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Liberate or Assimilate? A Comparative Study of Post-Transition LGBT Activism in Spain and Russia

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Liberate or Assimilate?
A Comparative Study of Post-Transition LGBT Activism in Spain and Russia

Senior Project Submitted to
The Division of Social Studies
of Bard College

by
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I'd like to dedicate this project to my late cousin, Johnny Klein.

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INTRODUCTION:

Until 1994, recognition of the need for the equal protection of LGBT communities was not raised on a global scale. The decision of the U.N. Human Rights Committee in the case of *Toonen v. Australia* successfully established the requirement of equal rights for LGBT people under the international human rights canon. This pivotal decision was based in the International Covenant on Civil and Political Rights, a treaty that included over 160 signatories from nations across the world. While we have witnessed progress in the overall treatment of LGBT people since the Stonewall rebellion in the summer of 1969, gay rights movements have realized varying levels of success across countries. As signatories of the International Covenant on Civil and Political Rights, as well as two countries that have transitioned in recent history to post-authoritarian states, Spain and Russia's histories provide compelling insight into the stark differences that exist in the formulation of state-recognized LGBT rights.

While in Spain LGBT rights have flourished within a country once oppressed by Francisco Franco's heavily right-wing Catholic regime, in Russia the traditionally leftist secular Soviet Union has transitioned into a hybrid democracy under staunch traditionalist Vladimir Putin. This has culminated into what is most notable about the evolution of LGBT rights in each case. In Spain, the securing of same-sex marriage in 2005, the first for a predominantly Catholic nation. In Russia, the passage of the notorious anti-gay propaganda bill in 2013, which effectively criminalized homosexuality by banning any action interpreted as promoting homosexual behavior, such as staging public gay pride parades or displaying the rainbow flag, in the name of protecting Russia's youth. Thus, the question I will attempt to answer is, simply put: why since the transition to democracy did Spanish gay activists manage to secure a broad

landscape of LGBT rights with some of the strongest protections in the world, whereas LGBT Russians have remained oppressed and lacking much in the way of state-sanctioned LGBT rights? More broadly, this study examines the question of why newly democratic states diverge so greatly with respect to LGBT rights.

This project will be organized in four parts. In part one I will describe the current climate of LGBT rights in Spain and Russia in order to showcase the disparate outcomes that have ensued since the transition to democracy. These divergent outcomes demonstrate why both cases are polar opposites in terms of the protections that each state provides its LGBT citizens. I will then introduce the main explanations that have been argued by scholars as reasons for the divergent gay rights outcomes in Spain and Russia, including the role of western influence, the religious environment, and the fate of the project of democratization. At the end of part one I will also introduce my argument: that the divergent fates of LGBT rights lie within the agency of the gay rights movement itself. In particular, I will expand upon the concept of “liberation activism” (marches, protests etc.) versus “reformist activism” which consists of strategies including lobbying, campaigning and the emphasis of similarities that the LGBT community shares with the straight community. I will argue that it is up to the activist movement itself to secure these rights around strategies of framing arguments and activism through liberation-based strategies and then transitioning to predominantly reformative political engagement. By embracing reformative activism in particular, the state and other existing institutions are more willing to work alongside LGBT activists and integrate pro-LGBT policies into party platforms and legal frameworks.

In part two I will lay out the ways in which LGBT activist groups in Spain have implemented different strategies in order to influence societal and political norms involving

LGBT acceptance and inclusion. The Spanish case serves as a successful example of how activists utilized liberation strategies early on to demand societal recognition, and then began focusing on reformist activism, demonstrating successful activist agency. I will highlight both the liberation and reformist strategies used by Spanish activists to receive statewide recognition of the LGBT community, focusing specifically on Spain's eventual partnership with political parties and utilization of human rights discourse in order to achieve progressive measures. The Spanish case serves as a compelling example of how LGBT activists' agency determines rights outcomes by effectively responding to external conditions through framing their argument in order to achieve societal and state recognition.

In part three I will contrast the case of Russia, in which infighting and an unwillingness to centralize around a majority supported ideology stunted progress, preventing activists from influencing societal norms, gaining access to political parties or utilizing human rights language effectively. I will explain that during the democratization process, LGBT activists in Russia never fully achieved goals required of a LGBT liberation movement and therefore cannot engage with tools required for a successfully reformist movement, such as lobbying for LGBT rights or protections from the state. This lack of a willingness to engage both with liberation and reformative activism early on has made it so that Russia has missed its window of opportunity to enact change, as public LGBT activism is currently illegal after the signing of Putin's propaganda law. Therefore, the inaccessibility of political parties in addition to the Russian government's general suspicion towards international human rights rhetoric has effectively blocked off activists from reversing the homophobic views so rampant within Russia today.

In part four I will examine an alternative case that supports my thesis, the successful case of LGBT activism in Argentina which led to the strongest protections for gays and lesbians in

South America. I will reiterate my point that both liberation and reformist forms of activism are required in successful LGBT movements and that the common pattern of moving between dominant forms of activism is a model set standard by the U.S. LGBT rights movement as successfully adapted by Argentina. To conclude, I will reiterate the importance for gay activists of employing both liberation and reformative aspects of LGBT activism and the importance for scholars of recognizing the agency of activists in engaging in three areas of activism targeting society, political institutions and the ability to correlate LGBT rights with international human rights claims.

PART I

LGBT RIGHTS IN SPAIN TODAY

Despite being a predominantly Catholic country, Spain has some of the most comprehensive LGBT rights policies in the world. Some have even gone as far as to claim Madrid, the capital of Spain, as the “emerging epicenter of the global LGBT civil rights movement.”¹ This claim can be validated by the fact that Spain has secured equality for its LGBT citizens by enacting gay friendly policies and protections including becoming “...only the third country in the world to grant marriage rights to same-sex couples at the national level”.² Spain secured marriage equality in 2005, following The Netherlands in 2000 and Belgium in 2003. Current legal protections in Spain include the right to be homosexual since 1979, same-sex adoption since 2005, and LGBT anti-discrimination including employment discrimination since

¹ Omar Martinez and Brian Dodge, "el barrio de La Chueca of Madrid, Spain: An Emerging Epicenter of the Global LGBT Civil Rights Movement," *Journal of Homosexuality*, 2010, Page 1, PDF

² Kerman Calvo and Gracia Trujillo, "Fighting for Love Rights: Claims and Strategies of the LGBT Movement in Spain," *Sexualities* 14, no. 5 (October 2011): Page 295

1995. In the most recent pew poll taken on the public opinion of homosexuality in Spain in 2013, 88%³ of those surveyed supported homosexual lifestyles while only 11% were against, making Spanish citizenry the most LGBT-friendly society in the world.

Spain has a large gay community in both of its major urban centers, Barcelona and Madrid, as well as numerous gay rights organizations including, but not limited to *Atención a Homosexuales*, *Colectivo Gay De Madrid* (COGAM), *Fundación Triangulo*, and *Rosa Que Te Quiero Rosa* (RQTR). One neighborhood in Madrid, The Chueca neighborhood, "...has been able to neutralize homophobia in society by breaking down negative stereotypes previously attributed to the LGBT community."⁴ Chueca hosts scores of LGBT friendly cafes, bars, clubs and restaurants, while the local government has even replaced crossing signs in the neighborhood with a same-sex couple holding hands. Though Spain has made remarkable progress in ensuring gay rights to its citizens, this doesn't mean Spain's LGBT citizens don't face challenges today. The underlying cultural machismo that has carried over from the Franco years in addition to criticism from the Catholic church still cause homophobia among a minority of the general population. That being said, Spain's gay community has overcome many roadblocks—an extremely religious and right-wing dictatorship under Franco being one—and is considered one of the most LGBT friendly countries in the world. The city of Madrid will even be hosting the prestigious *Worldpride* Event in the summer of 2017, drawing thousands of international visitors from around the world.

³ "The Global Divide on Homosexuality," in *The Pew Research Center*, last modified June 4, 2013, <http://www.pewglobal.org/2013/06/04/the-global-divide-on-homosexuality/>.

⁴ Omar Martinez and Brian Dodge, "el barrio de La Chueca of Madrid, Spain: An Emerging Epicenter of the Global LGBT Civil Rights Movement," *Journal of Homosexuality*, 2010, Page 236, PDF

THE FRANCO YEARS AND INSTITUTIONALIZED HOMOPHOBIA

After the Spanish Civil War from 1936-1939, Francisco Franco, the leader of the nationalist forces, imposed upon the Spanish people a dictatorship that would last until his death on November 20th, 1975. Francoist Spain was a fascist state that entrenched conservative gender structures upon its citizenry, including a “...strict cultural censorship, united state and church, [making] the laws of the preceding democratic republic more repressive and punitive, and increased the reach of what became the most successful means of indoctrinating Spaniards in the ideology of the *Movimiento...*”⁵ Homosexuality was dangerous to Franco’s regime which attempted to present Spain's identity on the world stage as being a dominant and masculine world power. The nationalist and authoritarian nature of his regime was staunchly conservative and emphasized the importance of gender roles and the nuclear family. This reasoning prompted the creation of *The Law of Vagrants and Thugs* in the 1930s and the eventual *Law of Social Danger and Rehabilitation* in 1970 which allowed the government to send people convicted of being gay to prison or a psychiatric institution, often using shock therapy as the main form of treatment. This was justified as necessary after Franco decided to include sexual orientation as a mental illness and “social danger” to Spanish society.

Like many other countries in Europe, homosexuality was somewhat legally and socially tolerated in Spain when it remained invisible to the public eye. The emergence of pro-nationalist policies and the early influence of psychiatry and medicalization of homosexuality during Franco’s time in power led to the hyper-stigmatization of homosexuals as deviants within society. Because the state under Francisco Franco became more concerned with procreation and

⁵ Gema Pérez-Sánchez, *Queer Transitions in Contemporary Spanish Culture: From Franco to La Movida* (New York: State University of New York Press, 2007), Page 21

the idealized Spanish family—which favored a traditional mother-father model—there wasn't any room outside of the narrow heteronormative category of the macho man, and the feminized, submissive woman. *The Law of Vagrants and Thugs*, "...based on the new concept of pre-criminal and dangerousness, which was defined as "anti-social, immoral, and harmful activity" that insisted sexual deviants had an "inclination to crime" ..."⁶ did not mention homosexuality specifically until the 1950's when Spanish psychiatrists labeled homosexuality as a psychiatric defect and illness. The text of the law stated that it was "...not to punish but to protect and reform" while preventing "acts that offend the healthy morality of [the] country because they are an affront to the traditional heritage of good customs, faithfully maintained in Spanish society."⁷ Therefore the law was created as a justifiable means of arresting people that challenged the traditional hegemonic model. Reports and testimonies from defendants exposed not only a judgement of one's sexuality but "...also reveal a complex evaluation of the defendant's' social status, relationship with members of the community, and job performance."⁸ This approach—made by some more liberal judiciaries in courts situated in areas that received more tourism and western exposure—often looked at a defendant's life as a whole instead of focusing solely on the acts committed considered "homosexual deviance", though this was not common practice.

What is evident to Spanish gender and sexuality scholars from Franco's time in power was the regime's emphasis on the importance of male camaraderie as an integral part to his fascist regime. Yet it was this very concept that also allowed for greater interaction between homosexual men which caused the "quasi-paranoid policing of homosexual behavior..."⁹ noticed

⁶ Javier Fernández Galeano, "Is He a 'Social Danger'? The Franco's Regime's Judicial Prosecution of Homosexuality in Málaga Under the Ley De Vagos y Maleantes," *Journal of the History of Sexuality* 25, no. 1 (January 2016): Page 4

⁷ Galeano, "Is He a 'Social,'" Page 5

⁸ Galeano, "Is He a 'Social,'" Page 9

⁹ Gema Pérez-Sánchez, *Queer Transitions in Contemporary Spanish Culture: From Franco to La Movida* (New York: State University of New York Press, 2007), Page 11

in Spain toward the end of Franco's regime. Despite Franco's best efforts, Spain itself held a rather "feminized" role in the greater world, perceiving "its own position within the western international community as one of marginality and deviance."¹⁰ Economically struggling with no assistance from the U.S. Marshall plan after the war, Franco's anxieties and insecurities about Spain's global position translated into his domestic policy, pushing for a more masculine male citizen engaged in war and violence, and a subjugated woman who stayed at home and carried out the duty of raising a family with strong fascist convictions and an understanding of the importance of traditional familial gender roles. These insecurities of course led to the identification of an enemy, not just externally, but internally, and the homosexual male was an easy target as an identity that Franco deemed as weak or other. Franco's "...fear of the degeneration of spaces of camaraderie among men, coupled with Fascism's more obvious fixation on violent masculinity and its "glorification of war and struggle", necessitated the creation of internal enemies, particularly when there were no obvious external ones."¹¹ The fear and anxiety therefore produced a repressive state apparatus that demanded the resistance and subversion of Spain's LGBT community, causing them to look inward for support and organization which would lead to eventual representation.

