

Gays rights in russia and usa



**ASSIGN
BUSTER**

Gay rights have been a heavy topic for many decades. In 2013, gay rights have come to a head. More and more people are coming out as gay, bisexual, lesbian, transgender and transsexual; and they want the same rights as every heterosexual being. I believe that is fair. I would love to see gays, lesbians, bisexual and transsexual/transgender be treating like every other person in the world. It is not fair that they should get looked at or treated differently because of the gender that they use to be with. The gay community in Russia does not have the same rights as those in the United States.

Though the United States may be a little bit more lenient rules towards the gay community than Russia, but they still do not have equal rights in either of the these two country as heterosexuals. For instance, gays in Russia may have to pay legal fees to be gay and underage. According to telegraph. co. uk, “ The debate about gay rights in Russia intensified as the country’s parliament pushed ahead with a bill introducing fines of 4, 000 roubles (? 85) to 500, 000 roubles (? 10, 700) for “ promoting homosexuality among underage youth. ”

In the United Sates, there is not a bill where you would have pay a fee because of your sexuality. Treatment of gays in Russia was not always like this, there was a time where it wasn’t so looked down upon. During medieval times, Russia was supposedly held no ill-will against homosexuality. There was proof that was homosexual tendencies in lives of the saints from Kievan Rus all the way to the 11th century. Homosexual acts were perceived as a sin by the Orthodox Church, but there were not any laws against them at the

time, and even churchmen seemed worried by homosexuality only in the monasteries.

Tourists to Muscovite Russia in the 16th and 17th centuries frequently express their surprise over the open show of men publicly being affectionate with other men of every social class. Sigismund von Heberstein, Adam Olearotius, Juraj Krizhanich, and George Turberville all wrote about the common occurrence of homosexuality in Russia in their books. Laws against homosexuality didn't actually show up until around the 18th century, but it only applied to those who were soldiers in the military statutes.

It wasn't until about 1832 that the criminal code included article 995, which made men engaging in anal sex an criminal offense that could result in them being exiled to Siberia for at least 5 years, but even that usually only applied to those in the upper classes. A lot of intelligent man in the 19th century began to engage in bisexual behavior. According to The Encyclopedia of Homosexuality some of those intelligent men were the memoirist Philip, the explorer Nikolai Przhevalsky, the critic Konstantin Leontiev, and the composer Peter Tchaikovsky.

The turn of the century saw a reduction of the laws, and a related growth in open-mindedness and visibility. In 1903, Vladimir Nabokov published an article on the legal position on homosexuals in Russia. He argued that Russia should not be able to interfere with the private life of same sex couples. The years between 1905 and 1917 were years that paved the way for Russian homosexuals. Many important political persons had led very open gay lives, including a few members of the Imperial Court. Sergei Diaghilev and some of

the members of the World of Art movement and the Russian ballet were also openly gay.

Many scholars did not agree when it came to the effect that the Bolshevik Revolution and homosexual rights. Some argue that the Soviets were at the forefront of humanity in decriminalizing gay sex; others argued that the Bolshevik harshness and dislike for sexuality of any kind is going to set the movement back. In fact, the October Revolution of 1917 did away with the entire Criminal Code, and the new Russian Criminal Codes of 1922 and 1926 got rid of the offence of male on male anal sex from the law.

Sadly, decriminalization in the early Soviet period did not mean an end to discrimination. The modern Soviet passion for science meant that homosexuality was now treated as a topic for medical and psychiatric discussion, as an illness that they need to find a cure for. Also, in the popular mind, homosexuality was still connected with middle and upper-class morals. The sexual freedom that goes along with the Revolution did not last very long. It was in this situation that the Soviet Union recriminalized homosexuality in a verdict signed in late 1933.

It was also a situation in which homosexuality was connected with Nazism at a time when German-Soviet relations were tense. According to The Encyclopedia of Homosexuality, “ Gorky writes, “ eradicate homosexuals and fascism will disappear. ” Of course, the Nazis themselves criminalized homosexuality only a year later” The new Article 121, which punished Anal Sex with imprisonment for up to 5 years, was followed by raids and arrests at

the height of the Stalinist horror. The numbers of men arrested are not known, but by the 1980s there were about 1000 every year.

