

Deakin Research Online

This is the published version:

Wilkinson, Cai 2013, Putting traditional values into practice: Russia's anti-gay laws, *Russian analytical digest*, no. 138, pp. 5-7.

Available from Deakin Research Online:

<http://hdl.handle.net/10536/DRO/DU:30057923>

Reproduced with the kind permission of the copyright owner.

Copyright: 2013, ETH Zurich.

Putting Traditional Values into Practice: Russia's Anti-Gay Laws

Cai Wilkinson, Burwood.

Abstract

This article examines the rise of so-called anti-gay laws in Russia as a response to international Russian-led support for using “traditional values” as the foundation for human rights norms. Viewed in this way, a logic of moral sovereignty emerges that purports to offer a compromise between international human rights obligations and local socio-cultural norms. However, in the case of anti-gay laws, moral panic over LGBTQ people has made homophobia a political proxy for understandings of traditional values, in the process implicitly legitimizing homophobic violence and discrimination, and setting a dangerous precedent for traditional values to be invoked as a justification for violations of human rights norms.

Traditional Values at Home and Abroad

Since March 2012, Russia has been in the grip of a moral panic, with non-heterosexuality and gender variance portrayed as an existential threat to the country's traditional values. Although not the first “anti-gay” law to be enacted by a municipal or regional legislature – Ryazan Oblast adopted a similar law in 2006 and Arkhangelsk and Kostroma Oblasts followed suit in 2011 – the passing of a law prohibiting “homosexual propaganda” amongst minors by the St Petersburg Duma marked the start of the demonization of lesbian, gay, bisexual, transgender and queer (LGBTQ) people in Russia due to their supposedly deviant sexuality and the danger it posed to the moral health of the nation's children. Reflecting the growing intensity of the panic sparked by the St Petersburg anti-homopropaganda law, a further six regional administrations subsequently passed similar laws, and in June 2013 a federal law was passed outlawing the “propaganda of non-traditional sexual relations to minors”.

While international criticism of these laws has focused on fact that they are, by prevailing international human rights norms, a violation of LGBTQ people's human rights, the wording of the federal law hints at the fact that the recent spate of anti-gay legislation is part of a broader shift by the Kremlin to extend the notion of sovereign democracy into the realm of human rights norms and challenge attempts by actors such as the US, EU and United Nations to argue that LGBT rights are human rights. Both domestically and in international fora, Russia has framed its rejection of LGBT rights as being about the protection of traditional values and the need to respect local cultures. Its membership of the UN Human Rights Council between 2009 and 2012 provided it with a platform from which to make its case, and Russia made full use of the opportunity, successfully sponsoring three resolutions over its term in office that sought to legitimize “traditional values of mankind” as the basis for human rights norms.

The final of the three resolutions, which was controversially adopted in September 2012 by a vote of 25–15 with seven abstentions, asserted “that traditional values, especially those shared by all humanity, can be practically applied in the promotion and protection of human rights and upholding human dignity” and called on states to strengthen “the important role of family, community, society and educational institutions in upholding and transmitting these values” via “appropriate positive measures” (A/HRC/21/L.2). As with previous documentation linked to the resolutions, traditional values were defined as “dignity, freedom and responsibility”, with equality conspicuously absent. The resolution concluded by requesting that the Office of the UN High Commissioner for Human Rights “collect information [...] on best practices in the application of traditional values while promoting and protecting human rights”.

The Logic of Moral Sovereignty: Prohibiting the Sin, Not the Sinner

Viewed against this backdrop, it is perhaps less surprising that anti-homopropaganda laws have enjoyed strong backing from the Kremlin. To many Russians, such laws offer a “best practice” solution to seemingly intractable tensions between the maintenance of moral values and the push to explicitly recognize the human rights of LGBTQ people on the grounds of non-discrimination. As a number of Russian officials including President Putin have sought to explain, this is achieved using a logic of prohibiting the sin, but not the sinner: being lesbian, gay, bisexual, transgender or queer is not banned and LGBT citizens enjoy all the same rights and protections as heterosexual citizens, provided they do not transgress societal norms in public.

