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**HOMOSEXUAL DESIRE IN REVOLUTIONARY RUSSIA:  
PUBLIC AND HIDDEN TRANSCRIPTS, 1917-1941**

**A Thesis submitted in conformity with the requirements for the  
Degree of Doctor of Philosophy, Graduate Department of History,  
University of Toronto**

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HOMOSEXUAL DESIRE IN REVOLUTIONARY RUSSIA:  
PUBLIC AND HIDDEN TRANSCRIPTS, 1917-1941

Doctor of Philosophy, 1998, Dan Healey, Graduate Department of  
History, University of Toronto

ABSTRACT

This thesis is the first history of the early Soviet regime's legal, administrative and medical approaches to homosexuality, using psychiatric archival and criminal records. Treating the period from 1917 to 1941, it uncovers the subcultures of male and female homosexuals in social context. The totalitarian school's interpretation of Soviet Communism's handling of the issue is challenged on several grounds. The regime did not espouse a monolithic, hostile view of same-sex relations, but allowed multivalent approaches to coexist until the end of the First Five Year Plan and Hitler's accession to power. At that juncture, it adopted a gendered strategy on homosexuality, criminalizing male acts and indirectly compelling women toward heterosexual norms. Recriminalization was based on security concerns, but emerged in a context of urban deportations of socially dangerous elements. In contrast to assumptions that the antisodomy statute was uniformly enforced, the study suggests that judges and male homosexuals resisted its implementation with some success. Sodomy recriminalization and the Great Terror did not destroy a subaltern culture of urban homosexual relations.

The study also contributes to queer historiography, by

questioning Foucaultian theses on the history of sexuality, and by examining the left's historical relationship with gender dissidents. Russia did not follow the Western liberal path, and the nominative effect on homosexuals claimed by Foucault for medicine was weaker in tsarist and Soviet conditions. Homosexual self-awareness preceded medical nomination in Russia. Medical models enjoyed prestige immediately after 1917, coinciding with support for the sexual revolution. Some Russian experts promoted biological and emancipationist theories of the "intermediate sex". The dominant Bolshevik paradigm for human "anomalies" was nurturist, and justifications of the 1934 sodomy recriminalization relied on environmentalist models of homosexuality to counter fascist propaganda. Like many European socialists, the Bolsheviks had long refused to consider biological models of homosexuality for politically disloyal groups (Orthodox clergy, Islamic or so-called "primitive" peoples, and after 1934, the former bourgeoisie). A Russian homosexual culture survived Stalin's repressions, indicating that more research into Europe's queer cultures during the turbulent 1930s through 1950s is needed.

## ACKNOWLEDGEMENTS

The world has changed a great deal since the days when community activists and private scholars laboured outside the academy to lay the foundations for a lesbian and gay historiography. Yet there is still a danger that the new support for studies in sexualities could contract as funding declines in Canadian education. This project received generous support from the Province of Ontario (in the form of an Ontario Graduate Scholarship, and a Queen Elizabeth II Scholarship) and from the Social Sciences and Humanities Research Council of Canada (with a three-year Doctoral Fellowship). In Canada's academy, the study of new topics in the humanities cannot exist without arms-length government subsidy. It is disturbing to contemplate how these subsidies were degraded (by the University of Toronto and governments) even during the few years when I was receiving them. The cost of tuition at the University of Toronto for an entering PhD candidate earning the same series of scholarships would now consume half of their value. What were once valued stipends to attract and sustain young scholars will soon be little more than tuition waivers.

I want to acknowledge with gratitude the financial assistance with travel expenses and a research assistantship from the Stalin Era Research in the Archives Project (SERAP). The institutional base for SERAP, the Centre for Russian and East European Studies of the University of Toronto, was a congenial home for me during the development of this project. In a similar fashion, I received much encouragement from the Department of History, and especially from the enthusiasm and comradeship of the Lesbian and Gay History Discussion Group. Both of my institutional "homes" at the University of Toronto wholeheartedly embraced this unconventional project. That acceptance helped to fuel my enthusiasm for it. In my final, "writing-up", year, I was welcomed into the lively community of historians at the University of Dundee, and am grateful for the hospitality I received there.

In various ways over the last eight years I have been the beneficiary of the financial indulgence of Graham Thomas, Adrian Mills, and my parents, Rita Grave and Edward Healey. Their support made this thesis possible and assured its completion.

The obscurity of my subject has meant that this research project owes a great deal to the many people who led me to sources and shared their understanding and experience with me. I pay tribute in particular to the Russian women and men, of all sexual orientations, who welcomed a foreigner to their country and generously offered him assistance with obtaining articles, books, archival documents and informal publications on the outrageously unscholarly topic of "homosexuality". Among these individuals I

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Since my first visit to Moscow and Leningrad/St Petersburg (in 1974), I have gained insight and new perspectives on Russia from many individuals, both ex-patriates and Russians, who were Intourist guides, fellow-travellers, sympathetic ears, linguistic advisers, bania-buddies, or in a few cases fully paid-up members of the Homintern. Among them I mention with thanks David Geer, Debbie King, Bill Bowring, Tim Ross, Kate Griffith, Dick Hoagland, Kevin Gardner, David Tuller, Peter Falatyn, Richard Schimpf, Marjorie Farquharson, Paul Legendre, Gerry Oxford, Antony Louis and my wonderful Russian, American, and British colleagues at The Moscow Tribune, and my pet fish. I could not have survived the shock of actually living in Moscow (as opposed to being a tourist in it) without the insight and support of Tracy McDonald. Life there was also enlivened by the community of North American scholars, who shared advice, coffee cake and (less helpfully) vodka, all of which cemented among us a version of zemliachestvo. And I cannot repay

the debt I owe Mark Cornwall for seeing me through the writing of this thesis with humour and love.

In the spring of 1979 I met Tom Suddon and David Sanders, two young men who taught me much about scholarship, pleasure and friendship. In the years that followed, in different ways they became landmarks of my mental universe. They died from AIDS-related complications in the early 1990s. The memory of their intelligence, the joy they brought me, and their lives cut short too soon, sustained me when my spirits flagged. This work is my inadequate memorial to their lives.



## TABLE OF CONTENTS

ACKNOWLEDGEMENTS.....	iv
LIST OF ABBREVIATIONS.....	x
INTRODUCTION.....	1

### PART I: PUBLIC TRANSCRIPTS

Introduction to Part I.....	36
-----------------------------	----

#### Chapter

1. CONSTRUCTING BOLSHEVIK HOMOSEXUALITIES IN LAW, 1917-1922.....	39
2. REGULATING SEXUAL AND GENDER DISSENT, 1922- 1933.....	80
3. PROPAGANDA, TERROR AND RESISTANCE, 1933- 1941.....	132
4. FORENSIC MEDICINE AND THE HOMOSEXUAL BODY, 1861-1941.....	191
5. PSYCHIATRY AND THE HOMOSEXUAL MIND, 1917- 1941.....	251

### PART II: HIDDEN TRANSCRIPTS

Introduction to Part II.....	324
------------------------------	-----

6. MEN TOGETHER: SOCIAL CONTEXTS, 1861-1941.....	327
7. WOMEN TOGETHER: SOCIAL CONTEXTS, 1880- 1941.....	398

CONCLUSION.....	447
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BIBLIOGRAPHY.....	460
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To

Thomas Arthur Suddon (1957-1992)

and

David Francis Sanders (1953-1993)



## LIST OF ABBREVIATIONS

APRF	Arkhiv prezidenta Rossiiskoi Federatsii
GARF	Gosudarstvennyi arkhiv Rossiiskoi Federatsii
RGAE	Rossiiskii gosudarstvennyi arkhiv ekonomiki
RGALI	Rossiiskii gosudarstvennyi arkhiv literatury i iskusstva
RTsKhIDNI	Rossiiskii tsentr khraneniia i izucheniia dokumentov noveishei istorii
TsGAMO	Tsentral'nyi gosudarstvennyi arkhiv moskovskoi oblasti
TsGIAgM	Tsentral'nyi gosudarstvennyi istoricheskii arkhiv goroda Moskvy
TsMAM	Tsentral'nyi munitsipal'nyi arkhiv Moskvy

## Introduction

If Russian history is famously littered with "blank spots" then the story of the understanding and treatment of homosexuality in this society must surely be one of the most obscure. Sexuality in general has been accorded little attention by serious scholars in this field. Intimate aspects of personal life have long been regarded as trivial and unilluminating when contrasted with the epoch-making events which shook Russia in this century. Russian and non-Russian historians have generally concentrated their gaze on the 'triumph and tragedy' of the Russian nation in war, revolution and modernization. In doing so they have followed historiographical traditions in the field which, until recently, confined issues of sexuality to polemical, journalistic or medicalized discourses.

This dissertation is an attempt to distill the story of homosexuality in Russia from legal, medical and popular sources, in order to situate same-sex love and its manifold interpretations within the narrative of the Russian people's experience in the formative years of the Soviet system. It is also an attempt to incorporate the previously overlooked history of Russian sexual and gender dissidence within the emerging field of histories of sexualities. In seeking to speak to both historiographical traditions, I have adopted language from each one. The purposes of this introduction are to acquaint the reader with the conceptual frameworks borrowed from these historiographies, to situate the dissertation within these two

traditions, and to present its structure, and its terminological and source bases.

(i) Historiographies and Approaches

Twenty years of scholarship in the history of what we in the developed West call "homosexuality", have led to the virtual consensus that same-sex love is historically contingent rather than an essential sexual orientation manifesting itself in similar forms in every time and place. Sexuality, far from being "natural" and immutable, is now widely understood as a product of our cultures and societies.<sup>1</sup> Even avowed essentialists are forced to concede the need to consider cultural specificities in their "gay" histories.<sup>2</sup> As a way of thinking about our bodies and experiences, "sexuality" itself has been historicized, with Michel Foucault's argument that sexuality has only existed as a construct since the Enlightenment and the rise in medical and

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<sup>1</sup> See e.g. Edward Stein, ed. Forms of Desire: Sexual orientation and the social constructionist controversy. (New York: Routledge, 1990); John D'Emilio, Making Trouble: Essays on gay history, politics, and the university. (New York & London: Routledge, 1992); Jeffrey Weeks, Sexuality and its Discontents: Meanings, Myths & Modern Sexualities. (London: Routledge & Kegan Paul, 1985).

<sup>2</sup> John Boswell, "Revolutions, Universals, and Sexual Categories." In Hidden From History: Reclaiming the Gay and Lesbian Past, eds Martin Duberman, Martha Vicinus, and George Chauncey (New York: Penguin, 1989); Rictor Norton, The Myth of the Modern Homosexual: Queer History and the Search for Cultural Unity (London & Washington: Cassell, 1997), 12-13.

official interest in channelling and regulating human resources.<sup>3</sup>

The result of the wave of scholarship employing the methodologies of social constructionism has been a very nuanced picture of historical same-sex eros in Western Europe, North America and related cultures. Cultures outside the developed world have not been so thoroughly explored, although there are significant exceptions which suggest that our map of homosexualities requires revision.<sup>4</sup> The "geography of perversion", to borrow the title from a recent work on eighteenth- and nineteenth-century Western views of non-European sodomy, has been calibrated, until recently, with a Western template which obscures as much as it reveals, and says more about our preoccupations than those of the cultures under our gaze.<sup>5</sup> Work on non-Western forms of same-sex eroticism has begun

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<sup>3</sup> Michel Foucault, The History of Sexuality: Vol 1, An Introduction. Translated by Robert Hurley. London: Penguin, 1978.

<sup>4</sup> Gilbert Herdt, "Introduction: Third Sexes and Third Genders." In Third Sex, Third Gender: Beyond sexual dimorphism in culture and history, ed. G. Herdt. (New York: Zone Books, 1993); Stephen O. Murray, and Will Roscoe, eds Islamic Homosexualities: Culture, History and Literature. (New York & London: New York University Press, 1997); Peter A. Jackson, "Thai Research on Male Homosexuality and Transgenderism and the Cultural Limits of Foucaultian Analysis." Journal of the History of Sexuality (1 1997): 52-85.

<sup>5</sup> Rudi C. Bleys, The Geography of Perversion: Male-to-Male Behavior Outside the West and the Ethnographic Imagination, 1750-1918. (New York: New York University Press, 1995); for a similar understanding of European encounters with other cultures' same-sex eros, Richard C. Trexler, Sex and Conquest: Gendered Violence, Political

- but the peculiar position of Russia as neither European nor Asian, but both, has tended to mean that this nation has been ignored by scholars of sexualities for both continents.<sup>6</sup> Survey histories of same-sex love have relied on a handful of authorities when treating Russia or the Soviet Union; less satisfactory has been the decision by one recent popular author to ignore this vast, variegated region completely.<sup>7</sup>

A significant aspect of the social constructionist model, one which has perhaps restricted its application beyond regimes of liberal democracy, has been its analysis of power relations in society and how they are expressed through sexualities. Foucault invited a generation to examine the micro-environments of the

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Order, and the European Conquest of the Americas. (Ithaca: Cornell University Press, 1995). For an example of the traditional history of non-Western homosexualities, see Bret Hinsch, Passions of the Cut Sleeve. (Berkeley: University of California Press, 1990).

<sup>6</sup> Thus, for example the polyglot Rudi Bleys avoids the region entirely despite his exhaustive coverage of ethnographic literature for Asia, Africa and the Americas, "Bibliography", The Geography of Perversion, 273-319; the bachi (boy prostitutes) of Central Asian Islamic societies are confined to a single reference in Murray, ed. Islamic Homosexualities, 208-11.

<sup>7</sup> Modest source bases for Russia characterized the following studies, which in most respects were exhaustive: Arno Karlen, Sexuality and Homosexuality: A New View. (New York: W. W. Norton, 1971); David Greenberg, The Construction of Homosexuality. (Chicago: University of Chicago Press, 1988). More recent popular surveys have relied on Simon Karlinsky's work, in the case of Neil Miller, Out of the Past: Gay and Lesbian History from 1869 to the Present. (New York: Vintage Books, 1994), or they have ignored Russia completely; a bestselling example is Colin Spencer, Homosexuality: A History. (London: Fourth Estate, 1995).

clinic, the schoolroom, the boudoir, to uncover the construction of sexuality in the negotiations between husband and wife, adult and child, doctor and patient. By deploying discourses of sexuality, societies crossing the "threshold of modernity" achieved greater control over the individual's body, and the population as a whole.<sup>8</sup> The discourse of sexuality has widely been interpreted by recent historians of European homosexuality as an attribute of modernity.<sup>9</sup>

The potential for discourse analysis as a methodological tool in Russian historical research has been demonstrated in Laura Engelstein's studies of the ideologies of sexuality and gender in tsarist society.<sup>10</sup> Her The Keys to Happiness: Sex and the Search for Modernity in Fin-de-Siècle Russia has also shown historians of Russia that it is possible to integrate material about same-sex relations into professional scholarly writing, through the lens of gender, in intellectually fresh and

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<sup>8</sup> Foucault, History of Sexuality. Vol. 1, 97, 143-45.

<sup>9</sup> Greenberg, The Construction of Homosexuality, 14; Martin Duberman, Martha Vicinus, and George Chauncey Jr, "Introduction" In Hidden From History, M. Duberman, M. Vicinus, G. Chauncey, eds, 9.

<sup>10</sup> Laura Engelstein, "Lesbian Vignettes: A Russian Triptych from the 1890s." Signs 15 (4 1990): 813-31; The Keys to Happiness: Sex and the Search for Modernity in Fin-de-Siècle Russia. (Ithaca & London: Cornell University Press, 1992); "There is Sex in Russia - and Always Was: Some Recent Contributions to Russian Erotica." Slavic Review 51 (4 1992): 786-90; "Soviet Policy Toward Male Homosexuality: Its Origins and Historical Roots." In Gay Men and the Sexual History of the Political Left, eds G. Hekma, H. Oosterhuis, and J. Steakley. (Binghamton: Harrington Park Press, 1995).

productive ways.<sup>11</sup> Engelstein has argued persuasively that disciplinary power in liberal democracies - what Foucault called "power/knowledge", or regimes of knowledge and methods of scientific practice as deployed on specific populations - never had the chance to flourish in Russian conditions. Tsarism "was as unwilling to allow alternative sources of custodial influence as it was jealous of the intrinsic power of the law."<sup>12</sup> Tsarist absolutism was replaced by a Bolshevik Polizeistaat rejecting rule of law liberalism; Bolshevism "harnessed professional disciplines to its own repressive ends."<sup>13</sup> The chronological vector inherent in Foucault's analysis of modernity, from absolutism to enlightened despotism to liberalism, did not apply in Russia. Engelstein revised Trotskii's concept of "combined development" (calling it instead "combined underdevelopment") to describe the "superimposition" of three forms of power simultaneously in the Leninist-Stalinist polity. "The regime of 'power/knowledge' never came into its own in the Russian context" since there was no legal basis, no rule of law state, to frame

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<sup>11</sup> Another recent work which integrates gender and discourse analysis in this innovative way is Jane T. Costlow, Stephanie Sandler, and Judith Vowles, eds Sexuality and the Body in Russian Culture. (Stanford: Stanford University Press, 1993).

<sup>12</sup> Laura Engelstein, "Combined Underdevelopment: Discipline and the Law in Imperial and Soviet Russia." American Historical Review 98 (2 1993): 348.

<sup>13</sup> Ibid., 344.

its authority.<sup>14</sup>

Yet, as Engelstein admits in her application of Foucault's ideas to the Russian case, elites there did absorb Western ideas, and scientific disciplines took up the "new disciplinary mechanisms" albeit harnessed to an authoritarian regime. How these disciplinary mechanisms were adapted to authoritarian power, or more precisely, how homosexuality as a diagnosis was deployed by scientists (psychiatrists, endocrinologists, and others) under Bolshevik rule, is one of the central questions of this study. The specifically local character of this disciplinary category of homosexuality is also a focus. The presumption that Soviet Russian elites endorsed a single, coherent concept of homosexuality is a feature of existing commentaries on the issue from both leftist and totalitarian points of view.<sup>15</sup> This thesis presents new evidence to dispell this presumption and move

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<sup>14</sup> Ibid., 344, 351.

<sup>15</sup> The left-wing assertion that early Bolshevism supported homosexual emancipationism was influentially propounded by Wilhelm Reich, "The Struggle for a 'New Life' in the Soviet Union", first published in 1936, reprinted in his The Sexual Revolution. (New York: 1969), and repeated in John Lauritsen and David Thorstad. The Early Homosexual Rights Movement (1864-1934). (New York: Times Change, 1974), 62-75. From a totalitarian perspective, the pioneering work of Simon Karlinsky has argued that Bolshevism was hostile toward homosexuals and emancipationism; see his "Russia's Gay Literature and History." Gay Sunshine (29/30 1976): 1-7; idem., "Russia's Gay Literature and Culture: The Impact of the October Revolution." In Hidden From History, eds M. Duberman, M. Vicinus, and G. Chauncey; idem. "Introduction: Russia's Gay Literature and History." In Out of the Blue: Russia's Hidden Gay Literature, ed. Kevin Moss. (San Francisco: Gay Sunshine Press, 1996).



forward to the more intriguing question regarding the differences of approach espoused by practitioners in various disciplines and their political implications.

Similarly, the geographic and ethnic limits of modern "homosexuality" as disciplinary category are queried in this study. Same-sex love was not viewed as a uniformly medical condition throughout the entire tsarist or Soviet empires. Russia provides an excellent (and heretofore neglected) example of a European society's discordant, fragmented views of same-sex eros across national and ethnic boundaries.<sup>16</sup> "Homosexuality" in non-Christian peoples on the periphery of empire was read differently, and inconsistently, from the ways it was interpreted among Great Russians at the centre. Gender-transgressive shamans in Far Eastern indigenous societies were deemed to suffer from "perversion of the sexual instinct" by turn-of-the-century anthropologists, following the medical model; yet Islamic males who exploited boy prostitutes were judged by Russian doctors to be debauched, not diseased.<sup>17</sup> The history of the Western idea of

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<sup>16</sup> Bleys, The Geography of Perversion, 270.

<sup>17</sup> On Siberian shamans, see excerpts from anthropological literature in Stephen O. Murray, ed. Oceanic Homosexualities. (New York: Garland, 1992), 314, 324, 332-36; on the revival of Siberian shamanistic cultures and concomitant androgyny, see Marjorie M. Balzer, "Sacred Genders in Siberia." In Gender Reversals and Gender Cultures, ed. Sabrina P. Ramet. (London & New York: Routledge, 1996); on Muslim males, see V. M. Tarnovskii, Izvrashchenie polovogo chuvstva. Sudebno-psikhiatricheskii ocherk. (St Petersburg: 1885), 50-51; and A. Shvarts, "K voprosu o priznakakh privychnoi passivnoi pederastii (Iz nabliudenii v aziatskoi chasti g. Tashkenta)." Vestnik obshchestvennoi gigieny, sudebnoi

homosexuality in Russia has to be understood not only in relation to the structures of political power in which the model was deployed, but in relation to the ways the model was reworked or rejected to account for sex and gender dissidence among 'uncivilized' peoples beyond the European heartland. There was a differentiated "geography of perversion" in operation in nineteenth- and twentieth-century Russia, and this thesis, while primarily confined to the study of European Russia heartland, attempts to set out some of the contours of that geography in the Russian imagination.

Partially from the potential difficulties inherent in applying Foucaultian analysis to a non-liberal society, and from the complexities of examining a 'sexual minority' (to use the phrase currently employed by Russians themselves) in a context where that minority's voice has been all but silenced, I have structured the thesis around the useful division of 'public' versus 'hidden' transcripts as elaborated by James Scott.<sup>18</sup> Public transcripts consist of the discourses which are deployed by social elites to maintain their control over the societies they dominate. These transcripts are hegemonic, structuring ways in which people understand their social positions and even their personal identities. By contrast, hidden transcripts are formed by subaltern groups as a means of understanding their status and

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i prakticheskoi meditsiny (6 1906): 816-18.

<sup>18</sup> James C. Scott, Domination and the Arts of Resistance: Hidden Transcripts. (New Haven & London: Yale University Press, 1990).

of structuring their responses and especially their resistance to power. In Part I of the study (chapters one through five), the public transcripts of the Imperial Russian and then Soviet regimes regarding manifestations of gender and sexual dissidence are examined. Chapters one to three examine how the public transcript was fashioned in the codification of Bolshevik law, in juridical commentary, and in administrative and judicial practice. The fourth and fifth chapters turn to examine the significant, but frequently less dominant role, played by medical versions of the public transcript. In Part II, chapters six and seven discuss some of the hidden transcripts employed by gender and sexual dissidents in modern Russia.

If historians of homosexuality have neglected the Russian area, it can also be said that political and social historians of Russia have tended to treat homosexuality in an inconsequential fashion. Few sustained, systematic discussions of the issue exist in this literature, and fewer still have made a serious impact on the political and social historiography. The earliest treatments of homosexuality in twentieth-century Russia were limited to tendentious interventions in the ideologies of sex reform.<sup>19</sup> Scholarly attention to this history began with the ground-breaking literary and cultural studies of Simon Karlinsky.<sup>20</sup> In

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<sup>19</sup> Reich, The Sexual Revolution; Lauritsen and Thorstad, The Early Homosexual Rights Movement (1864-1934).

<sup>20</sup> Karlinsky, "Russia's Gay Literature and History."; "Death and Resurrection of Mikhail Kuzmin." Slavic Review 38 (1 1979): 92-96; "Gay Life before the Soviets: Revisionism Revised." The Advocate 339 (1 April 1982): 31-34;

his most recent survey articles, Karlinsky has consolidated his material within a totalitarian interpretation of the Soviet 1920s and 1930s. The totalitarian analysis has proven very popular in post-communist Russia, where various versions of Karlinsky's work have appeared in both gay and mainstream publications.<sup>21</sup>

The principle features of Karlinsky's discussions of Soviet homosexuality which are scrutinized in this study are his account of the absence of sodomy as a prohibited act in the RSFSR criminal codes of 1922 and 1926, and his explanations for political and medical attitudes toward same-sex love in the interval of Soviet Russian sodomy decriminalization (1922-1933). Karlinsky argues that Bolshevik leaders had no intention of legalizing homosexuality when they abrogated tsarist criminal statutes in 1917; he implies that subsequent sodomy

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"Russia's Gay Literature and Culture"; "Introduction: Russia's Gay Literature and History".

<sup>21</sup> Karlinsky's Russian publications have offered much needed antihomophobic historical perspectives for queer communities and for a wider intellectual audience. See for example his "Gomoseksualizm v russkoi istorii i kul'ture" Tema (1 1991): 4-5; idem. "'Vvezen iz-za granitsy...'" Gomoseksualizm v russkoi kul'ture i literature." In Erotika v russkoi literature. Ot Barkova do nashikh dnei. Literaturnoe obozrenie. Spetsial'nyi vypusk, eds I. D. Prokhorovaia, S. Iu. Mazur, and G. V. Zykovaia. (Moscow: Literaturnoe obozrenie, 1992). Karlinsky's analysis of Soviet history and its impact on Russian homosexuality is dominant in Iaroslav Mogutin and Sonia Franeta. "Gomoseksualizm v sovetskikh tiur'makh i lageriakh." Novoe vremia (35-36 1993); and in David Tuller, Cracks in the Iron Closet: Travels in Gay & Lesbian Russia. (Boston: Faber & Faber, 1996).

decriminalization was the result of neglect or oversight.<sup>22</sup> I have challenged these interpretations on the basis that Bolsheviks deliberately did choose to make adult sodomy legal, within specific medical, legal and social contexts which Karlinsky's account passes over or presents in an incomplete manner.<sup>23</sup> With a review of little used tsarist legal commentaries and newly available archival sources, chapter one supplements these arguments with clearer evidence of the principled decision to decriminalize sodomy in revolutionary law.

Karlinsky's representation of Soviet medical views of same-sex love from the era of sodomy legalization as uniformly "morbiditying" and therefore hostile, offers only a limited picture of medical opinion and the range of its influence.<sup>24</sup> In chapter two the varieties of opinion expressed on sex and gender dissent during the era of decriminalization are reviewed. The Soviet regime permitted a multiplicity of views on the issue to coexist and develop until Stalin's recriminalization of male sodomy in 1933. Jurists, doctors and marxist commentators expressed tolerance of some forms of "homosexuality" and

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<sup>22</sup> Karlinsky, "Russia's Gay Literature and Culture", 357.

<sup>23</sup> Daniel Healey, "A Social History of Homosexuality in Soviet Russia, 1917-1934," MA thesis, School of Slavonic and East European Studies, University of London, 1991; published as "The Russian Revolution and the Decriminalisation of Homosexuality." Revolutionary Russia 6 (1 1993): 26-54. See also Engelstein, "Soviet Policy Toward Male Homosexuality".

<sup>24</sup> Karlinsky's view of Soviet medicine is based on just two sources, "Russia's Gay Literature and Culture", 358.

apprehension about others. Certain social groups (for example, Orthodox clerics and Central Asians) were singled out by Bolsheviks for the backwardness of their customs or daily life (byt) which led them into undesirable homosexual relations. Meanwhile, certain Russian medical experts and some "homosexuals" interpreted the rhetoric of the sexual revolution in an emancipationist fashion.<sup>25</sup>

Perceptions among historians of Soviet Russia about heterosexuality, especially in the formative 1920s, have been greatly influenced by revisionists Richard Stites and Sheila Fitzpatrick.<sup>26</sup> By reintegrating material ignored by an earlier generation of historians, they began the process of querying how sexuality between men and women was a force in revolutionary and New Economic Policy (NEP) politics. More recent contributions by Eric Naiman (on Leningrad's Chubarov Alley group rape scandal) and Elizabeth Waters, Natal'ia Lebina and Mikhail Shkarovskii (on revolutionary polices to deal with female prostitution) have all

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<sup>25</sup> This study dispells the impression that Soviet gender and sexual dissidents were victims without historical agency. Karlinsky admits "Soviet persecution of gay men was neither continuous nor total" under Stalin, *ibid.*, 362. Left-wing, antistalinist accounts imply resistance was non-existent or futile. See Reich, The Sexual Revolution, 252-56; Lauritsen and Thorstad, The Early Homosexual Rights Movement (1864-1934), 62-75.

<sup>26</sup> Richard Stites, The Women's Liberation Movement in Russia: Feminism, Nihilism, and Bolshevism, 1860-1930. (Princeton: Princeton University Press, 1978); Sheila Fitzpatrick, "Sex and Revolution: An Examination of Literary and Statistical Data on the Mores of Soviet Students in the 1920s." Journal of Modern History 50 (1978): 252-78.

confirmed that confusion and dissatisfaction dogged the "sex question" (polovoi vopros) during the 1920s.<sup>27</sup> Revolutionary utopian optimism that relations between the sexes would be transformed, that male brutality would be restrained, and that the economic exploitation of female prostitution would cease, was swiftly deflated. The strategic retreats of NEP were blamed, and the sex question became a prism for numerous wider disappointments.

Recent literature on revolutionary Russian approaches to the gender roles and the family in legislation and policy has also underscored the revisionist interpretation that NEP was a time of perceived crisis in matters of gender and sexuality. This reading has undermined the received opinion that the Soviet 1920s were a time of emancipatory measures, such as abortion on demand, and the liberation of women. The civil war decision to legalize abortion was officially predicated not on liberal principles of individual choice, but on emergency conditions which compelled Bolsheviks to assign a custodial role over women's reproductive

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<sup>27</sup> Eric Naiman, "The Case of Chubarov Alley: Collective Rape, Utopian Desire and the Mentality of NEP." Russian History/Histoire Russe 17 (1 1990): 1-30; idem. Sex in Public: The Incarnation of Early Soviet Ideology. (Princeton: Princeton University Press, 1997). Elizabeth Waters, "Victim or villain: Prostitution in post-revolutionary Russia." In Women and Society in Russian and the Soviet Union, ed. Linda Edmondson. (Cambridge: Cambridge University Press, 1992); N. B. Lebina, and M. B. Shkarovskii. Prostitutsiia v Peterburge. (Moscow: Progress-Akademiia, 1994).

function to medicine.<sup>28</sup> (Nevertheless it is interesting to note that in the deliberations over abortion legalization in 1920, women - Inessa Armand, Nadezhda Krupskaya - appeared to emphasize a woman's right to control fertility, while their male counterparts were keen to erect gatekeeping mechanisms to limit access to the procedure.)<sup>29</sup> In the failure to satisfy early revolutionary expectations that burdens of housework and childcare would be assumed by the socialist state, Bolshevik social policy in the 1920s disappointed those who hoped to free women from traditional unpaid labour. Radical divorce, marriage and alimony legislation left women vulnerable to abandonment and single motherhood in a period of high female unemployment.<sup>30</sup>

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<sup>28</sup> Wendy Goldman, "Women, Abortion and the State, 1917-36." In Russia's Women: Accommodation, Resistance, Transformation, eds Barbara Evans Clements, Barbara Alpern Engel, and Christine D. Worobec. (Berkeley & Los Angeles: University of California Press, 1991); Susan Gross Solomon, "The Demographic Argument in Soviet Debates over the Legalization of Abortion in the 1920's." Cahiers du Monde russe et soviétique 33 (1 1992): 59-82.

<sup>29</sup> Elizabeth A. Wood, The Baba and The Comrade: Gender and Politics in Revolutionary Russia. (Bloomington & Indianapolis: Indiana University Press, 1997), 107-108. Wood does not account for this conspicuous gender divide in the discussion over abortion decriminalization.

<sup>30</sup> Beatrice Brodsky Farnsworth, "Bolshevik Alternatives and the Soviet Family: The 1926 Marriage Law Debate." In Women in Russia, eds Dorothy Atkinson, Alexander Dallin, and Gail Warshofsky Lapidus. (Stanford: Stanford University Press, 1977); Barbara Evans Clements, "The Effects of the Civil War on Women and Family Relations." In Party, State and Society in the Russian Civil War, eds D. P. Koenker, W. G. Rosenberg, and R. G. Suny. (Bloomington: Indiana University Press, 1989); Wendy Z. Goldman, Women, the State, and Revolution: Soviet Family Policy and Social Life. (Cambridge: Cambridge University Press, 1993).



Women found their paths toward advancement in politics and industry blocked by a male Party and managerial elite which had not examined its gender prejudices.<sup>31</sup> Furthermore, the family as institution was in flux, with traditional patriarchal extended families being replaced by the nuclear family of industrialized, urban nations.<sup>32</sup> Awareness of these circumstances has contributed to an understanding of NEP as a time of considerable concern and conservatism in matters of sexuality and the personal life, but the place of same-sex relations in this cluster of anxieties has remained unexamined.

Less has been written so far about attitudes toward sex and gender roles in the Soviet 1930s, but the present dissertation will not be alone in contributing to a literature which is beginning to develop. David Hoffman's research on concepts of communist morality during this period, and Sarah Davies' recent book on popular opinion in response to a range of political issues (including the 1936 abortion ban, women's roles in work and at home, and divorce legislation) are just two of a number of

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<sup>31</sup> Barbara Evans Clements, Bolshevik Women. (Cambridge: Cambridge University Press, 1997); Wood, The Baba and The Comrade.

<sup>32</sup> Robert Johnson, "Family Life in Moscow during NEP." In Russia in the Era of NEP, eds S. Fitzpatrick, A. Rabinowitch, and R. Stites. (Bloomington and Indianapolis: Indiana University Press, 1991); on the devastating effects of war and revolution on families, see Alan M. Ball, And Now My Soul Is Hardened: Abandoned Children in Soviet Russia, 1918-1930. (Berkeley & London: University of California Press, 1994).

new studies which are now appearing on related topics.<sup>33</sup> Davies' work has suggested that opposition to the abortion ban, curbs on access to divorce, and the regime's revival of femininity was more widely voiced than had previously been imagined. Peter Solomon's history of stalinist judicial institutions suggests that similar opposition to legislation regarded as harsh was displayed discreetly by judges and procurators.<sup>34</sup> The present dissertation, in chapter three, looks at popular and expert responses to the revived antisodomy statute of 1933-1934 to ascertain how this aspect of the 'Great Retreat' was received by "homosexual" men and their prosecutors.

Still within the broader range of literature on Russia's political and social history, the institutional and intellectual history of Soviet medicine has only recently begun to attract scholarly attention, and a number of new works on social hygiene, psychology, psychiatry and psychoanalysis are starting to appear.<sup>35</sup> With its discussions of Russian forensic medicine and

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<sup>33</sup> At the time of writing, David Hoffman has not published his findings. Sarah Davies, Popular Opinion in Stalin's Russia: Terror, Propaganda and Dissent, 1934-1941. (Cambridge: Cambridge University Press, 1997). On stalinist "hybridization" of old and new in women's roles, and on the "revival of the family" in the 1930s, see Goldman, Women, the State, and Revolution.

<sup>34</sup> Peter H. Solomon Jr, Soviet Criminal Justice under Stalin. (Cambridge: Cambridge University Press, 1996). Solomon ignores the matter of the 1933-1934 sodomy law enactment and enforcement, yet many aspects of this issue reinforce his theses.

<sup>35</sup> On social hygiene and the politics of public health, see Susan Gross Solomon, and John Hutchinson, eds Health and Society in Revolutionary Russia. (Bloomington &

forensic psychiatry, and their understandings of same-sex relations, this dissertation contributes new material to these studies. A central issue in the literature on the history of Soviet sciences is the question of intellectual exchange between Soviet and European science.<sup>36</sup> What concepts and practices was it possible for the Russians to adopt, and which did they discard or ignore? In what direction did the vector of influence run? How was legal medicine organized in tsarist and Soviet Russia, and how did its relationship with the police and courts influence scientific understandings of the sex and gender dissident? In chapters four and five, these issues are examined with regard to the forensic medical and psychiatric professions' reception of the Western medical models of homosexuality and "sexual perversion" in general. The degree to which these disciplines contributed to the construction of modern public transcripts of same-sex relations in Soviet Russia is assessed.

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Indianapolis: Indiana University Press, 1990); and Frances L. Bernstein, "Envisioning Health in Revolutionary Russia: The Politics of Gender in Sexual-Enlightenment Posters of the 1920s." Russian Review (57 1998): 191-217. On psychology, psychiatry and neurology, David Joravsky, Russian Psychology: A Critical History. (Oxford & Cambridge, MA: Basil Blackwell, 1989). On psychoanalysis, Aleksandr Etkind, Eros nevozmozhnogo: Istoriia psikhooanaliza v Rossii. (St Petersburg: Meduza, 1993); and Martin Miller, "Freudian Theory under Bolshevik Rule: The Theoretical Controversy during the 1920s." Slavic Review 44 (4 1985): 625-46.

<sup>36</sup> See for example Mark B. Adams, ed. The Wellborn Science: Eugenics in Germany, France, Brazil and Russia. (New York & Oxford: Oxford University Press, 1990); and Susan Gross Solomon, "The Soviet-German Syphilis Expedition to Buriat Mongolia, 1928." Slavic Review 52 (2 1993): 204-32.

The dissertation turns in Part II to examine hidden transcripts. In chapters six and seven, the social contexts of homosexual men's and women's lives and subcultures are examined. These chapters contribute to an emerging literature on historical forms of deviance and social exclusion (homelessness, prostitution, criminality) in tsarist and Soviet society.<sup>37</sup> The material under discussion in both chapters is primarily urban, since sources for rural same-sex eros are scarce. Nevertheless, in chapter six on men's patterns of same-sex relations, traditional rural-urban ties (for example, in affiliation by region, zemliachestvo, or by work team, artel') were significant in the formation of a male homosexual subculture in Russia's two capitals where migrant labour patterns were influential. Traditional patterns of mutual male sexual relations coexisted in the city with a more modern subculture of men who identified themselves as primarily oriented toward their own sex.

Rather differently, an urban female homosexual social stratum, discussed in chapter seven, appeared later and less distinctly among women. This gendered difference, reflecting the diverse source bases for males and females in the present study, also mirrors an existing divide in the literature on the social

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<sup>37</sup> Ball, And Now My Soul Is Hardened; G. A. Bordiugov, "Sotsial'nyi parazitizm ili sotsial'nye anomalii? (Iz istorii bor'by s alkogolizmom, nishchestvom, prostitutsiei i brodiazhestvom v 20-30e gody." Istoriia SSSR (1 1989): 60-73; Lebina and Shkarovskii, Prostitutsiia v Peterburge.

origins and mentalities of Russia's city populations.<sup>38</sup> Gender variations in the social forms of same-sex relations confirm existing impressions that the experience of the heterosexual "sexual revolution" differed enormously for men and women.<sup>39</sup> Little historical writing on Soviet female same-sex love exists; a brief article about lesbians in recent Soviet history by St Petersburg cultural critic and activist Ol'ga Zhuk is one of the few attempts to consolidate a narrative.<sup>40</sup> The best documented record of a lesbian life in the Soviet period, that of poet Sofiia Parnok (1885-1933), has been described with increasing detail and subtlety by both Sofiia Poliakova and Diana Lewis Burgin. The latter has also traced the literary and social significance of lesbian love in late tsarist Russia in a fine article.<sup>41</sup> These important works have revealed much about an

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<sup>38</sup> Cf. Robert Johnson, Peasant and Proletarian: The Working Class of Moscow in the Late Nineteenth Century. (New Brunswick, NJ: Rutgers University Press, 1979), 53-66; and Barbara Alpern Engel, Between the fields and the city: Women, work and family in Russia, 1861-1914. (Cambridge: Cambridge University Press, 1994), 67.

<sup>39</sup> Expressed in Fitzpatrick, "Sex and Revolution"; and Bernstein, "Envisioning Health in Revolutionary Russia".

<sup>40</sup> Olga Zhuk, "The Lesbian Subculture: The Historical Roots of Lesbianism in the Former USSR." In Women in Russia: a new era in Russian feminism, ed. Anastasia Posadskaya. (London: Verso, 1994). Russian versions of this article appeared in Tema (1 1991) and Gay Slaviane! (1 1993): 16-20.

<sup>41</sup> Sofiia Poliakova, "Poeziia Sofii Parnok." In Sofiia Parnok: Sobranie stikhotvorenii, ed. S. Poliakova. (Ann Arbor: Ardis, 1979), republished in Russia as Sofiia Parnok, Sofiia Parnok: Sobranie stikhotvorenii. (St Petersburg: Inapress, 1998); S. Poliakova, Zakatnye ony dni: Tsvetaeva i Parnok. (Ann Arbor: Ardis, 1983); Diana

aspect of Russian women's experience which has remained hidden, despite the considerable new writing on women which has emerged in the last two decades. This dissertation's chapter seven represents a still modest effort to survey the social history of early Soviet female homosexuals, a survey which has not previously been attempted.

The study of "homosexuality" and of "homosexuals" in history inherently calls upon a diverse selection of often isolated sources. Historians of sexualities have highlighted how definitional questions and the study of sources are key problems for the development of this historiography.<sup>42</sup> Working with the Russian and Soviet case, the normally quite challenging problems of terminology and source materials for this topic are magnified, and require elucidation.

## (ii) Terminology

A great deal of academic writing about sexuality in history and

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Lewis Burgin, "Laid Out in Lavender: Perceptions of Lesbian Love in Russian Literature and Criticism of the Silver Age, 1893-1917." In Sexuality and the Body in Russian Culture, eds J. T. Costlow, S. Sandler, J. Vowles; idem., Sophia Parnok: The Life and Work of Russia's Sappho. (New York & London: New York University Press, 1994).

<sup>42</sup> Recent discussions include Jeffrey Weeks, Against Nature: essays on history, sexuality and identity. (London: Rivers Oram Press, 1991); D'Emilio, Making Trouble; Scott Bravmann, Queer fictions of the past: History, culture and difference. (Cambridge: Cambridge University Press, 1997).

critical theory is burdened by dense jargon. In certain fields there are plausible justifications for employing specialized terminology, but a commitment to inclusive and accessible scholarship implies the use of language which remains open to a wide readership. Much ink has been spilled in the past two decades over the question of how to conceive of the homosexual in history, and linguistic practices are at the heart of this debate. In this dissertation I have endeavoured to avoid the most egregious anachronisms by working from the following assumptions and conventions.

