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Political Homophobia as a State Strategy in Russia

Nikita Sleptcov

Abstract

This article examines the current state strategy of political homophobia used by the Russian government to create a sense of national identity by scapegoating Russian homosexuals as "foreign agents," reinforcing the power of the governing elite, and distracting people's attention from government misconduct.

Introduction

“West will fall in the same way as the Roman Empire fell before it, because in the Roman army it all started with the fact that the soldiers were no longer engaged in battles and indulged in “the charms of homosexual love.” (State Duma deputy Vitaly Milonov in an interview to the Russian News Service)¹

Political homophobia as a state strategy is a phenomenon that has attracted scholarly attention at the beginning of the 21st century as more states across the globe resort to it in their domestic policies.² In the case of Russia discussed below, I show that political homophobia as a modular oppressive strategy has been used to legitimize the current authoritarian political regime, to unify national identity, and to present the country's particular values as distinct from those of the West. In order to show what Weiss and Bosia call the “modular” character of political homophobia, I rely on current research in the area of political homophobia, analyze Russian homophobic legislation, and compare Russia to Poland, a country that also previously introduced similar legislation and employed similar rhetoric of political homophobia.

In this paper I argue that political homophobia as a state strategy is embedded into Russian history and since 2012 has been actively employed by the Russian authorities. This paper is an opportunity to look at the current homophobic outburst as a deliberate political strategy carefully crafted in Russia. In my

¹ Previously being a member of St. Petersburg city hall, Milonov was the main sponsor of the city “gay propaganda law.”

² See. Weiss, M. L., & Bosia, M. J. (2013). *Global Homophobia: States, Movements, and the Politics of Oppression*. Chicago, IL: University of Illinois Press.

understanding of political homophobia, I will rely on the work of Wiess and Bosia (2013) who understand political homophobia as a

purposeful [strategy], especially as practiced by state actors; as embedded in the scapegoating of an “other” that drives processes of state building and retrenchment; as the product of transnational influence-peddling and alliances; and as integrated into questions of collective identity and the complicated legacies of colonialism. Specifically, we target the overt deployment of homophobia in political rhetoric and policy as a remarkably similar and increasingly modular phenomenon across a wide range of cases. (p. 14)

In their definition, Bosia and Weiss highlight the modular nature of political homophobia, that is, exhibiting similar characteristic across cases where present. I argue that the new round of political homophobia that was launched approximately in 2012 with regional and federal legislation exposes the modular character of Russian political homophobia. Approaching homophobia as explicitly the deliberate and modular political strategy offers a different way to understand the power dynamic that goes beyond one case, one country.

Homophobia as a political strategy is not unknown to Russian politics. During the Soviet period, Stalin skillfully used homophobia to attack political opponents and consolidate power (Healey, 2002; Healey, Baer, & Stella, 2008). With the collapse of the Soviet Union and the fall of the Iron Curtain, the young democratic government in Russia was more focused on stabilizing the economy than on building political participation. “Shock therapy” aimed at changing the economy and “the initial impoverishment that came along with it had more of a ‘demasculinizing’ effect, as many men could not meet the new market-derived standards for masculine achievement” (Sperling, 2014, p. 60). The effect was so profound that some scholars called it “crisis in gender identities, and particularly masculinity” (Goscilo & Strukov, 2010, p. 11). Together with the loss of the status of superpower and, as a result, diminishing role of the country in international affairs, led to the fact that “Russia in the 1990s was quite often portrayed not as a mother but rather as a woman of easy virtue; prostitution became a metaphor for the country’s foreign policy” (Riabov & Riabova, 2014, p. 25). Therefore, one of the earliest political acts undertaken by Putin when he became president in the early 2000s was the change of discourse to include patriotic terms and images to reinstate Russian masculinity on the political level and consolidate public support.

The state strategy of political homophobia, among other policies of nation building, was deployed in 2012 as a response to the ideological vacuum that had been created by the collapse of the Soviet Union. I argue that modern Russia under the rule of President Vladimir Putin has deployed political homophobia as part of a range of policies aimed at (re)creating a sense of national identity that is not based on western liberal values.

Being essentially an “imagined community” of separated individuals, nations are constructed through language and discourse (Anderson, 1983, p. 15; Martin, 1995; De Cillia, Reisgl, & Wodak, 1999). Because they are “mobilized into

existence through symbols invoked by political leadership” (Dryzek, 2006, p. 35) discourses are powerful tools in constructing, perpetuating, transforming, or dismantling national identities (De Cillia, Reisgl, & Wodak, 1999). Therefore, discursive practices of homophobia used by the political leadership in laws and public speeches constantly recreate a sense of national identity distinct from the West with its emphasis on liberal values (Healey, Baer, & Stella 2008, pp. 6-7).

To denote the gradual shift toward a politics of nationalism, I introduce the term “conservative heteronationalism”. Analogous to Jasbir Puar’s (2007) homonationalism, heteronationalism deploys heterosexuality as a modular type of sexual behavior forming the basis of nation where queer sexualities are not included into the process and become marginalized as unproductive sexualities (Foucault, 1990).³ The conservatism is expressed by the desire to look for role models of sexual behavior in history, which is selective and biased. Conservative heteronationalism is a state strategy that occurred in the Russian Federation under Putin. A main objective in the deployment of modular political homophobia is to create a collective identity for Russian nationalists.