The 1970 *Law of Social Danger and Rehabilitation* necessitated LGBT activism in Spain to protect the wellbeing of LGBT Spaniards. The institutionalization of "conversion therapy" through "Huelva's Center for Homosexuals" incited fear unto the community. The center's main strategy was through electroshock therapy which sometimes had devastating consequences. The overall vagueness of this law and severity of the punishment in place provided Spanish judiciaries with the power of interpretation as their main force of either compliance or resistance

¹⁰ Pérez-Sánchez, *Queer Transitions*, Page 13

¹¹ Pérez-Sánchez, *Queer Transitions*, Page 12

within the regime. Social opinion differed regionally so the level to which homosexuals were persecuted varied. Before the stricter *Ley de Peligrosidad y Rehabilitación Social* (Law of Dangerousness and Social Rehabilitation) went into effect from 1970-1978, in regions such as Málaga, judges were lenient on the issue. Weighing other variables of character, many believed that homosexuality alone should not be considered a “social danger”. Becoming an international tourist destination in the late fifties and early sixties, coastal towns near Málaga including Torremolinos and Marbella bloomed under new policy developments in order to boost the struggling Spanish economy. LGBT activist movements formed during this time, but were forced to remain underground to avoid any form of prosecution from the state. Therefore, though activism was predominantly invisible at this time, the identification and existence of homosexuals had become a part of Spanish society that was no longer ignored.

POST-FRANCO YEARS AND THE EMERGENCE OF LGBT RIGHTS AS A POLITICAL ISSUE

In the case of post-Franco Spain, activists were able to achieve what they wanted by establishing themselves within the political framework of Spain, while at the same time engaging with Spanish society at large. After Franco’s death in 1975, though the Partido Comunista de Espana (PCE) “...promoted some dialogue with homosexual liberation groups, mostly in Catalonia... neither during the transition towards democracy nor during the first half of the 1980’s did the PCE make any formal attempt to associate its political message with the problems and demands of sexual minorities.”¹² This would change ten years later with the creation of the Izquierda Unida (IU) party, whose 1986 election manifesto “...included a whole section devoted

¹² Calvo, "Sacrifices That," Page 299

to the legal and social problems of the gay and lesbian community.”¹³ Though a small voice in the Spanish parliament, the fact that a political party had begun to recognize members of Spain’s LGBT community as a category of people who requested certain rights, a stronger overall connection between the government and Spanish gay rights groups began. Competing to win over voting blocks, the 1980s became an important time for LGBT activists to begin bargaining with political parties if they wanted any form of electoral support from the gay and lesbian community.

Holding majority control over the parliament for most of the 1980s and 1990s would be the Partido Socialista Obrero Espanol (PSOE), a socialist center-left party that promoted the integration of Spain into Europe to further its economic development. Not much cooperation between the PSOE or gay groups occurred until 1993 when, facing declining popularity (many progressives preferred the IU), the party decided to rebrand and change their policies to attract more support from the Spanish electorate. “Between 1994 and 1995, the last social government of the decade passed a number of laws that indirectly improved the legal status of individual and cohabiting gays and lesbians”¹⁴ including housing and welfare benefits for same-sex couples. It wasn’t until 1996 when PSOE lost majority that the party would fully re-evaluate its priorities which “...led to a new strategic blueprint, particularly as regards [to] the approach to post-materialist policy issues.”¹⁵ These issues included other policy goals advocated universally by today’s liberal left in areas such as environmental protection policies and immigration reform.

PSOE’s loss of majority status in the Spanish parliament opened a window of opportunity for LGBT rights groups to work closely with PSOE representatives to overhaul the party. Party

¹³ Calvo, "Sacrifices That," Page 300

¹⁴ Calvo, "Sacrifices That," Page 302

¹⁵ Calvo, "Sacrifices That," Page 303

members felt it was necessary to introduce new policy objectives that would set them apart from the now majority supported Partido Popular (PP), which supported conservative economic and social policies. The changes to the PSOE party platform included a pro-same-sex marriage platform which argued that gay couples should have equal rights to their straight counterparts. Once the PSOE was able to regain majority control in 2004, the bill was able to pass through parliament, thus coming into effect in June of 2005 making gay marriage the law of the land. In 2007 Madrid hosted *Europride*, a major festival celebrating LGBT people across Europe. In 2017 Spain will host *Worldpride*, with event officials expecting over three million attendees to the festival's main event, the parade marking the 40-year anniversary of pride parades held in Spain. Over the course of these 40 years, Spain has successfully been able to transition its government policies on LGBT people and policies from one of the most oppressive to the most progressive in terms of rights and protections provided by the state.

LGBT RIGHTS IN RUSSIA TODAY (OR THE LACK THEREOF)

The current situation in Russia for LGBT people is quite bad in terms of protections provided from the Russian government. There aren't any active policies in place keeping LGBT people from being discriminated against in all aspects of their daily lives. In addition to LGBT Russian citizens facing societal discrimination, they are now being targeted by anti-propaganda laws, as "...Russian authorities have routinely denied permits for Pride parades, intimidated and arrested LGBT activists and condoned anti-LGBT statements by government officials."¹⁶

Adoption by same-sex couples is currently illegal, and there is debate by the state as to whether or not same-sex couples in Russia that already have families should have the children in their

¹⁶ The Council for Global Equality newsgroup, "The Facts on LGBT Rights in Russia," <http://www.globalequality.org/newsroom/latest-news/1-in-the-news/186-the-facts-on-lgbt-rights-in-russia>.

homes taken into custody. According to the last pew research poll asking “should society accept homosexuality?” 74% of Russians polled responded “no”. According to another poll, analysts confirmed that “Russia is a case marred by low LGBT visibility—only 11 percent of Russians claim to have homosexual friends or relatives...”¹⁷ which, while being unlikely in reality, points to the fact that LGBT people in Russia are scared to come out to people they care about. Many gays and lesbians have even left Russia for fear of persecution, with many seeking asylum in Western Europe and the United States. On June 30th, 2013, the signing of the Anti-Gay Propaganda law “...that fines individuals up to \$31,000 for promoting homosexuality”¹⁸ caught the world’s attention by marking a new era of the rapid deterioration of LGBT rights in Russia. Many Russians have attempted to protest the unfair treatment of LGBT citizens but face harsh fines and even imprisonment for doing so. Protesters aren’t only persecuted by the Russian government, but their fellow citizens as well. A current trend in Russian society is the act of luring gay men online into meeting other supposed gay men, and then inflicting abuse on their target while filming it and eventually uploading it online. This is the main tactic used by the Russian group *Occupy Pedophilia*, who rationalize the violence they inflict upon gay men as a form of civil protection, singling out gay men as the instigators of sexual crimes against children. The upsurge of violence has caused many LGBT Russians to further isolate themselves from society, making it exceedingly difficult for LGBT groups to mobilize.

If one assumes that the main motivation behind Putin’s regime is to stay in power, fear mongering is an effective strategy to distract Russian society from the fact that they are being oppressed by his leadership. By emphasizing through rhetoric what he and the Russian Orthodox Church consider a product of western corrupting influence, the blame is cast upon Russia’s

¹⁷ Ayoub, *When States*, Page 217

¹⁸ Ayoub, *When States*, Page 218

LGBT community for “pushing a western-sponsored agenda intended to demoralize Russian society”. Putin, responding to the degradation of a country that is not only suffering economically, but declining in population as well, has expressed his desire to reverse such effects in several ways. His intention is to replace what he considers “gay-propaganda” with that of “straight-propaganda”, which encourages straight couples to bare children and increase the number of “traditional Russian families” that make up civil society (a similar tactic used in Francoist Spain). Today, Russia has been met with much international backlash and protest, especially from what is commonly referred to as the West (The E.U. and English speaking countries). Putin has furthered advanced his anti-western sentiment by labelling all NGOs and human rights groups operating within Russia that receive foreign funding as foreign agents. This stigmatization decreases the trust and credibility Russians give to organizations that attempt to educate society on best inclusion practices for people who identify as LGBT.

In a chilling turn of events during the completion of this project, the Russian region known as Chechnya has begun the abduction and internment of gay men under the leadership of Putin-backed Ramzan Kadyrov, whose nationalistic views have kept the traditionally separatist region aligned with Moscow, so long as they blatantly ignore the human rights abuses that have been carried out under Kadyrov’s leadership. When confronted by the media, a spokesperson for Kadyrov stated that the detainment of gay men was “absolute lies and disinformation” and denied the presence of gay men in the region in the first place, stating “You cannot detain and persecute people who simply do not exist in the republic,” adding, “If there were such people in Chechnya, the law-enforcement organs wouldn’t need to have anything to do with them because

their relatives would send them somewhere from which there is no returning.”¹⁹ This complete disregard of humanity marks a violent regression within Russia as part of the detrimental effect Putin’s policies have had in the country.

GAYS AND LESBIANS IN TSARIST RUSSIA AND THE SOVIET UNION

The first law passed against homosexual conduct in Russia was established in 1716, “...known as Peter’s code, [the law] marked the first-time consensual sex between men was prohibited, but the code only applied to active-duty soldiers and spoke only of acts, not persons.”²⁰ Eventually this law turned into the anti-sodomy law, Article 995, which was imposed by Tsar Nicholas in 1832.

According to Article 995 of the 1845 code, a man convicted for *muzhelozhstvo* was punished by deprivation of all rights and resettlement in Siberia for 45 years. If the *muzhelozhstvo* was aggravated by rape or by seduction of a minor or a mentally ill man (Article 996), it was punished by 1020 years’ hard labor in Siberia.²¹

This law was followed up with a more lenient law in 1903 that dramatically reduced the term of sentence for forceful anal penetration from 1020 years to that of 38 years—still a life sentence for most sent to live in the Siberian work camps.

After the Russian revolution in 1917, Lenin began implementing his leftist regime and discarded all previous tsarist legal codes, thus allowing homosexuality to be legal for some time. Though this marked the first time in almost a century that homosexuality was technically legal

¹⁹ Shaun Walker to The Guardian newsgroup, "Chechens tell of prison beatings and electric shocks in anti-gay purge: ‘They called us animals’," April 13, 2017, <https://www.theguardian.com/world/2017/apr/13/they-called-us-animals-chechens-prison-beatings-electric-shocks-anti-gay-purge>.

²⁰ Laurie Essig, *Queer in Russia: A Story of Sex, Self, and the Other* (Durham: Duke UP, 1999), Page 4

²¹ D. J. West and Richard Green, *Sociolegal Control of Homosexuality: A Multi-nation Comparison* (New York: Kluwer Academic Publishers, 2002), Page 222

under Russian law, it was considered a mental illness that especially afflicted members of the prior Russian patriarchy, people of the old ruling class. “Soviet legal and medical experts tried to find “cures” for this degenerative disease of the terminally bourgeois.”²² Decriminalization wouldn’t last long. The beginning of the Stalin years witnessed a major push for procreation in the new USSR, leading to the creation of article 221 in 1933, allowing gay men caught in the act to be sent to prison for up to 5 years’ time, as they were seen as incompatible with the preferred Soviet family model. During the Stalin years, though homosexuality was looked down upon as a mental illness, homosexuals weren’t in most cases spoken of in Soviet society, affording many LGBT people a freedom to do and love as they pleased as long as they were in the privacy of their homes. Many Soviets weren’t even aware of homosexuality as a term or way people could identify. Even with “...sporadic mentions of homosexuality in publicly accessible texts such as the encyclopedia, homosexuality was almost completely invisible in Russian society.”²³

Hookup culture and the act of *cruising*²⁴ were alive and well in major urban areas such as St. Petersburg and Moscow, and many men hooked up in public spaces deemed prime cruising spots by the Soviet Union’s gay community. Lesbianism, rarely mentioned in the Soviet Union, remained quite invisible, but continued in the realm of the private. As the Soviet Union neared its final decade, Soviet society began seeing the emergence of a more publicly active citizenry. With the help of western influence and a growing frustration with their own government, new public identities emerged including “...Peace groups, environmental groups, even self-identified hippies and punks...”²⁵ which began to protest for fairer treatment under the law. Eventually the anti-sodomy law was repealed in 1993 by president Yeltsin after the fall of the Soviet Union in 1991.

