politically active NKO act as a foreign agent. The law norm makes significance to Russian citizenship when even person without any citizenship can be considered the foreign donor. If an NKO has a non-Russian sponsor and no federal state participation, the definition of being a foreign agent depends solely on the NKOs activities.

Further the sixth section of the second article of the NKO Law (consultantplyus.) defines the political actions accounted as the foreign agent activities:

- With the exception of political parties, an NKO is considered to be involved in political activities in Russia by its direct actions or financing, if disregardless of the goals and objectives set out in organizations' founding documents, it participates (including financing) in political action. The political action embeds organizing and conducting of political activities in order to influence and change the decision-making of public authorities, as well as in the formation of public opinion for the above purposes.
- Activities in science, culture, art, health, prevention and protection of health, social support and protection, protection of motherhood and childhood, social disability support, health promotion, physical training and sports, protection of flora and wildlife charity, as well as activities in the promotion of philanthropy and volunteerism are excluded from political activities. Addingly by amendments religious organizations, employers' associations, chambers of commerce, registered in the manner prescribed by law are excluded.

The main definition given to foreign agents therefore is that they are *the Russian non-commercial organizations receiving non-Russian financial or material support and participating in political activities*. While there are details for further inclusion and exclusion of foreign agents, this is the main juridical definition. It is juridically defined that an NKO can be foreign without being a foreign agent if it is not registered as a Russian company, but it can't be both. Hence the synonym value of an agent as an actor does not seem valid. Moreover the given definition of 'foreign' is excluding the option of being even partially a Russian agent as for example an alternative term international would give. Hence *the law introduces an internal other to Russianness*. When the internal other is defined, it also gives further definition of the non-foreign (Russian) self. I examine further the function of creating an internal other by the foreign agent discourses in later paragraphs of this chapter.

The relevant definition of political activities is provided in the law's further amendments. The juridical definition of an NKO makes definitions for what purposes they can be founded for, but the political activities instead are defined in practical activities, because they might be absent in the founding documents of an NKO. Addingly the reference to foreign agents often states: *an NKO acting (or performing) as a foreign agent* (некоммерческая организация выполняющей функции иностранного агента). In rhetorical perspective this suggests a function where form of action is conditional foreign agent. The foreign assets of foreign agents are generally inclusive so the importance of foreign agent action emphasizes.

Compared to the above provided list of agendas for which NKOs can be founded for, the exclusions given to the definition of foreign agent include charitable, cultural, physical culture and sports, scientific, spiritual, and protection of public health promoting NKOs. However these amendments leave space for inclusion of the NKOs operating in fields of social, administrative, educational, legal protection and assistance, non-material needs of citizens (excluding religious organizations), and chambers of commerce. Moreover each of the included forms of activity can be excluded with the loose definition of philanthropical organizations, voluntary work and other connections to the exclusions. For example operating in the fields of non-material needs or education could be considered either as affecting to the public opinion, or as protecting of childhood. On the other hand while some activities of an NKO might be regarded as non-political, it seems to be possible to be labeled as a foreign agent while being involved only partially in activities considered to be political.

Features of what is not a foreign agent provide some recognizable moral form for the discourses. Activity promoting philanthropy is not characteristic for a foreign agent, which brings to the conclusion that the foreign agents are either bad or neutral at best in the public activities defining them, which is supporting a rather pejorative connotation of foreign agents. This is in somewhat conflict with the basic definition that the NKOs in general are defined to be founded for the public good, but the new law states that these activities are measured against practice disregards of the organization's founding documents. Moreover the law avoids giving a direct negative content to the discourses, as such feature is only given in the e contrario definitions of the foreign agents. Generally speaking to find an NKO that would not claim to promote philanthropy in one way or another would seem quite difficult; however the law provides the Russian officials the freedom of making such a definition which is giving the NKO law the typical implementable Russian feature the relevant theory (E.g. Parikka 2011) argues.

The different juridical rules for foreign agents adding to the above mentioned regulations are defined in article 32 on control of NKO activities. (consultantplyus.) The NKOs acting as foreign agents have extra requirement to report activities and their financial audit to the media and the

authorities biannually, compared to the annual reports of other NKO, including foreign organizations. Local authorities will annually submit reports on the activities of NKO acting as foreign agents to the State Duma of the Federal Assembly. Not abiding the laws can cause fines and suspension to an NKO violating the law.

The article 32 rules that if NKO are acting as foreign agents, their actions should be monitored more carefully than those who aren't, implying that the risk demanding monitoring is bigger with foreign agents. Without the contribution to political activities added with foreign support, less frequent monitoring is required, indicating that the foreign agent NKO is a bigger risk than other NKO. In later paragraph of this chapter I will further analyze the monitoring as a practice of governing.

Making conclusions of the law, foreign agents are the non-commercial organizations receiving non-Russian financial or material support and participating in political activities. The part of being *foreign* is based on almost any material or financial support from abroad. If an NKO registers as a foreign NKO, non-commercial organization, then it cannot be codified as a foreign agent. This can be understood that the agent stands for Russian, who has conditioned for foreign political influence that should to be recognized and visible, further suggesting that the influence used to be more or less hidden, but which is important to make public. The *foreign* support feature of a foreign agent is inclusive despite of the proportion and source of the non-Russian donor. The part of being an *agent* is strongly dependent on whether or not the NKO participates in political action. An important ontological statement from the law is that foreign agents can only be Russian non-commercial organizations which leaves undefined other possible definitions of subjects acting as foreign agents. Moreover the referring to them as the non-commercial organizations functioning as foreign agents, (некоммерческая организация выполняющей функции иностранного агента), suggests that in principle it is possible to define other subjects than NKO acting or functioning as foreign agents according to same kind of definitions. Moreover the direct discursive functions of the law are the distinction from other legal subjects of NKO and the added monitoring of the activities of foreign agents.

3.2. The Juridical Introduction of Foreign Agents as a Discursive Event

For long foreign agent term has been part of spoken language and popular culture (Black 2012). The idea has been used in various occasions for long time around the world, as well as in Russia. What did it mean to introduce a law that establishes an actual legal concept of it? What kind of content and functions were embedded in it? Does it mean the same as the Foreign Agent Registration Act (FARA) introduced in the United States in 1938, as some have claimed in

supporting the NKO law (e.g. Ria 2012m)? If we consider the general paradigm of discourses in that language evolves throughout the time creating statements and different visibilities, then we can expect that 'foreign agents' represent a characteristic appearance of their time and space in Russia 2012. I will stick to this paradigm in accordance to my research method and addingly it seems fit for analyzing the historical characteristics of discourses.

The discourses of foreign agents have created a historical visibility in the new Russian law on non-commercial organizations. 'Foreign agent' is clearly a discursive concept. They do not exist without the meanings given to them, instead they are a body of statements organized in a regular and systematic way to ideas, i.e. foreign agents have dynamical historical meanings and content. They already exist, but they live and re-shape with their related statements and visibilities. It was an abstract claim to call somebody a foreign agent in Russia until the summer of 2012, when there was enough will to make the law to legitimately point out who is and who is not a foreign agent. I will examine public statements in Russian media in chapter four but the discursive event of introducing the juridical concept of foreign agents per se is already a discursive event to examine. According to Kari Palonen's (1993, 103) thesis, the naming of the 'other' produces potential for political conflict because the label of foreign agents is given, not natural, even though it might be portrayed in a positivist manner.

What does it mean in perspective of timing to introduce foreign agents in 2012? Was it a reaction to something? The defined foreign support and the political activities defined together by the law are reacted by their distinction and extra monitoring. This equation points towards a reaction to globalization, but further statements giving such content is needed to support this argument and there are only few in the NKO law. The process of making a law is not a simple one, so the introduction of foreign agents in the law was a very considered and discussed series of events in Russia. If we believe that the primary function of laws is not to be providing dictionary definitions, but to work as instruments to solve problems - although journalist Outi Parikka (2011, 145) suggests that many Russian citizens may not believe in this ability - then we can suggest that by not distinguishing and monitoring foreign agents would be a problem. Obviously the problem was seen significant enough to see the effort and spend the resources needed to get the law done.

In 2012 there was number of laws introduced that caused some heated public debate: the new laws on treason, protection of religious feelings, public assembly, libel, internet censorship, homosexual propaganda, and the so-called 'the anti-Magnitsky act'. Comparing the functions of the other famous laws of the year 2012 with the law on NKOs, there are some similarities in them: As were the NKOs acting as foreign agents, so were the public rallies, internet websites, and homosexual propaganda set under further surveillance. One of the notable differences is the defined monitored subject. Despite of the added monitoring, which is presumably due to the assumed

increased risk level, acts of treason are still monitored - according to the new law – equally among the Russians, so are the public rallies, internet websites, and homosexual propaganda. Only the publicly titled 'anti-Magnitsky act' (*the Federal Law On Sanctions for Individuals Violating Fundamental Human Rights and Freedoms of the Citizens of the Russian Federation*) suggests that the defined risk is not equally applicable for everybody. The 'Anti-Magnitsky act' deals mostly with the foreign countries and nationals, not the Russian domestic sphere (kremlin.ru 2012.) like the NKO law, however it indirectly makes compatible statements to the foreign agents:

”The federal law also provides for suspending the activities of non-profit organizations that receive cash and other assets from American citizens (organizations), and are involved in political activities in Russia. The suspension also affects the non-profit organizations implementing projects, programs, or conducting other activities in Russia that act as a threat to Russian interests.” (ibid.)

Even without a direct foreign agent reference in the new law, the non-profit organizations receiving assets from abroad and involving in political activities in Russia as defined in the Anti-Magnitsky act are defined as foreign agents according to the NKO law. Instead of labeling an NKO as a foreign agent and conditioning it under extra monitoring, the new law conducts a harsh function of directly suspending the NKO related to foreign agents if the support is American. According to the following statement NKOs threatening Russia's interests are also announced to be suspended. There is no direct connection made to link the NKOs threatening Russia and the ones getting American assets, which again make the statement that the NKO suspended for American assets, are not necessarily acting against Russian interests. The vicinity of the two statements can however give the discursive content that American support for NKOs involved in political activities is equally severe to the NKO's threatening Russian interests. As audacious argument as this might be, the discursive content is born subjectively in the eyes of each interpreter and this is one of the many different interpretations to these statements.

According to its official name, the 'anti-Magnitsky act' bases its legitimacy on sanctions of human rights violations and the context as well as sanctions are much more severe than the NKO law which does not make any direct limitations to the operations of the NKOs acting as foreign agents. Despite of the obvious connections of the NKOs the 'anti-Magnitsky' law imposes to be suspended and the foreign agent NKOs imposed to be monitored, the formerly mentioned are not referred to as foreign agents and the NKO law does not make reference the particularity of the NKO's support from American or other particular foreign nations. However besides the anti-Magnitsky law, in the fall of 2012 couple of U.S. Government agencies were abolished from Russia

due to their participation in political activities via influencing the Russian civil society (Russia Today 2012) – which would make the NKO they founded foreign agents. These cases present certain significance in de facto foreign agent activities that are distinguished by the receiver sources.

It is easy to make a vague connection of a factor limiting civil and political freedoms combining the above mentioned new controversial laws of the 2012: limiting internet freedom, promotion/publicity of homosexuality and especially public assemblies can be connected on making it more difficult for certain politically active (foreign agent) groups to operate. Addingly the connection on dealing Russian relations with foreign countries and citizens can be seen in the updated law on treason which deals with foreign sphere in a more explicitly negative context compared to the NKO law. As I have above argued, one of the two major discursive functions of the law is defining of the foreign other within the Russian NKOs. Moreover this coincidentally defines the Russian self. Why was the definition of the other and self-needed in 2012? The law content itself does not make statements to the temporarily actualized need for the use of power. I will further examine these connections in following chapters when comparing the actual content given to the foreign agent discourses.

3.3 The Legitimation and Practices of Power in Foreign Agents

A law per se is a very traditional instrument of a sovereign to govern compared to institutions or norms, however they can be affected by statements of laws. What kind of apparatus of power is the law on NKOs? How does the power legitimize itself and can it proliferate its sphere outside its direct objects?

Roberto Esposito (2008, 13-14.) points out that on contrary to the globalization hypothesis - according to which the traditional grounds of law/sovereignty and politics have lost their grip of power – is disputable in the contemporary world: Law is gaining new terrains in many spheres and process of normativization is investing increasingly wider spaces in human and environmental rights. In the case of introduction of foreign agents, the limits of sovereign power do not seem to have expanded into revolutionary new spheres. Instead the labeling of subjects according to their political activities and foreign influences applies mostly in the same sphere of policies as the introduction of the Russian Official Nationality doctrine already in the 19th century (Neumann 1996, 25) and the codification of subjects is considered as general part of modern governing (Foucault 2003, 245). In the sense of being non-commercial instead of non-governmental organizations, the NKOs as legal institutions have existed already during the Soviet time. However the idea of NKOs as independent from public control is only as old as the post-Soviet Russian history – 20 years.

Consequently the question of how new is the NKO sphere in Russia can be seen in the light of establishing of new discourses since the Soviet era.

As I have pointed out, much of the foreign agent stipulations are revolving around Russian sovereignty: The NKO law defines the foreign asset of foreign to be any asset from non-Russian and the only exclusion is when the Russian state self is a participator in the NKO. Moreover the foreign agent activities concern political activities directed to affect public opinion and political processes. The law does not mention sovereignty per se, but its discourses are based in ideas of securing the sovereign rule from possible violations inside its own legitimate state territory. The possibly threatening fragments are within Russian social body in Russian NKOs from where the legislation is set to distinguish foreign agents from the rest of it. This resembles the biopolitical paradigm according to which the use of power can be seen to be legitimized by securing the well-being of the nation's social body in the sense that the threat exists within it. On the other hand this internal threat is still externally influenced and thus against the state sovereignty. The coincidental external and internal threat leads to the theory of state racism that I will further examine in next paragraph.

The law on NKOs supports the thesis of Aleksander Etkind (2009) according to which the Russian governing bases its legitimacy more on geopolitical ideas than biopolitics although both ideas are present. According to the sixth section of the second article of the NKO Law, activities in science, culture, art, health, prevention and protection of health, social support and protection, protection of motherhood and childhood, social disability support, health promotion, physical training and sports, protection of flora and wildlife charity, as well as activities in the promotion of philanthropy and volunteerism are excluded from the political activity features of foreign agents. These amendments supporting the well-being of life and development activities are signs of biopolitical legitimation in the law on NKOs. However despite of contributing to the public good, an NKO still can be codified as a foreign agent if it has supplemental political activities characterized to foreign agents thus making the defense of sovereignty the prior justification over biopolitics in codification of legal subjects. This does not mean repressing of life in defense of sovereignty per se as by the law there is no directly negative content given to the foreign agent discourses in the law on NKOs.

The paradigm of the liberal governmentality is that the state contributes to the civil society by securing the civil liberties and rights with legal codes (Lemke 2011, 46-47). The basis of the law on NKOs follows this paradigm as the legislative sovereign of Russian Federation provides its citizens basic freedoms and rights to act in non-commercial organizations. However the foreign agents section complicates the getting of these freedoms and rights subjugating them more under administrative consideration. Further giving perspective to the co-existing liberal and sovereign

governing, Roberto Esposito (2008, 26) notes that rights can be seen as the instrument that the sovereign uses for imposing his own domination by defining the actors on that field of subjects. Following this argument, in the case of foreign agents and NKO's, the sovereign practices its power by making these basic rights more conditioned than before as certain subjects have more responsibilities to maintain them. In other words the sovereign rule has created a new instrument to govern NKO's by conditioning their rights in definitions and obligations when acting as foreign agents.

The first official definition of foreign agents does also include its indirect structural power over the Russian life, because of the repeatability of its discourses can proliferate within the Russian people outside of formal social institutions. Even if the codification is legally applied only onto NKO's and consequently only NKO's can legally be claimed such, the definition can be proliferated to concern the individual and private spheres as well. The main defining statement in the law on NKO's is that *the Russian non-commercial organizations are acting as foreign agents if they receive non-Russian financial or material support and participating in political activities*. This statement enables ideas to define also other legal subjects than NKO's as foreign agents according to the same definition and legitimization.