For Bosia and Wiess (2013), political homophobia is connected to the legacy of colonialism. Russia has never been colonized by a foreign power. However, the period of the 1990s was characterized by the majority of common people as the country’s ‘quasi-colonialization’, turning it into ‘a raw material appendage of the West’ (Kotz, 1999). I argue that the feeling of lost sovereignty and independence was the trigger that contributed to the formation of a public demand for a new type of leadership that would not be directly associated with the West, and therefore in the public eye would not look dependent. The people were searching for a hero, someone who could bring the lost pride and political status back to them. Putin was such a figure, whose “self-assertion as a tough, strong, masculine, and, above all, patriotic leader protecting Russia” was seen as capable of rectifying the status-quo (Sperling, 2014, p. 78).

I associate the deployment of political homophobia in Russia with the impact of internal as well as external factors. The introduction of conservative rhetoric into Russian domestic politics is closely related to the international milieu around Russia in the mid-2000s. The relations between the West and Russia started to deteriorate after the famous Munich speech the Russian president Putin delivered during Munich Security Conference in Germany on 10 February 2007. Putin criticized the West in general and the USA in particular for “monopolistic dominance in global relations” (Lekic, 2007). The speech marked the beginning of a policy of deterrence in the relations between Russia and the West and the further events (the Russian-Georgian war, the chain of color revolutions in the countries of the former USSR and so on) laid the foundation for mutual distrust (Koshkin, 2016, p. 6). The speech reignited the suspicion of the NATO enlargement among Russian elite as well as Russian population (Jégo, 2008;

³ Thus heteronationalism is based, in part, on the idea that the result of the sexual behavior is pleasure and not the birth of children.

Kryshtanovskaya, 2008; Neef, 2016). Russian President Dmitry Medvedev, who replaced Putin in early 2008, in his address to the Federal Assembly the same year expressed the concerns saying that “Russia’s strength is being tested” by the NATO members (Medvedev, 2008).

The Putin administration changed its rhetoric toward a more critical position on the West (Shimov, 2017). Confrontation with Western countries required a change in internal discourse, which happened with the gradual introduction of the language of traditional values. People impoverished and humiliated in the 1990s politics of “shock therapy” welcomed the changed course. “Russia is getting up from its knees” became a slogan of growing anti-westernization in the country (Rubov, 2008). The new ideology of conservative traditional values involved many actors such as the ruling United Russia party, Cossacks, and most importantly the Russian Orthodox Church, whose position on homosexuality has traditionally been hostile (Zorgdrager, 2013). The Russian Orthodox Church, politically disempowered during the soviet times, became engaged in politics after the collapse of the USSR in 1991 but did not gain political prominence until the late 2000s when the newly invigorated Russian Orthodoxy has been deployed to play a crucial part in the new politics of conservatism (Anderson, 2007; Mitrokhin, 2009; Willems, 2006).

I argue that the launch of political homophobia in Russia has been closely connected to changes in the country's foreign policy due to deteriorating relations with Western countries and the necessity to legitimize the current political regime inside the country. Conservative heteronationalism, enshrined in the legislation, excludes queer Russians from the definition of a truly Russian citizen. LGBTQ advocacy groups, funded from abroad, are deemed “foreign agents” serving interests of Russian adversaries. Such a hostility from the government promotes societal homophobia within the nation and marginalizes the status of Russian queers.

Literature Review

Homophobia as a social phenomenon has been a scholarly focus from many different perspectives. Scholars have been studying the interconnections between states and the homophobic attitudes of the population and their effect on LGBTQ rights activists (Frohlich, 2011). Homophobic attitudes have been also scrutinized from the position of relations between Christianity and homophobia (Birken, 1997) and homophobia and masculinity (Stein, 2005). Bosia and Weiss (2012) pioneered the study of homophobia as a modular and deliberate political strategy that has taken place in different parts of the world.

There is a growing body of scholarship focused particularly on examining homophobia in Russia from the political standpoint. There is scientific research in the area of history (Ashwin, 2000; Engelstein, 1995; Healey 1993, 2002, 2003; Healey, Baer, & Stella, 2008) and the sociology of homosexuality in Russia (Baer, 2002, 2009). This literature suggests a perpetuated feeling of homophobia within

the Russian population due to the historical legacy of homosexuality in Soviet times and negative discourse produced by the state today.

There is also a significant amount of research in the area of masculinity and its nexus to the political regime, attitudes, and culture (Clements, Friedman, & Healey, 2002; Makarychev & Medvedev, 2015; Riabov & Riabova, 2014; Sperling, 2014). Sperling (2014) argues that masculinity plays a key role in legitimizing the Russian political regime. She writes,

In the contemporary Russian case, the Kremlin deployed a legitimation strategy that included stressing Putin's machismo—a strategy that bled over into popular cultural productions of the same ilk.[...] Traditional masculinity, therefore, enables male political leaders (and some female ones as well) to assert their power over others who can be identified or characterized as traditionally feminine.[...] Political actors employ widely familiar cultural notions of masculinity, femininity, and homophobia (heteronormativity) as political tools in their performance of legitimacy. (Sperling, 2014, p. 3)

Researchers also note a growing influence of the Russian Orthodox Church as an authoritative actor in producing homophobic discourse and reinforcing traditional gender roles (Sperling, 2014; Stähle, 2015; Zorgdrager, 2013). Taking into consideration the fact that the majority of the population identify as orthodox Christians, the Church's position on social issues has a significant impact on societal perception.