²² Essig, *Queer in Russia*, Page 5

²³ Essig, *Queer in Russia*, Page 7

²⁴ Defined as: wandering about a place in search of a casual sexual partner

²⁵ Essig, *Queer in Russia*, Page 56

One of the most beneficial changes for the LGBT community in Russia after the fall of the Soviet Union was the ability for privately owned commercial spaces to open, including bars, restaurants and nightclubs, that catered specifically to members of the LGBT community. Though this did allow for space in which Russian LGBT people could congregate, the commercialization only allowed for a limited sense of recognition from the rest of Russia's population, as Alexander Kondakov, a professor at St. Petersburg's European University explains,

“...the market has important limitations: so long as it explores and provides identities and commodifies sexuality to produce a consumer, the extent to which it can provide ground for active citizenship is limited, and, moreover, it is a market that aims at cultivating consumers, rather than sexual citizens. So, if homosexuality is not regarded as a viable commodity in itself, then the market gives way to introduce other identities for lesbians and gay people to hide their sexuality better.”²⁶

Despite the widening of commercial spaces made available to LGBT people, heteronormative views continued to influence the opinions of Russian society including the younger generations brought up in a post-Soviet era. In an effort by the Russian government to make sure that Russian LGBT people didn't sense any form of empowerment from the newly created LGBT public establishments, the priority became something familiar to the Soviet era, censorship. In an effort to remove the risk of Russian youth normalizing homosexuality to any extent, regional anti-propaganda laws were enacted beginning with Russia's Ryazan region in 2006. Several regions followed suite, which led to the signing of the 2013 law that encompassed all of Russia. The law sparked controversy internationally, with Russia slated to host the 2014 Winter Olympic

²⁶ Alexander Kondakov, "The Silenced Citizens of Russia: Exclusion of Non-heterosexual Subjects from Rights-based Citizenship," *Social and Legal Studies* 23, no. 2 (June 2014): Page 161

games in Sochi, a coastal resort town in the Russian south. Many world leaders—Barack Obama included—boycotted the games and did not attend. Since the games, Russia has continuously been in the spotlight as tensions with the West have mounted over political disagreements regarding the Crimean Peninsula and the global fight against ISIS.

ALTERNATIVE EXPLANATIONS

Numerous arguments have been made for why some governments provide political and legal recognition to their LGBT citizens and some do not. Across existing literature that deals with gay and lesbian politics, three compelling arguments have been made for why this may be, especially in relation to the two cases I'm contrasting: Spain and Russia. These arguments include, but are not limited to, western influence, the role of religion within the country, and quality of democracy obtained since the transition.

Western influence, for example, has likely permeated Spanish society to a higher level than Russia due to its geographic proximity to key western nation-states such as France and Germany. Though being a compelling reason for greater acceptance of LGBT rights diffusion in Spain, this doesn't lend enough evidence to suggest that it's the key reason for success in this case. The incentive to match the human rights policies of its neighbors was high as it was a requirement for Spain's entry into the European Union in 1986. Spain also has benefited from the abundance of tourism provided by its favorable climate and beaches. Even before Spain's democratization, Franco eventually began supporting tourism as a fix to its ailing economy. Russia's position on the periphery of mainland Europe has caused wariness of the values shared by its neighbors to the West. Instead of identifying as a European people, Russian's have predominantly identified as Slavic, expressing the now popular opinion that Russian people are intrinsically different than their western counterparts and therefore have a different set of values.

As Anwar Ayoub suggests in *When States Come Out*, Vladimir Putin’s criminalization of foreign-funded NGO groups in Russia exposes the foreignization that Vladimir Putin has ascribed to homosexuality, stating “the more state perceives these issues to be “external,” the more resistance they will provoke.”²⁷ By ascribing homosexuality as something that is derived from western values, it makes sense that Russia is adversely influenced by the west’s actions. Therefore, Russia has moved the opposite direction of the EU and the Americas in terms of LGBT rights legislation. Only negative consequences have come to bare as international NGOs and human rights organizations continue to condemn Russia on its discriminatory policies, pointing to the fact that critical voices are more effective from within. Supported by Ayoub, “The unresponsiveness to international critique underscores the importance of regional differences and the limits of globalization, highlighting the argument that being in an in-group is immensely important to the spread of such norms.”²⁸ The direct manifestation of state identity has been argued as one of the prime motives for the fight over the Russian occupation of the Crimean peninsula. The identity of Ukraine “...illustrates the situation of a state caught between the EU and Russia, where Russian authorities framed the Maidan protesters as “gay” and westward alignment as an abandonment of Ukraine’s moral and traditional values.”²⁹ This negative reaction to western ideology makes sense, as Russia has been a power in decline since the late 1980s, and ever since has been trying to exhibit its world power despite its decline.

Another explanation raised by scholars is the role of religion within each country. The extremely Catholic nature of the Franco regime has led to post-Franco Spain becoming much more secular, allowing a “break from the past mentality” that led to the acceptance of

²⁷ Phillip M. Ayoub, *When States Come Out: Europe's Sexual Minorities and the Politics of Visibility* (New York, NY: Cambridge University Press, 2016), Page 218

²⁸ Ayoub, *When States*, Page 219

²⁹ Ayoub, *When States*, Page 47

homosexuality in Spanish society at large as well as within the Catholic Church itself. Ayoub suggests that this is the case “...in earlier democratizers such as Spain... within which the Catholic Church had long and sustained ties to authoritarian rule, and their late role in democratization processes did little to restore the church’s authority.”³⁰ In other words, now that Catholicism is no longer the most important aspect of life in Spanish society by force, many have distanced themselves from the religion. In response, the Catholic Church has had to revise its views on LGBT people. Russia, in contrast, has been experiencing a religious awakening after the fall of the Soviet Union in 1991. Following the death of Patriarch Aleksii II, then head of the Russian Orthodox Church, “...queues of people, mainly women of all ages wearing headscarves—as is expected in church—endured the heavy rain, waiting to enter the church where the coffin of the Patriarch was on display,”³¹ demonstrating the important role religion had begun to play in the lives of Russian citizens. Massive amounts of government money have been spent on rebuilding churches as Russian Orthodoxy has grasped the majority of the Russian people, Putin included.

When looking at the LGBT rights landscapes of countries comparatively, the most compelling argument that scholars have made is for the correlation between the pervasiveness of democracy within a country and the success of gay rights. As Omar Encarnación argues in *Gay Rights: Why Democracy Matters*, he argues that democracy is a prerequisite for gay rights because of “...the opportunities that it provides for advocacy—including access to the courts, the party system, and the legislature—as well as the social environment that permits gay people to

³⁰ Ayoub, *When States*, Page 163

³¹ Milena Benovska- Sabkova et al., "Spreading Grace in Post-Soviet Russia," *Anthropology Today* 26, no. 1 (February 2010): Page 16

live their lives openly and honestly...”³² Evidence that points to the success of this argument is the comparison of democratic societies in Western Europe and their LGBT policies as compared to non-democratic countries such as China, Uganda, and now Russia. In other words, countries where authoritarian leadership silences society and disallows any form of expression or dissidence keep LGBT people from congregating in public spaces and demanding rights in the first place. Contemporary research on the authoritarian-style leadership and rhetoric points to the fact that today Russia shouldn’t be considered a full-fledged democracy, but rather an illiberal democracy that demonstrates “...full authoritarianism, mass support, a personality cult, and an active, personalistic leadership style (whether wise or vigorous) ...”³³ coming from Putin and his followers. Some of the undemocratic actions coming from the state parliament include

“...a series of laws that liquidate basic constitutional freedoms and point the way to full-scale dictatorship...the Kremlin has robbed elections of their meaning by barring popular candidates whom the authorities do not control... [and] with no access to television or major newspapers, genuine oppositionists can no longer compete.”³⁴

The silencing of any opposition to Putin’s regime, including the 2012 signing of the foreign agents’ law that stigmatizes any foreign funded NGO’s that often aid in the opposition, has resulted in a major decline in any previously existing democratic political discourse. Putin has switched between various roles within the Russian government since 2000, having served as both the president and the prime minister twice. In comparison, Spain has had practice with the democratic system for more than forty years. The Spanish Constitution, written in 1978, was

³² Omar G. Encarnación, "Gay Rights: Why Democracy Matters," *Journal of Democracy* 25, no. 3 (July 2014): Page 91

³³ Alexander J. Motyl, "Putin's Russia as a Fascist Political System," *Communist and Post-Communist Studies* 49, no. 1 (March 2016): Page 16

³⁴ Motyl, "Putin's Russia," Page 33

heralded as one of the most progressive of its time, allowing for the expression of “...any thoughts, idea, belief, value judgment or opinion, that is, anyone’s subjective perception, and publishing it through any medium, whether natural (words, gestures) or any technical medium for reproduction...”³⁵ This presents a stark contrast with the strict censorship laws in place in Russia today.

Though these arguments are compelling, they leave a lot to be desired. In terms of the influence of westernization, the fact that there are varying levels of LGBT equality in the West points to the fact that western ideology does not necessarily correlate with LGBT rights. Religion doesn’t seem like a main contributor to the success or failure of LGBT rights as countries traditionally considered religious, such as Spain, Argentina, and the U.S. have all secured gay marriage. The level to which a country has successfully transitioned towards democracy is similarly complicated. As Omar Encarnación suggests, democracy can be just as easily be used by anti-LGBT organizations to restrict rights, “a point underscored by the U.S. experience.”³⁶ In this project I argue that a different factor, often overlooked in LGBT political scholarship, is at play in these two cases.

In the rest of the study I will set aside the alternative explanations outlined above and instead focus on the role that gay-rights activism plays in achieving rights. I argue that LGBT activists hold the most power in achieving rights, and do so through framing and adjusting their mode of activism when engaging with certain societal categories, be it the greater society, politicians, or lawmakers. I will demonstrate that two different levels of maturity within gay rights activism exist and that in order for LGBT rights to be obtained by activist organizations,

³⁵ Jordi Xifra, "The influence of democracy in the practice of public relations in Spain," *Revista Anagramas* 9, no. 19 (July 2011): [Page 81

³⁶ Encarnación, "Gay Rights," Page 97

they must transition from liberation strategies towards a more reformatory agenda. By adapting to external conditions and actively engaging with society, political parties, and human rights rhetoric, activists better control the discourse around LGBT rights. This is not to say that assimilation should be the end goal, but that the movement can use both liberation principles and reformatory tactics to amass power and influence by securing representation within state institutions. The ability of LGBT groups to adapt their activism strategies to their target audience highlights the agency activists hold in ensuring a successful movement. Whereas Spain was successful in transitioning from one form of activism to another—adapting lobbying, voting and educational outreach strategies—their Russian counterparts were not. I will argue that in order for LGBT citizens to secure equality and protections from their respective governments, LGBT movements have to follow a two-step linear model, first successfully participating in what I will refer to as liberation activism, where the LGBT community asserts its identity through liberation strategies such as protests, marches, outreach and the successful formation of LGBT organizations, then, after achieving specific movement goals under favorable circumstances, progress onto what is referred to as reformatory activism where LGBT activists work alongside and within institutions while framing arguments under a human rights frame.