I have sought to distinguish in my prose between "homosexuality", a specific psychosexual condition defined by Western medicine beginning in the last third of the nineteenth century, and "same-sex love" (or eros, or relations, or sexual acts), which has been observed in most societies in history. I have employed variations on the latter terms when requiring a temporally and/or culturally neutral designation for relations between members of the same sex. The distinction is significant for, as Foucault and others have pointed out, once the medical concept of "homosexuality" received wide publicity, it ceased to be an exclusive term of medical discourse. It was exploited and manipulated by educated European and American men, and later (in the twentieth century) women, who experienced same-sex desire.<sup>43</sup>

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<sup>43</sup> It is also important to distinguish between the term "homosexual", invented in 1869 by the 'homosexual' layman, Karl Maria Kertbeny, and the psychiatric recasting of the concept, during the 1870s through 1890s by Westphal, Krafft-Ebing and numerous other psychiatrists

A "homosexual" intelligentsia in Western societies began to speak back to doctors and political authorities in the discourse originally applied to them by these elites.<sup>44</sup>

The assumption behind these distinctions is that prior to modern Western medical nomination and the subsequent dissemination of medical concepts, same-sex relations were traditionally thought of as discrete acts ("sodomy", "pederasty", "tribadism") which any wicked or morally defective person might indulge in. No "homosexual identity" supposedly obtained.<sup>45</sup> There have been lively disputes over the precise temporal watershed for this development, with some arguing for dates as early as the seventeenth and eighteenth centuries in the case of well organized male sodomitical subcultures in Paris, Holland and

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and physicians. See Foucault, History of Sexuality. Vol. 1; Weeks, Sexuality and its Discontents. For a contrasting point of view, which collapses these distinctions, see Norton, The Myth of the Modern Homosexual.

<sup>44</sup> This dialogue between perverts and science deserves further scrutiny, especially beyond the Anglo-American world. For a French account, see Vernon A. Rosario, The Erotic Imagination: French Histories of Perversity. (New York & Oxford: Oxford University Press, 1997).

<sup>45</sup> A convincing argument that homosexual sex was integral to early modern Florentine masculine culture and experience is made in Michael Rocke, Forbidden Friendships: Homosexuality and Male Culture in Renaissance Florence. (New York & Oxford: Oxford University Press, 1996); I have adapted this interpretation to Russian conditions in Dan Healey, "Moscow, 1600-1991." In Queer Sites: Gay Urban Histories since 1600, ed. David Higgs. (London: Routledge, forthcoming).



London.<sup>46</sup> The emergence of a male homosexual identity or social role is widely accepted in the historiography as a marker of a given Western society's modernity.<sup>47</sup> Lesbianism as an identity in this literature is generally conceived of as a later, purely modern construct dating from the 1920s.<sup>48</sup> In late nineteenth- and early twentieth-century Russia, the terms "lesbian love" and "lesbian" (as a noun) were confined to an intellectual elite, and carried literary connotations which meant their use was avoided by psychiatrists.<sup>49</sup> I have therefore also avoided the indiscriminate use of these terms.

In this study I have attempted to listen carefully to the sources, and to adhere as nearly as possible to the medical, legal and popular terminologies their authors employed. By doing

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<sup>46</sup> Arend H. Huussen Jr, "Sodomy in the Dutch Republic During the Eighteenth Century." and Randolph Trumbach, "The Birth of the Queen: Sodomy and the Emergence of Gender Equality in Modern Culture, 1660-1750.", both in Hidden From History, eds M. Duberman, M. Vicinus, and G. Chauncey; Michael Rey "Parisian Homosexuals Create a Lifestyle, 1700-1750: The Police Archives." In 'Tis nature's fault: Unauthorized Sexual Behavior During the Enlightenment, ed. Robert P. Maccubbin. (New York: Cambridge University Press, 1985).

<sup>47</sup> Greenberg, The Construction of Homosexuality; Weeks, Sexuality and its Discontents; D'Emilio, Making Trouble.

<sup>48</sup> Lillian Faderman, Odd Girls and Twilight Lovers: A History of Lesbian Life in Twentieth-Century America. (New York: Penguin, 1991); Lesbian History Group, eds Not a Passing Phase: Reclaiming Lesbians in History 1840-1985. (London: Women's Press, 1989).

<sup>49</sup> Burgin, "Laid Out in Lavender"; Dan Healey, "Unruly Identities: Soviet psychiatry confronts the 'female homosexual' of the 1920s." In Gender in Russian History and Culture, 1800-1990, ed. Linda Edmondson. (London: Macmillan, forthcoming).

so I have sought to allow non-Russian speaking readers to obtain the flavour of the speech and prose used by tsarist and Soviet psychiatrists, physicians, jurists, and the men and women who engaged in same-sex eros. At times this threatens to produce a confusion of terms and concepts, which I have tried to minimize and explicate: but that conceptual confusion is part of the story. Russians did not speak with a single voice about this issue, and their linguistic and conceptual differences illuminate more profound divisions in their worlds.

In accordance with these general principles, I have tended to refer to historical individuals as "homosexuals" only when it seemed plausible that they operated within a relatively modern sense of the term. Ordinary educated Russians apparently did not begin to use this word, which had only entered the language in 1895, until after 1905.<sup>50</sup> Of course, many persons having same-

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<sup>50</sup> Late nineteenth century Russian medicine used the words "pederasty", "pederast", (pederastia, pederast), to refer to males who engaged in anal intercourse, usually with other males, of any age. The first use of "homosexual" (gomoseksual'nyi) in Russian was by I. M. Tarnovskii, Izvrashchenie polovogo chuvstva u zhenshchin (St Petersburg, 1895), see Engelstein, "Lesbian Vignettes"; after 1905, relaxations of censorship permitted publications such as the following to disseminate the term beyond a scientific audience: P. V. Ushakovskii, Liudi sredniago pola. (St Petersburg: 1908); V. P. Ruadze, K sudu!... Gomoseksual'nyi Peterburg. (St Petersburg: 1908); I. B. Fuks, Gomoseksualizm kak prestuplenie. Iruidich. i ugol.-politich. ocherk. (St Petersburg: "Obshchestvennaia Pol'za", 1914). Note also use of term "homosexual crimes with soldiers" used repeatedly by all protagonists in file on the 1909 dismissal of staff-captain A. I. Belinskii from the imperial army, GARF f. 117, op. 1, d. 300. I am very grateful to Josh Sanborn for directing me to this source.

sex relations after this date were not obviously "homosexual", and I have sought to retain more neutral designations ("person who experienced same-sex desire" or "person who had sex with members of their own sex") where it seemed clear to me that this was the case. I have included among such persons those whose same-sex relations took place in coercive or extraordinary contexts (for example, in prison), or who did not apparently identify with "one's own people" (svoi liudi) or "our circle" (nash krug), as some individuals were said to describe their affiliation to groups engaged in same-sex love. I have employed the inclusive formula "gender and sexual dissident" to refer to categories of individuals who were frequently associated with "homosexuals" in the language and thinking of early twentieth-century Russians. People who wore clothing appropriate to the opposite sex, people who presented themselves in public (by cross-dressing, the use of specific manners, or the forging of identity documents) as a member of the opposite sex, intersex (hermaphroditic) individuals, those who wished to change their sex by surgical means, and people whose public gender performance veered toward the margins of respectability (effeminate men and mannish women), are the chief examples of those who may be understood under this term.

### (iii) Sources

The chief source materials for this thesis are the published

Imperial Russian and Soviet medical and legal literature about sexual deviance, and court cases of individuals charged with committing sexual crimes (sodomy, sexual abuse of minors, and same-sex rape). This base has been supplemented with archival materials from the RSFSR People's Commissariats of Health and Justice.

The medical literature can be divided into a few chief disciplines, beginning with forensic medicine (sudebnaia meditsina) and continuing with psychiatry and forensic psychiatry (sudebnaia psikhiatriia). Endocrinology and to a much lesser extent, social hygiene, also took up the issue of homosexuality, from very different standpoints, during the 1920s. A popular-scientific literature of sexual deviance and morality was instrumental in spreading a modernizing discourse of sexuality beyond a specialist audience in the years between 1905 and 1930. For a variety of reasons treated in chapter three, Soviet professional discussions of homosexuality were drastically curtailed by the mid-1930s, and only brief mentions in forensic medical and psychiatric literature persisted into the 1940s-50s. In all, the medical case histories of "homosexual" individuals derived from this literature describe over one hundred persons, with the earliest cases dating from the 1860s and the latest employed in this dissertation from the 1960s.

The court cases gathered for this dissertation date from 1862 to 1959. The majority of these are from Moscow city courts and were obtained from Tsentral'nyi gosudarstvennyi istoricheskii

arkhiv goroda Moskvvy (Central State Historical Archive of Moscow, TsGIAgM) and Tsentral'nyi munitsipal'nyi arkhiv Moskvvy (Central Municipal Archive of Moscow, TsMAM), although a small number of cases from other cities and regions were obtained from pre-revolutionary forensic literature. Another source of tsarist criminal cases was the personal fond of the jurist A. F. Koni, in the Gosudarstvennyi arkhiv Rossiiskoi Federatsii (State Archive of the Russian Federation, GARF), where copies of investigation and trial documents Koni found interesting are held, including seven cases of same-sex rape, abuse or consensual sex. The cases from the tsarist era holdings of TsGIAgM are heavily skewed towards male rapes as opposed to consensual sodomy (eight out of ten cases). An extremely informative court case heard during the Civil War, the trial in Moscow of a Bishop Palladii for "unnatural acts" with his 14-year-old novice, is found in GARF holdings for the RSFSR Commissariat of Justice. Materials from the Rossiiskii gosudarstvennyi arkhiv ekonomiki (Russian State Archive of the Economy, RGAE) from the Central Statistical Administration's Department of Moral Statistics were perused for evidence of interest in same-sex crimes, with little concrete result. I was not permitted to scrutinize Moscow province (oblast') criminal court inventories at Tsentral'nyi gosudarstvennyi arkhiv moskovskoi oblasti (Central State Archive of Moscow Province, TsGAMO), where records for the capital's court cases are held for the years between 1917 and 1930. I therefore treat the 1920s - a period when sodomy between

consenting men was nominally legalized - using sources from forensic literature. Few persons would have been formally prosecuted for sodomy between consenting adults during this period, although the sources make it clear that homosexuals, male and female, did come under legal scrutiny for displaying their sexual desire in public, or directing their desire towards children and youth.

TsMAM yielded a total of sixteen cases of sodomy, or same-sex abuse of minors, for the years between 1935 and 1959. Of these cases, eight involving adult males are concentrated in the years 1935 to 1941, naming and describing a total of 36 individuals charged chiefly with consensual sodomy. Of these cases, seven survive in the form of sentencing documents and appeal records, which summarize the cases in considerable valuable detail, including age, occupation, education and marital and party status of most defendants. One trial (dated 1941) exists in full as criminal investigation documents, interrogation transcripts, and trial documentation, and supplies a vivid record of homosexual practice in the late 1930s, as well as an example of police and courtroom procedure deployed against homosexuals. A single case dated 1940 records in sentencing and appeal documents a sexual relationship between a woman in her 30s and a teenaged girl, aged 16-to-18 during their affair.<sup>51</sup>

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<sup>51</sup> To preserve the anonymity of the individuals in these TsMAM trial and sentencing documents, I have assigned pseudonyms to named defendants. For ease of identification in the text, I have given each trial a short name based on the type of document it was found in

Eight full case files from the late 1940s and into the 1950s were viewed at TsMAM, including one 1959 sodomy trial of an instructor at the Moscow Conservatory not listed in the public inventories. Two cases were extremely interesting trials (1950, 1955) of pairs of individuals for consensual sodomy; except for the Conservatory case, the remainder involved forced sodomitical acts by adults on minors ranging in age from six to 16 years. TsMAM conservation protocols apparently provide for the destruction of all but 2% of the "most representative" of these postwar, generally 1945 to 1960, city court case files, and there are no other records of the other 98% found in inventories.<sup>52</sup> In this archive, the record of postwar sodomy prosecutions is perhaps less complete than those for the late 1930s.

Also employed in this study are documents from the archives of the RSFSR Justice and Health Commissariats. Draft versions of Russia's first revolutionary criminal code (1918, 1920) proved very helpful although there is very little in the accompanying commentaries and records of discussions relating to crimes against the person. Commissariat, and later Ministry, of Justice holdings were scrutinized for what they could reveal about the recriminalization of sodomy in 1933-1934, and statistics on the enforcement of this law following these years, but what material

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(Prigovor, meaning "sentence document", or Trial), followed by the chief defendant's name and the year of the case. Full citations are listed in the Bibliography.

<sup>52</sup> Inventory folders for the city courts generally open with a statement of this protocol, but nowhere are the criteria of "representativeness" revealed.

exists is fragmentary and generally suggestive rather than conclusive. More detailed statistics are probably held in the archives of the Ministry of Internal Affairs (MVD), of the Federal Security Service (FSB), or of the Presidency (APRF), all of which remain institutions with very restrictive access policies.<sup>53</sup> Holdings for the Health Commissariat include an extremely illuminating discussion in the Expert medical council (Uchenyi meditsinskii sovet) in 1929, on the problem of the "intermediate sex" and how to regulate it. Also of use are revisions to instructions for detecting the signs of sexual crime (including sodomy) on the bodies of victims, and material on the role of forensic psychiatry in the judicial system of the 1930s.

The chapters devoted to the hidden transcripts of male and female homosexuals are derived from the court records and psychiatric literature already mentioned. These materials are primarily external to the subjects in question, and therefore must be interpreted with considerable caution. To overcome this unfavorable filtering, these sources have been supplemented with reference to biographical literature on a few notable individuals and especially by a reading of the 1920s portion of the diaries held at Rossiiskii gosudarstvennyi arkhiv literatury i iskusstva (Russian State Archive of Literature and Art, RGALI), of Mikhail Kuzmin, symbolist poet and the author of the world's first

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<sup>53</sup> Through a reliable intermediary, I inquired if MVD archives held any Soviet-era studies of the stalinist antisodomy statute (for instance, on rates of convictions, or about types of offenses), but I obtained a negative response.



coming-out novel, Kryl'ia (Wings, [St Petersburg: 1906]). The diaries provide a window on everyday life in a homosexual household of Leningrad in the 1920s; their confiscation by the secret police in the 1930s apparently facilitated the round-up of Leningrad homosexuals during the Great Terror.<sup>54</sup> The excellent biographical accounts of poet Sophia Parnok, by Sofiia Poliakova and Diana Lewis Burgin, serve in part as an analogous "control" source for same-sex relations between elite women.<sup>55</sup>

It is consistent with the historiography of homosexualities in other European nations that the preponderance of legal and medical sources should speak about men's rather than women's experience. Male same-sex relations were more efficiently policed and measured by medical science, often because male relations were criminalized while women's usually were not. Men performed a wider range of social roles on the public stage, creating records

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<sup>54</sup> S. V. Shumikhin, "Dnevnik Mikhaila Kuzmina: Arkhivnaia predystoriia." In Mikhail Kuzmin i russkaia kul'tura XX veka: tezisy i materialy konferentsii 15-17 maiia 1990g., ed. G. A. Morev. (Leningrad: Sovet po istorii mirovoi kul'tury AN SSSR, 1990). Dr Shumikhin generously provided me with materials and advice at RGALI. An annotated version of Kuzmin's diary for 1921 has been published; N. Bogomolov, and S. Shumikhin. "Mikhail Kuzmin. Dnevnik 1921 goda." Minuvshee. Istoricheskii al'manakh (12/13 1993): 423-94 & 457-524. I examined microfilmed copies of the diaries for 1922 to 1928; Kuzmin's diary notebooks for 1929-1931 were not available at the time of my visit. I was the first researcher to examine the diary for its relevance to the history of homosexuality. Only a handful of researchers have tackled it all, given the difficulties of handwriting and Kuzmin's arcane voice, yet it represents a wonderful source for domestic life in NEP Petrograd/Leningrad.

<sup>55</sup> Poliakova, "Poeziia Sofii Parnok"; Burgin, Sophia Parnok.

and attracting scrutiny. In this sense, the imbalance between the historical record of male and female same-sex love evident in this thesis is a reflection of the sources which have been canvassed. Nevertheless I would argue that this problem, which scholars have encountered time and again in the study of female homosexuality in Western societies,<sup>56</sup> should stimulate us to record and circulate the documentary evidence of women's mutual relations which we encounter, rather than sidelining each isolated story as "exceptional", "abnormal" or "irrelevant".

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<sup>56</sup> Note for example L. Crompton, "The Myth of Lesbian Impunity: Capital Laws from 1270-1791." Journal of Homosexuality (1980/81): 11-25; and J. Brown, "Lesbian Sexuality in Medieval and Early Modern Europe." In Hidden From History, eds M. Duberman, M. Vicinus, and G. Chauncey.



**PART I**

**PUBLIC TRANSCRIPTS**

## Introduction to Part I

Is it possible to imagine the early Soviet Russian regime's public transcript on homosexuality? The very posing of the question suggests the unlikelihood of an affirmative response. For Russia's social democrats poised to take power in 1917, same-sex love in its varied manifestations, and all the associated problems of gender and sexual non-conformity, were not important matters. They constituted an unanticipated set of problems.<sup>57</sup>

Nevertheless, as they set out to govern the Soviet Union, Bolsheviks and administrators acting for them found they had to fashion a public transcript on these (as so many other) unexpected issues. The apparent gap was filled by enthusiastic jurists, visionary men of medicine, petty administrators, and experts educated under the old regime who perhaps lacked faith in the new one. As they confronted the "homosexual", the "transvestite", or a member of the "intermediate sex", they sought to make sense of him and (increasingly after 1917), of her, according to their own interpretations of what was revolutionary. A fragmented, potentially disputatious public transcript evolved, reflecting various principles and practices.

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<sup>57</sup> Vladimir Lenin, political and ideological leader of the Bolsheviks, made no statements which have been recorded on the subject; see Siegfried Tornow, "Homosexuality and Politics in Soviet Russia." In Sexual Minorities and Society: the Changing Attitudes toward Homosexuality in the [sic] 20th Century Europe, eds Udo Parikas and Teet Veispak. (Tallinn: Institute of History, 1991).

Tsarist precedent, socialist aspirations, and medical discourse motivated a range of approaches to the "homosexual".

Medical discourse, so significant in Western Europe in shaping notions of same-sex love and its control, was in a special position in both the Russian Empire and later the Soviet Union. Subordinate to state authority, medicine was not a substitute for that authority in its own areas of competence, as in liberal regimes. Under both old and new regimes, most branches of medicine had accommodated and resisted the onerous weight of state imperatives. Russia in the early twentieth century was a vast and poor nation, with some 350 psychiatrists in 1916 and only 538 in 1932, at the end of the first Five Year Plan. The important problems for this tiny corporation serving a population of some 160,000,000 were "derangement and neuropathy", not sexual disorders which scarcely impeded one's fitness for work.<sup>58</sup> Soviet medicine would hardly have the resources to devote to the question of "homosexuality"; yet there was interest among psychiatrists and other scientists in the early years of the new regime, and medicine did contribute a plurality of approaches to further fragment the public transcript.

The fragmented public transcript produces a series of narratives which are difficult to unify without losing sight of their discrete trajectories. The first three chapters in Part I examine political, legal and administrative encounters with same-

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<sup>58</sup> David Joravsky, Russian Psychology: A Critical History. (Oxford & Cambridge, MA: Basil Blackwell, 1989), 420.

sex love, and gender and sexual dissent, in late tsarist and then Soviet Russia, in order to trace chronologically the influence of the tsarist heritage, of socialist doctrine, and of stalinist transformations, on approaches to the issues. To examine the special position of medical discourse within the public transcript, chapters four and five treat first forensic medicine, then psychiatry, separately and thematically. The story of the evolution of Soviet versions of these disciplines' views on sexual and gender diversity illuminates their relationship with the state, and the contribution they made to public transcripts of homosexuality.

## Chapter 1: Constructing Bolshevik homosexualities in law, 1900-1922

When the Bolsheviks came to power in 1917, the regulation of sexuality was apparently not a concern of the first order. Yet very soon revolutionary intentions regarding the relationships between the state, science and church, on the one hand, and the equality of men and women envisioned in the socialist programme on the other, determined that the problem of sexuality would figure significantly in the regime's agenda. Russian revolutionaries would draw from a number of sources to fashion a new public transcript for the sexual order they sought to produce.

The place assigned to homosexuality in that new order was ambiguous, not surprisingly for the existing socialist view of same-sex love was fragmented. Bolsheviks inherited from the German social democratic movement a range of opinion between two conflicting poles, one emancipatory, anticipating a degree of tolerance for the congenital homosexual, the other aspiring to the withering away of environmentally induced perversions through education and medical intervention. Russia's new rulers also inherited local traditions of law and enforcement regarding same-sex offenses which would influence their reconstruction of the public transcript significantly.

Tsarist conventions regarding the regulation of same-sex desire became the focus of sharp criticism from liberal and radical observers who found their practice hypocritical and



inequitable. Legal renovators hoped to eliminate the ban on consensual male sodomy, but this was not accomplished formally until the Bolsheviks enacted their first Russian criminal code in 1922. By examining the regulation of male homosexuality prior to 1917 in practice, it is possible to understand the influences on the Bolsheviks which led them to introduce a modernized and simplified code dealing with sexual crime. The decision to eliminate consensual sodomy from this list of offenses can be reconstructed using new archival evidence. Finally the interpretations of the new code offered by early Soviet jurists convey how they perceived the absence of explicit legislation on sodomy, and how the modernization of this section of the criminal code reflected expectations that science and rationality would govern the regulation of sexuality.

(i) Tsarist euphemisms and the case for reform

On the face of it, tsarist Russia had a clear policy against male same-sex relations. Criminal sanctions for sodomy between consenting adults were relatively harsh until 1900, and still severe after this date.<sup>1</sup> The public transcript of tsarism gave

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<sup>1</sup> Simple sodomy netted exile to Siberia and religious penance for Christians, "Muzhelozhstvo" Brokgauz i Efron, eds Entsiklopedicheskii slovar' t. 39 (St Petersburg: 1897), 110; in 1900 exile was amended to 4-5 years imprisonment, V. D. Nabokoff, "Die Homosexualität in Russischen Strafgesetzbuch." Jahrbuch für sexuelle Zwischenstufen (3 1903): 1161; for amendment, Svod zakonov rossiiskoi imperii t. 15 (St Petersburg: 1911), col. 3679. Article 995 of the Imperial criminal code

no quarter to male practitioners of same-sex love, even as it ignored female same-sex eros as a possibility. Yet beneath "the smooth surface of euphemized power", there lay a swarm of contradictions in the administration of the antisodomy statute.<sup>2</sup> Prosecutions appeared to be dwindling, and trials seemed to affect the less privileged members of society. Jurists clashed over the need for the law and the type of political order its existence implied. The concealed but notorious indulgence by the last two tsars of homosexual men both within the royal family and among the government's servitors completed the circle of contradictions which surrounded the issue of homosexuality.

Unlike other powers with substantial penalties for male same-sex relations, in the decades before the Great War Russia did not produce its own Oscar Wilde, Philipp Prince zu Eulenberg

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prohibited consensual sodomy; aggravated forms with a minor or accompanied by coercion were punished by article 996. In England, "buggery" (anal intercourse) was punishable by death until 1861, then 10 years to life until 1967. In Germany, paragraph 175 of the criminal code between 1871 and 1935 punished "unnatural vice" with a five-year prison term. Austrian law punished male and female "unnatural vice". See V. D. Nabokov, "Plotskiia prestupleniia po proektu ugolovnago ulozheniia" Vestnik prava, 9-10 (1902), rpt. in V. D. Nabokov, Sbornik statei po ugolovnomu pravu, (St Petersburg: 1904), 112-13; and Jeffrey Weeks, Coming Out: Homosexual Politics in Britain from the Nineteenth Century to the Present (London: Quartet Books, 1990), 14.

<sup>2</sup> James C. Scott, Domination and the Arts of Resistance: Hidden Transcripts (New Haven & London: Yale University Press, 1990), 57.

nor Colonel Alfred Redl.<sup>3</sup> There were plenty of potential candidates available, yet Russian society was habituated to the observance of a system of discretion and concealment in these matters.<sup>4</sup> When that discretion was breached, the miscreant used his connections to suppress scandals before they came to trial. The autocratic state itself was inclined to apply administrative punishments which would obviate any courtroom session.<sup>5</sup> In practice, the demands on elite homosexuals of maintaining the minimum of discretion, and of husbanding connections, dictated that the autocracy needed only very small investments in judicial or administrative coercion to maintain the euphemism that

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<sup>3</sup> On Wilde, see Weeks, Coming Out, 21-22 and passim.; on Eulenberg, James D. Steakley, "Iconography of a Scandal: Political Cartoons and the Eulenburg Affair in Wilhelmin Germany" In Hidden from History: Reclaiming the Gay & Lesbian Past, eds Martin Duberman, Martha Vicinus, and George Chauncey. (New York: Penguin, 1989); on Austro-Hungary's Redl, Istvan Deak, Beyond Nationalism: A Social & Political History of the Habsburg Officer Corps, 1848-1918 (New York & Oxford: Oxford University Press, 1990), 144-45.

<sup>4</sup> Alexander Poznansky, Tchaikovsky's Last Days: A Documentary Study (Oxford: Clarendon Press, 1996), 2-3. Engelstein notes the absence of symbolic politicization of homosexuality and suggests Prince Meshcherskii as the most likely "Russian Eulenberg", Laura Engelstein, The Keys to Happiness: Sex and the Search for Modernity in Fin-de-Siècle Russia (Ithaca & London: Cornell University Press, 1992), 58.

<sup>5</sup> An example appeared in an influential guide to forensic psychiatrists on sex perversion: "At the beginning of the 1870s, one of Petersburg's highest administrative figures was found guilty of pederasty, and was swiftly removed from his post and exiled abroad without a court hearing or publicity." V. M. Tarnovskii, Izvrashchenie polovogo chuvstva. Sudebno-psikhiatricheskii ocherk. (St Petersburg: 1885), 72.

'sodomites' did not exist in elite society and government. Informal public pressures need not even involve the regime. Composer Peter Tchaikovsky learned the value of such discretion after being linked in journalistic accounts during his student days to a group of 'pederasts' said to frequent St Petersburg's Chaumont restaurant.<sup>6</sup> The ultra-conservative editor of Grazhdanin, prince Vladimir Meshcherskii, taxed his connections to tsars Alexander III and Nicholas II to the limit, obtaining not only subsidies for his publication, but advancement for a host of young military men he fancied and sponsored. Because of his "peccadilloes", Meshcherskii was not received at court, but the tsars met and corresponded with him privately, and were aware that the prince "discreetly advertised" this relationship to obtain favours in government for his friends and journal.<sup>7</sup> Alexander III ordered the suppression of proceedings against the prince in an 1887 scandal involving a youth in the Imperial Guard, despite the opprobrium of the prince's own family and the active pursuit launched by chief procurator of the Holy Synod Konstantin Pobedonostsev. A further sexual scandal, implicating some 200 men including Meshcherskii and members of the Imperial

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<sup>6</sup> Later, a newspaper allegation of improper sexual relations at the Moscow Conservatory weighed heavily on the composer, who taught there, despite the fact that his name was not mentioned; Poznansky, Tchaikovsky's Last Days, 10, 18.

<sup>7</sup> W. E. Mosse, "Imperial Favorite: V. P. Meshchersky and the Grazhdanin." Slavonic and East European Review 59 (1981): 529-47.

family, was similarly quashed.<sup>8</sup> "There were at least seven gay Grand Dukes at the time (uncles, nephews or cousins of the last two tsars)", according to Simon Karlinsky; of these, the brother of Alexander II, Grand Duke Sergei Aleksandrovich stood "at the top of the 'homosexual pyramid'" of Russia's social life.<sup>9</sup>

Accompanying these contradictions of the formal prohibition of sodomy at the highest level was a system of unequal and declining enforcement. Critics agreed that "one of the worst evils" of the statute was "the actual disuse of the law, the random and unjust character of repression, ruinous to some but sparing others, those strong in position, influence, connections."<sup>10</sup> Euphemism - the concealment of the elite's dirty linen - operated most tellingly in the courts, where only a tiny percentage of cases involved privileged persons, or so it

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<sup>8</sup> Mosse, "Imperial Favorite", 533-34; Poznansky, Tchaikovsky's Last Days, 4. On his accession, Nicholas II expressed some initial distaste, but he soon subsidized Grazhdanin and corresponded privately with Meshcherskii, who by this time was well connected with the government and military, Mosse, op. cit., 542-47.

<sup>9</sup> Diarists indicate that these facts were notorious in elite society; see Simon Karlinsky, "Russia's Gay Literature and Culture: The Impact of the October Revolution" in Hidden From History: Reclaiming the Gay and Lesbian Past, eds Martin Duberman, Martha Vicinus, and George Chauncey (New York: Penguin, 1989), 351; Poznansky, Tchaikovsky's Last Days, 5; Konstantin Rotikov, "Epizod iz zhizni 'golubogo' Peterburga." Nevskii arkhiv: istoriko-kraevedcheskii sbornik (3 1997): 449-66; see diary entries of Grand Duke Konstantin Romanov, cousin of Nicholas II, in Andrei Maylunas and Sergei Mironenko. A Lifelong Passion: Nicholas and Alexandra. Their Own Story. (London: Phoenix, 1997).

<sup>10</sup> Nabokov, "Plotskiia prestupleniia", 124.

appeared. A statistical study of the 440 convictions for sodomy from 1874 through 1904 in Imperial Russia contradicted this perception, claiming 5% of 'pederasts' were from the upper classes, yet these same classes were only responsible for 2.8% of criminal convictions for all offenses in these years.<sup>11</sup> When examined by occupation, the same sample showed however that a disproportionately small number of state servitors were convicted for sodomy. Members of the "free professions" (artists, physicians, men of letters, teachers, the clergy), and servants and craftsmen, were among those more likely to be convicted.<sup>12</sup> A similarly large proportion of convictions for sodomy, compared to their shares of convictions for all crime, were borne by non-Russians, and in particular by "eastern peoples characterized by

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<sup>11</sup> B. I. Piatnitskii, Polovye izvrashcheniia i ugolovnoe pravo (Mogilev: 1910), 13. Piatnitskii's survey, using data from successive Svody statisticheskikh svedenii po delam ugovornym, which he said counted consensual sodomy (art. 995), aggravated sodomy (art. 996) and bestiality (art. 997) as one category. He argued, plausibly, that bestiality convictions were so insignificant that the numbers could be taken to indicate both types of sodomy convictions alone. Of these, consensual sodomy accounted for about 20% of convictions; he based this conjecture on the proportion of cases of single individuals (78%) versus cases where more than one person was convicted (22%), Piatniskii, op. cit., 11, 31.

<sup>12</sup> Ibid., 14. The ratio of sodomy convictions versus all convictions for each occupational category was: state servitors (0.68:3.22%), free professions (5.23:1.04%), craftsmen (11.59:5.91%) and servants (2.45:1.26%). Those in agriculture were underrepresented (31.59:47.77%), while factory workers were as likely to be convicted of sodomy as of all other crimes (34.32:34.66%). City-dwellers, accounting for some 12.8% of the population, and responsible for 27% of all crime in this period, took 45% of all sodomy convictions, showing that enforcement was also more prevalent in towns.

the most passionate temperaments", although in strictly numerical terms, 72% of sodomy convictions fell to European Slavs (Russians, Ukrainians and Belorussians).<sup>13</sup>

Other forms of inequity were alleged by critics of the sodomy law. The justice system prosecuted these cases much less successfully than the average crime, with only about 41% of sodomy indictments leading to conviction (compared to a conviction rate of 66% for all crime).<sup>14</sup> Juries were increasingly inclined to acquit persons accused of the offense in the late imperial era, and those they did pronounce guilty frequently received moderated or reduced penalties.<sup>15</sup> The actual number of cases prosecuted per year was very modest, and a gradual falling trend in the 31 years up to 1904 in the proportion of sodomy to all criminal indictments was observed.<sup>16</sup> Procurators, in St Petersburg if not elsewhere, appear to have

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<sup>13</sup> Ibid., 16.

<sup>14</sup> Ibid., 88; I. B. Fuks, Gomoseksualizm kak prestuplenie. Iruidich. i ugol.-politich. ocherk (St Petersburg: "Obshchestvennaia Pol'za", 1914), 75.

<sup>15</sup> Piatnitskii, Polovya izvrashcheniia, 11; Fuks, Gomoseksualizm, 75-76. Fuks claimed of 30 convictions in Russia for sodomy in 1908, 25 received reduced sentences from juries; he gave no sources for his statistics.

<sup>16</sup> Piatnitskii, Polovya izvrashcheniia, 11. This source says 1066 men (and 4 women) were indicted for sodomy (arts. 995 and 996) from 1874 to 1904; of these, 440 men and no women were convicted. An 1895 census of 7068 male inmates at the Sakhalin prison colony showed only 6 had been convicted and exiled to this island for "sodomy", Sakhalinskii kalendar' i materialy k izucheniiu ostrova Sakhalina (n.p.: 1895), 110. I am grateful to Sergei Ivashkin for this source.

read a political message into the suppression of the scandals of the late 1880s involving Prince Meshcherskii and the Grand Dukes, and abandoned prosecutions for consensual sodomy altogether.<sup>17</sup> Given that "the intimate character of homosexual actions makes these relations practically undetectable", the only offenses which landed in court were those where individuals neglected or were unable to observe the usual minimums of discretion.<sup>18</sup> Cases under article 996, where coercion had been used against a younger or weaker male, and where forensic evidence was usually less ambiguous, appear to have been more vigorously prosecuted and probably constituted the vast majority of 'sodomy' convictions. Article 995 was virtually unenforced by the end of the imperial era.

These conditions underlay the debate over retention of the antisodomy statute in the revised criminal code. Discussion unfolded over two decades from the 1880s until the partial enactment of a new code in 1903. The decision of the editorial commission to retain a ban on consensual sodomy was based on what Laura Engelstein termed "the refusal of the private", a

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<sup>17</sup> Piatnitskii, Polovyiia izvrashcheniia, 33, cites an article claiming no prosecutions under article 995 were pursued in St Petersburg between 1890 and 1903 ("Preniia v SPb Iurid. Obshchestve po dokladu Nabokova" Pravo [1903], 122). Cf. Fuks, Gomoseksualizm, 83. Holdings for the Moscow circuit court (f. 142) in TsGIAgM support a similar conclusion for Moscow, with the last example of a trial for consensual sodomy held in 1888 (f. 142, op. 2, d. 142). Subsequent sodomy trials heard up to 1917 in this court were for male "rape" under article 996.

<sup>18</sup> Fuks, Gomoseksualizm, 83.



conservative resistance to the notion of personal sexual autonomy exercised in private space. Jurists approached their justifications for retention from different aspects of this refusal. Archangel procurator Richard Kraus expressed most clearly the belief that sexual perversions were characteristic of the town, and of educated society; he denied the right to control one's body when it led to the violation of "laws of nature" or "the basic principles of human existence and community".

Commenting on the sodomy ban, jurist Leonid Vladimirov argued that it had an educative value, offering guidance and discipline for the morally weak. St Petersburg procurator A. F. Koni, who disapproved of European efforts to strike down antisodomy statutes, argued that homosexuals, like the Skoptsy religious sect, threatened the social order by promoting non-procreative sexuality; the sodomy ban must therefore remain, just as the castrates' sect was outlawed.<sup>19</sup>

The most articulate defender of decriminalization was Vladimir D. Nabokov, whose liberal defense of privacy in this matter brought him very close to the positions promoted by homosexual emancipationists led by Germany's Dr Magnus

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<sup>19</sup> Engelstein, The Keys to Happiness, 57-71; Koni referred to the "supposed scientific defenders and apologists of Professor Aletrino's type" who propagandized for "the unnatural vice" in A. F. Koni Na zhiznennom puti. Iz zapisok sudebnago deiatelia. Zhiteiskii vstrechi t. 1 (St Petersburg: 1912), 153. Aletrino, a physician, defended sodomy decriminalization in 1901 in Amsterdam, at the Fifth International Congress of Criminal Anthropology.

Hirschfeld.<sup>20</sup> Legislation should not be used to impose morality or even a medical "norm", nor was it consistent or necessary for the educative effect of law to be brought to bear on this single example of supposed immorality. Nabokov acknowledged, if he did not completely accept, the medical arguments circulating in Germany and elsewhere in Europe that some proportion of homosexuals were congenital, so that the contention expressed in Russia's criminal statute that sodomy was a vice (and therefore a willful act) was mistaken in many cases. A "secular law, based on abstract and universal principles" should not punish sodomy committed in private between consenting adults.<sup>21</sup> The liberal view of the issue was endorsed by the St Petersburg Juridical Society, and members of the Samara circuit court; nine out of 23 members of the Moscow Juridical Society also supported decriminalization during deliberations over the 1903 draft

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<sup>20</sup> On Hirschfeld, Manfred Herzer, Magnus Hirschfeld: Leben und Werk eines jüdischen, schwulen und sozialistischen Sexologen (Frankfurt & New York: Campus, 1992); idem., "Communists, Social Democrats, and the Homosexual Movement in the Weimar Republic." In Gay Men and the Sexual History of the Political Left, eds G. Hekma, H. Oosterhuis, and J. Steakley (Binghamton NY: Harrington Park Press, 1995).

<sup>21</sup> Engelstein, The Keys to Happiness, 67-70. Engelstein notes the influence on Nabokov of P. von Feuerbach's 1813 Bavarian criminal reform (deleting sodomy); Nabokov's brief mention of the lack of a sodomy ban in the "Romance" nations led by France suggests he was also aware of, if less impressed by, the secularization of criminal codes during the French revolution and Napoleonic conquest, Nabokov, "Plotskiia prestupleniia", 112.

statute.<sup>22</sup> Well after the 1903 code had been partially enacted, jurists continued to question the wisdom of keeping the sodomy ban.<sup>23</sup>

Liberal lawyers, arguing from principles of secularization, the right to privacy, and personal autonomy, were apparently the most articulate defenders of homosexual emancipation in Imperial Russia, and yet they did so not from the subject position of homosexuals themselves, but from that of jurists striving to create a liberal, rule-of-law regime. The absence of a self-identified movement of homosexuals calling for a lifting of the ban in Russia was not unusual, since only Germany could boast such a unique enterprise.<sup>24</sup> As in France and elsewhere in Europe, the most influential Russian apologetics for homosexuality emerged from literary works and cultural criticism, the products of individual rather than collective effort.<sup>25</sup>

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<sup>22</sup> Engelstein, The Keys to Happiness, 62.

<sup>23</sup> Piatnitskii, Polovye izvrashcheniia; Fuks, Gomoseksualizm.

<sup>24</sup> Gert Hekma, Harry Oosterhuis, and James Steakley "Leftist Sexual Politics and Homosexuality: A Historical Overview" in Gay Men and the Sexual History of the Political Left eds G. Hekma, H. Oosterhuis, J. Steakley. (Binghamton, NY: Harrington Park Press, 1995), 20, 23.

<sup>25</sup> Russia's Mikhail Kuzmin produced Europe's first "coming-out" novel with a positive ending, Kryl'ia (St Petersburg: 1906); see Simon Karlinsky, "Death and Resurrection of Mikhail Kuzmin." Slavic Review 38 (1 1979): 92-96; idem., "Russia's Gay Literature and Culture", 354-55. Lesbian self-awareness was the subject of Lidiia Zinovieva-Annibal's Tridtsat' tri uroda, translated as "Thirty-three Freaks" Russian Literature Triquarterly 9 (1974); see Diana Lewis Burgin, "Laid Out in Lavender: Perceptions of Lesbian Love in Russian

These were complemented by translations of Western emancipationist texts, and at least one anonymous, domestically penned defense of the "intermediate sex".<sup>26</sup> In tsarist Russia, voices calling for the end of criminal sanctions for same-sex love used liberal arguments defending the individual's right to privacy and autonomy.

Radicals on the left would have had little time for arguments proceeding solely from unfettered individualism or the rule of law. Bolsheviks made no specific contributions to the question of homosexual emancipation.<sup>27</sup> Russian marxists were however linked to a German Social Democratic tradition of support for sodomy decriminalization by their enthusiastic embrace of

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Literature and Criticism of the Silver Age, 1893-1917." In Sexuality and the Body in Russian Culture eds Jane T. Costlow, Stephanie Sandler, and Judith Vowles (Stanford: Stanford University Press, 1993), 182-83. As both Karlinsky and Burgin note, these were but two of the most notorious examples of Russian self-conscious homosexual writing of the late tsarist era; their output was made more notorious by critics such as G. S. Novopolin, Pornograficheskii element v russkoi literature (St Petersburg: 1909), and Vasilii Rozanov, Liudi lunnogo sveta (St Petersburg: 1913).

<sup>26</sup> Magnus Hirschfeld, Tret'ii pol Berlina. Transl. V. N. Pirogov, (St Petersburg: 1908); Edward Carpenter, Provezhutochnyi pol. (Petrograd: M. V. Pirozhkov, 1916). P. V. Ushakovskii (pseud.) Liudi sredniago pola. (St Petersburg: 1908).

<sup>27</sup> Recent revisionist studies of the "sexual revolution" in Soviet Russia have demonstrated this point by their silence on the issue of homosexual emancipation. See Wendy Z. Goldman, Women, the State, and Revolution: Soviet Family Policy and Social Life (Cambridge: Cambridge University Press, 1993); Richard Stites, The Women's Liberation Movement in Russia: Feminism, Nihilism, and Bolshevism, 1860-1930 (Princeton: Princeton University Press, 1978).