Scientists have studied the role media plays in the construction of homophobia within the Russian context (Persson, 2015). Media has a significant influence on people's attitudes toward such social issues (Gainous, 2007; Venzo & Hess, 2013). Gomillion and Giuliano (2011) have examined how the media has influenced self-realization, coming out, and current identities of American homosexuals “by providing role models and inspiration” (p. 330). There is also a body of research on discursive practices within local LGBTQ communities developed in response to societal homophobia in Russia (Kondakov, 2011, 2013a, 2013b). The use of such discrete language helps Russian queers stay unnoticed in the hostile environment. For example, the usage of the phrase “byut v teme” (“to be in the theme”) which means to belong to the LGBTQ+ community. For a person who does not know, this phrase does not carry any obvious semantic load, for an initiate, this kind of “fluid” identity allows one to avoid the daily hostile and homophobic environment (Kondakov, 2013b).

In my research, I place Russia within a broader international context in order to show that current homophobic discourse and “anti-gay” legislation passed in 2013 is not unique to Russia and represents a wider attempt of different authoritarian states to use homosexuality politically to their advantage.⁴ However,

⁴ The federal law “For the Purpose of Protecting Children from Information Advocating for a Denial of Traditional Family Values” of June 11, 2013 and enacted on June 30, 2013.

unlike in places like Uganda or Egypt, Russian homosexuals are hostages of complicated foreign policy games between Russia and the West. I argue that the politics of homophobia launched by Putin is a direct consequence of deteriorating relations with the United States and Western Europe.

Methods

In this study, I analyze regional as well as federal legislation that was developed between 2006 and 2013 in Russia and which were aimed at regulating queer public visibility. An examination of legislation is particularly important because it denotes both the will of the legislator and demonstrates the perpetuation of political homophobia in the law. For example: the Law of the Region of Ryazan dated June 15, 2006 N 66-03, “On the Changes in the Law of the Region of Ryazan”; “On the Administrative Violations”; and several other nearly identical bills adopted by Arkhangelsk in 2011⁵, Kostroma⁶, Saint Petersburg⁷, Novosibirsk⁸, Magadan⁹, Samara¹⁰, Baskortostan¹¹, and Krasnodar¹² in 2012, and Irkutsk¹³ and Kaliningrad¹⁴ in 2013. In addition to these, I consider the federal law “For the Purpose of Protecting Children from Information Advocating for a Denial of Traditional Family Values” which was unanimously passed on June 30, 2013.

⁵ Law of the Arkhangelsk Region of December 15, 2009 N 113-9-OZ “On certain measures to protect the morality and health of children in the Arkhangelsk region”

⁶ Law of the Kostroma Region of February 15, 2012 N 193-5-ZKO “On Amendments to the Law of the Kostroma Region “On Guarantees of the Rights of the Child in the Kostroma Region and the Code of the Kostroma Region on Administrative Offenses”

⁷ Law of St. Petersburg of February 29, 2012 N 238 “On Amendments to the Law of St. Petersburg” On Administrative Offenses in St. Petersburg”

⁸ Law of the Novosibirsk Region of June 14, 2012 N 226-OZ “On Amendments to Certain Laws of the Novosibirsk Region”

⁹ Law of the Magadan Region of June 9, 2012 N 1507-OZ “On Amending Certain Laws of the Magadan Region in the Protection of Minors from Factors Negatively Affecting Their Physical, Intellectual, Mental, Spiritual and Moral Development”

¹⁰ Law of the Samara region of July 10, 2012 N 75-GD “On Amendments to the Law of the Samara Region” and “On Administrative Offenses in the Territory of the Samara Region”

¹¹ Law of the Republic of Bashkortostan of July 23, 2012 N 581-3 “On Amending the Law of the Republic of Bashkortostan,” “On Basic Guarantees of the Rights of the Child in the Republic of Bashkortostan.”

¹² Law of the Krasnodar Krai of July 3, 2012 N 2535-KZ “On Amendments to Certain Legislative Acts of the Krasnodar Region in Part of Strengthening Protection of Health and Spiritual and Moral Development of Children.”

¹³ Law of the Irkutsk Region of April 24, 2013 N 29-OZ “On Amendments to the Law of the Irkutsk Oblast “On Certain Measures to Protect Children from Factors Negatively Affecting Their Physical, Intellectual, Mental, Spiritual and Moral Development in the Irkutsk Region”

¹⁴ Law of the Kaliningrad Region of January 30, 2013 N 199, “On Amendments and Additions to the Kaliningrad Oblast Law “On Protection of the Population of the Kaliningrad Region from Information Products Harming the Spiritual and Moral Development,” and Law of the Kaliningrad Region of January 30, 2013 N 196, “On introducing amendments to the Kaliningrad Oblast Law ‘The Kaliningrad Oblast Code of Administrative Offenses’”

All of these laws, I argue, are discriminatory and anti-democratic in nature. The legislative measures establish social disparity in traditional and non-traditional relations by prohibiting public displays of affection between same-sex partners, which contradicts the principle of non-discrimination of international human rights law (explain further, cite references). Homosexuality is defined as corrupting the youth. The aforementioned Ryazan law directly states that it creates “measures aimed at ensuring intellectual, moral and mental safety of children in the Ryazan region” (Law of Ryazan oblast, dated June 15, 2006 N 66-03). The state hierarchizes sexuality by defining homosexuality as an influence that corrupts minors. Such a discourse produces a notion of the correct sexual behavior that transcends into the political realm, reinforcing the heteronationalistic nature of the nation-building. Discuss more.