Once a centralized gay rights group ideology and set of goals have been established, group members can collectively demand for non-discrimination practices and protections in the workplace, and eventually, in the case of Spain, gay marriage equality. Whereas reformist Spanish groups utilized newfound political freedom after the death of Francisco Franco to win over the democratically transitioning Spanish societies' acceptance—forging ties and bargaining with political parties dependent upon constituent support—Russian activists failed to work within their political system and collaborate around a shared identity since they were unable to

assert LGBT legitimacy in the first place. Without effective collaboration within the Russian LGBT movement itself, Russia seems stuck in the initial stages of liberation activism. Since failing to mobilize early on in the 1990s, the Russian state has passed two laws, the foreign agents law of 2012 and the gay propaganda law of 2013, that make any further activism exceedingly difficult. I examine the achievements in the Spanish case after the fall of the Franco regime in the 1970s, and contrast the Russian movement's actions after the fall of the Soviet Union in 1991. I argue that only once a centralized LGBT group has transitioned from a successful liberation movement and then begins to work within existing structures (i.e. capitalism, political parties etc.) to collectively bargain with politicians, will they secure rights and protections. This is not to say that equal rights and marriage protections are the main goal for all LGBT people, but for the purpose of this project, gay marriage is considered the desired outcome.

PART II

LIBERATION AND REFORM-BASED ACTIVISM, MODES OF AGENCY

Recently, political movement historians have come to a debate as to how and why LGBT rights movements secure specific rights which has led scholars to examine different activist groups' ideologies and the tactics they use. Infighting has plagued the gay activist community since the founding of the Mattachine Society—an American gay rights group founded in the nineteen-fifties that emphasized sameness—over what should be considered the best form of LGBT activism. Two dominant forms of LGBT activism have been identified, *assimilative* or

what I prefer to call *reformative* activism, “...defined as the work for social acceptance minimizing the differences between straight and gay/lesbian individuals and promoting the benefits of all living together in harmony”³⁷, and *liberation-based* activism, in which activists “work for social change, demanding that society learn to accommodate gay and lesbian nonconformity.”³⁸ These seemingly competitive ideologies have occurred in a repeated pattern throughout the history of LGBT rights movements, usually with one ideology being the dominant driving force of representation and claim making. I argue that instead of looking at these two different movements as competing, they should be seen as complementary, building off one another by targeting different aspects of society. By shaping activism as either reform or liberation-based, activists demonstrate the agency they have over the ability to frame their requests for rights and recognition when interacting with different societal groups.

As Cristina Santos, a Spanish social movements scholar suggests, “...social movements could not be represented as actions of homogenous groups of people... complex and often overlapping and/or competing forms of identity lead to protest and conflict and diversity must be taken into account.”³⁹ Because there is no such thing as a general LGBT rights activist, different opinions, tactics, and strengths simultaneously become mobilized when responding to external factors. Whereas gay liberation movements do the work of bringing LGBT identity to the forefront and publicize the power and influence LGBT people have in society, reformist groups formalize LGBT claims into specific, majority supported requests that take place in the form of lobbying, voting, and campaigning for the equality measures that keep people employed, protected, and generally happy with their government. Whereas liberation activists take direct

³⁷ Ana Cristina Santos, *Social Movements and Sexual Citizenship in Southern Europe*, ed. Beatrice Halsaa, Sasha Roseneil, and Sevil Sümer (Houndmills, Basingstoke, Hampshire: Palgrave Macmillan, 2013), Page 148

³⁸ Santos, *Social Movements*, Page 148

³⁹ Santos, *Social Movements*, Page 16

action in the forms of protests or other publicly staged events to influence societal opinion, reformists often do their work behind closed doors, meeting with representatives that directly control state institutions, budgets, and programs, incentivizing politicians, or providing general education. This allows for the changing of opinions of both the people shaping policies and the greater society in general.

I argue that in order for a LGBT rights movement to be successful, activists have to engage their activism within three specific areas that provide legitimacy and strength to the argument for LGBT equality including 1.) successfully asserting their identity and gaining societal recognition through liberationist strategies, 2.) engaging with existing political institutions such as political parties, or voting campaigns, 3.) and utilizing international Human rights norms to legitimize these claims. This three-pronged approach towards activism requires both liberation and reform-based strategies and thus necessitates a broad range of activist groups to mobilize that specialize in these areas in order to most effectively target and educate different audiences. Whereas we notice these engagements being made by activists in the Spanish case, the Russian case leaves much to be desired, not having successfully changed a majority of Russian society's opinion on LGBT people for the better, let alone possessing the ability to effectively engage with politicians or the contentious issue of human rights within the country.

THE GAY SPANISH SOCIAL MOVEMENT: AN OVERVIEW

Spain presents itself as a strong case exemplifying how LGBT rights progress can be achieved through politically active social movements when they prioritize certain collective goals. As Kerman Calvo explains in *Sacrifices That Pay: Polity Membership, Political Opportunities and the Recognition of Same-Sex Marriage in Spain*, the key to the success of the LGBT movement in Spain was the that activists became engaged in “rights work”, “...a policy

resource that assumes a prior acceptance of a set of core principles, including the acceptance of political parties as the key mechanisms of preference aggregation.”⁴⁰ *Preference aggregation*, defined by the Stanford Encyclopedia of Philosophy as “...the aggregation of several individuals' preference rankings of two or more social alternatives into a single, collective preference ranking (or choice) over [said] alternatives”⁴¹, works into the broader concept of social movement theory and how Spain collectively engaged in rights work. Of the numerous activist groups active over the course of almost 50 years, collectively, reformative rights-based activism has become the dominant mode by which groups act.

Becoming a social activist group that specifically frames its argument around rights work doesn't happen all in the course of a night, but rather involves a process comprising of time and energy that would otherwise be spent on street-based activism such as protests and marches. Instead, the focus is put upon activities that promote approaches such as lobbying or campaigning around a specific legal right, which in the case of Spain would eventually become same-sex marriage. This being said, the LGBT movements in Spain were of revolutionary nature in some areas, using protests, marches, and civil disobedience—especially immediately after the end of the Franco regime—to communicate their desires for gay liberation and societal recognition. Like their American counterparts, it wasn't until the increased stigmatization of the LGBT community during the AIDS crisis of the 1980's that Spanish groups realized they needed to revise their tactics not only to appeal to the government and health organizations, but the rest of Spanish society as well. The cultural climate of Spain in the 1980s, known as the time of *La Movida*, allowed for greater artistic expression, thereby creating an atmosphere for an open

⁴⁰ Calvo, "Sacrifices That," Page 305

⁴¹ *Stanford Encyclopedia of Philosophy* (Stanford University, 2016), s.v. "Social Choice Theory," by Christian List, last modified December 18, 2013, <https://plato.stanford.edu/entries/social-choice/>.

dialogue about sexuality. Some of the changes that broke away from a liberation identity towards a reformist model included "...the free distribution of condoms, the organizations of safe workshops, and the creation of community centres and hotlines that required the financial support of public authorities."⁴² This created an institutional support network that required organization and collaboration from people both within and allied with the community. They pivoted away from street protest and turned towards more representation through the media, encouraging open discourse on LGBT people, policies, and culture. Activists' attention turned towards winning over the support of Spanish society, the first steps in forging a closer connection with political institutions, especially political parties, communicating the message that people in the LGBT community were not only people like everyone else, but voters like everyone else as well.

As social groups transformed into political groups, they began to tackle issues using both political and legal strategies. One of the specific strategies used by CGL (Gay and Lesbian Platform of Catalonia) was the *Pink Vote Campaign* in 1988 where CGL activists "...canvassed the opinions of political parties on a set of political priorities, and after weighting them, recommended the vote for the political party that was most favourable to the movement's agenda."⁴³ Gaining access to politicians that would not only willingly engage in a dialogue with activists representing LGBT people, but also advocate for their protection and fair treatment in parliament as well, became the priority. The changing societal attitudes towards Spanish gays and lesbians in the 1980s incentivized politicians to begin working with activists, recognizing the potential voting power that LGBT people and other young, artistic types among the new Spanish

⁴² Calvo, "Sacrifices That," Page 308

⁴³ Kerman Calvo and Gracia Trujillo, "Fighting for Love Rights: Claims and Strategies of the LGBT Movement in Spain," *Sexualities* 14, no. 5 (October 2011): Page 570

generations presented. The emerging relationship between Spanish reform-minded activists and politicians would steer activists to promote what Kerman Calvo refers to as *love rights*. Centered upon the rights of the family, *love rights* looked to secure legal protections for partners, as well as the children of unmarried partners. The PSOE (Spanish Socialist Workers' Party) teamed up with reformist groups to advocate for state-recognized partnership rights for unmarried couples, which instead of focusing on LGBT people specifically, encapsulated gay and straight couples alike. Partnership laws began passing region by region throughout Spain, signaling a debate in parliament for nation-wide approval. The continued partnership between gay rights groups and the PSOE would lead to the first ever support for same-sex marriage in Spain. Marriage wasn't supported by all, as more revolutionary minded LGBT groups didn't support the idea that marriage should be the end-goal, "...underlining the heteronormative and patriarchal structure of the marriage institution, and also the danger inherent to narratives about 'normalization'." ⁴⁴ The dialogue and discrepancies between reformist and radical activist groups continues today, but rather than trying to focus on what form of activism is best, it's important to realize the privilege Spanish LGBT citizens now have, and the important role each form of activism played in addressing different aspects of securing societal and state recognition. The majority of Spanish activists felt the risk of being considered "normalized" was worth it, and now enjoy marriage equality.

GAY LIBERATION ACTIVISM IN SPAIN: CHANGING SOCIETAL ATTITUDES

The LGBT rights movement in Spain began with the emergence of liberation groups that aligned themselves with the strategies of LGBT groups in the West, yet had to remain

⁴⁴ Calvo and Trujillo, "Fighting for Love," Page 576

underground operations due to Franco's strict laws forbidding freedom of association. Activists who were active before the death of Franco had an important task—engaging with the heterosexual community to, as one activist explained,

...influence them and to establish a dialogue with open minded people in the Church, the arts, medicine, law sociology, the press etc. to inform them, as far as we were able, of what we really are, and to attempt to change, little by little, the ideology they have about homosexuality—which is totally stereotyped—and into which the system has indoctrinated them.⁴⁵

The opportunity to take to the streets and communicate this message to more people without the fear of prosecution came after the death of Francisco Franco in November of 1975. Adolfo Suárez, taking power after being appointed by then King of Spain Juan Carlos I, would lead Spain to its transition into democracy and lift the infamous *law of Social Danger and Social Menaces Act* which silenced Spanish LGBT citizens. This marked the period in which activist groups in Spain could officially come out into the public.

One of the most notable groups early on was the *Gay Liberation Front of Catalonia* (FAGC), founded in 1975 which “...was the most visible and active gay group throughout the transition period, and must be credited for organizing a series of relatively visible protest events...”⁴⁶ including the culmination of their main event which took the form of an annual public demonstration on June 28th, 1977. Confrontational politics were essential in bringing about the 1979 undoing of the *Social Menaces* act put into place during the Franco years. Radical lesbian groups began forming in congruence with gay groups, additionally empowered by

⁴⁵ Gema Pérez-Sánchez, *Queer Transitions in Contemporary Spanish Culture: From Franco to La Movida* (New York: State University of New York Press, 2007), Page 32

⁴⁶ Calvo and Trujillo, "Fighting for Love," Page 566

emerging partnerships with the growing Spanish feminist movements. As Calvo explains, the Spanish liberation movements, while not focused on achieving much in the way of political rights, brought LGBT identity to the forefront during this period as “...gay liberation and the lesbian-feminist movements advocated radical sexual politics all throughout the 1980s.”⁴⁷ It wouldn’t be until the HIV/AIDS epidemic that Spanish groups, especially the groups consisting of predominantly gay men, would have to change their rhetoric and approach due to not only the decline of healthy bodies able to take to the streets, but the need to appeal to larger institutions that could provide treatment and other protections that were a matter of life or death. The late 1980s and early 1990s would see an emergence of rights groups that followed in the strategies of groups such as ACT-UP in the United States, employing liberation strategies such as direct action while also employing reformative strategies such as in the case of the group *the Madrid Gay Radicals*, still active today.

