

Current Political Discourse on Domestic Violence Law in Russia: Women's Perspective in the Policy-Making Processes

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Abstract

Domestic violence is still one of those social problems of the modern Russia yet to be addressed properly. Russia has neither a law that would provide legal measures of protection for the victims of domestic violence and it is not recognized as a crime.

Poor legal framework for the protection of victims of domestic violence, lack of monitoring agencies, police's refusal to initiate the legal proceedings, and reportedly increasing number of cases of domestic violence is an evidence of an urgent need to adopt of a law that could be specifically applied to the cases on domestic violence.

Russian parliamentarians have discussed such draft law for a few times. However, neither of the debates held at the Russian State Duma has ever led to the adoption of a domestic violence law.

This thesis contains the analysis of the current political discourse on the possible development of legislation on domestic violence in Russia and the place of the women's perspective in it.

It looks at the parliamentary debates held at the State Duma in the early 2013 and applies policy frame analysis to the their transcripts in order to see how domestic violence is framed in the analyzed debates and what impact this may have on the women's perspective in the new law should if it is adopted.

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Introduction

In modern Russia, domestic violence against women is one of those social problems yet to be resolved. Although this form of violence is a complex phenomenon that requires a proper analysis of reasons and causes, the socio-economic changes that took place in Russia upon the dissolution of the USSR have undoubtedly had a dramatic impact on the increase in the number of cases of violence against women, including violence in the families.

Increasing economic pressure of the early 1990s and the growth of unemployment have especially affected women (Attwood 1997; Racioppi and O'Sullivan See 1997; Pashina 2004). Women constituted around 80% of the unemployed population of Russia and commonly took the roles of "full-time housewives" (Attwood 1997:101). This, in its turn, had a negative impact on the position of women in the family, since they were put in a strong economic dependence on their husbands or partners and therefore became more vulnerable to the cases of violence. Thus, "the return to full domesticity" and an increasing differentiation of gender roles of the early post-Soviet Russia became another factor that had an impact on the growth of number of cases of violence (Attwood 1997:103).

Besides the economic decline following the transition from the Soviet social and economic structure to the market economy, there was also a significant increase in the crime rates all around the country. These were not only the organized crimes Russia became infamous for in the early 1990s, but also the so-called domestic crimes including the cases of violence against women and other family members. Among the reasons for the latter, the officials would quite often name high level of consumption of alcohol resulting from the stressful economic transition, which has received criticism due to the lack of a more complex view on the reasons of the problem (Amnesty International 2005).

The period of social and economic crisis, the deterioration of the criminal situation in the country and the recurrence of traditional gender roles resulted in the increase of the number of crimes associated with violence against women in the early 1990s (Attwood 1997; Rimashevskaya 1999; Pashina 2004; etc.).

Although the transition period is supposed to be over, in nowadays' Russia women are still subjected to beatings, intimidation, threats, forced sexual relations and other forms of violence (Amnesty International 2013). Russia still has no systematic approach to the solution of the problem of domestic violence. There is neither a specific legislation on it nor an agency that would gather the statistics on cases of domestic violence or monitor ways they are responded to, for instance, by police officers (Liborakina and Sidorenkova 1997; Johnson 2005; Amnesty International 2005).

Moreover, law enforcement officials and police still view domestic violence not as a serious crime but rather as a private matter of marital relationships and relationships between family members. Therefore, it is quite often that police officers refuse to initiate criminal proceedings based on allegations of domestic violence (Liborakina and Sidorenkova 1997).

Lack of specific legal measures of protection or monitoring agencies, frequent cases of refusal to initiate the legal proceedings, and the growth of number of cases of fatal domestic violence shows the necessity of the adoption of a law that would be specifically focused on domestic violence. The high level of violence against women still present in nowadays' Russia (Amnesty International 2013) shows the need for the elaboration of specific measures of legal protection for female survivors of domestic violence.

After the dissolution of the USSR, the necessity of adoption of a domestic violence law has been much debated in Russia, both among human rights activists and among politicians. For a number of times, it has been a topic of the parliamentary debates held at the Russian State

Duma, the legislative body that, along with the Federation Council of Russia, form the Federal Assembly, which is the main national legislative authority of Russia. For instance, one of the debates on the possible adoption of a domestic violence law that took place in 2005 but did not lead to the adoption of a law. However, these have been one of the last debates where the discussion on domestic violence surrounded such issues as women as victims of violence and the necessity of specific measures of protection.

In 2013, it was reported that a draft law was debated again, which received wide public and media attention. However, as of May 2014, no law has been adopted yet.

Constant monitoring of relevant media publications and reports of various NGOs and human rights advocates led me to the assumption that significant changes had taken place in the character of the parliamentary debates, which is why I analyze the possible changes and evaluate their impact on the policy-making processes.

This is why this thesis contains the analysis of the recent changes in the political discourse on the possible development of legislation on domestic violence in the Russian Federation through the examination of the parliamentary debates held at the State Duma in 2013.

It looks at the nature and specificity of the Russian domestic violence policy processes of the recent years, those actors that have been involved into them, the way domestic violence has been framed in these processes, and what impact the new framing may have on the women's perspective in the debated law if it is adopted.

Despite the lack of official statistic, the reports of the ANNA National Center for the Prevention of Violence, the Council of Women of the Moscow State University, and other organizations working on domestic violence and referred to later in this thesis, show that women are constitute an essential part of the number of victims of domestic violence. This is

why the aim of the analysis held in this thesis is a better understanding of the women's perspective in the analyzed policy making processes.

The analysis held in this thesis contributes to the understanding of the recent and prospective changes in progress in combating domestic violence against women in Russia.

Firstly, it shows the most recent changes in the 'map' of the parties that have been involved into the examined policy-making processes, e.g. foreign or international actors, transnational and local women's movements, and the government (Weldon 2002; Htun and Weldon 2012; Johnson 2009; Johnson and Saarinen 2013).

Secondly, it looks at the way these changes have affected the Russian political discourse on domestic violence and relevant policy-making processes.

Finally, the latter analysis of the recent changes in the political discourse helps to see the possible ways of development of the relevant legislation in Russia and the implications it may have on female survivors of domestic violence.

Methodology

The main method used in this thesis is frame analysis as a method of discourse analysis that is applied for the understanding of the way the analyzed issue is defined and problematized, and what impact this may have on the broader discourse on this issue. This analysis is based on the examination of the ways texts are framed and what influence this framing has on the notion of the issue and the way people understand it.

This method has been examined and applied by a number of scholars, such as Marvin Minsky (1975; 1977), David A. Snow and Robert D. Benford (1988), Norman Fairclough (1992;

2003; 2005), and others, but it was first introduced by a sociologist Erving Goffman in *Frame Analysis: An Essay on the Organization Experience* in 1974. In this book, Goffman wrote about the “primary frameworks” that render “what would otherwise be a meaningless aspect of the scene into something that is meaning full” (Goffman 1974:21).

In 1979, Goffman applied this method to the study of gender in his book *Gender Advertisements*, where he looked at the framing of gender through the gender stereotyping in the advertisement. However, this application of the method to the understanding of gender-related issues received some criticism for the lack of a clear explanation of the relations between the concepts of frame and gender (Fisher 1997).

Used in linguistics, media and communication studies, social movement theory and other fields, this method has also found application in the policy studies. It is particularly important for the latter field and for the critical discourse analysis *per se*, since there is a strong liaison between such levels of discourse as (a) the practice and specificity of the text production (e.g. in case of drafting and debating a law); (b) the broader discursive practices (i.e. production and perception of the text), and (c) the social practices and events (Fairclough 1992:73).

One of most concise examples of the application of frame analysis to the gender equality aspects of the policy-making processes can be seen in *The Multiple Meaning of Gender Equality: A Critical Frame Analysis of Gender Policies in Europe*, a compilation of research works on the practice of framing gender equality across Europe, edited by Mieke Verloo and published in 2007. The main method applied in that Critical Frame Analysis which helps to understand the “diversity [of visions and debates] within the concept of gender equality through an in-depth analysis of the different dimensions of a policy discourse” (Verloo 2007:31).

In the first chapter of this book, the authors introduce the two key questions that are addressed in the analysis of the policy frames, i.e. “what is the problem?” and “what is the solution?”. Two policy frame dimensions are constructed through addressing these questions, namely the “diagnosis” and the “prognosis” of the problem the policy focuses on (2007:33).

This publication is particularly important for the thesis since similar questions become are used in its analytical part (Chapter 3) in order to see the ways domestic violence has been framed in the recent parliamentary debates in Russia. To do this, I analyzed the texts of the transcripts of the parliamentary debates held at the Russian State Duma in the early 2013 and published on its official web page. This analysis also helps to see the impact that such framing may have on the presence of the women’s perspective in the debated law if it is adopted.