3.4.1. Outcomes of the NKO Law: Internal Other

What is the subject of foreign agents? Before the law the idea of foreign agents was only a structural concept without any formal legal definition: whether somebody was considered foreign agent or not, there was no fixed definition for it in Russia before the year 2012, but now through the NKO law statements of the sovereign claim hegemony over the discourses of foreign agents – they are in the law. The distinctive function on foreign agents in the NKO law can be linked to the codifying or regulatory power as defined by Michel Foucault (2003, 249). Foreign agents are set to be registered and monitored without direct 'disciplining actions' on individuals in this perspective. It does however impose a norm of a foreign agent that not only labels the organizations - and indirectly the people working in NKO's - but also effects on the self-conduct. When something that the people are part of is codified as foreign, non-Russian agent, it does increase the subjects' self-knowledge/conduct and relations to self and others, i.e. it subjugates the Russian people dealing with the foreign agent discourses.

This pastoral subjectivation, as Roberto Esposito (2008, 35) refers to, makes Russian subjects consider their relations to the organizations defined acting as foreign agents. The power here is not practiced upon the biological body of population, but the organized groups and the political body of people. The social identity research scholars such as Michel Foucault, Thomas

Lemke, Giorgio Agamben, and Iver Neumann generally see that managing the questions of the self and the other are characteristic for structures of human societies in general. What is the self and what is the other in foreign agent discourses?

Iver Neumann (1996) has researched the concept of the European other in Russian point of view. He argues that historically Europe has been the main other against whom Russians have defined themselves, although the United States challenged this position after the WWII. Neumann pointed out that from the discourse of Europeaness the 18th, 19th, and 20th century Russia as a state actually often wanted to be a part of the idea of Europe, because it was seen as progressive and modern. Compared to the discourses of foreign agents, Europeaness is something that Russians could be part of, unlike with the exclusive term of *foreign* (иностранный) in the case of foreign agents. As a response to the emerging ideas of liberal revolutionary 'false Europe', the Russian government proclaimed the doctrine of 'official nationality', which included three pillars: autocracy, Orthodox religion and nationality or nation-mindedness. This doctrine did not introduce a legal status for citizens such as the foreign agents, but it rather served as the preservative of Russia as a member of a true member of the *ancient regime* instead of new imported revolutionary forces. It is notable that in his conclusion Neumann notes that if Russia is to slide into the path of Romantic nationalism it could develop a new doctrine of this kind which would suggest that Russian relationship with Europe is not a partnership but more of a competition. (Neumann. 13-15, 21, 25, 209.) Could the foreign agent phenomenon be the result of the emergence of Romantic nationalism in Russia? From the law per se it is difficult to draw far reaching conclusions on this theory.

The historical *foreign* in foreign agents, Europeaness (or the West) is not the only Russian other as there is also the civilizational other of the South and East. Russia is a very multinational state, and many of its internal problems can be seen in their relation to the national questions (Sukhov 2008, Ryazanova-Clarke 2012). The recent idea of Eurasian Union, depicted by Russian current president Vladimir Putin (Marin 2011), is based on the civilizational connection between the Russians and the Europeans while highlighting the civilizational (demographic and religious) others of Islam and China. The separatism question of Russian ethnic republics was very serious in the 1990's and in South Russia, most famously in Chechnya, is yet an unsolved issue for Kremlin. Addingly the demographic pressure Russia gets from China and Central Asia is recognized problem for Russia despite of good relations established between their regimes. So could the *foreign* in foreign agent be direct reference towards west, south or east? The law per se does not provide answer to this question so the discursive content of the ideas and beliefs of the foreign other but considering the legal definitions of foreign agents in foreign assets and political action of the subject – the politically foreign in domestic grass-root level – the theoretical hypotheses suggest that it is the West. The foreign agent discourses provide better perspective into this question in next

chapter.

Despite of the fact that Neumann's analysis of the Europeaness necessarily did not embed pejorative tone, the internal other in practice can be always described as something incompatible to the Russian self. However, according to Neumann's oeuvre, the internal other in practice was never described from official level too distinguishive from unhealthy substance or enemies of the state. From this perspective it becomes a hypothesis that the idea of foreign agent as a Russian internal other has inseparable pejorative discursive content. The amendments to the law on NKOs definitely do not favor the new internal other because of the legal obligations alone it is less favorable for an NKO not to be codified as a foreign agent. Hence if the subjects can choose – according rational theory – they can be expected to direct their conduct apart from the foreign agents.

3.4.2. Outcomes of the NKO Law: The Russian Self

So why would the Russian governmentality create an internal other in foreign agents at all? Thomas Lemke (2011, 40) suggests that the sovereign power uses laws to legitimize itself in the divided and conflicted society it manages. This thesis fits also to the geopolitical view on homogenization of modern state (John Agnew 1998, 53.): A modern state claims sovereignty all over its territory and citizens. It creates a strong conceptual division between inside and outside and is attempted to pursue homogenized nation state due to its apparent domestic efficiency and security against international competition. Indeed the law on NKOs introduces an internal other to Russianness clarifying the seperation of inside and outside the Russianness, but according to a thesis of Giorgio Agamben, exclusion can also contribute to unification of a nation.

Giorgio Agamben(2001, 23-41.) examined the pure field of biopolitics confronted by a sovereign in situations when a political subject is in the state of *homo sacer* – bare life without juridical status of a citizen or nationality. Unlike Foucault, Agamben saw that the sovereign power and biopower are complementary to each other as the sovereign can rule with the inclusion and exclusion from the political body. Compared to the introduction of the legal concept of foreign agents, the biopolitical re-definition of limits of politics is not very extreme in its nature as no stripping of citizen's rights is involved in the law - on the contrary, the law acknowledges foreign agents as recognized juridical subjects. It does however produce a foreign Russian subject, i.e. excluding non-Russian other inside the Russian nationality, which is treated as a risk to the social body and the state sovereignty. Moreover the legal rights of foreign agents are more fragile than non-foreign agents, because their legal subjectivity is more conditioned than those of non-foreign agents hence this policy can strip an NKO out from its juridical rights and endanger it to exclusion.

Because foreign cannot be Russian, the discursive statement in establishing an official juridical foreign agent institution makes one kind of exclusion in the Russian social body.

Agamben (2001, 30-32) states that the word *nation* includes the excluded nation (pure life, *zoo*) and the included Nation (jurido-political, *bio*). He continues that despite the ready existence of Nation, it is a pure source of each identity which always has to actualize, redefine and cleanse itself by exclusion, language, blood, and soil. The exclusion here is a noteworthy point. Russian administration (RT 2012) has stated that the law brings transparency as foreign agents become easier to be identified. In creation of the codified foreign non-Russian other, the Russian included and excluded will be better identified. According to Agamben (2001, 32) the universal goal of all the politics of the contemporary age is to get rid of the fracture of the excluded and the included by getting rid of the former. The categorization and subjectivation of the excluded is necessary to distinguish and get rid of them. This theory does not suggest that by introducing foreign agents Russian legislative wants to get rid of the biological life of foreign agents, but it does support the hypothesis that the institutional/political life of foreign agents is made unsustainable.

The appearing exclusion of foreign in Russian subjects and the rather bold theoretical thesis of exclusion to get rid of the other raises a question: what is the relation to death of discourses of foreign agents? Again I continue the strongly theoretical approach to the subject since I examine the ideas per se. According to Michel Foucault (2003, 82-83, 254-256.) the paradoxical relations between biopolitics and death is explained in the state racism. The survival and refinement of life puts a new instrument in the hands of a sovereign as it justifies its policies of death with strengthening of the life. Foucault gave an example of the Russian biopower in Soviet state racism: The utopia was to be achieved by cleansing the society from non-conformist elements of political action and people who were treated as either 'sick' or 'crazy', representing the harmful elements for the social body that had to be removed. Thus the unhealthy element does not have to be the biological other, but it can also be political. A foreign agent NKO is not biological life per se, but it consists of people organizing it and the essential defining feature of their existence is the political activity and their foreign support.

Thomas Lemke (2011, 35-36) notes that the death does not need to mean death or killing in the literal sense, but in sense of biopower it can mean disallowance to the point of death. The law on NKOs does not directly disallow the existence of foreign agents, but it does make the continuance of the political life of the excluded foreign agents less favorable than for the included subjects: The pre-conditions for the existence for a foreign agent NKO are tougher than for regular Russian NKOs due to the added bureaucracy, obligations and the subjectification to internal other that theoretically subjects the foreign agent NKOs and their representatives under public contempt.

Is the introduction of the foreign agents an act of state racism? Foucault (2003, 62) states

that the result of the threat from within is "racism that society will direct against itself, against its own elements, and its own products. This is the internal racism of permanent purification, and it will become one of the basic dimension of social normalization" (2003, 62). The discourses I pointed out in the paragraph 3.3. on how the legitimization of the governmentality of the amendments to the NKO law bases much on external threat appearing internally inside the Russia can be connected to purification of the social body. Nevertheless the appliance of the law does not propose any permanent purification, as the law has more functions of adjustment towards its subjects. The law is rather set to make diagnoses of these risks. In political sense a foreign agent can die by ceasing to exist, when an NKO acting as such stops its political actions or stops receiving foreign support. Doing so there would not be any direct harm for the biological life but to the political life instead. The subjectification in the NKO law seems to favor the non-foreign agents, i.e. Russian NKOs, without the combination of foreign influence and political participation features. These subjects save their juridico-political existence even without labeling themselves as foreign agents and seeing the trouble of biannual reports of all their activities to officials.

The law appears both as a historical visibility prolonging from the discourses of the past and as a new statement making possible visibilities for the future. In next chapter I will articulate how within few months since the introduction of the law, the foreign agent label has been adopted in common language and action not only to comprehend the NKOs as defined by the law, but also for those excluded from the juridical definition such as the religious groups or individuals. Examples of this have been shown among others in demonstrations of pro-Putin activists against Mormon missionaries (Peleschuk 2012) and leaders of political oppositional party Yabloko and nonaligned oppositional figures (Mitrohin 2012). Both of these demonstrations demanded that Russia would get rid of these 'foreign agents'.

4. Foreign Agents According to the Russian Media

The new law on non-commercial organizations (NKO) was arguably processed very fast by the State Duma in the early June 2012 (Echo 2012a) and there was fairly little time for public debate on the issue during the legislative process. The debate on the new amendments on the law introducing the norm of foreign agents started quickly and it continued through the next 12 months making it clear first of all that no matter if foreign agents were defined in the law, which was signed and set in force, the concept was still very much politicized and questioned. Obviously the juridical statements of foreign agents were in conflict with the ideas and beliefs of some segments of the Russian public creating various resistance, debate, discontent, appeals, threats, foreign critique and practical acts of protests.

The importance of mass media is recognized in the contemporary information world. It is said to be the fourth state power or branch of government due to its significant ability and power to distribute information and knowledge. The quantity and quality of the news is often more important in modifying discourses than the actual events but they are still strongly conditioned by the already existing discourses. Addingly the Russian public does not fully trust on media information as I noticed in the Introduction chapter. How do the media stories describe foreign agents? What kind of ideas does the news reports embed and produce on the subject? Here the two qualifications of foreign agent, the foreign assets and political activity are especially important but there is more in foreign agents than only these features. What kind of assumptions are there and in what context are the foreign agents presented? What kind of action does the foreign agent label produce? How do the discourses of foreign agents in Russian language and society reflect to the discourses of the foreign agents in the NKO law? How and in what ways are foreign agents defined? What kind of discursive reality do the media create? All of these questions help to formulate conception of the overall discursive body of foreign agents. Here I remind that media is known to seek and report controversial news perhaps making a relatively extreme picture of the subjects they report. Hence my hypothesis is that foreign agents are most often reported in rather controversial contexts. However most of the public does not see "foreign agents" themselves so the statements given by media are in any case the most popular discourse formers.

This chapter has special emphasis on hermeneutics – interpreting the text and discourses on it. I follow the principles of Foucauldian discourse analysis and focus on describing the material. However by analyzing them I also codify discourses myself. In previous chapters I have presented theories on the research subject that can be considered in the presented news. However to avoid over interpretation I reflect the news material and theory only after first describing the material alone.

I have made a list of the discursive content and statements of foreign agents, which should not be understood as hierarchical. The subchapters here are picked according to the discourses that distinguished to me from the research material but not meant to describe the order of the most dominant discourses. I try to avoid making statistical or quantitative research where I code the most popular discourses of foreign agents. Nevertheless at the same time my intention is to be critical and evaluate how strong ontologically positivist values the statements have. In what way do the discourses have the sense of objectivity or 'naturalness'? I start by describing the non-commercial organizations (NKO) that were connected to foreign agents by the law, accusations and various events. Also I note the juridical practice on recognizing foreign agents touching the subject of *legal praxis* when it is relevant to the discourses as arguments for and against being foreign agents both describe them. Then I further examine the general characteristics of the ideas of foreign agents, the law applied and the events that connected to the foreign agents. In the last paragraph (4.5.), I discuss about the overall foreign agent discourses appearing in media statements. This chapter describes the empirical in the light of theory and the juridical law introduced in previous chapter and it moreover provides some discursive background and material for examining the foreign agent discourses in international politics in the last chapter.

4.1.1 Various Organizations Linked To Foreign Agents

By July 2013 only couple of non-commercial organizations were officially recognized as foreign agents by court: "the Promotion of Competition in the States of CIS" (Содействие развитию конкуренции в странах СНГ) (PCSC) (RIA 2013a), "In defence of the rights of voters "Golos" (Голос) and Levada Center (Левада Центр). The PCSC registered itself as foreign agent in June 2013 but the two latter represent the mainstream reactions of NKO refusing to register to the point where they were fined for the violations of the law (e.g. Echo 2013c). These three cases went through legal processes to be recognized as foreign agents but throughout the first years' time period there were many other NKO that were connected to foreign agents but their processes were incomplete or they were released from the charges. In July 2013 the General Prosecutor of Russian Federation declared that during the mass inspections to Russian NKO in the spring of 2013 there were 43 organizations supported from abroad of which 22 are suspected of being foreign agents (Ria 2013b). Overall the Ministry of Justice evaluated that there could be hundred foreign agent NKO (Ria 2013j).

Overall in the news reports organizations connected to foreign agents include polling and research organization Levada Center (Левада Центр), Moscow's school of political research (Московская школа политических исследований), sexual minority festival Bok o Bok (Бок о

Бок) (that is not even an traditional organized NKO), the Muravyorsky nature park (Муравьёвский природный парк), Islamic Culture Research Foundation (фонд Исследований исламской культуры), public association Soldiers' mothers (Комитет солдатских матерей), the International Association of Peace Foundation (Международная ассоциация фондов мира), health organization Helping patients with cystic fibrosis (Помощь больным муковисцидозом), environmental group Ulukitan (Улукиткан), and human rights associations Human Rights Center Memorial (Мемориал), human rights and democracy development organization Moscow-Helsinki Group (Московская-Хельсинская Группа), Agora (Агора), Committee against Torture (Комитет против пыток), Man and Law (Человек и закон), Public Verdict (Общественный вердикт), Legal Initiative (Правовая инициатива), Sova (Сова), Ural human rights group (Уральской правозащитной группы), Kostrom center of community initiative support (Костромской центр поддержки общественных инициатив), For human rights (За права человека) and Shield and Sword (Щит и Меч). Overall the discourse presented by media is that the group of potential foreign agents is very heterogeneous. The catalogue of NKO's linked with foreign agents in media are characterized by many of the features in conflict with the sixth section of the second article of the NKO Law (consultantplyus.) that defines activities excluded from the political activities of foreign agents. Such discursive controversy appears inter alia: science (Levada, Islamic Culture Research Foundation), art and culture (Bok o Bok), prevention and protection of health (Helping patients with cystic fibrosis), protection of flora and wildlife (Ulukitan). In one considered scandalous considered event even the Nordic Council of Ministers was accused for a while to be an foreign agent (Echo 2013g). The descriptions of organizations are portrayed here according to the news articles. Despite of the fact that the stories behind simplifying headlines are more complicated than for example an organization being accused for being a foreign agent for its activities in science, a headline saying that a scientific organization is accused for being a foreign agent can quickly create a discursive connection between scientific organizations and foreign agents. These discourses are fed by the fact that often in the news reports there is only little if any details of the accused actions or actions under suspicion.