THE SPANISH RESPONSE TO THE HIV/AIDS PANDEMIC AND THE EMERGENCE OF REFORMATIVE GAY ACTIVISM

Part of the realization that Spanish social groups had to utilize reformist ideals was that they were working to influence politicians who operated within a set mode of rules and practices. By so doing, LGBT activists diversified their praxis, and became actively involved in developing relationships of engagement, exemplified by the “pedagogy of proximity: towards politicians and the “empathy frame.”⁴⁸ Similar to the pattern of most western LGBT rights landscapes, the HIV/AIDS epidemic influenced a more open discourse with LGBT groups that were beginning to be seen as public health groups. With the disease infecting a disproportionately high total of

⁴⁷ Calvo and Trujillo, "Fighting for Love," Page 568

⁴⁸ Santos, *Social Movements*, Page 145

gay men, the two issues became intertwined. Specific rights such as hospital visitation and inheritance laws would become of utmost importance. No longer an issue of merely legitimization, activists took the agency to begin forming requests for specific rights aimed at the state. When met with a lackluster reception, the work would fall into the hands of the LGBT activists themselves.

As the first Spanish citizens became infected with HIV in the early 1980s, Spanish news and media emphasized the American origin of the disease. As Dean Allbritton suggests, “the constructed representation of AIDS in Spanish culture of the time, then, was a complex amalgamation of the foreign and the domestic; the result, a cocktail of stories that emphasized the strangeness, mystery, and exoticism of the illness over the actual facts and figures of an epidemic spilling into its borders.”⁴⁹ Following the work of groups like ACT-UP (AIDS coalition to Unleash Power), Spanish groups began to forge ties with the media and debunk the somewhat exoticized view Spanish society had of the disease. The most noteworthy group that successfully mobilized around the AIDS epidemic was the *Gay and Lesbian Platform of Catalonia* (CGL) which emphasized the importance of gay community building in order to better accommodate and care for members of their community in need. A 1989 statement of a CGL member voiced this opinion, stating

...what we need is to meet the real problems, leave aside the political language of the past and provide services, work on entertaining publications and on AIDS, set pressure on policymakers to see more rights recognized and, foremost of all, we need to connect with the commercial scene.⁵⁰

⁴⁹ Dean Allbritton, "It Came from California: The AIDS Origin Story in Spain," *Revista de Estudios Hispánicos* 50, no. 1 (March 2016): Page 148

⁵⁰ Calvo and Trujillo, "Fighting for Love," Page 569

The impact of the AIDS epidemic would lead gay groups to demand representation and protection. As Calvo and Trujillo suggest, “Reformist activists, socialized in democracy, exposed to Anglo-Saxon ideas on community politics, and rapidly aware of the consequences of AIDS, vowed for a change in ideas.”⁵¹ The death of thousands of gay men left their partners with no choice but to challenge the Spanish government and demand the rights that were provided for straight-couples when a partner became ill, hospitalized, or passed, (i.e. hospital visitation and inheritance laws). These priorities framed LGBT rights as a legal argument which caused the CGL to begin focusing on legal strategies and court cases. The elevated activism engaging Spanish institutions helped to foster LGBT group legitimacy and visibility. As LGBT visibility increased surrounding the AIDS epidemic, political parties, especially the struggling PSOE (Spanish Socialist party) in the early 1990s, once again came to realize the power that Spain’s LGBT community held as an electorate. As activists began to shift their demands, political parties began realizing they would have to rethink their own strategies in order to keep voters, leading to the closer partnership between the PSOE and LGBT groups in the late 1980s and early 1990s.

PARTNERING WITH POLITICAL PARTIES, THE PSOE AND LGBT PUBLICATIONS

Strengthening the legitimacy of the Spanish Gay Rights movement during the 1980s was a tactic employed by the PSOE to attract young voters to the party. 1980s Spain was experiencing somewhat of an artistic renaissance, as Spaniards began taking advantage of their newfound freedom after Franco’s oppressive regime’s end. Taking advantage of the emergence of art and literature, Madrid’s local government began financially supporting the publishing of

⁵¹ Calvo and Trujillo, "Fighting for Love," Page 569

Madriz, an arts and culture magazine that showcased pieces across a variety of mediums. Specifically helping to fund the publishing of *Madriz* magazine was the Socialist *Concejalía de la Juventud del Ayuntamiento de Madrid* (Madrid City Hall’s Youth Council). One of the magazine’s main features were comics written and illustrated by female artists and writers including iconic comics that featured LGBT identifying characters, unprecedented in Spanish society.

The 1980s in Spain was considered the time of “*La Movida*” (the movement) in which artistic expression and freedom of the press allowed for a way of communication for the Spanish people not available to them under Franco’s regime. Madrid’s then local PSOE dominated government skillfully took advantage of the emergence of the arts in the new Spanish Youth scene, and as Gema Pérez-Sánchez argues in her book, *Queer Transitions in Contemporary Spanish Culture*, supported *Madriz* to attract a new constituency of voters to the party which was declining in popularity. Many activists who fought for LGBT liberation in the 1970s were skeptical of the magazine as well as the tactics being used by members of the Spanish government. Fortunately, in the case of the PSOE, the collaboration between the government and the artists submitting material to the magazine—many of them identifying as gay men and women—actually strengthened their cause. For many, the anxieties stemmed from a distrust of capitalism. As Gema Pérez-Sánchez suggests, “Although capitalism may co-opt an originally radical cultural phenomenon to repackage it with a particular, potentially oppressive use-value in mind and to resell it to its original producers, the consumers may and in fact do re-somaticize its use-value for their own purposes.”⁵² Subsidized by the PSOE, *Madriz* was highly accessible to the Spanish public, costing less than half the price of similar arts and culture publications

⁵² Pérez-Sánchez, *Queer Transitions*, Page 146

available at the time. As a newly autonomous city, *Madriz* magazine was filled with ads and publications promoting various Madrid activities, such as youth events, music concerts, and the creation of micro nationalist projects such as the official City of Madrid Anthem. The magazine “...helped the Abutment (town hall) to interpellate young urbanites into a unified sense of identity — an identity that would give some coherence to the artificially constructed notion of a *Comunidad Autónoma de Madrid* (autonomous community of Madrid)”.⁵³ The unifying effect of the magazine’s artistic and ideological messages no doubt reached Madrid’s youth, in turn empowering LGBT groups to form and flourish as a result of feeling better insulated from homophobia and violence by a more liberal and open Spanish society. In other words, the magazine encouraged the creation of an early “safe-space” in Madrid.

The magazine of course had critics from both the right and left as many people felt that it was promoting an agenda and lifestyle they didn’t agree with. The argument that came most frequently from the left—the idea that art and culture was being co-opted by the socialist government—didn’t ring true to the many women that wrote or illustrated for *Madriz*. One artist, Ana Juan, who was regularly featured and recognized the transformative potential the magazine offered, became known for her striking illustrations that portray femininity in a powerful way. Her female characters featured “...aggressive lines; massive female bodies with fearsome, angular faces; and bold and nervous brushstrokes [defying] any essentialist expectations of women’s artistic work...”⁵⁴, breaking stereotypes. Though the LGBT themes echoed in *Madriz*’s three years of publicly funded publications from 1984 - 1987 were subtle, Pérez-Sánchez argues these were much more effective at influencing the opinions of not only society at large but politicians too.

⁵³ Pérez-Sánchez, *Queer Transitions*, Page 159

⁵⁴ Pérez-Sánchez, *Queer Transitions*, Page 164

A competing publication, *El Vibora*, (The Viper) presented very clearly defined LGBT themes that presented what some may consider a very “in your face” political messaging to its readers. Published during the same period of time as *Madriz*, one of the magazine’s most famous comics was *Anarcoma*, which depicted the life of a transsexual prostitute and centered itself around themes such as male prostitution, drug abuse and crime. Though the magazine was supported by many original members of the LGBT liberation movement, it was deemed by activists active in the reformative movements as too risqué and somewhat offensive. *El Vibora* magazine contrasted with *Madriz* in that it declared itself as a magazine without any sort of a political message or agenda and instead represented the “queer underground”, referencing the LGBT identifying people who were silenced during Franco’s rule. Whereas *Madriz*’s queer themes were modest and subtle, *El Vibora* portrayed the gritty, real and sometimes unpleasant aspects within Spanish gay society. Financed by a wealthy editor for a mainstream Spanish newspaper, *El Vibora* was a publication made for the people who preferred that their intake of queer art and representation came with no political messaging or bias.

Stemming from the world of fanzines and the unapologetically queer styles from the United States and Europe, its purpose was to reach Spanish men who could celebrate the difference of the gay community and supported the notion that Spanish gay, lesbian, and transgendered people weren’t just like everyone else but instead had their own culture and community apart from the rest. Framing became an important aspect of depicting LGBT life in Spain and the two competing publications served as an example of the different ideologies within the LGBT political movement. The subversive content of *El Vibora* and its depiction of the marginal were important in that they portrayed the real issues affecting real LGBT people, but “...may have ultimately worked as a containment strategy that neutralized any subversive

impetus intended by its artists.”⁵⁵ The edginess did eventually catch on to a readership outside that of the LGBT community—middle-aged straight males—who enjoyed the magazine for its thrill and as something that would have never been allowed in their youth under the repressive Franco regime.

Though the authors and artists involved in the publication of *El Vibora* magazine, when interviewed, have suggested that they too wanted to normalize homosexuality in Spanish society, their raunchy style generally did not help to liberalize Spanish society in terms of accepting LGBT people as normal, but instead as prostitutes and drug abusers. While the magazine *El Vibora* “...cloaked a traditional misogynist attitude with scandalous sexuality and other superficially provocative themes”⁵⁶, it opened up a dialogue around LGBT representation and forced activists to consider how they wanted to be perceived by the wider Spanish society. Despite the different approach each publication took in dispersing LGBT visibility and ideas, having the two different choices available to Spanish society in the 1980s made it possible for LGBT identity to be accessible to more Spaniards than if only one type of publication had existed. The fact that publishers of *Madriz* actively engaged with LGBT identifying artists and still were able to partner with Madrid’s local PSOE government demonstrates the successful partnerships Spanish advocates were able to make utilizing a combination of liberation and reformist strategies.

SPANISH LGBT ORGANIZATIONS AND HUMAN RIGHTS ACTIVISM

Having held power as Prime Minister of Spain from 1982 to 1996, Felipe González, a member of the Spanish Socialist Workers’ Party, was the longest serving democratically elected

⁵⁵ Pérez-Sánchez, *Queer Transitions*, Page 178

⁵⁶ Pérez-Sánchez, *Queer Transitions*, Page 182

leader of Spain. During his time in power, González passed a wide range of progressive social measures including a complete reorganization and rejuvenation of Spain's educational system, establishment of a welfare state, and the legalization of private TV channels. Additionally, González was responsible for aligning Spain closer with its Western European counterparts, leading during Spain's joining of NATO in 1982, and the European Economic Community in 1986. Bringing Spain further into the international spotlight was the 1992 Summer Olympics hosted in Barcelona, Spain's second largest city. Though LGBT rights weren't a focus for González, opening up Spain to the western world would empower reform-minded activists to pursue a new strategy of promoting LGBT rights under the umbrella of universal human rights. During González last term in power, in an effort to keep the block of LGBT voters devoted to the socialist party, PSOE began to craft "...a discourse that increasingly talked about the need to protect alternative life-styles,"⁵⁷ predominantly those of unmarried couples who had children, many of which were same-sex couples.

The era of predominantly reformative activism in Spain seems to have officially began in 1988 with the emergence of the *pink vote* campaign supported by the CGL, in which activists "...canvassed the opinion of political parties on a set of political priorities, and after weighing them, recommended the vote for the political party that was most favorable to the movement's agenda."⁵⁸ Because political parties, PSOE in particular, had officially recognized the power of the gay community through the use of successful liberation campaigns throughout the latter half of the 1970s and early 80s, gay leaders now had the collective power to bargain and assert collective requests if politicians hoped for LGBT support. The 1990s ushered in a new era of LGBT political activism, with most left-leaning Spanish parties creating gay caucuses in which

⁵⁷ Calvo, "Sacrifices That," Page 303

⁵⁸ Calvo and Trujillo, "Fighting for Love," Page 569

reformist members of the LGBT community willingly participated. As overall support of the Spanish Socialist Party declined, the power that Spain's LGBT community held in turn increased.

