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Writing Process

My writing process first began when my English 200 professor, Dr. Kisel, assigned our final informative synthesis essay. We were given a list of topics to choose from, all of which addressed different aspects of censorship in Russia. I chose the topic of the controversial gay propaganda law enacted by President Vladimir Putin in modern-day Russia. As a class, we met in the library and learned how to find appropriate sources using UD's online databases. We were given the assignment of finding and summarizing five credible sources for our essay. Next, we were to narrow the sources down to four and compare and contrast each source. The idea was to have each of the writers connecting within the final essay. I found four credible sources, some of which actually cited one another in their works. I began the official writing process by summarizing each article I had found into two to three paragraphs. These paragraphs eventually became my rough draft after I added an introduction and conclusion. Finally, I met with Dr. Kisel to go over my draft. After discussion, I made revisions and added my works cited.

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Anti-Gay Legislation in Russia: Western Perspectives

Russian culture and history have offered insight into the inner workings of a society often defined by censorship and authoritarian rule. Today, gay rights and corresponding legislation in Russia have been under scrutiny by countless Westerners. Some writers have chosen to speak out and advocate for change in Russia, while others have spoken out by encouraging critics to educate themselves on valid details surrounding anti-gay legislation in Russia. Additionally, scholars have shed light on the hypocrisy of much of the Western criticism and called for changes in countries with laws similarly as archaic as Russia's anti-gay laws. Despite numerous criticisms of the lack of progression in gay rights in Russia, the question of why some countries move forward with human rights and others lag behind remains. A leading theory is the relationship between religion, wealth, and gay rights, and also democracy and gay rights. A variety of similarities and differences exist between Russian anti-gay legislation and legislation in the United States, which has been highlighted by writers around the world.

Harvey Fierstein, an American actor and playwright, offers his personal reaction to Russia's anti-gay laws and explains the implications of this law. According to Fierstein, much of the world remains ignorant to Vladimir Putin's new laws and he calls readers to action by promoting the boycott of Russian vodka. This reaction stems from the three laws Putin enacted during the summer of 2014. Under the first law, Putin banned the adoption of Russian-born children to same-sex couples and citizens in countries where marriage equality exists. The next

law allows police officers to take people into custody and detain them for 14 days if they are suspected of being gay or pro-gay. The final law Fierstein calls out classifies “homosexual propaganda” as illegal. The vagueness of this law allows any citizen who offers pro-gay information to minors to be subject to arrest. This could even include a parent who tells their child that homosexuality is normal or not evil. Additionally, Fierstein mentions the rumors of a new law that will result in children being taken away from their parents if they are gay or rumored to be gay.

Fierstein also mentions Putin’s justification for the laws, one of which he says has been put in place to stop the decreasing birthrate in Russia. Fierstein rebuts this with his own personal opinion that “gay and lesbian couples...are breeding like proverbial bunnies” and that he has rarely met a gay couple that was not raising children (Fierstein). Putin also defends his laws by claiming they are to protect adopted children from pedophiles. Fierstein points out that there is no research that supports Putin’s defense; rather, there is much research that indicates exactly the opposite. This research includes the fact that about 90% of pedophiles are heterosexual men. According to Fierstein, Putin’s true motive is “a strategy of demonizing a minority for political gain taken straight from the Nazi playbook,” (Fierstein). Fierstein also highlights the dangers of this law, such as the idea that the law provides “permission to commit violence against gays and lesbians” (Fierstein).

Marc Bennetts, a British journalist living in Moscow, Russia, also criticizes Russia’s anti-gay legislation. However, Bennetts’ focus is more prominently on the misguided and misinformed criticism Russia has received from Western countries, particularly the United States. Though Bennetts considers Putin’s legislation “an unnecessary, clumsy piece of

legislation,” Bennett condemns Westerners whose criticism has been hypocritical and has often turned into hate speech towards Russians (Bennett).