Structure of the Thesis

In order to answer the main questions of my research, I start it with an introduction to the topic as well as a brief description of the methodology applied for the conducted research and the layout of the thesis.

I then move to the theoretical and conceptual framework of this research, in order to bring the picture of the existing practices of policy-making worldwide and in Russia. Not only does this part help to locate the current research within the existing body of scholarship and formulate its conceptual framework, but also becomes a basis for a comparison of the Russian case to other cases worldwide and the analysis of both successes and failures in combating domestic violence as well as their reasons and implications.

Upon the examination of the previous body of theories, concepts and frames, I focus on the historical and current contexts of domestic violence policy-making processes in Russia. I first look at the progress in combating domestic violence against women in the USSR and in the post-Soviet. I then move to the most recent developments in this area and reflect on the reasons for the new round of parliamentary debates on domestic violence law that took place in the early 2013. I then introduce the key parties involved into the most recent policy-making processes and most recent changes in their role and impact on these processes.

In the analytical part of the thesis, I look at the way domestic violence was framed in the 2013 parliamentary debates through the analysis of their transcripts available at the web page of the Russian State Duma.

Based on the analysis held in this thesis I argue that in the recent years, significant changes have happened in the role and the impact of the parties involved into the domestic violence policy-making processes in Russia, i.e. the decrease of foreign intervention, the “etatization” of local women’s movement (Johnson and Saarinen 2013), and the growing role of governmental actors (e.g. the State Duma of the Russian Federation).

I also argue that the way domestic violence is framed in the parliamentary debates held at the State Duma in the early 2013 debates shows that these debates focused on children’s rights and partly on the matter of family integrity.

The latter two arguments have led me the conclusion that women’s perspective will be missing from the debated law should it be adopted, which, in its turn, will result in the continued lack of proper measures of protection for female victims of violence the number of which is high, according to the reports and statistics referred to in this thesis.

Previous Scholarship on Violence Against Women and Ways of Combating Domestic Violence

In this chapter, I am analyzing the existing body of scholarship on progress and main trends in combating violence against women (domestic violence in particular) worldwide, in Russia and in other post-communist states, including the examination of studies on domestic violence policy-making processes and on relevant policy frames across Europe.

The analysis held in this chapter helps to identify the main actors involved into the analyzed policy-making processes and use it as a basis for the analysis of the most recent changes in their roles and impact on these processes.

It also helps to assess both successes and failures in combating domestic violence around the world, including Russia, as well as their reasons and possible implications, and what could be taken over or forecasted in advance (e.g. opportunities for reforms or their failure, etc.). This is important for the assessment of the most recent trends in domestic violence policy making in Russia and its potential development.

The last but not the least, this chapter contains a review of the literature of policy frames, which is particularly important for the analytical part of this thesis, where I am looking at the policy frames present in the Russian political discourse and policy-making processes.

Thus, the theoretical framework presented in this part of the thesis helps to build the conceptual framework of the present research and locate it within the existing body of scholarship on violence against women, specifically on domestic violence in Russia, since the latter is the subject of the current research. Furthermore, the examination of policy frames across Europe gives me a ‘toolkit’ for further examination of the policy-making processes and

policy frames in the Russian political discourse on domestic violence law, as it is done in Chapter 3.

Scholars from all over the world have done an extensive research on violence against women, including numerous studies on domestic violence and the development of the policies aimed at combating it. For instance, a very good example of a comprehensive cross-national comparative analysis of ways of responding to violence against women at various levels can be found in the 2002 work of S. Laurel Weldon and the 2012 work she co-authored with Mala Htun.

In both the works, the authors look at various ways and levels of response to violence against women. They make a well-structured analysis of the role the key actors, from the government responsiveness and the policy actions, to the work of local and transnational feminist movements, to the development of the global civil society and the application of global norms (Weldon 2002; Hunt and Weldon 2012).

1. Government Response to Violence Against Women

One of the main steps in analyzing the government response to domestic violence or any other form of violence against women is to clarify the definition of this kind of response. As Weldon argues in her 2002 cross-national comparative analysis of government response to violence against women, there are at least two types of responsiveness.

It can either be the so-called bureaucratic responsiveness that means that these are mainly complaints, requests, and other bureaucratic issues that are addressed at the governmental level or the type of government responsiveness when “the government acts in response to the problems of citizen demands” (2002:7).

Scholars examining the government responsiveness of the latter type have identified a diverse number of forms of government response to this problem. For example, Hunt and Weldon (2012) who examined various “dimensions of government response” (2012:550) have, *inter alia*, pointed out the following actions that may be taken by the governments:

- the provision or funding of special services to victims (e.g. shelters, crisis centers, etc.);
- legal reforms (e.g. the adoption of specific legislation on domestic violence);
- administrative reforms (e.g. maintenance of agencies that would be in charge of coordination and monitoring of the policy reforms);
- training of professionals dealing with such cases of violence (e.g. police, medical staff, social workers, etc.).

Although ideally these dimensions should be developed all together and supplement each other, some governments may fail to provide either of this forms of response or all of them. In many respects, this depends on the character and specificity of the policy-making processes and the way they are framed.

Government response to domestic violence has been explored in a number of publications and studies. Among them, numerous works look at the character of the relevant policy-making processes and the way the problems addressed in these processes are framed. To do this, some authors propose various questions aimed at identifying the problem addressed, its causes, and solutions (Snow and Benford 1988; Bacci 1999; Krizsan et al. 2005; Verloo 2007). Other authors move further in their analysis of frames and look at the way frames may be contesting during political debates and the role of opposition in this (Krizsan and Popa 2011).

However, one of most interesting examples of the frame analysis of gender-related policies across Europe can be seen in Verloo’s *The Multiple Meaning of Gender Equality* (2007)

mentioned in the methodological part of the Introduction to this thesis since the main method applied in this compilation is Critical Frame Analysis.

In the first part of this compilation, which covers its theoretical framework and methodology, the authors identified the two main aspects of policy frames, namely the “diagnosis” and the “prognosis” of the problem, that are identified through addressing such questions as “what is the problem?” and “what is the solution?”, respectively (Verloo and Lombardo 2007:33). The former question helps to see the definition of domestic violence in this or that policy frame, whereas the latter question is aimed at analyzing the solutions proposed by the government or policy-makers.

In one of the chapters included in the above-mentioned compilation and titled “Domestic Violence: A Public Matter”, the authors examine domestic violence as a policy issue. In this chapter, the definitions of European policy frames arise from the two slightly different questions, i.e. “what is the problem’s cause?” and “whose problem is it?” (Krizsan, Bustelo, Hadjiyanni, and Kamoutsi 2007:144). However, similar to the approach described earlier, they also look at the definitions of the domestic violence (what is the problem?) and at the solutions proposed.

Based on the analysis of policy 130 texts on domestic violence across Europe, the authors propose five major and five minor frames. These are Gender Equality Frame, Degendered Domestic Violence, and Domestic Violence with Accent on Women as Main Victim Group, as well the Failing State Frame and the Social Norms Frame. In their turn, five minor frames include the Men as Victims Frame, the Privacy Frame, the Family Frame, the International Obligations Frame, and Public Health Frame.

The three major frames, i.e. Gender Equality Frame, Degendered Domestic Violence, and Domestic Violence with Accent on Women as Main Victim Group, are defined on the basis of

their relation to the matter of gender equality and are, therefore, referred to as frames of “gender continuum” (2007:144).

In the *Gender Equality Frame*, domestic violence is defined as a “problem related to gender equality and as a form of gender discrimination” and is viewed as a problem mainly affecting women (2007:145). Among the causes, the authors name not only economic and financial reasons, but also women’s dependent position or exploitation in the family and in the society resulting from the stereotypical view on women’s role in them as well as from the unequal power relations established at both levels and accepted by society in general (2007:145). Thus, domestic violence is defined as a problem of the society and the state that are supposed to address it through the number of coordinated actions that would be taken not only by the state (e.g. at the level of ministries or social institutions) but also by NGOs (2007:146).

The solution proposed includes a complex of actions from them, such as:

- the criminalization of domestic violence, including restraining orders for perpetrators as well other sanctions;
- therapy or even treatment for perpetrators, mainly women;
- care and support for the victims, mainly women;
- awareness raising ad education.

The frame titled ‘**Domestic Violence with Accent on Women as Main Victim Group**’ is similar to the previous one in the way women are considered to be “the primary victims group” and men are considered as “the primary perpetrator group” (2007:147). However, although this frame exploits the latter distinction, it is not related to gender equality. It is rather seen either as a human rights issue, or as a public health issue or as a crime and is usually explained by the failure of the state or the society to address the issue properly.