The flagship LGBT activist group that gained its strength from the invigorated political activism of the late 1980s was the *Colectivo de lesbianas, gays, transexuales y bisexuales de Madrid* (COGAM) which was founded in the increasingly LGBT populated Chueca neighborhood of Madrid. On the group's website—which conveniently is translated into three different languages (English, French and German)—COGAM states that its core values are to

- Defend the Human Rights specified in the United Nations Charter, especially those that affect lesbian, gay, transgender and bisexual people, their human dignity, their freedom to be themselves, their quest for social equality, the right to live free from discrimination, and so on.
- Work to make society more inclusive and respectful, by promoting conditions that will let people truly benefit from freedom and equality, both as individuals and as members of their respective segments of society.
- Promote full legal and social equality for all people, regardless of one's sexual orientation, gender identity, or emotional/sexual relationships with another consenting person or persons.
- Work to eradicate homophobic and transphobic behaviors.
- Work to eradicate discrimination against those of us living with HIV, and promote the right of all HIV-positive people to have free public medical care, psychological services, and social services.⁵⁹

These core values, being derived from the United Nations Charter, encapsulate all the challenges that contemporary LGBT citizens are faced with on a daily basis. The site also lists the various services COGAM provides such as providing access to counseling services, educational material,

⁵⁹ "About Us: Ideology, Objectives, Activities," COGAM, accessed March 7, 2017, <http://www.cogam.es/quienes-somos>.

hosting issue specific working groups, and research. As the 1990s brought COGAM into the spotlight, one activist, Pedro Zerolo, was elected to public office in Madrid as a member of the PSOE, ushering in a greater integration of the Spanish LGBT community into Spain's governing body.

As a more rights-based approach became the dominant strategy of Spanish activists, a new claim was made—the request for the legalization of gay marriage. As Calvo suggests, “Family ‘love’ rights... replaced overtly sexual themes...”⁶⁰ as the dominant claim making of the LGBT movement in the late 1990s and early 2000s. The reform-oriented groups such as CGL and COGAM dominated the Spanish scene with this new frame for their argument. They began looking for alternative definitions of the family, pushing for partnership rights that would grant the same protections given to married couples to all forms of relationships. Activists found success in motivating PSOE party members by mobilizing the issue as not strictly a LGBT issue, but something that straight Spaniards wanted as well. As the law began gaining traction, legal partnerships began being passed at the regional level. Eventually the dialogue turned to same-sex marriage as many couples began to desire the traditional, and religious symbolism that accompanied full marriage.

After eight years of control by the Spanish People's Party (PP) under the leadership of Prime Minister José María Aznar, the PSOE once again took control in 2004 with the election of José Luis Rodríguez Zapatero. During the second half of the eight years that PSOE was the oppositional party to the PP, socialist parliament members had introduced several bills in similar language that demanded the recognition of same-sex marriage to no avail. Now that they were once again the majority party, the amendment legalizing same-sex marriage passed in 2005,

⁶⁰ Calvo and Trujillo, "Fighting for Love," Page 569

making Spain the third country in the world to pass such progressive marriage legislation.

Demands for liberation in the Spanish case had therefor successfully evolved towards legitimate rights-based claims.

PART III

THE GAY RUSSIAN SOCIAL MOVEMENT: AN OVERVIEW

Following the fall of the Soviet Union in 1991, many interest groups began to lay the groundwork to create social movements to influence change and policy goals within the newly founded democratic government. LGBT movements were no exception in this phenomenon, yet from the start they were met with numerous internal challenges that many scholars have argued as being uniquely Russian. As Laurie Essig suggests in her book *Queer in Russia*, of the several small LGBT groups that had sprouted up in Russia in the early 1990's, none were willing to work alongside others due to a clash in ideology. In part, she blames the failure of the groups to organize as being due to "...western imports clashing with the economic, cultural, and discursive realms of post-soviet Russia...[producing] some truly cynical moments, moments when westerners and Russians exploited national stereotypes and prejudices for computers, dollars, and fame."⁶¹ After the fall of the Soviet Union, LGBT Russians would quickly find themselves in dialogue with gays and lesbians from the West who were eager to help Russian groups achieve the same level of equality they had. Formed in 1989, *the Association of Sexual Minorities (ASM)* was founded as the first LGBT group in the Soviet Union. Its primary aim was "...campaigning for the revocation of Article 121, changing the public's prejudicial attitudes, pressing for the

⁶¹ Essig, *Queer in Russia*, Page 56

social rehabilitation of AIDS sufferers and employing for these purposes all the opportunities presented by the official mass media.”⁶² The political turmoil of the late 1980s in the Soviet Union prevented activists from forming any working relationship with the authorities, and much like the Spanish activists before the death of Franco, were forced to remain underground since being homosexual was highly stigmatized and technically illegal. The inability to make any tangible progress spurred infighting within ASM which, “...began to splinter into factions of radicals and moderates who refused to work with one another.”⁶³ This would become the fate of the majority of Russian LGBT activist movements, a trend that puzzled activists from the West. Despite these initial challenges, homosexuality would become decriminalized in June of 1993, but not from the work of any activist organizations. Rather, it was a consequence of then President Boris Yeltsin’s overhaul of the Russian penal code in which the decriminalization of homosexuality was just one aspect of a rollback of hundreds of Soviet-era laws. One Russia-based American activist, Kevin Gardner, then head of Moscow’s International Gay and Lesbian Human Rights Commission (IGLHRC), when interviewed, expressed his dismay but lack of surprise that he hadn’t found out about the amendment, stating “that it took a month for this to become known just goes to show you the lack of clout of the gay community here”.⁶⁴ Fear of homophobia and an unwillingness to collaborate was setting LGBT activism in Russia down a dangerous path. Western gay activists in Russia couldn’t help establish a gay community based on identity, let alone a gay community based on political engagement.

⁶² West and Green, *Sociolegal Control*, Page 228

⁶³ West and Green, *Sociolegal Control*, Page 229

⁶⁴ John-Thor Dahlburg, "Russia Revokes Law Punishing Gay Sex: Human rights: Stalin-era law had mandated prison terms of up to five years for males. Homosexuals cheer move.," *The Los Angeles Times*, May 29, 1993, [Page #], accessed April 19, 2017, http://articles.latimes.com/1993-05-29/news/mn-41287_1_human-rights.

These conflicts of interest were only made worse by the lack of any public space for gay people to organize—stemming from the scarcity of computers and telephones or any gay-friendly bars or restaurants—which in turn kept awareness of any LGBT activism to a low. Despite these challenges, in the early 1990's LGBT-centered groups began forming in other Russian cities, several of which fell under the newly formed, western supported *Treugol'nik* (Triangle) organization based in Moscow. *Treugol'nik* hosted its first centralized conference in 1993, discussing topics that had been avoided by the Soviet government such as the HIV/AIDS epidemic and the representation of LGBT people in mass media. Meeting the same fate of many others, the group became divided over internal discrepancies. The main source of conflict was over how the group would go about influencing legal changes. Half the group consisted of young activists who were yet to land any sort of high paying job, and if they were employed, their careers were “in opposition to the system”. On the other side were the established professionals who were putting a lot on the line by promoting LGBT rights. Many were supporting families and feared for their job safety and ability to provide as there were no protections against discrimination in the workplace. These differences placed activists into the reform and liberate ideologies, which many felt were in direct conflict with one another. A group formed in opposition to Triangle called RISK which is the Russian acronym for equality, sincerity, cooperation and compromise. The group argued that because LGBT people were already ostracized in the Russian community, it would be better to work within the system to safeguard against the adverse effects that protesting in public can have on society's views of LGBT people. The failure of identity politics in Russia would cause the ultimate deterioration of the many groups forming in the early 1990s, as diverse opinions among the LGBT community formed a political wedge that restricted effective coalition building.

Besides the limited opening of several LGBT-oriented bars and restaurants, not much has occurred in Russia in favor of LGBT rights since the repeal of article 121 in 1993. After the signing of the 2012 foreign-agents law and the anti-gay propaganda law in 2013, more and more in “contemporary Russia, anti-Semitism, homophobia, and xenophobia are unconcealed [and] even fashionable.”⁶⁵ The few LGBT activist groups that sprang up in Russia in the early 1990s have by and large proven ineffective, and seem to have missed their window of opportunity to advocate for legal rights now that the situation within the country has only further deteriorated. The lack of agency taken by these groups early on has seemed to have permanently set LGBT activists behind their western counterparts, allowing the government to get away with an increasing number of homophobic policies and rhetoric. Hate crimes are on the rise and gay men in the region of Chechnya, are now being detained, tortured, and even killed.

A RUSSIAN PREDISPOSITION? AN INABILITY TO CENTRALIZE

In David Tuller’s *Cracks In the Iron Closet, Travels in Gay and Lesbian Russia*, Tuller recounts his work with Russian LGBT groups and activists in the early 1990’s after the fall of the Soviet Union. An American living and working in the Soviet Union, he was present in February of 1990 for “the Soviet gay and lesbian movement’s official “coming-out” ... when a dozen men and women held a press conference to announce the formation of the Moscow Union of Lesbians and Gays.”⁶⁶ Leading the group was Roman Kalinin, a 24-year-old student who was an unknown presence among the current, mostly western-based, LGBT advocacy scene at the time. The outspoken student soon began to attract attention from the media by making outlandish

⁶⁵ West and Green, *Sociolegal Control*, Page 235

⁶⁶ David Tuller, *Cracks in the Iron Closet: Travels in Gay and Lesbian Russia* (Boston, MA: Faber and Faber, 1996), Page 103

comments such as “I would never sleep with Gorbachev!”, that “...pedophilia was harmless and that men could buy a child for between three and five thousand rubles”, and, when questioned about necrophilia, “No problem...some necrophiliacs work in morgues, in the ambulance service, at cemeteries... others come to an arrangement with them.”⁶⁷ Comments such as these, even if humorous, were not thought of as funny by the readers of the conservative publications that published the young activist’s words. The radical demands “...to legalize prostitution and drugs as well as homosexuality, each of which was controversial enough taken separately when lumped together without detailed argument... proved counterproductive.”⁶⁸ Though this radical rhetoric was supported by other LGBT Russians, it wasn’t doing much to change the minds of people who didn’t identify with their ideological views. Despite this, Kalinin was the only activist during the times of *glasnost* (openness) to use his last name in public statements.⁶⁹

Other challenges plagued the group early on, including the difficulty of attracting new members and the management of group resources. Equipment, donated by many western-led coalitions, became a source of conflict where “...leaders bickered endlessly over who should have access to high-rent equipment... several donated computers “broke” or “disappeared” under mystifying circumstances.”⁷⁰ Only adding to the difficulty was the instability of the Russian Ruble, the outrageous prices for paper needed to publish and spread publications, and the fact that the many who would have had the incentive to participate in the group in the first place were struggling financially.

⁶⁷ Tuller, *Cracks in the Iron*, Page 104

⁶⁸ West and Green, *Sociolegal Control*, Page 229

⁶⁹ Carey Goldberg, "Soviet Gays Try to End the Taboo: Despite glasnost, homosexuals continue to be ostracized and live in fear of being jailed for their sexual orientation. But a fledgling rights movement is out to change that.," *The Los Angeles Times*, December 10, 1990, [Page #], accessed April 20, 2017, http://articles.latimes.com/1990-12-10/news/mn-4674_1_gay-rights-movement.

⁷⁰ Tuller, *Cracks in the Iron*, Page 106

Other groups with competing ideologies sprang up shortly after, sparking conflict between several prominent LGBT group leaders. Activists were suspicious of other leaders' motives, some even implying that competing groups were sponsored or supported by the KGB and that they were directly responsible for undoing the good work that they were trying to do. The great deal of mistrust within the groups hampered their progress as many came to question whether the peers they considered allies in the fight were actually informers of the KGB. This paranoia was a key factor in making the groups less effective in the early glasnost period and carried on after the fall of the Soviet Union. This wasn't a problem only experienced by the LGBT groups, as "environmentalists, Jews, feminists, democrats — all found their efforts hampered by a pervasive lack of respect for the kind of dialogue necessary to promote social change."⁷¹ The conversations that needed to be taking place simply weren't happening to the extent that they were in other countries during the 1980s.