However, as well as being highly problematic on a practical level, acceptance of such an argument essentially reframes human rights norms and the state's role in their maintenance. Firstly, the enjoyment of human rights is made contingent on the individual's behaviour and conformity with dominant societal values, rather

than being fundamental for all human being regardless of one's identity and resultant moral, social or political status. Secondly, rather than being responsible for ensuring the observance of the principle of non-discrimination for all its citizens, the state's role is now to police its citizens' behaviour and ensure compliance with established moral values, with those failing or refusing to conform to the stipulated standards subject to both societal and legal sanctions.

The combined effect is to fatally undermine the notion of universal fundamental human rights, with stigmatization and subsequent discrimination – the very phenomena that universal human rights norms were designed to combat – now becoming institutionalized as the basis for a regime of moral regulation that seeks to protect the interests of the majority by suppressing the rights of the minority. Yet rather than seeing this dynamic as being at odds with contemporary norms of sovereignty, which require states to protect the rights of all citizens, Russia has cast the adoption of anti-homopropaganda laws as necessary to maintain the country's "moral sovereignty", which is perceived to be under attack from LGBTQ people and their supporters.

Homophobia as a Proxy for Traditional Values

By portraying the human rights claims of LGBTQ people as an existential threat not only to morality but also Russia's sovereignty and, by extension, national identity, proponents of the laws have been able to make political homophobia a central feature of an increasingly intolerant and populist regime of moral regulation. Central to this undertaking has been the stimulation of moral panic over homosexuality as a source of societal corruption, which has capitalized on the wider fears and anxieties of the Russian population about the future in the face of perceived demographic decline, concerns about living standards and the country's post-Cold War loss of status. Within this narrative, the normalization of homosexuality has been portrayed as the antithesis of Russia's traditional values as an Orthodox Christian and non-Western civilization.

As such, therefore, homophobia functions as a Slavophile political shorthand for national identity and traditional values. This discourse has frequently been evident in justifications of the necessity of anti-gay laws put forward by proponents of such legislation. The initiator of the St Petersburg law, Vitaly Milonov, for example, explained in an interview with *The St. Petersburg Times* in March 2012¹ that his objection to gay parades is because he is "an Orthodox Christian and the dem-

onstrator of the sin of Sodom is repellent to me", and went on to illustrate the need to protect Russian children from depraved homosexuals with a vivid anecdote about having seen "photographs where men with all sorts of dildos are running around semi-naked" in Berlin. In case this vision of public debauchery was insufficient to persuade people of the righteousness of his cause, Milonov went on to dismiss international criticism of the law as a violation of human rights obligations as the work of an international gay lobby that has infiltrated the UN and the European Council, arguing that "this is Europe's problem; why should we copy European laws? Not everything that they have in Europe is acceptable for Russia". The implicit message is clear: to be properly Russian is to be Orthodox Christian and against homosexuality.

Similarly, while the wording of the federal bill passed in June did not explicitly mention homosexuality, the law's backers have made it clear that this is what is primarily meant by "non-traditional sexual relations". Significantly the revised phrasing highlights how homophobia is serving a shorthand articulation of what traditional values actually are, and why they are needed. During a TV interview with Vladimir Posner in February 2013,² Deputy Elena Mizulina, co-author of the federal law and head of the Committee on Women, Children and Families, explained that in order to solve Russia's demographic crisis, "we must tighten up certain moral values and information [...]. This is vital for the birth rate to rise, and for child-rearing to be fully valued". According to such thinking, LGBTQ people are Russian society's very own folk devils, their public presence a sign of everything that is wrong both in Russia and elsewhere, from falling birth rates to rising secularism and the questioning of the government's legitimacy.

Aided by overwhelmingly negative media portrayals of LGBTQ people and the Russian Orthodox Church's hardline condemnation of homosexuality, this argument has found significant resonance with the wider public, and Russia's government and its supporters has been happy to capitalize on it to shore up their position. In the absence of positive and non-sensationalist information about human sexuality and gender, and with 86% of Russians believing that they have never met an LGBTQ person and viewing it as something inherently alien to Russia, the construction of homosexuality as the "other" of traditional values and resultant broad support for greater moral regulation has been driven by fear of the unfamiliar and wider societal anxieties, with little thought for the practical consequences and human costs.