The laws contain outdated, explicitly offensive language. Instead of using internationally appropriate term “homosexuality,” the laws utilize the Russian term “homosexualism,” which pertains to a set of ideas or ideology. The term is often used by policy-makers to dismiss same-sex relations as a deliberate strategy to undermine their inclusion in Russian society. The Kaliningrad law is to some extent unique. Not only does it use the word “sodomy” and put homosexuality together with pedophilia, it also forbids “propaganda” related to “non-traditional relations” among all the citizens of the region, not just minors. The St. Petersburg law also uses the word “sodomy” to denote same-sex practices among men.

The language utilized by the legislators aims at restructuring sexuality on a political scale, subjugating homosexuality to heterosexuality. It allows for deployment of political homophobia in order to create a sense of national unity based on sexuality. Conservative heteronationalism reflected in the legislation portrays the Russian nation as purely heterosexual. Russians who do not fit the category are deprived of recognition and representation.

Political Roots of the Institutionalization of Homophobia in Russia

Political homophobia as a strategy of the Russian state cannot be understood without reference to the destructive experience of the demasculinization of the country that eventually led to the welcoming of authoritarianism. In this case, Vladimir Putin used sexual minorities in order to construct an image of an external threat and its internal “agents.” However, not only homosexuals were portrayed that way. Russian NGOs that receive funding from foreign sources were also marginalized and labeled as “foreign agents.”

Historically, the Soviet regime used the political ideology of communism to lessen anxiety about the future of the society by creating and sustaining a stable hierarchy of gender roles where masculinity was a central organizing norm. In many ways, the current conservative turn and the emergence of the authoritarian regime of Vladimir Putin find their political inspiration in the earlier periods of the Soviet history (Cannady & Kubicek, 2014; Lukin, 2009; Prozorov, 2005). The use of an external threat helped the government to demand loyalty within the country and provided a sense of unity to the nation. A perpetuated feeling of paternalism

placed the state in a position of decision-maker in every aspect of human life. Adrian Ashwin (2000) speaking about governing gender norms, notes that

in the case of women, their role was defined as worker-mothers who had a duty to work, to produce future generations of workers, as well as to oversee the running of the household. Men, meanwhile, had an at once more limited and higher-status role to play. They were to serve as leaders, managers, soldiers, workers—in effect, they were to manage and build the communist system—while the state assumed responsibility for the fulfilment of the traditional masculine roles of father and provider, becoming, in effect, a universal patriarch to which both men and women were subject. In this way, masculinity became socialized and embodied in the Soviet state, the masculinity of individual men being officially defined by their position in the service of that state. (p. 1)

The fall of communism and disintegration of the country resulted in a deep feeling of de-masculinization and loss of identity. The previously existing gender roles carefully crafted and transmitted through generations were shaken by the significant economic and political turmoil. Additionally, the abrupt and substantial impoverishment of the population and the decline in male life expectancy negatively affected the ability of men to provide not only for their families but to the nation as well (Riabov & Riabova, 2014). The loss in the Cold War with the West left a deep wound in the consciousness of the population. It also led to a sense of demasculinization which, as Riabov and Riabova (2014) argue, had two effects,

first, there was a significant weakening of the country's international position because of the nation's defeat in the cold war, the collapse of the USSR, and the Russian army's defeat in the war in Chechnya in 1994–1996. Second, human trafficking reminded Russian men that they were unable to take care of their nation's women. Moreover, Russia in the 1990s was quite often portrayed not as a mother but rather as a woman of easy virtue; prostitution became a metaphor for the country's foreign policy. (p. 25)

The weakening economy of the country compelled Russian leaders to turn to Western countries in order to seek financial support. This reinforced the image of an impoverished country begging from its neighbors with an outstretched hand and painfully harmed the national pride of Russians. The lost status was further reinforced by Western countries expansion of NATO and the bombing of Yugoslavia despite protests from Russia. No longer acting from a position of strength (a traditionally masculine notion), Russian society harbored some resentment against Western democracies.

Flush with victory in the Cold War, in the early 1990s Western European countries failed to fully engage Russia in the democratic process and the work of

European institutions. Weak ties between the European institutions made it unfeasible to influence the Russian government on issues such as gay rights¹⁵ (Ferrari, 2016). However, some European institutions such as the Council of Europe in the early 1990s demanded decriminalization of homosexuality before it could welcome Russia (Bohan, 2014). The Yeltsin administration in 1993 excluded “muzhelozhestvo” (male-to-male sexual practices) from the Code of Criminal Offence.¹⁶ The emergence of LGBT activism in post-Soviet Russia could have been a first step towards the inception of a statewide LGBT movement. Yet, as Laurie Essig (1999) notes, it was not the birth of the movement, but rather a miscarriage (p. 67). After the abrupt emergence of the LGBT movement in the 90s by the beginning of the 2000s, it was almost invisible (Essig, 1999; Nemtsev, 2008).

Decriminalization did not lead to de-stigmatization of Russian gays and lesbians. Baer (2009) writes, “Western-style homosexuality, or what Altman has referred to as the “global gay,” has become a convenient symbol of Western cultural imperialism, involving the encroachment of Western values (overt sexuality, non-reproductive sex, and consumerism) and Western political concepts (tolerance, diversity, and civil rights)” (p. 6). For the government, juridical decriminalization of homosexuality was a tool in negotiations with international organizations and foreign governments. Therefore, homosexuality was used politically in two ways. In domestic affairs, the government was silent about rights of homosexuals in order not to attract unnecessary criticism of the public. In foreign affairs, homosexuality was used to show ongoing democratization of the country.