August Bebel's theories on sexual politics in his popular Women and Socialism (1879). Although early versions of Bebel's book repeated negative opinions on same-sex relations, he nonetheless was later among the first signatories to Magnus Hirschfeld's petition to repeal paragraph 175 of the German criminal code against male same-sex acts, and the first politician to speak in the Reichstag in favour of this campaign, as leader of the Social Democrats in 1898.<sup>28</sup> Bebel's conversion on this matter represented the logical extension of the principle of personal choice in private sexual matters, from heterosexual relations to homosexual ones. It was based on Hirschfeld's persuasive biologicistic arguments that homosexuality was an inborn condition, and that for the "third sex", love for one's own sex was as natural and aesthetically noble as "normal" relations. This foregrounding of private choice as a political principle became "a powerful libertarian motif in nineteenth century socialist ideology", more of a motive force than has usually been recognized.<sup>29</sup> Popular expressions of homosexual emancipation from post-1917 Soviet sources suggest that self-identified homosexuals in Russia believed the revolution had ended the state's "refusal of the private" for same-sex relations, licensing their right to love.

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<sup>28</sup> Hekma et al., "Leftist Sexual Politics and Homosexuality: A Historical Overview", 14-15, 21.

<sup>29</sup> Quotation, Goldman, Women, the State and Revolution, 35; cf. Stites, The Women's Liberation Movement in Russia, 268.

Europe's left-wing parties brought much more than sexual libertarianism to bear on their thinking about personal life. Highly significant was the fact that marxists claimed an 'objective', 'scientific' viewpoint, and expected science to contribute to the reconstruction of society once socialism was proclaimed. European marxists (like liberals and others) were influenced by Darwinism, theories of individual and racial degeneracy and eugenics, all of which put sexual hygiene at the heart of strategies for social engineering. Sexuality, understood as part of untamed nature, was to be channelled toward 'natural', procreative heterosexuality with education, self-discipline and responsibility in personal relations.<sup>30</sup> The biologicistic conception of homosexuality promoted by Hirschfeld was not universally accepted. Many - and not only socialists - worried that greater liberty would lead to an increase in the number of cases of 'acquired' (environmentally induced) perversion. Even those on the left who expressed tolerance of private same-sex relations among adults felt that open displays, or culturally transmitted forms of such intimacies, would lead to an undesirable spread of non-procreative practices.<sup>31</sup> The

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<sup>30</sup> Hekma et al., "Leftist Sexual Politics and Homosexuality: A Historical Overview", 17-19, 22; Dan Healey, "Evgeniia/Evgenii: Queer Case Histories in the first years of Soviet power." Gender & History (1 1997): 93-94.

<sup>31</sup> Hekma et al., "Leftist Sexual Politics and Homosexuality: A Historical Overview", 22; for a Russian example, contrast the views of psychiatrist and supporter of the Bolsheviks V. M. Bekhterev, "O polovom ozdorovlenii" Vestnik znaniia (9/10 1910): 924-37 & 1-19, in which he argues against tolerance of homosexuality on sexual

Bolsheviks inherited varied liberal and leftist attitudes toward the comparatively unanticipated issue of homosexuality, and not surprisingly their responses to same-sex relations as a legal and administrative question reflected these multiple perspectives.

(ii) "History knows no miracles": codifying Bolshevik sexual ethics

In 1915, the tsarist regime briefly considered the full implementation of the 1903 draft criminal code, under which sodomy would have remained an offense; no further revisions were contemplated to it and the project was abandoned. Following the February 1917 revolution, the Provisional Government established "a commission to review and implement the [1903] Criminal Code", and as it had Nabokov among its members, it appears that the liberal position on sodomy decriminalization would have found its most influential spokesman on this body. Neither Nabokov nor Nikolai S. Timashev refer to any substantive work completed by the commission, which existed during the last four months of the Provisional Government.<sup>32</sup>

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hygiene grounds, and idem. "O polovom izvrashchenii, kak osoboi ustanovke polovykh refleksov." In Polovoi vopros v shkole i v zhizni, ed. I. S. Simonov (Leningrad: Brokgauz-Efron, 1927), in which he asserts a private gathering of homosexuals poses no harm to the general public.

<sup>32</sup> V. D. Nabokov, The Provisional Government ed. Andrew Field (Brisbane: University of Queensland Press, 1970), 95-96; N. S. Timashev, "The Impact of the Penal Law of Imperial Russia on Soviet Penal Law." American Slavic and

The trail of evidence leading from the potentialities of 1917 to the first Soviet Russian criminal code of 1922, which decriminalized sodomy, is rather unclear. There are no records of substantive debate among the framers of the criminal code over the section on crimes against the person, which is where sexual crime was located in the new code.<sup>33</sup> (Chapter five of the 1922 redaction was entitled "Crimes against the life, health, freedom and dignity of the individual".) Historians have sought to explain the removal of the antisodomy statute with reference to contextual factors. Simon Karlinsky regards the decriminalization of sodomy as at best a benign oversight, the result of the elimination of all tsarist law during the Bolshevik revolution. In his surveys he has discounted whatever deliberate reforming intention lay behind the legalization as a "misreading of the Bolshevik leaders' position on gay liberation" said to be common to observers in England and Germany in the 1920s, and on the left

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East European Review 12 (4 1953): 443-44. A. Shreider, in early 1918 the first deputy commissar of justice, noted that the Provisional Government's law commission had generated a new draft code, but the statute had not been fundamentally revised, GARF, f. A353, op. 2, d. 164, l. 36. No proposed draft appears in Robert Browder, and Alexander F. Kerensky, eds The Russian Provisional Government 1917: Documents (Stanford: Stanford University Press, 1961).

<sup>33</sup> Based on a review of GARF, f. A353, (Narodnyi kommissariat iustitsii RSFSR, 1917-1946 gg.) opisi 1-12 and 16s, and in particular on the protocols of Narkomiust's collegium for the period.



in the West generally since the 1970s.<sup>34</sup>

Attempts to recover the origins of a "principled decision" (in Laura Engelstein's words) to remove sodomy from the code have sought to place the decision within a "'modernist consensus' in scientific, juridical and cultural circles",<sup>35</sup> or within the evolution of modern criminal sanctions in Russia, beginning with the draft code of 1903.<sup>36</sup> These mutually compatible replies to Karlinsky were based on published sources available in the West. They can be reinforced with reference to evidence from the archives of the RSFSR People's Commissariat of Justice (Narkomiust). While these documents do not discuss the sodomy statute in great detail, they do demonstrate a sustained intent to decriminalize the act between consenting adults. This principled intention coincided with prosecutions for "unnatural vice (pederasty)" and "crime[s] against nature" conducted by the Bolsheviki at considerable cost in the heat of the civil war, or soon thereafter. The outcome of the prosecution of such crimes was to modernize the language of criminal sexual deviance, but

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<sup>34</sup> Karlinsky, "Russia's Gay Literature and Culture", 357; idem. "Introduction: Russia's Gay Literature and History." In Out of the Blue: Russia's Hidden Gay Literature, ed. Kevin Moss. (San Francisco: Gay Sunshine Press, 1996), 24.

<sup>35</sup> Daniel Healey, "The Russian Revolution and the Decriminalisation of Homosexuality" Revolutionary Russia 6 (1 1993): 34.

<sup>36</sup> Laura Engelstein, "Soviet Policy Toward Male Homosexuality: Its Origins and Historical Roots." In Gay Men and the Sexual History of the Political Left, eds G. Hekma, H. Oosterhuis, and J. Steakley (Binghamton, NY: Harrington Park Press, 1995), 165.

also, as with all law in the Bolshevik state, to leave opportunities for arbitrary application of legal norms available to procurators and policy makers.

Within weeks of the October 1917 revolution, Narkomiust, headed by Left Socialist Revolutionary Isaak Shteinberg, drafted a "Criminal statute" as part of an ambitious "Code of Laws of the Russian Revolution".<sup>37</sup> The LSRs made no secret of their admiration for the 1903 draft criminal code, and the deputy commissar of justice and editor of Narkomiust's "codification department" A. Shreider noted in his commentary that the LSRs' 1918 version relied on that draft, "reworked and revised in depth from the point of view of the new revolutionary legal consciousness".<sup>38</sup> The table of contents to Shreider's code further emphasized the reliance on the 1903 draft, presenting a concordance table of 1903 and 1918 articles.<sup>39</sup>

In the debates over the 1903 draft code the prohibition against consensual sodomy had been criticized by liberals, yet they had not been successful in removing the offense. Shreider's 1918 variant, however, stripped away the clause against consensual acts while retaining the painstaking language describing acts imposed against the weak or with the use of

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<sup>37</sup> GARF, f. A353, op. 2, d. 164 (Proekt "Ugolovnogo Ulozheniia" i ob"iasnitel'naia zapiska k nemu. 1918 g.), l. 29; on LSR control of this commissariat, see G. V. Shvekov, Pervyi sovetskii ugolovnyi kodeks (Moscow: Iz-vo "Vysshaia shkola", 1970), 105.

<sup>38</sup> GARF, f. A353, op. 2, d. 164, ll. 36-37.

<sup>39</sup> Ibid., ll. 30-33.

force. The relevant article was entitled "sodomy" (muzhelozhstvo), and as in 1903 fell within a chapter specifically devoted to sexual offenses headed "On depravity" (o nepotrebstve).<sup>40</sup> The resulting sodomy law was a balance between principles of consent, capacity to understand "the character and significance" of the act, and protection for the weak as argued by Nabokov some sixteen years earlier.<sup>41</sup> Not only would simple

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<sup>40</sup> The text of this article reads:  
 "215. [One is] guilty of sodomy:  
 If sodomy is committed:  
 1/ with a minor from 14 to 16 years, without his [ego] consent or although with his consent, but through abuse of his innocence,  
 2/ knowingly with someone incapable of understanding the character and significance of that which is being committed on him or of governing his acts for reason of pathological disorder of mental activity, or unconscious condition, or mental retardation, as a result of bodily defect or illness,  
 3/ with someone incapable of expressing his refusal to the perpetrator, without his consent to sodomy, then the guilty person [male gender] is punished: by deprivation of freedom for a term not less than three years.  
 If sodomy is committed:  
 1/ with a child under 14 years,  
 2/ with a person under the power [pod vlast'iu] or guardianship of the guilty person,  
 3/ with a person coerced into it by means of force on the individual or threats of murder, with grievous bodily harm to the threatened person or a member of his family, if such a threat could cause the threatened person to fear it would be implemented,  
 4/ with a person placed in an unconscious condition for that [purpose] by the perpetrator himself or with his participation, then the guilty person is punished: by deprivation of freedom for a term not greater than eight years." GARF, f. A353, op. 2, d. 164, ll. 115-16; except for the legalizing of adult consensual sodomy, the article is virtually identical to legislation in the 1903 code, N. S. Tagantsev, and P. N. Iakobi, eds Ugolovnoe ulozhenie 22 marta 1903 g. (Riga: Leta, 1922), 1064-67.

<sup>41</sup> Nabokov, "Plotskiia prestupleniia", 108-109.

sodomy between adults, defined as persons 16 and over, be legalized, but by doing so, and by keeping the remaining language of the 1903 draft legislation, knowledgeable consent from 14- and 15-year-olds would have exonerated sodomy with certain youths as well. In this respect the first occupants of Narkomiust were heeding Nabokov's argument that young "catamites" who operated as prostitutes in urban Russia could not be regarded by the law in the same way as youths whose "innocence" was demonstrable.<sup>42</sup>

Nowhere in the commentary which accompanies the 1918 version does Shreider offer more than declarative reasoning as a clue to this modification to the 1903 draft. This code had represented "a powerful step forward from the archaic, unwieldy and contradictory" 1845 statute in effect until Soviet rule. Referring to the evolution of "democratic" legal systems out of the tyrannies of the "ancient satrap" and Louis XIV's "l'état, c'est moi", Shreider argued that a state must resort to coercion to curb "anarchy", but that this was an "unfortunate necessity". A criminal code was needed to regulate the norms of a state's legal resort to force. The statute he was proposing would compel the state to serve the law and not vice versa. Norms evolved with the legal consciousness of a society; what was required was "not the minimum of individual rights which the collective should not infringe, but rather the maximum of demands put to the collective by the individual." The criteria upon which his revisions to the

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<sup>42</sup> Ibid., 110. Tsarist jurists were aware of the existence of male prostitution, Tagantsev, Ugolovnoe ulozhenie, 1065-66.

1903 code was based were "the welfare of the genuine human individual and the interests of international labour solidarity".<sup>43</sup> Shreider's insistence on maximizing individual rights within a state constrained by something approaching the rule of law would seem to be consistent with the elimination of the antisodomy statute.

The March 1918 resignation of the LSRs from Sovnarkom over the Treaty of Brest-Litovsk entailed a Bolshevik takeover at Narkomiust, with P. I. Stuchka then appointed people's commissar, to be supplanted in 1919 by D. I. Kurskii. Shreider was dismissed as deputy commissar, M. Iu. Kozlovskii was assigned to review criminal legislation, and the LSR draft statute was criticized by Stuchka for defending bourgeois interests and insufficient revolutionary consciousness.<sup>44</sup> In the subsequent two years, Narkomiust made little substantive progress toward a Bolshevik criminal code, as a result of the intense pressure on personnel during the civil war, and the relatively low priority accorded by Sovnarkom to the commissariat in its allocation of resources.<sup>45</sup> Nevertheless, top jurists monitored the experience of Soviet courts without explicitly codified criminal law, and proposals

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<sup>43</sup> GARF, f. A353, op. 2, d. 164, ll. 37-39.

<sup>44</sup> GARF, f. A353, op. 2, d. 3, l. 3; Shvekov, Pervyi sovetskii ugolovnyi kodeks, 114-16.

<sup>45</sup> A Narkomiust collegium letter to Sovnarkom of 15 January 1920 said progress toward codification had been slow because Narkomiust "was deemed a commissariat of secondary importance" during "the period of intensive mobilization", Shvekov, Pervyi sovetskii ugolovnyi kodeks, 126.

for a code did periodically surface for discussion in Narkomiust's collegium. "Guiding principles of criminal law of the RSFSR" were drafted by Kurskii in the course of 1919 and published in December of that year, serving as the basis for the general part of the 1922 criminal code. By 1920 the collegium was convinced that explicit, centralized norms which reflected Moscow's view of revolutionary consciousness would be more reliable than the inconsistencies and anachronisms of local legal officials, and it turned to the drafting of the special part of the code.<sup>46</sup>

Prior to this renewed exercise in codification, during the interlude without written criminal law, a centrally directed trial for "pederasty" suggested how officials in the Justice Commissariat viewed issues raised by homosexual offenses. In late 1919, Narkomiust's Eighth department, charged with implementing the separation of the Orthodox church from the state, devoted considerable resources to the prosecution of a bishop Palladii of Zvenigorod for "corruption of a boy and for unnatural vice (pederasty)".<sup>47</sup> Palladii was a trusted friend of Patriarch Tikhon, who had sent the bishop to defend the New Jerusalem Monastery from nationalization in early 1919. When Bolsheviks

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<sup>46</sup> Ibid., 119-25; Peter H. Solomon Jr, Soviet Criminal Justice under Stalin (Cambridge: Cambridge University Press, 1996), 24-25.

<sup>47</sup> GARF, f. A353, op. 3, d. 745, (Dokumenty o kontrrevoliutsionnoi agitatsii monakhov Novoi rusalimskogo monastyrja i po obvineniiu episkopa Palladiia v rastlenii mal'chika, 1919 g.).

finally seized the monastery they uncovered allegations about Palladii's relationship with Ivan Volkov, a 14-year-old "lay brother" (keleinik). Militant atheist jurists in the Eighth department launched a wide-ranging investigation into the bishop's sexual career; the bishop was tried in Moscow in October 1919, sentenced to five years' imprisonment, and later released in a general amnesty in January 1920.

For Bolshevik jurists, the political significance of Palladii's case resided in both the bishop's damaging connection to the Patriarch, and in the timing of its revelations. As Palladii came under investigation, Patriarch Tikhon was seeking to establish a workable *modus vivendi* with the Soviet regime. Tikhon's 1918 anathematization of the Bolsheviks had generated disastrous results for the Church; he now made a series of declarations enunciating a new policy of ecclesiastical neutrality in politics.<sup>48</sup> Narkomiust's atheist jurists intended to tarnish Tikhon's retreat from worldly matters to a moral high ground by exploiting this episode of clerical depravity.<sup>49</sup> Their

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<sup>48</sup> John S. Curtiss, The Russian Church and the Soviet State 1917-1940. (Gloucester MA: Peter Smith, 1965), 93; Dimitry Pospelovsky, The Russian Church under the Soviet Regime 1917-1982 vol. 1 (Crestwood NY: St Vladimir's Seminary Press, 1984), 39.

<sup>49</sup> GARF, f. A353, op. 3, d. 745: Eighth department dispatched secret police operative to seek witnesses against Palladii in Belev and Saratov 16 September 1919 (l. 24, albeit the protocols of these were not obtained until 20 and 24 October); interrogated Palladii's "victim" Volkov, on 25 September (l. 28 ff.) and consigned him to Institute for Defective Child for forensic tests (26 or 27 September, l. 29 ob.); obtained full testimony from Palladii and several Zvenigorod and

activity was supervised by People's Commissar of Justice Kurskii and the Narkomiust collegium, including Eight department chief P. A. Krasikov, and collegium member N. A. Cherlunchakevich. These same men would eventually be responsible for the drafting of the first Bolshevik criminal legislation.<sup>50</sup>

The Palladii trial demonstrated some of the assumptions underlying early Bolshevik juridical thinking about same-sex offenses. Most significant was the willingness to prosecute an adult for "unnatural vice (pederasty)", where political factors warranted. Wartime propaganda needs outweighed any consideration that clergy were entitled to the sexual autonomy promised by the revolution. The sexual revolution would have a class basis, and the enemies of the victorious class would not be entitled to the sexual autonomy accorded to full citizens. Later clerical sex trials would demonstrate an equally flexible, instrumental approach to the application of laws on sexual crime.<sup>51</sup>

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Moscow witnesses by 13 October (ll. 30-31, 32 ff.).

<sup>50</sup> The collegium appointed Krasikov himself to serve as "public accuser" in the case, *ibid.*, l. 13; Palladii noted the frequent presence of jurist N. A. Cherlunchakevich during his interrogations, and the intercessions he made on his behalf, *ibid.*, ll. 55, 58 ob., 61 ob.; after the trial, on 4 November, the collegium rejected a request for an immediate appeal of the verdict from Palladii, GARF, f. A353, op. 3, d. 4, l. 80.

<sup>51</sup> N. P. "Monakhi pred sudom v roli razvratitlei maloletnikh i nesovershennoletnikh." Ezhenedel'nik sovetskoi iustitsii (42 1922): 13-15; S. N. "Monastyri - pritony razvrata - pri svete sovetskogo suda (Protsess arkhimandrita Sergiia, nastoiatel'ia Sretenskogo monastyr'ia v Moskve)." Ezhenedel'nik sovetskoi iustitsii (19-20 1922): 19; M. Sheinman, Religioznost' i



Of equal importance for the codification to come was the decision to present Volkov as an innocent "victim" of clerical depravity. At 14, Volkov was on the threshold of "knowledgeable" sexual self-determination as defined in the 1903 and 1918 draft codes, with their allowance that certain youths (urban 'commercial catamites') could give informed consent to sodomy. Volkov's complex relationship to the bishop included the receipt of benefits (education, lodging, payment and a career) in apparent exchange for domestic and sexual services.<sup>52</sup> Yet Bolshevik jurists elected to extend previous definitions of sexual childhood or minority to encompass this worldly 14-year-old. Eventually, in the 1922 criminal code, Bolsheviks would arrive at a medicalized benchmark for sexual autonomy defined not by age but by "sexual maturity", to be defined by physicians in cases of sexual crime.

Bolshevik intentions to medicalize sexual deviance are further evident in the Palladii case from the jurists' turn to psychiatrists for forensic expertise and for assurances that the bishop would not commit new crimes after his amnesty. Volkov was sent to the newly established Institute of the Defective Child for observation during the investigation; the Eighth department hoped to call upon psychiatrists at Palladii's trial to testify

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prestupnost'. (Moscow: Bezbozhnik, 1927), 55-56.

<sup>52</sup> Dan Healey, "Bolshevik Science and Morality: The Revolutionary Trial of Bishop Palladii, Moscow 1919", unpublished paper, 1998.

to the harm done to the boy.<sup>53</sup> In early 1920, when Palladii was amnestied, he spent three months in a psychiatric hospital "for isolation and therapy in a special medical establishment".

Krasikov and his team apparently expected medical science to explain and interpret the signs of sexual disorder, and believed that "therapy" for "unnatural vice" could be had from psychiatric hospitalization.

In 1920, the Justice Commisariat collegium took up the task of codifying criminal law with renewed interest, delegating to M. Iu. Kozlovskii (formerly a legal 'nihilist', now an advocate of standardized penal norms) the task of working up a "scheme" of chapter headings for a code.<sup>54</sup> The jurist produced a draft code and commentary by June of that year, and the evolution of the provisions he made regarding sexual crime may be traced from archival documents.<sup>55</sup> These documents represent the earliest

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<sup>53</sup> The Eighth department used the paraphernalia of science in its antireligious propaganda work, calling on doctors to examine exhumed relics and make pronouncements before cine-cameras about their inauthenticity. In the Palladii case, psychiatrists at the Institute of the Defective Child found nothing wrong with Volkov, and their report was suppressed. Prosecutor Krasikov offered an improvisatory scientific analysis of Palladii's "unnatural" sexual tastes: GARF, f. A353, op. 3, d. 745, l. 45.

<sup>54</sup> GARF, f. A353, op. 3, d. 4, l. 94; op. 4, d. 301, ll. 4-4 ob.; Shvekov, Pervyi sovetskii ugolovnyi kodeks, 126; on Kozlovskii's volte-face, see Solomon, Soviet Criminal Justice under Stalin, 24-25.

<sup>55</sup> The following discussion is based on documentation in GARF, f. A353, op. 4, d. 301 (Dokumenty po podgotovke Ugolovnogo kodeksa RSFSR, 1920 g.). The various chapter heading schemes found in this file are undated; I have imposed a chronological order upon them, based on my

surviving Bolshevik proposals for such legislation. Kozlovskii's original primitive conception of sex offenses acquired refinement with reference to the 1903 draft criminal code, and possibly to the Palladii case, and French revolutionary legislation as well.

In a first handwritten scheme, under the chapter heading "Crimes against personal rights", Kozlovskii listed only a single offense with sexual content: "Insult to feminine honour".<sup>56</sup> Only apparently female victims of sex crimes were imaginable to this jurist, and only in the archaic framework of reputation and honour; his second version restated the offense in this manner. Yet here another hand had crossed out the typescript of this phrase, and replaced it with "Crimes against morality [npravstvennosti] (infringements of female honour, sodomy [muzhelozhstvo], etc.)". The sphere of potential offenses was widened and the reference to "insult" was dropped; as well, the offenses fell under a more elaborate chapter heading, "Crimes against the life, health and property [dostoianie] of the individual". (The reference to 'property' was swiftly corrected to read 'dignity'.)<sup>57</sup>

In Kozlovskii's clean copy of his June 1920 draft of this

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interpretation of textual changes toward Kozlovskii's full draft of his Chapter V "Crimes against the life, health and dignity of the individual" (ll. 10-12 ob.).

<sup>56</sup> Ibid, l. 9.

<sup>57</sup> Ibid., ll. 6-6 ob. "Property" in this chapter heading was an obvious error, which the collegium corrected to read "dignity" (dostoinstvo). The final variant was thus arrived at, cf. ll. 5-5 ob.

chapter, sexual crimes had been considerably developed from these early schemes, and the influence of the 1903 and 1918 drafts was evident. From the 1903 code the names of four of the five sex offenses were borrowed, although the overall language of each article was simplified. Sodomy (muzhelozhstvo) was to be one of these five crimes, but only when imposed on children or with the use of force. Simple sodomy between consenting persons of 14 or over was not to be a crime.<sup>58</sup> This was a clear reduction in the age of consent over the 1903 draft. The threshold ages of 14 and 15 years in that version, and Shreider's 1918 redaction, had been subject to a test of the younger person's character (sodomy "with his consent, but through abuse of his innocence" would be punished); now, in this draft, the age of consent for all sexual acts was 14. There is no evidence linking Kozlovskii to the Palladii episode, but the clarification of the age of consent in sodomy cases, evident in the draft he proposed, could reflect the collegium's experience with this awkward case.

Kozlovskii understood that his criminal code, like early

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<sup>58</sup> Ibid, l. 11 ob. The text of this article read:  
 "SODOMY. Sodomy is punishable when it is committed: 1/ with the mentally ill, 2/ with a person incapable of expressing resistance to the guilty person, 3/ with a child under 14 years, 4/ with a person coerced to it by means of force or threats of murder or grievous bodily harm to the threatened person [i.e., the victim] or his family. The punishment is increased if such action is committed with the rendering in an unconscious condition for that [purpose] of the corresponding individual by the perpetrator himself or with his participation." This draft code did not specify punishments for the offenses it enumerated.

French revolutionary penal law, was "transitional", and that only when the gains of revolution were consolidated would new norms acquire stability. His commentary indicated his familiarity with the course of French codification after 1789 and viewed that history as the prime teacher for Narkomiust's legal draftsmen.<sup>59</sup> The degree to which this understanding influenced his view of the sodomy statute cannot be determined from his explicit statements. French revolutionary secularization and rationalization of statutes had (perhaps unintentionally at the outset) included the decriminalization of sodomy in 1791, later deliberately confirmed by Napoleonic fiat in 1805 and in the penal code of 1810.<sup>60</sup> It is arguable that Kozlovskii knew of this aspect of the French codes he cited in this commentary, although his comments did not dwell on specific offenses. Kozlovskii did think that many crimes

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<sup>59</sup> "As the experience of history teaches us, all significant legislative works were developed and took effect not at the moment of intense revolutionary struggle, but rather in the epoch when the results of revolutionary upheavals had become apparent, when revolutionary battles took on a clear and conclusive character. Thus the great codifications incorporating in legal norms the battles of the French Revolution (code penal, code civil, code de commerce, code d'instruction criminelle, code d'instruction civil [sic]) appeared in the first decade of the 19th century, when the achievements of the third estate seemed clear and irreversible, when civil peace reigned in France, and the new ideas together with Napoleon's army completed a triumphant march across the continent of Europe." GARF, f. A353, op. 4, d. 301, ll. 25-25 ob.

<sup>60</sup> Michael Sibalís, "The Regulation of Male Homosexuality in Revolutionary and Napoleonic France, 1789-1815." In Homosexuality in Modern France eds Jeffrey Merrick and Bryant Ragan. (New York & Oxford: Oxford University Press, 1996), 82-83, 89-92.

prohibited under the old regime would remain illegal, but he singled out "religious crimes" as a specific category of offenses which would "drop away" under the revolutionary order.<sup>61</sup>

Secularization was the fundamental principle of his penal renovation. But crimes against the person (including what he archaically called "crimes against...female honour") he believed would undergo less change than any other section of the criminal code:

Human nature with its good and evil passions is more stubborn and conservative than political institutions and social slogans. The latter may and do have a great influence on the direction of the statistical curve of criminality, but of themselves they are powerless to recreate human nature rapidly. History knows no miracles nor sudden leaps.<sup>62</sup>

For this reason he counselled the creative adaptation of the 1903 draft statute, "with the elimination and alteration of those specific offenses on which traces of the capitalist relations of the previous era remain". In the absence of a direct statement endorsing the legalization of sodomy, what these documents demonstrate is the actual, sustained intention to remove the act from Bolshevik criminal law. This intention follows from a clear commitment to the secularization and modernization of legal norms, and from a prevailing but less articulated conviction that a medical interpretation of sexual disorder accorded with Bolshevik visions.

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<sup>61</sup> GARF, f. A353, op. 4, d. 301, l. 26 ob.

<sup>62</sup> Ibid, l. 27 ob.

Unfortunately, the path from these proposals to the final language of the 1922 RSFSR criminal code on crimes against the individual (adopted by the Justice Commissariat's collegium on 21 December 1921)<sup>63</sup>, remains obscure. Collegium protocols suggest that in the eighteen-month interval between Kozlovskii's draft and the approval of the eventual wording, "a special commission of experts of the General consultation department of Narkomiust" led by P. A. Krasikov and L. A. Savrasov were chiefly responsible for the considerable revisions in language that resulted.<sup>64</sup> Consultation between the collegium and the Institute of Soviet Law late in 1921 resulted in the Institute putting forward its own draft code, which was rejected by the commissariat for its "bourgeois" orientation.<sup>65</sup> At the December 1921 collegium session approving the final wording of the chapter on crimes against the individual, among those present were Krasikov and Cherlunchakevich, who had presided over the Palladii case, and N. V. Krylenko, who as People's Commissar of Justice would later

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<sup>63</sup> GARF, f. A353, op. 4, d. 1, l. 131.

<sup>64</sup> Shvekov, Pervyi sovetskii ugolovnyi kodeks, 130, 132; GARF, f. A353, op. 4, d. 1, l. 63; this commission's papers do not appear in RSFSR Narkomiust archival holdings. Savrasov, the Commissariat's representative to the Cheka (secret police) since June 1920, had participated in revising the chapter on crimes against the person over the previous two years.

<sup>65</sup> Shvekov, Pervyi sovetskii ugolovnyi kodeks, 136-37; GARF, f. A353, op. 4, d. 1, l. 117. It has not been possible to locate this draft in the archives.

publicly justify the 1934 recriminalization of sodomy.<sup>66</sup> The entire criminal code was assembled in its final form by January 1922, when Narkomiust published it for circulation to justice officials, the Council of People's Commissars (Sovnarkom), and the Central Executive Committee of the All-Russian Congress of Soviets (VTsIK). After discussion in Sovnarkom (February 1922) and in a committee and plenary sessions at VTsIK in May, the criminal code became law on 1 June.<sup>67</sup>

(iii) The language of modernity

In its final form, the 1922 Russian criminal code radically modernized the archaic language of Kozlovskii's 1920 proposals. Its minimalist formulas enshrined the general conception of sexual crime as a violation of the individual's right to "life, health, freedom and dignity".<sup>68</sup> The Kozlovskii draft had employed tsarist legal terms for various forms of sexual misconduct; all of these were discarded.<sup>69</sup> Sodomy and incest

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<sup>66</sup> GARF, f. A353, op. 4, d. 1, l. 131; Nikolai Krylenko, "Ob izmeneniiakh i dopolneniiakh kodeksov RSFSR." Sovetskaia iustitsiia 15 (7 1936): 1-5.

<sup>67</sup> Shvekov, Pervyi sovetskii ugolovnyi kodeks, 146, 152-59.

<sup>68</sup> On the "minimalism" pursued by Soviet lawmakers, see Engelstein, "Soviet Policy Toward Male Homosexuality", 165.

<sup>69</sup> The tsarist terminology included liubostrastnye deistviia (non-penetrative sexual assault), liubodeianie (heterosexual rape), muzhelozhstvo (sodomy), krovosmeshenie (incest). GARF, f. A353, op. 4, d. 301, ll. 11 ob.-12; cf. Ugolovnyi kodeks RSFSR (1922).



were not named at all in the new code. Archaic labels for sexual misconduct were reformulated with terminology drawn from forensic medical and even police-blotter language.<sup>70</sup> Thresholds for consent (the age at which sexual autonomy was granted by the state) were especially medicalized as explicit age limits were abandoned, and the concept of "sexual maturity" (polovaia zrelost'), to be determined by medical opinion in each case, was introduced instead. A person having achieved sexual maturity could consent to sexual intercourse, to defloration, or to "perverted forms" of sexual behaviour.<sup>71</sup> The effect was to deprive sexual crime statutes of any pretense of safeguarding religious or transcendent morality, and to thrust such offenses squarely into the remit of the guardians of public health and order. When in 1926 a revised RSFSR Criminal Code was issued, the

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Sobranie zakonov i rasporiazhenii rabochego i krest'ianskogo pravitel'stva. (1922), no. 15, item 153; see Special section, Chapter V(4) "Crimes in the field of sexual relations", articles 166-171. Later revised as Ugolovnyi kodeks RSFSR (1926). Sobranie zakonov i rasporiazhenii rabochego i krest'ianskogo pravitel'stva SSSR. (1926), no. 80, item 600; Special section, Chapter VI, (no sub-title), articles 150-155.

<sup>70</sup> E.g., liubodeianie was treated in three different articles, with "sexual intercourse with persons not having reached sexual maturity" punished under article 166 of 1922 RSFSR Criminal Code; aggravated forms of liubodeianie became "sexual intercourse ...accompanied by defloration or with the satisfaction of sexual lust in perverted [izvrashchennye] forms" (article 167), while the article 169 dealt with ordinary "rape". Liubostrastnye deistviia became "corruption of children or minors accomplished by depraved [razvratnye] acts in relation to them" (article 168).

<sup>71</sup> According to articles 166 and 167 of the 1922 code, and article 151 in the 1926 code.

same language and principles were reaffirmed, including the absence of a ban on consensual same-sex relations.<sup>72</sup>

In their exegesis of the 1922 and 1926 Russian criminal codes, jurists noted instances when certain homosexual acts could be prosecuted. The innovative principle of gender-blindness in the formation of most sex offense articles suggested that victims and perpetrators might be of either sex.<sup>73</sup> A new tendency to consider the possibility of female same-sex offenses appeared in juridical commentaries as a result. The articles which gave rise to jurists' speculation regarding homosexual acts were numbers 167 and 168 in the 1922 code (articles 151 and 152 in 1926). The first prohibited (in addition to defloration) the "satisfaction of sexual lust in perverted forms" with sexually immature persons.<sup>74</sup> It was generally agreed that "perverted

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<sup>72</sup> The 1926 criminal code rationalized the organization of certain articles (by combining articles 166 and 167 of the 1922 code on sexual offenses against young persons in the new article 151; prostitution crimes were similarly treated). It elevated a 1923 amendment to article 169, outlawing sexual harassment of women, to a discrete article 154, and set maximum sentences where previously minimums were listed.

<sup>73</sup> In the 1922 code, only article 171 (procuring women for prostitution) was gender-specific; in the 1926 edition, articles 154 (sexual harassment) and 155 (procuring) used language specifying female victims. Article 153 of the 1926 code (against rape) acquired a subsection, on rapes by groups of perpetrators, whose victims were specified as female, yet the main definition of rape continued to be gender neutral.

<sup>74</sup> Punishable with a minimum five years under the 1922 code; the penalty was raised to a maximum of eight years in 1926, probably in response to the numerous cases of defloration of the sexually immature which were the subject of medical examinations.

forms" included "unnatural sexual intercourse whether between men, i.e. sodomy or pederasty, or between women, i.e. lesbian love or tribadism, and also anal copulation...regardless of the sex of the victim or accused person".<sup>75</sup> The second article (number 168/152) punished "depraved acts" with children or minors (defined for purposes of punishment in the 1922 code as under 14 in the case of children [maloletnie], and 14 to 18 years as minors [nesovershennoletnie]). Definitions of "depravity" evoked less certainty in jurists; one included homosexual anal intercourse and "lesbian love", effectively introducing a redundancy since he had already comprehended such acts under the preceeding article.<sup>76</sup> Others adopted heterocentric and phallocentric views. Liublinskii asserted that "depraved acts" could include "those forms of same-sex contacts which cannot be compared to [hetero-] sexual intercourse".<sup>77</sup> "Lesbian love", not explained in anatomical terms, except to note that genital contact "without the aim of copulation" was intended, could be

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<sup>75</sup> A. A. Zhizhilenko, Polovye prestupleniia (st. st. 166-171 Ugolovnogo Kodeksa) (Moscow: "Pravo i zhizn'", 1924), 15; cf. B. Zmiev, Ugolovnoe pravo. Chast' osobennaia. Vypusk I Prestupleniia protiv lichnosti i imushchestvennye (Kazan': Izd. NKIust. Avtomnoi Tatarskoi SSR, 1923), 26; P. I. Liublinskii, Prestupleniia v oblasti polovykh otnoshenii (Moscow-Leningrad: Iz-vo L. D. Frenkel', 1925), 122; E. P. Frenkel', Polovye prestupleniia (Odessa: Svetoch, 1927), 11.

<sup>76</sup> Poznyshev, Ocherk osnovnykh nachal nauki ugolovnogo prava, 61.

<sup>77</sup> Liublinskii, Prestupleniia v oblasti polovykh otnoshenii, 122-23; see also Zmiev, Ugolovnoe pravo. Chast' osobennaia, 26.

understood as a depraved act when non-adults were the object.<sup>78</sup> The article was apparently an inarticulate attempt to criminalize non-penetrative and non-procreative sexual acts which were believed to contribute to the "corruption of children and minors". Among these acts, male and female homosexuality were included, doubtless because of the socialist belief that 'acquired' as opposed to 'congenital' homosexuality could and should be prevented in an ideal society.

Curiously, anal intercourse inflicted violently on an adult was not enumerated as specific offense in the code. Some commentators believed that the gender neutral article 169/153 on rape included this offense, whether homosexual or heterosexual; others disagreed, citing a tradition of reserving the terms "rape" and "sexual intercourse" used in the article to heterosexual acts.<sup>79</sup> From a purely legalistic viewpoint, rape between men could readily have been prosecuted under either the

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<sup>78</sup> Zmiev, Ugolovnoe pravo. Chast' osobennaia, 26; Frenkel', Polovye prestupleniia, 11.

<sup>79</sup> Jurists who thought homosexual rape was understood by the article: Zhizhilenko, Polovye prestupleniia (st.st. 166-171 Ugolovnogo Kodeksa), 19; Liublinskii, Prestupleniia v oblasti polovykh otnoshenii, 122; Frenkel', Polovye prestupleniia, 14. Those who reserved rape for heterosexual acts: Zmiev, Ugolovnoe pravo. Chast' osobennaia, 27; Poznyshev, Ocherk osnovnykh nachal nauki ugolovnogo prava, 58; D. A. Karnitskii, Iu. Trivus Voprosy ugolovno-sudebnoi i sledstvennoi praktiki (Moscow: Iuridicheskoe iz-vo NKIU RSFSR, 1927), 61-62; D. A. Karnitskii, G. K. Roginskii, M. S. Strogovich Ugolovnyi kodeks RSFSR. Postateinyi kommentarii (Moscow: Iuridicheskoe iz-vo NKIU RSFSR, 1928), 265-71. Tsarist court documents routinely used the word "rape" (iznasilovanie) to refer to sodomitical assaults between males prosecuted under the old regime's article 996.

gender blind rape statute alone, or by application of the principle of analogy.<sup>80</sup> In 1928, in reply to an enquiry about the treatment of homosexuals in Russia from Magnus Hirschfeld's Scientific-Humanitarian Committee, the People's Commissariat of Justice wrote from Moscow that the first section of article 153 did indeed prohibit "homosexual acts accompanied by physical or mental violence".<sup>81</sup> Central legal and forensic medical publications of the interval of sodomy decriminalization (1922-1933) are devoid of references to contemporary prosecutions of male rape, which may indicate that the crime went unpunished, or if it was, then unpublicized. Legislators, determined to modernize the language of criminal law on sexual crime, may have opted to eradicate a specific reference to "sodomy...by means of force", reasoning that a gender-blind definition of rape would serve the same purpose, while upholding principles of sex equality. The law's drafters could thereby rid the code of the word "sodomy", a term with religious and moralistic associations.

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<sup>80</sup> The implications of gender neutral language did not escape the gaze of deputy OGPU chief G. Iagoda in 1933 when he drafted the decree adopted by the Presidium of TsIK USSR, to recriminalize sodomy. It explicitly reaffirmed the continued enforcement of other sex offenses, including "criminal responsibility...for the rape of persons of both sexes", "Iz istorii Ugolovnogo kodeksa: 'Primerno NAKAZAT' etikh Merzavtsev'." Istochnik (5-6 1993): 165, citing APRF, f. 3, op. 57, d. 37, ll. 25-26. The enactment of the new sodomy law with its second clause prohibiting coercive acts was thus a significant redundancy, making explicit what had previously been implicit to but a few observers.

<sup>81</sup> F. Pfäfflin, ed. Mitteilungen des Wissenschaftlich-humanitären Komitees 1926-1933. (Hamburg: Faksimile-Nachdr., 1985), 147.

They could also sidestep the dilemma of how to name homosexual rape, posed by having chosen to define all other sex crimes in forensic medical or criminological terminology. An associated benefit of this textual strategy would have been the code's total silence on same-sex offenses, a silence which some rulers have believed deprived homosexuality of publicity and imitation by example.<sup>82</sup>

### Conclusion

The tsarist legacy in the regulation of male homosexuality was a mass of contradictory and inequitable practices. The ban on sodomy was upheld in the partially enacted 1903 draft criminal legislation, yet enforcement remained selective, and notorious violations of this law were ignored by elites. Men of means flouted the sodomy ban with impunity while the law was used against those unfortunate enough to have been caught without the necessary connections to extract themselves from proceedings. In

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<sup>82</sup> In 1805, to settle a case turning on sodomy's status in criminal law, Napoleon wrote "We are not in a country where the law should concern itself with these offenses. Nature has seen to it that they are not frequent. The scandal of legal proceedings would only tend to multiply them. It would be better to give the proceedings another direction." Police were told to impose administrative penalties; Sibalis, "The Regulation of Male Homosexuality in Revolutionary and Napoleonic France, 1789-1815", 89-92. In 1921 the British House of Commons voted to extend the Labouchere Amendment (the law against gross indecency between men, used against Oscar Wilde) to acts between women; the Lords rejected extension, arguing that giving publicity to the offense would increase it, Weeks, Coming Out, 106-107.

addition to these abuses, youthful males flowed into the capitals and prostituted themselves in the streets and bathhouses, forming a very visible manifestation of male homosexuality accompanied by apparent economic exploitation. Would-be renovators of the 1845 tsarist statute on sodomy confronted these numerous social and ethical complexities.

Liberals proposed to eliminate that law's moralizing focus on a single repugnant act, which they believed like other forms of immorality might best be confined to the private sphere and eliminated by education. Social democrats were the bearers of a dualistic tradition from Germany counselling both tolerance toward congenital homosexuals, and a medical approach toward sexual questions in general. While briefly in office in the Commissariat of Justice, Left Socialist Revolutionary jurists deliberately eliminated consensual sodomy in their proposed revision of the 1903 criminal code. Two years later, when Bolshevik legal experts returned to the issue of codification, they too made the same deliberate decision. They appear to have been influenced in this matter by their experience of handling the Palladii case of 1919. The legislation which they finally approved secularized and modernized the language of offenses against the sexual autonomy and inviolability of the person. Religious terminology for physical acts was replaced by forensic medical and criminological discourse, and the range of offenses was simplified. The status of same-sex love in this new dispensation was apparently clarified by the absence of a ban on

male sodomy. The medicalization of sexual offenses nevertheless offered police, jurists and medical officials opportunities for the continued regulation of sexual and gender dissidence.