As the list above indicates, many of the NKOs connected to foreign agents in the news were human rights organizations (HROs). Through various events and active participation in public debate the HROs as both the objects and subjects of the issue became very much connected to the ideas of foreign agents. In defining of an HRO one definition might see that an NKO defending rights of sexual minorities to be more of a human rights organization than a law firm but here by a human rights organizations or groups I mean the NKOs portrayed as such in news. I note that many of these NKOs were addingly described to aim at fighting corruption and developing civil society. Since the new amendments on the law on NKOs were set, the HROs were the constantly reported

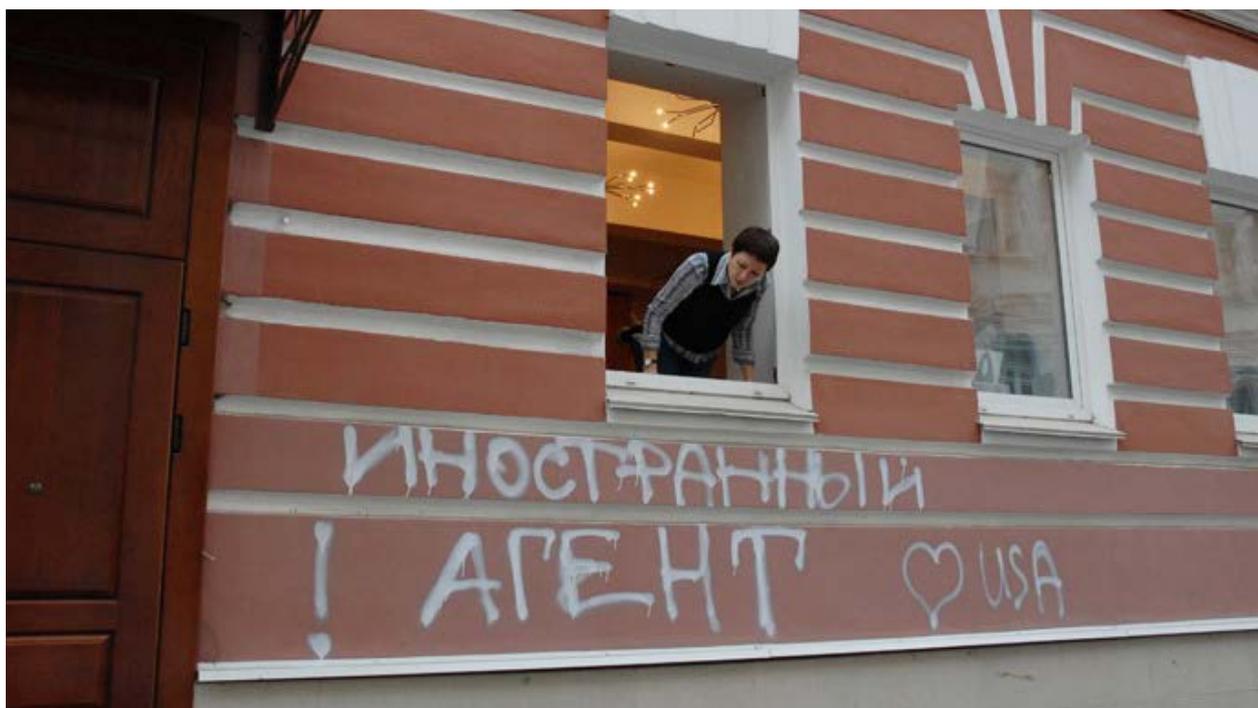
for their critics against the new law and the mass inspections on NKO in spring 2013 (Ria 2013j). The HROs announced that they would boycott the law in unison (Echo 2012f). Next to the HROs also the Presidential council on human rights (Президентский совет по правам человека) was reported to sympathize the critics of the law, seeing that the planned penalties for NKO personnel without administrative responsibility and the overall criminal responsibility of not registering as foreign agents was immoderate (Ria 2012t). Ria Novosti (2013m.) even wrote a headline “General prosecutor found foreign agents in a presidential council” (Генпрокурор нашел иностранных агентов в президентском совете) giving much publicity to the issue and suggesting that some of the human rights council members – foreign agents – were trying to affect the legislation administratives.

International statements in general emphasized the human right content of the foreign agent discourses. One of the events leading for the strong connection between foreign agent accusations and human rights groups was when two HROs appealed to U.S. President Barack Obama to answer the question of whether they were in the standard meaning of the word agents of the USA meaning that they carry out orders of American administration or is directly or indirectly dependent on them (Ria 2012c). In another example in spring 2013 group of NKO appealed to the Strasbourg European Court for Human Rights on the foreign agents issue as a violation of universal human rights (Ria 2013o1) further highlighting the idea that the foreign agent issue is human rights (violation) related.

Eventually the foreign agent label was criticized also from abroad sympathizing especially the Russian HROs and claiming that the foreign agents’ law is a human rights issue. American representatives also particularized that the foreign agent law in America is contrary to the Russian administrative arguments different from the Russian since it does not target the HROs. (Ria 2012d) These reactions were popularly reported in Russian media but instead of disclaiming of the human rights target focus in foreign agents, the counter arguments were defending the Russian sovereignty to decide in this issue and blamed the HROs from provocation (Ria 2012e). The fact that the counter arguments did not argue against the argument that the foreign agent -label was directed especially against the HROs does not claim that there is no disagreement with the HROs but neither do such counter arguments create competing discourses stating anything else. Later also the disbanding of American development agency USAID in Russia by local authorities was also connected to HROs as it was reported to hit hard especially on HROs it had financed (Ria 2012f).

Another discursive event with another nature was directed against Memorial, an HRO of post-socialist countries. In the preceding night of stepping into force of the amendments into the NKO law, unknown people painted into the wall of Memorial headquarters in Moscow “foreign agent *heart* USA” and a week after a sign next to the big society name tag on the roof stating

“Here sits a foreign agent!” (Здесь сидит иностранный агент!) (Echo 2012g). These cases did not only get media publicity but they also created representational visual images of foreign agents. The pictures from the Memorial headquarters were made very visible for people going by the building, they were used in media stories and throughout the research period of late 2012 to late 2013 these pictures were among the top hits for foreign agents in image search of Google. I will later in this thesis return to the discursive connection of foreign agents and America but here I point out that these images make simplified statements and describe the stigma laid upon the HRO because the pictures and mental images stay even if the writings were removed. Even if this action was targeted to one NKO and human rights were not mentioned in writings per se, the Memorial is an established HRO connecting it to the collective human rights movement. These events were reported as anti HRO events but they also support the HRO arguments on the fact that they are unlawfully labeled as foreign agents as the writings are unlawful vandalism. The discourse of negative foreign agent stigma on HROs seems to be dominant here.



Source: Yulia Klimova: <http://rt.com/politics/memorial-foreign-agent-court-749/> (sought 28.9.2013)

Ironically the defense of the human rights organizations against being labeled as foreign agents per se supports the discourses of foreign agents being related to HROs: Regardless of if they are foreign agents or not, their defensive argumentation and action states that they are collectively defined as such by Russian authorities. However this discourse does not have monopoly. Even if the media coverage from Ria Novosti, Echo Moskvy and Russia Today did not report any defense against such

arguments, the law NKO made by the Russian legislation does not mention HROs and each human rights group was taken into administrative inspections individually. The discursive events in the spring of 2013 where HROs were prosecuted for violating the NKO law on their side describe of competitive discourses of the legal authority that does not target the HROs collectively but individually from other features of the potential foreign agents.

4.1.2 Defining the Political Action of Foreign Agent NKO

The political activities defining foreign agents can be considered widely interpretable and in media it is sometimes even described as if political activities alone define foreign agents. In this paragraph I highlight what was referred to as the defining political action of foreign agent consequently dismissing the foreign financing aspect. For not making the false impression that the financing does not matter I note how the Transparency International for example was only warned for its political activities pointing out that if it would get foreign financing in the future it should register itself as a foreign agent (Ria 2013u). I give the emphasis of this analysis subchapter onto the political activities and give less attention to the non-Russian finance sources of foreign agents because the foreign support factor was less debatable issue in media – very few NKO denied the non-Russian origin of their financing. Despite of the less controversy in the issue of defining the foreign financing I notice the discursive content on it as well in later subchapters.

It is notable that the first and due to the 11.11.2013 the only NKO registered as foreign agent, the Promotion of Competition in the States of CIS (PCSC) (Ria 2013a) received very little media coverage other than that it was the first one to register itself. There were no comments from representatives of any party on the case before or after nor were there even any description of the defining of their political activities or foreign financing. Discursively speaking the case of PCSC does not show too much more than a precedent on how one NKO has registered itself as foreign agent, there is barely anything more direct meaning given for it. If the process was followed from news of Ria Novosti and Echo Moskvyy it would thus suggest that the actual identification process to be a foreign agent is rather easy. However the case of Promotion of Competition in the States of CIS is exceptional as much more often NKO were reported to fight against the law refusing to register even with harsh economic consequences following from their disobedience. One other exceptional case supporting the more difficult process of being foreign agent is in human rights organization Shield and Sword (Щит и Меч) which tried to examine how the law works by voluntarily registering as a foreign agent. (Echo 2013c.) In this case the Ministry of Justice announced that it refuses to add the NKO to the register because it was not suitable for the definition. The Ministry did not give further explanation for dismissing the application but the case

made it clear that it is not always even a question of self-recognition to be a foreign agent even though the law requires it as well.

As I mentioned above in the first chapter, the law on NKO clarifies that among the few other forms of operation, the acts in education and science are not counted as political activities. They however do not seem to be exclusive features of a possible foreign agent as the news on Moscow's school of political research and research center Levada demonstrate. A board member of the Muscovite school mentioned said that while most of their financing is from abroad it is the schools old name indicating to political research that caused the prosecutions (Ria 2013d). Research organization Levada Center however regularly conducts both its own and ordered sociological and marketing research, being one of the largest Russian companies in their field. Levada has been open for its past foreign assets but denies political activity at least in the character of being foreign agent. The case of Levada center however was taken into court to examine whether its sociological research publication can be considered as political activity (Ria 2013e) and eventually the company was found guilty for it. Here like in the case of Shield and Sword the Prosecutor General's Office announced that Levada Center is recognized as a foreign agent, but the NKO itself did not receive any documents specifying the decision. (Ria 2013f.)

While the influence on public opinion has been criticized for its incoherent character, the definition of *organizing and conducting of political activities in order to influence decision-making of public authorities aimed at changing their on public policy, as well as in the formation of public opinion for the above purposes* (consultantplyus.ru) can be noted in legal praxis. The activities to influence the formation of public opinion can be noted for example in prosecutor's statements about election monitoring. One of the foreign agent cases drawing much attention was when 'election watch dog' Golos became an involuntary target of the foreign agent application since late 2012 (Echo 2012b.) when the head of the elections monitoring organization announced that his group would be targeted because the law was directed against those who do not support the regime in power. Golos was recognized by court as a foreign agent even before the Promotion of Competition in the States of CIS and it declared that the organization would suspend itself as a reaction to the court judgment and reorganize itself to continue its activities in another form of an organization. A representative of Golos stated that the court's decision to suspend Golos is symbolic as the foreign agent stigma will not follow them if they shut themselves down and re-start as another group. (Ria 2013n1.) In late 2013 it is yet to be seen if the example of Golos to escape the foreign agent label truly becomes symbolic. However the statement of Golos was that an NKO would not settle for being defined as a foreign agent but it would avoid the registration instead by changing its own legal status. The group would continue to work considering foreign agency as an undesirable legal term that can be avoided not only by changing their methods or financing but also by re-registering

their group.

What was interesting in the case of Golos however was not only the aspect of political activities it was claimed to engage but the financing it was accused and found guilty for. While in court the defense appealed to the facts that it had refused and returned the Sakharov Prize Association grant of the Norwegian Helsinki Committee the verdict of being a foreign agent was given despite of it. Addingly arguments of the foreign funding were defining Golos retrospectively as the company had not received any foreign funding after the new amendments to the NKO law were set in force in November 2012 (Ria 2013h). Further the lawyers of Golos also tried to appeal that the law does not explain how to interpret the concept of "political activity" but the verdict saw the "Electoral code" developed and proposed by Golos a clear sign of political action. (Echo 2013e.) While in the news articles there was only little details presented on the "Electoral code" of Golos, the code indicates a practical act which suggests that the current electoral code should be changed. Considering this with the case of the Soldiers mothers organization where next to the NKO's legal activities of helping men to avoid conscription the NKO was accused for election monitoring, one can make the conclusion that criticizing and monitoring of electoral procedures affects to the public images of electoral commissions and therefore affects public opinion. The prosecutors statements on Soldier's mothers were reported in Ria Novosti (2013o.):

--- "В ходе проверки установлено, что комитет получает денежные средства из зарубежных источников из Национального фонда в поддержку демократии (США)", — говорится в предостережении прокуратуры. Ведомство заявляет, что за счет этих средств комитет осуществляет политическую деятельность, нарушая тем самым закон "О некоммерческих организациях". Отмечается, что комитет ведет собственную статистику "нарушений в период избирательной кампании и выборов" и собственный подсчет голосов. Ведомство считает, что комитет солдатских матерей таким образом воздействует, в частности, на формирование имиджа избирательных комиссий. " ---

--- "In the audits it was found that the committee receives funds from foreign sources from the National Endowment for Democracy (USA)," - said the prosecutor's warning. The (Prosecutor's) office declares that according to these funds the committee engages in political activity, thus it violates the law "On non-commercial organizations". It is noted that the Committee keeps its own statistics on "violations during electoral campaigns and elections," and its own vote counting. Office finds that the Committee of Soldiers' Mothers thus operates in particular to formulate the image of electoral

commissions.” ---

Besides the affecting on public opinion as a political activity of foreign agents, the influence on decision-making of public authorities has also been instrumental in legal praxis. In statements of Prosecutors the representatives of NKO's were considered to practice such influence while being members of public decision-making councils and committees or in participating to such organs as experts. Having members working as government officials got the health organization Helping patients with cystic fibrosis (HPWCF) suspected for being a foreign agent because they were suspected to use these organs for their own NKO's agendas (Ria 2013p).

The political activity of Civic Initiatives Support Center of Kostroma (ISCK) got accused for attending to a diplomatic roundtable discussion “Reboot Reboot: where to move the US-Russian relationship” with American consul. According to the defense the meeting was described to discuss issues including improving the investment climate in the Kostroma region and cooperation in the economic, educational and cultural spheres. However according to the accusations of the prosecution the roundtable was dealing about the problems of international relations between Russia and the United States (Ria 2013q., r.). Hence for the NKO activity not to be foreign agent -like their activities should be understood as economical, educational and cultural international cooperation but if the activity concerns international relations of states, then it is concerned foreign agent activity. These two arguments do not seem to be exclusive to one another but they however state the different on what is political activity of a foreign agent. The international relations is wide enough concept to cover the activities mentioned by the defense but it can still include something else than the activities excluded by the law's definition of foreign agents. By the law the decision-making bodies are not described to require concrete decisions where the foreign agents have contributed in it, it is simply enough when it is possible. The ISCK's defense denied such causative conclusion that any participation in diplomatic forums is political action and it sought for more qualitative definitions of agency in the decision making bodies. Eventually these court cases not only displayed descriptions of foreign agent qualities but they also stated that the participation in decision-making organs can be considered as foreign agent activity (as in the judgement of the ISCK) but not necessarily in every case (as in the judgement of the HPWCF).

The procecutor's charges against NKO's acting as foreign agents in their political action of participating into public decision-making bodies were considered unconstitutional by a group of environmental NKO's that appealed to the president to change the law. They considered that the NKO law prevents the participating of citizens into decisions of public authorities in their fields of activity. Addingly according to environmentalists, this should not even be considered as political activity. They note that the rule of the Constitution quarantees the citizens' right to participate in

managing state affairs directly or indirectly through their representatives. (Ria 2013d2.) What is not said in these statements is that the law does not forbid foreign agents participating into the action they refer to; the participation to the decision-making bodies in the cases presented above has only played the role of defining foreign agent by their political activities. However according to the discourses in the statements of the environmental organizations, the constitutional right to participate into decision-making is violated as using of this right could make one a foreign agent.