The growing visibility of sexualities on TV and on the streets of Russian big cities quickly ignited a feeling of domestic homophobia within the population. Homosexuality, in particular, was seen as “a foreign import, that is, a direct effect of Western influence” (Healey, Baer, & Stella, 2008, p. 6). As Massad (2002) observes, “by inciting discourse on homosexual and gay and lesbian rights and identities, the very ontology of gayness is instituted in a discourse that could have only two reactions to the claims of universal gayness: support them or oppose them without ever questioning their epistemological underpinnings” (p. 374). The majority of Russians show strong animosity toward same-sex practices and visibility of homosexuals.

It is important to emphasize that the decriminalization of homosexuality in Russia was not a response to a growing LGBT activism. On the contrary, Russian gay and lesbian groups, that started emerging as early as 1993, were weak and disorganized nationally. As Bosia and Weiss (2012) suggest there is a clear pattern of the diffusion of global homophobia because “in no context in the world are LGBT citizens the threat they are made out to be; the ubiquitous specter of married, child-rearing gay men or lesbians inflates a tiny, often meek and nearly—or fully invisible minority, to nation-destroying stature, much as anti-semitism has done,

¹⁵ Russia decriminalized homosexuality in 1993 while excluded it from the list of mental illnesses in 1999.

¹⁶ Here and after all translations from Russian into English are mine.

and frequently at the same time” (p. 20). This is certainly true for the Russian Federation of the 2000s when domestic homophobia became a strategic political tool. When this happened, the homophobic discourse and policies received overwhelming support from the general public for whom gays and lesbian were a symbol of Western liberalism (Koshelev, 2012; Levada-Center, 2015).

Therefore, the 1990s became a lost period for LGBT activism in Russia. In the circumstances of a weak and dependent state, LGBTQ activists failed to push the government to deliver rights to Russian gays and lesbians. The society, feeling deprived of their masculine nature, associated homosexuality with demasculinity. As a result, a politics of compliance with the West in exchange for scarce resources turned the Russian population against Western values. The government later used such attitudes to support a carefully crafted state strategy of political homophobia.

Putin’s Conservative Turn and Institutionalization of Homosexuality in Russia

At the beginning of his presidency in the 2000s, Vladimir Putin attempted to combine politics of “friendly relations” with the West and “patriotism” for his domestic constituencies. Although Putin’s Russia was allowed into many European and international political institutions, the country’s voice was barely heard by the Western counterparts. The last straw was a round of NATO expansion in 2007 with the inclusion of South and East European nations bordering Russia. This move was perceived as unfriendly and even aggressive by the Russian political elites. The offensive character of NATO and the reluctance to treat Russia as equal pushed the Putin administration into isolation and the search for a new ideology for domestic consumption. To unite the nation, the Kremlin turned to the ideology of conservative heteronationalism.

Conservative heteronationalism in its Russian version represents an attempt to create of sense of national identity based on the construct of traditional values and heteronormativity. In such a social construct “nontraditional (that is, non-heterosexual and non-heteronormative) sexual relationships are understood to be socially inferior” (Wilkinson, 2014, p.372).

With the growing conservative heteronationalism, homosexuals again appeared to be the focal point of the policies of exclusion. In order to posit Russia against the West, the government needed to identify a Russian group of people that would represent non-Russian values influenced by the West and serving as agents of Western corrupt influences within the country. Such tactics of carefully crafted state homophobia facilitates the state’s objective of uniting the society around its national leader. Writes Stähle (2015), “feared, condemned and demonized, homosexuality has been used for contesting power relations, articulating Russia’s sovereignty and defining the Self and the Other” (p. 52). Politically, it allowed the government to shift public attention to the minor problem, whereas the real social and economic issues remained without substantial public criticism. The parastatal media effectively accomplished the task. LGBTQ-

rights organizations, in particular, became an exclusive aim of governmental criticism as agents of the western countries, especially the United States. It found support among the population.

Russian researcher, Igor Kon, connects the initial conservative turn in 2005-2006 that started when Ryazan Regional Assembly (Ryazanskaya Oblastnaya Duma) adopted a supplement to the local Law on Administrative Offenses to the current round of homophobia, claiming that it is organically linked to other forms of Soviet-Russian xenophobia (Kon, 2010; Nagel, 1998).¹⁷ The law used the Soviet derogatory term “homosexuality” combined with the outdated term “sodomy” that has religious connotations and the relatively new “lesbianism” which was not used previously.¹⁸ The law was contested in the Constitutional Court in 2009. In its decision the Constitutional Court of the Russian Federation on January 19, 2010, declared, that

... as such the prohibition of the propaganda—as a purposeful targeted and uncontrolled activity of the dissemination of information that may damage the health, moral and spiritual development, including misconceptions about the social equivalence of traditional and non-traditional marriage—among persons deprived due to their inability to critically evaluate such information cannot be considered as violating the constitutional rights of citizens (Constitutional Court of the Russian Federation, 2014).