Bennetts begins by pointing out some facts that he believes are often overlooked in order for readers to gain a sense of perspective. He informs readers that homosexuality is not illegal in Russia like it is in 70 countries worldwide and that fewer than a dozen people have actually been fined and none have been jailed for the gay propaganda described in the new law. Bennetts also clarifies that police in Russia do not have the power to detain people based on the suspicion that they are gay or lesbian, though Fierstein claimed police did have this power. Bennetts also does not agree with Fierstein that Putin is waging war on Russia’s LGBT community. According to Bennetts, if this was truly Putin’s goal, he would have created legislation like that in Nigeria, where gay people can be jailed for up to 14 years.

Bennetts claims that the Russian government and media take pleasure in showing the hypocrisy of Westerners voicing these criticisms. One such hypocritical behavior has been attributed to President Barack Obama. Though Obama has publicly stated his intolerance for Russia’s gay propaganda law, he has still referred to the relationship between the US and Saudi Arabia as a friendship with a long history, despite Saudi Arabia’s “habit of executing homosexuals” (Bennetts). Bennetts indicates that Putin has already highlighted this hypocrisy when he pointed out that more than ten US states still have laws against sodomy. Bennetts recognizes that Western critics often mean well but calls for criticism that is measured, accurate, and consistent instead of criticism based on “hyperbole and falsehoods” (Bennetts).

Ian Ayres and William Eskridge, both of whom are law professors at Yale University, write about the hypocrisy of the United States similarly to Bennetts’ work. However, these two authors focus on specific American legislation. Ayres and Eskridge note three specific statutes in

the US that greatly parallel Russia's gay-propaganda law. Utah prohibits "the advocacy of homosexuality," Arizona prohibits "portrayals of homosexuality as a 'positive alternative lifestyle,'" and both Alabama and Texas "mandate that sex-education classes emphasize that homosexuality is 'not a lifestyle acceptable to the general public'" (Ayres & Eskridge). The authors' main point in mentioning these mandates is to underscore the similarity to the Russian law that states: "Propaganda of homosexuality among minors is punishable by an administrative fine" (Ayres & Eskridge). Though the US has condemned Russia's law, it has failed to explain the similarities between Russia's law and similar provisions in eight US states and several cities and counties.

Ayres and Eskridge argue that neither the US nor Russia can truly justify these laws. Russia and the US have both provided similar justification by stating that they are protecting children from things that could be said to them that would negatively affect their development physically, intellectually, or morally. However, according to the authors, the true nature behind these laws is a "prejudice-laden legacy of a fading era" that states that everybody should be heterosexual and that homosexuality is bad (Ayres & Eskridge). Though Putin has referred to the law as symbolic, Ayres and Eskridge point out that the similar US provisions have contributed to bullying in schools and suicides among gay teens.

Both authors hope that the US can use the "moral failings" of the Russian law as a way to note the US' own moral failings and adjust accordingly. Much like Putin, the US has no justification for the "gay-stigmatizing statutes" seen in states including Utah, Texas, Alabama, and Arizona (Ayres & Eskridge). Therefore, the authors call on the court system and judges in the United States to repeal or challenge these laws as they have done with similar moral injustices in the past.

Omar Encarnación, a professor of political science at Bard College, takes an analytical approach to the reasons why some countries have seen such progress in gay rights while others lag behind. Encarnación cites progress in the social and legislative acceptance of the gay community in countries including the Netherlands, England, Wales, France, Brazil, Uruguay, Argentina, New Zealand, and the United States (Encarnación, 91). In contrast, countries including Uganda, India, and Russia have seen a “rise of some of the most odious anti-gay legislation in history” (Encarnación). Encarnación addresses the question of why this global divide exists.