The emphasis in this frame is on the solutions, which are similar to the ones proposed under the previous frame except for the lack of the women's empowerment as a leitmotif of most of them as it can be seen in the previous frame. Thus, the solutions proposed include:

- proper coordination of all the possible actors, be it the state or its institutions, or non-governmental actors;
- state intervention in terms of the criminalization of domestic violence, including usage of restraining orders;
- care and protection for the survivors of domestic violence through the elaboration of social policies and creation of care facilities (e.g. shelters) and some other measures of support (e.g. psychological or economic, etc.).

The ***Degendered Domestic Violence Frame*** presupposes no focus on the sex or gender of perpetrators and victims, so domestic violence is defined as a gender-neutral problem “occurring across classes” (2007:148) and is, therefore, considered to be a problem of the citizens (2007:144). Within this frame, the main cause of domestic violence is the dependent status of the victim and inability to get out of the relationship with the perpetrator (e.g. elderly or disabled people). The solutions proposed here include all the solutions listed in the two above-mentioned frames but are gender-neutral or “gender-blind” (2007:148).

Unlike previous frames that put lots of responsibility for domestic violence on the society, the Failing State Frame puts a stress on the failure of the state (i.e. ministries, police, healthcare and wealth care institutions, etc.) to address this issue and prevent it in future. This frame, therefore, presupposes state response to the problem through the following actions:

- improvement of the institutional framework, including data collection, proper research, and the elaboration of strategies to fight domestic violence at the state level;

- improvement of the understanding of the problem and its “recognition, handling, and prevention” (2007:149-150) through awareness raising, trainings, etc.

The ***Social Norms Frame***, as it comes from the very title of it, puts the emphasis on the role of the social norms and is not related to the matter of gender equality of discrimination. According to this frame, violence is considered to be part of these norms and, furthermore, “a normal part of family life” (2007:150). This presupposes a completely different ‘map’ of actors in comparison to the frames listed above. Firstly, victims are not expected to be complaining or reporting on the cases of domestic violence. Secondly, all other actors, such as colleagues, neighbors, or relevant service providers (e.g. healthcare providers) do not interfere since generally domestic violence is not seen as a problem but rather as a norm.

This is why the main solutions proposed include the following actions:

- changing these norms through policy-making processes;
- re-educating society, including both victims and other actors.

Since this frame has a number of sub-frames (e.g. underclass problem, immigrant problem, etc.), the latter solutions may slightly differ dependent on the sub-frame, but in general the approach will be the same, i.e. changing norms and reeducating society.

The minor frames present the cases that are not prevalent apply to some particular cases, countries, and actors (2007:145). For instance, in the ***Privacy Frame*** domestic violence is considered strictly as a private matter. The restraint character of the private sphere does not presuppose state intervention. Although, the authors claim that this frame “has almost disappeared entirely from European policy debates by now” (2007:152), it is still crucial to take into consideration the nuances of the public and private realms or their subtle interrelations in some other frames, such as the Family Frame.

According to the ***Family Frame***, these are family and social values that are in the center of the problem. These are the changes in family formation and relevant social values (e.g. emancipation of women, change of breadwinners' roles, etc.) that may lead to domestic violence. Although family is the key unit of society, respect to the private matter is required and “only careful intervention is allowed into the family, if any” (2007:153). Therefore, the actions proposed are as follows:

- changing the outlook on violence in the family and relevant values without intervening into the family issues;
- supporting family in the conflict resolution and mediating the process.

The ***Men as Victims Frame*** is applicable to the cases when the victims of violence are male. In most cases they are either subjected to domestic violence (for instance, from their spouses) or face difficulties resulting from sanctions used against them as perpetrator. For instance, one of the explanations here is that their rights are limited or they are manipulated by women when it comes to a matter of restraining orders or other sanctions. This frame represents quite the opposite view on gender equality than, for instance, the three frames of the “gender continuum”, and requires a careful consideration of the causes of the problem and the context around it (2007:144; 152-153).

Another minor frame is the ***International Obligations Frame***, under which international obligations are shaping the domestic policies and actions, and international norms and standards are used for their evaluation. However, it is a rarity to see this frame by itself, so it usually goes together with some other frames (2007:153-154).

The last but not the least is the ***Public Health Frame***, the frame specific for the EU countries. Under this frame, the definition is shifted from the human rights issues to a matter of health, i.e. “health implications for the victims of violence” (2007:154).

Such a variety of frames shows the diversity of interpretations of domestic violence within the political debates. This ‘classification’ of major and minor frames is used in Chapter 3, where I apply a similar approach when analyzing the way domestic violence is framed during the Russian parliamentary debates and what impact this may have on the women’s perspective in them and in the new domestic violence law should it be adopted.

However, this analysis of the current Russian policy frames requires a better understanding of the progress so far both in Russia and in other post-Communist states whose historical background might be similar to Russian.

2. Combating Domestic Violence in the Post-Communist States: Successes and Failures

A former member of the Soviet Union, Russia is a post-communist state that has inherited some legislative and policy-making traditions and patterns developed earlier under the Communist regime. As a result of the spread of Communism around the world after World War II, a number of states around the world have a somehow similar historical and ideological background, which leads to an assumption that the further development of their legislative systems and policy-making processes have much in common and, therefore, can be compared.

Looking at how the policies have been framed and developed across various post-Communist states helps to compare the latter developments, successes, and failures with the Russian case. This, in its turn, allows reflecting on what Russia could take over from the practices of its neighbors. Furthermore, this may help forecasting possible scenarios of domestic violence law development in Russia. This is why, for the purpose of this research, it is also important

to analyze approaches to domestic violence and the development of relevant policies in other post-communist states, including former Soviet republics.

Numerous scholars have written about the ways of combating domestic violence in the post-Communist states, for instance Janet Elise Johnson, Katalin Fabian and others. Although Johnson has mostly published her studies on gender violence in Russia, she has also done research on some other post-Soviet states and on some post-communist countries around Europe.

For instance, in the article titled “The Emergence of contrasting domestic violence regimes in post-communist Europe” Johnson and her co-author Laura Brunell use the so-called ‘domestic violence regime’ approach conducting a research on the reforms that have taken place in 11 post-Communist countries, eight of which have entered EU. They particularly focus on four of countries or case studies, i.e. Poland, Russia, Slovakia, and Armenia.

According to the authors, domestic violence regime is the way “response to domestic violence has been ‘institutionalized’ and in a combination of the state non-governmental policy, discourse, and practice” (2006:576). Analyzing the domestic violence regime, they suggest two “catalysts” for these reforms, i.e. “the politicization of women as women” and the foreign intervention whose impact played a key role in the increasing number of opportunities for women facing domestic violence in Central and Eastern Europe (2006:576).

In 2007, Johnson’s article on domestic violence politics in post-Soviet states was published in *Social Politics: International Studies in Gender, State, and Society*. In this article, Johnson conducts a comparative analysis of domestic violence politics in four former USSR states, namely Russia, Ukraine, Moldova, and Armenia. In her research, Johnson reaffirms her claim about the influence of foreign assistance on the initiation of reforms. At the same time, she

also admits there is a special role that autonomous women's movement play in facilitating feminist policy-making (Johnson 2007).

Another example of a comprehensive research on the development of the policies on domestic violence in the post-communist states, and the role of global and local activism in it, is a collection of articles edited by Katalin Fabian and published in 2010 under the title "Domestic Violence in Postcommunist States: Local Activism, National Policies, and Global Forces".

The first part of this compilation contains a number of materials on the specificities and progress of fighting domestic violence in a number of former communist states including Russia (Chapter 3) and other former member of the Soviet Union. The second part sheds light on the role of global feminists' networks and transnational advocacy in domestic violence policy-making in those post-communist states.

In light of the current research, it is interesting to look at other cases across former Soviet countries. One of such examples is the Ukrainian case, generally considered a successful one among other post-Soviet countries. The latter argument is reaffirmed in the second chapter of the compilation - the chapter authored by Alexandra Hrycak. In this chapter, Hrycak writes about the impact of international intervention and the successful transnational advocacy campaigns in Ukraine looking at "the structure of domestic political alliances and the issues women's organizations raised prior to the arrival of Western projects" (2010:46).

Though Hrycak claims that reforms have been successful thanks to "three sets of domestic actors... inspired by the 1995 Beijing Platform for Action", she admits that these are not only "non-feminist political insiders who were aligned with the country's ruling elite [and] women reformers who emerged from the country's national independence movement" but also those feminists that worked with Western foundations (2010:47).

The latter argument is similar to Johnson's claim about the positive sides of international intervention in the development of reforms and is another argument for the claim that it is international intervention that has played one of the key roles in fighting violence against women in Russia and other post-Soviet states. Even though there is a certain difference in the process and progress of domestic violence policy making and the impact of international intervention on it in Russia, Ukraine and other former Soviet states, it is crucial to have a look at the variety of examples of policy-making and domestic law development.