The formulating of programs involving wide social meanings seems to be connecting many of the foreign agent prosecutions. Amurian environmental club Ulukitkan was successful in its court defense against prosecutions of acting as foreign agent but the factor implying its foreign agent activity displays again project organizing: In 2011 a German foundation donated the club 29.4 thousand rubles for the project "Competition for journalists and the public action dedicated to the 25th anniversary of the Chernobyl accident". Also in this case the defense stated that the claimed political action had taken place before the foreign agent amendments in the law. (Ria 2013i.) Like in the case of Golos, the Ulukitkan case indicates that the temporal concept of acting like foreign agents can be considered in retrospective according to the prosecutors' accusation. Even if Ulukitan was successful in its defense, the cases of Golos and Ulukitan show how foreign agent financing can be considered in retrospective definition by some statements. Moreover the case of Ulutkin was taken to a higher court so there can be another statement of it (Ria 2013j). Also I note that the sexual minority festival Bok o Bok was proclaimed acting like a foreign agent from the time before inception of the law (Ria 2013l). In these cases the statements of defense support the discursive idea that a foreign agent is only a foreign agent when the valid law temporally codifies it. The prosecution on their side seems to support a tautological ontology of the discourse – an NKO is a foreign agent with or without an effectual law.

The NKO law mentions special attention towards extremism in monitoring of organizations acting as foreign agents. In Article 32 on control of activities of non-commercial organizations fraction 4.6 define that a competent authority can make an unscheduled audit to an NKO if a petition of a legal person or media information indicates presence of extremism in its activities (consultantpluys 2013). However only in lesser cases the media sources connected foreign agents to extremism. A group of Northern Caucasus prosecutors legitimized their inspections on the usage of foreign money among Caucasus NKOs with religious activities by their liability to extremism (Ria 2013n). Addingly in a more distinct discursive connection the argumentation of the decision to disband USAID from Russia highlighted the seriousness of the funding of Northern Caucasus NKOs (Ria 2012o) that are some times connected to extreme forms of activities such as separatism.

In practice extremism has directly been connected only into three NKOs, two of which were anonymous without specifications. In spring 2013 Attorney General found three organizations

whose activities were sent to a court for being eliminated and prohibited. The attorney specified that in one case there were evidences of storing and distribution of extremist material of the Islamic Culture Research Foundation (Ria 2013c). The news article states that the suspected violations were founded in accordance of the legal unscheduled audits against foreign agent NKO; the three organizations in question were not actually accused for violating the stipulations on foreign agents but for acts of extremism. In this case no foreign agent political activity was mentioned and the activities of extremism cannot be considered as synonymous to them in discursive function because extremism would lead NKOs into direct suspension instead of fines and temporary suspension. On the other hand the extremist activities in the case of the Islamic Culture Research Center resemble the political actions of alleged foreign agents: preservation and the active activity of distribution of extremist material of organization receiving assessments from abroad is the same description of violation as with the sociopolitical publications of Bok o Bok, Golos and Levada. Thus an NKO acting as a foreign agent can be extremist but then it could not be juridically registered as one but instead it would be disbanded. The discursive connection is with the normative definition but not their sanctions. However the transparency in activities of foreign agents is officially argued important in order to find among others extremist features forming some discursive connection between these ideas (Ria 2012o).

Above I have pointed out how suggesting modifications of Russian legislation have been counted as political action of foreign agents. In cases of human rights organizations it appears that even managing the legal procedures in favor political activists can be considered as foreign agent activity. The NKO law defines that the political action of foreign agent is *direct* action or financing. The legal praxis however connected indirect political action to foreign agents in the cases of the Public verdict foundation and Agora. Both of these organizations declare their mission to provide legal assistance to victims of law enforcement. However they were connected into political activities of foreign agents by their associations with political activists who had been victimized by illegal activities of legal enforcement. Consequently almost all the human rights activities of the "Public Verdict" were declared political because they were considered to intervene in the state policy in the field of law enforcement. Also the analyzing of the legislation for the citizen rights and compliance with the federal constitution can be considered political activity according to the prosecutor. (Ria 2013t.) The legal case of Agora seemed close of being identical with the Public verdict as the prosecutor's statement indicates:

"Осуществляемая на постоянной основе деятельность "Агоры" по содействию политическим активистам в недопущении их к юридической ответственности является участием в политических акциях и, следовательно, политической

деятельностью. НКО рекомендовано немедленно зарегистрироваться в Минюсте в качестве иностранного агента, в противном случае ей грозит штраф 500 тысяч рублей или закрытие" (Ria Novosti 2013s.)

"The ongoing work on a permanent basis of "Agora" is to assist political activists in preventing their legal responsibility is to engage in political action and, consequently, political activities. The NKO is recommended to immediately register into the Ministry of Justice as a foreign agent, otherwise it faces a fine of 500,000 rubles or closure"

Both of the NKO deny of being foreign agents and participation in political activities. Addingly Agora emphasizes that it does not even cooperate with any political movements. Both of these two attorney NKO have been at times referred to as HROs and as I noted in chapter 4.1.1 the claimed foreign agent features of human rights organizations is much debated in Russia. The cases of Agora and the Public verdict describe how associating with political activists, analyzing the law in favor of political activists and defending the activists by what the NKO call human rights defense can consequently be considered foreign agent activity. However the law states that an NKO has the characteristics of a foreign agent if it acts politicaly and gets financed from abroad or non-Russian directly or by secondhand but there are no clear stipulations according to which an NKO would participate in political actions as a foreign agent via activities of its associates. Addingly in the case of Public verdict the prosecutor noted that the legal work for citizen rights per se was not political activity but the relations to political protestors and suggestions to improve the Ministry of Interior are. However none of the published news reports mentioned any other relation between the political protestors and the Public verdict or Agora. If advocating of general citizen rights is not political action per se but the relations depicted only as advocative of clients' political rights is, then there is discursive connection between juridical advocacy of political activists and foreign agents.

4.2. Statements of Foreign Agents in General

Next to the actual accusations of non-commercial organizations violating the NKO law by not registering themselves as foreign agents, there were many other events and statements in news reports that have formulated the discourses of foreign agents. In many media stories the law regulating non-commercial organizations was referred to as the law on foreign agents (закон о иностранных агентах, zakon o inostrannyh agentah) which connects the ideas of NKO and foreign agents in a strong way. Such statements in their extreme mold the basic legal idea of a foreign agent register where certain organizations register themselves towards ideas that NKO and

foreign agents are almost synonymous. However empirics show that it is not only in cases of accusations of violating the NKO law where discourses of foreign agents appear.

The legal definition of foreign agents is defined by the law and applied by prosecutors and court houses but in what other cases are the discourses of foreign agents visible? The word has other cultural and social history and connections than the new law. News coverage can help to recognize discursive perspectives in foreign agents other than what is described in the context of the law on non-commercial organizations. How much is foreign agents discourses used in sense of agency, representatives, subjectivity or spies? Are there discourses in contradiction to those presented in the law or NKO accusations?

4.2.1 Not Always NKO's

Contrary to the law where only NKO's can be foreign agents, the media language individuals are also described as foreign agents. In Russia many organizations and groups are founded around their leaders which according to the paradigm of Russian governmentality (Oittinen 2012, 79-80) appears in all sectors of the society in fields of management, conduction and organization. The Moscow-Helsinki Group is portrayed almost as synonymous to Lyudmilla Alekseeva, For Human Rights (За права человека) is immediately connected to Lev Ponomarev as in political parties the party leaders like Sergey Zhirinovsky of the Liberal Democratic Party or Gennady Zyuganov of the Communist Party are long time personification of their groups. Consequently if an organization is accused of being a foreign agent it gets personalized to their leaders. Most visible personification of the associations to the groups they represent was in the illustration of news stories where the related pictures were most often of heads of the NKO's concerned instead of for example pictures of their offices. However it was perhaps rather surprising that in news reports the heads of the accused foreign agent organizations were not referred to as individual foreign agents. Instead the media more often referred to individual representatives of the suspected foreign agent companies participating in decision-making bodies foreign agents (Ria 2013p, q, r).

Foreign agents had discourses connected to individuals more in figure of speech contexts. One example appeared in opposition demonstration a demonstrator attached a yellow badge where was written "foreign agent" to criticize the stigma the NKO law can give to individuals (Echo 2013f). The badges giving stigmas to individuals are globally popular form of protest props often referring to the badges with the yellow star of David that the Jews were forced to wear during the repressions of holocaust.

In a other case a representative of the extreme left -wing opposition Sergei Udaltsov was rhetorically referred to as a foreign agent. Udaltsov as a political dissident was reported to have

broken the law in numerous different ways in order to "fight the regime" (борьбе против режима) but in October Ria Novosti (2012g.) reported that he was taken under thorough investigations which included examining his financing and contacts to abroad. Ria Novosti report argued that this is likely done in order to discredit Udatsov as some kind of foreign agent. The unofficial and rhetorical reference to an individual as a foreign agent is not unique because also the suspected of government officials in cases of Helping patients with cystic fibrosis and the members of the Presidential human rights council were referred to as such (Ria 2013x). However the case of Udatsov barely mentions the political party or any other organizations behind the accused. Even if the suggestion that the background investigations of Udatsov was set to discredit his reputation by revealing him as a foreign agent is only a theory of a reporter, it shows an example how portraying of an individual as a foreign agent occurs in general language. In the case of Udatsov the foreign agent stigma is portrayed as a way to corrupt person's reputation.

One of the main questions the foreign agent issue has raised is that how much if at all foreign agent means a spy. The term foreign agent is still used in contexts of describing spies (шпион, shpion) which appears in the news research results revealing re-printed articles from the Cold War period documents where the spy connection is direct (e.g. Ria 2013y). In news reports of recent event from abroad foreign agents were referred to as spies when in Britain a man was judged for giving up secret government information's (Ria 2012h). The CIA agent caught in Russia for spying in May 2013 on the other hand was referred to only as an agent (Ria 2013). Hence there is arguably a discursive connection to spies in the (foreign) agent term through history documents, global news reports and even in recent news that are published in Russian mass media.

The allegations of being foreign agents abroad are sometimes also more abstract in nature than in the NKO allegations inside Russia. In Estonia the Orthodox Church had had problems with authorities and even though the report of Ria Novosti (2013z.) never says why the church would be a foreign agent, it mentions twice why it is not. This suggests that the church has been accused of being a foreign agent before or that it could be. The patriarch argues that his church is not a representative of a foreign state and even less it would be an agent working for its benefit (*"Это не представитель иностранного государства, тем более это не агент иностранного государства, который работает в его пользу"*). A religious organization not being a foreign agent is be in line with the Russian law, but still having to deny that reveals the co-existence of counter discourses claiming something else. Moreover the patriarch's statement notes that a representative is different from an agent working for behalf of a foreign state making it distinctive feature of an agent and representative that can be considered synonymous according to some discourses.

In more abstract references another case of news reporting stated that the killing of the

former Libyan leader Muamar Gaddafi was possibly executed by a western foreign agent who had blended in local oppositional groups (Ria 2012i). In this case there is no reference to the foreign agent as a "spy" but as an representative of foreign regimes blended into locals with a mission to kill the leader of the state regime who in practice tries to overthrow local regime. If compared to the Russian legislation's definition of foreign agent that is supported from abroad in order to affect local politics via local actors, the definition of the foreign agent that was claimed to kill Gaddafi is not in contradiction to it. Here the discourses of foreign agents get practical content suggesting how extreme the political actions of foreign agents can be.

In statements of Kremlin leaders from Putin and Medvedev (e.g. Ria 2012j), foreign agents were often mentioned as an international concept of regulating foreign activities in domestic spheres. Besides the spy trials in Great Britain, the Russian media's global news also reported little bit of the practice of the Foreign Agent Act of the United States. According to Ria Novosti (2013z.) the American foreign agent act commits foreign agents to register and report regularly to the organizations representing the interests of foreign governments, political parties and other organizations. Ria Novosti (ibid.) further reported how the routine natured audits to foreign agents in America are applied in the experience of the head of the Russian radio agency Voice of Russia (Голос России) who had no concerns on the audits as the company's record was supposed to be in order with the local legislation. The news coverage from America's implementation of foreign agents' law here seems compatible with the Russian legislation's purposes: foreign agents obey the local laws without protesting against it. While juridical foreign agents are described as an international phenomenon, the American example is also used to describe how foreign agent law can be also applied to media companies unlike in the Russian national praxis giving foreign agents discourses wide scale of content that is regulated by national specialties.

The idea of foreign agents as an instrument of governing state politics has potential to proliferate. There are already cases showing how foreign agents are used in social contexts other than those concerning the current NKO law. Even though there has not been reported of any suggestions to count commercial organizations as foreign agents, a Russian (Tomsk) electricity distribution company, a subsidiary of French company was stated by its own Russian representatives to have changed itself into a foreign agent (Ria 2013d1). In this individual case a foreign agent is referred to as a casual neutral term for a subsidiary in a very positivist ontological sense. It simply refers to a Russian representative of a foreign company.

In a more politicized case of proliferation of the concept foreign agent, there was a suggestion in the State Duma to imply the similar foreign agent regulations to government official's foreign assets and media companies as with the NKOs. The bill initiative was supported to some degree for its legitimized claims according to which government the

officials possessing financial assets abroad resemble the foreign agent activities. However the application of such law was seen to be impossible. (Ria 2012x.) The initiative for media foreign agent tag was based on the arguments that media has strong influence to the public opinion and foreign agent law on them would favor the national press. (Echo 2012i.) The suggestion was dismissed in 2012 by the Duma because the media agencies were considered to follow the purposes of the law in practice as they are obliged to report their financiers by the current regulations. Also the opposition of media oligarchs was mentioned in bases of the dismissing of the decision. (Echo 2012h.) Addingly the ones who had been already critical towards the idea of NKO as foreign agents noted that applying foreign agent stipulations to media would limit media freedom (Ria 2013e1).

According to the arguments by members of Duma the existing transparency of financing is the defining factor on why media organizations should not be foreign agents. Their arguments ignored the current absence of the foreign agent register for media companies and the obligation to add the recognition in every publication of the organization; it was not reported to be an issue. Here appears a noteworthy quality of the two conflicting discourses: For example the Presidential council on human rights argued against the media foreign agent suggestion by its political aspect – labeling the media as foreign agents would limit media freedom due to the pejoratively of the term (ibid.) i.e. the discourses are so strongly emotionally pejorative that avoiding the usage of foreign agents is in subjects' primary importance. The competing discourses suggest that the term itself has only secondary importance to its strategic and logical functions in transparency: The media does not need to register themselves as foreign agents because they already publicly report the sources of their finance. Moreover from the same reasoning the NKOs should not have issues with registering themselves as foreign agents because they can continue their usual operating if they are only open about it (e.g. Ria 2012j). This appears to be a clear pattern in the debate where the other party emphasizes that the term foreign agents is too pejorative to use in contexts of NKOs and the other party emphasizes the logical and simple need of openness and transparency:

"На самом деле происходящая сейчас истерика - она очень неадекватна. Еще раз повторю - ни одна НКО не получила запрета на деятельность: работайте, действуйте. Ни одна НКО не получила запрета на то, чтобы получать финансирование из-за границы. От них требуется только одно - открытость и транспарентность. Открыто говорить: я получаю деньги из-за рубежа для политической деятельности в России. Ну почему же этого не сказать, если это правда?"

"In fact it is hysterical now – and it is very inadequate. I repeat - no NKO has received a ban on working: work, do it. Neither did NKOs get a ban on receiving funding from abroad. They are required only one thing - openness and transparency. To say openly: I get money from abroad for political activities in Russia. So why not to say it if it is true?"

-the deputy secretary of the General Council of " United Russia ", Chairman of the State Duma Committee on Labor, Social policy and Veterans Affairs, Andrei Isayev (Ria 2012c.)

4.2.2 National Identity and Financing

The aspect of financing is determinative for a foreign agent according to the law. As foreign agent makes the statement that a subject is not Russian anymore the issue has become politicized. How are the financiers of foreign agents portrayed? How does it change the national identity of the subject? 17 well-known consulates were reported to have financed NKOs in Russia but without further description of which ones exactly (Ria 2013f1) but the source countries of financing was usually mentioned next to individual charges of violations. The total number of NKOs getting foreign funding was reported to be 654 in April 2013 while in Europe there were only two NKOs financed from Russia (Ria 2013a1).