## Chapter 2: Regulating sexual and gender dissent, 1922-1933

In early nineteenth century France, secularization of penal law had led to the elimination of the ancien regime's antisodomy statute, and police measures were judged sufficient to preserve public moral order. Medicine had not yet developed the discourse of sexual perversion as psychopathic illness. By the early twentieth century, when the Bolsheviks removed religious language and values from criminal law, medical discourse was available as an element of the modernizing project of science. Jurists expected medicine to assist in the regulation of sexual perversion. In Soviet Russia, however, medicine on its own was not powerful enough, nor always inclined, to assume full custody of sex and gender variations. Some psychiatrists could doubt the supposed pathology of the "the intermediate sex", and others preferred to work jointly with police or jurists to regulate the issues of daily life (byt) which such persons raised by their gender and sexual non-conformity.

The result was a fragmented strategy in the early Soviet years on matters pertaining to same-sex love. Official policy was not solely, nor perhaps chiefly, "morbiditying" as has been suggested by Simon Karlinsky, but was pulled in a number of directions.<sup>1</sup> Certain groups (the Orthodox clergy, Central Asians) within the Soviet Union were refused access to the

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<sup>1</sup> Simon Karlinsky, "Russia's Gay Literature and Culture: The Impact of the October Revolution." In Hidden From History: Reclaiming the Gay and Lesbian Past, eds Martin Duberman, Martha Vicinus, and George Chauncey. (New York: Penguin, 1989), 358-61.

biomedical interpretation of homosexuality, on the grounds of Bolshevik analysis of their lifestyle or customs. By examining Soviet approaches to byt in relation to these groups, a more nuanced reading of Bolshevik intentions in this matter is possible. Medical models of homosexuality, including the benign versions promoted by homosexual emancipationists, were reserved for the community of 'civilized' European Soviet citizens. Elements of homosexual emancipationism appeared in the regime's limited and politically strategic declarations on the sexual revolution. Emancipationist reasoning is evident from a small but important cluster of sources dealing with Soviet medical contacts with Germany, and with its foremost advocate of sex reform, Dr Magnus Hirschfeld. Expressions of liberatory sentiment from homosexuals themselves offer clues to popular notions of revolutionary sexual autonomy. A Health Commissariat discussion on "transvestites" and "the intermediate sex", conducted in 1929, offers a glimpse at the fragmented public transcript on gender and sexual dissent then in circulation among the nation's top medical experts. These diverse and contradictory historical sources do not yield a single policy line on the "homosexual" during the era of sodomy decriminalization (1922-1933). They do nevertheless illustrate the degree to which Bolshevik policy on the issue was fragmented by priorities of class, nationality, and gender politics.

(i) "Trials of homosexuals"

A cluster of articles about a pair of criminal cases involving "homosexuals" demonstrates how fragmented the public transcript became during the era of sodomy decriminalization. Three months after the enactment of the 1922 RSFSR criminal code, the weekly journal of the Commissariat of Justice published "Trials of homosexuals", describing two cases, and explaining how homosexual behaviour, in the absence of a sodomy statute, might be criminalized under the new code.<sup>2</sup> The article dealt with one trial, apparently completed, against a large number of men arrested in a Petrograd "pederasts' club" in a private flat, where several males were apprehended in women's clothing. This party had been one of a series of gatherings organized in and around Petrograd as masquerades, with dancing, matchmaking rituals, and mock-wedding ceremonies. The other case, still under investigation at the time, was that of a woman, Evgeniia Fedorovna M., who had impersonated a man to marry her female friend in a registry office (ZAGS). The two women had successfully argued against local prosecutors' efforts to invalidate the marriage. With some certainty, it can be claimed that both cases were the subject of contemporaneous and later

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<sup>2</sup> G. R. "Protsessy gomoseksualistov." Ezhenedel'nik sovetskoi iustitsii (33 1922): 16-17. The author may have been Grigorii Ryndziunskii, who in 1922 wrote in this journal on a variety of bytovye (everyday) subjects: family law (five separate items), inheritance, bills of exchange, and municipal land use.

articles produced for professional psychiatric and pedagogic audiences.<sup>3</sup> The woman's case was also discussed in 1929, in unpublished sessions of the Expert medical council of the Commissariat of Health.<sup>4</sup>

"Trials of homosexuals", appearing in the Justice Commissariat's central organ, has been cited on this provenance by historians as evidence of early Bolshevik disapproval of homosexual emancipation and even of all same-sex erotic relationships.<sup>5</sup> As Laura Engelstein has noted, none of the

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<sup>3</sup> These events are described in fuller detail in Chapters six (men's case) and seven (Evgeniia's case). Evidence for the claim that various articles dealt with the same two cases is confined to footnotes, below. The key articles are: for the raid on the Petrograd club, V. P. Protopopov, "Sovremennoe sostoianie voprosa o sushchnosti i proiskhozhdenii gomoseksualizma." Nauchnaia meditsina (10 1922): 49-62; V. M. Bekhterev, "Polovye ukloneniia i izvrashcheniia v svete refleksologii." Voprosy izucheniia i vospitaniia lichnosti (4-5 1922): 644-746, esp. 720-21, 740; *ibid.*, "O polovom izvrashchenii, kak osoboii ustanovke polovoykh refleksov." In Polovoi vopros v shkole i v zhizni, ed. I. S. Simonov. (Leningrad: Brokgauz-Efron, 1927), 167-71. I am grateful to Fran Bernstein for providing me with a copy of this exceptional source on the raid. For "Evgeniia's" marriage to a woman: A. O. Edel'shtein, "K klinike transvestitizma." Prestupnik i prestupnost'. Sbornik II (1927): 273-82. I have discussed the Narkomiust version in Dan Healey "Evgeniia/Evgenii: Queer Case Histories in the first years of Soviet power." Gender & History (1 1997): 83-106.

<sup>4</sup> GARF, f. A482, op. 25, d. 478, ll. 80-80 ob., 85-87; d. 479, ll. 18-18 ob.

<sup>5</sup> N. S. Timasheff, "The Impact of the Penal Law of Imperial Russia on Soviet Penal Law." American Slavic and East European Review 12 (4 1953): 458; for a similar interpretation of the article as a clear indication of Soviet policy see also Simon Karlinsky, "Introduction: Russia's Gay Literature and History." In Out of the Blue: Russia's Hidden Gay Literature, ed. Kevin Moss. (San Francisco: Gay Sunshine Press, 1996), 24; Daniel Healey,

defendants "had been detected in the commission of sexual acts which in any case were not illegal", yet to argue for convictions "G. R." offered wide interpretations of statutes against hooliganism and running brothels ("dens" of vice), and suggested the use of forensic psychiatric expertise.<sup>6</sup> The author relied on a medical justification for prosecution of homosexuals, citing testimony he claimed had been given by Russia's leading psychiatrist, academician V. M. Bekhterev, during the trial of the Petrograd men, which warned of the influence of perversion on "normal" persons.<sup>7</sup> Despite his resort to specific proscribed acts in the criminal code as a legal point of departure, "G. R." appeared to be arguing for the criminalization of an identity (hence the "homosexuals" of his title) as much as specific

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"The Russian Revolution and the Decriminalisation of Homosexuality." Revolutionary Russia 6 (1 1993): 34; a recent nuanced reading of "G. R.'s" article still assigns it great importance as an indicator of Bolshevik views, see Laura Engelstein, "Soviet Policy Toward Male Homosexuality: Its Origins and Historical Roots." In Gay Men and the Sexual History of the Political Left, eds G. Hekma, H. Oosterhuis, and J. Steakley. (Binghamton NY: Harrington Park Press, 1995), 168.

<sup>6</sup> Engelstein, "Soviet Policy toward Male Homosexuality", 168.

<sup>7</sup> "In his expert testimony Academician Bekhterev explained that although the deviation of these abnormal people could not be criminally punished [ne mogut byt' ugovno-nakazuemyi], nevertheless the public display of their desires, the involvement of other unstable persons in the circle of perverted interests, in a word the pronouncement to a wide public of homosexual tastes and acts is harmful from the public point of view and must not be permitted, and the establishment of clubs or dens for such purposes should be criminally punishable." G. R., "Protsessy gomoseksualistov", 16.

behaviours.<sup>8</sup>

It is doubtful that this author's intervention necessarily reflected the attitude of all justice officials, or that officials beyond Narkomiust's central agencies closely read and obeyed the commissariat's journal.<sup>9</sup> "G. R." states in his introduction that the higher judiciary have not been moved to produce guiding determinations "on this subject". His concluding sentence, on the application of various statutes to the cases at hand, is couched in the cautious language of a jurist offering an opinion rather than the confident tones of a bureaucrat relaying a fiat from the desk of the people's commissar.<sup>10</sup> Legal commentaries on the new criminal code ignored "G. R.'s" suggestions at least as often as they agreed with them, but in no

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<sup>8</sup> In both cases the supposed clue to these defendants' "homosexuality" was in fact cross-dressing, not sexual behaviour; Engelstein, "Soviet Policy toward Male Homosexuality", 167-68.

<sup>9</sup> This presumption lies behind Karlinsky's description of the cases as "show trials staged right after the appearance of the 1922 [criminal] code", "Introduction: Russia's Gay Literature and History", 24. There is no indication whether the trial of Petrograd men took place in either open or closed sessions; no trial of the women, whose case was still under investigation, had yet taken place, G. R. "Protssessy gomoseksualistov", 16-17. On the receptivity (or lack of it) to directives from the centre by local justice operatives at this time, see Peter H. Solomon Jr, Soviet Criminal Justice under Stalin. (Cambridge: Cambridge University Press, 1996) 54-60.

<sup>10</sup> "...it would seem that acts of this type...should be punishable, even if [khotia by] by application of art. 176 [i.e., against hooliganism] of the Criminal Code." G. R., "Protssessy gomoseksualistov", 17.

case was his opinion cited by later authorities.<sup>11</sup> Further evidence that his proposals represented but one jurist's opinion comes from other articles describing the same cases dealt with in "Trials of homosexuals".

In a 1927 case history of "transvestism" and "homosexuality", Moscow psychiatrist A. O. Edel'shtein presented a woman, Evgeniia Fedorovna M., whose actions closely resembled those of "Evgeniia" in the 1922 Narkomiust item.<sup>12</sup> The

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<sup>11</sup> Commentaries ignoring advice of "Trials of homosexuals": S. V. Poznyshev, Ocherk osnovnykh nachal nauki ugolovnogo prava. II. Osobennaia chast' (Moscow: Iuridicheskoe izdatel'stvo NKIust, 1923); Ugolovnyi kodeks. S predislovie D. I. Kurskogo (Moscow: Izd. moskovskogo gubernskogo suda, 1924); E. P. Frenkel', Polovye prestupleniia (Odessa: Svetoch, 1927); D. Karnitskii, and Iu. Trivus Voprosy ugolovno-sudebnoi i sledstvennoi praktiki (Moscow: Iuridicheskoe iz-vo NKIu RSFSR, 1927); D. A. Karnitskii, G. K. Roginskii, and M. S. Strogovich. Ugolovnyi kodeks RSFSR. Postateinyi kommentarii (Moscow: Iuridicheskoe iz-vo NKIu RSFSR, 1928). Commentaries advising use of hooliganism statute against public consensual sodomy: B. Zmiev, Ugolovnoe pravo. Chast' osobennaia. Vypusk I Prestupleniia protiv lichnosti i imushchestvennye (Kazan': Izd. NKIust. Avtomnoi Tatarskoi SSR, 1923); A. A. Zhizhilenko, Polovye prestupleniia (st. st. 166-171 Ugolovnogo Kodeksa) (Moscow: "Pravo i zhizn'", 1924); P. I. Liublinskii, Prestupleniia v oblasti polovykh otnoshenii (Moscow-Leningrad: Iz-vo L. D. Frenkel', 1925).

<sup>12</sup> Edel'shtein, "K klinike transvestitizma" (1927). Both "G. R.'s" Evgeniia and Edel'shtein's Evgeniia Fedorovna M. presented themselves in public as men, altering their identity papers using the masculine form of their name, Evgenii; both had managed to marry their female partner at a ZAGS office in 1922. "G. R.'s" Evgeniia was said to be an insistent defender of her right to the privacy of her "intimate life" (intimnaia zhizn'), and a clever strategist against the court investigators, having "complicated [the case] with various collateral circumstances and complaints, raised by the accused as a result of her clear mental imbalance". The woman described by Edel'shtein robustly defended the rights of

psychiatrist drily noted as fact the information that Narkomiust had conceded the legality of his patient's 1922 marriage to another woman on the grounds of "mutual consent".<sup>13</sup> The two texts may well describe the same Evgeniia/Evgenii. Yet even if they do not, Edel'shtein's article indicates Narkomiust did recognize his subject's same-sex marriage in 1922. The legal strategies promoted in "Trials of homosexuals" were certainly not heeded by those jurists investigating the woman who eventually became Edel'shtein's patient.<sup>14</sup>

Medical articles relating to the other case in the 1922 Narkomiust item call into question "G. R.'s" rapportage of expert testimony, and his adherence to the facts of the trial. As with Evgeniia, the available texts do not allow for an indisputable connection between "G. R.'s" Petrograd raid by the Cheka on a

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what she called the "intermediate sex" in a long text she was said to have written for the doctor. This "History of my illness" with its lucid homosexual emancipationist arguments, was reproduced by Edel'shtein as evidence of Evgeniia's compulsive lying and fantasizing.

<sup>13</sup> Edel'shtein, "K klinike transvestitizma", 274: "It should be noted that Narkomiust recognized the marriage as legal, for having been concluded by mutual consent." Edel'shtein specifically represented this observation as a fact from Evgeniia's anamnesis, not a product of her 'compulsive lying'. His treatment of the detail thus suggests he had independent confirmation of it. In "G. R.'s" article, the possibility of just such an outcome in the analogous case was not ruled out. He noted the unnamed provincial investigator's tactics were inadequate, and the case against Evgeniia/Evgenii might be lost by Narkomiust, "Protssessy gomoseksualistov", 16.

<sup>14</sup> GARF's Narkomiust collegium records for the 1920s make no mention of the decision to recognize Evgeniia Fedorovna M.'s marriage, which was presumably a lower court ruling.



private party where sailors and other men staged a masquerade wedding, and the similar incident described by the psychiatrist Bekhterev.<sup>15</sup> But the coinciding circumstances of the cases are so similar and unusual to suggest strongly that they are the same. Even if they were not, the credibility of "G. R.'s" "Trials of homosexuals" as conclusive evidence of a supposed prevailing Soviet approach toward same-sex relations is undermined when these two accounts are compared.

"G. R." used evasive textual manoeuvres to imply the raid on the "pederasts' club" - or at least the subsequent trial - had taken place after the 1 June 1922 enactment of the new criminal code.<sup>16</sup> The jurist presented the timing of the case this way to strengthen his argument that homosexuality should be criminalized as disorderly behaviour. The timing of the publication of "Trials of homosexuals" has moreover been crucial to interpretations that the new legal code as not intended to license sexual autonomy for "homosexuals".<sup>17</sup>

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<sup>15</sup> Bekhterev, "Polovye uklonenii i izvrashchenii v svete refleksiologii" 720-21, 740; *ibid.*, "O polovom izvrashchenii, kak osoboi ustanovke polovykh reflektov" 167-71; for interviews with ten men arrested in the same raid described by Bekhterev, see Protopopov, "Sovremennoe sostoianie voprosa o sushchnosti i proiskhozhdenii gomoseksualizma".

<sup>16</sup> He said the case arose "a short time ago" and he reported that Bekhterev testified that "these abnormal people's deviation cannot be criminally prosecuted", suggesting the new code was in effect at the time of the trial; G. R., "Protsessy gomoseksualistov", 16.

<sup>17</sup> Timasheff, "The Impact of the Penal Law of Imperial Russia", 458; Karlinsky, "Introduction: Russia's Gay Literature and History", 24; Healey, "Russian Revolution

Yet Bekhterev's accounts of his activities during the investigation following a Petrograd raid on a "pederasts' club" undermine this timing, and suggest that his professional opinions had been distorted in "G. R.'s" text. In the same year as Narkomiust's article, the psychiatrist published an account of the arrest in Petrograd of "an entire club of homosexuals, about 98 individuals altogether, during their festive wedding party".<sup>18</sup> This article was addressed to a professional audience of psychiatrists and physicians. Bekhterev said police telephoned to invite him to examine the men for research, not forensic, purposes on the night of the raid, and a footnote indicates his investigations must have taken place before 28 February 1921 (fifteen months before the new criminal code came into effect).<sup>19</sup> He reported nothing here about being required to furnish forensic medical opinions or to attend a trial.

In a chapter dated December 1924, addressed to an audience of professional educators and included in a twice-published, respected volume on sexual education, Bekhterev described the same police investigation, raid and his interviews with the men

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and the Decriminalisation of Homosexuality", 34; Engelstein, "Soviet Policy toward Male Homosexuality" follows Timasheff et al. in accepting the trials occurred after the 1922 code was enacted, but notes "G. R.'s" 1922 article failed to influence the 1926 criminal code revision, 166-68.

<sup>18</sup> Bekhterev, "Polovye ukloneniia i izvrashcheniia v svete refleksiologii", 720.

<sup>19</sup> He presented a paper describing the men he examined after this raid to a conference of the Petrograd Institute for the Study of the Brain on this date, *ibid*.

who were arrested.<sup>20</sup> In this version, the psychiatrist sought to undermine "G. R.'s" account without specifically mentioning it. Bekhterev claimed to have studied the police investigation files, and gave the date of the raid as 15 January 1921. He noted that the police surveillance of similar gatherings in a succession of private flats had begun in late 1920.<sup>21</sup> Bekhterev made no comment about this surveillance, but his terse observation about his own official role in the aftermath of the raid is a distinct contradiction of "G. R.'s" representation of the academician in court: "I was required to give an opinion on the case and naturally it was for the quashing of the case, for neither seduction nor propaganda for homosexuality were possible to establish in this instance."<sup>22</sup>

There are several ways Bekhterev's deliberate insistence that he called for the case to be thrown out could be interpreted. The truth about any expert opinion he provided cannot be established from the available evidence. What is apparent is the rift in the public transcript between Bekhterev and "G. R.", between psychiatrist and jurist. The thesis that Narkomiust's "Trials of homosexuals" furnishes us with a guiding pronouncement of early Soviet policy on same-sex relations is disrupted by the many textual contradictions and inconsistencies

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<sup>20</sup> Bekhterev, "O polovom izvrashchenii, kak osoboi ustanovke polovykh reflektov" (1927, first ed. 1925), 166-71.

<sup>21</sup> Ibid., 169.

<sup>22</sup> Ibid., 171. Cf. "G. R.'s" version of Bekhterev's supposed statement in court, note 7 above.

which associated articles raise about its authority and influence. This cluster of publications about two early Soviet legal cases of "homosexuality" demonstrates the public transcript's fragmentation over the issue.

Soviet legal experts' understanding of the status of same-sex love was also not uniform. Most jurists writing commentaries on the 1922 and 1926 RSFSR criminal codes understood the absence of an antisodomy statute as a progressive measure, however qualified their notions of progress appear from late-twentieth-century viewpoints. Sodomy had been decriminalized, wrote one expert, because

science, and much legislation following from it... had taken the view that the commission of the act of sodomy with adults infringed no rights whatsoever, and that [adults] were free to express their sexual feeling in any forms, and that the intrusion of the law into this field is a holdover of church teachings and the ideology of sinfulness.<sup>23</sup>

Legal scholars were aware of the various medical theories about same-sex love, although few went to the trouble to describe them in the detail provided by Professor P. I. Liublinskii. Unusually for this literature, Liublinskii explained the basis for medical theories first in psychopathology, and more recently in the influential biological hypotheses of Iwan Bloch, Magnus Hirschfeld, and Eugen Steinach.<sup>24</sup> Conflicting scientific theories on homosexuality's origins had the effect, the professor

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<sup>23</sup> Frenkel', Polovye prestupleniia, 12.

<sup>24</sup> Liublinskii, Prestupleniia v oblasti polovykh otnoshenii 124-27; medical reasons for decriminalization were also given by Zmiev, Ugolovnoe pravo. Chast' osobennaia, 27.

noted, of contributing to the legislator's "uncertainty of point of view on the question". Since many considered homosexuality to be "either inborn or an illness", and that "nature made [them] so", it was cruel and inappropriate to criminalize it.<sup>25</sup> Another explanatory device was the resort to a perceived history of retreating criminal sanctions against homosexual acts; the same scholars noted a "more humanitarian point of view" was responsible for the gradual easing of penalties in European legislation.<sup>26</sup>

Endorsements of Western homosexual emancipationist arguments for Soviet law's decriminalization of sodomy were present, if often muted, in this literature. Liublinskii's expansive rehearsal of these arguments was probably based on apologetics repeated in the works he cited of liberal pre-revolutionary jurists Fuks and Piatnitskii. Sexual desire might have "varied functions in human life", including not only reproduction but the pursuit of pleasure; moreover, homosexual love could have an "aesthetic" value similar to heterosexual romance. It was not merely "cynical" or "shameless". States which suppressed homosexuality out of fears that the military would lose its manliness were unfounded, since "the most courageous

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<sup>25</sup> Liublinskii, Prestupleniia v oblasti polovykh otnoshenii, 132.

<sup>26</sup> Ibid., 117-20; Frenkel', Polovye prestupleniia, 11-12; S. V. Poznyshev, Ocherk osnovnykh nachal nauki ugodnogo prava. II. Osobennaiia chast', 60; A. A. Zhizhilenko, "Polovye prestupleniia. Iuridicheskie ocherk" in Polovye prestupleniia eds A. A. Zhizhilenko, L. G. Orshanskii (Leningrad-Moscow: Iz-vo Rabochii sud, 1927), 10.

[muzhestvennye] peoples have shown an inclination to homosexuality". Suppressing sodomy did not encourage the birthrate, since few homosexuals were exclusively so, and in any case economic measures had more effect on births than moralizing. Finally, moral objections were based on the narrowest readings of inherited traditions, which were relative to specific classes and nationalities. Liublinskii noted that apologists argued against the state's intervention in moral issues.<sup>27</sup> On all but the last point, Liublinskii was content to agree with Nabokov, Piatnitskii and Hirschfeld's homosexual emancipationist Scientific-Humanitarian Committee. The commission of sodomy publicly "in conditions displaying disrespect for society or individual citizens" should he argued merit prosecution as hooliganism.<sup>28</sup> A similar anxiety accompanied the emancipationist rhetoric of Odessa jurist E. P. Frenkel'. The purpose of Soviet penal law on sexual offenses was to guarantee the individual's right to "free self-determination in the matter of sexual relations" while assuring personal inviolability.<sup>29</sup> Frenkel' blended emancipationist reasoning with the socialist tradition of a transformative, heteronormative future for sexuality. Soviet legislation ensured the young would be protected from sexual assaults and influences which might prevent the "normal

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<sup>27</sup> Liublinskii, Prestupleniia v oblasti polovykh otnoshenii, 127-28.

<sup>28</sup> Ibid., 123; Liublinskii did not cite G. R.'s "Trials of homosexuals".

<sup>29</sup> Frenkel', Polovye prestupleniia, 3.

development" of their sexuality, toward different-sex relations.

Still other legal commentators found various strategies for interpreting the legalization of consensual adult sodomy narrowly. Professor S. V. Poznyshev of the Moscow State Psychoneurological Institute adopted the liberal argument that the law had been inconsistently enforced and therefore deserved abrogation.<sup>30</sup> Leningrad professor A. A. Zhizhilenko (of the Criminology Bureau of the Leningrad provincial court) declined to speculate on the reason for decriminalization but explicitly highlighted the shift.<sup>31</sup> Both authorities suggested by implication that the end of the sodomy ban was linked to the chief intentions of the reformed sex crime legislation: the individual's "freedom to order his sexual sphere at his own discretion".<sup>32</sup> Yet neither were prepared to extend such freedom explicitly to homosexuals despite the logic of their arguments, and Zhizhilenko like Liublinskii invoked "public morality" to justify the use of hooliganism charges against sodomy committed in public.<sup>33</sup>

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<sup>30</sup> Poznyshev, Ocherk osnovnykh nachal nauki ugolovnogo prava. II. Osobennaia chast', 60.

<sup>31</sup> Zhizhilenko, "Polovye prestupleniia. Iuridicheskii ocherk", 10; cf. idem. Polovye prestupleniia (st. st. 166-171 Ugolovnogo Kodeksa), 8, where the sentence noting the legalization of sodomy is given typographic emphasis.

<sup>32</sup> Zhizhilenko, Polovye prestupleniia (st. st. 166-171 Ugolovnogo Kodeksa), 3; Poznyshev, Ocherk osnovnykh nachal nauki ugolovnogo prava. II. Osobennaia chast', 57.

<sup>33</sup> Zhizhilenko, "Polovye prestupleniia. Iuridicheskii ocherk", 74. Like Liublinskii, he too did not cite "G. R." for this opinion.

The decriminalization of sodomy, at least within the Russian republic, thus created ambiguities which some legal scholars were reluctant to interpret harshly. Central control over these interpretations was far from monolithic. The appearance of a Justice Commissariat article on "homosexuals" and their supposed culpability could be contradicted by the psychiatrist who reportedly testified on behalf of the state, and disregarded later into the 1920s by legal experts who wrote about the issue in emancipationist or even liberal tones.

(ii) Varieties of regulation

In the early years of the regime, Bolshevik attitudes toward particular social groups and patterns determined the official view of (usually) male homosexuality observed within them. Essentialist, biomedical etiologies for this behaviour were rejected, and the Bolshevik view was that certain "depraved" remnants of the old regime (the Orthodox clergy) or "primitive" nationalities within the Soviet Union (southern and eastern ethnic groups) were prone to display 'acquired', socially constructed forms of homosexuality. With a determination and consistency not always apparent elsewhere in Bolshevik handling of gender and sexual dissent, policies were pursued which sought to eliminate the social conditions producing such homosexual relations.

One such category of sexual disorder was clerical sexual



misdeemeanours. Evidentiary and procedural standards in trials of Orthodox clergy on sex charges (as in the case of Bishop Palladii) took second place to the production of public demonstrations to impress "a population not liberated from religious prejudices".<sup>34</sup> Trials of clerics for sexual improprieties usually dealt with heterosexual relations, and as such expressed an obvious tension between the regime's stated support for sexual autonomy among adults, and the same regime's determination to undermine the moral authority of the Church. Some element of coercion or abuse of minors normally had to be produced to give such cases the pretense of a legal basis, but moral "hypocrisy" and counterrevolution were the underlying crimes prosecutors believed they were pursuing.<sup>35</sup> Trials of priests and monks for same-sex offenses took place during the 1920s after the decriminalization of sodomy, and it appears that the effect of these was to establish, at least in the minds of

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<sup>34</sup> N. P. "Monakhi pred sudom v roli razvratitlei maloletnikh i nesovershennoletnikh." Ezhenedel'nik sovetskoi iustitsii (42 1922): 14.

<sup>35</sup> S. N. "Monastyri - pritony razvrata - pri svete sovetskogo suda (Protssess arkhimandrita Sergiia, nastoiatel'ia Sretenskogo monastyria v Moskve)." Ezhenedel'nik sovetskoi iustitsii (19-20 1922): 19. In this case, staged as a show trial in a workers' club in Moscow in late May 1922, (on the eve of the new criminal code), archimandrite Sergii was officially only charged with "minor assaults", "because Kurtasova [his victim] is an adult woman" who entered voluntarily into a sexual liaison with him. Despite this weakness of the prosecution's case, the trial lasted two days and exposed the "monstrous refinements" of Sergii's sexual tastes with women. For the preponderance of heterosexual cases, M. Sheinman, Religioznost' i prestupnost' (Moscow: Bezbozhnik, 1927), 52-55.

activist atheists, the stereotype of the unmarried cleric, starved of a "natural" sexual outlet, preying on "'goodlooking', silent and obedient novices and even children from church choirs".<sup>36</sup> The clerical abuser of young males was easily convicted under statutes protecting the sexually immature, children and minors. One such trial, heard in open court in Vologda on 21 October 1922, sentenced monastic priest Vasilii to five years' imprisonment for depraved acts with "boys" (malyshi) of 13 and 14 (under the new RSFSR criminal code's article 168). In this case, medical testimony was marshalled by the defendant, presenting sophisticated arguments that "the guilty monk was a sick man with a perverted sexual psyche", deserving of pardon or therapy not imprisonment.<sup>37</sup> The Commissariat of Justice's anonymous review of this case poured scorn on biomedical models of homosexuality, here deployed as a defense strategy. Just weeks before, the same journal had printed "G. R.'s" argument for the utility of scientific testimony to confirm the danger to suggestible persons of environmentally induced homosexuality, when applied by the prosecution. Where Orthodox clergy were concerned, Bolshevik legal tactics dealing with homosexual

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<sup>36</sup> E. M. Iaroslavskii, Protiv religii i tserkvi 5 vols (Moscow: OGIz, 1932-1933). See in this collection "Ne pora li proverit' monastyri", v. 1 (reprint from Pravda 177, 4 August 1929); "V zashchitu biblii protiv sodomlian", v. 5 (reprint from Bezbozhnik 20, 9 May 1923); "Sodomitskie greshniki i sodomitskie pravedniki", v. 5, 406n, for the quotation on novices.

<sup>37</sup> N. P. "Monakhi pred sudom v roli razvratitlei maloletnikh i nesovershennoletnikh.", 14.

offenses used markers of "depravity" (supposedly generated by the peculiarities of ecclesiastical byt) to brand the clergy as morally bankrupt. Militant atheist sources on these trials were vague about the legal mechanisms used to secure convictions.<sup>38</sup>

If the Bolsheviks blocked Orthodox clergy from exploiting medical interpretations of homosexuality in their own defense, certain nationalities in Transcaucasia and Central Asia were also believed to be unsuited to the biologicistic model. Male same-sex relations, held to be widespread in these regions, were deemed to be socially generated and therefore susceptible to policy interventions. Russians, whether marxist or not, had long viewed the inhabitants of the east and south of the empire as inclined in their social practices toward forms of 'acquired' homosexuality.<sup>39</sup> There was some difference between the perceived

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<sup>38</sup> Two 1927 cases of "pederasty", apparently between male adult clerics, were tried in Novgorod and Vladikavkaz, while a case involving among others, a convent of 30 nuns who "married each other" in Maikop, North Caucasus, was heard in 1926, Sheinman, Religioznost' i prestupnost', 55-56. Such cases which involved private consensual adult acts, might have employed the statutes against hooliganism or vice dens as suggested by "G. R." in 1922, but the very fact that Sheinman classifies them as "sexual crimes" suggests some element of corruption of youth or coercion was involved which he does not introduce into his account.

<sup>39</sup> For example, E. V. Erikson, "O polovom razvrate i neestestvennykh polovykh snosheniakh v korennom naselenii Kavkaza." Vestnik obshchestvennoi gigieny, sudebnoi i prakticheskoi meditsiny (12 1906): 1868-93; A. Shvarts, "K voprosu o priznakakh privychnoi passivnoi pederastii (Iz nabliudenii v aziatskoi chasti g. Tashkenta)." Vestnik obshchestvennoi gigieny, sudebnoi i prakticheskoi meditsiny (6 1906): 816-18. On the context for this tradition see Stephen O. Murray, and Will Roscoe, eds Islamic Homosexualities: Culture, History and

sexual practices in Transcaucasia and Central Asia, and these were reflected in early Bolshevik antisodomy legislation which was included in the criminal codes of the region's union republics. Existing literature on the issue of sodomy law in non-Russian Soviet republics is very uneven.<sup>40</sup> An examination of the asymmetries of regulation introduced in these republics suggests how Bolsheviks' perceptions of local social conditions informed their policy on the question outside the European heartland.

The Transcaucasian republics of Azerbaidzhan and Georgia (but not Armenia) had antisodomy articles in their first Soviet-era criminal codes by the mid-to-late 1920s. These articles, for which more exact data remains obscure, apparently prohibited consensual and aggravated forms of sodomy between adults.<sup>41</sup>

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Literature (New York & London: New York University Press, 1997), esp. 32, 208-211.

<sup>40</sup> The following discussion is based primarily on Soviet sources available in Western libraries. Published sources of non-Russian union republic criminal law of the 1920s-1930s are rarities. Authorities on the regulation of sexuality in the Soviet Union have focused on the RSFSR, and have not discussed variations or timing of other republics' legislation; see Karlinsky, "Russia's Gay Literature and Culture", 357-58; Valerii Chalidze, Ugolovnaia Rossiia. (New York: 1977), 227; John Hazard, Communists and Their Law. (Chicago: University of Chicago Press, 1968), 457-58.

<sup>41</sup> Evidence that "an article on sodomy [muzhelozhstvo]" existed in Soviet Georgia by 1928, Iu. Kratter, "Rukovodstvo sudebnoi meditsiny. Dlia vrachei i studentov. Ch. IV. Sudebnaia seksologiya. Avtorizovannyi perev. so 2-go nemetsk. izd. pod red. i s dopolneniiami Ia. Leibovicha (Prodolzhenie)." Sudebno-meditsinskaia ekspertiza (10 1928): 58. That Azerbaidzhan had such an article in its criminal code as early as 1925, see Liublinskii, Prestupleniia v oblasti polovnykh otnoshenii, 123; Frenkel' and Zhizhilenko also mentioned

Their comparatively simple prohibitions (using the word "sodomy", muzhelozhstvo) perhaps formed a bridge of linguistic continuity between the old regime's legislation and the 1933-1934 article adopted at the all-union level. Russian Imperial rule in this ethnically complex region, with its mixture of Christian Georgians, Armenians, Slavs, mingling with Islamic Azeris, and diverse mountain peoples, included experience of administering the Empire's antisodomy statute.<sup>42</sup> In 1906 the physician Erikson described how "pederasty" (meaning male same-sex relations) was prevalent in the region, especially "the larger the city and the greater the number of Moslems" it held. The vice, while chiefly blamed on Islamic traditions of female seclusion, was in this region also supposedly urban, the result of male mobility and the opportunities created by commodified private spaces. Baku and Tiflis inns, "Persian bazaars", and bathhouses were known as places where males, reportedly usually "Persians or Tatars...offer their passive services to active pederasts". Male migrants from Nagorno-Karabakh to the oil industries of Baku returned having grown accustomed to "passive pederasty" to earn "a piece of bread".<sup>43</sup> In this region, the Bolsheviks apparently

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this republic's antisodomy statute.

<sup>42</sup> Liublinskii, Prestupleniia v oblasti polovykh otnoshenii, 133, notes that in the 1850s the Russian governor of the Caucasus instructed local courts to enforce the tsarist sodomy law "according to local traditions" and to limit sentences for "pederasty" to the minimum.

<sup>43</sup> Erikson, "O polovom razvrate i neestestvennykh polovykh snosheniiakh v korennom naselenii Kavkaza", 1886-88; the reputation of the Caucasian region's hotels and

continued to perceive a high degree of mutual male sexual activity, and they thus retained the essentially pre-revolutionary antisodomy article to suppress it.

In Central Asia, policy makers confronted traditions of entertainment and commercial sexuality which differed significantly from Russian amusements, and from patterns of same-sex relations observed in Transcaucasia. Uzbek and Turkmen young male prostitutes, bachi, were organized into brothels or dancing troupes by procurers who recruited boys with the collusion of parents and guardians.<sup>44</sup> Bolshevik legislators were determined to eradicate this form of prostitution as one of the region's "crimes constituting survivals of primitive custom", analogous to bride price and polygamy.<sup>45</sup> In these measures the socialist mission to rescue the exploited (normally female) prostitute was combined with marxist dogma establishing historical hierarchies of civilized versus primitive societies. The bachi and their patrons were not to be included among the various categories of 'congenital' sexual deviants supposedly found most frequently in

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bathhouses reached Austria, see Bernhard Stern, Geschichte der Öffentlichen Sittlichkeit in Russland. (Vienna: n.d. [1907]), 570.

<sup>44</sup> Shvarts, "K voprosu o priznakakh privychnoi passivnoi pederastii (Iz nabliudenii v aziatskoi chasti g. Tashkenta)", 816-18; Magnus Hirschfeld, Die Homosexualität des Mannes und des Weibes. (Berlin: Louis Marcus, 1914), 600.

<sup>45</sup> N. D. Durmanov, Ugolovnoe pravo. Osobennaiia chast'. Prestupleniia, sostavliaiushchie perezhitki rodogo byta (Moscow: Iuridicheskoe izd. NKIu SSSR, 1938), 68.

civilized societies.<sup>46</sup> As with legislation against other "survivals of primitive custom", the articles in the Uzbek and Turkmen criminal codes prohibiting the institution eschewed legal minimalism and described the social practices they sought to eradicate in detail. These provisions were the result of a concerted effort between 1925 and 1928 on the part of jurists, political activists and experts on the region's nationalities to study local societies in order to design legislation which would eliminate 'backwardness' in family, gender and intimate relations.<sup>47</sup>

The Uzbek SSR criminal code, first adopted in 1926, contained the most elaborate prohibitions against male homosexuality of any Soviet republican code, providing eight articles against various practices (numbers 276 to 283 inclusive). These offenses were grouped with others constituting "survivals of primitive custom", in contrast to sex crimes which

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<sup>46</sup> Biologist N. K. Kol'tsov, having returned to Moscow from Central Asia in 1929, argued in the Health Commissariat's Expert medical council that if some form of legal status were accorded to "the intermediate sex", then "conditions for the unfortunate Turkestan bachi would be extraordinarily severe", GARF, f. A482, op. 25, d. 478, l. 86. For similar comments, see L. M. Vasilevskii, Polovye izvrashcheniia (Moscow: "Novaia Moskva", 1924), 38.

<sup>47</sup> A similar chapter of customary crimes was appended to the RSFSR criminal code in 1928. It was directed at non-European minorities within the Russian republic's borders, but it was silent about sodomy or same-sex offenses. On the development of legislation against "survivals of primitive custom", see Gregory J. Massell, The Surrogate Proletariat: Moslem Women and Revolutionary Strategies in Soviet Central Asia: 1919-1929 (Princeton: Princeton University Press, 1974), 206.

were located as a separate subsection among offenses against the person. Consensual and aggravated adult sodomy (named both in Russian, muzhelcztvo, and russified Uzbek, besakalbazstvo) were prohibited in the first two articles; a further article prohibited the act with a child or minor. Unique in Soviet legislation was this code's article 278, prohibiting the sexual harassment of men. Its language inverted the gendering of the RSFSR's pathbreaking statute against the sexual harassment of women, first adopted in the Russian republic in 1923.<sup>48</sup> The enactment of such a specific prohibition against the harassment of adult males was a particularly emphatic statement of the Bolshevik regard for Uzbek society as riddled with male homosexual relations. Evidently the Uzbek male was so benighted that he was expected to abuse positions of economic or personal authority over fellow males as well as females.

Traditional positions of authority, this time over young males, were the focus of articles 280, 281 and 282, which

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<sup>48</sup> The 1926 edition of the RSFSR article said: "Compulsion of a woman to enter into a sexual liaison by a person in relation to whom the woman is materially or professionally dependent, [is punished by] deprivation of freedom for up to five years." Ugolovnyi kodeks RSFSR (1926). Sbornie zakonov i rasporyazhenii raboche-krest'ianskogo pravitel'stva SSSR. (1926), no. 80, item 600, article 154. The Uzbek text said: "Compulsion of a man to sodomy [besakalbazstvo] by a person in relation to whom the victim is materially or professionally dependent, or is in the guardianship of, entails deprivation of freedom for up to five years." Article 278 of "Ugolovnyi kodeks Uzbekskoi SSR" in D. S. Karev, Ugolovnoe zakonodatel'stvo SSSR i soiuznykh respublik. Sbornik. (Moscow: Iuridicheskaiia literatura, 1957), 217. The same code prohibited the sexual harassment of women in article 215.



concentrated specifically on offenses related to bachi. The "maintenance of persons of the male sex (bachi) for sodomy, and also the preparation and education of them for this", (article 280), attracted maximum sentences of five years when the victims were adult males, and eight when they were minors. The conclusion of agreements or contracts between those who maintained bachi, and the parents or guardians of males who sold them into service as prostitutes, was forbidden in article 282. The maximum sentence for parents under this offense was three years, while the individuals who maintained bachi (named soderzhateli, "landlords", in the sense of brothel owners) could receive five years' imprisonment. "Procuring and also recruitment of men for sodomy" was a separate offense, again reversing the usual gendering of this prohibition against recruitment (normally of women) into prostitution found elsewhere in Soviet criminal law.<sup>49</sup> Another provision in this body of law which was unique among Soviet penal codes was the prohibition of "the organization of public amusements (bazmy) with the participation of bachi", article 281, which attracted a maximum penalty of three years. The men who kept youthful male prostitutes were evidently regarded by Bolshevik legal drafters as capitalists of some substance, possessing premises for their operations, making deals with families to maintain male children and youths, "educating"

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<sup>49</sup> Ibid., article 283. Article 217 of the 1926 Uzbek code prohibited the same offense against women. Cf. articles 171 and 155 of the 1922 and 1926 RSFSR criminal codes respectively, against procurement of women for prostitution.

their charges, and providing public entertainment. In their first Soviet criminal code of 1927, Bolshevik jurists in the Turkmen SSR adopted similar but less elaborate language, primarily directed against those who committed offenses involving bachi who were minors.<sup>50</sup>

Some legal commentaries produced by jurists in Soviet Russia and Ukraine reflected the distinction in the Bolshevik public transcript between the biologicistic approach to homosexuality in their republics and the environmentalist model applied elsewhere in the Union. From Moscow, Liublinskii argued that in "the East", where traditions enabled "more affluent and powerful elements to exploit the dependency of weaker" persons, homosexuality is reasonably judged a "crime of daily life" (bytovoe prestuplenie).<sup>51</sup> Odessa jurist Frenkel' viewed the prohibition of sodomy in Azerbaidzhan as a means of protecting the innocent

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<sup>50</sup> The Turkmen criminal code forbade anal intercourse ("unnatural sexual intercourse in the form of sodomy") with children or minors (article 157 of the Turkmen SSR criminal code), maintenance of bachi or dens for their exploitation (article 163) and the conclusion of contracts between parents and procurers (article 164); "Ugolovnyi kodeks Turkmenskoi SSR", Karev, Ugolovnoe zakonodatel'stvo SSSR, 431. The practice may also have been silently pursued in Islamic regions of the RSFSR; statistical tables of criminal convictions prepared in the 1930s-40s listed bachebazstvo (keeping bachi) as a discrete crime under the heading "survivals of primitive custom", despite the absence of this offense in the RSFSR criminal code. No figures were ever entered against this category, GARF, f. A353, op. 16, d. 19, ll. 24-29 ob., d. 23, ll. 31-34 ob., d. 27, ll. 41-42 ob., d. 31, ll. 99-104 ob., d. 38, ll. 123-126 ob.