In contrast to the relatively successful Ukrainian case, the compilation edited by Fabian also contains examples of much less successful developments, for instance, in the case of Tajikistan. This example is described in the chapter titled "From Soviet Liberation to Post-Soviet Segregation: Women and Violence in Tajikistan" and co-authored by Katalin Fabian herself and Muborak Sharipova, a sociologist working on the development of gender equality and women's rights in the Central Asian countries of the former USSR. According to the author's view on the situation in the post-Soviet Tajikistan, its government has failed to properly address the problem of domestic violence, although significant international assistance has been present in this case (2010: 133).

Among the reasons for such failure, the authors firstly name the post-Soviet deterioration of economic situation affecting the issues of gender equality. Secondly, they liaison it with the lack of political stability following the 1992-1997 Civil War resulting from the internal tensions and division of power between the leading groups after the dissolution of the USSR and the declaration of independence of Tajikistan. Finally, besides political and economic reasons, the authors also mention the post-Soviet revival of religious traditions and norms that were present in the pre-Soviet development of Tajikistan (2010:134) and that presupposed a certain traditional view on the gender norms and the status of women.

In the following chapter, after the review of literature on the progress in combating domestic violence in Russia, I also compare the Russian case to the examples reviewed above, i.e. to progress in Ukraine and Tajikistan. This comparison becomes feasible not only because of similarities in the ‘map’ of actors involved into domestic violence policy making processes (e.g. government, feminist movements, international actors) but also due to the common historical background of the Soviet period and some similarities in the transitional period that followed the dissolution of the USSR, e.g. economic decline, criminalization, etc. This comparison adds to the understanding of those factors and trends that might influence the progress in combating domestic violence.

3. Studies on Domestic Violence in Russia

a. Russian Scholarship on Domestic Violence in Russia: No Law, No Writing on Law

Though domestic violence in Russia has been a subject of studies of both Russian and foreign scholars, the preliminary research of sources has identified that Russian scholarship lacks publications on the development of policies or laws on domestic violence against women.

The majority of relevant studies and publications are those from the field of sociology. In their works, Russian scholars are primarily focusing on the social and psychological reasons of violence (e.g. the works of I.V. Popova, E. Tsymbal, etc.). Besides this, the works of some other authors (e.g. Afon’kin, Popova, etc.) are also notable for a family-centric approach or for a focus on the children's rights protection (e.g. Tsymbal).

However, other authors have paid attention to the issues related to women as victims of domestic violence, mostly exploring either the socioeconomic reasons of domestic violence

against women (Rimashevskaya et al. 1999) or the emergence and further development of the crisis centers (Pashina 2004).

Nonetheless, neither of the works reviewed for the research analyzes the processes of policy-making (e.g. previous reviews of the bill, parliamentary debates, etc.) or takes into account a broader context, such as the work of women's rights movements or international intervention.

A more or less exceptional case is the article published by G.P. Afon'kin in *NB: Rossijskoe politseiskoe pravo* (*NB: Russian Police Right*) in 2013, where he problematizes the current concept of criminal liability resulting from domestic violence. In his well-elaborated article, Afon'kin points out the gaps in the Criminal Code as the only means for the protection of violence in the family and proposes a number of measures for improvement. However, Afon'kin does not propose any further policy or legislative measure such as adoption of a separate domestic violence law.

The review of the existing Russian studies on domestic violence shows that, firstly, Russian academia lacks studies on the examined policy-making processes. Secondly, most of the recent Russian studies and publications on domestic violence have a strong focus on the family protection and children's rights.

b. International Studies on Domestic Violence in Russia: Foreign Intervention, Global Feminist Movement and Local Women's Movements

In contrast to the Russian academia, international scholars have done a much more extensive research on the development of policies and reforms on domestic violence against women in Russia as well as in other post-Communist states. One of the most significant contributions to the latter research, and to the understanding of the impact of global feminist movement and

foreign intervention on the work of local women's movements, has been done by Janet Elise Johnson.

In her works on Russia, Johnson claims due to the increase in foreign intervention and its generally positive impact on the local women's movements, a certain progress in reform and policy making was reached in the post-Soviet Russia from the mid 1990s to the late 2000s. According to Johnson, this progress was reached through the foreign funding of academia, local NGOs and crisis centers as well as through the so-called foreign lobby, advocacy work and monitoring conducted by international human rights organization affiliated in Russia. (Johnson 2009; Johnson and Saarinen 2013).

In 2009, Johnson published a book entirely dedicated to the politics of feminist intervention and its role in gender violence and relevant policy making in Russia. In the first chapter of the book, she writes about the rapid growth of attention of the international community to the problems of violence against women in Russia. She claims that international interventions - mostly through the funding of academic research and the work of crisis centers and mostly from the US – “have had a significant impact on the Russian gender violence politics” (2009:2). At the same time, Johnson emphasizes that it was a new global feminists' central idea - *global feminist consensus* as she calls it - that became a powerful spur to such interventions from the West rather than “West's great success at addressing its own gender violence” (2009:3).

Interestingly, in her book Johnson writes about both positive and negative impacts of such interventions. On the one hand, they have boosted the growth of number of crisis centers and NGOs in Russia and foreign lobby played a crucial role in the development of reforms on domestic violence in Russian regions. On the other hand, when funds were either withdrawn or redirected towards financing, for instance, anti-trafficking policy, these changes in the

character of interventions led to the increase of disintegration in the women's movements in Russia (2009:2).

Along with the examination of progress in combating domestic violence in other post-Communist states, the compilation edited by Katalin Fabian (2010) and referred to in earlier in this chapter, contains a study on Russia as well, which is co-authored by Janet Elise Johnson and Gulnara Zaynullina. In this chapter, the authors once again emphasize the significant role of the global feminist movement and foreign intervention in response to the problem of domestic violence present in Russia.

As mentioned earlier, it is interesting to compare the Russian case to the cases of other post-Communist states, namely Ukraine and Tajikistan analyzed earlier in this chapter.

The analysis of the Ukrainian case has shown that the relatively strong national women's movement have succeeded to keep its influence in the modern Ukraine and get into the dialog with government. This case is also notable for the contribution of the "transnational partnerships" between the Ukrainian state agencies, its local non-governmental organizations, and the UN (Hrycak 2010:57). In the end, these women's movements have played a significant role in the relatively successful development in fighting violence against women being able to call the government for a relatively successful response to the issue of domestic violence. Thus, this case can be considered as a successful.

In contrast to this, as mentioned, modern Russia is notable for the "etatization" of the local women's movements under the Putin's regime as well as the decreasing foreign intervention resulting most of all from the adoption of the 2012 "foreign agents" law (Johnson and Saarinen 2013; Human Rights Watch 2014).

If the Russian case is compared to the situation in Tajikistan, where the development of policies and reforms on domestic violence has been quite unsuccessful, some other significant differences in the context that influences progress in combating domestic violence become clear, even though there are certainly some similarities, too.

On the one hand, both Russia and Tajikistan faced a dramatic economic decline upon the dissolution of the USSR. On the other hand, Russia's previous influential position as part of the Soviet Union as well as its economic and geographic characteristics (e.g. lots of resources, centralization of control over the branches of economy during the Soviet periods, etc.) has put Russia into much better economic conditions than Tajikistan. This can also be explained by that fact that Russia became a successor of the majority of international agreements and treaties upon the collapse of the Soviet system and therefore had relatively more stable connections with other countries in terms of, for instance, trade.

Besides this, although crime rates in the post-Soviet Russia decreased dramatically as mentioned earlier, in Tajikistan the criminalization of the society mainly resulted from the Civil War, which led to even higher levels of violence in the society and to the economic and social dislocation.

This comparison shows that there are various aspects that have an impact on the way domestic violence is responded to at the state level. Among the aspects leading to a positive impact, there are (a) established or at least initiated dialog between the local women's movements and the government; (b) partnerships with transnational feminist movements and international actors.

Among the aspects that may lead to a negative impact, there are (a) rapid change in regimes and the complexity of the following period of transitional; (b) socioeconomic decline during

this transition period; (c) conflict and post-conflict situations and higher crime rates in general.

However, these aspects are subject to changes in light of the change in sociopolitical context, governing regimes or ruling parties, etc. Thus, this assumption finds substantiation in one of the most recent Johnson's works, an article titled "Twenty-First-Century Feminisms under Repression: Gender Regime Change and the Women's Crisis Center Movement in Russia", co-authored with Aino Saarinen and published in *Signs* in 2013.

In this work, the authors reflect on the Putin's "semiauthorian" Russia and his gender ideology or "regime" (2013:550) and talk about women's movement and their "etatization" under it (2013:556). Although the authors do not directly address policy-making as such and mostly focus on women's crisis centers, they provide an important review of the change of notions of domestic violence among women's movements' activists.