In 2012, the decision was appealed to the UN Human Rights Committee (HRC). The Committee decided that “the applicant’s conviction under the Ryazan Law on Administrative Offenses (Ryazan Region Law) which prohibits public actions aimed at propaganda of homosexuality among minors violated her right to freedom of expression, read in conjunction with her right to freedom from discrimination, under the International Covenant on Civil and Political Rights (ICCPR)” (International Justice Resource Center, 2012). However, that decision did not

¹⁷ Zakon Ryazanskoi oblasti ot 15.06.2006 N 66-03 “O Vnesenii izmenenii v Zakon Ryazanskoi Oblasti “Ob Administrativnih Pravonarusheniiah” [Law of the Region of Ryazan dated 15.06.2006] N 66-03 “On the Changes in the Law of the Region of Ryazan “On the Administrative Violations”] Retrieved May 27, 2013 from the Region of Ryazan website: http://ryazan.news-city.info/docs/sistemsj/dok_oeqrlo.htm

¹⁸ It should be noted that The Russian language often uses words “homosexuality” and “lesbianism” while in relation to heterosexual practices the word “heterosexuality” is used. The suffix “-ism” in many languages (Russian is not an exception) is used to create ideological concepts (socialism, capitalism, feminism, etc.). I would argue that artificially made mistranslation of homosexuality aims at showing political nature of the homosexual practices as if homosexuality was an ideology.

change the situation since the UN HRC does not have an effective leverage to pursue Ryazan Administration to change the law.

Several other Russian regions followed the example – Arkhangelsk in 2011, Kostroma in 2012, St. Petersburg in 2012, Novosibirsk in 2012, Magadan in 2012, Samara in 2012, and Krasnodar in 2012—and adopted similar regional gay propaganda laws. Some of them are particularly important for analysis. St. Petersburg, considered the most European among Russian cities, adopted anti-gay law “On Amendments to the Law of St. Petersburg On administrative offenses in St. Petersburg” on March 30, 2012. Being homophobic in its very nature, the law also uses the outdated repressive language, interpreting the “LGBT” acronym as “sodomy, lesbianism, bisexuality, transgenderism” (Sperling, 2014, p. 299).

The federal law “For the Purpose of Protecting Children from Information Advocating for a Denial of Traditional Family Values,” that unanimously passed the State Duma (one deputy abstained) put an end to regional legislative initiatives on June 30, 2013. The law became known as the “gay propaganda law” or the “anti-gay law.” It mainly faced criticism from abroad, while inside the country only a small number of democratically oriented organizations and human rights groups opposed the legislation and tried to appeal it but did not succeed.

The vagueness of the language of the legislation opened up the possibility for authorities to eliminate almost all actions related to LGBT community—not only pride parades and other public marches, but also festivals, seminars, conferences, publishing, even the organizations themselves could be closed. Potentially, these legislative changes aim to erase all non-normative sexualities from the public sphere to sustain the Russian nation as purely heterosexual. As Healey (2003) argues, “Russians created a national sexual mythology that celebrated their own natural purity and located Russia between the dangers of a neurasthenic Europe, and a depraved and ‘backward’ East” (p. 4).

The state explicitly politicized homosexuality, thereby making it a political force that is capable of influencing politics and hence change it. Homophobia lifted to the level of state policy created a scapegoated group of Russian homosexuals who became “representatives” of the Western culture, alien and dangerous to Russian state and society. Now they were the agents of the foreign government, traitors, and spies. The accusation of homosexuality deprives oppositional politicians of a chance to be elected. Governmental and Orthodox groups are often used to attack NGOs that work to shed light on government misconduct. Suspicion of promoting LGBTQ rights is utilized as an excuse for such actions. The Putin Administration uses homosexuality and those groups to blame the West for attempts to change the current political regime in Russia. It allows the leadership to intensify censorship and to suppress protest activity.

Human Rights Regime

Another major factor facilitating the creation of state homophobia policy is Russia’s indifference toward international norms and its own commitments. Russia is not part of the European Union, an organization that imposes some

legislative regulations on its members including regulations aimed at the prevention of homophobia. Even within the EU, there are cases like Poland, which attempt quite successfully to defy the EU recommendations and launch state homophobia after nationalists came to power in the mid-2000s. The United Nations institutions of human rights are weak and powerless in their ability to impose any kind of policies protecting people from deliberate policies of state homophobia. As Picq and Thiel (2015) insist, there has been no global treaty that would explicitly recognize rights of gays and lesbians within the worldwide context. This is not least due to countries such as Russia, where homophobia received state policy support. The only institute that can influence Russian legislation is the European Court of Human Rights (ECHR), decisions of which Russia has to respect by the virtue of being a part of the Council of Europe and signing the treaty sanctioning superiority of the Court's decision in respect to domestic laws. However, I argue that the dearth of legal and political mechanisms that are at the disposal of the international community leaves Russian homosexuals vulnerable to the machinery of the state. The state effectively uses Western critique of Russian LGBTQ policies to strengthen its own power by exposing interests of foreign governments as interfering with Russian domestic affairs and attempts to change the political regime inside the country. Homophobia is an excuse used to weaken an already faint Western influence in Russia that creates more severe conditions for homosexuals while strengthening the power and influence of the leadership, and diverting public attention from domestic problems.