The discursive content of the nationality of foreign financing of foreign agents is dominantly American. This is partially due to the great amount of media attention on the disbanding of American financing associations the International Republican Institute, the National Democratic Institute and the largest foreign sponsor of the NKOs in Russia, the USAID (Ria 2013c1). Other sources of finance were described sometimes even as international organizations such as the United Nations (Echo 2013g) but mostly individual states of Europe or the USA.

The discursive statements disclaiming the idea that the accused foreign agent NKOs had lost their identical Russian agency often deny the political aspect of the foreign agent allegations but not the foreign financing per se. These statements have the idea that despite of recognizing the suspicious connotation in political activity it should be okay to be financed from abroad. Being labeled as a foreign agent is often seen equalizing unpatriotism. Participating into the terminology discussion, the head of the Russian branch of Amnesty International specified that the negative content of the term foreign agent is based on the fact that the majority of citizens see it is equivalent to the concept of a spy (Echo 2012m). The statements from the representatives of the legislation on the other hand most often simply denied the connection of the two terms (e.g. 2012c).

Specifying the unpatriotic tone of the foreign agent term, NKO leaders often stated that it gives an incorrect conception to say that they are foreign agents because they do not serve other nations except Russian: The head of For Human rights Lev Ponomarev stated that their group would never recognize itself as an agent of foreign state and the NKO would rather result to civil disobedience. Addingly statements by Committee against torture leader Igor Kalyapin stated that having to register as foreign agent would be insulting and misleading because:

"Я занимаюсь тем, что в интересах граждан моей страны и тем, что полезно моей стране"

"I do what is in interest for my country's citizens and what is useful for my country"

(Ria 2012p.)

In the discourses favoring the usage of foreign agent regulations there is a critical approach to the motivation of the foreign financiers of NKOs. President Vladimir Putin noted that there is enormous quantity of the foreign money – 28 billion 300 million rubles (almost a billion dollars or 647,688 thousand euros) pouring to Russia and of which 855 million rubles (19,568 thousand euros) only through diplomatic missions for political activities. According to Putin Russians are entitled to know who and for what is this money directed and therefore they have made the law considering foreign agents. (Ria 2013f1.) Here the discourses supporting the usage of the foreign agent label are well presented in accordance to popular arguments: the high quantity of foreign investment cannot be without the receivers giving something back in return and therefore the politically acting receivers (the foreign agents) should be publicly known and monitored.

In more straightforward statements the foreign funding is claimed to strive for revolution. In 2012 Russian television aired a documental film 'Anatomy of a protest' (Анатомия протеста) parts 1 and 2 where it was claimed that the opposition is preparing for a 'color revolution' form of a takeover of power in Russia with money from abroad. The document was reported to inspire a roundtable meeting in the Civic Chamber of Russian Federation (which is founded to be a forum between Russian administrators and citizens) to discuss of the state and society interest benefiting cooperation. The deputy chairman of the State Duma Sergei Zheleznyak describes the foreign financed oppositional forces as a threat: They use criminals and gangs as their political arsenal of struggle by preparing and carrying out terrorist acts consequently causing harm to human health and life and organizing mass disorders. (Ria 2012k.) According to such extreme discourses the foreign financing of political activities is a threat to well-being of the Russian state and people and consequently the representatives of the state and the people were summoned together to cooperate and prevent this negative action and the consequences of it. In this context foreign agents are

mentioned in more general way than in reference to NKO. Foreign agents are described as the oppositional forces trying to overthrow the political and social order and because of this Russian state and people should unify efforts for mutual interest of well-being. This episode is a progressive vision of what is a possible hidden agenda of the foreign financing that many of the politicians have specified only in less detailed descriptions of influencing the Russian politics. However in accordance to long term strategic legitimization of the Russian regime's governing (Sukhov 2008), the national order and stability are also mentioned as goals of the foreign agent application (Ria 2012s) giving the general idea that if the foreign agents are not necessarily a threat, then they are at least a risk to the Russian unity and stability.

The discourses of the reaction to the Anatomy of a protest documentary portray how the loyalty of foreign agent companies and their members to their state is questioned at times even radically. There are many cases demonstrating this: After the media attention the appeal letter to Obama from HROs (see chapter 4.1.1) couple of members of the State Duma noted that the appealing to the foreign opinion suggests that it matters to them more than the Russian opinion. (Ria 2012c.) When the American development agencies were disbanded from Russia in late 2012 their personnel along with their families were reported to move to Lithuania with the employer companies because they were connected to the Russian penal codes of espionage and treason (Ria 2013c1). While the American agencies were not considered as foreign agents the event of their disbanding by the Russian administration was linked to the foreign agent policies that step into force at the same time. The USAID was disbanded on the basis of not meeting the mutual objectives with Kremlin – its grants were seen to effect on political processes of Russia. (Echo 2013h.) There was no details reported on the espionage and treason accusations of the USAID employees which leads to the reasoning that an American agency was disbanded from Russia because it was funding political action of NKOs (making the NKOs act as foreign agents) and because their employees are suspected for acts treason and espionage. The being linked to treason and espionage consequently implies that it is not very Russian to be linked with foreign agents.

4.2.3 Hidden Foreign Agents

One of the main arguments for establishing the foreign agent register of NKOs and making them add to each of their publication a reminder that they are working as foreign agents is transparency or openness (открытость и транспарентность). As I have noted in the third chapter, the core functions of the juridical concept of foreign agents is to detect the NKOs with political activities and foreign assets, make these features visible in their operations through the foreign agent label and oblige them to report their activities. This suggests that before there became the obligation to be

transparent foreign agents, the NKO's were hidden in Russia. Although in the chapter 4.1.1. I argued that the identification of foreign agents is more dependent on the political characters of their activities than financing, the transparency discourses have more balanced pressure on both the political activity and financing of NKO's.

In many of the cases where high officials such as the central members of the state duma (Ria 2012c) or prime minister Dmitry Medvedev (2012m) or president Vladimir Putin (Ria 2013f1) legitimized the foreign agents the arguments were emphasizing the transparency of financing, often not connecting the transparency to the political activities of NKO's per se. The bill initiative to subjugate media organizations to foreign agent regulations was overruled in Duma mainly because the media is already reporting their financing sources (Echo 2012h). In cases like this the foreign agent discourses seem to produce transparency more in the foreign financing features of NKO's than in their political actions. As a part of the amendments made to the law on NKO's, Russian banks are obliged to automatically report all money transactions over 200,000 rubles (approximately 4 570 euros) from abroad to the officials of Federal Service for Financial Monitoring (Ria 2013v.) The obligation considers every foreign transaction over the defined amount of money regardless of the receiver. In such ruling the desired function of the transparency in foreign financing appears to be an indicator, not a violation of law per se but a signal demanding for more precise attention in receiver's activities.

As I have earlier noted the NKO's have little denied their foreign funding as their more popular issues with the foreign agent definitions have been in the recognition of the defining political activities. The problems with the transparency of political activities are strongly linked to the definition of political activities and the claiming of action as non-political has at times it has been portrayed to be hidden as well. According to a report of the prosecutor, the human rights center Memorial tried to hide that besides of using its resources to educational and historical purposes it also had a mission to solve social and political problems by formation of public opinion in Russia and influencing to authorities (2013g1). The case of Memorial is only one example of the NKO's the prosecutors found covering their political activities. According to the competing discourses the concept of foreign agent per se was seen to cause the operations of NKO's go underground because otherwise it would disallow their work (2012n). While this is a more rare kind of a statement, it describes how the fear of the foreign agent label positions NKO's to circumstances where they might need to work illegally and hidden. If such statement does necessarily not describe existing reality, it can function as a self-fulfilling prophecy. In paragraphs 4.2.1 and 4.2.2 I have noted how these hidden political activities were described in different ways more or less transparent.

The possible foreign agents are reported to have been found in human rights organizations, law offices, environmentalists, volunteers, festivals, research centers, even in presidential offices

(Echo 2013g). Since there appears to be a broad scale of potential foreign agents who rather would not be recognized, it can seem that foreign agents could be anywhere. Moreover the foreign agent discourses are not limited to NKO as the representatives of foreign agent companies can also be referred to as foreign agents (Ria 2013p, q, r). In paragraph 4.2.1 I noted how the foreign agent discourses have potential to proliferate to be applied in other spheres than only NKOs, which also supports the discourses that foreign agents can be everywhere. Moreover authorities have reported that all of the foreign agents cannot be found with the current methods: The Prosecutor's office stated that due to the vast amount of potential foreign agents and their ability to avoid registering by working through temporary subsidiaries it is very difficult to find them all (Ria Novosti 2013h1). Accordingly the required control would need more resources and instruments for the authorities or otherwise it is not possible to discover all the foreign agents as some of them remain non-discovered.

4.2.4 Foreign Agents Abroad and Universally

In chapters two and three I noted how the Russian governmentality is characteristically highlighting geopolitical governing where the sovereign state level problem solution is central. The issues of governing are considered often globally structural, even biopolitical. Even if the discourses of foreign agents have their national, cultural, spatial and temporal dimensions, the foreign agent issue has been presented as a global phenomenon in the Russian mass media.

In spring 2013 Ria Novosti (2013i1.) interviewed few Russian politologs who stated that the Russian foreign agents practice could become a global trend or a norm. After the registration of the first foreign agent into the foreign agents' registry in June 2013 the vice-president of the Center of Conjunction Politics (центр политической конъюнктуры) Dmitry Abzalov stated that this may spread as a trend into the CIS countries but probably not in the European or American systems. This statement got supported by another news story where in the Russian-Chinese parliamentary commission on cooperation the Chinese party announced its interest to Russian legislation considering the monitoring of NKOs funded from abroad and engaged in politics: The Chinese were said to recognize similar problems as Russians with the foreign influence in their domestic politics. (Ria 2013k1.) Also the Russian law itself has been described to follow international trends as the Russian administration declared that it has in fact copied much from the American Foreign Agent Act which has been in force since 1938 (Ria 2012d).

Additive expert statements from Konstantin Simonov, Sergey Markov and Veronika Krasheninnikova note that the government level interest to monitor and de-stabilize NKOs has already established as the global trend of the 21st century. Accordingly the influencing of political

processes and decisions has moved away from party politics towards the civil society movements. In current global politics India was noted to have applied a ban on foreign financing on organizations critical to authorities. The experts of global politics note that the increased NKO influence is related to processes of democratization and globalization. Accordingly the far developed competition between states uses this influence to mold or de-stabilize the local political decision-making and therefore the NKOs are monitored globally. However despite of the similar patterns in the activities of NKOs the monitoring is applied in accordance to national practice as the differences of the Indian and Russian applications indicate. (Ria 2013j1.) The discourses here highlight the state-centered view of international politics that I have pointed out earlier: the political movements are not actually seen emerging from grassroot governance via the NKOs but from the governing of state regimes. This idea goes against the competing discourses claiming that NKOs have self-governance independent from the state control. Moreover the experts describe the states to share a globalized or universal problem in their NKO policies but they manage these problems in accordance to the pluralist and classical geopolitical paradigms where each sovereign state decides their own methods in dealing with this issue. These discourses suggest that the Russian institution of foreign agents is only one of possible practical solutions in the global trend of monitoring the civil society or NKOs. The competing discourses support the liberal governmentality paradigm where the civil society, particularly the NKOs work as subjects independent from states.

There are three different national applications used in media to compare the Russian foreign agent institution: the Indian NKO law mentioned above, the American Foreign Agents Act, and Turkish opposition politics. The American application is described either as less strict than the Russian one as it for example does not target HROs (Ria 2012d.) or more strict as it consists also media companies (e.g. 2013z). In a second example European media compared the Turkish policies towards the opposition protestors with the Russian foreign agent policy. For these comments Vladimir Putin stated that the applications cannot be compared because the Russian regime does not forbid political activities and is ready for a dialogue with opposition. (2013i1.) In general the statements of Russian authorities continue to unquestionably describe foreign agents as the natural term for NKOs operating politically with foreign financing in Russia but when considering the same phenomenon abroad, the foreign agent term is used only if the representatives of the nation in question themselves use the term. This suggests that the discursive universality of the foreign agent term is not very strong even if such activity is considered global.

4.3. Is a Foreign Agent Bad?

Whether something is bad or good is obviously a very subjective question and therefore in a scientific research it is better to focus on qualitative methods while trying to manage such question.

The question of whether foreign agents are good or bad does not have a binary yes/no answer, however the question can be examined in the light of the descriptions of foreign agents. One of the general tasks of the whole body of this research is to provide information to make justified opinions on the question whether foreign agents can be interpreted as bad or good. In this paragraph however I examine the statements on how is it or is it not fit and desirable to claim something or somebody as a foreign agent? Do Russians want to be involved with foreign agents? This paragraph continues to describe the research material but here I represent less new material and try to find more general trends in discourses of foreign agents referring to much of the already presented research material and statements. Consequently this paragraph summarizes much of the previous paragraphs under the question: Is foreign agent bad?

As I have earlier noted the foreign agents issue is was strongly politicized during the time frame of my research material. Perhaps the strongest statement supporting that the discourses of foreign agents are negative is that there was only one NKO – the shield and the Sword – which offered to register itself voluntarily and only as a practical exam to examine how does the law work and the organization had the intention to eventually exit the register (Echo 2013c). The need to check if NKOs were violating the law by not registering as foreign agents was reported as the central reason for the unscheduled mass inspections towards NKOs in spring 2012. The media referred the audits or raids to be unpleasant for the NKOs as some of them were reported having to halt their operations for the time of the inspections (Ria 2013f2) and some even alleged the raiding officials for brutality (Ria 2013e2). The constant general refusal of NKOs to register themselves as foreign agents even after the authorities' alleged that by doing so the NKOs violate the law, gives a strong negative connotation to the discourses of foreign agents – it is something that the NKOs do not want to be.

Ever since the law on NKOs was passed in the Duma the Russian NKOs have declared their resistance against it. Declaring and registering themselves as foreign agents was barely seen as an option. It was at extreme seen even as an equivalent to self-destruction in terms of reputation and economic survival. Even in modest statements being foreign agents was seen harmful for the NKO work. Rather than registering voluntarily one of the NKOs – Committee against Torture – announced that it would fight against it in court and register only by further court decisions. The Moscow-Helsinki group announced that it would not under any circumstance register as foreign agent and would rather give up their foreign funding and keep on working in voluntary basis. The head of For Human rights group noted that they are ready to result for civil disobedience in the sense of refusing to register by authorities' demand. The head of Committee against Torture, Igor Kalyapin refers the situation to the repressive labeling of the Jewish people in holocaust adding that the foreign label would be offensive and giving false ideas from the reality. (Ria 2012p.) In

protesting action against the foreign agent stigma Golos decided to disband itself and referred it as symbolism where it pays off to rather close the organization and re-group again than registering and losing their good reputation (Ria 2013n1). Another NKO, the Legal Initiative also tried to alter its legal status to avoid the foreign agent label by trying to register as a foreign non-commercial organization (иностранная некоммерческая организация) making the statement that being simply foreign is preferable to being a foreign agent. In June of 2013 Russia Today (2013e) reported that about 15 NKOs had changed their status to foreign non-commercial organizations. Moreover Legal Initiative and Golos joined to group of NKOs sending a complaint to the Strasbourg European Court for Human Rights on the foreign agents issue since they saw the Russian legal system would not help them (Ria 2013o1). One of the other NKOs addressing the European court, the Helsinki-Moscow group decided to give up their foreign funding even with severe economic consequences in the expected challenge to replace it with Russian funding (Echo 2012l). Foreign agents are strongly seen as something that would not be supported in Russia. A joint complaint of Russian environmental NKOs stated that they would lose the whole Russian portion of their funding that they receive as charity because there is no self-respecting citizen or a company that would grant foreign agents their money (Ria 2013d2).

I pointed out in the chapters 4.1.1. and 4.1.2. that the group of the alleged foreign agents is portrayed consisting dominantly of NKOs that can be considered as philanthropic advocating for universal good. If the foreign agents are defined by the main activities of the alleged NKOs, then foreign agents can be seen as human rights defenders, environment protectors, scientific organizations and health organizations. In this perspective the formation of such discursive visibility of foreign agents would not make foreign agents seem malicious but rather good. According to the statements used by most of the accused foreign agents, there are not fit to be considered as foreign agents by the characteristics of their work. Thus there is an obvious discursive conflict between the ideas of foreign agents and the group of the actual foreign agent candidates.