The Soviet Union had the largest population of imprisoned men in the world, and given the importance of prison culture for Soviet culture as a whole, it is likely that prison homosexuality played a part in forming Soviet gay culture.

“ In Soviet prisons there was a class of men called opushchennye (degraded) who were required to fulfill the sexual needs of the rest” (<http://www.politicsforum.org/forum/viewtopic.php?f=42&t=58725>). On the one hand, they were at the lowest rung of the social ladder, but they were sometimes protected by their lovers.

And not only men charged with Article 121 were opushchennye: any prisoner could be degraded by ritualized rape — for losing at cards, over an insult, or even because his beauty made him an attractive sex object. Article 121 was often used throughout the Soviet period to extend prison sentences and to control protesters. Some of those who were imprisoned were the film director Sergei Paradjanov and the poet Gennady Trifonov. Needless to say, gay men in Russia kept a low profile in the Soviet period, many restricting their gay activities to small circles of their most trusted friends.

Another threat by the 1980s was the gangs of gay-bashers who robbed and beat gay men, often with the encouragement of the police. They knew that if they were brought to court, it was their victims who would be put in prison. In 1984, a handful of gay men in Leningrad attempted to form the first organization of gay men. It was only with Gorbachev’s glasnost that such an organization could come into reality in 1989-90. The Moscow Gay & Lesbian

Alliance was headed by Yevgeniya Debryanskaya, and Roman Kalinin became the editor of the first officially registered gay newspaper, Tema.

The summer of 1991 saw the first international conference, film festival, and demonstrations for gay rights in Moscow and Leningrad. This was followed almost immediately by the attempted coup. As of recently, there has some minor differences made toward the gay rights movement in Russia. There is now an age of consent regarding sex, which is 16 years old, and doesn't matter if you are gay or straight. In Soviet Russia, sex changes operations amongst Transgender and Transsexual people were first tried in the early 1920s but were soon banned until the 1960s, during that time Russian Endocrinologist Aron Belkin, who use to advocate for Transgender/Sexual people until he passed away in 2003.

Now since 1997, Transgender and Transsexuals can legally change their gender from man to woman and vice versus. Before 1999, homosexuality was considered a mental illness in Russia. It has now since been removed from the Russian list of mental illnesses. There is still no acknowledgment of same-sex relationships in Russia and same-sex marriages still aren't allowed in Russia. As of 2005, only 15% of the public are in support of gay marriages.

They are allowed to adopt children, if you are a single homosexual person. Only married, heterosexual couples can adopt children together, as a couple. It's only been since 2003, which gay people could serve in the Russian military. Still to this day, Russian communities still view LGBT topics and people come out as negative. In a 2005 survey, only 44% of Russians support re-criminalization of LGBT acts between two consensual adults. But

on another hand, 43% of Russians are in support for a legal ban on discrimination of sexual orientation.

In major cities, like Moscow and Saint Petersburg, there is a large LGBT community such as nightclubs and political organizations. Same-sex marriages are not allowed in Russia. At a press conference, head of the Moscow Registry Office Irina Muravyova declared: “ Attempts by same-sex couples to marry both in Moscow and elsewhere in Russia are doomed to fail. We live in a civil society; we are guided by the federal law, [and] by the Constitution that clearly says: marriage in Russia is between a man and a woman. Such a marriage [same-sex] cannot be contracted in Russia.

In Tsarist Russia, young women would sometimes pose as men or act like tomboys. This was often tolerated among the educated middle classes, with the assumption that such behavior was asexual and would stop when the girl married. However, cross-dressing was widely seen as immoral behavior, punishable by the Church and later the government. Since 2006, nine regions have enacted a ban on so-called “ propaganda of homosexuality among minors”. The laws of eight of them include administrative sanctions and/or fines. Some bans also forbid so-called “ propaganda of bisexuality and transgenderism”.

The American accurate current homosexuality as something alien to the American experience – an impostor that strangely gate-crashed America in 1969 in the form of a rioting drag queen clutching a high heel in her fist as a weapon. For people who talk constantly about worshiping American history, they have built a historical picture of their country that can only be sustained

by scrubbing it clean of a significant part of the population and everything they brought to the party. The limited-but-sturdy evidence provided by historians that Bronski drew on suggests homosexuality was treated matter-of-factly among most Native American tribes.