The Russian Constitution of 1993 declares that "in the Russian Federation recognition and guarantees shall be provided for the rights and freedoms of people and citizens according to the universally recognized principles and norms of international law and according to the present Constitution" (The Constitution of the Russian Federation, 1993). The recognition of and the emphasis on "universally recognized principles and norms" *de jure* puts Russia within a broader context of human rights regime embraced by the countries of Europe. In Article 15, it states that "the universally-recognized norms of international law and international treaties and agreements of the Russian Federation shall be a component part of its legal system. If an international treaty or agreement of the Russian Federation fixes other rules than those envisaged by law, the rules of the international agreement shall be applied" (The Constitution of the Russian Federation, 1993). This means that where the domestic laws are silent, international norms should be used to clarify blind spots. The provision would allow what Kollman (2013) calls socialization of international norms in Russia. Socialization is a "staged process of norm creation, promotion and internalization" that facilitates dissemination of same-sex unions and marriage laws within the European continent (Kollman, 2013, p. 73). She notes an important role of national and international human rights activist groups in the socialization of norms and adoption of national legislation protecting rights of homosexuals. However, unlike in Europe, Russia's weak LGBTQ community lacked the organizational and financial support necessary to successfully campaign for the promotion of gay rights legislation or set aside same-sex union laws until the mid-2000s when it faced a backlash from the

government in the form of state homophobia. As discussed, the state perceives attempts to define any human rights regime as an encroachment on its sovereignty. Timid attempts by gay rights activists to hold public events were not just banned by the government, but were also used as evidence of how corrupt and dangerous Western influences are at undermining the country's moral and family values. The traditional value discourse that was subsequently produced sought to justify a departure from the policy of Europeanization.

On February 28, 1996, the Russian Federation joined the Council of Europe. Its entry meant that the country became part of the continental legal space with commitments arising from the generally recognized norms of European law. Today Russia is involved in more than 30 European conventions, among them the European Convention on Human Rights of November 4, 1950. Despite the fact as Kollman (2013) notes that the Convention never explicitly stated gay rights as human rights, it nevertheless imposes some restrictions and obligations on countries that signed it. For Russia, its provisions with some reservations started applying in 1998. One of the major provision installs jurisdiction of ECHR.

Since its creation, Russia along with Turkey and Poland have all had lawsuits filed against them. After the mayor of Moscow banned gay parades in the city in 2006, 2007, and 2008, Russian gay rights activists filed a lawsuit against Russia. In 2010, the ECHR upheld the claim of one of the leaders of the Russian gay movement, Nikolai Alekseev. The Court found a violation of articles of the European Convention for the Protection of Human Rights: Article 11 ("Freedom of assembly and association"), Article 13 ("The right to an effective remedy"), and Article 14 ("Prohibition of discrimination"). In its decision the ECHR ordered the Russian side to pay Alekseev 12,000 euros and reimburse the costs in the amount of 17,500 euros.

These and other human rights cases that Russia lost compelled the authorities to publicly denounce the court's decision as political and deliberately anti-Russian. In 2007, the chairman of the Constitutional Court Valery Zorkin stated that "the European Court of Human Rights, replacing the Supreme Court, the Arbitration Court and the Constitutional Court of Russia, performs the role of national authority, which is contrary to its nature and purpose" (Savina & Ivanitskaya, 2007, p.1). In 2010 Chairman Zorkin and then President Dmitry Medvedev said that Russia did not give the ECHR power over Russian sovereignty to make decisions about Russian legislation. Zorkin (2010) emphasized that,

having no direct precedent, the decision on the granting a parental leave to a male soldier for child care, the Strasbourg Court, in this case, used the legal position from the case of "Smith and Grady v. The United Kingdom," which granted the dismissal from the armed forces of homosexuals. Of course, in the Russian Federation, as in any modern country, sexual minorities are protected by the principle of legal equality, that all are equal before the law and the courts; State guarantees equality of rights and freedoms, regardless of sex (Art. 19 of the Constitution). However, the "enthusiasm" of the modern European legal systems in protecting rights

and freedoms of homosexuals acquired grotesque forms. Sometimes this can lead to a tragedy, as it happened recently in Serbia, where rejection of the gay pride parade in the traditionally Orthodox country resulted in riots. (p.1)

The position of the Chairman of the Russian Constitutional Court presents Europe as aiming to change Russian values and impose a gay agenda. Regardless of the fact that most of the cases in the European Court against Russia did not concern rights of gays and lesbians, the justification used to criticize the Court was often connected to homosexuality. Even slight, timid attempts to promote gay rights within the country caused a massive backlash used to justify not only tougher measures towards Russian homosexuals but a massive criticism of European institutions and their human rights doctrines.

In 2014, the ECHR again attracted criticism when President Putin highlighted that gays and lesbians may threaten national security. He responded that just like the United States, Russia has the right to comply or not comply when “it is advantageous and necessary to ensure our interests” (Putin, 2014). He also noted that the Court’s decisions are most often political. In 2015, a group of State Duma deputies appealed to the Constitutional Court to assess the possibility of recognition and enforcement of judgments of the ECHR that contradict the provisions of the Constitution and the legal positions of the Russian legislation. The court decided that “Russia may exceptionally depart from the execution of entrusted obligations if such derogation is the only possible way to avoid the violation of fundamental constitutional principles” (Mikhailova & Makutina, 2015). On December 15, 2015, Russian President Vladimir Putin signed a bill allowing the Constitutional Court to wholly or partially ignore the ECHR’s decisions.