Most importantly, they mention that these activists have started considering domestic violence more through a de-gendered and family-centered approach (2013:559). In the conclusion of the paper repeats her word about the "etatization" of movements, their removal from a feminist self-identification and "politically transformative work" as well as their consideration of violence as a family matter (2013:563).

Johnsons' emphasis on the role of foreign intervention is undoubtedly important for various aspects of research on domestic violence in Russia and the reforms and policies related to it, be it the role of the foreign lobby in policy-making or the funding of local NGOs that could advocate for women's rights or also do certain lobby. Her extensive research is particularly important for the current thesis for two reasons.

Firstly, Johnson is one of the few scholars writing on domestic violence in Russia from the perspective of global norms and foreign interventions, which is not properly covered in the Russian scholarship, for instance.

Secondly, her research helps to identify the most recent changes happening on the ‘map’ of the key actors involved into combating domestic violence in Russia and into relevant policy-making processes, in particular, as it is done in Chapter 2, which provides details on both historical and current context for the development of the issue of domestic violence in Russia.

Thirdly, it also adds to the understanding of (a) those factors that might have influenced the policy-making most recently, (b) the way it might have influenced the language of the political debates, and (c) those obstacles that might have slowed down the process of domestic violence policy making.

The literature review conducted in this chapter, has brought me to a number of conclusions that add to my understanding of the current trends in combating violence against women and domestic violence in particular, around the world and in Russia.

Firstly, the literature review carried out in this chapter has helped to identify at least three main parties that would usually be involved into combating violence against women as well as their actions aimed at combating violence against women, including domestic violence.

These are governments and their response, autonomous feminist movements (both local and transnational) and their mobilization, and the international actors, be it the global civil society setting the international norms or foreign interventions (Weldon 2002; Htun and Weldon 2012; Johnson 2009; Johnson and Saarinen 2013).

Secondly, the examination of the scholarship on ways of combating domestic violence in Russia and other the post-Communist states (mostly based on the examples of Ukraine and Tajikistan), shows that there is a number of key factors that may influence the progress in combating domestic violence. It therefore becomes possible to see differences and similarities in the ways domestic violence is framed in Russia and in other countries around Europe. This, in its turn, helps to see potential changes, successes and failures in the way domestic violence is addressed by various actors involved into the relevant policy-making processes.

Finally, this analysis has shown that certain specificities of the current Russian context and those changes that have taken place in Russia, in the recent years. The review of literature has identified the certain impact of the gender ideology or “regime” of the Putin’s “semiauthorian” Russia on the progress in combating domestic violence in Russia and has identified such a trend as the “etatization” of the local women’s movement under such regime (Jonson and Saarinen 2013). This, in its turn, may affect these movements’ ability to have a voice in the political debates and influence the policy-making process.

The present theoretical and conceptual framework of research and its conclusions become a basis for its analytical part, where I examine the current political discourse and ways of framing domestic violence as part of a discourse process. However, the analytical part also requires a more in-depth analysis of the background the examined social problem and its current development, which is done in the next chapter of the thesis.

Domestic Violence in Russia: Historical and Current Context

In this chapter, I examine the historical and current context around the examined policy-making processes. In order to do that, I first look at the development of the women's question in the Soviet period and the place of domestic violence in that development as well as in nowadays Russia.

I then give a brief overview of the development of the legal framework for the protection of victims of domestic violence in Russia, both in terms of its obligations under international norms and those measures of protection that are currently available for the victims of domestic violence in accordance with the Russian legislation.

After that, I identify the key parties that have recently been the most influential in the examined policy-making processes. This becomes a basis for the further analysis held in Chapter 3 where I look at the way domestic violence is framed in the current political discourse, and reflect on the impact such framing may have on a domestic violence law if it is adopted.

1. Women's Question and Domestic Violence in the Soviet Russia

The development of women's question in Russia dates back to the first decades of the new Soviet state when Alexandra Kollontai together with other activists of the women's liberation movement dedicated their work to the struggle among women across the Soviet republics and to their liberation and enlightenment. This, as well as further development of women's question in the Soviet Union, has been described in numerous studies and publications by both Russian and foreign scholars. One of the most influential among them is *Women and*

Ideology in the Soviet Union published in 1989 by a prominent researcher on Soviet and post-Soviet history and politics, Mary Buckley.

In her book, Buckley covers decades of Soviet history or, better to say, the history of Soviet women and their liberation. This overview sheds light on Marxist ideas on women and the way they were embodied in the new Soviet state, women's emancipation and the way the women's liberation movements found their way under the Soviet ideology, women's issues in Stalin years and during Khrushchev Thaw, in Brezhnev's years and during the period of *perestroika*.

Buckley's step-by-step examination of the "political construction of Soviet ideology on women" (1989:4) identifies there have been different phases in the development of the "women's question" during the Soviet period, from relative successes of the 1920s to the Brezhnev's period of stagnation. However, the analysis of Buckley's work leads to the conclusion that no attention was paid to the cases of domestic violence or other cases of violence against women, except for the practice of honor beatings and forced marriages for a *kalym* (bride-money) common in the Transcaucasian and Central Asian republics (1989:68).

Nonetheless, a prominent Soviet and Russian philosopher and sexologist Igor Kon, who is claimed to be the first Russian scholar to study domestic violence in Soviet families, stated that the latter phenomenon was quite common during the Soviet period (Kon, 1993; 1995). Among the reasons for the growing number of cases of domestic violence he named the economic inefficiency of the Soviet system, political despotism and bureaucratization of life (both leaving little room for individual initiative and independence), and the demasculinization of Soviet men.

Kon also emphasized the role of the traditional patterns of family life formation under the Soviet ideology (e.g. domestic violence viewed as a private matter in the relationship between

a man and his wife). Although these patterns have changed in the course of time, it was in the early post-Soviet period that Russian policy-makers have started to put family in the forefront, which is continuing today and may affect the way domestic violence is framed in policy-making processes.

2. The Post-Soviet Period: Family as the Key Unit of Society

The concept of the national family policy was first introduced in Russia in 1991. It was later officially adopted in 1996, by the Presidential Decree “On the main directions of the state family policy”, where the governmental family policy is defined as a part of social policy of the Russian Federation (Section 2).

The concept was elaborated with the consideration of such international instruments as the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, and the Convention on the Rights of the Child.

It also took into account the Vienna Declaration and Programme of Action of the World Conference on Human Rights, the Beijing Declaration and Platform for Action of the IV World Conference on Women, as well as documents of the International Labour Organization, the World Health Organization, UNICEF and other international organizations.

Using these documents when developing the concept suggests that its authors tried to write a new model of family policy adjusting it to the global context and the trends in development of rights of both women and children (Chernova 2011).

However, although it is claimed that the document was elaborated with the usage of all the above-mentioned international norms and the rights of both women and children have been

taken into account, that does not necessarily mean, that either of this group would not be overlooked.

Thus, the examination of this policy has identified the following key points. Firstly, among the main goals of this policy, there are mainly children's well-being and fertility support, both of which seems to be quite far from the promotion of women's rights. The third group though is more related to women and their rights. This group includes the increase in female employment rates as well as gender equity (but with poor explanation of what exactly the latter equity means). In general, this is a paternalistic policy, which presupposes governmental help. The latter help includes tax reductions for families with children, parental leave, and childcare services, etc.

The brief examination the Russian family leads to the conclusion that although this policy contains some provisions aimed at reaching gender equality (e.g. employment), these are children and family *per se* that this policy protects.

3. Legal Response to Domestic Violence in the Soviet and Modern Russia

Although studies show that the problem of domestic violence against women was present in the Soviet Russia (Kon 1993; 1995), its legislative system of was not ready for an effective response to the growing number of cases of violence women could face from their husbands (Liborakina 1997).

The situation would not change even after the Soviet Union signed and ratified the CEDAW (the UN Convention on the Elimination of All Forms of Discrimination against Women) in 1980. Although by ratifying the Convention, the USSR committed itself to the norms and obligations listed in the Convention, including the commitment to "adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all

discrimination against women” as stated in Article 2(b) of the Convention, it failed to do so in the end.

Upon the dissolution of the USSR, Russia has become its successor in terms of the obligations under the Convention. Nonetheless, not much of the progress has been achieved since then, as it is shown in later parts of this thesis.

At the Fourth World Conference on Women, organized by the UN in Beijing in September 1995, the so-called Beijing Declaration and the Platform for Action have been approved. The former re-underlined the commitment of the CEDAW member states to improve the position of women and to ensure the full enjoyment of their rights. It also contained recommendation on the necessary improvement steps. The Platform, in its turn, became a long expected and a well-detailed and grounded description of the real situation, its causes and background. It also contained strategic objectives and actions to achieve them, as well as organizational and financial tools required for bringing changes, with special attention paid to mechanisms applicable at the national, regional and international levels.