Encarnación’s first main point addresses two greatly researched factors that are correlated with the global divide on homosexuality: wealth and religion. On average, nations who have more money and are more secular are more likely to embrace gay rights, and poorer, more religious countries are less likely to do so (Encarnación, 91). Russia, where religion has made a comeback in the recent years, provides an interesting example of this trend. The percent of Russians who did not affiliate themselves with any religion dipped dramatically from 61 percent in 1991 to 18 percent in 2008 (Encarnación, 97). Encarnación notes that there was promise for gay rights in 1991 after Communism collapsed and homosexuality was decriminalized (Encarnación, 98). However, this did not continue and has failed to gain traction, particularly since Vladimir Putin’s second term began in 2012.

For his main point, Encarnación notes that gay rights barely exist in non-democratic countries. The author highlights the fact that “gay rights are languishing where authoritarianism is on the rise” in countries including Russia (Encarnación, 92). According to Encarnación, gay rights in Russia began to fall to the wayside while democracy following communist rule did the same (Encarnación, 98). Encarnación feels there is a relationship between democracy and gay

rights for a number of reasons. One reason is that democracy makes it possible for gay activists to openly advocate, contend, and at times use civil disobedience in order to push for gay rights (Encarnación, 99). Additionally, democracy plays a role in gay rights through the strong judiciary and laws in democratic policies where courts can help advance humans rights through various rulings. Finally, democracy can aid in facilitating gay rights by providing gay people with a “socially tolerant environment in which to live their sexuality openly and honestly” (Encarnación, 100). Encarnación notes research that has shown that just 34 percent of the world’s population in 2006 thought that homosexuality was never justifiable, compared to 50 percent in 1993 (Encarnación, 100). Additional surveys show that people who know gay people are more likely to be accepting of homosexuality and in turn more readily support gay rights (Encarnación, 101). Encarnación uses data from these surveys to show that the world as a whole is becoming more accepting of homosexuals and gay rights. According to Encarnación, democracy is a large part of this trend.

Despite the promising evidence indicating a growing acceptance of gay people, there is still an uphill battle to face where many countries have targeted Western leaders and questioned if they have the “moral authority to lead the world on the issue of gay rights” (Encarnación, 102). President Barack Obama was even criticized by Senegal’s President Macky Sall for having only recently publicly embraced same-sex marriage during his 2012 presidential campaign (Encarnación, 102). Like Bennetts, Ayres and Eskridge, Encarnación points out the hypocrisy of the gay rights push. Specifically, Encarnación mentions the lack of consistency where countries in the West punish some countries and fail to punish others for a lack of progressive ideology regarding gay rights (Encarnación, 103). Omar Encarnación calls for the West to help spread gay

rights globally by improving programs that promote democracy, civil society, and the rule of the law.

Differences exist between the goals of each writer. Fierstein, who hopes to educate the world about these Russian laws, calls on his readers to make a difference by boycotting Russian vodka. In contrast, Bennetts' goal is to encourage Westerners to make more informed criticisms that do not contain exaggerations or misinformation. Similarly to Bennetts, Ayres and Eskridge hope to highlight the hypocrisy of Western criticism, specifically in the US. These two authors hope to change the laws that include blatant human rights violations and still exist in some US states. Finally, Encarnación considers the theoretical reasons why some countries have embraced the gay rights movements while others, including Russia, continue to shame and belittle members of the gay community. Despite these differences, all four writers highlight the injustices contained within Russia's anti-gay law and are striving to bring accurate and informative details to the public about the oppression that gay people are experiencing in Russia, the United States, and around the world.

Works Cited

Fierstein, Harvey. "Russia's Anti-Gay Crackdown." *The New York Times* 21 July 2013: Print.

Bennetts, Marc. "Russia's Anti-Gay Law is Wrong- But so is some of the Criticism from the West." *The Guardian* 5 February 2014: Print.

Ayres, Ian, and William Eskridge. "U.S. Hypocrisy Over Russia's Anti-Gay Laws." *The Washington Post* 31 January 2014: Print.

Encarnación, Omar. "Gay Rights: Why Democracy Matters." *Journal of Democracy: The International Online-Only Journal* 25.3 (2014): 90-104. Web. 15 April. 2015.