Despite the fact that the Russian Federation is a member of many European political institutions including the Council of Europe, the EU as a whole as well as its individual members have very limited mechanisms of influence over Russia’s attitude towards Russia’s gay community. Unlike in the case of Poland that at the beginning of the 2000s had to go through the EU inspection and change its laws in order to become a member, Russia did not experience such pressure. However, similarities exist in the cases of Russia and Poland. Both countries have experienced the impact of totalitarian communist ideology. Communism in its Soviet version was an ideology “where ‘the other’—any other—is reflexively identified as hostile and created by immutable forces of history, something to be feared and ultimately crushed” (Hayden, 2016). The sense of suspicion of “the other” and the fear of the overthrow of the regime from abroad deeply penetrated the ruling class psychology in Russia which was socialized during the Soviet period (Hmelevsky, 2014; Shevtzova L.F., 1996).

There are also some peculiar similarities in the positions of churches in both states. In the Russian Orthodox Church as well as the Roman Catholic Church in Poland, both Churches stressed national identity in opposing gay rights. In Russia, as Stähle (2015) argues, “the Russian Orthodox Church made a significant

contribution to the articulation of traditional family values and moral standards, arguing that Russian society was endangered by individualism, consumerism, secularism, and homosexuality” (p. 52). The position of the Russian Orthodox Church was outlined by Patriarch Kirill (2013) who depicted attitudes toward homosexuality in Western Europe as “dangerous apocalyptic symptom” and highlighted the necessity to “ensure that sin is never sanctioned in Russia by state law because that would mean that the nation has embarked on a path of self-destruction” (p.1) .

Poland used the rhetoric of “propaganda of homosexuality” approximately five years before the same homophobic discourse was deployed by the Russian politicians. In the case of Poland however, there was a response and efforts of joint actions of European institutions and community to pursue the government to soften their homophobic rhetoric and policies. But those efforts proved weak even within the EU boundaries. The nationalist-led government did not stop using homophobia to oppose the EU until it fell in 2007 (Weiss & Bosia, 2013). The weakness of the European legal and political systems does not allow them to influence Russian politics. This is especially true of verbal attempts to point out any Russian government misconduct with respect to homosexuals. Even an eminent intergovernmental organization such as the UN lacks the capacity to drive its members to adopt national legislation prohibiting homophobia and promoting rights of gays and lesbians. There is no “legal binding global treaty” that would explicitly recognize rights of LGBTQ community worldwide and by the virtue of the UN, authority prohibits homophobic policies of certain states (Picq & Thiel, 2015, p. 54)

Lack of the enforcement power of the UN is due to its origin as a post-world war institution, perpetuating the realist political vision of countries as winners and losers. The only body that has the power of decision-making—the Security Council—does not concern itself with human rights or LGBTQ rights. Even if it had to deal with such issues, the Council is divided between two often opposing forces of the Western democracies on the one side and Russia and China on the other.

The General Assembly consisting of all member-states is an even more polarized institution. It became clearly visible in 2008 when only 66 of the 192 countries “mainly from Europe and Latin America endorsed a non-binding declaration of human rights, sexual orientation, and gender identity” (Picq & Thiel, 2015, pp. 54-55). The Declaration faced opposition from Russia and some other countries. The United Nations Human Rights Council, the body whose main goal is to oversee and protect human rights around the globe, also adopted a resolution on June 30, 2016, on “Protection against violence and discrimination based on sexual orientation, and gender identity” (Human Rights Watch, 2016, p. 1) Russia, which lost its seat in the Council in 2016, voted against the resolution (Roth, 2016). The symbolic victory of LGBTQ community perpetuated by the adoption of the resolutions, has, unfortunately, little power to change homophobic legislation that exists in Russia.

Thus it is evident that the international human rights regime, created by multiple institutions, has little impact on Russia. In the absence of significant leverage over Russian politics, attempts by European and international organizations to combat the state homophobia are either neglected by the state or used to justify tougher measure to protect national sovereignty and identity. Voices of human rights advocacy groups, international institutions, and politicians are not heard in Russia. On the contrary, the state by the means of controlled media produces a homophobic discourse that portray gay rights as part of a larger attempt to undermine national sovereignty from abroad.

Conclusion

State homophobia in Russia is being used to create a sense of national unity in the face of “the other” portrayed as the collective West with its values, discourses, and policies. The regional “anti-gay propaganda” laws that were finalized by the enactment of the federal law banning so-called propaganda of non-traditional sexual relations among minors follows from the idea that the Russian nation is a heterosexual nation, and homosexuality is non-Russian. However, homosexuality is not simply non-Russian, it is Western. This anti-Western homophobic discourse produced by politicians has existed within public consciousness since the Soviet times. Accompanied by societal homophobia, the government scapegoats LGBTQ rights activists within the country. Any attempts by international groups and governmental bodies from abroad to point out government misconduct is criticized as the desire to influence the internal politics of the country, undermine the foundations of its constitutional regime, and violate the democratic will of the Russian people. This strategy is used primarily as an excuse for non-fulfillment of decisions from the International Court of Human Rights in confrontation with UN decisions to protect the rights of LGBTQ people. Domestic audience perceives it as a sign of strength rather than weakness.

The government also uses such state homophobia to divert public attention from domestic problems. Blaming the West for the struggling economy is currently one of the main strategies the government employs (Polunin, 2017; Rapoza, 2014). In this situation, Russian homosexuals are presented as Western agents that are paid to destroy family values and national identity. The current Russian policy is to build the nation based on conservative heteronationalism characterized by stable gender norms, traditional family values, the aggressive rejection of non-normative sexuality, and opposition to the West. That approach helps stabilize the regime during difficult times of international instability.

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