The "apolitical nature" of the Russian citizenry has certainly limited the extent to which activists engage, and has been attributed to the years of forced allegiance to their socialist ideology, which caused contemporary Russians to develop a distaste for organizing around a common cause. Individuality and freedom from state control was becoming something that many more liberal-minded Russians embraced after years of being discouraged to be different in any way from their peers. The Soviet government implemented its penal code and order into the daily lives of Soviet citizens, and many now wanted nothing to do with the newly formed government, democratic or otherwise. Interviews with Russian activists early on in the transition to democracy exposed this popular sentiment, as one activist, Masha Gessen explained,

⁷¹ Tuller, *Cracks in the Iron*, Page 111

Perhaps on its purest level, the goal of collective responsibility was to create group solidarity...but in practical terms, the real motivation was to turn people against one another. Because what it did was leave every individual far weaker in relation to the state — which wanted to control everything. And that’s why, in the end, citizens of the former Soviet Union hate groups.⁷²

In other words, the new Russian citizens just wanted to experience the newfound notion of privacy that was finally being granted to them. Having been forced to share homes with families they didn't know, go on state sponsored outings with colleagues from work, and worry that any spoken critique of the government would get leaked by one’s own children to the authorities kept Soviets on edge.

Post-Soviet suspicion of teambuilding was demonstrated in 1994 when Tuller received an invitation by a fellow American activist to a LGBT “community building” project in Moscow. Many western-led organizations, academics, and other specialists had been flooding into Russia since the fall of the Soviet Union in 1991, noticing an open window of time in which they could begin promoting western institutions and practices. The desire to educate Russians on the fundamentals of western society became the goal of many NGOs and human rights organizations. This sentiment was shared by other western ideology holding activist groups, as the “Mormons and Jesus freaks were “building religion” and businessmen were “building capitalism”⁷³ Designed to last over the course of the weekend, the conference that Tuller’s colleagues from the United States organized took place in the basement of a city recreation center and attracted only around 60 participants the first day. Each of the following days of the conference the audience effectively halved. People were either uninterested or too busy to devote

⁷² Tuller, *Cracks in the Iron*, Page 113

⁷³ Tuller, *Cracks in the Iron*, Page 118

such time to the “community building” purpose. This was a key approach that proved successful in the cases of Spain and the United States, but there was a hesitancy in the Russian LGBT population to come together, especially while being preached to by non-Russians.

Both Tuller and Essig, Americans present in Russia and working closely within LGBT communities both before and after the fall of the Soviet Union (and were friends themselves), realized that the employment of identity politics successful in the West were not as much of a unifying force in Russia. Both, witnessing the downfall of the “community building” exercise in Moscow, agreed that “...Russians, like many Europeans, didn’t necessarily feel comfortable classifying themselves by sexual identity...” and that the traditional practices that brought LGBT-identifying people together were thus ineffective. This early ineffectiveness, a lingering effect from the oppressive and strict enforcement during the Soviet era, kept Russians from being able to assert their identity in the first place, which is key to a successful gay movement. Russians weren’t willing to break away from the mistrust harbored by their Soviet past, preventing them from establishing any sort of community.

A STOLEN OPPORTUNITY: HIV/AIDS RHETORIC IN RUSSIA

Whereas the U.S. and Western European groups were successful in using the HIV/AIDS epidemic as a way to promote rights that would benefit LGBT people, by framing it as a public health issue rather than solely a gay issue, this was not the case in the Soviet Union. Before the HIV/AIDS epidemic had reached the Soviet Union, then Deputy Minister of Health, Nikolai Burgasov announced, “We have no conditions in our country conducive to the spread of the disease; homosexuality is prosecuted by law as a grave sexual perversion (Russian Criminal

Code Article 121) and we are constantly warning people of the dangers of drug abuse.”⁷⁴ Much like in the case of Spain, Soviets saw the disease as an invading virus brought about by what they views as the perverted tendencies of the decadent West. This rhetoric would prove to be false, as drug abuse within the Soviet Union was on the rise and the lack of understanding of the disease and how it spread led to confirmed cases the following year. The externalization of the disease as something coming from the outside—blaming the decadence of the United States and promiscuity of American homosexual men—only stigmatized the gay population in Russia further, ascribing an aspect of dangerousness to the community.

Early dialogue about the disease being a form of “gay cancer” originating in the West strengthened the opinion of Soviet health workers that the disease was an outcome of the actions of “sexual deviants” and therefore patients who became diagnosed were inherently suspect for being homosexuals. “...At this time, and until 1993, “homosexual acts” were illegal under Article 121 of the Criminal Code, with many men turned in to the authorities by their own physicians.”⁷⁵ This kept many gay men from seeking treatment when symptoms arose, let alone form any type of support group.⁷⁶ Though LGBT activist groups were forming in 1991 during the fall of the Soviet Union, their main focus was gay liberation, and therefore they “...were understandably not anxious to take up the issue of HIV wholeheartedly, as they were occupied with asserting their basic human rights (including freeing people who had been imprisoned under Article 121), not preaching to people about safe sex.”⁷⁷ With LGBT Russians not being able to successfully organize in activist groups around HIV and AIDS, an issue that enabled both Spanish and U.S.

⁷⁴ West and Green, *Sociolegal Control*, Page 226

⁷⁵ Judyth L. Twigg, *HIV/AIDS in Russia and Eurasia* (New York, NY: Palgrave Macmillan, 2006), 1: Page 60

⁷⁶ Such as the groups that were popping up in the U.S. and Spain during the late 1980s like the *Shanti Project* and *Stop SIDA*.

⁷⁷ Twigg, *HIV/AIDS in Russia*, 1: Page 61

groups to come into dialogue with their government and put pressure on pharmaceutical groups, outside funded western NGOs began to take on the role instead. These early groups faced many legal impediments from the Russian government which limited their effectiveness.

A DIM OUTLOOK: RUSSIAN SOCIETAL, POLITICAL, AND INTERNATIONAL VIEWS OF HOMOSEXUALITY

A variety of surveys have been given within Russian society since the 1990s evaluating societal opinions regarding LGBT people. Though many polls have pointed to the gradual increase of the acceptance of LGBT people over time—a high percentage of the population originally responding that they would prefer to see homosexuals liquidated—the outlook is still bleak, with a pew research poll conducted in 2013 finding that 72% of Russian citizens responded that they didn't find homosexuality acceptable.⁷⁸ This is in direct contrast with Spanish societies' view of homosexuality, which when asked the same question in 2013, 88% of the responding population felt homosexuality should be accepted in society, making Spain the country with the least homophobic population in the world.⁷⁹ Part of the societal homophobia prevalent in Russia can be attributed to the homophobic comments made by public figures, especially since homosexuality is rarely discussed in the first place. There hasn't been a large public debate concerning homosexuality other than around the 1993 repealing of Article 121, pointing to the fact "...that for 70 years the topic has been unmentionable, that Russia had no scholars comparable to Kinsey or Freud, and that western sexological ideas are still unknown

⁷⁸ Jacob Poushter, "Russia's moral barometer: Homosexuality unacceptable, but drinking, less so," [pewresearch.org, http://www.pewresearch.org/fact-tank/2014/02/06/russias-moral-barometer-homosexuality-unacceptable-but-drinking-less-so/](http://www.pewresearch.org/fact-tank/2014/02/06/russias-moral-barometer-homosexuality-unacceptable-but-drinking-less-so/).

⁷⁹ "The Global Divide on Homosexuality," in *The Pew Research Center*, [Page #], last modified June 4, 2013, <http://www.pewglobal.org/2013/06/04/the-global-divide-on-homosexuality/>.

even to professionals”.⁸⁰ There has not been much in the way of positive LGBT discourse available to the public, besides a limited quantity of publications dispersed by now defunct LGBT groups. The signing of Putin’s anti-LGBT propaganda law has made it impossible for this discourse to take place unless activists are willing to put themselves in direct danger. This danger includes not only the possibility of arrest, but the risk of being attacked by passersby on the street. Despite a comment made at a 1992 press conference by Valery Skurlatove, then leader of the nationalistic Vozrozhdenie Party, stating that “70 percent of the men in Yeltsin’s cabinet are homosexuals” who pose a danger to Russia due to “their links to foreign homosexuals”⁸¹, politicians and political parties have not been accessible to the LGBT cause at any time before or after the fall of the Soviet Union and avoid speaking about LGBT issues in general. Having barely established any form of LGBT public space, former vice president, Alexander Rutskoy, was quoted saying, “In a civilized society there should no sexual minorities”⁸² on live television. Putin, when pressed by the international community about his stance on LGBT issues, insists that gays and lesbians in Russia are treated the exact same way that their heterosexual counterparts are. In a *60 Minutes* interview with Charlie Rose, when questioned about the controversial 2013 propaganda law, Putin stated

"I don't see anything un-democratic in this legal act, "I believe we should leave kids in peace. We should give them a chance to grow, help them to realize who they are and decide for themselves. Do they consider themselves a man or a woman? A female? A male? Do they want to live in a normal, natural marriage or a non-traditional one? That's

⁸⁰ West and Green, *Sociolegal Control*, Page 235

⁸¹ West and Green, *Sociolegal Control*, Page 235

⁸² West and Green, *Sociolegal Control*, Page 235

the only thing I wanted to talk about. I don't see here any infringement on the rights of gay people.⁸³

This completely disregards the damaging consequences this law has had on the LGBT community in addition to the “uptick of anti-gay violence” found by a 2014 Human Rights Watch report⁸⁴ that detailed the response of the Russian society and government since the law’s signing. With such a discouraging rhetoric coming from state officials, and a disillusionment with any western form of activism, the Russian activist movement has come almost entirely to a halt. Advocacy for LGBT people still only consists solely of NGO work that does not originate in Russia but rather is funded through western-based organizations. As recommended by U.S. based *Human Rights Watch*, these organizations need to

- Include violence and discrimination against LGBT communities among priority issues for programming and advocacy
- Actively involve LGBT rights organizations in human rights and LGBT rights trainings and advocacy efforts with law enforcement officials, judges, and prosecutors
- Support the development of organizations among members of the LGBT community to strengthen the capacity of these persons to advocate for the protection of their rights in institutional fora.⁸⁵

Though some domestic and international NGOs exist in major metropolitan areas such as St. Petersburg and Moscow, the services these groups provide have been limited by Vladimir Putin’s labeling of any NGO or group receiving foreign funding as a “foreign agent”. Signed on November 21, 2012 the law was “...designed to shackle, stigmatize, and ultimately silence

⁸³ Aaron Tomlinson to CBS newsgroup, "Putin Talks Gay Rights on 60 Minutes," September 27, 2015, <http://www.cbsnews.com/news/putin-talks-gay-rights-on-60-minutes/>.

⁸⁴ Tanya Cooper, *License to Harm: Violence and Harassment against LGBT People and Activists in Russia* (New York, N.Y.: Human Rights Watch, 2014)

⁸⁵ Cooper, *License to Harm*, Page 8

critical NGOs”⁸⁶ that provided services the Russian state had so far failed to provide (many aimed at providing legal defense for LGBT people). Though being labeled a “foreign agent” in Russia doesn’t necessarily mean that the organization has to close its doors, many have already done so as the law tarnishes their reputation and forces them to go through a complicated bureaucratic process of submitting reports detailing where funds are coming from and what they are going towards. Of the “...148 organizations that have been included on the list of “foreign agents” ...27 have closed down altogether”⁸⁷ many of which had an objective of engaging Russian citizens to be more critical of their government’s policies. Stemming from anti-western sentiment deeply ingrained in Russian society, the idea that LGBT rights promotion should be thought of as an intrinsically western idea has only been further legitimized by the passage of this law.

Making matters worse, young Russians have communicated an unwillingness to engage with Russian politicians or engage in any form of public activism, many identifying as apolitical or skeptical of the idea that fighting for policy change would do any good for LGBT people. A general societal unwillingness to engage with political institutions has become more common in Russia since the fall of the Soviet Union, where “...after a legacy of state socialism in which political participation was obligatory but often regarded as inauthentic”⁸⁸, many have stopped paying attention to politics altogether. Protesters are harassed by the police and oftentimes criticized by their peers, making it even more difficult to feel compelled to be politically active.

⁸⁶ Sergei Nikitin to Amnesty International newsgroup, "Russia: Four years of Putin’s ‘Foreign Agents’ law to shackle and silence NGOs," accessed November 18, 2016, <https://www.amnesty.org/en/latest/news/2016/11/russia-four-years-of-putins-foreign-agents-law-to-shackle-and-silence-ngos/>.