In the records of the Lewis and Clark expeditions, Nicholas Biddle observes: “Among the Mamitarees, if a boy shows any symptoms of effeminacy or girlish inclinations he is put among the girls, dressed in their way, brought up with them, and sometimes married to men.” Among the Crow tribe, a horrified white observer wrote, “men who dressed as women and specialized in women’s work were accepted and sometimes honored; a woman who led men in battle and had four wives was a respected chief”. This shouldn’t be entirely romanticized.

One tribe “accepted” homosexuality by raising young men to be “passives”, available as “sexual resources” to the tribe, which sounds uncomfortably close to rape. But in most places, different sexualities were granted room for expression, much of it consensual. (Johann Hari – The Independent) LGBT rights in the United States have grown over time and changes depending what each state law say. Unlike most other nations, the United States does not broaden complete legal rights to its LGBT citizens on a national level.

Sexual activity between consenting adults (age of consent in each state varies from age 16 to 18) and between adolescents of a close age, who are of the same sex, have been legal nationwide since 2003, pursuant to the U. S. Supreme Court ruling in *Lawrence v. Texas*. LGBT rights related laws

including family, marriage, and anti-discrimination laws vary by state. Nine states plus Washington, D. C. currently offer marriage to same-sex couples. California and Rhode Island do not offer same-sex marriages but do recognize same-sex marriages performed elsewhere.

Additionally, some states offer civil unions or other types of recognition which offer some of the legal benefits and protections of marriage. Twenty-one states plus Washington, D. C. outlaw discrimination based on sexual orientation, and sixteen states plus Washington, D. C. outlaw discrimination based on gender identity or expression. Hate crimes based on sexual orientation or gender identity are also punishable by federal law under the Matthew Sheppard and James Byrd, Jr. Hate Crimes Prevention Act of 2009.

Adoption policies in regard to gay and lesbian parents also vary greatly from state to state. Some allow adoption by same-sex couples, while others ban all unmarried couples from adoption. In 1972, the Supreme Court of Minnesota in *Baker v. Nelson* ruled that a state's denial of a civil marriage license to same-sex couples did not disobey the U. S. Constitution. In 1993, the Hawaii Supreme Court ruled that the state constitution's ban on sex discrimination permitted same-sex couples to a civil marriage license unless the state could prove it had a "compelling state interest" for denying such a license.

A lower court in Hawaii then found that the state had failed to show such a persuasive interest, and same-sex marriage was legal in Hawaii for a day, before the judge stayed his ruling. Hawaii amended its constitution in 1998 to allow the legislature to restrict marriage to different-sex couples. Thirteen

states decided to put an end to the ban on same-sex marriages. They allowed same-sex couples to hold marriage ceremonies and have the same constitutional rights regarding marriages as heterosexual couples.

On November 18, 2003 the Massachusetts Supreme Court ruled in *Goodridge v. Department of Public Health* gay and lesbian couples could not be denied the right to marry because of the Equal Protection Clause of the state constitution. Same sex marriage became legal in Massachusetts on May 17, 2004. On May 15, 2008 the California Supreme Court ruled *Remarriage Cases* reversed Proposition 22, declared the statute banning same sex marriage was unconstitutional and gay and lesbian couples could not be denied the right to marry because of the Equal Protection Clause of the state constitution. Same sex marriage became legal in California on June 16, 2008.

On November 5, 2008 Proposition 8, a constitutional ban on gay marriage, overturned the Supreme Court decision legalizing same sex marriage but this was itself overturned by Judge Vaughn Walker in *Perry v. Brown* and ruled unconstitutional because of the state's Equal Protection Clause on August 4, 2010. This was upheld on February 7, 2012 by the United States Court of Appeals for the Ninth Circuit and is currently awaiting a decision on whether it will be heard or not by the United States Supreme Court.