<sup>51</sup> Liublinskii, Prestupleniia v oblasti polovykh otnoshenii, 132-33.

"in view of its [sodomy's] extreme prevalence". A "new culture" would replace the old ways of life as sport and education brought health to sexual relations, and assaults on young persons would become rarities ascribed to pathologies of character.<sup>52</sup>

The socialist determination to stop culturally specific forms of same-sex eros in non-Slavic republics underlined the fragmentation of the public transcript on homosexuality: a medicalized condition in the European heartland became a socially produced vice on the non-Christian periphery. It was apparently of no significance that some individuals in non-Slavic republics might be "congenital homosexuals" and therefore less culpable for their sexuality. This acknowledged contradiction was perhaps at the heart of the reluctance of some jurists and Justice Commissariat bureaucrats to discuss the matter in any detail. They passed over the reasons for these distinctions in penal policy, with the briefest of explanations or none at all.<sup>53</sup> According to a 1928 letter from the RSFSR People's Commissariat of Justice replying to enquiries about the status of Soviet homosexuals made by Hirschfeld's Scientific-Humanitarian Committee, "[i]n particular Republics where pederasty is especially common" it was punished.<sup>54</sup> Such laconic treatment of

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<sup>52</sup> Frenkel', Polovye prestupleniia, 3, 6, 12.

<sup>53</sup> Zhizhilenko merely acknowledged the existence of such prohibitions in a footnote in his "Polovye prestupleniia. Iruidicheskie ocherki", 10.

<sup>54</sup> F. Pfäfflin, ed. Mitteilungen des Wissenschaftlich-humanitären Komitees 1926-1933. (Hamburg: Faksimile-Nachdr., 1985), 147.

the subject was apparently due at least in part to the potential embarrassment which the inconsistency between the conflicting penal policies could generate. Nevertheless, the language of the legislation itself, especially in the discursive gender inversions practised by drafters of the Uzbek articles on sexual harassment and procuring, threw light on inversions of masculinity in 'backward' republics, which were potentially deeply embarrassing to the Soviet regime. It seemed preferable to wage the struggle against these aspects of the "survivals of primitive custom" without drawing excessive attention to them, since the retention and elaboration of the ban on sodomy in these regions contradicted the modernity of regulation in the European Soviet republics.

(iii) Expert and popular emancipationism

Expressions of support for homosexual emancipation among Soviet Russian jurists or medical practitioners during NEP reflected the experts' sense of the state of the question in Western Europe, tempered by its ambiguous relationship to the socialist programme at home. Libertarian views of heterosexual relations under Soviet socialism, most commonly associated with Aleksandra Kollontai, were criticized in a 1923 press campaign against the Party's foremost sex radical. Kollontai had long been a proponent of love released from the constraints of philistinism, and had persistently tried to incorporate this demand into Russian

marxists' worldview. Her publications, including the article addressed to young workers on "Winged Eros" and two collections of fiction depicting her ideas, came under attack in February 1923 from Nadezhda Krupskaya and Natalia Sedova, when the pair gave a joint interview to The New York Times. Kollontai was guilty, they said, of "bourgeois feminism", an inability to distinguish between working class collective priorities in matters of sexuality, and the individualistic desires of middle class women.<sup>55</sup> The critique of Kollontai's liberatory vision continued in the Soviet press, and while in part it served to discipline a Bolshevik with a history of factionalism, it was also a signal from the leadership about the ideological framework within which the struggle for a socialist sexuality should take place.

The "sexual revolution" was first of all a revolution to promote a class rather than to liberate every fettered desire. Lenin himself had mistrusted "those who are always contemplating the sexual questions, like the Indian saint his navel", arguing for the confinement of the "sex question" to the margins of acceptable political discourse. Like most Bolsheviks intervening on this issue, Lenin insisted that he was not moralizing in a Western, middle class fashion, claiming instead that there was an

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<sup>55</sup> Aleksandra Kollontai, "Pis'ma k trudiashcheisia molodezhi. Dorogu krylatomu Erosu!" Molodaia gvardiia (3 1923); idem. Liubov' pchel trudovykh (Petrograd: 1923); idem. Zhenshchina na perelome (Moscow-Petrograd: 1923); all cited in Barbara E. Clements, Bolshevik Feminist: The Life of Aleksandra Kollontai (Bloomington & London: Indiana University Press, 1979), 226-35.

inherent unhealthiness in the contemplation of these issues by ordinary members of society. His protests articulated a prudery determined to contain this troublesome question to the custody of science (and of course, the Party). In his conversations with German Communist Klara Zetkin, Lenin expressed the fear that sex concerns would divert youthful energies from revolutionary work; discussions of sex, especially outside the bounds of scientific inquiry (in, for example, the Komsomol club or Party cell) would merely lead to self-indulgence.<sup>56</sup> People's Commissar of Enlightenment Anatolii Lunacharskii worried later in the 1920s that men were essentially promiscuous and called for a clear policy on "long-term, monogamous marriage" to safeguard the next generation; Party moralists Emelian Iaroslavskii and Aron Sol'ts echoed the view that marriage between man and woman as comrades was the socialist ideal.<sup>57</sup> In his mostly negative twelve sex commandments for the proletariat, marxist psychoneurologist Aron Zalkind declared that "There should be no perversions" and that all efforts should be directed to leading comrades away from non-

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<sup>56</sup> Klara Zetkin, Reminiscences of Lenin (New York: International Publishers, 1934), 52.

<sup>57</sup> A. Lunacharskii, O byte (Moscow-Leningrad: 1927), 25, and E. Iaroslavskii, Moral' i byt proletariata v perekhodnyi period (Leningrad: 1926), 44, 67, both cited in P. M. Chirkov, Reshenie zhenskogo voprosa v SSSR (1917-1937 gg.) (Moscow: Mysl', 1978), 202. A. A. Solts, "Communist Ethics" in Bolshevik Visions: first phase of the cultural revolution in Soviet Russia part I, ed. William G. Rosenberg (Ann Arbor: University of Michigan Press, 1990), 40.

procreative sexuality.<sup>58</sup> A heterosexual socialist respectability was the unexamined goal of prominent Bolshevik pronouncements on sexual morality. Despite these dominant themes in political rhetoric, notions of homosexual emancipation, often linked to scientific theories about sexuality, continued to circulate in Soviet discourse during the 1920s.

Soviet expert declarations to European audiences freely employing an emancipationist interpretation of the Bolshevik decriminalization of sodomy continued until at least 1930. Some of these interventions occurred in exchanges in the field of sexology between Germans and Russians, where contacts with Europe's leading emancipationists were strong. The research and sex-reform activities of Dr. Magnus Hirschfeld's Institute for Sex Research, founded in Berlin in 1919, were followed with interest by Soviet social hygienists, and apparently by their patron, Commissar of Health Nikolai Semashko. In 1923 Semashko paid a visit to the Institute, with a delegation of Russian doctors. They particularly requested a screening of the film, "Anders als die Andern", a cinematic documentary about same-sex love which emancipationists had made in 1919 with Hirschfeld's participation. The Institute's journal on sexual intermediate types reported that the Soviet viewers expressed amazement that

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<sup>58</sup> A. B. Zalkind, Polovoi vopros v usloviakh sovetskoi obshchestvennosti (Leningrad: Gos. izd. Leningr. otd. im. tov. N. Bukharina, 1926), 58. For a discussion of Zalkind's commandments, see Eric Naiman, Sex in Public: The Incarnation of Early Soviet Ideology. (Princeton: Princeton University Press, 1997), 135-38.

the film had been regarded as scandalous and had been banned. The journal then observed that Semashko

stated how pleased he was that in the new Russia, the former penalty against homosexuals has been completely abolished. He also explained that no unhappy consequences of any kind whatsoever have resulted from the elimination of the offending paragraph, nor has the wish that the penalty in question be reintroduced been raised in any quarter.<sup>59</sup>

This careful and allusive statement was the most positive expression of homosexual emancipationist sentiment by a senior figure in the Soviet regime. Made before the press campaign against Kollontai and "free love", it suggested that the emancipation of homosexuals was a logical outcome of the revolution. The Health Commissar apparently ignored the call, expressed by a minor Justice Commissariat official in "Trials of homosexuals", for a return to the regulation of homosexuality by other means, and he appeared optimistic about the consequences of decriminalization.

Two years later, social hygienist Grigorii Batkis, a "young hothead Bolshevik doing his graduate studies at Moscow University", published The Sexual Revolution in Russia, in a German edition in Berlin.<sup>60</sup> Here Batkis said that in the USSR

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<sup>59</sup> Semashko's remarks were reported in Jarbuch für sexuelle Zwischenstufen (23 1923): 211-12; this translation, John Lauritsen, and David Thorstad. The Early Homosexual Rights Movement (1864-1934). (New York: Times Change, 1974), 28-29; I am grateful to Ralf Dose for confirming the provenance and wording of this text.

<sup>60</sup> An analysis of the exchange of ideas between German and Soviet social hygienists, and the description of Batkis, are found in Susan Gross Solomon, "Social Hygiene and Soviet Public Health, 1921-1930." In Health and Society



homosexuality was a private matter, to be treated like "so-called 'natural' intercourse".<sup>61</sup> Claims that this pamphlet represented official Bolshevik views or, conversely, was released to mislead foreign sex reformers and leftists, are based on assumptions that the early Bolsheviks had a single, consistent policy on homosexuality.<sup>62</sup> Later Batkis and other Soviet representatives made important appearances at conferences of the World League for Sexual Reform (WLSR). The WLSR became an arena in which Russian social hygienists were particularly active, and in which the decriminalization of male homosexuality was frequently discussed. Russian delegates to the WLSR congresses enjoyed the spotlight thanks to the radical legislation of the Soviet government. The presence of Kollontai on the organization's "international committee" of directors gave it some claim to enjoy official

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in Revolutionary Russia, eds S. G. Solomon and J. Hutchinson (Bloomington & Indianapolis: Indiana University Press, 1990), quotation, 183.

<sup>61</sup> Grigorii Batkis, Die Sexualrevolution in Russland (Berlin: Syndikalist, 1925), 22.

<sup>62</sup> The pamphlet is cited as evidence that official Bolshevik policy backed homosexual emancipation, most forcefully expressed in Lauritsen and Thorstad. The Early Homosexual Rights Movement (1864-1934), 62-63, and opposed by Karlinsky, "Russia's Gay Literature and Culture", 556n; also Wayne R. Dynes, Homosexuality: A Research Guide (New York: 1987), 141. The question of the distribution of Batkis's pamphlet within Russia remains open; a copy of the German edition (translated "from a Russian manuscript") is held by the Russian National Library, St Petersburg, but no copy is to be found at the Russian State Library, Moscow.

Soviet support.<sup>63</sup> Yet the hypothesis that official Bolshevik approval wholeheartedly extended to the full roster of the WLSR's goals (which specifically included homosexual emancipation) is not easily demonstrable. Kollontai herself probably had mixed feelings about her association with the sex question by 1923, a note to herself in her Party archive file suggests.<sup>64</sup> She would have had little effect over these issues in Soviet politics after 1923, in her new role as diplomat; her name went unmentioned in government discussions of the proposed 1931 WLSR Congress in Moscow, nor would she attend the eventual WLSR Brno Congress in 1932 which was held instead.<sup>65</sup>

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<sup>63</sup> Her membership on the committee is noted in: World League for Sexual Reform, Proceedings of the 2nd Congress (Copenhagen, 1928) (Copenhagen: 1929), 9-10; idem., Proceedings of the 3rd Congress (London, 1929) (London: 1930); note also a letter addressed to Kollontai, from the WLSR Chair, Dr. J. H. Leunbach of Copenhagen, dated 4 August 1928, in which she is named on the committee along with Batkis and Kiev Professor Pasche-Oserski, RTsKhIDNI, f. 134, op. 1, d. 448, ll. 1-3.

<sup>64</sup> Kollontai was pleased to find herself elevated alongside Britain's Havelock Ellis when drafted into the British Society for Sex Psychology, but doubted whether the Soviet press would treat her nomination with anything but derision; RTsKhIDNI, f. 134, op. 4, d. 17, l. 9: "The English society for the study of sex psychology /British Soc. for Sex Psychology/ has elected me an honorary member, on a level with Havelock Ellis and others. I wondered: will it be published in our newspapers? After all not many Russian women are nominated to scientific associations, even less so in 'proud' Britain... But then I realized, there's no need. Sex-psychology? What's that? Expert on sexual questions? 'Spets' in charge of 'sex matters'? Cynicism, vulgarizations..."

<sup>65</sup> Documents relating to the proposed WLSR gathering in Moscow: GARF, f. A482, op. 28, d. 3, ll. 59-72. Only one Soviet delegate was apparently expected at Brno, (Pasche-Oserski of Kiev), and he did not show up; nor was mention

The WLSR was the international face of Hirschfeld's Institute for Sex Research. Hirschfeld had organized the League at an international conference in 1921, and Batkis presented major papers at the 1928, 1929 and 1930 congresses. His 1928 address was a wide-ranging survey of Soviet progress in social hygiene as it touched on sexual issues: maternity and marriage, venereal disease, education and homosexual law reform. The Vienna congress heard his assessment of "Sex Problems in Soviet Russia at the Time of Socialistic Reconstruction", and this paper acknowledged the praise received by the Soviets for their legislation, especially in reforming laws which had penalized harmless activities like homosexuality.<sup>66</sup> A Moscow conference, set for 1932, was approved, then cancelled, by Soviet authorities in 1931, forcing organizers to move hastily to Czechoslovakia.<sup>67</sup> No Soviet delegates attended the Brno meeting, which paid no lipservice this time to the legislative achievements of the

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of any Kollontai interest in the WLSR made in the Brno press: "K mezinárodnímu kongresu Svetové ligy pro sexuální reformu v Brně", Moravské noviny (12 August, 1932), 3.

<sup>66</sup> World League for Sexual Reform, Proceedings of the 2nd Congress (Copenhagen, 1928), 37-63; Proceedings of the 3rd Congress (London, 1929), 249-51; Proceedings of the 4th Congress (Vienna, 1930) (Vienna: 1931), 345-46.

<sup>67</sup> GARF, f. A482, op. 28, d. 3, ll. 59-72. In January 1930, Semashko was removed as Commissar of Health; Soviet contacts with the WLSR continued until the cancellation of the Moscow meeting.

USSR.<sup>68</sup> Yet before this contretemps, relations between German emancipationists and Soviet institutions were already troubled.

In June 1926, in his capacity as a sexologist, Magnus Hirschfeld visited the Soviet Union as a guest of Semashko's Health Commissariat. Hirschfeld returned from the Soviet Union apparently disappointed with Bolshevik prudery, remarking that scientific interest in homosexuality was in decline, and that homosexual behaviour was regarded as "unproletarian" in the new socialist state. The German activist-physician realized that no open, self-organized group of homosexuals existed in the USSR, and that the Soviet press and literature were silent about such topics. Hirschfeld was uncharacteristically laconic about his impressions of the Soviet sexual revolution and only published a brief newspaper article about the journey. His anxieties could only have grown when a report reached the Scientific-Humanitarian Committee in 1928 alleging that Soviet homosexuals were being forcibly confined to psychiatric clinics. Enquiries to the Soviet Embassy in Berlin obtained careful denials based on the well-known legislative situation.<sup>69</sup> Despite such developments, German

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<sup>68</sup> The Brno conference was covered in fair detail by the local daily newspaper, Moravské noviny, 20-26 September 1932, and also summarized in Max Popper, "Proc sexuologický sesit?" Sociálne zdravotní revue (4 1933): 75.

<sup>69</sup> Manfred Herzer, Magnus Hirschfeld: Leben und Werk eines jüdischen, schwulen und sozialistischen Sexologen (Frankfurt & New York: Campus, 1992), 44-45. Soviet psychiatric literature of the 1920s indicates that homosexuals might be subjected to compulsory treatment (once their "sexual perversion" was revealed) after being apprehended for crimes. Soviet psychiatric provision at

Communists continued to be the most consistent supporters of Hirschfeld's campaign to decriminalize homosexual offenses in Weimar Germany, and Soviet experts were still welcomed at WLSR conferences. A calculation of alliance against common foes (the racialist, natalist politics of the nazis) was made on both sides, at least until 1932-1933 when a new public transcript on homosexuality began to take shape in Soviet politics.<sup>70</sup>

The degree to which popular notions of homosexual emancipation were held and acted upon by ordinary Soviet citizens in the era of sodomy decriminalization has usually been downplayed.<sup>71</sup> Open organizations of homosexuals campaigning for education and tolerance no more existed under the early Bolshevik regime than they had under the constitutional dispensation of late tsarism. Homosexual groups were extremely rare and short-lived outside of Wilhelmine or Weimar Germany. The largest NEP-era groupings of homosexuals who have left a trace gathered to celebrate the arts. 'Antinoi' (Antinous), a private literary circle devoted to the appreciation of 'male beauty' existed in

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this time was far too modest to enable the state to institutionalize all homosexuals.

<sup>70</sup> For German communist policies, see Manfred Herzer, "Communists, Social Democrats, and the Homosexual Movement in the Weimar Republic." In Gay Men and the Sexual History of the Political Left, eds G. Hekma, H. Oosterhuis, and J. Steakley. (Binghamton NY: Harrington Park Press, 1995), 206.

<sup>71</sup> See e.g., Healey, "The Russian Revolution and the Decriminalisation of Homosexuality", 47-49; Karlinsky, "Russia's Gay Literature and Culture", 356-61; Engelstein declines to speculate on the issue, "Soviet Policy Toward Male Homosexuality", 168-69.

Moscow during the early 1920s. The group appears to have disbanded as it became more difficult to rent meeting space, or publicize its activities.<sup>72</sup> At a Leningrad poetry reading given in 1928 by Mikhail Kuzmin, homosexuals crammed the auditorium and mobbed the poet with bouquets.<sup>73</sup> While a single evening's "demonstration" was scarcely the organization of a group for homosexual rights in NEP Leningrad, it was a moment when that part of the socialist public transcript which envisioned homosexuality as a phenomenon expected to wither away, was ruptured. These public gatherings revealed the existence of a hidden transcript, an awareness of commonality of interest on the part of male homosexuals.

Popular awareness of homosexual emancipatory arguments was modest, but certainly not dead, in Russia at this time. The persuasive appeal to contributory history, the idea that homosexuals were not social dregs but had always been significant and creative members of society, was often pursued if not always successfully advanced. The 'Antinoi' group planned to publish an anthology of homosexual verse from ancient to modern times; Kuzmin's diary notes one acquaintance was preparing a work on

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<sup>72</sup> A. G. Timofeev, "Progulka bez Gulia? (K istorii organizatsii avtorskogo vechera M. A. Kuzmina v mae 1924 g.)." In Mikhail Kuzmin i russkaia kul'tura XX veka: tezisy i materialy konferentsii 15-17 maia 1990g., ed. G. A. Morev. (Leningrad: Sovet po istorii mirovoi kul'tury AN SSSR, 1990).

<sup>73</sup> N. A. Bogomolov, and John E. Malmstad. Mikhail Kuzmin: Iskustvo, zhizn', epokha (Moscow: Novoe literaturnoe obozrenie, 1996), 259-60.

"Homosexuality in Pre-petrine Rus'". Neither project was realized.<sup>74</sup> Edel'shtein's patient, Evgeniia Fedorovna M., argued fluently for the equality of treatment for members of the so-called "intermediate sex", noting the contributions of such persons in history, and using sophisticated medical and ethical arguments to justify her viewpoint. For her pains, Dr Edel'shtein labelled her a compulsive fantasist.<sup>75</sup> The logic of such arguments nevertheless persuaded some medical practitioners, and controversy percolated in specialist medical literature over Hirschfeld's theories that homosexuals constituted a normal but biologically different subset of humanity. Indeed, one contributor to this debate, Moscow psychiatrist Mark Sereiskii, may himself have been homosexual, a Russian example of the general European phenomenon of medical men who promoted emancipationism from within their disciplines, using the powerful essentialist political argument.<sup>76</sup>

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<sup>74</sup> Timofeev, "Progulka bez Gulia?"; RGALI, f. 232, op. 1, d. 65, l. 71 (6 May 1927).

<sup>75</sup> Edel'shtein, "K klinike transvestitizma", 276-79.

<sup>76</sup> A psychiatrist by training, specializing in endocrine disorders, Mark Sereiskii's much-cited article on "homosexuality" for the Great Soviet Encyclopedia concludes with a resounding defense of emancipationism in Soviet social and political life, despite Simon Karlinsky's attempts to interpret its medical passages anachronistically in an exclusively hostile light. Karlinsky, "Russia's Gay Literature and Culture", 358; Mark Sereiskii, "Gomoseksualizm." Bol'shaia sovetskaia entsiklopediia 17 (Moscow: 1930), col. 593-96; Sereiskii's medical encyclopedia article was more technically detailed but argued fiercely for a constitutional, biological etiology, idem., "Gomoseksualizm." Bol'shaia meditsinskaia entsiklopediia

More typical of Russian patterns and perhaps more expressive of popular understandings of the decriminalization of sodomy was the not infrequent interpretation of Soviet sexual legislation as guaranteeing the inviolability of the "intimate life" of homosexuals of both sexes, when there was no harm to others. It was against such assumptions that "G. R." wrote in 1922.<sup>77</sup> The need this jurist felt to express his views indicates perhaps that tolerance of same-sex relations was relatively widespread and accorded with popular notions of the sexual revolution. Same-sex couples did establish domestic partnerships in NEP Russia, and defended them when detected by outsiders and authorities. The most exceptional example of this phenomenon was the recognition by Narkomiust of Evgeniia Fedorovna M.'s marriage to her female partner in 1922. Most partnerships could not have had the sanction of a ZAGS service, and probably did not come to the attention of authorities (and so have left little trace).<sup>78</sup> One

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7 (Moscow: 1929), col. 668-672. On Sereiskii's reported homosexuality, see Harry Whyte, "'Mozhet li gomoseksualist sostoiat' chlenom kommunisticheskoi partii?'" Istochnik (5-6 1993): 189.

<sup>77</sup> Evgeniia and her "wife" argued that their "intimate life" was not their employers' business; the men arrested in the raid on the Petrograd drag party gave "frequently cynical, frequently boastful...testimony", G. R., "Protsessy gomoseksualistov", 16.

<sup>78</sup> Other female homosexuals examined by psychiatrists admitted contemplating a ZAGS marriage to their partners (based on one partner's adoption of a male gender identity to hoodwink ZAGS staff): A. P. Shtess, "Sluchai zhenskogo gomoseksualizma pri nalichii situs viscerum inversus, ego psikhhoanaliz i gipnoterapiia." Saratovskii vestnik zdavookhraneniia (3-4 1925): 1-19, and N. I. Skliar, "O proiskhozhdenii i sushchnosti gomoseksualizma"



hostile observer noted homosexuals lived together "openly" in the USSR.<sup>79</sup> The disruptions of revolution and poverty could serve to disguise homosexual relationships as simple pooling of resources.<sup>80</sup> Male partnerships under the same roof were also commonplace, with examples ranging from the household of Kuzmin and his bisexual partner Iurii Iurkun to the unnamed Leningrad couples described by criminologist L. G. Orshanskii.<sup>81</sup> A significant number of same-sex partnerships have left sufficient trace on the historical record to allow the assertion that in early Soviet Russia an important number of homosexual individuals

Vrachebnoe delo (24-26 1925): 1919-1923. A case of a ZAGS marriage between two women in similar circumstances (without official approval) came to light in Kazakh SSR in the 1960s, E. M. Derevinskaia, "Materialy k klinike, patogenezu, terapii zhenskogo gomoseksualizma" (Kandidatskaia dissertatsiia meditsinskikh nauk, Karagandinskii gosudarstvennyi meditsinskii institut, 1965), 116-19.

<sup>79</sup> Joseph Douillet, Moscow Unmasked (London: Pilot, 1930), 132.

<sup>80</sup> Case of "Sh." who shared rooms in Moscow with "L." after migrating to the capital in search of work, E. K. Krasnushkin and N. G. Kholzakova. "Dva sluchaia zhenshchin ubiits-gomoseksualistok." Prestupnik i prestupnost' Sbornik I (1926): 107-8; poet Sophia Parnok's existence in this era was cluttered with improvisatory living arrangements which clearly "passed" as "innocent" in the eyes of those around her; see Diana Lewis Burgin, Sophia Parnok: The Life and Work of Russia's Sappho (New York & London: New York University Press, 1994).

<sup>81</sup> Bogomolov and Malmsted, Mikhail Kuzmin; L. G. Orshanskii, "Polovye prestupleniia. Analiz psikhologicheskii i psikhopatologicheskii." In Polovye prestupleniia, eds A. A. Zhizhilenko and L. G. Orshanskii. (Leningrad-Moscow: Rabochii sud, 1927), 88-89; see also N. P. Brukhanskii, Materialy po seksual'noi psikhopatologii (Moscow: M. i S. Sabashnikov, 1927), 66-68.

believed that "no-one had the right to interfere in their intimate life".<sup>82</sup>

(iv) "An infinite quantity of intermediate sexes"

In the 1920s, problems of regulating sex and gender dissent apparently proliferated. Questions of same-sex marriage, public displays of "homosexual interests", or of keeping order in single-sex institutions, generated confusion over both the categories of subjects involved, and the values which ought to be paramount in each case. There were no monolithic solutions based on a shared political interpretation of "homosexuality". In February 1929, a wide-ranging discussion of the "intermediate sex" in the Expert medical council of the People's Commissariat of Health demonstrated that while health professionals were well acquainted with gender and sexual ambiguities, they lacked a standard terminology for defining and distinguishing them.<sup>83</sup> The question raised problems of everyday life, of byt, that were viewed as too complex to be resolved by medicine alone. Doctors worried that surveillance of gender disorder (sexual misconduct in single-sex institutions, evasion of military service, fraudulent registry of names and sexes) was not within their competence. An examination of the development of this discussion,

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<sup>82</sup> G. R. "Protsessy gomoseksualistov", 16.

<sup>83</sup> GARF, f. A482, op. 25, d. 478, ll. 80 ob., 85-97. (Uchenyi meditsinskii sovet, Protokol 177 zasedaniia, 8/II-1929 g.)

and its outcomes, illustrates the nature of the continued fragmentation of the Soviet public transcript.

In January and February 1929, subcommittees of the Expert medical council met when called upon to respond to a request from a citizen Kameney of Tatar ASSR for a sex change (peremena pola).<sup>84</sup> The council's neuro-psychiatric committee, under the influence of the Commissariat's head of its forensic medical department, Ia. Leibovich, referred to the question under discussion as one of "homosexuals" (gomoseksualisty), some of whom were "psychic hermaphrodites" (psikhicheskie germafrodity), who therefore should be handled under laws pertaining to hermaphrodites.<sup>85</sup> The presidium of the Expert medical council,

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<sup>84</sup> The request had been relayed to Moscow from the Tatar republic's local Commissariat of Justice; in the capital, RSFSR Justice Commissariat officials had asked the Health Commissariat to comment on the issues raised by the citizen's request. The earliest documented Western European case of surgical intervention to transform a man into a woman was undertaken in 1930-1931, resulting in the death of the patient, Danish artist Einar Wegener, see Bernice L. Hausman, Changing Sex: Transsexualism, Technology and the Idea of Gender (Durham & London: Duke University Press, 1995), 15-19. Successful sex-reassignment techniques were not devised until the late 1940s and early 1950s in the West; Soviet doctors reportedly began conducting the procedures in the 1960s, David Tuller, Cracks in the Iron Closet: Travels in Gay & Lesbian Russia. (Boston & London: Faber & Faber, 1996), 158.

<sup>85</sup> Leibovich's intervention: GARF, f. A482, op. 25, d. 575, l. 1. (Zasedaniia Nevro-psikhiatricheskoi komissii U. M. S., 2/I-1929 g. Protokol no. 1). It is not clear what statutes Leibovich had in mind, but he may have been thinking of the forensic medical role in "determination of sex" (opredelenie pola) for legal authorities, see Ia. Leibovich, "Godovoi otchet po sudeb.-meditsinskoi ekspertize v RSFSR za 1925 g." Sudebno-meditsinskaia ekspertiza (5 1927): 128.

reviewing this decision, agreed to the measures proposed by the neuro-psychiatric committee, but rejected the references to hermaphroditism, and defined the problem as "the changing of sex, name and conducting operations [to change sex]", referring to the persons in question as "transvestites".<sup>86</sup> When the full Expert medical council met even more definitional slippage took place.

Psychiatrist L. Ia. Brusilovskii opened the 8 February 1929 council discussion of citizen Kamenev's petition with a report "about transvestites". Citing Magnus Hirschfeld's research and political activism, Brusilovskii claimed the "question of transvestites... in the conditions of the USSR is not particularly frequent", while in Germany the phenomenon was "extraordinarily widespread". He pointed out that Soviet psychiatrist Edel'shtein had recently published "an interesting case" from local experience - the 1927 article on Evgeniia Fedorovna M.<sup>87</sup> Brusilovskii then read from Evgeniia's "History of my illness" in this article, implicitly endorsing her self-definition by referring to the "confession" as Evgeniia's defense of "her intermediate sex" (svoi srednii pol); in his summing up

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<sup>86</sup> It is not clear who replaced the term "hermaphrodite" with "transvestite", but the presidium instructed Expert medical council secretary psychiatrist L. Ia. Brusilovskii to write a report for Commissar of Health Semashko, justifying a "mixed commission of doctors and jurists" to do more work on "transvestites"; GARF, f. A482, op. 25, d. 479, l. 18 ob. (Zasedaniia prezidiuma U.M.S., 29/I-1929 g.).

<sup>87</sup> GARF, f. A482, op. 25, d. 478, l. 85; Edel'shtein, "K klinike transvestitizma".

he called her a "transvestistka" (female transvestite).<sup>88</sup>

Biologist N. K. Kol'tsov joined the discussion, positing "an infinite quantity of intermediate sexes", and relating his experience with a male patient (coincidentally from Kazan') who had pleaded for a sex change, and whom he had supposedly cured.<sup>89</sup> Having recently visited Central Asia, Kol'tsov disagreed with Brusilovskii's suggestion that "this question" had less significance for the USSR. The biologist said it was "not in the RSFSR, but in such republics as Kazakhstan", where bachi (boy prostitutes) suffered "extraordinary economic exploitation". Here was a domestic group whose gender and sexual deviation was

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<sup>88</sup> GARF, f. A482, op. 25, d. 478, l. 85 ob. The stenographic record does not indicate which passages Brusilovskii read, but Evgeniia's "confession" used several terms - except "transvestite" - to refer to herself: intermediate sex, pseudo-hermaphrodite, homosexual. She only once expressed the desire to change sex: "These women [of the intermediate sex] consider their sex a misunderstanding and wish to transform themselves into persons of the opposite sex", but did not specifically ask for a surgical operation. She repeatedly called for tolerance of her social identity as a male, Edel'shtein, "K klinike transvestitizma", 276-79.

<sup>89</sup> Kol'tsov claimed he cured this man with injections of a sperm-based liquid (spermin-zhidkost'), possibly the drug "Spermokrin" marketed by Narkomzdrav's Institute for Experimental Endocrinology, see GARF, f. A406, op. 12, d. 2223, l. 215; he edited two collections of articles (1923, 1924) on rejuvenation techniques involving testicular surgery, pioneered by Eugen Steinach, see A. V. Nemilov, V. A. Gorash, L. N. Voskesenskii, et al., eds Omolozhenie v Rossii. (Leningrad: Meditsina, 1924), 144. In 1929, he was director of the Moscow Institute of Experimental Biology, Mikhail Zolotonosov, "Masturbanizatsiia: "Erogennye zony" sovetskoi kul'tury 1920-1930-kh godov." In Erotika v russkoi literature: Ot Barkova do nashikh dnei (Literaturnoe Obozrenie. Spetsial'nyi vypusk), eds I. D. Prokhorova, S. Iu. Mazur, G. V. Zyкова. (Moscow: Literaturnoe obozrenie, 1992), 97.

socially produced, not congenital, and which could be further expanded (by "mental infection") if concessions were made to "transvestites".<sup>90</sup> Kol'tsov's position underscored the national faultlines of the application of the medical model of sexual perversion in the Soviet Union. As a biologist, Kol'tsov made generous claims for the congenital and especially hormonal model of the "intermediate sex", where an apparently European patient presented himself. Yet sexual deviance interpreted as having been constructed by backward social practices was to be excluded from the realm of medicine, as a problem instead for administrators and jurists.

Leading clinical psychiatrist P. B. Gannushkin contended that the problem of the "intermediate sex" was widespread in Russia. He had a woman currently under observation who wished to be transformed into a man; and he had had experience in attempting to regularize the legal position of one doctor attempting sex-change surgery. The prospect of sex changes, like transvestism, thrust the problem of the citizen's registered sex to the fore, and Gannushkin and others repeatedly expressed concern that doctors could not work independently on such patients. Cooperation with legal officials to enable changes to the individual's officially recorded sex (through ZAGS, an agency of the Justice Commissariat) would be required. Equally worrying was the question of doctors' criminal liability in such cases. Gannushkin recounted a 1928 case he reviewed in Moscow's city

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<sup>90</sup> GARF, f. A482, op. 25, d. 478, ll. 85 ob.-86.

health department (Moszdrav) of a medical practitioner who "changed sex and made women of men and vice versa, using rather primitive surgical operations". The case never reached the courts, because Moszdrav was able to bury it: "We got out of difficulty thus: we wrote that it was a rare incidence when psychopathic patients fell into the hands of a doctor-psychopath. Whether it was the right thing to do or not, it eased the matter."<sup>91</sup> Gannushkin probably doubted whether this resolution had in fact been "the right thing to do"; this was as near as any council member would come to a plea for ethical guidance.

Further discussion raised the theme of the effect of "intermediate sex" in military formations, with considerable uncertainty and disagreement.<sup>92</sup> Brusilovskii took up Kol'tsov's fear of contagion to warn that "this type of subject, declaring that they [sic] are homosexuals [could] lead to the creation of a

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<sup>91</sup> Ibid., ll. 86-86 ob.

<sup>92</sup> The status of "homosexuals" in the Red Army during the early Soviet regime remains obscure. Until the 1925 Law on Obligatory Military Service regularized recruitment policies, little thought was perhaps given to screening sexual deviants out of the military. Provisions under the 1927 "Decree on military crimes" regulated the moral behaviour of servicemen, calling for "the observance of the rules of military honour and politeness, and also of the personal dignity of the serviceman". It is not difficult to imagine such language being applied to sex acts between men, or between women, uncovered in the military. Mark von Hagen, Soldiers in the Proletarian Dictatorship: The Red Army and the Soviet Socialist State, 1917-1930 (Ithaca & London: Cornell University Press, 1990), 206-10, on recruitment; V. M. Chkhivadze, Sovetskoe voenno-ugolovnoe pravo. (Moscow: 1948), 357-59, commenting on the Polozhenie o voinskikh prestupleniakh TsIK i SNK SSSR 27 iuliia 1927g.

contingent refusing military service due to a great mental infection (pri bol'shoi psikhicheskoi zaraze)", demoralizing whole swathes of eligible men.<sup>93</sup> Only one psychiatrist at this meeting appeared to be aware of a routine procedure for dealing with recruits claiming unfitness on grounds of homosexuality. "If someone now were to refuse military service on this pretext," A. V. Rakhmanov pointed out, "he [on, that is, a male person] would first be sent to a psychiatric institution for a examination. So the question would be resolved in this direction."<sup>94</sup> Rakhmanov did not explicitly indicate that the army would then reject a male "homosexual", although his comments when taken with those about "mental infection" from Brusilovskii would appear to suggest this policy. The comparatively rare psychiatric texts about mental infirmities in the military published in this era only mentioned sexual perversion in the most oblique terms.<sup>95</sup> If

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<sup>93</sup> GARF, f. A482, op. 25, d. 478, l. 86.

<sup>94</sup> Ibid., l. 86 ob.

<sup>95</sup> A Leningrad military psychiatrist used the phrase "mental infection" (psikhicheskaiia zaraza) to describe the demoralizing effect psychopathic personalities could have within the military: N. A. Iurman, Instruktivnye materialy po profilaktike dushevnykh boleznei v krasnoi armii (Leningrad: Izd. Voenno-sanitarnogo upravlenie LVO, 1930), 17. The only mention of sexual perversion in this manual was embedded in a battery of questions in a sample questionnaire to be completed by doctors examining men accused of military crimes: "Data on behaviour...5. Sexual deviations (masturbation, sexual perversions)", *ibid.*, 32. A contrasting viewpoint was offered by a Smolensk psychiatrist, who thought "sociopsychopathic" youths could be cured through army service; V. I. Pliashkevich, "Psikhiatricheskaiia ekspertiza voennoobiazannykh." In Trudy psikhiatricheskoi kliniki (Gedeonovka). Vyp. 1 ed. R. I. Belkin. (Smolensk:



there was a military ban on male homosexuals, it was not stated in print, and even the nation's top psychiatrists behind closed doors were ill-informed about the existence of any policy.

At the same time, Rakhmanov defended the presence of "masculinized" women in military formations, whether married to males or perhaps sexually oriented toward females. He argued that individual cases needed to be treated sensitively and spoke approvingly of "women in military service...dressed in men's clothing", who were capable of performing valuable service, especially as commanders in the Army. No one in the room ventured to disagree with Rakhmanov's views on women whose gender deviance rendered useful services to the state.

A consensus in the meeting developed that "an expert opinion be established in each individual case", and that "this entire question in all its breadth, with all possible deviations", including whether medical practitioners had "the right to produce sex change operations in transvestites", should be resolved by a special commission to be formed between the Commissariats of Health and Justice.<sup>96</sup> The Expert medical council was well aware of the complexity of the problem of sex and gender dissidence, as its members struggled to describe patients they had encountered and the fears they imagined. As scientists they were eager to share their encounters with this diversity, and their sometimes

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Smolenskii gos. universitet, 1930), 175-76. Both authors gave first priority to the problems of violent crime, alcoholism and suicide generated by mental defects.

<sup>96</sup> GARF, f. A482, op.25, d. 478, ll. 86 ob.-87.

confident, sometimes diffident attempts to correct, manage or accept it. As administrators however, they confronted this bewildering variety as a set of problems they believed were not theirs alone to handle. By calling for an interdepartmental commission they signalled that doctors could not venture into this area without legal expertise. At no time during this discussion did members of the Health Commissariat's Expert medical council call for the recriminalization of sodomy or the proscription of "transvestites". If Health officials and their chief, Semashko, had desired this they could have simply returned the initial inquiry to the Justice Commissariat. Instead they turned to jurists for guidance because the medical men believed that managing these issues would require a clarification of the "rights" of both patients and health personnel. The public transcript on sex and gender dissent was too deeply fragmented. No clear line seemed to exist on the issues raised, whether by biologically produced anomalies (as sex-change patients might be), or by socially constructed perverse practices (as the exploitation of the Kazakhstan bachi definitely appeared to be). Male "homosexuals" could infect army recruits, but "masculinized" women could serve with honour. At issue were questions of byt, of everyday life and gendered practices, which doctors could examine and describe, but were loath to regulate on their own.

## Conclusion

There was no uniform Soviet approach toward "homosexuality". What the Bolsheviks had inaugurated with the abolition of tsarist legal codes, and with the subsequent enactment of their own legislation redefining sexual crime, was a period when competing and contradictory discourses of same-sex relations, and of sexual or gender ambiguity, existed in abundance. The plurality of discourses created its own ambiguities. Did sodomy decriminalization entail emancipation for "homosexuals", as was understood by communists in Germany (and elsewhere), and perhaps by Health Commissar Semashko and diplomat Kollontai, and by fellow travellers in the World League for Sexual Reform? Was the legislation meant to hand the issue over to doctors to resolve using medical criteria? If so, was objective science sufficient to resolve the issues in their legal and ethical complexity?

There was no single intended resolution. Contemporaries found no Bolshevik statements which crystallized the Communists' diffused political will on homosexuality. Contradictory socialist traditions had been formulated in Germany, the vanguard nation of Hirschfeld's homosexual emancipationism, not in Russia, and they were only faintly resonant in Moscow by comparison to Berlin. In Soviet Russia, same-sex relations could be harmless in some instances, dangerous in others. Homosexuals had an ambiguous status with both positive and negative political valences. "Trials of homosexuals" was a false landmark if read on its own.

Other more politicized social identities, not 'homosexuality', determined Bolshevik attitudes. The abstract Soviet citizen was accorded sexual autonomy and inviolability, and actual men and women lived lives which asserted that same-sex eros had received some sanction. Orthodox clerics were never conferred sexual autonomy, nor the excuse of an inborn illness, to justify their same-sex relations. Citizens of less developed Soviet republics on the southern and eastern borders with islamic cultures were prone to "survivals of primitive custom" which led them to exploitative 'acquired' forms of homosexuality. Gender ambiguity could undermine social order (as in the case of the Petrograd masquerade parties of 1920-1921), but it could also serve the revolution and earn a grudging respect (as when "masculinized" women donned the uniform of the Red Army or police).