For some time, Russia followed these recommendations, but since the early 2000s, the development of women’s rights and gender equality have begun to fade gradually in Russia. The activities of the majority of government agencies related to these issues have either been eliminated or greatly curtailed. For instance, in 2004, in accordance with the governmental regulation, the Commission on the Status of Women in the Russian Federation ceased its operation. In 2005, the National Plan of Action for the advancement of women was completed with no further program or set of governmental action proposed or adopted.

Furthermore, in nowadays Russia domestic violence against women is not recognized as a crime. Quite often, police refuses to initiate criminal proceedings based on allegations of domestic violence. According to the publications available on the web page of the ANNA

National Center for the Prevention of Violence, the number of such cases constantly increases.

The situation is a bit different when it comes to the cases of domestic violence with fatal outcomes, which is qualified as murder and therefore requires police intervention. According to the data collected by the ANNA Center, in the recent years the total number of violent deaths resulting from domestic violence has increased significantly in Russia.¹ However, the statistics on the number of crimes qualified as murder do not reflect the real situation, since quite often such murder would be qualified as a manslaughter rather than domestic homicide (or a murder resulting from domestic violence). Thus, the real number of cases of fatal domestic violence can be even higher.

According to the report submitted by the Russian Federation to the CEDAW Committee in 1999, on average 14,000 of deaths are caused each year in Russia as a result of domestic violence.² A research conducted by the Council of Women of Moscow State University in 2002-2003 also indicated that 70% of women participating in the poll said they had faced one or more types of violence from their husbands or partners, be it psychological, physical or any other form of violence.³ These numbers (quite tentative taking into account the concealment of this topic in Russia) have shown a strong need for the adoption and enforcement of legislation on domestic violence. Furthermore, they confirm the need for the elaboration of specific protection measures for women as victims of violence, which the current Russian legislation doesn't have.

As mentioned earlier in the theoretical part, among the legal measures of protection available today for the victims of domestic violence there are only some provisions of the Russian

¹ According to the Second Report of the ANNA National Center for the Prevention of Violence published in 2010, 70 - 80 murders per 100,000 inhabitants, which is much higher than in the U.S. and in the EU countries.

²The Stop Violence Against Women, A project of The Advocates for Human Rights. Violence against Women in the Russian Federation. Retrieved from: http://www.stopvaw.org/russian_federation (Date of Access: June 10th, 2014).

³Ibid.

Criminal code (Afon'kin 2013). These provisions are not specifically elaborated as a response to the cases of domestic violence; however, they are applied in such cases of violence in the absence of any specific law or other measures of protection.

The Criminal Code of the Russian Federation (dated June 13th, 1996, № 63-FZ) was passed by the State Duma of the Federal Assembly of the Russian Federation on May 24th, 1996. For the purpose of the current research, special attention should be paid to its Section VII.

Chapter 16 of this Section sets out regulations in relation to the crimes against life and health, Among its articles most relevant to the cases of domestic violence, there are Article 105 ("Murder") and Article 107 ("Homicide Committed in a State of Temporary Insanity").

In cases of self-defense or the protection of other family members from violence, Article 108 ("Homicide Committed in Excess of the Requirements of Justifiable Defense or in Excess of the Measures Needed for the Detention of a Person Who Has Committed a Crime"). In addition, another important provision related the cases domestic violence can be found in the Article 110 ("Incitement to suicide"), because in some cases both psychological and physical violence against women can result in suicides. Among the articles directly related to the protection of women from domestic violence, there are Articles 111-115 covering such malpractices as causing varying degrees of gravity of injuries, as well Article 116 on cases of battery.

Proceedings related to the above-mentioned articles, especially when it comes to domestic violence, quite often have protracted and extremely complicated character, especially when it comes to the need to determine what the limits of necessary defense are, and if they were exceeded (Afon'kin 2013). This is one of the key reasons why recently the need for adoption of the law that would contain specific provisions related to the cases of domestic violence has been much debated in Russia in the recent years.

4. Debating Domestic Violence Law in Russia

As mentioned earlier, after the dissolution of the USSR, the necessity of a separate domestic violence law has been discussed among Russian parliamentarians for a number of times, but no further measures have been taken and no specific legislation has been adopted yet.⁴

However, in 2005, as part of fulfillment of Russia's commitments under CEDAW, the Coordinating Council on Gender Issues was established under the Ministry of Labor and Social Protection of the Russian Federation. The Council has formed a working group that has elaborated a draft federal law on the prevention of domestic violence as well as proposed amendments to the criminal law, procedural criminal law and administrative law. Nonetheless, these initiatives did not lead to any changes in the legislative system and their implementation was put off.

Besides this, 2005 became somewhat notable for parliamentary debates on the necessity of adoption of specific legal measures of protection for women as victims of violence. Nevertheless, these debates led neither to the adoption of a domestic violence nor to the elaboration of any other measures of legal protection in cases of domestic violence.

However, in the early 2013, as a result of a brutal murder of Irina Cherska committed by her husband Alexei Kabanov on the night of 2/3 January 2013, the necessity of adoption of a new legislation became a topic of wide public discussions again.⁵ This murder might have become another case that would get no public attention and no proper legal response if it were not the two factors.

⁴ Gabriela Baczyńska. *Victims of domestic violence face uphill battle for protection in Russia*. Reuters. Retrieved from: <http://uk.reuters.com/article/2013/08/20/uk-russia-women-violence-idUKBRE97J0D220130820> (Date of Access: June 10th, 2014).

⁵ Natalia Antonova. *Domestic violence in Russia: till death do them part*. Retrieved from: <http://themoscownews.com/russia/20130121/191161252/Till-death-do-them-part.html> (Date of Access: June 10th, 2014).

Firstly, the unprecedented brutality and gravity of the crime could not leave it with no public attention. Irina was brutally murdered by her husband and then cut by him in the bath. Upon this, her remains were kept in the trunk of the car that belonged to the family. In the meantime, her husband Alexei arranged a community on Facebook asking people for help in trying to find Irina. This community got much of the public attention, and volunteers kept on looking for Irina, until it the police found her remains in the car.⁶

Secondly, Irina was a journalist, so her disappearance and further details of the crime revealed as a result of police investigation attracted an unprecedented attention both from the Russian and international media.

Thus, in Russia, this topic has been brought up by such popular media agencies as RIA Novosti and BBC Russian, and by a famous journal titled *Bolshoi Gorod* (The Big City Journal). Their publications, inter alia, included numerous interviews with human rights activists appealing to the Russian lawmakers. The work of activists, vast media coverage and international attention to the Cherska case and to the human rights issues in Russia in general forced the government to take the appropriate measures.

In May 2013, the Russian State Duma was reported to be reviewing a bill that would become a significant step on the way to the solution of the problem and the establishment of a solid legal protection for the victims of domestic violence.⁷ The parliamentary debates got wide media coverage, too. However, they have never led to the adoption of a domestic violence law.

⁶ Founder of Bohemian Moscow Club Kills, Dismembers Wife. Retrieved from: <http://en.ria.ru/crime/20130112/178733471.html> (Date of access: June 10th, 2014).

⁷ Russia Drafts Domestic Violence Prevention Law. *RIA Novosti*. Retrieved from: <http://en.ria.ru/russia/20130528/181387566.html> (Date of Access: June 10th, 2014).

Furthermore, media attention to the topic has been decreasing since the summer 2013, which may make the chances of the adoption of a new domestic violence law lower, due to the lack of public attention that would stimulate the lawmakers.

5. Key Parties Involved in the Russian Policy-Making Processes

In order to have a full picture of the key parties involved into the examined policy-making processes, I look at the way domestic violence has been combated at various levels in the post-Soviet Russia. To do that, I mostly refer to the works mentioned in Chapter I as well as to the media sources and the reports of international human rights organizations, such as, for instance, Amnesty International. Based on the review of these materials, I identify those key parties and/or individuals that have had an impact on the relevant policy-making processes as well as their role and position in the examined policy-making processes.

The literature review conducted in the theoretical part of the thesis has identified three key parties that would usually play crucial role in combating violence against women, including domestic violence, as well as their key ‘tools’ of influence. These are the international actors and foreign intervention, transnational and local feminist movement and their mobilization, and the government action (Weldon 2002; Htun and Weldon 2012; Johnson 2009; Fabian 2010).

a. International Actors and Foreign Intervention

As described in Chapter I, Johnson has mostly been focusing on the positive role of the international actors, foreign interventions, their influence on the local women’s movements

and the work of these movements as such, and later on the growing the role of the state (Johnson 2009; Johnson and Saarinen 2013).