On October 10, 2008 the Connecticut Supreme Court ruled in *Kerrigan v. Commissioner of Public Health* that gay and lesbian couples could not be denied the right to marry because of the Equal Protection Clause of the state constitution. Same sex marriage became legal in Connecticut on November 14, 2008. On April 3, 2009 the Iowa Supreme Court ruled in *Varnum v. Brien*

that gay and lesbian couples could not be denied the right to marry because of the Equal Protection Clause of the state constitution. Same sex marriage became legal on April 26, 2009 in Iowa. On March 25, 2009, Governor Jim Douglas vetoed the same sex marriage bill passed by the Vermont state legislators.

On April 7, 2009, the Vermont state legislators overrode the Governor's veto. Same-sex marriage in Vermont became legal on September 1, 2009. On May 6, 2009, Governor John Baldacci signed the same sex marriage bill passed by the Maine state legislators. On November 3, 2009, a voter referendum vetoed the state law that would have legalized same-sex marriage in Maine. In another voter initiative held on November 6, 2012, same-sex marriage was approved and became legal on December 29, 2012. On June 3, 2009, Governor Lynch signed the same-sex marriage bill passed by the New Hampshire state legislators.

Same-sex marriage in New Hampshire became legal on January 1, 2010. On December 18, 2009, Mayor Adrian Fenty signed the same-sex marriage bill passed by the Council of the District of Columbia. Same-sex marriages in the District of Columbia became legal on March 9, 2010. In June 2007 and December 2009 the New York state legislators attempted to pass a same sex marriage bill but it failed to pass. On May 29, 2008, Governor David Paterson directed all New York State agencies to begin to revise their policies and regulations to recognize same-sex marriages performed in other jurisdictions.

Governor Paterson's directive cited the Appellate Division decision in the Martinez case, as well as several lower court rulings. As a result of the governor's directive, New York became the first state that did not allow same-sex marriages, but whose state agencies recognized same-sex marriages performed elsewhere. On June 24, 2011, Governor Cuomo signed the same-sex marriage bill passed by the New York state legislature. Same-sex marriage became legal in New York on July 24, 2011.

On February 15, 2013, the Illinois Senate passed a bill that would legalize same-sex marriage. 21] The bill is pending in the House of Representatives. Governor Pat Quinn said he will sign the bill if it passes the house. On May 14, 2012, Governor Chafee signed an executive order recognizing out-of-state same-sex marriages. On February 16, 2012, the New Jersey state legislators passed a same-sex marriage bill. On February 17, 2012, Governor Chris Christie vetoed the same-sex marriage bill. On February 13, 2012, Governor Christine Gregoire signed the same sex marriage bill passed by the Washington state legislators.

Same-sex marriage became legal in Washington on December 6, 2012, after being approved in a voter referendum on November 6, 2012. Some states may not have recognized gay marriages, but they did pass bills that allowed same-sex couples to have civil unions; which isn't exactly the same marriage but has the same value as marriage would have. Currently two state supreme courts have made a decision to legalize civil unions in their state. On December 20, 1999 the Supreme Court of Vermont ruled in Baker v. Vermont that same-sex marriage or something similar must be implemented in 100 days.

The Vermont state legislators choose civil unions. Civil unions became legal in Vermont on July 1, 2000. On October 25, 2006 the Supreme Court of New Jersey ruled in Lewis v. Harris same-sex marriage or something similar must be implemented in 100 days. The New Jersey state legislators choose civil unions. Civil unions became legal in New Jersey on February 19, 2007. Many states recognize through their judicial systems living agreements and common law partner agreements completed between two partners in a relationship.

These are so that way domestic partnerships that protect both parties and allow for shared property and court recognition of their relationships. Allowing same-sex couples to adopt has also been a big conflict in the United States of America. So far, only two states supreme courts have allowed same-sex couples to adopt. On September 22, 2010 the Supreme Court of Florida ruled in In re: Gill that the 1977 ban on homosexuals adopting children in Florida was unconstitutional allowing same sex couples to adopt children in Florida.

On April 7, 2011 the Supreme Court of Arkansas ruled in Arkansas Department of Human Services v. Cole that the Arkansas Proposed Initiative Act No. 1 that banned non-married couples from adopting children was unconstitutional allowing same sex couples to adopt children in Arkansas. Though Russia and United States have different laws and rules regarding same-sex couples and their rights, we are still a long ways away from every person being treated as an equal, regardless of race, color or sexual orientation.