The idea of foreign agents was usually presented in negative light when it was connected to other recent legislation of Russia. In this case the discursive connections are rather distinct as related events and concepts are connected to each other in rather abstract level. The amendments including the foreign agent stipulations to the NKO law were often connected into series of legal reforms described to be too quickly rushed through the legislative processes, resonating, anti-constitutional, controversial and even scandalous and undemocratic. The relevant laws often connected the NKO law include the black list of internet pages, the anti-homosexual propaganda, the criminal liability amendment to libel and limitations and harshened penalties for violating legal rules of public rallies. (e.g. Echo 2012k., Ria 2013m1., Ria 2013c2.) These connections have

dominantly pejorative character as the laws are enlisted as a current trend damaging and threatening to the Russian civil society and democracy. This idea was represented for example in cases when the Federal Council took these legal issues under evaluation due to their public critique and in cases where different Russian and foreign facets have either criticized or expressed their concerns to these issues. A representative of the group of HROs complaining to the European court of human rights stated that the new laws – the NKO law included – were not only an issue of pressure against NKO but also a way to the destruction of civil society, human rights, environmental and educational NKO in Russia (Ria 2013p1). Hence the meaning of foreign agents is politicized even further to be considered as one of the increasingly repressing political practices of Russia. Also the application of the foreign agent stipulations was often accused for allowing extra juridical interpretations of what is political activity and the law enforcement making inspections were accused of committing brutalities in their operations (Ria 2013e2).

The appeals of NKO to abroad echoed often as the high statesmen of Germany (Ria 2013q1), Britain (Ria 2012q), Georgia (Ria 2012r) the United States (2012d) and the European Union (Ria 2013r1) expressed their concern of the effects the new NKO law has on Russian civil society and human rights development. There was no states or international groups officially declaring their support to the Russian foreign agent policy except the Chinese who according to members of the Russian government expressed their interest in following the Russian policy (Ria 2013k1).

A commissar of The European Commission Nils Muižnieks noted that the transparency and accountability to the society of NKO are understandable demands but the using of the term foreign agent linked to the broad definition of political activities is generally concerning (Ria 2013r1). Muižnieks states that foreign agents term in Russian context is very negative and in practice the inspections to recognize the foreign agents have been paralyzing the work of NKO. Addingly he notes that in the European Court of Human Rights all the representatives of member countries are referred to as agents except the Russian representative who is referred to as the commissioner. According to Muižnieks this is no coincidence. (Ria 2013s1.) Muižnieks' example of the Russian representative in the European court not referred to as an agent like other representatives but as the commissioner suggests that given the right to decide about it the Russian officials would not use the term agent on themselves even in the context where their peers refer to themselves as agents. The term agent has not been the preferable word for a representative even in this context. Moreover even considering the statement of the Chinese interest in the foreign agent law, the foreign critique against the referring of NKO as foreign agents supports the negative connotation of foreign agents – it is portrayed as a repressing term that does not bring good to the bearer of the label.

As the film *Anatomy of Protest 2* and the discussion it stirred (Ria 2012k) reveals, there are

established discourses of distrust against NKO foreign agent ideas. One of the least sympathizing statements against the NKOs and foreign agents is stated by the leader of the party Liberal Democrats Vladimir Zhirinovskiy who stated that the refusal to follow the law is sabotage of it and the NKOs refusing to register should be forced to shut down. According to him the foreign money transactions to NKOs are targeted to break the country (Ria 2013s1.) Such statements only support the conclusions made before on the attractiveness of being a foreign agent. The mistrust towards NKOs and foreign agents also appeared in acts of vandalism in foreign agent signs put on the walls of the Memorial building (Echo 2012g) and the hacking of the internet homepages of the Moscow-Helsinki group (Ria 2012u).

Despite of the few examples like Zhirinovskiy that express discontent against foreign agents, many of the government and Duma members had much more neutral stand on the foreign agent term stating that there is nothing bad in it per se if NKOs respect the law. Among them the minister of Justice Aleksandr Kononov stated that the law and the audits related to it are not repressing. Instead NKOs can continue to work as they have before as long as they follow the law and register as foreign agents if the stipulations require. (Ria 2013u1.) He also emphasized that the law is not repressive because it does not authorize into active and hard testing of NKOs and the foreign agent self-declaration is NKOs' own obligation (Ria 2013y1). The general statement not seeing foreign agents 'bad' is that as long as an NKO follows the law, they nor anybody cooperating with them do not get practical problems. Accordingly the problem comes only through disobedience of the law (e.g. Ria 2013z). In another example of the statements describing the term rather as neutral than negative, president Putin stated that the protest against the law is paranoid or provoking hysteria politicizing rather the simple procedures they are (Ria 2013v1). Relevantly the foreign critique against the foreign agent issue has often been countered not only by referring to the Russia's sovereignty to decide on its own issues (e.g. 2012r) but also by the common international norm and practice (especially referring to the United States foreign agents act) in regulating the NKOs. Moreover these dominantly government level statements have claimed that the other international practices in foreign agent issue have often been even less liberal than in the Russian application where NKOs can continue their operations as foreign agents (Ria 2013x1). This belief was also supported by a statement of a radio show listener who stated that the experiences of equivalent laws abroad have not hampered the NKO work (Echo 2012n).

If the statements not considering the foreign agent term as repressive were often neutral considering the term and practice to follow an internationally established norm and national legal practice, then are there positive ideas of foreign agents? I note that this is a rather hermetic issue, but while the above mentioned statements have stated that it is good to make it clear who is a foreign agent, it is difficult to understand any statements to make the being of a foreign agent a

positive thing.

After signing the updated law on NKO's president Putin said he was positive and proud of the law but he did not clarify why (Ria 2012a2). In his later statements Putin was more particular of foreign agents being a neutral procedure (Ria 2013v1) and that the law prevents the undesirable foreign financed opposition in Russia. (Ria 2013b2.) The latter statement actually states that the foreign financing of NKO's acting politically is funding of Russian opposition which is not in accordance to his vision of effective and good political competition. Here the foreign agent phenomenon is again portrayed rather negative suggesting that the law obligating certain NKO's to register as foreign agents is preventing this phenomenon. Since the law does not directly prevent activities of NKO's then it can be considered that the foreign agent label prevents indirectly injurious effects of foreign agents. It is not described in the statements of government officials how is this indirect prevention expected to work. Instead in the statements objecting the whole juridical foreign agent application these indirect means are described to actualize through the socially embedded unacceptability of the ideas of foreign agents. Therefore the basis of the competing discourses of foreign agents that appear in the pro-Kremlin and oppositional statements, seems more compatible than how the discourses first appear. The critical statements on the direct foreign agent -related applications of the NKO law were more related to the incoherent and broadly interpretative definition of political action than the basic idea of foreign agents. This stimulated a wave of remedy suggestions to re-define coherently the political action or make an entirely new definition for politically operating NKO's receiving foreign funding. (Ria 2013m, 2013r1.)

4.4. Digest of Events, Words and Foreign Agents

The main argument of this chapter is that there are two main distinguishable popular groups in discourses of foreign agents: according to one foreign agent is so pejorative that it is not correct to use it in the context of socially active non-commercial organizations receiving assets from abroad. According to the other group foreign agents can be a threat or a risk, but they are still allowed to work under increased monitoring. Accordingly foreign agent is a natural definition of a subject for this legal purpose. The former group describes what a foreign agent is not and highlights the emotionally negative terminology while the latter group focuses on the logical legitimization of monitoring the two defined features of the foreign agents, the foreign financing and political activities. While these two competing groups of discourses make the most dominant two of foreign agents, their ideas and practices are sometimes mutually compatible most notably in mutual understanding of the basic idea of the functions of foreign agents in promoting agendas of foreign state regimes.

In some statements foreign agents are understood to aim at forming of a foreign founded and directed opposition to Russia. Their political mission and foreign dependencies are expected to be hidden under established practices and therefore the NKO law was set to make these processes public. In practice these foreign agent allegations have been pointed towards many heterogeneous groups of NKO where the human rights groups are distinguishable object of politics and subject of resistance. Human rights organizations (HROs) and much of the critique from abroad stated that HROs should not be defined as foreign agents due to their philanthropical contribution to the civil society, well-being and democracy of Russia. However neither did the counter arguments nor the law support the argued special connection between HROs and foreign agents.

Considering the political activities of foreign agents, affecting to the public opinion seems to be a popular nominator for it even if it is not specified in most of the accusations. The arguments in political activity accusations included the distribution of extremist materials of the Islamic Culture Research Foundation, the electoral code published by Golos, the public Chernobyl anniversary competition of Ulukitkan, the sociological case research of Levada and the presentation and the distribution of material critical to the 'anti-homosexual propaganda law' by Bok o Bok (Ria 2013l).

While giving out concrete publications to affect public opinion can be considered a concrete act, in regarding the influence on decision-making even less concrete acts appeared to be potential foreign agent activities for example in participation to diplomatic forum and governmental councils. The foreign control of NKO was not questioned in any statements of prosecution – the demands of foreign peoples and states were considered as a natural feature in supporting of NKO. Alternatively the discursive ideas can be seen to consider the existence of the influence secondary to the possibility to monitor this influence: There is no need to present proofs of political acts, if there has been influence in foreign agents, it is enough that there could be. Although many of the foreign agent suspected NKO were shown to have made practical initiatives to influence politics somehow, the case of the Civic Initiatives Support Center of Kostroma (Ria 2013r) showed that an NKO can be recognized as a foreign agent even in accordance of the mere attendance to political forums without any particular political act pointed out. Addingly the practices to monitor foreign finances are legitimized by the chances, not by the evidence of violations: the foreign financial transactions more than 200,000 rubles are to be reported to authorities. Moreover in the case of Golos the incriminating foreign grant was received before the law was set in force and even after the NKO had returned the grant to its sender, Golos still got prosecuted and judged as a foreign agent (Ria 2013h).

One of the interesting questions in the discourses of foreign agents is if whether the foreign agents exist tautologically meaning that the definition is true in every possible interpretation. The conflict here appears in the ideas of NKO funding and foreign influence – according to some

discourses the subject is a foreign agent even with lack of evidence that it is influenced by its financiers and according to other discourses there should be recognized evidences. For to the aforementioned group the idea that foreign agents are managed from foreign sources is quite indisputable, which suggests that the defined relation between the subject and its financier has a natural and unquestionable function to form a foreign agent. The deleting of the clause enabling the exit of the foreign agent register by the Ministry of Justice (Echo 2012p) supports the ontologically positivist perspective of it by stating that foreign agent is a tautological or functional definition. The other discourses deny such positivist causality seeing the foreign agent term rather as a socially constructed idea and that the juridical definition of NKO is more of a disputable artificial political practice that can be re-defined. In this ontological conflict there appears a link to Iver Neumann's (1996, 195-197) thesis of the ontological conflict between the Russian Westernizers and the Slavophiles in their differing ideas of the individual and the state. I will further examine the relationship between the foreign agent practices and related theories in following chapters.

The cases of Agora and Public verdict showed how even indirect support of political action can be considered as foreign agent activity. It is however debatable if legal assistance can be considered as political activity. In for example the Finnish literature of public law Antero Jyränki (1989, 17) defines the constitution law (*valtiosääntölaki*) as a legal praxis that transfers the political into juridical. Hence if something has gone through the legislative process to become an effective law, dealing with it will no longer be political but juridical activity. Accordingly only the efforts to change the law would be juridical activity and such interpretation has been made when for example the Public verdict was accused for political action in its proposals to reform the Ministry of Interior and the NKO law (Ria 2013t). In the case of the NKO law the foreign agents' term never seemed to stop being political even if it was set as a part of the legislation – only one NKO has followed the law and registered as a foreign agent while others have kept on boycotting. Political analysis of the Russian Federation Civic Chamber Maxim Grigoriev acknowledged that the issue of foreign agents is currently very political despite of the valid law. However he expects the law to establish and the political issues in it to diminish just like the American foreign agents example has shown. (Ria 2013i1.) Obviously the constitution law theory of Jyränki is made for different kind of legal system than the Russian but it provides some perspective on what can be considered juridical and what political. Here it should be noted again that the Russian legal system can be considered as political law since politics have established influence on law (Parikka 2011, 145).

Considering linguistic synonyms to (foreign) agents, there appeared few occasions that indicated some mismatch with the discourses of representatives: First the Estonian Orthodox church patriarch stated that his church is not a foreign representative and especially not a foreign agent (Ria 2013z) and in another segment the European commissar noted that the Russian representative of the

European court did not want to be referred to as an agent which was in conflict to the common norm of the state representatives (Ria 2013s1). In another case the suggested killer of the former Libyan ruler Muamar Gaddafi, a 'foreign agent' was described as a representative of a foreign country (Ria 2012i) but in a way that the Estonian Orthodox Church nor the Russian commissioner of the European court do not want themselves to be referred to. Therefore a foreign agent appears to be a pejorative representative. Then again in economical context (Ria 2013d1) the foreign agent term was used self-declaratively by the representatives of a Russian subsidiary of a French mother company. In this context there seemed to be uncontroversial synonymous usability between foreign representatives and agents.

There were many discursive "side effects" in the events that the discourses of foreign agents on one perspective created and on the other perspective displayed themselves during the years' time frame between July of 2012 and July 2013. In negative appearance the foreign agent stigma was connected to vandalism towards foreign agent suspected NKO – there was writings put on walls of the Memorial building (Echo 2012g) and the internet homepages of the Moscow-Helsinki group were hacked (Ria 2012u). The mass inspections of the NKOs in the spring of 2013 were reported as a consequence of the suspected foreign agent violations. The foreign agent issue was often reported to affect to the Russian international relations causing critique in America, the United Kingdom, France, Georgia and the European Union in general. On the other hand Chinese were reported to be positively interested of governing NKOs by the foreign agent law. Also the disbanding of American institutes – most importantly the USAID – was represented in media as caused by the "foreign agent law" which adds up to the numerous events that are discursively connected to foreign agents.

This chapter can well be reflected to the theoretical framework presented in the previous chapters: The problematization of the foreign agent issue is portrayed as universal by the Russian authorities because a segment of grass root movements – the NKOs – are globally used as an instrument of contemporary competition between sovereign states. The issue is biopolitical as it works through the whole social life and the national body of in this case Russia. Accordingly NKOs can cultivate socio-political disorder and extremism. However the biopolitical resistance is government-led making the managing of the issue rather geopolitical. The use of sovereign power is legitimized to control these possibly harmful forces in its own territory where it has also internationally recognized right to govern. In the chapter three I presented the argument that by creating an internal other by foreign agent discourses, the well documented project of unifying the Russian self can be contributed. The discursive statements presented in Russian media support this argument by the discourses suggesting that the agenda of the foreign agents' work is to disturb the Russian political order (Ria 2012k, 2012s).

5. Global Governmentality and Foreign Agents

Much of my research conclusions thus far have highlighted the Russian protectionist style of politics characterizing the foreign agent discourses and namingly the importance of the sovereignty in domestic politics. The discourses of foreign agents however do not describe only the Russian Federational politics but also structures of international politics, i.e. the discursive regulation and relations do not only comprise NKO political activities domestically but also the international dimension of foreign influence and interference. I already have noted in chapter four how the foreign agent issue has been described as global competition between sovereign states in a way that grass-root organizations are used as a channel to influence other state's inner politics and consequently the states seek for ways to control this influence in order to protect the inner sovereignty of their state. Accordingly the foreign influence is somewhat biopolitical in the sense of being executed by post-institutional social actors and structures that influence society throughout. However the Russian approach to deal with the issue is rather geopolitical as it argues that the origin of foreign influence is from other state actors and Russian administration has also decided to deal with it in state-level politics. The competing discourses understand foreign agents likewise sovereign state-controlled but deny the alleged state influence in foreign founded grass-root organization activities. Both discourses give their description on how the world is to Russians, but how are the discourses of foreign agents describing Russia to the world in the Russian statements? What kind of subjectivities, visibilities, knowledge and ideas do the statements directed to abroad produce? What is their stance to scholarship of Russia's international relations?