However, when it comes to the state level, it is also important to take into account the influence of the current regime and legislative changes, and their impact on reforms and policies related to domestic violence as well as on the parties involved into policy-making (Johnson and Saarinen 2013).

One of the examples of such legislative changes, which have had a significant impact on the ‘map’ of actors involved into the examined policy-making processes, is the 2012 “foreign agents” law. The law was passed in July 2012 and came into force in November that year. It contains amendments to the legal provisions on public associations, noncommercial organizations, and to the Criminal Code of the Russian Federation.

But most notably it “force[s] non-governmental organizations (NGOs) engaging in “political activity” to register with the Justice Ministry as “foreign agents” and to file a report to officials every quarter”⁸, which is mandatory for both international organizations and their affiliates and representative offices and those Russian NGOs that receive granting from abroad.

As a result, a number of international (mostly US-funded) NGOs have been closed in Russia, for instance, USAID program in Russia. The international intervention has decreased dramatically, together with consequent limitations on the work of local partner organization.⁹

⁸ Russia's Putin signs NGO “foreign agents” law. Retrieved from: <http://www.reuters.com/article/2012/07/21/us-russia-putin-ngos-idUSBRE86K05M20120721> (Date of Access: June 10th, 2014).

⁹ Russia: “Foreign Agents” Law Hits Hundreds of NGOs Updated March 5, 2014: Updated List of Nongovernmental Organizations Targeted under the “Foreign Agents” Law. Retrieved from: <http://www.hrw.org/news/2014/03/05/russia-foreign-agents-law-hits-hundreds-ngos-updated-march-5-2014> (Date of access: June 10th, 2014).

b. Transnational and Local Feminist Movements, and Their Mobilization

Another group of influential actors includes the transnational feminist groups and local women's movements. Both international actors and those local movements that were financed and supported by them, used to have resources and power to be quite successful in reforms and other forms of influence on the way domestic violence was combated in Russia (Johnson, 2009).

However, most of transnational feminist movements and networks have become limited in their capacities, being 'equated' with the "foreign agents" under the above-mentioned law.

In their turn, local movement actors have also been affected by the withdrawal of foreign human rights organization and donors from Russia. They have become limited in support in campaigning or advocacy activities, including those aimed at advocating for domestic violence law adoption and framing of a policy in such a way so that it would provide specific protection for female victims of violence.

Lack of funding and lobbying opportunities as well as the decrease of foreign support and influence as such, together with the growth of the "semiauthorian" regime (Johnson and Saarinen 2013), have made them less influential in policy-making processes.

Furthermore, not only have these local organization started lacking support from the international organizations and transnational networks but also have had to adopt to a new form of registration and reporting in case they would want to continue their work with international organizations or get foreign funding. Besides this, this law resulted in a number of severe audit checks and administrative cases on against local NGOs that are either partner-organizations and or grantees of international organizations targeted by the law.¹⁰

¹⁰ Russia: "Foreign Agents" Law Hits Hundreds of NGOs Updated March 5, 2014: Updated List of Nongovernmental Organizations Targeted under the "Foreign Agents" Law. Retrieved from:

Besides this, what has been happening in the current “semiauthorian” Russia is the so-called “etatization” of local women’s movements (Johnson and Saarinen 2013). Thus, in their work they have started applying a more family-oriented and a de-gendered approach to such phenomenon as domestic violence.

c. Government and its Response to Domestic Violence

Contrary to the tendencies described in the previous two subchapters, a rapid increase in the influence of the state institutions may be observed. These is, in the first place, the Russian State Duma, and also the Coordinating Council on Gender Issues under the Ministry of Labor and Social Protection of the Russian Federation that prepares recommendations and draft documents for further review by the members of parliament.

The State Duma of the Russian Federation is the lower house of the Federal Assembly of Russia. Among other functions, it is in charge of adopting decrees on issues relating to its authority by the Constitution of the Russian Federation.

According to the official procedure, these decrees should be adopted by a majority of the total number of deputies of the State Duma, unless another procedure is created by the Constitution. All draft laws should first approved by the State Duma and are further debated and approved (or rejected) by the Federation Council. However, it is at the level of the State Duma where most intense debates take place.

There are 450 deputies at the State Duma, among which 238 seats belong to the ruling party United Russia (as of June 2014). Among other parties, there are the Communist Party of the Russian Federation, A Just Russia, and the Political Party LDPR.

<http://www.hrw.org/news/2014/03/05/russia-foreign-agents-law-hits-hundreds-ngos-updated-march-5-2014>
(Date of access: June 10th, 2014).

Besides the State Duma, there is another governmental actor that has some influence on the examined policy-making processes is the Coordinating Council on Gender Issues of the Russian Ministry of Labor and Social Protection. The Council was established in 2005 by the official Order of the Ministry and can be seen as a somewhat positive step made by Russia in order to at least partly comply with the norms and obligations under the CEDAW.

The aim of the Council is to analyze the trends in the development of gender equality and to work out proposals involving complex measures to promote gender equality and successfully implement the international obligations in this area.

On the one hand, it is important to recognize the role of the Gender Council in the policy-processes examined in this thesis. The work of the Gender Council has become a preliminary step in the elaboration of legislative measures aimed at combating domestic violence. Together with the weakening position of the women's movements mentioned earlier, this indicates the growth of a centralized governmental control over such issues as family and gender-related politics and policy-making.

On the other hand, the Gender Council does not communicate properly any news, progress-so-far or anything that would make it clear for the public what they what they work on and what amendments of drafts are submitted to the Duma. Furthermore, it is no longer possible to get access to the minutes of the meetings of the Council, which used to be available online.

Framing Domestic Violence in the Russian Policy-Making Processes

1. Recent Changes in the ‘Map’ of Actors and Their Potential Impact on the Policy-Making Processes

The review of the previous scholarship held in Chapter 1 has shown that most of the scholars would emphasize the important role of the state governments, international actors, and the transnational and local feminist movements in combating violence against women, including domestic violence and relevant policy-making processes (Weldon 2002; Htun and Weldon 2012; Hemment 2007; Johnson 2009; Fabian 2010).

However, an analysis of the current context for the examined policy-making processes held in Chapter 2 has indicated some recent significant changes in this ‘map’ of actors involved into the examined policy-making processes.

Firstly, because of the “foreign agents” law adopted in 2012, the work of numerous international NGOs and local partner organizations have been challenged by either direct request by the Russia government to withdraw their activities from the country (as in the case of USAID), or by constant inspections revisions, and even criminal cases.¹¹

Secondly, the “gender repression” and the “etatization” of local women’s movements under the Putin’s presidency has influenced their work in the way that they now have a family-oriented and de-gendered approach to the issue of domestic violence and (Johnson and Saarinen 2013).

Finally, the rapid growth of the influence and power of governmental authorities, which is another feature of the Putin’s “semiauthorian” regime, has identified another wave of centralization of power in Russia.

¹¹ Russia: “Foreign Agents” Law Hits Hundreds of NGOs Updated March 5, 2014: Updated List of Nongovernmental Organizations Targeted under the “Foreign Agents” Law. Retrieved from: <http://www.hrw.org/news/2014/03/05/russia-foreign-agents-law-hits-hundreds-ngos-updated-march-5-2014> (Date of access: April 13th, 2014).

Thus, based on the analysis of the most recent changes in the ‘map’ of actors involved into the domestic violence policy-making processes, I conclude that in the current context, neither international actors nor transnational movements, nor local women’s movements have had as much influence on the current political discourse or relevant policy-making processes as (a) they used to, as it is described in the previous two chapters, (b) to have a significant impact on the most recent of the examined policy-making processes, i.e, on the 2013 parliamentary debates.

2. Russian State Duma Debates on Domestic Violence. Women’s Perspective in the Policy-Making Processes

As mentioned in earlier in this previous chapter, since the dissolution of the USSR domestic violence law and relevant measures of protection have been discussed at the Duma for a few times. However, there is not much of the contestation among the parliamentarians during the debates or outside when it comes to the topic of domestic violence.

Moreover, tentative monitoring of these debates as well as of relevant media publications show quite a common approach to the issue of domestic violence among Russian parliamentarians, i.e. children’s rights oriented (especially when the matter used to concern the adoption of Russian children by the citizens of the US), and family-oriented approach.

However, periodic monitoring of the media and the State Duma debates identifies two members of parliament who show more interest and participation in this topic in comparison to others. These are:

1. Irina Yarovaya, the member of the General Council of Vladimir Putin's and ruling Russian party “United Russia”; she is famous for speaking in support of such

proposals as patriotic education for children, increased penalties for a number of crimes, juvenile delinquency, death penalty, etc;

2. Ruslan Gostev, the member of the Communist party; he is famous for promoting sports, especially among children.

The examination of the biographies and other information about these two members of the State Duma leads to an assumptions, they might be more likely to promote and advocate for the children's rights protection when it comes to the matter of domestic violence.