If homosexuality occupied a politically and socially ambiguous space in Bolshevik thinking and administration during this era, it was to acquire new clarity as a social anomaly, analogous to alcoholism and other forms of deviance, during the first Five Year Plan. The new clarity - like the previous ambiguity - grew from forces beyond the Soviet Union, in foreign policy shifts and the subsequent evolution of political discourse, and from within the Soviet system in the optimistic transformational goals of the first years of central planning.

### Chapter 3: Propaganda, terror and resistance, 1933-1941

The criminalization of male homosexuality throughout the entire USSR in 1933-1934 was imposed without public discussion and was not accompanied by the sort of press campaigns which followed new measures on prostitution or abortion. As with the omission of the antisodomy statute from the first RSFSR criminal codes, historians have been forced to speculate on the reasons for the change, and as with decriminalization, a small number of texts and clues have been sifted repeatedly for what they can yield. In addition, little has been said in this historiography about the decision not to criminalize lesbian relations. New evidence on these themes has emerged since 1991, which may be compared to records of sodomy trials from the Moscow city court (1935-1941) and archival sources of aggregate conviction statistics. The evidence indicates that the initiative for the new legislation came from the OGPU/NKVD, and that state security concerns were at the heart of the legal change. The drive to "destroy the homosexuals" (in Maksim Gor'kii's cruel formulation) was also apparently linked to police and OGPU moves to cleanse the USSR's most important cities of "déclassés", "social anomalies" and "criminal elements" using the 1932 passport legislation and extralegal forms of repression. Without further access to archival materials, particularly NKVD and KGB archives, the picture of the recriminalization of sodomy which emerges is of a rapid decline from a politicized, security-related offense (though treated less severely than counterrevolution, banditism

and group rape) to a bytovoe crime, that is an offense resulting from socially alien ways of life (byt). The almost complete silence surrounding the legislative change suggests leaders feared publicity could multiply the number of cases and would degrade the prestige of Soviet manhood. Communist male honour was under attack from fascists in a high-pitched propaganda war which saw the deployment of allegations of homosexuality on both sides. The intense concern about masculine reputation (and its subversion by agents of foreign governments) overshadowed any concentrated worry about female same-sex relations, but it does not follow that lesbians were tolerated in 1930s Soviet Russia. Family and abortion policy changes tightened the grip of a compulsory heterosexuality on all women, while the medicalizing discourse of the sexual revolution no longer protected lesbians in court from prison terms.

(i) "Destroy the homosexuals - fascism will disappear"

According to documents from the Presidential Archive of the Russian Federation (APRF) published in 1993, after the decriminalization of sodomy by the State Duma, the immediate impulse for the enactment of the antisodomy law in 1933 came from the political police.<sup>1</sup> OGPU deputy chief G. G. Iagoda wrote to Stalin on 15 September 1933 to argue for the need for legislation

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<sup>1</sup> "Iz istorii Ugolovnogo kodeksa: 'Primerno NAKAZAT' etikh Merzavtsev'" Istochnik 5-6 (1993): 164-65.

against "pederasty" as a matter of state security. Iagoda reported that raids had recently been conducted on Moscow and Leningrad "organizations of pederasts" and 130 persons had been arrested. Iagoda wrote that they were guilty of

establishing networks of salons, centres, dens, groups and other organized formations of pederasts, with the eventual transformation of these organizations into outright espionage cells...Pederast activists, using the caste-like exclusivity of pederastic circles for plainly counterrevolutionary aims, had politically demoralized various social layers of young men, including young workers, and even attempted to penetrate the army and navy.

Stalin forwarded Iagoda's letter to Politburo colleague L. Kaganovich, noting: "these scoundrels must receive exemplary punishment, and a corresponding guiding decree must be introduced in our legislation."<sup>2</sup>

Iagoda sent Stalin the text of a draft law on 13 December 1933, with a covering letter outlining the OGPU's arguments in favour of the measure.<sup>3</sup> Iagoda made no mention of any spying by the homosexuals who had been arrested earlier that year; instead he noted merely that the OGPU had established that organized groups of "pederasts" had operated "salons" for "orgies", engaging in the "recruitment and corruption of totally healthy young people, Red Army soldiers, sailors and individual students". Perhaps the original suspicion of espionage had not been borne out during interrogations of these men. The OGPU's

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<sup>2</sup> Ibid. The letter bears the notations "Correct! L. Kaganovich" and "Of course. It is necessary. Molotov".

<sup>3</sup> Ibid., citing APRF, f. 3, op. 57, d. 37, ll. 25-26.

attention, at least in this letter, appears after three months to have shifted to the potential security danger which closed groups presented, and the threat to "healthy young people" drawn into them. Iagoda's interest was concentrated on male rather than female sociability (which he did not mention); at no point in the subsequent development of this legislation was the question of female homosexuality raised. Probably because of their subordinate gender status, women involved in same-sex relations were not believed to pose a threat. The attached draft decree for the Presidium of the USSR Central Executive Committee (TsIK) consisted of two clauses stating the nature of the offense to be criminalized, a clause ordering the inclusion of the statute in each union republic criminal code, and a final paragraph confirming the continued validity of criminal code articles dealing with other sexual offenses. This draft was approved by the Politburo (among those present were Stalin, Iagoda, Sergo Ordzhonikidze, Aron Sol'ts and Emelian Iaroslavskii) on 16 December 1933.<sup>4</sup> The following day the USSR All-union Central

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<sup>4</sup> Ibid., citing l. 24 of the APRF documents; the same text may be found in RTsKhIDNI, f. 17, op. 3, d. 936, l. 18. The decree was published, 17 December 1933, [1934] 1 Sobranie zakonov i rasporiashenii raboche-krestianskogo pravitel'stva soiuzs sovetskikh sotsialisticheskikh respublik, item 5. The involvement of Sol'ts in this episode may seem out of character for "the conscience of the party" (as he is known for his defense of terror victims), see Roy Medvedev, Let History Judge: The Origins and Consequences of Stalinism (New York: Columbia University Press, 1989), 429-30; yet his few statements about sex were conventional plaudits for socialist heterosexual respectability: E. Iaroslavskii, ed. Polovoi vopros (Moscow: Iz-vo GIZh, 1925), 10-16.



Executive Committee adopted virtually the same decree, distributing it to the analogous RSFSR body for the development of corresponding draft decrees.<sup>5</sup>

There were significant variations between the original statute proposed by Iagoda and the version finally adopted by the highest organs of the USSR (7 March 1934)<sup>6</sup> and RSFSR (1 April 1934) governments.<sup>7</sup> Intraparty correspondence and the Politburo's 16 December 1933 decree employed the crude expression pederastiia (pederasty) to refer to the offense in question; the traditional legal term muzhelozhstvo (sodomy) was used in all Russian government legislative documents and the draft law itself. The Iagoda draft proposed maximum, but no minimum, sentences for simple and aggravated forms of sodomy. Moreover, the forms of aggravated sodomy the OGPU deputy chief put forward

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<sup>5</sup> GARF, f. 1235, op. 141, d. 1591, l. 1. This version included the use of force (s nasiliem) as an aggravated form of sodomy not found in Iagoda's draft adopted the previous day in the Politburo.

<sup>6</sup> 7 March 1934, 15 Sobranie zakonov i rasporiazhenii raboche-krestianskogo pravitel'stva soiuza sovetskikh sotsialisticheskikh respublik, item 110. Moscow city court documents and RSFSR Supreme Court determinations refer to the "law of 7 March 1934"; individuals who committed sodomy after this date were judged criminals, e.g. Prigovor Bezborodova i 11 dr. (1935), ll. 238-45.

<sup>7</sup> The RSFSR criminal code amendment read: "154-a. Sexual intercourse of a man with a man (sodomy) - deprivation of liberty for a term of three to five years.

Sodomy committed with the use of force or with the use of the dependent situation of the victim - deprivation of liberty for a term of three to eight years." The offense of consensual sodomy was usually referred to in judicial documents as "154a-I"; aggravated sodomy, as "154a-II".

specifically included prostitution and public performance of the act.<sup>8</sup> These formula were only dropped from the decrees at a late stage, and minimum sentences were also added (three years for simple and aggravated sodomy) in the week before the USSR decree's publication on 7 March 1934.<sup>9</sup> The insertion of sentencing minimums suggests legislators intended to underline the seriousness with which the new offense was to be viewed.<sup>10</sup> The late deletion of Iagoda's formulae on male prostitution is unexplained in the available sources. A possible reason could be the damage to Soviet prestige which would accrue from the admission that such phenomena were so prevalent as to be worthy of elevation into the criminal codes of every Soviet republic.

Despite the apparent uniformity imposed by the all-union

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<sup>8</sup> See "'Primerno NAKAZAT' etikh Merzavtsev'", 165, citing Iagoda's 13 December proposal to Stalin from APRF, f. 3, op. 57, d. 37, ll. 25-26, and GARF, f. 1235, op. 141, d. 1591, l. 1. In both cases, aggravated sodomy included such acts "for payment (za platu), as a profession or in public".

<sup>9</sup> As late as 28 February 1934, the Iagoda draft mentioning prostitution and public sex was approved by RSFSR VTsIK and Sovnarkom; on this date it was distributed to RSFSR Narkomiust and the Supreme Courts of the Soviet Union and RSFSR. The simplified final version dropping these elements may have been suggested in one of these arenas. GARF, f. 1235, op. 141, d. 1591, ll. 5-6. My thanks to David Shearer for this reference.

<sup>10</sup> The USSR TsIK Presidium decree in Iagoda's draft and in the final published form carried no explicit language to explain the reason for the new law, but the decree's preamble in its insistence that "voluntary relations, regardless of whether one of the participants has not reached sexual maturity", would be a crime, also suggests legislators expected courts would be reluctant to view this with the harshness deemed appropriate; *ibid.*, l. 1.

decree of 7 March 1934, the timing and language of adoption of the antisodomy law unaccountably varied in some republics. Ukraine was by far the first union republic to incorporate the statute in its penal code, on 11 January 1934; it used the language of Iagoda's original proposal, found in the 16 December 1933 Politburo decree. Male prostitution and public homosexuality were thus explicitly named as crimes in the Soviet Union's second largest republic. In addition, no minimum sentences were spelled out in Ukraine's penal code for sodomy.<sup>11</sup> The effect of these anomalies on enforcement and sentencing practices was potentially great, with local policing patterns possibly influenced by the concern expressed overtly in the code about public and prostitution-related manifestations of male homosexuality. Ukrainian judges may have had little option but to impose the union-level decree's minimum sentences, although undoubtedly they found the same means to evade these minimums as those employed later in the 1930s by their Russian counterparts.

The same textual variant was for some reason adopted in the Tadzhik SSR penal code.<sup>12</sup> Elsewhere, local justice drafters generally followed the RSFSR wording patterned on the USSR decree

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<sup>11</sup> Bemused jurists drew attention to the variation by juxtaposing the text of the all-union decree with the hastily incorporated article 161-I, suggesting by implication that the former's sentencing values and language took precedence, "Ugolovnyi kodeks Ukrainskoi SSR" in D. S. Karev, Ugolovnoe zakonodatel'stvo SSSR i soiuznykh respublik. Sbornik (Moscow: Iuridicheskaiia literatura, 1957), 114.

<sup>12</sup> "Ugolovnyi kodeks Tadzhikskoi SSR" in *ibid.*, 345 (article 223).

of 7 March, adopting their versions in April 1934. The placement of the new statute within penal codes reflected a rough division in stalinist perceptions of modernity and backwardness in matters of sexuality, with some codes incorporating it into existing sections on sexual crime (reflecting a modernized sexual ethic), and others placing it among crimes constituting survivals of primitive custom. In the Belorussian SSR and Ukraine the new article was situated with articles on sexual offenses. The Transcaucasian republics of Armenia and Georgia followed this comparatively modern categorization.<sup>13</sup> In the Tadzhik and Uzbek codes, the prohibition figured among local customary offenses, instead of sex crimes.<sup>14</sup> Turkmen and Azerbaidzhan penal codification had no existing distinction between sexual and customary crime, and the previous antisodomy statute among these articles was simply revised to reflect the all-union decree.<sup>15</sup>

Iagoda's "legislative initiative" demonstrated that security police were aware of how private activity among homosexual men, and those they allegedly "recruited", constituted a social arena

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<sup>13</sup> Ibid., 159 (Belorussian SSR), 384 (Armenian SSR), 254 (Georgian SSR). Armenia and Georgia both had sections dealing with customary crimes which theoretically could have borne the antisodomy statute; in Georgia the pre-existing sodomy prohibition was already situated in a discrete section headed "Crimes in the field of sexual relations", in other words, in a section reflecting 'modern' sexual ethics.

<sup>14</sup> Ibid., 345 (Tadzhik SSR), 217 (Uzbek SSR). In Uzbekistan as in Georgia, the pre-existing placement of the statute did not change.

<sup>15</sup> Ibid., 433 (Turkmen SSR), 299 (Azerbaidzhan SSR).

where the state was excluded. Such groups were suspected for their impenetrability and their potential as sites for treason. Did clusters of homosexual men constitute a genuine security threat in the Soviet Union of 1933? It is evident that members of the Politburo believed as much; they acted to suppress these "salons" not simply because of Iagoda's suggestion, but in response to an international clamour about the political virility of communism.

The Soviet decision to recriminalize sodomy was preceded by the rupture in German-Soviet relations occasioned by Hitler's coming to power, and the outbreak of an increasingly virulent propaganda war in Europe between fascism and communism. Accusations of homosexuality (hurled as an insult to the masculine honour of the opposition) had already become a central feature of this political discourse. The crucible of this rhetoric was Weimar Germany, where politicians had been compelled by the visibility of the national homosexual emancipation movement to address its issues. Until Hitler's accession the German Communist Party (KPD) generally supported Magnus Hirschfeld's emancipationist political goals, especially the abolition of paragraph 175 in the German criminal code, prohibiting male homosexual relations.<sup>16</sup> Weimar communists argued that decriminalization was the logical consequence of

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<sup>16</sup> Manfred Herzer, "Communists, Social Democrats, and the Homosexual Movement in the Weimar Republic." In Gay Men and the Sexual History of the Political Left, eds G. Hekma, H. Oosterhuis, and J. Steakley. (Binghamton NY: Harrington Park Press, 1995), 206.

getting rid of all "reactionary" legislation on sex. The Social-Democratic Party (SPD) also supported these goals, but had failed to do so with the consistency of the KPD. Lurid reports in the social-democratic press about the homosexuality of Sturmabteilung (SA) leader Ernst Röhm created a morality scandal during 1931-1932. The KPD's Richard Linfert criticized SPD disclosures about Röhm's personal life as "sexual denunciation"; yet in April 1932 the KPD joined in the irresistible attacks on the SA chief, while continuing to support the abolition of paragraph 175.<sup>17</sup> This theoretical purity was less sustainable once the stakes became more desperate and the left was erased from German political terrain in early 1933.

When ex-communist Marinus van der Lubbe was arrested after the German Reichstag fire on the night of 29 February 1933, nazis seized on his political associations to blame international communism for the attack. In response, the fact of van der Lubbe's homosexuality was exploited by the Comintern in a resonant campaign to disassociate him from the left. Van der Lubbe was accused, in a widely distributed book authored by a collective of exiled German communists, of being in the pay of the nazis, and under the sexual and moral influence of SA leader Röhm.<sup>18</sup> Homosexuals were branded as violent, unreliable and

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<sup>17</sup> Ibid., 204-206, 212-13.

<sup>18</sup> The book was Braunbuch über Reichstagbrand und Hitler-Terror (Basel: Universum-Bücherei, 1933), cited in Harry Oosterhuis, "The "Jews" of the Antifascist Left: Homosexuality and Socialist Resistance to Nazism" In Gay Men and the Sexual History of the Political Left, eds G.

morally degenerate in this tract and in the war of words within the left, and between left and right, which it generated.<sup>19</sup> The central European nationalist and later fascist institution of Männerbund, (associations for young men's physical and moral education) came under increasingly searing attacks from the left as fountainheads of homosexuality and other moral impurities.<sup>20</sup> Meanwhile, the nazis linked Magnus Hirschfeld's leftist politics and jewishness to his long campaign to abolish the German antisodomy statute. Hitler's destruction of Hirschfeld's Institute for Sex Research and the closure of Berlin's homosexual bars in May 1933 were manifestations of nazi moral outrage, signalling that a "battle for the birthrate" with military objectives would determine the new regime's outlook on sexuality.<sup>21</sup>

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Hekma, H. Oosterhuis, and J. Steakley (Binghamton, NY: Harrington Park Press, 1995), 232-33.

<sup>19</sup> Friends of van der Lubbe published a defense (Roodboek Van der Lubbe en de Rijksdagbrand [Amsterdam: Internationaal Uitgeversbedrijf, 1933]) which tarred nazis with homophobic rhetoric; later, the nazis' own defense of their elimination of Röhm would cloak itself in the same language of moral purity (Weissbuch über die Erschiessungen des 30.Juni [Paris: Editions du Carrefour, 1934]); see Oosterhuis, "The 'Jews' of the Antifascist Left", 233, 253n.

<sup>20</sup> Among the critics of Männerbund were Wilhelm Reich, Erich Fromm, and the International Association of Socialist Physicians; Oosterhuis, "The 'Jews' of the Antifascist Left", 237-45; idem., "Medicine, Male Bonding and Homosexuality in Nazi Germany." Journal of Contemporary History (2 1997): 187-205.

<sup>21</sup> Detlev J. K. Peukert, Inside Nazi Germany: Conformity, Opposition and Racism in Everyday Life (London: Penguin, 1989), 219.

Military cooperation between Germany and the Soviet Union, based on the Rapallo Treaty, ceased in June 1933, marking the break between regimes. Within weeks the OGPU arrests of Moscow and Leningrad homosexuals took place, and Iagoda's September 1933 letter to Stalin initiated the return to an antisodomy policy.<sup>22</sup> It appears that more arrests of "pederasts" followed. A cluster of sources report rumours and speculation surrounding mass arrests of homosexuals from late 1933 to early 1934, and while the details reported vary somewhat, taken together they suggest that round-ups of men accused of same-sex relations took place in major Russian and Ukrainian centres, and that most observers on the left believed espionage, probably for Germany, motivated OGPU action.<sup>23</sup> One Russian homosexual witness to these events said that in 1933 numerous homosexuals were arrested for participating

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<sup>22</sup> "'Primerno NAKAZAT' etikh Merzavtsev'", 164.

<sup>23</sup> For example, Boris I. Nicolaevsky Power and the Soviet Elite: "Letter of an Old Bolshevik" and Other Essays (London: Pall Mall, 1966), 31. The "Letter of an Old Bolshevik" describes a "so-called homosexual conspiracy" led by an "assistant of the German military attaché ...under cover of a homosexual 'organization'" running a network of agents in Moscow, Leningrad, Khar'kov and Kiev. Soviet authorities were thus "compelled to intervene" at the end of 1933. Wilhelm Reich, in "The Struggle for a 'New Life' in the Soviet Union", first published in 1936 (reprinted in his The Sexual Revolution [New York: Pocket Books, 1969]), linked "politically motivated" mass arrests of homosexuals in January 1934, in Moscow, Leningrad, Khar'kov and Odessa, to espionage fears and the propaganda war using homosexuality as a charge against fascism. Although Sidney and Beatrice Webb regarded the new law as "this drastic action", they attributed it to conspiracy centres led by "certain foreigners who were summarily expelled from soviet territory", Soviet Communism - A New Civilisation 2nd ed., (London: V. Gollancz, 1937), 1060n.



in gatherings which were "made...to appear as counterrevolutionary, Trotskyite, or even Hitlerite". He reported that in the absence of an explicit law against homosexuality, these men were made to sign false confessions under RSFSR criminal code article 58 (counterrevolutionary crimes). Others were netted under an elastic reading of article 155 (coercion to prostitution, keeping of vice dens), an interpretation recalling that suggested by Narkomiust's "G. R." in 1922.<sup>24</sup> The excuse of demoralization inside the Red Army by homosexual infiltrators surfaces in later European leftist reports of explanations for Soviet recriminalization of sodomy; the association of "pederasty" with the fascist Männerbund was elaborated as the propaganda war raged.<sup>25</sup>

There is also evidence that L. G. Kaganovich headed a Politburo commission to conduct a purge of 'homosexuals' in the People's Commissariat of Foreign Affairs, in 1934.<sup>26</sup> The commissariat, led from 1918 to 1930 by the homosexual and Old Bolshevik Grigorii G. Chicherin, would have been a prime target for a personnel review in the wake of the diplomatic rupture of

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<sup>24</sup> Philip Jason (pseud.), "Progress to Barbarism" Mattachine Review 3 (8 1957): 20.

<sup>25</sup> Compare Webb and Webb, Soviet Communism, 1060n, with German homosexual emancipationist Kurt Hiller's reports of conversations with European Party members in Herzer, "Communists, Social Democrats", 219.

<sup>26</sup> The file of this commission is located in RTsKhIDNI, f. 17, op. 3 (Politburo files); personal communication, Leonid Maksimenko, 19 September 1996.

1933 in any case.<sup>27</sup> The coincident rise in security police interest in homosexual circles apparently ensured that Foreign Affairs officials would come under particular scrutiny for this reason as well.

The criminalization of male homosexuals was not solely attributable to the concerns of the OGPU about foreign infiltration. The earliest 1933 raids in Moscow and Leningrad on homosexuals took place against the backdrop of a process of urban social cleansing, which began with the introduction of Soviet internal passports and accompanying city residence permits, in late 1932. These bureaucratic measures gave legitimacy to the deportation of "former persons" (byvshie liudi), politically disenfranchised members of the tsarist nobility, bourgeoisie and clergy and other "class aliens". Their status was now inscribed in their identity documents, and they could easily be denied permission to reside in the capitals, or turned upon as "class

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<sup>27</sup> Any connection between Chicherin's homosexuality, and the sexuality of his appointees, remains to be demonstrated; the hostile imputation was characteristic of Iagoda's reasoning and the prevailing political mood. Stalin's hostility toward Chicherin is well documented, Timothy E. O'Connor, Diplomacy and Revolution: G V Chicherin and Soviet Foreign Affairs, 1918-1930 (Ames, Iowa: 1988), 153-67. Chicherin's homosexuality is documented in Alexander Meyendorff, "My Cousin, Foreign Commissar Chicherin." Russian Review (April 1971): 173-78. On his long friendship with homosexual poet Mikhail Kuzmin, see John Malmsted, "Mixail Kuzmin: A Chronicle of His Life and Times." In Mikhail A. Kuzmin: Sobranie stikhov, ed. John Malmsted, v. 3 (Munich: 1977), 24-26; letters (1905-1906) from Kuzmin to Chicherin, RTsKhIDNI, f. 159, op. 1, d. 48; their final meeting in 1926, N. A. Bogomolov, and John E. Malmstad. Mikhail Kuzmin: Iskustvo, zhizn', epokha (Moscow: Novoe literaturnoe obozrenie, 1996), 257-58.

enemies", when campaigns needed scapegoats.<sup>28</sup> Dovetailing with this sweeping legislative measure was the increased determination of authorities to eliminate "professional beggars" and "professional prostitution" from the urban landscape, especially after the achievements of the First Five Year Plan in employment and housing had supposedly eliminated any residual justification for tolerating them.<sup>29</sup> The actual deportation of these social groups is poorly documented; yet the sweeps against them indicate that the NEP-era forms of social stigmatization (such as the disenfranchisement of NEPmen and ex-aristocrats) were hardening into a policy of selective exclusion. The OGPU's original raids in late summer 1933 against male homosexuals, and Iagoda's proposal for explicit prohibitions of public male homosexuality and of male prostitution, thus acquire a second, contextual, explanation. Urban "social anomalies" and "class aliens" were increasingly becoming the targets of specific security police actions; male homosexuals among these groups may have drawn

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<sup>28</sup> Sheila Fitzpatrick, "Ascribing Class: The Construction of Social Identity in Soviet Russia." Journal of Modern History (65 1993): 761.

<sup>29</sup> G. A. Bordiugov, "Sotsial'nyi parazitizm ili sotsial'nye anomalii? (Iz istorii bor'by s alkogolizmom, nishchestvom, prostitutsiei i brodiazhestvom v 20-30e gody." Istoriia SSSR (1 1989): 71. Note also the Politburo's decision to step up measures against "criminal and déclassé elements in the city of Moscow" taken 23 December 1933, RTsKhIDNI, f. 17, op. 3, d. 937, item 45/26.

police attention to this further category of "anomaly".<sup>30</sup>

Soon after the relatively low-key official adoption of the new antisodomy statute, Stalin was made aware of the kind of reaction it would receive on the Western European left. In a letter dated only "May 1934", British Communist and Moscow resident Harry Whyte, an editorial employee at the Moscow Daily News, asked Stalin to justify the new law.<sup>31</sup> In its thorough deconstruction of contemporary marxist views on homosexuality, the letter made evident the problems of presentation which the new law would attract, and may have influenced the direction of the subsequent Stalinist public transcript.

Whyte's long missive laid out marxist arguments against the blanket prohibition of sodomy which, he claimed, introduced unwarranted contradictions in Soviet social life by imposing

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<sup>30</sup> Leningrad intellectuals were one such group. A memoir source claims "a number of homosexuals" were caught in the wave of arrests which took away historian S. F. Platonov and Leningrad academic colleagues; Jason, "Progress to Barbarism", 20. Poet Mikhail Kuzmin's flat was searched by security police in 1931; prior to this his lover, Iurii Iurkun, had been repeatedly called to the GPU to persuade him to inform on Kuzmin, see S. V. Shumikhin, "Dnevnik Mikhaila Kuzmina: Arkhivnaia predystoriia." In Mikhail Kuzmin i russkaia kul'tura XX veka: tezisy i materialy konferentsii 15-17 maia 1990g., ed. G A Morev. (Leningrad: Sovet po istorii mirovoi kul'tury AN SSSR, 1990), 144.

<sup>31</sup> Harry Whyte, "'Mozhet li gomoseksualist sostoiat' chlenom kommunisticheskoi partii?": Iumor iz spetskhrana" Istochnik, 5-6 (1993): 185-91. Despite the subtitle, this document is genuine, attributed by the anonymous publisher to APRF, f. 3, op. 57, d. 37, ll. 29-45, i.e., from the same file as the Iagoda-Stalin correspondence on the new legislation of 1933-1934, published in the same issue of Istochnik, 164-65.

"sexual levelling" on a harmless minority and by ignoring science on the issue. The new law jettisoned the achievement of the previous Soviet legislation protecting sexual liberty and inviolability, legislation which represented Soviet power's resolution of capitalist contradictions on the question. Whyte likened the social position of homosexuals to that of other groups in society suffering arbitrary discrimination, naming women, "coloured races", and national minorities. He drew a fine distinction between a communist's personal life (to which private sphere his sexual proclivity ought to be consigned), and cases when homosexuality became a public, political issue in bourgeois societies. The letter catalogued Marx and Engels on political aspects of homosexuality, noted with approval the Comintern line on van der Lubbe's alleged contacts with homosexual nazis, and pointed to the hypocrisy of fascist policy inherent in the destruction of Hirschfeld's sexological institute. He cited Stalin's own words from the XVIIth Party Congress on "levelling" (uravnilovka) in terms of material needs "and of personal existence" to argue against the sexual levelling between the "normal" majority and the homosexual minority implicit in the antisodomy statute.<sup>32</sup>

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<sup>32</sup> Ibid., 185, 188-91. Whyte also cited Kaganovich's speeches to the Congress on population growth in the USSR to deny there was any harm to this aspect of national prosperity; and he pointed to the prestige of open homosexual André Gide as "ardent friend of the USSR". Whyte's interpretation of marxism and awareness of its historical views of homosexuality was not exceptional, as demonstrated in Hekma et al., eds Gay Men and the Sexual History of the Political Left.

Stalin directed that the letter be archived, recording over his signature "An idiot and a degenerate."<sup>33</sup> The document was retained in a file with others relating to the introduction of the new legislation, suggesting that its arguments were not viewed as an idiot's prattle, but were kept as a useful guide to an unfamiliar discourse. To counter it, Stalin apparently turned to a mouthpiece for whom the European terms of this rhetoric were familiar. Cultural spokesman Maksim Gor'kii's article, "Proletarian humanism", appearing in Pravda and Izvestiia on 23 May 1934, was the regime's first public statement about the recriminalization of male homosexuality, and it placed the question squarely within the terms of the propaganda war between fascism and communism.<sup>34</sup>

The themes of this war were the moral degradation and outright seduction of a nation's youth, and particularly of young men as the nation's productive and fighting force, by the evils of the opposing political system. Gor'kii harnessed the hydraulic metaphor of human energies to his purpose, noting that proletarian humanism was transforming the huge reserves of "barbaric" Russia's "physical energy" into productive, "intellectual energy". By contrast, capitalism used fascism to

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<sup>33</sup> "'Mozhet li gomoseksualist sostoiat' chlenom kommunisticheskoi partii?'" , 191.

<sup>34</sup> Maksim Gor'kii, "Proletarskii gumanizm" Pravda, 23 May 1934, 3; Izvestiia, 23 May 1934, 2. The same article was published that year in German as "Gegen der Faschismus: Proletarischer Humanismus" Rundschau über Politik, Wirtschaft und Arbeiterbewegung 34 (1934): 1298, cited in Oosterhuis, "The 'Jews' of the Antifascist Left", 236.

mobilize the physically and morally depleted scions of the bourgeoisie, the sons of alcoholics, hysterics and syphilitics. "In the thousands of grey, dessicated faces, one sees healthy, full-blooded individuals especially rarely, because there are few of them." Among the "hundreds of facts speaking of the destructive, demoralizing influence of fascism", homosexuality was but one of the most "revolting" aspects of this "filth". At stake was not only the purity and health of a population, but of its culture. Where the proletariat ruled, homosexuality was seen as corrupting youth and was punished, while "in the land of the great philosophers, scientists and musicians [Germany], it is practised freely and with impunity". Fascism's "poison" of nationalism and antisemitism was schooling youth in "social cynicism, a sadistic passion for murder". Yet Gor'kii dismissed any claim that homosexuals might constitute a social minority (like Jews or "the unarmed Hindus, Chinese and negroes") worthy of safeguarding by the workers' state, with his notorious slogan, "Destroy the homosexuals - fascism will disappear."<sup>35</sup> One could infer from the content of this article, much cited as the reflection of stalinist intentions behind recriminalization of

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<sup>35</sup> In Russian, "unichtozh'te gomoseksualistov - fashizm ischeznet", *ibid.* The murderous intent of Gor'kii's slogan (depriving homosexuals of the right to life) is lost in translation as "Destroy homosexuality and fascism will disappear", as it has sometimes been rendered. See Reich, "The Struggle for a 'New Life' in the Soviet Union", 255; Laura Engelstein, "Soviet Policy Toward Male Homosexuality: Its Origins and Historical Roots." In Gay Men and the Sexual History of the Political Left, eds G. Hekma, H. Oosterhuis, and J. Steakley. (Binghamton, NY: Harrington Park Press, 1995), 170.

sodomy in 1934, that an obedient Gor'kii was briefed about Whyte's letter to Stalin and the arguments against the new legislation he was required to demolish.<sup>36</sup>

The unanticipated sodomy ban threw functionaries, including literary officials and medical experts, into confusion. Not all were disposed to accept the consequences for their fields of competence. The best documented example of this disarray concerns the purchase, by the State Literary Museum director V. D. Bonch-Bruevich, of the personal diary and papers of symbolist poet Mikhail Kuzmin. In November 1933 Kuzmin received 25,000 rubles for these papers, comprising a daily record of his life from August 1905 to December 1931. They contained frank references to his and others' homosexuality.<sup>37</sup>

On 1 February 1934 (that is, between the December Politburo and March Soviet government decrees enacting the sodomy ban) an OGPU official demanded and received from Bonch-Bruevich the complete archive. In April, a special commission of the Cultural Enlightenment Department of the Party Central Committee began an

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<sup>36</sup> With access to APRF, f. 3, op. 57, d. 37, this hypothesis might be substantiated. There is an interesting gap of two pages in this file between the ones published in Istochnik comprising the Iagoda-Stalin correspondence on the new sodomy legislation, ll. 24-26, and Whyte's letter, ll. 29-45. On Gor'kii's house arrest under Iagoda and decline into "a broken man and an obedient instrument of the authorities" from May 1934, see Vitalii Shentalinskii, Ruby svobody: V literaturnykh arkhivakh KGB (Moscow: Parus, 1995), 362. Similar articles linking fascism and homosexuality were reportedly written by the journalist M. E. Kol'tsov; Reich, "The Struggle for a 'New Life' in the Soviet Union", 255.

<sup>37</sup> Shumikhin, "Dnevnik Mikhaila Kuzmina".



investigation of the museum director. The purchase of the Kuzmin papers, for the large sum, was the focus of the inquiry. Bonch-Bruevich bravely defended the worth of the archive and its homosexual themes, which he noted were essential to an understanding of "bourgeois left symbolism", in letters to Iagoda and Commissar of Enlightenment A. S. Bubnov in May 1934.<sup>38</sup> Three days after these letters were written, Gor'kii's "Proletarian humanism" appeared in Pravda and Izvestiia, and Bonch-Bruevich abandoned defense of the purchase. The Party commission reprimanded Bonch-Bruevich for paying "dearly" for "material of an uncommonly trashy (makulatornyi) character", ordered a purge of museum staff, and directed that future purchases be vetted by Bubnov's commissariat. Kuzmin himself escaped arrest, dying of natural causes in 1936, while most of his papers were returned to the museum in 1940.<sup>39</sup>

Other homosexuals and their literary works met similar fates during the 1933-1934 crackdown.<sup>40</sup> Nikolai Kliuev, poet of the Russian village and of homosexual love, drew the ire of Ivan Gronskii, chief editor of Izvestiia and Novyi mir in the 1930s, who had (he later claimed) allotted the indigent bard a generous academician's ration in 1932. Kliuev moved to the country with a

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<sup>38</sup> Ibid, 140-41.

<sup>39</sup> RTsKhIDNI, f. 17, op. 120, d. 111, l. 2. Shumikhin, "Dnevnik Mikhaila Kuzmina", 143-45.

<sup>40</sup> On 29 April 1934, Stalin vetoed the publication of a study of Mozart - the fruits of a lifelong hobby of former commissar of foreign affairs Chicherin; O'Connor, Diplomacy and Revolution, 167.

young male lover, wrote poems, and eventually sent Gronskii some verses for publication. The editor was outraged by their homosexual content, and endeavoured to persuade the poet to "write normal verses". When Kliuev flatly refused, Gronskii did not hesitate to telephone Iagoda (later confirming the decision with Stalin), demanding the poet be deported from Moscow.<sup>41</sup> The call apparently took place immediately before Kliuev's arrest on 2 February 1934. The poet was interrogated in Moscow's Lubianka, and charged under criminal code article 58(10) - counterrevolutionary agitation - not homosexual offenses, probably because of the inflammatory anti-Bolshevik invective of his poems denouncing collectivization. On 5 March he was exiled to Naryn territory in Siberia. Kliuev was re-arrested while in exile and shot as a counterrevolutionary in October 1937.<sup>42</sup> Gronskii's response to Kliuev's refusal to heterosexualize his verses acquires a clearer context when the prevailing regime concern about 'homosexual conspiracy' is understood. More ruthlessly than Bonch-Bruевич, the Izvestiia editor comprehended what political costs a subsidy to an outlawed (and anti-Soviet)

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<sup>41</sup> I. M. Gronskii, "O krest'ianskikh pisateliakh (Vystuplenie v TsGALI 30 sentiabria 1959 g.). Publikatsiia M. Nike" In Minuvshee: Istoricheskii al'manakh (8 1992): 148-51. I am grateful to Natal'ia Lebina for bringing this source to my attention.

<sup>42</sup> Shentalinskii, Raby svobody, 265-74. Shentalinskii censors his account of Gronskii's story to remove all references to Kliuev's homosexuality, silencing this unpalatable truth to construct a purer anti-Soviet hero; Dan Healey, "Ghosts come out of KGB closet [review of Vitaly Shentalinsky The KGB's Literary Archive (London: Harvill, 1995)]." The Moscow Tribune, 27 April 1996, 40.

homosexual artist could incur. The OGPU's decision to use counterrevolutionary articles of the criminal code in Kliuev's case does not diminish the fact that the poet fell into the hands of the security police for his vocal homosexuality.<sup>43</sup>

Doctors and even Narkomiust officials were less aware of the new legislation and of the 'homosexual conspiracy' upon which it was founded. One psychiatrist approached by Harry Whyte checked with Narkomiust (Whyte does not say when) before twice assuring the Moscow Daily News editor that the commissariat had no objection to his treating patients "if they were honest citizens or good communists", and that they could organize their personal lives as they wished. Another psychiatrist consulted by Whyte on the issue refused to believe in the existence of the antisodomy law until Whyte produced a copy of the legislation. Whyte contacted Narkomiust himself (between the December 1933 and March 1934 decrees) and a "com. Degot'" explained that the law was being enacted because "homosexuality is a form of bourgeois degeneracy". The security police's differing responses to Whyte's questions before and after the legislation was published in its final form suggest a shift in the way it was being implemented. During the interval between decrees, when speaking to OGPU

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<sup>43</sup> Shentalinskii notes the existence in Kliuev's KGB file of previously unknown poems denouncing collectivization in mystical and apocalyptic terms, and these are clearly enough to have resulted in the poet's brutal fate. Nevertheless, we cannot be sure how Shentalinskii, having bowdlerized his account of the poet's arrest, has interpreted any mention of homosexuality in Kliuev's file.

officials, Whyte was told that the arrests being carried out had a "political character" (and not a public morality basis). The journalist understood this to mean that a distinction would be drawn between politically loyal homosexuals, who would not be targetted, and those deemed disloyal, who would be arrested. After the publication of the law of 7 March 1934 however, an OGPU employee told Whyte "the law would be strictly applied in every observed case of homosexuality".<sup>44</sup> It appears that with the published law came fresh instructions widening the scope of its enforcement, but evidence of these directives remains scant.

In contrast to other criminal legislative measures taken during the 1930s, the antisodomy decree left no trail of circulars informing procuracy and judiciary on reasons for the crime or how the law ought to be enforced. Normally these directives assisted court investigators and judges in carrying out their duties in the regular criminal justice system.<sup>45</sup>

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<sup>44</sup> '"Mozhet li gomoseksualist sostoiat' chlenom kommunisticheskoi partii?"', 186, 188-89.

<sup>45</sup> The decree of 7 April 1935, extending harsher sanctions for juvenile crime, furnishes an excellent example. The decree itself, edited by Stalin, was unexpected by procuracy and court officials, but they quickly issued circulars and rulings to clarify its application. A similar flurry of communications followed the recriminalization of abortion on 27 June 1936. Solomon, Soviet Criminal Justice under Stalin, 200-221. The following GARF fondy were unsuccessfully trawled for directives regarding the antisodomy law: f. 8131, opisi 27, 28s (Prokuratura SSSR, 1933-1949gg.); f. 9474, op. 16s (Verkhovnyi Sud SSSR, 1924-1970gg.); f. A353, op. 10 (NKIust RSFSR, prikazy, tsirkuliary...1925-1936gg. [contains in addition to circulars, relevant protocols of Justice Commissariat collegium for 1933-1934, without mention of the new law]); f. A353, op. 16s (Tsirkuliary

Instructions on the antisodomy law could have been transmitted orally, or via closed circulars which were returned after being read.<sup>46</sup> In this study's sample of eight Moscow sodomy trials dating from 1935 to 1941, only one case (the first, dating from March 1935) offers any evidence that courts were aware of the meaning of the law of 7 March 1934. In its sentence, the Moscow city court justified its qualification of defendants' acts under this law by noting

that the law of 7 March 1934 is directed against sodomy not in the narrow meaning of the term, but against sodomy as an antisocial system (pravlenie) of sexual liaisons between men in whatever form they may take and especially when they occur among groups of persons organized on that basis.<sup>47</sup>

The court used this reasoning to acquit one defendant and give another a greatly reduced sentence. The RSFSR Supreme Court confirmed this reasoning in its review of the case and even acquitted a further defendant on the basis that no proof of sodomy after 7 March 1934 had been presented.<sup>48</sup> None of the remaining seven cases up to 1941, nor any of the six cases found in the same archive dating from 1949 to 1956, offer any similar

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NKIU RSFSR, 1923-1950gg.). Of course, archives of the Interior Ministry (for the regular police) or of the former KGB (for political police) may hold this type of document.

<sup>46</sup> Secrecy of Justice Commissariat and procuracy directives and instructions expanded in the early 1930s; Solomon, Soviet Criminal Justice under Stalin, 419-20.

<sup>47</sup> Prigovor Bezborodova i 11 dr. (1935), l. 243.

<sup>48</sup> Ibid, l. 245.

statement suggesting the court had been given directives on the interpretation of this law.

Psychiatrists received no direct guidance regarding the new law, and they were apparently left to interpret the March 1934 decree as published. Practitioners of forensic medicine, however, were made aware of new responsibilities (furnishing the physical proof of sodomy for the court) when new guidelines for examinations of persons accused of sexual offenses (and their victims) were circulated by the People's Commissariat of Health (Narkomzdrav) in June 1934.<sup>49</sup> Yet Narkomzdrav gave no guidance about the intentions behind the antisodomy statute, and in a textbook of forensic medicine published the following year, forensic doctors lapsed into bewildered inconsistencies trying to explain the crime and their reluctant role in identifying it. At least they were able to include the link with German fascism which reflected an awareness (by late 1934 or early 1935) of the new line on male homosexuality.<sup>50</sup>

In an apparent attempt to dispell confusion surrounding the new antisodomy statute, RSFSR People's Commissar of Justice N. V.

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<sup>49</sup> GARF, f. A-482, op. 25, d. 879, ll. 22-29; published the following year in E. E. Rozenblium, M. G. Serdiukov, and V. M. Smol'ianinov Sudebno-meditsinskaia akushersko-ginekologicheskaja ekspertiza (Moscow: Sovetskoe zakonodatel'stvo, 1935).