To examine the Russian discursive foreign agents statements directed to abroad one should consider the informative research sources for the foreign audiences. In previous chapter I noted few of the statements directed to non-Russian foreign public, such as in the cases where NKOs appealed to the American president on the issue of foreign influence in their activities (Ria 2012c) and later to the Strasbourg European Court for Human Rights on human rights violations involved with the NKO law (Ria 2013o1). I also already mentioned the interview of president Putin in German media (Ria 2013f1). Each of these cases presented statements both to outside of Russia and inside Russia as the statements were reported in domestic media as well. As an event the introduction of the foreign agent law was also statement to both inside and outside of Russia as it affects not only to the Russian NKOs but also the foreign facets supporting the NKOs. Besides the aforementioned cases, I will examine news coverage of Russia Today on the subject of foreign agents as one of the main founding principles of the company is to acquaint the international audience to the Russian viewpoint (RT 2013b). The discourses appearing in this chapter can be expected to be more homogenic than in the Russian domestic media because the government owned companies have

monopoly in official Russian globally directed journalism and these reports are more summarized than the more comprehensive domestic news reports.

As I have referred to before in this thesis, according to Iver Neumann (2010) the Russian way of governing has been protective of its internal sovereignty and suspicious towards the civil society that is seen prone to foreign influences. These structures of governmentality are part of historical traditions of governmentality and world views that have been visible in the past when the Soviet regime denounced the American Marshall Plan as an imperial attempt of political intervention disguised as humanitarian aid. Moreover historical similarities were visible even earlier when the Czarist regime denounced the Westernizers as lobbyists of the 'False Europe' in the 19th century (Neumann 1996, 21-25). In contemporary Russia such approaches can appear present in the controlling of grass-root organizations from illegal soft power by the Putin regime (Ria 2012v).

5.1 Intervention Perspectives

The discourses of foreign agents support strongly the thesis of Susanna Hast (2012.) on the Russian pluralist approach which is conflicting with the solidarist trends best presented in American and European politics. The pluralist approach emphasizes the Westphalian originated international system where individual sovereign states are recognized as the main actors of international relations and the highest legitimized power in affairs of their own state territory which is recognized in the international law. Opposite to the pluralist view the solidarist considers certain universal values above the sovereign rights which consequently legitimizes the questioning of the state reason.

The Russian governmentality appearing in the discourses of foreign agents bases on suspicions towards foreign funded civil society activities. The structures of civil society forms the ground for foreign interventions that can be referred to as solidarism by English discipline (Hast 2010, 40-41), soft power (Nye 2004) or liberal interventionism (Gelot, Söderbaum 2012, 132-133) – in civil society the appealing global ideas and policies can be managed from within the sovereign state. Regarding these interventionist approaches, the NKO's are often described to advocate universal values such as democracy, humanism and development and hence Russian governing pays attention to them. The surveillance process starts from registering each foreign transaction for NKO's (Ria 2013v), continues in analyzing if the funding comes from American sources (the 'anti-Magnitsky law', Kremlin 2012) or if they violate the NKO law by participations in political activities and not registering as foreign agents or even participating in extremist activities.

The above mentioned governing procedures are legitimized by protection of Russian politics from foreign interventions and pressure. The United States Agency for International Development (USAID) was disbanded from Russia due to disagreement regarding on its relations with NKO's and

Russia's oppositional forces (RT 2012d). While the USAID is not foreign agent nor a Russian NKO, it represents well the discourses of foreign agents in being one of the major facets funding foreign agent type activities. Spokesman of Foreign Ministry – the federal organ ordering the closure of the USAID Russian office – stated that the decision was made after concluding that the USAID provided funds for NKOs seeking to *"influence the political process, including elections at various levels and civil society"* (RT 2012d). Despite of the ability of NKOs to continue their existence and work as foreign agents, the disbanding of foreign structures that fund foreign agents sends a signal from the authorities that such interference is not desirable. Moreover considering the 'anti-Magnitsky act' preventing American support of such activities overall (Kremlin 2012), it can be considered that while foreign funding is allowed to the Russian NKOs participating in political activities and being transparent about it by registering themselves as foreign agents, the foreign founders are much more directly under Kremlin's disposing policies. The Russian governing is thus stricter towards the foreign forces with the power to influence than the domestic influenced forces.

Susanna Hast states the following about the particularity of the United States to Russian politics:

"There is an obsession with the US which affects Russian ideas about the international system. All the efforts to defend international law, equality, sovereignty and non-intervention, and great power management and to resist the idea of universalism are conditioned by the threat of the US." (2010, 268.)

Further Susanna Hast describes the disputes of Russia and America in the context of their respective pluralist and universalist global policies as defined in the English school of science. Accordingly Russia has fought against the American hegemony since the Cold War, but after the fall of socialism, Russia no longer promotes universalist, but pluralist state system. Hast (ibid. 39.) writes:

"For Russians, the right to pursue national interests is seen as countering the threat of being ignored by international community and of being forced to accept rules dictated from the outside" --- "Russians do not share the utopian dream of a common humanity, but they certainly have an interest in a well-governed and peaceful neighbourhood." --- "For Russia, 'well-governed' means operating accordingly to the same kind of managed democracy as their own, with democracy imported from abroad seen as a source of instability rather than of peace and prosperity"

According to the juridical definition in the sixth section of the second article of the NKO

Law, the political activities practiced by foreign agents include manipulating the public opinion. Hence according to the thesis of Hast, the Russian governing forces would try to get rid of the foreign influence, not only regulate it as the NKO law does. This philosophy to intervene and stop the foreign influence can be (and has been with foreign agents) used as the justification of the use of sovereign power. Moreover, Hast continues that Russians are not willing to adapt to universal values, instead their official world view is based to the multipolarity, stability and security in concert and the United Nations' international law. The pluralist system grants the highest legitimacy to sovereign states, not to universalist values that from the perspective of the Russian regime are seen as a barrier for pursuing states' own paths of development. Considering about the foreign agents, they can arguably violate the Russian sovereignty with their foreign influences if they are considered to manipulate the Russian public opinion or administrative decision-making against the sovereign will and values.

Although the administrative approach has often been moderate towards NKO in only requesting transparency in their financing and actions, the American financing appears resonating the most in the Russian administration in foreign influence issues. The NKO law does not reserve any exceptions on foreign assets as it all is regarded the same way but the 'anti-Magnitsky law' subjugates the American assets under different administrative procedures. Russian Foreign Ministry spokesperson Aleksandr Lukashevich stated the following on American intentions to continue funding of Russian NKOs in ways avoiding the foreign agent status:

"We consider the statement by the US State Department official representative Victoria Nuland, saying the US is going to continue financing some of Russia's NGOs through intermediaries in third countries, avoiding the Russian legislature, a blatant interference into our internal affairs" (RT 2013f)

The highlighting of American influence describes how the bilateral international relations of Russia and other states can be visible in discourses of foreign agent. I note that the American relations have special meaning for Russian politics for many reasons but still the case of setting foreign agents under the American influence shows how the discourses can describe even bilateral international relations of Russia. The Russian foreign and domestic politics in discourses of foreign agents are intertwined in globalized post-institutionalist ways where new political institutions – the NKOs – are the subject of politics but the traditional sovereign state powers and great power politics appear strongly and vertically in their regulation, identification, support and (dis)allowance.

5.2 Russia Appearing Normal

” It is only natural for a state to be concerned by political activities financed from abroad” -Prime minister Dmitry Medvedev (RT 2012e)

This quote reflects the positivist standpoint on normalized behavior or social acceptability of the Russian way to manage with their grass-root organizations in labeling them as foreign agents. The social norm legitimates Russia's way of governing. According to Iver Neumann (2010.) governmentality appears in global politics as a social structure where states are attracted to ideas and beliefs of state norms by which they appeal 'normal' compared to other states. The ability to appeal normal or even at best to be an example to be followed increases the social power of states but in this Russia has been little successful historically. However according to the thesis of Susanna Hast (2012, 39), Russia pursues its own path of political development. How does the foreign agent discourses relate to these theses?

With much media attention towards the misconception of foreign agents politics between Russia and the western countries, it might appear that Russia is different and not hiding it. Indeed in previous paragraph I described Russia's interest in having its own national way of dealing with its internal politics. However the discourses of foreign agents show how the governing of the foreign influences in civil movements is described globally normal in the pluralist view. The framing of the foreign agents -issue as an international phenomenon makes it further possible to compare the Russian politics against its counter parts in countries such as China, India, Turkey and the United States of America. Addingly there was couple of statements where the foreign agent activities were seen as so-called 'color revolution' activities (Ria 2012k, RT 2012i) referring that the Russian NKO's supported by western powers are part of the same political movement that overthrew the regimes in Yugoslavia, Ukraine, Georgia and Kyrgyzstan during the first decade of 2000.

Between the discourses in the statements supporting and criticizing the foreign agent politics there is no significant conflict over the idea that the Russian foreign agent regulations manage an international issue by a national application. However the discourses presented by facets criticizing the Russian governing do not contribute in making the Russian foreign agent policy as a general (normal) international approach. Instead, the foreign assets are described as natural way of surviving for the NKO's and Russian alternative civil society (e.g Ria 2012f). Addingly these statements on the Russian governing in foreign agent politics are described characterizing most of all the particularity of Russian or Putin's regime (e.g. RT 2012h) not comparable to any democratic policies supporting democracy. Summa summarum the legitimization of the foreign agent governing in Russia is regarded depending on its stand to global ways of governmentality.

Russian politicians emphasize that Russia remains solidary to the ideas of democracy but despite of the globalism of the concept they have their own national implementation. The constitutional rights of freedom of speech, participation in social activities and party politics is often supported in statements Russian authorities (e.g. RT 2013g) but in accordance to the paradigm of sovereign democracy, these democratic rights of citizens should be protected by the sovereign state from foreign interferences. This follows the classical ideas of John Locke and the Social contract theory according to which the sovereign state protects its people in exchange of the power it possesses over individuals. In the material of Russia Today (e.g. 2013h) the national support for the foreign agent politics of the government was more visible than in Echo Moscow and Ria Novosti where pictures were used to show casual pictures of leaders of relevant groups not displaying the row members of groups of activists of either side of arguments. The illustration of Russia Today about the activists of both sides of the public argumentation portrays again the civil debate around the issue that further describes democratic features of Russia. Addingly next to the most extreme forms of statements about foreign agents being harmful to society, there was often described how the Russian method of dealing with it is moderate in controlling instead of prohibiting their activities (e.g. RT 2013i).

5.3 International Attractiveness of Russian Governmentality

As the discourses in media discussion much presented in chapter III the foreign agent practices were often legitimized by international practices. The most referred peer to the Russian foreign agent policy was in the American Foreign Agents Registration act but such governing was often described as generally international (see also RT 2012f) portraying Russian politics as a part of a universal phenomenon. Expert statements on foreign agent questions saw it as a trend emerging from Russia (2013i1) or as already established global issue(Ria 2013j1). In accordance to the former statement a member of Russian parliamentary commission stated that their Chinese administration was interested in such governing (Ria 2013k1).

In global governmentality perspective the above presented statements can be seen in perspective of Arkady Moshes (2009, 108) and Iver Neumann (2010, 78), according to which the weak social attractiveness of Russian governmentality is a problem with establishing her status as a great or regional power. The discourses of foreign agents describe how the Russian governmentality legitimizes itself in the global norms of managing foreign influences in its own national civil society. Simultaneously the Russian way of governing compared to its international counter parts is described as a particular version which is something that some other states might follow after. Although the Russian trend of governing as a trend followed by other states has only been a

hypothesis, it has been used as argumentation for good governing. Definitely the existence of setting directions to global governing trends and norms can be seen to describe the desire of improving the social attractiveness of the Russian governing. In Russian administrative level the European and American calls for democratization of Russian politics have been considered revealing inappropriate, discrediting, disrespecting and even humiliating attitude towards the prestige of Russian politics (RT 2012a, g).

The temporary dimension of why the new law on NKO was introduced has a sense of emancipation in it. This was very visible in the USAID -case where the original need for the USAID development support in the immediate aftermath of the Soviet collapse and the wide-scale problems of the 1990's was seen gone. There was high rate of social disorder, need to establish and get used to the translation away from the holistic Soviet system towards free-market democracy. However the problems of Russia are seen to have altered great deal since then when the USAID was welcomed to Russia: the national prosperity and wealth is seen to have improved a great deal and political and social situations have stabilized hence making the original development purposes of foreign associations not seen needed. Moreover the agendas of the USAID and related foreign development programs are seen to have changed their focus towards the less desired political supervision, guidance and even steering of Russia towards political agendas in conflict to those of the Russian sovereign regime. (RT 2012 a, b, d, Echo 2012j, Ria 2012v.)

Being described as an issue of pride in aspects of Russia being discredited for its politics is part of social governmentality, Russian regime does not want to be in the receiving end of foreign development aid. While the statements on why Russia should reject foreign aid do not make far reaching specifications on why is the foreign aid humiliating for Russia, a relevant theoretical point of view strongly supports the argument of Russia's will to improve its global social status. Susanna Hast (2012, 94) notes how in the English school of international relations the influences of great powers in the small influenced powers are described in narratives of victimhood. Such position of influenced state is not appropriate to a state interested of having a great power status in international affairs. In line with the thesis of Hast, the discourses of foreign agents point out how Russian regime sees the foreign influences regulating Russian politics to discredit the ideas of Russia's social status and its ability to govern well. While even the most critical voices against Russia's great power status probably would not claim Russia in the same group with the developing third world countries, being in the receiving end of development aid of the 'developed (western) states' can create a link to being a weak development country.

Considering the social identification, the Russia has sought for a place among 'the developing economies' of the BRICS -states (Brasilia, Russia, India, China and South Africa) (Global Sherpa). From the discourses of foreign agents it has appeared that governmentalities of

China and India are close to Russia as China is reported to have expressed their interest in the Russian NKO law (Ria 2013k1) and India already has established an NKO law countering foreign influences (Ria 2013j1). In ideas of belonging into this group the Russian regime does not seem to consider *developing* as a pejorative in sense of being *developing economy* because it also refers to *emerging* states but it wants to distance itself from being a state under *development aid*.

6. Conclusive Discussion

In this chapter I revolve the research results I have concluded to in previous chapters. Via this final discussion with theories and empirics, hypotheses and theses I provide a lead-in to the final conclusions. Outside the theoretical discussion I have noticed that there was little if any real variability of the overall discursive content of foreign agents between the three media companies of my primary research material despite of the pre-assumptions I presented in paragraph 1.3..

6.1 The Relation to Life of Russian Governmentality: Biopower or Biopolitics?

I have argued that biopolitics are present to certain degree in the NKO law, however the need to label NKOs by exclusion of segment of it is a signal of the dominating presence of sovereign (geo-)politics where the immunity from external influences legitimates the use of power more than the fostering of the well-being of social body that NKOs are often founded for. The fostering of the political body of Russians is done in the way of state racism where the political life as the object of politics is a challenge to the state sovereignty. When considering the 'life' or bio/zoo in perspective of the Russian political life, then the foreign agent phenomenon resembles usage of biopower as Roberto Esposito (2008, 15) defines it (look chapter 1.5.).

The direct ways of the Russian 'power vertical' has roots much deeper in history than Vladimir Putin's regime in the 21st century and the case of foreign agents do not seem to change anything significantly in the long run of Russia's governmental rationality. According to existing literature, the Russian civil society is held more under control for the sovereign strength instead of cultivating independent subjectivity to foster the social health. In the perspective of Russian regime claiming the hegemonic statement of foreign agents in the NKO law, the governmentality demonstrates the same kind of direct nature as the most popular theories views have argued.

Does the foreign agent governing apply a new sphere of politics? Thomas Lemke (2008, 5) pointed out to be the basis of biopolitics is in scoping the range of politics and power to the life. The politics on civil organizations is not in this sense the best example of biopolitics as a methodology examining the dynamic borders of politics that have changed among others with humanitarianism, environmental questions, genetic engineering and animal rights. I consider Russian politics in foreign agents still being biopolitical - or rather biopower - in the sense that it is defining the new borders of politics in non-traditional sphere of politics of NKOs in Russia, although they are already previously regulated to some degree. Moreover the law relies on normative categorization, regularization, and surveillance mechanisms on its legal (political) citizens, although not on the biological sphere of population. It subjugates organization groups to codification according to

which even in being Russian, they are considered foreign agents by their actions. This codification of the non-Russian foreign agent, the internal other makes by e contrario a norm of Russian (agent).