⁸⁷ Nikitin to Amnesty International newsgroup, "Russia: Four years of Putin’s ‘Foreign Agents’ law to shackle and silence NGOs."

⁸⁸ Jessica Mason, "Wake up, Russia! Political activism and the reanimation of agency," *Anthropology Today* 32, no. 5 (October 2016): Page 14

One young Russian student, Daria, explained her preferred method to solving societal problems and her aversion to liberation-based approaches, stating,

There is some kind of a theory of the small things that you can do ... So that you can do something not in the political field, but among common people, so you can help someone. You can help some people that live in one block with you. You can go for charity. So, I think that's more valuable than participating in some rallies and so on. I've never been to the rallies, because I understood, I will go to the rally, and what will happen next? [...] I will be taken to the police [...] And everyone will think that I am some kind of an extremist [...] I want change. But I do not know how to reach it by going to rallies.⁸⁹

A frequent attendee of a feminist group at her university, the woman interviewed communicated the reluctance many Russians feel towards public political activism. Her sentiment is shared by many others who operate under a mode of fear of going to jail and being labeled a radical or “extremist”. Unfortunately for the Russian case, street based protests, rallies and marches have all been prerequisites for the type of reformist activism that works towards achieving policy change. Experiencing an inability to engage in any form of reformist LGBT activism while simultaneously not feeling compelled to participate in liberation, Russians are incapable of creating any kind of rights-based claims whereas their Spanish counterparts have been.

The Russian case provides an example of the impediment of activism in three key areas: a lack of gay liberation activism that targets societal opinion and demands social recognition which would have been effective immediately after the fall of the Soviet Union, an unwillingness by homophobic politicians and political institutions to collaborate with LGBT activists, and an

⁸⁹ Mason, "Wake up, Russia!" Page 14-15

anti-western sentiment that marks any foreign funded groups fighting LGBT oppression as not to be trusted. The inability of activists to mobilize into a strong political force in the early 1990s, or to utilize the HIV/AIDS epidemic as a way to educate society and bring LGBT people closer to government institutions, served to weaken the movement further by not effectively laying a foundation of activism by which the movement could prosper. This foundation has yet to be laid by a successful liberation movement that could have occurred when LGBT Russians weren't legally silenced by their government. There are multiple factors that work against the Russian case, leading to the adverse results we see in its LGBT rights landscape today. If early activists had the agency to mobilize and assert themselves into the public sphere in the early 1990s, we might have witnessed a very different Russia than the one we now know today.

PART IV

SUCCESS IN AN UNEXPECTED PLACE: THE ARGENTINE EXAMPLE

The gay rights movement in Argentina serves as a strong example of how activist groups can come to power and begin making these rights-based claims. Defined as “a mass base of individuals, groups, and organizations, linked by social interaction” interest groups “organize around a mix of political and cultural goals” and they “rely on a shared collective identity that is the basis of mobilization and participation.”⁹⁰ Many activist movements outside of the United States, Argentina included, have looked to groups such as *the Human Rights Campaign* (HRC), as examples of successful LGBT rights organizations by which their own activist groups can measure. Highly respected and funded by hundreds of thousands of donors, these groups have

⁹⁰ Craig A. Rimmerman, *The Lesbian and Gay Movements: Assimilation or Liberation* (Boulder, Colo.: Westview Press, 2008), Page 6

grown from grassroots organizations into the massive organizations that they are today through hard work including fundraising, educational outreach, and advocacy. By examining the successful transition of gay liberation tactics towards a reformatory strategy in the U.S. and the successful strategies used by groups like the HRC, it's clear why activists in Argentina looked towards the U.S. for guidance, especially during important moments in LGBT history including the Stonewall rebellion and the height of the HIV/AIDS epidemic.

Argentina serves as an example of a country that successfully secured LGBT rights for its citizens through the effective framing of rights discourse through both liberation and reformatory approaches. In his book detailing the evolution of LGBT rights in South America, *Out in the Periphery, Latin America's Gay Rights Revolution*, Omar Encarnación explains the strategies used by the *Frente de Liberación* (FLH), the first major LGBT rights group founded in Argentina. Drawing inspiration from other LGBT movements following the Stonewall rebellion in the United States, activists belonging to FLH liberation-based requests, with an objective "...to stop the repression of the Onganía regime, especially the harassment of gays in the streets, in the public restrooms, the public parks"⁹¹, all requests to simply let gays exist among public society. Operating in the early 70s, activists' goals were mainly aimed towards "...breaking down conventional social constructions of gender..."⁹² and the freedom of expression in the public sphere. The FLH also made LGBT politics and lifestyle available to the public through the production of *Somos* "Latin America's first gay magazine."⁹³ Though the group dissolved in 1976, the FLH laid an effective foundation of LGBT activism that would eventually pick back up

⁹¹ Omar Guillermo Encarnación, *Out in the Periphery: Latin America's Gay Rights Revolution* (New York: Oxford University Press, 2016), Page 87

⁹² Encarnación, *Out in the Periphery*, Page 88

⁹³ Encarnación, *Out in the Periphery*, Page 90

after the end of Videla's regime in 1983 and the founding of the *Comunidad Homosexual Argentina*, (CHA).

With the group's main focus being linking LGBT rights claims to human rights, CHA's motto was "The Free Exercise of Sexuality Is a Human Right"⁹⁴. Unlike the FLH, activists belonging to CHA argued that the key to securing LGBT rights in Argentina was educating Argentine society and politicians that gays and lesbians were ordinary people that lived lives and experienced relations similarly to any heterosexual person. They felt that "...erasing stereotypes about homosexuals by educating the public through media campaigns and working directly with public officials to ease harassment of gays were more effective ways to end antigay discrimination than a public display of homosexuality."⁹⁵ When the HIV/AIDS virus hit Argentina, the government failed to take an effective approach against the epidemic, causing CHA members to take on the work of advocating for patient rights. Activists distributed information on safe-sex practices and collaborated with international groups "...including the Norwegian Red Cross, the American Foundation for Aids Research, Human Rights Watch, and Canada's Civil Liberties Association."⁹⁶ Whereas FLH members focused on liberating gay identity, CHA focused on appealing to the state political system. By exhibiting their capacity to be more than just a gay rights group by providing the bulk of HIV/AIDS work in Argentina, activists successfully framed their argument for equality and legitimized their claims through the effectiveness of their work. This tactic proved to be successful when in 1992 CHA received official state recognition. A decade later in 2002 the group would successfully advocate for same-sex unions in the city of Argentina through "...persistence, compelling arguments, and

⁹⁴ Encarnación, *Out in the Periphery*, Page 100

⁹⁵ Encarnación, *Out in the Periphery*, Page 101

⁹⁶ Encarnación, *Out in the Periphery*, Page 120

clever strategizing.”⁹⁷ But this victory was not the end of the road for activists who would soon press the government for not just civil unions, but for full, legalized gay marriage at the state level.

With the legalization of gay marriage in Spain in 2005, activists in Argentina made it their mission to achieve statewide marriage equality as well. Spain and Argentina shared many commonalities in their political histories including both existing under brutal, militaristic dictatorships along with predominantly Catholic societies. Looking to Spanish activists for leadership, Argentine activists felt that if it was possible in Spain it would only be a matter of time before gay marriage was legal in Argentina. In 2007 Cristina Fernández de Kirchner became the first directly elected female president of Argentina. Supporting gay marriage as “a human rights imperative”, Kirchner had the support of a majority of Argentina’s population, with public opinion polls suggesting “...an approval rate approaching 70 percent.”⁹⁸ Activists celebrated the victory which had been supported by senators representing multiple political parties by a vote of thirty-three to twenty-seven. By successfully framing their arguments, LGBT activists had achieved full legal equality with their heterosexual peers. Argentina, much like Spain, was able to achieve a successful liberation through activism beginning in the late 1970s, and then through reformative strategies of educating society, partnering with politicians, and appealing to universal human rights claims, secure civil union and eventually gay marriage. By actively targeting their agency and incorporating these strategies into their activism, Argentina is another successful example of the power activists’ agency plays in achieving state-recognition and equal rights.

⁹⁷ Encarnación, *Out in the Periphery*, Page 128

⁹⁸ Encarnación, *Out in the Periphery*, Page 146

CONCLUSION

The role of activism in the LGBT community worldwide is crucial since activists are the people on the ground that keep the wheels of progress turning. No matter the ideological leaning of an LGBT activist, it's important to center the movement around certain goals, “the gay agenda”. This agenda, though negatively stereotyped by homophobic politicians and media personalities includes

“...the repeal of sodomy statutes criminalizing homosexual behavior, the removal of the medical classification of homosexuality as a disease; the elimination of discriminatory provisions and practices at every level of government and in every institution of civil society; fair and accurate representation of gay life and gay issues in the media; due process of law, especially in relationship to the behavior of law enforcement personnel toward lesbians and gays; recognition of family relationships; and protection against hate motivated violence.”⁹⁹

In the case of Spain, these goals were identified and a plan of action was set in place in order to achieve them. Pursuing these goals involves a process that has followed a general model in successful cases: first demanding the legitimization of the LGBT identity, next the mass liberation and mobilization of LGBT people, and finally the insistence that the state be allied alongside the LGBT movement through reform-based activism to secure protections and bring about complete societal equality under the law. It is under these goals that the powerful LGBT organizations came together and still motivate such change today. In the case of Spain, these types of organizations formed from within, whereas in Russia they did not. Public tolerance of

⁹⁹ Craig A. Rimmerman, Kenneth D. Wald, and Clyde Wilcox, *The Politics of Gay Rights* (Chicago: University of Chicago Press, 2000), Page 45

LGBT people never significantly improved in a way that would allow for the existence of such institutions.

This project sought to answer the question: why since the transition to democracy did Spanish gay activists manage to secure a broad landscape of LGBT rights with some of the strongest protections in the world, while LGBT Russians have remained oppressed and lack much in the way of state-sanctioned LGBT rights? By contrasting LGBT rights development in post-Franco Spain and post-Soviet Russia, my mission was to figure out what variables must be present in order for a successful rights movement to occur, and what variables caused an unsuccessful one. Going into this project I thought I'd find that only reformative politics ensured rights, and I was surprised that the successful movements I researched—Spain in addition to the Argentine case—all experienced successful liberation movements that were crucial to the later success of reformist activism. Activists in the successful cases first targeted society through education and outreach, then after successfully changing societal views, approached political institutions with collaborative intention. Once these two things had occurred, successful utilization of human rights discourse allowed for the justification of state-provided rights and protections. The decision to approach activism in this organized fashion was not an accident, but a purposeful, methodical approach that demonstrated activist agency through the use of framing.

In the Russian case, the lack of a successful gay liberation movement not only kept activists from shaping societal opinion, but from working with state officials or politicians, thus allowing the government to pass damaging policies that would silence any future activism around LGBT rights. Immediately after the fall of the Soviet Union, activist's inability to centralize or demonstrate like their Spanish peers caused them to miss a window of opportunity in which they needed to have taken to the streets and made demands for equality. Distrust of one

another and a disdain of team building—especially when imposed by activists from the West—kept the Russians from such achievements. By not engaging with politicians, the political backslide witnessed in Russia has made it so the demands of the activists who do want to engage fall on deaf ears. Correlating homosexuality with western values, Russian public officials have not only barred activists from using this sort of discourse as a legitimizing strategy, but also criminalized attempts to further liberate through public discourse such as through protests or pride parades. Unable to participate in any LGBT-themed public events, LGBT individuals in Russia are extremely isolated, as the usual method of meeting and interacting with other gay people is to go to one of the very few gay bars and nightclubs that exist.

By successfully liberating in the late 1970s and early 1980s, framing their arguments around education and public health during the HIV/AIDS crisis, partnering with political parties in the late 1980s and early 1990s, and eventually developing their argument under human rights discourse, it makes sense why Spain achieved marriage equality in 2005. Witnessing a successful transition from predominantly liberation-based to reformative activism, LGBT activists aiming to secure equal rights in their countries can look to the Spanish case as a successful example of activist agency. Though there are many external conditions that either support or inhibit activists, this project has highlighted the important role that the activists themselves play in obtaining state-provided rights and protections.

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