1 <http://sptimes.ru/index.php?action_id=100&story_id=35381>

2 <<http://www.kommersant.ru/doc/2134590>>

Moral Regulation in Practice: Legitimizing Homophobia

Despite the official position that the aim is to eliminate the influence of the sin and not to discriminate against the sinner, there is growing evidence that Russia's anti-gay laws are serving to legitimate homophobic discrimination and violence, with frequently devastating consequences for those who transgress or even dare to question the new moral regime. At its most violent, popular moral regulation has taken the form of hate crimes against men who are, or who are suspected of being gay, such as the brutal rape and murder of 23-year old Vladislav Tornovoi in Volgograd, who was beaten, sodomised with three beer bottles before his assailants smashed his head in with a 20kg rock lest he survive and identify them, and the murder of 38-year old Oleg Serdyuk in Kamchatka, who was stabbed and trampled to death for being gay. Arguably no less brutal have been the rise of far right movements such as Occupy Pedophilia and Occupy Gerontophilia that 'hunt' for gay men and teenagers online, often via dating websites, and then kidnap and abuse them in order to 'cure' their deviant sexuality, posting videos of their victims' ordeals on social media sites as a deterrent to others.

A further tactic that, while not involving physical violence, has been utilized no less effectively for conveying the message that homosexuality is unacceptable and will not be tolerated in the public sphere has been the dismissal, or attempted dismissal, of LGBTQ people or their supporters from their places of work. In May this year journalist Anton Krasovsky was fired after having come out on air and declaring "I am gay, and I am a human being just like Putin and Medvedev", and fellow journalist Oleg Dusaev, who came out on Facebook at the end of August, found his contract with TV channel Kultura unexpectedly and immediately terminated. Several school teachers have also found themselves either fired or pressured to resign due to their "non-traditional" sexuality becoming known, and participation in a protest against the first reading of the federal anti-gay bill

outside the State Duma in Moscow in January almost ended in the dismissal of state lycée biology teacher Ilya Kolmanovsky after anonymous complaints were made to the school.

One group that has to all intents and purposes been erased by the adoption of anti-gay laws are LGBTQ minors. As in other countries, LGBTQ youth are particularly vulnerable to bullying and victimization, and the introduction of legislation has further marginalized and isolated them not only by increasing stigmatization but also by putting any adults willing to support them at risk of prosecution. The online project "Children 404" (a play on the 404 error message that appears when an internet page isn't found) on Facebook³ and VKontakte⁴ provides an outlet for LGBTQ youth to share their stories, providing both solidarity and a direct rebuttal to those who maintain that forbidding talk of non-traditional sexual relations will ensure that people will be heterosexual. As sixteen year old Yegor commented in his post, "You know, being gay is not a desire that we children choose. Indeed, it's not a desire at all".

Conclusion: Putting Sexual Citizenship Back in the Closet

With the exception of a small number of LGBTQ activists, even before the advent of Russia's anti-gays laws being "out" about one's sexuality was very much the exception rather than the norm. The introduction of legislation seeking to keep LGBTQ people firmly behind a closed and policed closet door, however, marks an attempt by Russia to actively exclude sexuality from norms of human rights norms and, by extension, citizenship. While this move is internally coherent, representing the operationalization of traditional values as a basis for human rights, in practice it sets a dangerous precedent for the denial of the rights of citizenship to any group at odds with traditional values, as well as encouraging the use of moral vigilantism to censure dissent of any kind.

About the Author

Cai Wilkinson is a lecturer in International Relations at Deakin University, Australia. Her research focuses on LGBT rights, international norms and societal security in Kyrgyzstan and Russia.

Further Reading:

- Francesca Stella, 'Queer Space, Pride, and Shame in Moscow', *Slavic Review*, vol. 72, no. 3, 2013, pp. 458–480.
- Alexander Kondakov, 'Resisting the Silence: The Use of Tolerance and Equality Arguments by Gay and Lesbian Activist Groups in Russia', *Canadian Journal of Law and Society*, FirstView Article, 2013, pp. 1–22.

3 <<https://www.facebook.com/children.404?fref=ts>>

4 <<http://vk.com/deti404>>