The otherness the foreign agent discourses are based in is in political otherness and existence. This kind of political separation highlights the argument of Vesa Oittinen according to which governmentality is the main problem between Russia and the West: In this research case it produces subjectivation of foreign agents not according to their biological, cultural or ethnical but their political otherness.

The discourses of foreign agents can further be examined in the biopolitologist view, according to which politics can be viewed in terminology of biology (Lemke 2011, 15). What would be the medicine of the foreign agent politics? The law on NKO provides a diagnosis on the 'body' of NKOs analyzing if an NKO needs further monitoring or not. Can foreign agents be seen portrayed as a threat to the health of this social body? It is hard to approach the discourses of foreign agents without assuming so: The much I know about Russian language and from what I have personally inquired from Russians, the lingual dimension of foreign agents has the same pejorative tone hinting towards spies as it has for example in English and Finnish languages and the statements in the Russian media support this argument. To consider the use of language behind the discourses of foreign agents, the biopolitologist approach using the terminology of biology can be practical. I would argue that the discourses of foreign agents in the introduction of the law on NKOs are portrayed as threatening or risky influence, but not as an actual social illness per se, because the policy towards them is not trying to get rid of them, it settles only into their regulation and monitoring. In principle a foreign agent can still be compatible for the social body with the same kind of health contributions like rest of the subjects. I note that this kind of biopolitologist perspective is strongly influenced by the methodology but it gives an additive perspective on how the discourses of foreign agents can be seen in biopolitologist perspective.

The Russian governmentality of recognizing civil (NKO) rights in order to condition them in foreign agent obligations is to some degree paradoxical: NKOs are granted to have their rights by law but the law sets obligations on which the rights are dependent on. This governmentality is disfavoring the 'internal others' in Russians subjects by subjugating them not only under the administrative structures that make the existence of subjects acting as foreign agent difficult but also under the social structures which have historically received foreign agents with contempt. This however follows the same paradoxical logic as the securing of human rights by acts that are violating human rights which is noted in military humanitarist interventions. In this perspective one can see the ideas of Foucault's state racism and Agamben's homo sacer appearing in foreign agent governmentality, although it emphasizes the role of sovereign in using biopower.

6.2. Why to Introduce Juridical Foreign Agents Now?

My theoretical hypotheses on the historical appearance of the foreign agent's discursive visibility in form of the NKO law is based much on the thesis of Iver Neumann. (1996.) Accordingly the need to articulate identity for the Conservatives is perceived most of all in times of crisis', such as the Crimean War or the collapse of the Soviet Union. The current Russian government is popularly considered as conservative (e.g.Haukkala et al 2009) so we can reflect the theory of Neumann to the introduction of the new NKO law. Was Russia experiencing a time of crisis in 2012? On one hand the Russian economy was in relatively good state considering the global financial crisis and the conflicting southern regions of Russia have not been documented to have any major upsets recently. What perhaps could be considered as a crisis is the antiestablishment civil protest movements occurring as an aftermath of the allegedly rigged Russian parliamentary elections in December 2011 and later after the Putin's re-election to presidency in May 2012. At the same time a new law limiting public rallies was introduced on the aftermath of the biggest protest waves after the 1990's (Human Rights Watch 2012).

The thesis of Giorgio Agamben states that every form of politics strive at unifying the qualified Nation by exclusion of the non-qualified nation which can be seen in light of Russian political agenda to unify the heterogeneous Russian nation presented by Ivan Sukhov. In 2012 Benjamin Bidder and Fiona Cambell represented couple of the many western observers who interpreted the Russian new laws as direct reaction to the color revolutions, the Arabic spring and the anti-Putin rallies of the past year that would be threatening to overthrow the Russian regime. Indeed the raise of internal political other was depicted as an international phenomenon and few did make the reference to foreign revolutionary activities funded by the West. In this context the discourses of foreign agents base on the need to unify the Russian nation politically in time of the potential political disruption which is in line to the theories of Agamben, Bidder and Cambell.

The statements legitimizing the governmentality in foreign agents argued the contrary to the argument above: Some of the foreign influences were described as remains from the time when Russia was a weak nation and now that Russia has become stronger it is not any more appropriate that it has the foreign support meant for a weak state. Russia has joined the group of emerging economies in the BRICs along with four other states whose governing traditions differ from the western liberal governmentality but they are all appearing as the future great powers of the world as compared to the West where the powers seem fading. Accordingly the Russian need for codification of the internal other – and therefore the self – is based not on the demands of circumstances in a current crisis but on the demands of an actualized emancipation. This would be in accordance to the theses of Iver Neumann and Susanna Hast of the Russian will to gain social prestige and power.

Therefore the timing in the introduction of foreign agents can be seen at least portrayed as a gesture of emancipation instead of social crisis in the discourses of foreign agents which is contradictory to the some western views on the reasoning of it. Ofcourse such statements of emancipation can be seen as promotion of the Russian regime's prestige. The theories of the emancipation and the Conservative regime's definition of the Russian self in the time of crisis do not exclude eachother despite of their differing approaches and they both indeed appear in the foreign agent discourses.

6.3. The Character of Russian Governmentality

Russian governmentality in foreign agent discourses demonstrates the strong idea of a sovereign state within which the subjects influenced by non-Russians are distinguished and separated from the purely Russian subjects in the foreign agent codification. Moreover the statements that foreign influences should be regulated because they are discrediting the regime of Russia further highlights features of pre-liberal sovereign nation based governing where the purpose of governing is to strengthen the sovereign of the state. The foreign political influences are seen as a risk for the well-being of the Russian society and the state, not in the way where it would corrupt the biological health but the political behavior of Russians. The famous thesis of John Agnew (1998, 53) states that a modern state claims sovereignty not only over its territory but also its citizens, whom the state regulates by emphasizing the borders between the others outside and the national self. This geopolitical agenda regulates the Russian NKO politics for sovereign interest and it is visible in the foreign agent discourses.

However the NKO law regulates the rights and obligations of subjects without direct limiting functions which disclaim at least some of the ground of all sovereign-based Russian governmentality. The statements critical to the law disclaim the attentions of direct Russian or foreign government regulation of civil movements. According to the Foucauldian paradigms of liberal and neoliberal governmentality the raise of neoliberalism occurred from the paradox of liberalism: Why to govern at all if the natural state of free economical competition conducts best? Hence instead of the liberal way of governing to secure the individual freedoms, the neoliberal governmentality develops structures of self-regulation and self-governance. (Helén 2010, 31.) Can the competing foreign agent discourses be based on differing liberal/neoliberal ideas on the ways of governing if we consider the law being liberal in its function of securing juridical freedoms? Do the critical statements on their side rely on ideas of neoliberal indirect governance?

In a sense that revealing of foreign agents was stated to ensure that Russian people would know about backgrounds and activities of NKOs acting as foreign agents (Ria 2013f1), the governing would not only benefit the sovereign state in monitoring and regulating these subjects but

also for the regular citizens to acknowledge the foreign agents in their own positions and consider them in their conduct. Referring to this indirect governing and self-regulation of Russians dealing with foreign agents, Russian environmental NKO's stated their doubt that any Russian would support foreign agents due to their emotional resonances (Ria 2013d2). In this sense the Russian governmentality works indirectly not by limiting activities of its civil society but by setting codifications with limited management of the new category of political subject. Hence it is dependent on the references of the Russian subjects how to deal with foreign agents or being recognized to acting as such. Overall the Russian governmentality does not seem to clearly follow sovereign, liberal or neoliberal governmentality, but it has features of each of them.

Considering the Iver Neumann's thesis on global governmentality through the social normatization, the Russian governmentality shows many features of governing through not only by legal norms it regulates but also by pre-existing social norms. In its legitimation the Russian governmentality considers some of the concepts of democracy, liberalism and human rights. Russian authorities have even used human rights argumentation in the legitimization of the 'anti-Magnitsky act' regulating sanctions on American citizens who have violated against Russian that is visible in the official name of the law "*On Sanctions for Individuals Violating Fundamental Human Rights and Freedoms of the Citizens of the Russian Federation*" (Kremlin.ru 2012). The 'anti-Magnitsky' law is related to foreign agent discourses in its limiting regulations on the politically active NKO's receiving foreign assets but it bases its legitimacy on sanctions against human rights violations unlike any direct statements on foreign agents.

Addingly the ideas of democracy that appear in the legitimization behind the foreign agent regulations follow the principles of the sovereign democracy: the freedoms of Russian citizens are supported by regulations of the regime, but foreign influences on Russian civil society are seen as a threat to the Russian sovereignty and independent opposition. In other words the role of the sovereign state is to support democratic institutions and to protect their immunity from foreign influences which are a threat to the concept of sovereign democracy. Consequently, if democracy is seen as rule of the people, then the foreign influences are seen as a threat to the people's rule in Russia.

7. Conclusions

My main thesis on the discursive meaning of foreign agents is that foreign agents are part of globalized phenomenon which has Russian national particularity in the ways how foreign agent activity has been labeled, monitored and controlled. From July 2012 to July 2013 the foreign agent discourses have appeared in political activities of social grass-root level activities outside the traditional political institutions. There were few minor statements where foreign agents appeared out from the NKO-context, in these cases the term was connected mostly with pejorative international intelligence and espionage. The Russian discourses of foreign agents seem unified in the idea that foreign agents are fairly directly controlled by political interests of foreign states.

In practice the subjects acting as foreign agents are unflavored in favor for the non-foreign agents. The rights of foreign agent NKOs are conditioned by more comprehensive set of administrative obligations than those who are not foreign agents. Addingly the historical background of the foreign agent stigma creates unfavorable social environment for subjects acting as such – The historical connection to the cold war espionage is in recent memory of many and Russian identity has to some degree built on the speciality of the Slavophile traditions which the Westernizers are seen to have disrespected with their reformist ideas.

The foreign of foreign agents is political and refers much to the West and even more often to the American foreign. The 'foreign other' has a relevantly progressive concept of limits of politics in the platforms to implement political activities and different type of activities that can be considered as politics. These foreign agent ideas are seen incompatible and even a threat to the Russian tradition of sovereign governing by some but some see them necessary for improvement in ideas of civil society, human rights and democracy.

There is disagreement over the idea that the politically active NKOs getting foreign assets can be labeled as foreign agents. The conflict in discourses of foreign agents appear in the definitions of how foreign assets make their recipient dependent on the will of their sponsors and how can the foreign agent activities be defined. According to some discursive statements any assets will make their receiver under control of the donor but the competing discursive statements strongly dispute this causal idea.

The definition of political activity of foreign agents is at times considered too inclusive as it comprehends universal values such as human rights monitoring, advocating for political activists and environmental protection that are seen as universal values by others by some and as a political agenda of foreign regimes by others. The latter discourses often describe the agendas of the powers behind foreign agents to be motivated in cultivating a political revolution in Russia. The conflicting ideas of foreign agents politicize the law on NKOs which stimulates a conflict as others argue that

the effective law should not be an issue of a political debate and the others see it the law inappropriate because it was set despite of its incoherent ideas of foreign agents.

Besides the ideas and beliefs, the discourses of foreign agents have meant as a political instrument of monitoring and regulating of NKO, they have also further created new discursive meanings and events. There occurred some events portraying ideas of foreign agents rather unpleasant: There has appeared few cases of vandalism towards those who were speculated to be foreign agents. Addingly foreign agents got connected to the general mass inspections on NKOs executed in the spring 2013 which were demanding supplementary bureaucratic work for the NKOs inspected. The regulating practices were mentioned to describe the Russian particular way of governing which was following international practices and even stimulating interest in other countries or alternatively it was described displaying the undemocratic and human rights violating features of the regime of Putin. Apart from the NKO law the foreign agent discourses have been present in the closure of the USAID and couple of other American development institutions since they were seen feeding the foreign agent activities. Also the so-called 'anti-Magnitsky' law dealt with foreign financing of the politically active Russian NKOs but instead of controlling and monitoring them, the law obliges such NKOs to be shut down. These cases also point out the particular political otherness of America in Russia and the strong belief of the presence of foreign politics and international competition in the NKO activities.

The Russian governmentality in foreign agent discourses appears legitimizing itself by securing of the political sovereignty. The NKO law follows the principles of liberal governing in the sense that it is described to secure its citizens political knowledge by law but simultaneously it rules indirectly in letting Russians to decide how to position themselves to foreign agents. The presence of Russian state in the governing is debatable. Some statements claim that the state presence is too strong in regulating NKOs, while other statements claim that the state is not regulating too much but very little in fact as it does not limit liberties of the foreign agent NKOs. Addingly the later statements see some amount of state influence on NKOs natural and hence the Russian government is willing to contribute and support Russian civil movements. Consequently every foreign donor is believed to naturally gain influence on the NKOs they finance. This approach can be seen realist-liberalist: the liberalist governmentality principle is followed in controlling as little as possible, the Russian legislation has not restrained NKO activities, but it sees state control inevitable reality in NKOs and acts accordingly.

The ideas of NKOs working independently from state influences seem impossible from the perspective of discourses behind the 'foreign agents' law'. There is indirect governing included in letting individuals themselves decide how to deal with foreign agents or whether to act as foreign agents and therefore both the juridical governing of NKOs through law regulations and the

economical governance of individuals themselves through their tendencies are present in foreign agent discourses. This kind of governing by references applies subjectification which in practice favors the non-foreign agent subjects. The more the governing issue is seen in the perspective of international politics, the more Russian governing seems sovereign-based and the more it is examined on grass-root level, the more it is liberal. However even in grass-root perspective the Russian governing can be considered both as pre-liberal or authoritarian since the ideas of foreign agent by law set by the authorities are in conflict with knowledge and beliefs of some segments of Russian society. The statements supporting the NKO law do not see a conflict in the concept of foreign agents and thus they ignore the arguments of opposition which state that the regime dictates ideas and beliefs in conflict to the established social concepts according to which for example humanitarian work cannot be foreign agent activity.

After the end of my research material time limit of July 13th 2013 the discussion on foreign agents has continued without major turns of events. The trials on alleged violations of the law on NKOs continue, the Presidential council on human rights has continued to advocate the halting of the foreign agent regulations applied to NKOs. Few NKOs were penalized in accordance to violations against the law on NKOs, among them the Murovy Nature park was founded as a foreign agent by regional court. However none of the obliged NKOs still had registered themselves as foreign agents by November 2013. Noteworthy is that 'Public Verdict' which I mentioned having legal problems with the foreign agent issue in chapter four was forced shut down its operations for not being able to pay the legal fees and fines from violating of the foreign agent stipulations (Ria 2013g2). This event is very much in line with my analyses: Even if foreign agents are not officially declined to work per se, the circumstances to continue operations may indirectly force the subjects acting as foreign agents stop to exist. Moreover the debate on legitimization of the foreign agent regulations, the significance of foreign financing, importance and demands of the NKO independence continue with the same main arguments of the parties supporting and opposing the regime. It is noteworthy that representatives of Russian legislation have still kept the possibility to make further amendments on the law on NKOs in for example its definition of political activities of foreign agents which in practice would change the perspectives on foreign agents.

There are many options to consider further research on the issue of foreign agents. The background of Russian ideas of foreign agents is merely touched in my research and I consider that the historical background could be used better with the contemporary empirics. Besides the temporal changes and developments appearing in Russia as the introduction of the law gets older and perhaps more established, new perspectives could appear by examining different primary sources such as blogs which were excluded in my the research material. Also conducting research with different methodological and theoretical approaches could bring out news perspectives on foreign

agents, foreign influences, Russian governmentality and developments of civil society. The Russian discourses of state influenced civil movements are very attractive perspective to be examined in other case studies as well. The western concept of non-governmental (NGO) and the Russian non-commercial (NKO) organizations are used synonyms in Russian and Western translations even if there are great deal of differing national basic ideas and beliefs of civil movements that should be considered before using the basic units of civil movements synonymous. At least foreign agents are not understood to be non-governmental but as classical political institutional power hidden in globalized postmodern institutions.

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