<sup>50</sup> Rozenblium et al., Sudebno-meditsinskaia akushersko-ginekologicheskaja ekspertiza, 45-47. The authors implied that endocrinologists or psychiatrists were better qualified to deal with homosexuality, insisted their own expertise was only appropriately applied to female bodies, and concluded by abruptly blaming German fascism for homosexuality.

Krylenko spoke at some length about it in a March 1936 speech before legislators in the Central Executive Committee (VTsIK).<sup>51</sup> The Commissar extended the regime's antihomosexual rhetoric by explicitly adding homosexuals to the list of 'class enemies', 'declassed elements', and 'criminal elements' which had been the subject of urban social cleansing campaigns. Since the end of the First Five Year Plan, various types of bytovye crimes of "daily life" (including group rapes), said to be committed by these social layers, had become the target of higher penal sanctions.<sup>52</sup> By linking homosexuals with the pre-existing categories of social anomaly, Krylenko closed a gap in the regime's public transcript which had left officials and medical experts perplexed about how to understand 'ordinary' homosexuals without any apparent connection to centres of espionage or nazi ruling circles.

Krylenko referred to a number of legal changes designed to

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<sup>51</sup> N. V. Krylenko, "Ob izmeneniiakh i dopolneniiakh kodeksov RSFSR." Sovetskaiia iustitsiia 15 (7 1936): 1-5.

<sup>52</sup> "Declassed elements" were said to be perpetrators of a range of "bytovye crimes" (group rape, brawling and hooliganism), A. Gertsenzon, "Klassovaia bor'ba i perezhitki starogo byta." Sovetskaiia iustitsiia (2 1934): 16-17. Members of "criminal circles", unemployed declassed persons and "professional beggars" were to be tried by special NKVD troikas according to an order signed by Iagoda and USSR Procurator Vyshinskii (9 May 1935), GARF, f. 8131, op. 28s, d. 6, ll. 62-64. Group rapes by men of individual women were the focus of special concern by the mid-1930s in studies produced by the Institute of Criminal Policy reviewing "general criminality...of class enemies, the declassed and criminal elements" in 1934 and 1935, GARF, f. 9474, op. 16s, d. 80, ll. 39-46, 82; *ibid.* f. 8131, op. 27, d. 48, ll. 229-30.

eliminate "the remnants of enemies...who do not wish to admit that they are doomed by history to finally concede their place to us". The changes were to be transformational for all Soviet society; they were enacted "to rework ourselves, to foster in ourselves the new man...and new attitudes toward byt (daily life)". The law against sodomy, he noted, had been the subject of comment in the Western press, and he also noted that until recently Soviet thinking on the problem of "this type of crime" was dominated by the "Western bourgeois school" which taught that "this type of action is always a phenomenon of illness." Krylenko argued that homosexuality and alcoholism were analogous conditions: just as alcoholics were responsible in law for their criminal acts, except in a tiny number of cases where "a genuine illness is present", so homosexuals were in the overwhelming majority of cases criminally responsible for their behaviour.<sup>53</sup>

It is clear in the published text, from the gradually intensifying reaction in the hall, that the People's Commissar manipulated his (primarily male) audience's emotions associated with homosexuality more effectively here than in any other part of his speech, as he reached the climax of his argument:

In our environment, in the environment of the workers taking the point of view of normal relations between the sexes, who are building their society on healthy principles, we don't need little gentlemen [gospodchiki] of this type. Who then for the most part are our customers in these affairs? Workers? No! Declassed rabble. (Mirthful animation in the hall, laughter) Declassed rabble, either from the dregs of society or from the remnants of the exploiting classes.

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<sup>53</sup> Krylenko, "Ob izmeneniiakh i dopolneniiakh", 1, 3.



(Applause) They don't know which way to turn.  
 (Laughter) So they turn to... pederasty. (Laughter)<sup>54</sup>

Krylenko appealed to the political and (at least unconsciously) to the masculine anxieties of his audience, cloaking a disturbing topic with humorous political banter, to establish a distance of class and loyalty between the panicking sexual social refuse and the healthy toiling Soviet man (and woman). He then rapidly shifted to an earnest tone, pointing out that pederasts "in secret filthy hiding places and dens" were frequently engaged in counterrevolutionary activity. The law against sodomy was justified in bantering language which located male homosexuals within familiar political categories, thus removing any ambiguity in the regime's construction of the 'ordinary' homosexual.

(ii) "Caught red-handed"

By comparison to the rhetorical forms which were used to explain them, the actual extent of arrests and trials of homosexuals conducted immediately after the enactment of the 1933-1934 decree remains difficult to establish. The Iagoda-Stalin correspondence, and the Whyte-Stalin letter give substance to previous statements from memoir and publicistic sources that arrests of urban Soviet homosexuals took place from late 1933 into early 1934. During the earliest phase of this assault Iagoda's September 1933 letter to Stalin suggests the OGPU conducted most arrests and trials of

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<sup>54</sup> Ibid., 3-4 (my emphasis).

persons pursued on these grounds, using existing law when it was 'discovered' that no antisodomy statute was available. Harry Whyte had discussed the late-1933 arrests with his superior at the Moscow Daily News, "comrade Borodin", who promoted the British journalist to an editorial post at the paper. Borodin knew about Whyte's sexuality but believed the only homosexuals being arrested were politically unreliable ones, while he regarded Whyte as the "best shockworker". Whyte spoke twice to operatives of the OGPU because a Russian with whom he was involved in "homosexual relations" (as he wrote to Stalin) had been arrested by the security police between the decrees of 17 December 1933 and 7 March 1934, indicating that sweeps of homosexual circles by security police continued into this period, at least in the capital. The earliest records of a case under the new legislation reaching the ordinary court system of Moscow (as opposed to OGPU/NKVD tribunals), date from arrests conducted in November 1934.<sup>55</sup>

Observers and historians commenting on the recriminalization of male homosexuality in the Soviet Union have frequently characterized the new offense as "a crime of political subversion"<sup>56</sup> handled not by regular police but by "agencies of

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<sup>55</sup> Prigovor Bezborodova i 11 dr. (1935), l. 244 for dates of arrests.

<sup>56</sup> See e.g., Healey, "The Russian Revolution and the Decriminalisation of Homosexuality", 43.

state security".<sup>57</sup> The new law "did not merely make homosexuality a crime against public morality. It was now seen as a crime against the state."<sup>58</sup> The impression of sodomy's elevation to a "state crime" was enhanced by texts such as Boris Nicolaevsky's "Letter of an Old Bolshevik", Wilhelm Reich's observations about the degeneration of the "sexual revolution" in Soviet Russia, and works reliant on them.<sup>59</sup> The propaganda war which used homosexuality as a political smear, beginning in the 1930s (and continuing into the Cold War), established an international context for this understanding of the new Soviet statute - and incidentally, the analogous enhancements to Germany's paragraph 175 introduced in 1935. This impression is further enhanced when the evidence that the Soviet law was enacted on advice from the OGPU, which conducted systematic arrests of homosexuals, is considered.

The available evidence on the subsequent functioning of this law in the regular police and court system (as distinct from the

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<sup>57</sup> Valerii Chalidze, Ugolovnaia Rossiia (New York: 1977), 228.

<sup>58</sup> Karlinsky, "Russia's Gay Literature and Culture", 361, citing Reich and Chalidze. Ben De Jong, "'An Intolerable Kind of Moral Degeneration': Homosexuality in the Soviet Union." Review of Socialist Law (4 1982): 342, examining legal literature of the 1960s-1970s, stated recriminalization was "partly political".

<sup>59</sup> Nicolaoevsky, Power and the Soviet Elite, 31; Reich, "The Struggle for a 'New Life' in the Soviet Union", 254-55; for their influence, see John Lauritsen, and David Thorstad. The Early Homosexual Rights Movement (1864-1934) (New York: Times Change, 1974), 69; Karlinsky, "Russia's Gay Literature and Culture", 361; Kozlovskii Argo russkoi gomoseksual'noi subkul'tury, 154-55.

OGPU's extrajudicial machinery) bears little trace of the elevation of this crime against the person to the position of a state offense. This study's admittedly small sample of cases from the Moscow city court may be criticized as unrepresentative for the 1930s. It cannot be said to reflect the arrest and repression of unknown numbers of homosexuals by the OGPU. Textual analysis of the documentation in the Moscow sample does suggest the new law was enforced (in this arena) as a matter of routine, as a crime of byt (everyday life), and that considerations of state security were ignored and deflected. This interpretation is supported by appeals to sentences imposed in these cases, indicating that RSFSR Supreme Court jurists resisted the severity of the statute and sought to soften its impact. Taken in combination with the limited aggregate statistics available for the period, the evidence suggests that from 1933 to 1935 at least, sodomy was largely a "political" offense, with a still undisclosed number of victims, likely to be handled by security police. When tried in the ordinary courts in the later 1930s, sodomy was most often treated as a crime of byt, used to eliminate a "social anomaly" when it was detected.

From the sample of eight Moscow city court trials for sodomy between 1935 and 1941, very little evidence of "campaign justice" or any intention to publicize these crimes can be discerned. Six out of eight trials on sodomy charges, (involving 32 out of 36

individual defendants) were held behind closed doors.<sup>60</sup> This appears to be a higher rate of closed trials than for heterosexual sex crimes, but the rate of actual cases is too small to make a conclusive statement. De Jong's statement that trials for sodomy took place behind closed doors as "a matter of course" in the 1960s to 1970s cannot be assumed for earlier decades.<sup>61</sup> Taken in conjunction with the veil of silence drawn over even internal explanations of the crime for jurists, one could infer that judges saw little educative value, and possibly greater social harm, in opening sodomy trials to public view.

Two probable means of initiating sodomy cases emerge from the Moscow city court sample. (Certainty is difficult to establish in seven of the cases for which only the sentencing and appeal documents survive.) Denunciation, either by men who had been the objects of sexual advances, or by those who observed homosexual behaviour and chose to report it, was a significant factor in initiating most of the cases in question. Persistent or

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<sup>60</sup> Two trials, one in 1935, the other in 1939, were held in open sessions. Both were trials of pairs of men, not groups; like other trials they dealt with episodes of sex in urban public space, Prigovor Anisimova i Brodskogo (1935), ll. 297-99 and Prigovor Leont'eva i Baikina (1939), ll. 187-88.

<sup>61</sup> De Jong, "'An Intolerable Kind of Moral Degeneration'", 346. De Jong based this claim on trials of dissidents so his observation could not be said to apply to cases of routine judicial practice. TsMAM post-1945 archives hold two closed sodomy trials (1949, 1950) and two open ones (both 1955); again, the sample is too small to justify generalizations.

violent importuning drove some to complain to the authorities.<sup>62</sup> In one 1937 case which combined charges of counterrevolutionary agitation with sodomy, the sex crime was probably an aggravating charge added to the first arrested man's file; eventually his confession brought two other men accused of sodomy and treasonous agitation into the same trial brief.<sup>63</sup> Police actions account for the initiation of other cases. One 1938 trial, eventually netting ten defendants, began with the arrest of two men on 3 December 1937, "caught red handed during mutual masturbation" in a raid by police on the public toilet at Nikitskie Gates.<sup>64</sup>

The sodomy cases under review may be divided into three variants according to the number of persons being tried. Four cases involved multiple defendants, and the city court's stated intention, cited above, of breaking up organized groups of homosexual men was fulfilled in these trials of from three to twelve individuals in the same case.<sup>65</sup> Pairs of men were tried in three cases, where sustained if not always happy or even

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<sup>62</sup> One student of the Glazunov Musical Theatre College denounced a fellow student on 20 February 1941, leading to the trial of three men associated with the college later that year, Trial of Andreevskii and 2 others (1941); "victims", whether consenting or colluding, were apparently the source of denunciations initiating two other trials, Prigovor Siniakova (1937) ll. 128-31, and Prigovor Leont'eva i Baikina (1939) ll. 187-88.

<sup>63</sup> Prigovor Belova i 6 dr. (1937), ll. 169-72.

<sup>64</sup> Prigovor Tereshkova i 9 dr. (1938), l. 42.

<sup>65</sup> Prigovor Bezborodova (12 persons), Belova (7), Tereshkova (10), Trial of Andreevskii (3 persons plus a possible two others tried later in separate cases).

continuing associations were uncovered by denunciation. The complexities of these partnerships provided plenty of opportunities for their unmasking. In one case, a tramdriver extorted 9,000 rubles from an engineer he had sex with (on Sretenskii Boulevard and in public toilets) fifteen times in the year up to October 1935.<sup>66</sup> A physical education instructor in a city school was probably denounced by students he "seduced"; these young men were not charged, but another teacher, who had been in a relationship with him from 1932 to 1934, was arrested six weeks after the first man.<sup>67</sup> It is also possible that cases of pairs of men were hived off from larger investigative files when suspects were arrested and evidence was conclusive. One final case from the sample stands alone as an example of a trial of a single individual under article 154a-II, (aggravated sodomy). In this case, the sheer number of sexual partners rooted out by police, resulting in many "victims" giving testimony at the trial, indicates that former partners or disgruntled neighbours probably set cases in motion.<sup>68</sup>

Patterns of sentencing and appeals in these trials suggest that the antisodomy law was upheld with vigour for a brief time following enactment, then treated with some leniency except where additional factors weighed against specific individuals. The case of Bezborodov and eleven others (1935) and the case of Tereshkov

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<sup>66</sup> Prigovor Anisimova i Brodskogo (1935).

<sup>67</sup> Prigovor Leont'eva i Baikina (1939).

<sup>68</sup> Prigovor Siniakova (1938).

and nine others (1938) demonstrate the point. Both cases involved a large number of mutually acquainted friends, pairs of individuals who had been involved in long relationships, and briefer sexual contacts. In each case, one or two defendants were singled out as persons "who enabled a range of individuals to engage in sodomy".<sup>69</sup> These persons were regarded as 'ringleaders' by the police and courts, although their 'conspiratorial' activity was confined to running a gregarious social and sex life, and keeping a personal notebook of phone numbers which led the police to others in the 'circle'.

In the 1935 Bezborodov case the court made a point of stating in its sentencing document that the purpose of the new law was to punish "sodomy as an antisocial system (pravlenie) of sexual liaisons between men"; as noted above, this was the most politicized statement appearing in any of the available Moscow sodomy trial files. Eight out of twelve defendants in this case, including two viewed as 'ringleaders', received sentences of five years, the maximum penalty for simple sodomy. None of these convicts received any reduction of their sentence on appeal.<sup>70</sup> In contrast, on 1 August 1938, eight of the ten men accused of sodomy in the Tereshkov case were handed the minimum three-year sentences; only the supposed 'ringleader' was given a maximum

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<sup>69</sup> Prigovor Bezborodova i 11 dr. (1935), l. 241.

<sup>70</sup> Ibid., l. 245. Of the other four accused, one was acquitted for lack of evidence, one given a suspended one-year sentence (on medical grounds), and two received three-year sentences. One of these last persons was acquitted on appeal (see below).



five-year term. Within weeks, only two of the eight men serving three-year penalties were still in prison. One received an immediate suspension, and five others launched appeals and had their sentences suspended. Five weeks after the trial, only three of the original ten defendants were still in custody.<sup>71</sup> In other cases from the sample, sentences of more than three years were exceptional and aggravating circumstances influenced judges.<sup>72</sup>

Comparison may also be made between sodomy cases, and other sex crime cases heard before the Moscow city court between 1935 and 1941. Given the disaggregated nature of the records, only an impressionistic survey based on 76 convictions for sex offenses under articles 151, 152 and 153 of the RSFSR criminal code during this period in the Moscow city court is possible.<sup>73</sup> Initial

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<sup>71</sup> Prigovor Tereshkova i 9 dr. (1938), ll. 46-47.

<sup>72</sup> Prigovor Anisimova i Brodskogo (1935): Brodskii had "extorted" 9,000 rubles from Anisimov and was initially sentenced to five years (under art. 154a-I only); the sentence was lowered on appeal to three years. Prigovor Belova i 6 dr. (1937): Belov, a 'ringleader' figure in this case got four years under art. 154a-I and ten years for counterrevolutionary activity with no reduction on appeal, l. 172. Trial of Andreevskii and 2 others (1941): Andreevskii, also a 'ringleader' figure, was first given six years under art. 154a-II (aggravated sodomy, maximum penalty, eight years), then appealed and received requalification as simple sodomy with a reduction in sentence to five years, ll. 123, 129.

<sup>73</sup> Art. 151 (6 convictions) forbade sexual intercourse with a person not having achieved sexual maturity; art. 152 (13 convictions) prohibited "corruption of minors" by "depraved acts"; art. 153 (57 convictions) dealt with rape by individuals (part I) and groups (part II). Cases under articles 154 (sexual harassment) and 155 (procuring for prostitution, etc.) were negligible. The convictions were culled from sentencing documents of the Moscow city court, TsMAM, f. 819, op. 2, dd. 9-42.

sentences in this sample run from acquittals (nine in total) up to the death penalty (three men, later commuted to ten years' imprisonment); most (33) fall between three and five years' confinement. Eighteen terms of deprivation of liberty for less than three years were handed down. Against this very crude measure, sentences for simple sodomy during the same period, in the same courts, tended toward the three-year mark and so were roughly comparable to moderate sentences for rapes by individual men, and the sexual abuse of minors and children. These were not sentences indicative of politicized or campaign justice.

A comparison which illuminates differences in trial and sentencing practice can be found by comparing trials of groups of sodomites versus rapists. Groups of men committing heterosexual rape in an organized fashion had been the subject of repeated campaigns from 1926 when Leningrad's Chubarov Alley case first raised fears that the 'conscious proletariat' was capable of such barbarities.<sup>74</sup> In the mid-1930s, there were calls for harsher sentencing, with the application of state-crime level sanctions (ten years and even death) for group rapes.<sup>75</sup> The use of politicized language in the spetskollegiia (special collegium) of Moscow's city court was more forceful against these groups than the most propagandistic rhetoric used by judges in the regular

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<sup>74</sup> Eric Naiman, "The Case of Chubarov Alley: Collective Rape, Utopian Desire and the Mentality of NEP" Russian History/Histoire Russe 17 (1 1990): 1-30.

<sup>75</sup> Gertsenzon, "Klassovaia bor'ba i perezhitki starogo byta"; GARF f. 9474, op. 16s, d. 80, ll. 39-46, 82; *ibid.* f. 8131, op. 27, d. 48, ll. 229-30.

criminal collegium where homosexuals were tried. A case of group rape of one factory worker by eight of her co-workers in 1935 attracted exceptional sentences which actually exceeded the eight-year maximum under article 153. Three sentences of ten years' confinement and three death sentences were handed down, using the application of article 59(3) against banditry. On appeal, the RSFSR Supreme Court agreed that the lower court had interpreted the case as a political crime correctly but ordered the death sentences commuted to ten years each; the rest of the sentences, including the three other ten-year terms, were upheld.<sup>76</sup>

By contrast, the most politicized sodomy case in the 1935-1941 sample (the trial of Bezborodov et al. already mentioned) was handled by the city court's ordinary criminal collegium and while a large number of maximum sentences were handed down, they did not exceed the limits stated in the criminal code. The spetskollegii of intermediate-level courts were used after 1934 to handle politicized offenses and a sharper rhetoric from them was the norm. Only one of the sodomy trials in the Moscow city court sample was tried at this level, suggesting that sodomy was already seen as less politically significant as cases against

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<sup>76</sup> "...the political significance [of the case] gave the court the basis to apply art. 59/3 of the criminal code", TsMAM, f. 819, op. 2, d. 12, ll. 171-173. Eight defendants were tried by a woman judge heading a spetskollegiia of the Moscow city court on 20-21 May 1935; medical evidence was used along with the testimony of the group to secure these convictions. On these special chambers (of the regular judicial system) for politicized offenses, see Solomon, Soviet Criminal Justice under Stalin, 231.

homosexuals were entering the conventional justice system.<sup>77</sup>

Group rape and collective sodomy cases heard later in the 1930s appear to have lost the force of politicized justice. Both types of trials displayed a return to normal sentences (not exceeding criminal code limits) and the application of maximum sentences was restricted to 'ringleader' figures, with lesser offenders netting briefer prison terms. On appeal, however, the RSFSR Supreme Court appeared less willing to reduce penalties for group rapes than for sodomy, suggesting that at this level there was a clear distinction made between the degrees of social danger involved in the crimes.<sup>78</sup>

Men convicted of sodomy in Moscow's city court between 1935 and 1941 who appealed their sentences to the RSFSR Supreme Court

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<sup>77</sup> Prigovor Belova i 6 dr. (1-2 April 1937; appeals denied on 1 June 1937). The case was heard by the Moscow city court spetskollegiia, beginning as one against antisoviet agitation using articles 58 & 59 of the RSFSR Criminal Code; only later were four defendants also charged under article 154a-I. Even here, the sentences which three of the four defendants received specifically for the sodomy charges were not the five-year maximum: two men were given three years, the other, four (ll. 169-172).

<sup>78</sup> Compare for example group rape cases TsMAM, f. 819, op. 2, d. 18, l. 89 (1936: sentences between eight and three years), *ibid.* d. 32, ll. 233-236ob. (1939: sentences between eight years to acquittal, no change on appeal), *ibid.* d. 38, ll. 59-62 (1940: sentences between eight to one year, no change on appeal); versus sodomy trials of Tereshkov et al. (1938: one maximum sentence given with no change on appeal, the rest substantially below maximum), of Belov et al. (1937: sentences below maximum for art. 154a-I despite aggravating counterrevolutionary agitation charges), of Andreevskii et al. (1941: RSFSR Supreme Court requalified Moscow city court's below-maximum six-year penalty under art. 154a-II to a maximum five years under 154a-I, still a relative softening - and this just days after the beginning of the war).

were more successful in getting reduced penalties than rapists, but less successful than individuals charged with (usually non-violent) sex crimes involving young persons.<sup>79</sup> Evidentiary factors probably influenced the higher court: violent sexual assaults against adult women were easier to document with forensic medical evidence and police testimony, while child abuse and sex with teenagers could be more difficult to demonstrate and might be successfully challenged by the defendant's advocate.

Successful appeals launched by men convicted of sodomy show little commonality of strategy but for one circumstance: they tended to be supported by advocates, not argued by the defendants themselves. As they did normally, lawyers apparently relied heavily on the "personality, lack of previous convictions and family situation" of their clients in arguing for mercy.<sup>80</sup> It is noteworthy that no appeals on psychiatric grounds were

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<sup>79</sup> Twenty-five per cent of those convicted under art. 154a (sodomy) got reductions on appeal; cf. 17.5% of convicts under both sections of art. 153 (rape), 33% of convicts under art. 151 (sex with 'sexually immature' persons, defloration), and 31% of convicts under art. 152 (depraved acts with children/minors).

<sup>80</sup> Quote is from RSFSR Supreme Court's determination which released three defendants by suspending the remainder of their three-year sentences in *Prigovor Tereshkova i 9 dr.* (1938), l. 47. Two others in this case were released on similar grounds, l. 46. All had advocates arguing for them. "Family situation" could have referred to having dependent parents or relatives, since all of these men were unmarried. Note also reduction of sentence (from five to three years) for *Brodskii*, said by his advocate to have been "lured into the crime" by his partner, in *Prigovor Anisimova i Brodskogo* (1935), l. 299.

successful.<sup>81</sup> Lawyers or defendants who challenged the court's interpretation of the letter of the law were occasionally rewarded for their erudition. On 30 June 1941, advocate S. D. Bos'ko argued before the RSFSR Supreme Court's collegium for criminal cases that his client, Andreevskii, (a 'ringleader' figure in this trial of three men) could not be guilty of aggravated sodomy under article 154a-II. The Moscow city court had not demonstrated any use of force with his partners, nor was evidence produced of the claim that Andreevskii had actually "accomplished" the act of sodomy with the youths and children who testified against him. The unmarried, 23-year-old student was "still young and he could rehabilitate himself during a shorter period of punishment", wrote Bos'ko, requesting that his crime be requalified under article 154a-I (voluntary sodomy) and the six-year sentence correspondingly reduced. The Supreme Court agreed with Bos'ko and re-qualified the crime, and on 10 July 1941 Andreevskii was given a new penalty, the maximum of five years under article 154a-I.<sup>82</sup> Such comparative lenience shown after

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<sup>81</sup> Few were launched, but compare Leont'ev's claim that he was "a mentally abnormal personality" and therefore deserved a milder sentence (Prigovor Leont'eva i Baikina, 1939, l. 188) with a 1950 plea for leniency from a man convicted of consensual sodomy; his appeal (which might have been more plausible given his history of mental health troubles) was also refused, on the same grounds: TSMAM f. 901, op. 1, d. 1352, ll. 56a, ll. 87-89.

<sup>82</sup> Trial of Andreevskii and 2 others (1941), ll. 123-123ob., 129. Another successful defense based on rhetorical dispute seems to have been available soon after the antisodomy law was decreed. A man given a three-year sentence by the Moscow city court in 1935 for his role in the case against Bezborodov et al. was later acquitted by

the beginning of the nazi invasion of the Soviet Union, also highlights the relative depoliticization by this time of sodomy as a crime of conspiracy or espionage. None of the documents in this trial's 110-page dossier mentions these themes.

Appeals when the convicted person was a 'ringleader' figure, or linked to the seduction of teenagers or young men, were normally unsuccessful, as were those launched by three men who had been simultaneously convicted for counterrevolutionary crimes.<sup>83</sup> Here the circumstances of the crime outweighed the eloquence of any advocate. In one case of an unsuccessful appeal, a jurist's erudition appears to have struck the RSFSR Supreme Court as 'too clever by half'. The defendant Baikin, a 56-year-old former member of the nobility, at the time of arrest a teacher of Latin at the State Institute of Law, submitted in his own defense that while he "had sexual intercourse with various men including Leont'ev" (his codefendant), the acts were not in

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the RSFSR Supreme Court, having argued that no homosexual acts after 1928 had been attributed to him by the lower court. The record does not indicate whether this man had an advocate, Prigovor Bezborodova i 11 dr. (1935), l. 245.

<sup>83</sup> Ringleaders' unsuccessful appeals: Prigovor Bezborodova i 11 dr. (1935), Bezborodov himself was denied any reduction; Prigovor Tereshkova i 9 dr. (1938), Tereshkov denied leniency. Corrupters of youth: Prigovor Siniakova (1937), under art. 154a-II, most of Siniakov's "victims" were soldiers and sailors; he was denied leniency; Prigovor Leont'eva i Baikina (1939), Leont'ev, a physical education teacher sexually involved with his students, denied leniency. Counterrevolutionary crimes: Prigovor Belova i 6 dr. (1937), Belov, Shuvalov and Shapovalov denied leniency for sodomy offenses in overall sentencing, probably because of charges under arts. 58 and 59.

the form of sodomy and therefore could not be prosecuted under article 154a. The appellate court rejected this argument, citing both Baikin's and Leont'ev's testimony, without unfortunately registering precisely what in its view was meant by "sodomy".<sup>84</sup>

A shift from a local point of view to that of the centre offers another means of judging the significance of the 1934 antisodomy statute. A simple examination of the total number of convictions under the new law, and any change over time, would clearly constitute an important means of assessing the law's impact. Yet for the years under consideration, from the declassified files of the RSFSR and USSR People's Commissariats of Justice, data on sodomy convictions in the regular court system appears only sporadically. Occasional statistical 'snapshots' for specific years are available, suggesting that data on the crime was gathered, perhaps even on a regular basis. From certain collective categories of conviction statistics it is possible to disaggregate potential sodomy verdicts. What may be compiled from these sources for the years 1936 to 1950 is shown in Table 3.1. The number of official convictions derived from these indices is modest, running from a possible maximum of 257 in 1936 to just 97 in 1939.

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<sup>84</sup> Prigovor Leont'eva i Baikina (1939), ll. 187-188. In this case the Supreme Court's irritation with sophisticated defense strategies was probably redoubled by Leont'ev's advocate's plea for mercy on psychiatric grounds, mentioned above. The definition of "sodomy" was not given in the criminal code and physical descriptions of sexual postures or acts were relatively rare in transcriptions of courtroom speech.



Table 3.1: RSFSR Convictions for sodomy, 1934-1950

<u>Year</u>	<u>154a-I</u>	<u>154a-II</u>	<u>Form 10</u> <sup>85</sup>	<u>% of total convictions</u>
1934				
1935	15(a)			
1936			257	0.034%(g)
1937	48(b)	26(b)	164	0.01(b)/0.024(g)
1938			138	0.021(g)
1939			97	0.014(g)
1940				
1941			109	0.012(g)
1942				
1943	\_/_/			
1944	6(c)			
1945	16(c)/47(d)			--/0.003(e)
1946	39(c)/82(d)			0.002/0.005(e)
1947	63(d)			0.004(e)
1948	34(d)			0.003(e)
1949				
1950	130(f)			0.011(e)

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<sup>85</sup> \* Form 10: Figures in this column are conjectural, i.e., not labelled as sodomy convictions; extracted from RSFSR Justice Commissariat "form 10" convictions tables, GARF f. A353, op. 16s, d. 19, ll. 24-29ob. (1936); d. 23, ll. 31-34ob. (1937); d. 27, ll. 41-42ob. (1938); d. 31, ll. 99-104ob. (1939); d. 38, ll. 123-126ob (1941). These pre-printed forms listed most criminal code articles separately, but not art. 154a. Under "Crimes against the person" all but four articles were accorded separate lines; the four counted together were art. 141 (incitement to suicide), arts. 147-149 (kidnapping), art. 154a (sodomy), art. 157 (refusing medical help), all apparently aggregated into a line in this section labelled "Other crimes". On "form 10" it is possible to isolate convictions by the length of sentence they attracted. Of the four aggregated articles, only art. 154a-II had a penalty minimum of five years. Art. 154a-I and art. 141 had five-year maximums; the others got three years or less. By extracting the number of convictions in this line netting a five-year or greater sentence, a relatively small proportion of the total, it appears possible to isolate the convictions under art. 154a which attracted maximum sentences.

Table 3.1 sources:

- (a) Moscow city court only, TsmAM f. 819, op. 2 sample.
- (b) All RSFSR, first half of 1937 only; GARF f. 9492, op. 2, d. 42, l. 155.
- (c) Full year, combined art. 154a parts I & II, ibid., l. 140.
- (d) Full year, combined art. 154a parts I & II, GARF f. 9492, op. 2s, d. 50, l. 400.
- (e) Based on total convictions for all crimes shown in GARF, f. A353, op. 16, d. 20, l. 9.
- (f) Full year, combined art. 154a parts I & II, GARF f. A353, op. 16s, d. 121, ll. 16-24.
- (g) Based on total convictions figures on Form 10, see footnote 85.

The comparative silence about sodomy in the criminal statistics, at least as collected at this level of the central bureaucracy, is eloquent. It may indicate, as many foreign observers reported and the Soviet public transcript argued, that sodomy was a political crime, dealt with chiefly by the security police. The fact of the OGPU's legislative initiative would tend to confirm this hypothesis, especially for the period immediately following Iagoda's September 1933 proposal to Stalin. Without freer access to certain archives (of the President, of the police, and of the former KGB), it will not be possible to establish how many persons were 'repressed' for homosexual offenses via the extralegal mechanisms of the political police.<sup>86</sup> Even with such documents, it may prove impossible to disaggregate those whose homosexuality attracted unfavourable notice, but who were then formally prosecuted for antisoviet

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<sup>86</sup> Kozlovskii comments that he interviewed ex-prisoners who told him that in the mid-1930s "several thousands of homosexuals" arrived in the labour camps, "adding another rivulet to the gulag flood waters", Argo russkoi gomoseksual'noi subkul'tury, 155.

agitation and the like. Cases discussed above, such as the poet Nikolai Kliuev's, and the anonymous testimony recorded in 1957 by the New York chapter of the homophile Mattachine Society, suggest that the OGPU/NKVD's labelling practices may have avoided the crime of "sodomy".<sup>87</sup> By comparison with the relatively simple recovery of legal evidence from other jurisdictions, the task of establishing how many men were repressed for homosexuality in the USSR may turn out to be dauntingly complex.<sup>88</sup>

Yet what the statistical 'snapshots' and the experience of the Moscow city court do demonstrate is that in addition to the unknown quantity of offenders netted by the NKVD, a stream of convictions for sodomy flowed through the regular court system, and thus performed some kind of public function. These convicted individuals, with rare exceptions, were not 'political criminals'. They were not tried in the city court's

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<sup>87</sup> The charge that in the 1930s some intellectuals were victimized with false accusations of "pederasty" is raised in Alexander Solzhenitsyn, The Gulag Archipelago: 1918-1956. An Experiment in Literary Investigation Vol. 1. (New York: Harper & Row, 1973), 60n.

<sup>88</sup> The total number of men convicted for homosexual crimes during the Nazi German regime (1933-1945) has been set at approximately 50,000, see Günter Grau, ed. Hidden Holocaust?: Gay and Lesbian Persecution in Germany 1933-45. (London: Cassell, 1995), 6. In 1938 alone in England and Wales, over 1,200 men were convicted for homosexual offenses ranging from sodomy to gross indecency, Jeffrey Weeks, Coming Out: Homosexual Politics in Britain from the Nineteenth Century to the Present. (London: Quartet Books, 1990), 158. About 700 men per year were being arrested for homosexual crimes in the 1930s in Manhattan, George Chauncey, Gay New York: Gender, Urban Culture, and the Making of the Gay Male World, 1890-1940. (New York: Basic Books, 1994), 360.

spetskollegiia, where cases of political offenders were heard. The decline in politicized language in Moscow sodomy trials was rapid and irreversible after its initial high point in 1934-1935. There was no observed attempt to exceed criminal code maximums in their sentencing, as was the case in group rape trials in 1935. Judges soon tried to blunt the severity of the antisodomy law by giving out minimum sentences, and the RSFSR Supreme Court found it expedient to undercut even these in a number of instances. The trend in the Supreme Court's review of sentences suggests the Court regarded ordinary sodomy as less serious than rape. The antisodomy prohibition had degenerated from a politically sensitive state crime to an offense prosecuted as a matter of routine.

The function of these routine prosecutions is at first sight only apparent in a negative sense. Men convicted for simple sodomy after the first wave of concern about a 'homosexual conspiracy' were not explicitly linked in sentencing, appeals or investigation documents with espionage or counterrevolution. The documents (like the original law) lacked any language which explained why the men's activity was socially dangerous. Implicitly, their position was analogous to that of prostitutes, beggars and 'criminal elements', and their crimes, like those of their analogues, were those of the fabric of everyday existence, of byt. The "new attitudes toward byt" which Justice Commissar Krylenko had spoken of in 1936 could not be expected from these social "remnants" of vanquished classes. The discourse of the

Moscow sodomy trial documents treated these crimes of byt as self-evidently harmful, without articulating this ideological analysis.

Only occasionally did the hidden transcript hint that at least some judges believed the social danger in mutual sexual relations between men was minimal, and that the disruption to society inflicted by the law might be more costly. The RSFSR Supreme Court justified its decision to suspend three men's sentences for sodomy, on 5 September 1938, with the following remarks:

Considering the personality, lack of previous convictions and family situation of the convicts Silvestrov, Svechnikov and Larin, further fulfillment of the sentence of deprivation of freedom...is not presently required by necessity (ne vyzyvaetsia neobkhodimost'iu v nastoiashchii moment)...<sup>89</sup>

The awkward phrase cannot quite conceal the court's impatience with this situation. All three men were single and if they had dependents, none were mentioned in the court documents. The judge's reference to the men's family situation seems a hollow justification, while his regard for their good character seems more significant. Silvestrov, a Latvian, had been a young Party member and student, who after his release was sent to a job in an

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<sup>89</sup> Prigovor Tereshkova i 9 dr. (1938), l. 47. On the previous day, two other men in the same case received similar reprieves from the same judge V. S. Petrov and panel members K. M. Tavgazov and M. L. Semiakina. The leniency of these determinations came at a moment when there was a move toward the observance of 'legality' after the extrajudicial excesses of the Great Terror, Solomon, Soviet Criminal Justice under Stalin.

Ashkhabad theatre.<sup>90</sup> Svechnikov was a pediatrician, without party affiliation, and Larin was an engineer and had been a Party member. All were individuals with higher education and important skills, attributes which the RSFSR Supreme Court apparently believed outweighed any danger to the fabric of everyday life the men as homosexuals might present.

By dealing with only modest numbers of sodomy cases, by depoliticizing them, and by perhaps preferring to conceal them in closed sessions, the regular criminal justice system could scarcely be said to have publicized the new antisodomy law with much vigour. The law was not meant to educate - at least, not to educate a broad population. A curious modesty pervaded the official enforcement of this law; as with its enactment, Soviet justice sought to evade direct speech about its existence and effects. The evasion served to protect the reputation of Soviet masculinity: no embarrassing spectacles like the Röhm Affair besmirched the purity of socialist manhood. The occasional breaches of this public transcript, the periodic open sessions, the rare discussions in the press, but most of all, the first sweep of OGPU arrests, were sufficient to inform those who might need to know that sex between males was no longer a private matter.

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<sup>90</sup> In January 1941 Silvestrov wrote to the RSFSR Supreme Court requesting a copy of his verdict in order to obtain permission to travel to Moscow, *ibid.*, unnumbered sheet following 1. 47.

(iii) Female same-sex love under Stalin

For women the official ideal of the Soviet 1930s was a blend of emancipatory appeals to join the labour force, coupled with explicit calls for renewed femininity. Lesbianism was not criminalized, probably because there had never been an explicit legal tradition dealing with love between women. Expert conceptions of the 'female homosexual' had been confined to a medicalized discourse, and as has been noted, there was considerable ambivalence about the role of the 'masculinized' woman as a productive member of society. Moreover, the OGPU initiative to criminalize sodomy was directed at the political and security risks posed by affective links between men in their roles as soldiers, sailors and workers. Equally relevant was the invisibility of women's same-sex relations in society. Unlike male "pederasts" who used communal space to form "salons" and "organizations" (however loosely in practice), women engaged in same-sex relations exploited their gender's subaltern status to transform domestic spheres into refuges for their emotional lives.

Direct measures to eradicate same-sex relations between women were probably not seen as necessary for these reasons. It was probably also assumed (as it was in nazi German discourse about criminalizing the lesbian) that female same-sex love was

easily cured through heterosexual intercourse.<sup>91</sup> Instead of outlawing lesbianism, the state tightened the grip of compulsory heterosexuality by banning abortion (a common form of birth control among employed, urban women who enjoyed priority of access through insurance schemes) and by making divorce less accessible and more stigmatized in 1936. Access to birth control devices was simultaneously and secretly curbed, further limiting women's reproductive independence.<sup>92</sup>

Two Moscow-district criminal cases (from 1925 and 1940) illustrate a transformation in judicial attitudes toward female homosexuality, a shift which is part of the larger change in Soviet sexual ethics. The first case arose from a complaint originating in Volokolamsk district in late 1923 by the mother of Nina, then 15-1/2 years old, who had supposedly been raped by a letter carrier, Fedosiia P. Fedosiia, 22, convinced Nina that she was a man in disguise, and they began a romantic affair; by the end of summer, 1923, Nina told her mother that she was no longer

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<sup>91</sup> Claudia Schoppmann, "National Socialist policies towards female homosexuality." In Gender Relations in German History: Power, agency and experience from the sixteenth to the twentieth century, eds Lynn Abrams and Elizabeth Harvey (London: UCL Press, 1996). No analogous Soviet discussions of female homosexuality as a social or political problem in the 1930s have come to light.

<sup>92</sup> Wendy Z. Goldman, Women, the State, and Revolution: Soviet Family Policy and Social Life (Cambridge: Cambridge University Press, 1993), 291, 331-33; also on abortion see Donald Filtzer, Soviet Workers and Stalinist Industrialization: The Formation of Modern Soviet Production Relations (London: Pluto Press, 1986), 131-33; on the secret withdrawal of contraceptives, Solomon, Soviet Criminal Justice under Stalin, 212.



a virgin, and that Fedosiia could not possibly be a woman. In response to the mother's complaint, a people's investigator ordered a gynecological examination of Fedosiia, which revealed that she was a woman with completely normal genitalia. Nina was examined and found to have reached sexual maturity and to have lost her virginity sometime in the past (reports described her as particularly "developed" for her age). Nina sought to quash the complaint at this point, "forgiving" Fedosiia for her "joke", and demanding their letters - in the hands of the investigator - be returned or burnt.<sup>93</sup>

Published accounts give no reason for the continuation of the case, not heard in Moscow provincial court until April 1925, but one clue may be that "the people's investigator acquainted Fenia [Fedosiia P.] with cases of hermaphroditism."<sup>94</sup> Fedosiia

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<sup>93</sup> V. A. Riasentsev, "Dva sluchaia iz praktiki. 1. Gomoseksualizm?" Sudebno-meditsinskaia ekspertiza (2 1925): 152-56; see also N. P. Brukhanskii, Materialy po seksual'noi psikhopatologii. (Moscow: M. i S. Sabashnikov, 1927), 62-65. These slightly differing accounts make uncertain which criminal code article was used against Fedosiia. Brukhanskii reports she is charged under art. 168; Riasentsev does not give the article. If, as Riasentsev says, acquittal turned on Nina's "sexual maturity" (polovaia zrelost') before her affair with Fedosiia, the court used the language of art. 167 which punished "sexual intercourse with persons not having attained sexual maturity, when accompanied by defloration or the satisfaction of sexual passion in perverted forms". Article 168 forbade "depraved acts" (razvratnye deistviia), i.e. the non-penetrative sexual abuse, of children or minors. Brukhanskii does not mention Fedosiia's acquittal nor its gynecological basis, but terminates his account abruptly with his psychiatric diagnosis of her homosexuality.