In order to check this assumption and better understand the recent changes in the political debates on a draft law on domestic violence and the impact these changes have had on the presence of the women's perspective in the policy-making processes, I look at the parliamentary debates that took place at the Russian State Duma in the early 2013.

When analyzing the texts of these debates, In I apply such method as policy frame analysis. Following Verloo and Lombardo's method, as it is described in the methodological part of the thesis, I identify the two main aspects of policy frames, i.e. the "diagnosis" and the "prognosis" of the problem, by addressing such questions as "what is the problem?" and "what is the solution?" (2007:33). I supplement these questions with two more, i.e. "what is the problem's cause?" and "whose problem is it?" (Krizsan, Bustelo, Hadjiyanni, and Kamoutsi 2007:144).

The analysis of the debates that took place at the Russian State Duma in the early 2013 has shown that, as it would be expected, the only two members of parliament who actually actively discussed the matter of domestic violence were Irina Yarovaya and Ruslan Gostev.

Irina started her speech with a clear determination that the draft law under discussion is aimed at changing the criminal proceedings. She emphasized that the main goal is to provide victims

with a number of procedural powers, saying that perpetrators already had much more measures of protection.

Irina started with what Verloo and Lombardo would call the “prognosis”, and her claim already suggests that the solution would be the criminalization of the issue. Although Irina did not clearly say who would be responsible for, since the judicial authority is ‘in the hands’ of the state, it is presumably seen as the responsible party of these policy-making processes.

This has led to an assumption that the way she frames domestic violence would fit into the Degendered Domestic Violence Frame, where criminalization and sanctioning are usually the main solutions proposed. Besides the need for a separate law, she also mentioned possible amendments to the Criminal Code of the Russian Federation.

In Russia, it is the relatively de-gendered in its provisions Criminal Code that is applied in cases of violence (Afon’kin 2013). Domestic violence is not considered as a crime *per se* by the Code, but becomes a tool of the so-called criminal justice in the cases of such violence since the Code contains provisions on battery, murder, etc. Therefore, it seems to be reasonable to propose amendments to the existing legal act, especially in light of unsuccessful attempts to debate a separate law on domestic violence at earlier parliamentary debates.

Nonetheless, Irina moved further to the definition of the victim clearly stating she spoke about children as survivors of domestic violence. She then elaborated further on the specific status of children due to their dependency on parents and other grown-ups. This has confirmed my assumption about the type of frame applicable here, since the Degendered Domestic Violence Frame the gender of the victim and perpetrator plays no role, whereas power relations are seen through the dependent status of the victim and the violence of the perpetrator and its mechanisms of reproduction.

In her later words, Irina reaffirmed the assumption about the Degendered Frame, which presupposes understanding of the problem and its “recognition, handling, and prevention” (2007:149-150). Thus, among the solutions she also proposed pro bono lawyer services for children, increasing penalties for perpetrators, the necessity to keep the personality of the victim and all their details in secret.

The only person who responded to Irina was the above-mentioned member of the Communist party Ruslan Gostev. He supported Irina’s idea on criminalization and concealment of the victim’s data, especially emphasizing the need of such measures in cases of pedophilia. He further continued reaffirming the things that Irina had said. What was also briefly mentioned is the necessity to be careful when it comes the matter of child abuse by a parent. This has reminded of the Family Frame in the way this frame includes such aspects as the protection of children in the family, which was mentioned in the debates.

However, since the agenda of the analyzed debates included some other points irrelevant to this issue, it was decided to move further. No commitments or decisions were made after the discussion, which may be one of the reasons why none of the debates has led to the adoption of a new law that would provide the victims of domestic violence with the necessary measures of protection.

Nonetheless, the examined discussion has showed some certain tendencies in the parliamentary debates, i.e. degendered and family- and children’s rights-based approaches, which echoes with the major trends in the Russian scholarship on domestic violence mentioned earlier in the theoretical part of this thesis. Furthermore, they echo with the pro-family social policies and politics of the Putin’s Russia. What is even more significant about these debates is that the analysis of its transcripts shows that the way domestic violence is framed within these debates excludes the women’s perspective from the policy discussion and the debated law should it be adopted.

Conclusion

Although the Soviet Union ratified CEDAW in 1980 and two decades later Russia later became its successor in terms of obligations under the Convention, domestic violence against women is still one of those social problems of the modern Russia that scholars have examined intensively, feminist movements have tried to tackle, and the government has not properly responded to yet.

Nowadays, Russia has neither a law that would provide legal measures of protection for the victims of violence, nor any agency that would collect the statistics on cases of violence or monitor the way it is dealt with, for instance, the police response to the cases of domestic violence. The latter requires special attention because it is still not uncommon that police officers refuse to initiate criminal proceedings based on allegations of domestic violence (Linorakina 2004).

Poor legal framework for the protection of victims of domestic violence, lack of monitoring agencies, police's refusal to initiate the legal proceedings, and the increasing number of cases of fatal domestic violence is an evidence of an urgent need to adopt of a law that could be applied to the cases on domestic violence. The parliamentarians have discussed such law for a few times but the debated law has never been adopted.

As part of my long-term interest in and research on the protection of women's rights worldwide and in Russia I was constantly monitoring news and the reports of international organizations on various women's rights-related issues, including domestic violence against women Russia and the way Russian government reacts to this problem.

I also conducted a preliminary review of the parliamentary debates held at the Russian State Duma in the recent years, in order to see the most important tendencies and changes in it, the

key points addressed, and the gaps not addressed. These tentative steps conducted prior to the policy frame analysis carried out in this thesis, led me to two main assumptions that became the departing points of the conducted research and have proved to be true in the end.

Firstly, I assumed that in light of the recent changes I could see in the Russian sociopolitical and legal context (e.g. growing attention to family protection and family policy development, the adoption of the “foreign agents” law and consequent withdrawal of some actors, etc.), a significant change must have taken place in the ‘map’ of the parties involved into the Russian policy-making processes, including those related to the issue of domestic violence.

As a result of the analysis held in the first two chapters of the thesis, I came to the conclusion that certain changes have happened recently. With the adoption of the 2012 “foreign agents” law, foreign intervention that had played a significant role in the relatively successful development of reforms in combating domestic violence (e.g. generation of the women’s crisis center movement, the inclusion of domestic violence into the Russian policy agenda, etc.) has started decreasing significantly. This, in its turn, has had a negative impact on the local women’s movements that used to be the recipients of foreign funding and other forms of support (Johnson and Saarinen 2013; Human Rights Watch 2014).

Besides this, the scale and efficiency of collaboration between law enforcements and local women’s crisis centers that used to be relatively strong in the former times (Johnson 2006) has also decreased. Moreover, the “etatization” of women’s movements in the current “semiauthorian” Russia has resulted in a more degendered and family-oriented approach in their work (Johnson and Saarinen 2013).

Due to the decrease of the foreign funding and lobbying capacities that helped them before, and the “etatization” of the local women’s movements (Johnsons 2009; Johnson and Saarinen 2013), they now have fewer opportunities to push their agenda to the policy-makers at the

State Duma. Neither do they have much capacity to call for reforms aimed at the elaboration of specific measures protection for the female survivors of domestic violence.

Thus, in the examined policy-making processes, there is no other significant and influential actor but the State Duma whose impact on the way domestic violence is framed in these processes and relevant legislation is analyzed in the analytical part of the thesis. It may also be the Gender Council as long it elaborates draft amendments and recommendation. However, due to the recent inaccessibility of its materials, it is hard to assess its real influence.

Secondly, I assumed that a significant change had also happened in the way the members of the Duma talked about domestic violence, its character and possible solutions to it or, in other words, the way they frame domestic violence.

The analysis of the 2013 Duma debates has led to the conclusion that in the latter policy discussion these are children's rights, and the interests and integrity of the family that are well reflected in this policy whereas the women's perspective is completely missing from the debates.

In the analyzed debates, Domestic violence was defined as a 'problem of citizens' regardless of their gender (Degendered Domestic Violence). It was discussed through a family-centered and children's rights-oriented perspective (Family Frame), the latter being in line with the family politics and policies actively promoted in today's Russia.

The analysis of the transcripts have confirmed the initial assumption that the way domestic violence is framed within the current parliamentary debates and in the broader political discourse on domestic violence and relevant legislative measures and reforms excludes the women's perspective from the policy discussion and the debated law should it be adopted.

The discussions on a draft domestic violence law show a de-gendered approach to the issue and strong focus on family integrity and children's rights among the policy-makers. Although one cannot underestimate the necessity of measures of protection and support for the family and children, failure to include the women's perspective into the policy-making processes results in the lack of specific measures of protection of women, especially when they are subjected to domestic violence committed by other family members.

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