<sup>94</sup> Riasentsev, "Dva sluchaia iz praktiki", 153.

responded with descriptions of her childhood and adult identification with males. Aside from the reluctance of a mother to drop a complaint of abuse, this investigator may have promoted the case out of personal or scientific interest. When finally the case did come to trial, new gynecological examinations were conducted by V. A. Riasantsev, who reported no deviations from female norms in Fedosiia - including no evidence of hermaphroditism - and gave the opinion that Nina had long been sexually mature. The court was unable to reconcile Fedosiia's and Nina's stories, and seized on the forensic gynecological report to declare that "what had taken place were depraved acts by mutual consent (po vzaimnomu soglasheniiu) between persons having reached sexual maturity", and to acquit Fedosiia.<sup>95</sup> In 1925 it was possible for a court to use forensic medical evidence, in this case of the physical maturity and normality of supposed depraved individuals, to untangle conflicting testimony, and dispose of a confusing case, on the grounds that "mutual consent" informed adult sexual choices. Gynecologists' opinions, and the two women's correspondence, eliminated any question of assault on Nina; hermaphroditism or an unnaturally "enlarged clitoris" were shown not to be responsible for Fedosiia's acts, although this did not remove suspicions that she had used "a rubber husband" (kauchukovyi muzh) in relations with the girl.<sup>96</sup> Forensic doctors and a psychiatrist in this case demonstrated informed

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<sup>95</sup> Ibid., 154.

<sup>96</sup> Ibid.

adult consent, and the court exploited the language of sexual revolution to divest itself of an irresolvable dilemma.

A similar case arising in Moscow in 1940 demonstrates the use of forensic gynecological and psychiatric evidence to convict a woman accused of "depraved acts" against a sexually immature teenager, applying article 152. A mother's complaint apparently also brought this affair to the authorities' attention. In 1936 Irina Stepanova, Party member and researcher,<sup>97</sup> had met Anna, the daughter of a Leningrad associate, and during the subsequent year befriended the 16-year-old. Stepanova began a sexual relationship with Anna, reportedly taking her virginity as a test of "honour" in late 1937, then convincing Anna to leave home and move to Moscow with her in January 1938, where they lived until mid-1939. Perhaps in response to a complaint by Anna's mother, police evidently raided Stepanova's flat in the spring or early summer; a diary was seized and later used against her, and she was expelled from the Party in August. Anna was somehow convinced to testify against Irina, and the pair confronted each other as adversaries during the two-day hearing in April 1940.<sup>98</sup>

In this trial medical testimony was used to prove that Anna had not achieved sexual maturity before "intercourse" with

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<sup>97</sup> She was said to have worked "for hire since 1922 as a researcher in cinematography [assistent po kinematografii] and researcher of history [assistent istorii]" ; Prigovor Stepanovy (1940), 1. 17.

<sup>98</sup> Ibid., 11. 17-18. Only sentencing and appeal documents survive for this case, and do not indicate who raised the original complaint, nor whose diary fell into police hands.

Stepanova began in 1937, a distinction crucial to the qualification of the older woman's actions as a crime. The court noted that Anna had never had relations with men apparently to establish her virginity before relations with Stepanova began, but also perhaps to emphasize her innocence and potential for a "normal" sexual life once the odious influence of her older friend was removed. For good measure, Stepanova was sent to the Serbskii Forensic Psychiatric Institute for a mental assessment, and there pronounced responsible for her actions. The court cited Anna's testimony, a diary (either Anna's or Irina's), and forensic medical opinions as conclusive evidence against the defendant, and handed down a three-year sentence. On appeal, Stepanova's advocate argued that Anna had reached sexual maturity before their affair (and therefore no crime under article 152 could be construed); he also called for further consideration of the "state of mental health" of his client. The appeal ruling rejected these pleas, citing the existing forensic medical testimony. By 1940 the court could not invoke revolutionary principles of "mutual consent" between sexually mature women, given the politically outdated breadth of sexual autonomy the words embodied. Arguments based on the medical definition of the victim's sexual maturity, or on the mental health of the accused, represented a scrap of hope for Stepanova, but medical expertise favourable to defendants was denied or disregarded by courts in the late 1930s. In the eyes of the court, Anna's lack of relations with men was potentially the most harmful consequence

of this relationship.

### Conclusion

In the 1930s, a coincidence of national security concerns, a drive to cleanse leading cities of "social anomalies", and the revival of the (heterosexual) family in public policy, meant that the early Soviet experiment in diverse public transcripts on homosexuality was abandoned. From 1934, a new, bifurcated, public transcript was fashioned, with separate scripts for men's and women's same-sex relations. The revised scripts reflected the emerging Stalinist revision of gender roles more generally, evoking a militant, muscular, and assertively heterosexual masculinity, especially in the face of nazi attacks on communist male honour. Perhaps less deliberately, but nonetheless logically, the possibility of female homosexuality was excised from the public transcript with the overt shift toward stable family life, motherhood, and the promotion of a middle class, consumerist femininity.<sup>99</sup>

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<sup>99</sup> On this shift, see e.g. the concluding essays in Goldman, Women, the State, and Revolution, and in Barbara Evans Clements, Barbara Alpern Engel, and Christine D Worobec, eds Russia's Women: Accommodation, Resistance, Transformation. (Berkeley & Los Angeles: University of California Press, 1991). For evidence of the shift in personal lives, see e.g. Barbara Alpern Engel, and Anastasia Posadskaya-Vanderbeck, eds A Revolution of Their Own: Voices of Women in Soviet History. (Boulder & Oxford: Westview Press, 1998). On middle class values, Vera Dunham, In Stalin's Time: Middleclass values in Soviet fiction. (Cambridge: Cambridge University Press, 1976).

The stalinist revision of public transcripts on homosexuality had a euphemistic effect. It simultaneously buried most overt discourse about homosexuality, while engaging the courts in a new labelling exercise. OGPU arrests and the occasional public declaration produced a new ideological environment, in which male homosexuality was denied any claim to be part of the loyal Soviet citizen's 'irrelevant' private existence. Sexual autonomy became heterosexual autonomy. Sexual byt was recast into loyal and 'class alien' typologies, with homosexuality reascribed to "enemies" of the new way of life (where it was not reinscribed as a "survival of primitive custom" in non-Russian republics). Terror and the occasional propaganda outburst made denial of male homosexuality the only 'correct' position. Moscow's city court, and the RSFSR Supreme Court, contributed to the denials by hiding the few cases of homosexuality they tried behind closed doors, not highlighting them as they did with other offenses when politicized campaigns demanded.

Yet even at this apogee of denial, People's Commissar of Justice Nikolai Krylenko admitted that not all cases of homosexuality might be rehabilitated, and that some small number of individuals might be afflicted with a genuine illness. The marxist faith in science - medicine - was difficult to abandon completely, especially regarding sexuality, an area full of uncertainties. The claims of the sciences in Russia to construct a revolutionary public transcript about homosexuality were now

held in reserve, suppressed except when imagining the most extreme residual cases in the abstract.

#### Chapter 4: Forensic medicine and the homosexual body, 1861-1941

The origins of a modern medical approach to same-sex erotic relations in Russian science begin with the Great Reforms of the 1860s. Forensic doctors were called upon to give evidence in criminal cases against same-sex erotic practices, bolstering the pre-reform criminal legislation against consensual sodomy between males, and sodomitical rape. The new system of justice relied on more rational and scientific standards of evidence, presented orally and subject to questioning in cross-examination, in contrast to the pre-reform practice of written testimony and adjudication. Doctors in court were now expected to answer for their opinions, and to defend them from challenges by procurators, witnesses and the accused.<sup>1</sup>

During the 1850s and 1860s, the forensic medical profession in Western Europe systematized knowledge of the physical signs of anal intercourse between males, and to a lesser extent, other traces of same-sex erotic contact, including contact between women. Particularly influential were the studies of forensic doctors Ambroise Tardieu of Paris, and Johann Ludwig Casper of Berlin. Tardieu's 1857 monograph on the forensic medical indications of sexual crime, including chapters on anal intercourse based on over 200 "pederasts" Tardieu personally examined for the Parisian police, enjoyed great influence long

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<sup>1</sup> The transition to new practice in forensic evidence is recounted in A. F. Koni, Na zhiznennom puti. Iz zapisok sudebnago deiatelia. Zhiteiskii vstrechi. Vol. I (St Petersburg: 1912), see Chapter 18, "Svedushchie liudi i ekspertiza".



into the twentieth century.<sup>2</sup> Russian medical professionals who developed an expertise in this field were aware of Tardieu's catalogue of cases, yet were quick to criticize his claims with reference to counterevidence from local examples.<sup>3</sup> Casper's studies of Berlin pederasts (published in the 1850s) were perhaps more influential than Tardieu's among Russian forensic doctors, who expressed a preference for the German's apparent caution and objectivity, even as they blended citations from both authorities and produced a hybrid of the German and French points of view on the indications of sodomy in males.<sup>4</sup> Laura Engelstein suggests that Casper was preferred over Tardieu by Russian authorities on sodomy detection; in practice, however, both Vladislav Merzheevskii and Veniamin Tarnovskii presented so much of Tardieu's material with a minimum of comment that they gave their professional medical audience license to pick and choose from a

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<sup>2</sup> Ambroise Tardieu, Étude médico-légale sur les attentats aux mœurs 3rd ed. (Paris: J. Ballière, 1859; reprint Jérôme Millon, 1995).

<sup>3</sup> The key texts were: Vladislav Merzheevskii, Sudebnaia ginekologiya. Rukovodstvo dlia vrachei i iuristov (St Petersburg: 1878); V. M. Tarnovskii, Izvrashchenie polovogo chuvstva. Sudebno-psikhiatricheskii ocherk (St Petersburg: 1885).

<sup>4</sup> Johann Ludwig Casper, "Ueber Nothzucht und Päderastie und deren Ermittlung seitens des Gerichtsarztes. Nach eigenen Beobachtungen" Vierteljahrsschrift für gerichtliche und öffentliche Medizin 1 (1852): 21-78; idem., Practisches Handbuch der gerichtlichen Medizin, nach eigenen Erfahrungen, 2 vols. (Berlin, 1857-58).

range of putative indications of the vice.<sup>5</sup> The Russian forensic medical approach to sodomy detection was much less systematic than apparent reliance on any single Western authority might imply.

The institutional environment for expertise in sodomy cases was only modestly supported by tsarist resources. Legislation (the Medical Statutes of 1857 and 1892) prescribed "onerous forensic duties" for private practitioners where the state's own physicians were unable to serve police and courts; any doctor might be required to make legal depositions, or commit the insane.<sup>6</sup> Expertise varied widely in quality, with "humble provincial employees" - district, municipal and police doctors - providing laconic and relatively unenlightened opinions (zakliucheniia), while professors from medical faculties in nearby universities delivered courtroom lectures "developing the scientific breadth and depth of their thought".<sup>7</sup> Doctors received little or nothing for providing these services to police and courts. In 1890, the Ministry of Justice ruled that forensic medical examinations had to be provided without remuneration, and at least one doctor found his appeal for payment denied by the

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<sup>5</sup> Laura Engelstein, The Keys to Happiness: Sex and the Search for Modernity in Fin-de-Siècle Russia. (Ithaca & London: Cornell University Press, 1992), 132-33.

<sup>6</sup> Nancy Mandelker Frieden, Russian Physicians in an Era of Reform and Revolution, 1856-1905 (Princeton: Princeton University Press, 1981), 266-70.

<sup>7</sup> Koni, Na zhiznennom puti, 352-53.

courts after providing expertise in a sodomy trial.<sup>8</sup> In the last years of the tsarist regime, forensic medicine was on the curriculum in some medical schools, and had its own faculty at Moscow University, although it was a marginal discipline, dominated by pathological anatomy (the basis for the study of corpses, a primary duty of forensic doctors). Research in new fields such as forensic chemistry began. Yet few dedicated forensic medical facilities existed in the Empire. Police were accustomed to referring to the nearest doctor, pharmacy, laboratory, or clinic, and operatives at this level "had no contact with faculties of forensic medicine".<sup>9</sup>

The turn to medical science to assist in the labelling of sexual deviance represented what James Scott calls "stigmatization", one of the devices of the public transcript.<sup>10</sup> As science overtook other forms of knowledge, rulers invoked its

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<sup>8</sup> A Dr Goloushev, who in 1892 gave expertise in a Moscow case of male rape of a 13-year-old boy, was told by a court that Ministry of Justice circular no. 10308 of 16 March 1890 required expertise be provided gratis. His appeal for an honorarium was rejected; TsGIAgM, f. 142, op. 2, d. 433, l. 96. On pay for expertise, see also Frieden, Russian Physicians, 266.

<sup>9</sup> Ia. Leibovich, "Tri goda sudebnoi meditsiny." Ezhenedel'nik sovetskoi iustitsii (7 1922): 7-8; V. Rozhanovskii, "Sudebno-meditsinskaia ekspertiza v dorevoliutsionnoi Rossii i v SSSR" Sudebno-meditsinskaia ekspertiza (6 1927): 1-105, laboratories and education, 74; V. I. Prozorovskii, ed. Sudebnaia meditsina (Moscow: Iuridicheskaiia literatura, 1968), 6-7; note also Koni's remarks on lack of forensic medical training in legal education, Na zhiznennom puti, 360-61.

<sup>10</sup> James C. Scott, Domination and the Arts of Resistance: Hidden Transcripts (New Haven & London: Yale University Press, 1990), 55.

authority to neutralize certain social marginals. Science - which in the words of one turn-of-the-century French psychiatrist, "purifies what it touches"<sup>11</sup> - rendered stigma "impersonal" even as it consigned individuals to subordinate social positions. Scott's analysis of stigmatization acknowledges a debt to Michel Foucault, whose work concentrated on the interactions between knowledge and power.<sup>12</sup> Yet in dealing with the origins of "homosexuality" as a psychiatric category, Foucault's periodization of the arrival of this new stigma or identity has been criticized for its rigidity. By situating the birth of the homosexual in the year 1870, Foucault selected what he believed to be the date of psychiatry's first foray into the territory of sexual perversions.<sup>13</sup> European forensic doctors, however, were already familiar with the territory of sexual deviance, and recent scholarship has suggested that French and German psychiatry's ideas about the personality of the homosexual owe much to the notions of physicians who gave expert testimony about

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<sup>11</sup> E. Marandon de Montyel, Obsessions et vie sexuelle (Evreux, France: n.d.), 291, cited in Robert A. Nye, "Sex Difference and Male Homosexuality in French Medical Discourse, 1830-1930." Bulletin of the History of Medicine (63 1989): 34.

<sup>12</sup> Scott, Domination and the Arts of Resistance, 21.

<sup>13</sup> Michel Foucault, The History of Sexuality: Vol 1, An Introduction Trans. by R. Hurley. (London: Penguin, 1978), 43, citing an 1870 revision of Karl Friedrich Westphal, "Die conträre Sexualempfindung. Symptom eines neurpathischen (psychopathischen) Zustandes." Archiv für Psychiatrie und Nervenkrankheiten 2 (1 1869): 73-108.

"pederasty" in courts.<sup>14</sup> George Chauncey, examining American late nineteenth century medical practice, has even rejected the notion that psychiatrists called the homosexual as a personality type into being, claiming instead that doctors "were investigating a subculture rather than creating one," and that medicine at this time had little effect on most individuals' sexual self-conception.<sup>15</sup> Chauncey's work, along with that of Bert Hansen, also suggests that American medicine received and applied continental European notions of the sexual perversions as psychiatric disorders after delays attributable to the slow distribution of new information across geographic and linguistic

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14 Authors who challenge the epistemic divide erected by Foucault, Hubert Kennedy, "Karl Heinrich Ulrichs: First Theorist of Homosexuality." In Science and Homosexualities, ed. Vernon A. Rosario (New York & London: Routledge, 1997), 31, 36; Vernon A. Rosario, "Pointy Penises, Fashion Crimes, and Hysterical Mollies: The Pederasts' Inversions." In Homosexualities in Modern France, eds Jeffrey Merrick and Bryant Ragan Jr. (New York & Oxford: Oxford University Press, 1996), 152, 167; a more qualified view, idem., "Inversion's Histories/History's Inversions: Novelizing Fin-de-Siècle Homosexuality." In Science and Homosexualities, ed. V. Rosario, 91. One supporter of Foucault's periodization offers plenty of evidence to contradict it, Geert Hekma "'A Female Soul in a Male Body': Sexual Inversion as Gender Inversion in Nineteenth-Century Sexology." In Third Sex, Third Gender: beyond sexual dimorphism in culture and history, ed. Gilbert Herdt. (New York: Zone Books, 1993), 215-17.

15 George Chauncey, "From Sexual Inversion to Homosexuality: Medicine and the Changing Conceptualization of Female Deviance." Salmagundi (58-59 1982-83): 142-43; idem. Gay New York: Gender, Urban Culture, and the Making of the Gay Male World, 1890-1940 (New York: Basic Books, 1994), 121-25.

barriers.<sup>16</sup>

In the Russian case, the methods for identifying the stigmata of sodomy were absorbed by the medical profession 15 to 20 years after their articulation in France and Germany, and were applied to an existing - but in some ways quite different - urban culture of mutual male sexual relations. Legal medicine's tendency in Europe to elide the practice of "pederasty" with the identity of the habitual "pederast", to construct an identity out of behaviour, was apparent in Russian texts on sodomy detection. The low incidence of sodomy prosecutions moderated any nominative effect which constant police attention directed toward the stigmatized group had in Germany or France. The discipline's interest in sodomy detection was modest, and continued to be so in the era of sodomy decriminalization after the Bolshevik revolution. With the revival of the antisodomy statute, forensic medicine found itself forced to resume duties (the identification of "pederasts") it believed to be retrograde. An even weaker interest was displayed in female mutual sexual relations by this discipline, although forensic gynecology was not without a role in uncovering evidence of victimization.

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<sup>16</sup> Bert Hansen, "American Physicians' "Discovery" of Homosexuals, 1880-1900: A New Diagnosis in a Changing Society." In Framing Disease: Studies in Cultural History, eds Charles E. Rosenberg and Janet Golden. (New Brunswick, NJ: Rutgers University Press, 1992).

(i) Forensic medical texts on sodomy and its detection

The first Russian attempt to domesticate foreign knowledge about indications of same-sex couplings appeared in Forensic Gynecology (Sudebnaia ginekologiya) by Vladislav Merzheevskii, published in 1878 in St Petersburg. The author, a member of the Interior Ministry's medical council, devoted most of his manual to indications of female victimization by male sexual criminals, and to law on reproduction and abortion. Nevertheless, a 57-page chapter on "pederasty" and brief sections on "lesbian love" and bestiality were included. These chapters on "unnatural intercourse" directly followed one about heterosexual rape, the most prevalent sexual offense. This ordering of topics - and the placement of same-sex acts within a context of forensic gynecology - suggested that sodomy was viewed merely as an expression of unbridled male lust, which might choose as its object a woman, a boy, another man, or an animal. Yet within the chapter on sodomy a shift toward the "pederast" as a personality is discernible.

Merzheevskii began by discussing the history of legislation against "the unnatural satisfaction of sexual lust", then reviewed the European literature on sodomy detection. He briefly noted that Casper proposed the "vice" was usually "congenital" (although he qualified this statement with a bracketed question mark), defining it as "mental hermaphroditism". Also acknowledged without further comment was Westphal's recent assertion that

"abnormal sexual attraction" was very often a psychopathic or neuropathic disorder.<sup>17</sup> Merzheevskii then turned to the social milieux where the "vice is hidden from 'the uninitiated'", and produced 42 sodomitical case histories culled from Casper, Tardieu, and the St Petersburg circuit court.<sup>18</sup>

The key issue which aroused controversy among European forensic doctors examining "passive pederasts"<sup>19</sup> was the disagreement between Tardieu and Casper over the deformation of the anal region caused by habitual vice. Tardieu claimed to have observed a "crater-shaped depression of the anus" (voronkoobraznoe uglublenie zadniago prokhoda) in 182 cases out of 217, while Casper spoke instead of a "tube-shaped depression between the buttocks" (trubooobraznoe uglublenie mezhdu iagoditsami), only observable in younger passive pederasts. Merzheevskii recommended the cautious words of the German doctor, who called the tube-shaped depression "the most reliable of all the unreliable signs of passive pederasty", but the Russian's position remained equivocal: "sometimes" the crater-shaped anus described by Tardieu could be an indicator of the vice. Histories from both authorities were presented uncritically. Merzheevskii's descriptive rhetoric favoured Casper, but it was undercut by

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<sup>17</sup> Merzheevskii, Sudebnaia ginekologiya, 204-5; also mentioned was H. Kaan, Psychopathia sexualis (Leipzig, 1844).

<sup>18</sup> Merzheevskii, Sudebnaia ginekologiya, 207n.

<sup>19</sup> Males taking the receptive role in anal intercourse as prostitutes reportedly dominated study samples; Tardieu, Étude médico-légale sur les attentats aux mœurs, 152.



equivocation perhaps born of regard for Tardieu's large empirical sample.<sup>20</sup>

Following Casper, Merzheevskii did attack Tardieu's claim that the active pederast displayed signs of his vice on the penis. Casper had criticized these notions sharply, and Tardieu was isolated among European forensic specialists in this regard. The Parisian doctor said active pederasts displayed a thin penis which terminated in a pointed head, resembling a dog's member, or an excessively large and torsioned organ.<sup>21</sup> Merzheevskii denied these claims in his discussion of active pederasty, yet he subsequently included a case history from Tardieu which was labelled "Habitual active and passive pederasty. Characteristic conformity of the penis". The history described a man with a penis "resembling in its form the sexual organ of animals from the canine species", and Merzheevskii made no editorial comment on this description.<sup>22</sup>

A similar eclecticism pervaded the venereologist V. M. Tarnovskii's discussion of forensic medical technique in relation to the pederast, in his "forensic-psychiatric study" of the "perversion of sexual feeling", published seven years after

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<sup>20</sup> Merzheevskii expressed more doubt over Tardieu's claims that consumption, exhaustion, damage to the sphincter muscle or syphilitic infection in the anal region were reliable signs of "pederasty"; Merzheevskii, Sudebnaia ginekologiia, 217-18.

<sup>21</sup> Tardieu, Étude médico-légale, 186-90.

<sup>22</sup> Merzheevskii, Sudebnaia ginekologiia, 219, 235.

Merzheevskii's manual.<sup>23</sup> This landmark text straddles the paradigm shift from forensic medicine to psychiatry on same-sex perversion. Drawing on Westphal and Krafft-Ebing, Tarnovskii sought to downplay the reliability of forensic medical examinations as an evidentiary tool for the courts, and to emphasize the possibilities for psychiatry as a way of explaining perversions. Yet despite this primary argument, the author devoted some 20 pages (out of 105) to a technical description of anatomical examinations. Tarnovskii wanted his professional readers to acquire precise, reliable techniques for detecting "passive pederasty":

For the examination I have the boy (mal'chik) stand across a wide bed, on his knees; his chest lies on a pillow, with his head somewhat lower than the buttocks which he projects; the legs should be parted so that his knees and heels do not touch each other. In this position, I repeat, if the subject does not know the purpose of the examination and has no wish to conceal or dissimulate, the indications of habitual sodomy (privychnaia sodomiia) stand out in bold relief.<sup>24</sup>

Tarnovskii noted that "catamites" (kinedy) who were aware of the doctor's intent frequently clenched their buttocks, obscuring the indications of their sexual practices. He recommended compelling these youths to assume the posture described for protracted periods, to exhaust their resistance. This was more effective than Tardieu's suggested frequent changes of position.<sup>25</sup>

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<sup>23</sup> Tarnovskii, Izvrashchenie polovogo chuvstva.

<sup>24</sup> Ibid., 77.

<sup>25</sup> Ibid., 78-79, 81. Twenty-one years later, a doctor in a Tashkent clinic reported on his experience of rectal examinations of habitual passive pederasts (bachi, boy

The indications of passive sodomy in Tarnovskii's assessment varied little from Merzheevskii's catalogue, but were presented in more precise anatomical detail. Tarnovskii had examined 23 "notorious catamite-boys" and found that the surest sign of the practice of passive sodomy was a weakening of the sphincter muscle. Neither Tardieu's "crater-shaped" nor Casper's "tube-shaped" anal depressions satisfied Tarnovskii as adequate indicators. The single most convincing clue was the relaxed sphincter, and this could be detected by any doctor "without specialist training". Tarnovskii dismissed Tardieu's catalogue of deformities of the active pederast's penis as evidence of degeneracy rather than a specific sexual practice.<sup>26</sup>

While Tarnovskii cooperated with the police to identify pederasts for the courts, as a doctor he believed he was often seeing the effects of congenital illness rather than acquired vice, and that this fact could only be verified with the techniques of psychiatry, not forensic medicine. The central question he proposed - "What are we dealing with, a congenital

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prostitutes of islamic culture). Dr. A. Shvarts denied Tarnovskii's assertion that the pederast's sphincter was weaker, noting that some adepts were able to control these muscles to an unnerving degree. Passive pederasts, he said, "develop the ability through exercise to govern this muscle at will, exceeding by far the capacities of a normal man." A. Shvarts, "K voprosu o priznakakh privychnoi passivnoi pederastii (Iz nabliudeniia v aziatskoi chasti g. Tashkenta)." Vestnik obshchestvennoi gigieny, sudebnoi i prakticheskoi meditsiny (6 1906): 818.

<sup>26</sup> Tarnovskii, Izvrashcheniia polovogo chuvstva, 82, 84, 93-95.

deformity, an illness, or a debauched habit (porochnaia privychka)?" - was not to be answered by a search for the stigmata of sodomy alone.<sup>27</sup> The indicators of sodomy were only one pathway toward a forensic conclusion, because not all "pederasts" were alike. It was necessary first to establish "with what kind of pederast we are dealing". Here Tarnovskii supplied his professional readership with a detailed checklist to enable physicians to distinguish between culpable and innocent varieties of "pederasts". These criteria highlighted the transitional tension in Tarnovskii's approach from anatomical principles to psychiatric ones.

The first step was to detect the indications of sodomy in the anus; if these were discovered, and the patient was a youth (iunosha), the doctor was then to seek physical signs of degeneracy or mental deviations, indicators of a "psychopathic subject". Such youths were "congenital pederasts" and should not be prosecuted. They were inclined to passive anal relations and found intercourse with women impossible, Tarnovskii claimed. "Healthy" youths lacking clues to degeneracy or mental illness were to be judged "acquired pederasts", which could be corroborated if they took both anal active and passive roles, and were able "to have normal intercourse with women". Rare cases of the "congenital active pederast" might be distinguished by degeneracy markers (mental deviations, "abnormally developed genitals") and an aggressive loathing of women (as opposed to the

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<sup>27</sup> Ibid., 96.

mere indifference of the passive counterpart).<sup>28</sup>

In youths one had to rely chiefly on somatic indicators, while with adults, Tarnovskii counselled a psychiatrist's approach: "You must know the man closely..." to distinguish between past and present personality characteristics. A full biography was crucial:

The careful collection of data regarding heredity, the most detailed anamnesis, following the patient's life step by step, especially the period of sexual maturation, along with an all-encompassing investigation of the physical and mental status of the patient - will help to decide whether we are dealing with a congenital or acquired perversion of the sexual drive.<sup>29</sup>

The circumstances of the crime needed to be examined to eliminate the possibility of "the most dangerous and least culpable" variant, "periodic pederasty", where violent bouts of sexual disorder caused by organic maladies punctuated an otherwise peaceful existence. Evidence in the patient history of degenerate heredity, epilepsy, progressive paralysis, and in the aged, senility, might exculpate the adult pederast. "Only the elimination of all above-mentioned pathological states... will permit one reliably to confirm the debauchery, moral corruption and completely punishable, conscious, voluntary depravity of the examined subject."<sup>30</sup>

Tarnovskii argued strongly that Russian legal practice

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<sup>28</sup> Ibid., 96-97.

<sup>29</sup> Ibid., 97.

<sup>30</sup> Ibid.

regarding acts of sodomy failed to distinguish between congenial (innocent) and acquired (culpable) perpetrators, and that legal medical techniques inherited from Casper and Tardieu were inadequate to the forensic psychiatric task of determining who ought to be prosecuted. Perhaps recognizing that legislative change was unlikely, he said "only the mutual labour of the doctor and the jurist - the investigator and the philosopher" could set a new boundary between "physiology and pathology", between "the correction of the healthy, the rehabilitation of those with pathological predispositions, and the curing of the sick."<sup>31</sup> A handful of cases in the medical literature demonstrated that an eclectic blend of forensic medical and psychiatric understandings of "pederasty", similar to Tarnovskii's, circulated in late nineteenth century Russia.<sup>32</sup> In these texts, the weight of authority was already shifting from forensic medicine to psychiatry, but the claim to uncover sexual practice from the physical signs of "pederasty" preserved a labelling role for forensic medicine.

Both Merzheevskii and Tarnovskii adhered to the European legal medical interest in the urban pederastic subcultures where

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<sup>31</sup> Ibid., 104-5.

<sup>32</sup> P. I. Kovalevskii, "Prof. V. M. Tarnovskii. Izvrashchenie polovogo chuvstva 1885 g. [review]." Arkhiiv psikhiiatrii neirolologii i sudebnoi psikhopatologii 5-6 (3 1885): 262-64; V. F. Golenko, "Pederastiia na sude." Arkhiiv psikhiiatrii, neirolologii i sudebnoi psikhopatologii 9 (3 1887): 42-56; N. A. Obolonskii, "Izvrashchenie polovogo chuvstva." Russkii arkhiv patologii, klinicheskoi meditsiny i bakteriologii (1898; [offprint lacking publication data]): 1-20.

their subjects were usually apprehended. By juxtaposing cases from the St Petersburg courts with those drawn from Tardieu and Casper, Merzheevskii highlighted the existence of a milieu in Russia's capital which corresponded to such subcultures in urban Europe, with important Russian differences. Merzheevskii noted from Tardieu the existence of a variegated Parisian demimonde of male prostitution, including effeminized youths who sometimes cross-dressed as females, or "tantes", (literally 'aunts', rendered by Merzheevskii as tetki), servicing "genuine pederasts" but also having relations with women.<sup>33</sup> Petersburg was not free of similar phenomena, although it lacked "the completely organized society of pederasts as in Paris". Rather, the local cases examined by Merzheevskii implied a relatively fluid male sexuality with little reported effeminacy in the "passive" partners, and apparent self-composure on the part of males offering sexual services to other men.<sup>34</sup> Likewise men who sought mutual relations without payment could apparently "take it into their heads to mess about with each other" without compromising

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<sup>33</sup> Tardieu, Étude médico-légale sur les attentats aux mœurs, 164-66; Merzheevskii, Sudebnaia ginekologiya, 205. In France the meaning of this argot term shifted during the nineteenth century from a label for receptive partners in anal intercourse in prisons in the early decades of the century, to a designation of the kind of male street prostitute described in Tardieu (by mid-century), and finally by the end of the century, to describe any man having same-sex relations: Claude Courouve, Vocabulaire de l'homosexualité masculine. (Paris: Payot, 1985), 207-209.

<sup>34</sup> Merzheevskii, Sudebnaia ginekologiya, (Parisian pederasts), 208, (Russian male prostitutes' indifference to the sex of partners), 238-39.

their masculinity.<sup>35</sup>

European psychiatric models of men's same-sex perversion first began to express a closer link between male effeminacy, and physiological concepts of hysteria and degeneracy during the 1870s and 1880s, with the influential work of Karl Westphal and Richard von Krafft-Ebing.<sup>36</sup> These fusions of behavioural phenomena (unmanly acts) with supposed biological conditions (frequently reduced to 'degeneracy', the cumulative effect of venereal disease, addiction or hysteria on successive generations) allowed psychiatrists to posit a congenital origin for sexually deviant personalities.<sup>37</sup> Following these authorities, Tarnovskii emphasized effeminate characteristics in his subjects more than Merzheevskii had, while linking these to a social sphere where pederasts flourished, giving it a distinctly caste-like character:

The pederast always seeks the society of those similar to himself, because only in their presence can he give

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<sup>35</sup> Said of two men discovered having sex in a darkened St Petersburg laneway in 1871; they had decided on their tryst after an unsatisfying visit to a licensed (heterosexual) brothel; *ibid.*, 241.

<sup>36</sup> Westphal, "Die conträre Sexualempfindung"; R. von Krafft-Ebing, "Über gewisse Anomalien des Geschlechtstrieb und die klinisch-forensische Verwertung derselben als eines wahrscheinlich functionellen Degenerationszeichens des centralen Nerven-Systems." Archiv für Psychiatrie und Nervenkrankheiten 7 (1877): 291-312; *idem.*, Psychopathia sexualis. Eine klinisch-forensische Studie. 1st ed., (Stuttgart: 1886; transl. into Russian, 1887).

<sup>37</sup> Rosario, "Pointy Penises, Fashion Crimes, and Hysterical Mollies", 153-61; Hekma, "'A Female Soul in a Male Body'", 224-25; Chauncey, "From Sexual Inversion to Homosexuality", 133.



satisfaction to his abnormal instinct without punishment, and find sympathy for his pathological condition or encouragement for vice. What is more, the active pederast, by the walk, manner of comportment, gesture, speech, looking in the eye, etc, will recognize a passive pederast more easily than a normal man. From his point of view the catamite, by the tone of the conversation, quickly guesses what is going on. Thus pederasts in general rapidly become acquainted with each other, and live to a great extent among circles in which all types of the sexual deviant activities described are met.<sup>38</sup>

The intimations in Merzheevskii of a personal identity characterized by pederasty were fully realized only a few years later in Tarnovskii's assessment of the pederastic subculture of Petersburg he observed.

For both authorities, the bathhouse (bania), a unique national institution, was a locus of pederastic activity unlike any found in Paris or Berlin. Merzheevskii sought to warn forensic medical practitioners of the potential exploitation of bathhouses by pederasts. Tarnovskii, perhaps under the influence of patriotic affection for the baths and their hygienic associations, tended instead to view it as a guarantor of public order, because it kept male prostitution off the streets. Both authorities associated male commercial sex offered by bathhouse attendants with Russian peasant customs.

Merzheevskii adopted a wholly disapproving view of this trade, as his outraged discussion of an 1866 case of a St Petersburg "depraved work team" (artel' razvratnikov) demonstrated. In court Vasilii Ivanov, a 20-year-old bath

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<sup>38</sup> Tarnovskii, Izvrashchenie polovogo chuvstva, 62.

attendant, testified that he had been recruited by other attendants into the practice of sexually servicing clients soon after being hired. Customers who, Ivanov observed, "did not need to be washed", would ask for other attentions: "[the client] lies with me like with a woman, or orders me to do with him as with a woman, only in the anus, or else leaning forward and lying on his chest, and I [get] on top of him, all of which I did." Despite evidence that some clients preferred to watch the attendant copulate with women procured for the purpose, Merzheevskii did not hesitate to label this flexible individual nor his equally opportunistic colleagues, "pederasts".<sup>39</sup>

Tarnovskii admired the shrewdness of what he called "Russian simple folk" (ruskii prostoliudin) and their exploitation of the baths as a site for profit. "Among us, especially in Petersburg, thanks to the numerous baths with private rooms and bathhouse attendants, there exist a plethora of pederast prostitutes living as it were on the artel' (peasant work team) principle."<sup>40</sup> Attendants were reportedly happy to indulge "congenital and aged catamites" who sought release at the baths; Tarnovskii estimated that perhaps three-quarters of male attendants were willing to engage in active anal intercourse with this category of pederast for cash, while "the passives are only few among them [i.e., the

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<sup>39</sup> Ibid., 208, 238. Engelstein, The Keys to Happiness, 154, renders Merzheevskii's artel' razvratnikov as "perverts' guild", a translation which adds a medical note not present in the term razvrat (depravity, vice).

<sup>40</sup> Tarnovskii, Izvrashchenie polovogo chuvstva, 69.

attendants]."<sup>41</sup> Although the venereologist did not fully approve of bathhouse prostitution, his comments were consistent with his praise during these years for the tsarist system of licensed (heterosexual) brothels.<sup>42</sup> There was also a national smugness in Tarnovskii's assertion that in Russia there was less blackmail of pederasts than in European capitals because of the traditional artel' principle. Bathhouse attendants, youths from the countryside who found work through fellow-villagers in city spas, pooled their earnings in this sexual sideline according to peasant custom.<sup>43</sup> Tarnovskii saw in the artel' a source of public order:

"Here in Petersburg, remuneration of catamites is practically the same as paying a prostitute; in these circumstances blackmail (shantazh) on the part of bathhouse attendants living by the artel' and equally sharing the profits is unthinkable; there is no surveillance [by police of blackmailers, as in Europe]."<sup>44</sup>

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<sup>41</sup> Ibid., 71.

<sup>42</sup> In the 1880s, he called for tax exemptions for brothels, proposed that the army's soldiers should pay mandatory visits to them free of charge, and claimed public houses kept crime and immorality off the streets. His opinions shifted by the late 1890s, when he argued that without inspection of male clients, licensed brothels only spread disease; see Laurie Bernstein, Sonia's Daughters: Prostitutes and Their Regulation in Imperial Russia. (Berkeley & Los Angeles: University of California Press, 1995), 145, 176.

<sup>43</sup> "All the money we got for that [sodomy] we put together and then divided it up on Sundays," testified Vasilii Ivanov, also declaring that "all the attendants in all the baths in Petersburg" were engaged in sodomy, Merzheevskii, Sudebnaia ginekologiia, 238-39.

<sup>44</sup> Tarnovskii, Izvrashchenie polovogo chuvstva, 70.

Nevertheless, groups of blackmailers did cooperate to shake down prosperous men with accusations of sodomy, as Tarnovskii acknowledged.<sup>45</sup> Discursively he distinguished these extortionists' solidarity from that displayed by bathhouse attendants as the collusion of urban "gangs", despite the fact that their "rewards were divided equally between the participants", just like those of the bathhouse artel'. Significantly, Tarnovskii reported that ordinary lower-class males treated urban male sexual demands as "gentlemen's mischief" (barskie shalosti). In his reluctance to condemn the "Russian simple folk" for organizing themselves to exploit these opportunities, there was a hesitation to pathologize all aspects of same-sex erotic practice. A presumption that the lower orders, in their economic and cultural subordination in Russia's urban life, were sexually innocent, prevented Tarnovskii from medicalizing all mutual male sexual activity. It was a restraint not often present in Western European discussions of the issue.<sup>46</sup>

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<sup>45</sup> Ibid., 72-74.

<sup>46</sup> Tarnovskii, Izvrashchenie polovogo chuvstva, 70. Engelstein makes this point in her assessment of Russia's reception of Western medical concepts of homosexuality, The Keys to Happiness, 132, 164. On the durability of the profession's presumption of Russian peasant sexual innocence into the late 1920s, see also Susan Gross Solomon, "Innocence and Sexuality in Soviet Medical Discourse" in Rosalind Marsh, ed. Women in Russia and Ukraine (Cambridge: Cambridge University Press, 1996).

(ii) "Pederastiia na sude": Pederasty in the court

The contradictory techniques for detecting male same-sex love were not always a sound basis for the provision of expertise to the police and courts. In practice, the transition after the Great Reforms to the routine use of this expertise in sodomy cases was very uneven. In the 1860s and 1870s, sodomy cases in the medical literature and from the archives of Moscow's courts give the impression that Russian doctors had little acquaintance with European or the emerging domestic literature on the question. By the 1880s and 1890s, however, routine formulas of words appeared in practitioners' opinions (zakliucheniia) and a standard range of indicators featured in the evidence.

The earliest cases of mutually consenting sodomy discussed by Merzheevskii reflected confusion and occasional voluntarism when medical experts were called upon to identify sodomites. One doctor, having examined two men accused of having anal intercourse in a Petersburg bathhouse in 1867, gave no indication of familiarity with the European authorities on the vice. The doctor wrote an aimless report, saying nothing about distortions of the men's genitals or anuses, commenting only on their cleanliness.<sup>47</sup> An 1870 case of "false accusation of sodomy", an attempt to blackmail an army officer, similarly exasperated Merzheevskii with its crude technique. The doctor undertook a careless digital examination of one of the accused, resulting in

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<sup>47</sup> Merzheevskii, Sudebnaia ginekologiya, 240-41.

tears to the anus. The innocent officer was thus put in danger of conviction if a second examination had been necessary.<sup>48</sup>

A case from the records of the Moscow circuit court illustrates how in the 1880s a competent forensic medical examination applied the new knowledge to label a "pederast". On 29 July 1888, townsman (meshchanin) Petr Mamaev, 42, was apprehended after a drunken scuffle with 28-year-old peasant Nikolai Agapov on Prechistenskii Boulevard. Mamaev said he had committed sodomy with Agapov there and admitted to picking up strange men for this purpose on city boulevards for the previous eight years. A four-page doctor's report of the forensic examination of the two men did not cite any medical authorities, yet its language was clearly influenced by recent forensic medical literature.<sup>49</sup> Agapov claimed he "had never committed this foul thing", meaning sodomy, and an examination failed to identify any anatomical indicators; the court released him and concentrated on prosecuting Mamaev for "passive pederasty". The doctor's careful report, and the record of the police investigator's questions ("Are there signs that Mamaev and Agapov committed sodomy?", "Is it possible to determine if on the night

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<sup>48</sup> Ibid, 250-52.

<sup>49</sup> Of Mamaev, the doctor concluded: "...the crater-shaped form of the anal orifice, smoothness and flatness of the natural mucous membranes of the anus, their lubrication and colour, and also the anal orifice which allows the possibility of the examiner's finger to freely penetrate the rectum, with great probability demonstrates that Mamaev frequently subjected his anus to external mechanical strain and force, and perhaps committed sodomy", TsGIAgM, f. 142, op. 2, d. 142, l. 158 ob.

of 28-29 July [they] committed sodomy and what are the indications of this and on whom are they present?") illustrated a concern for evidentiary integrity and the degree to which police relied on medical expertise to identify a "pederast" who had not been caught in the act.<sup>50</sup> Mamaev received a three-year prison sentence and was required to seek penance from his Orthodox priest; the conviction rested on the forensic report which was rehearsed virtually verbatim in the indictment.

Forensic medicine was required to provide expertise in cases of male rape, which were the most frequent same-sex sexual crime pursued by the tsarist courts. One criminologist, writing in 1910, estimated that for each conviction for consensual sodomy, there were four for aggravated sodomy (using force, or abusing the dependency of the victim, or with a minor) during the years from 1874 to 1904.<sup>51</sup> Both Merzheevskii and Tarnovskii were highly sceptical about whether male rape could actually be committed, where both parties were at least youths if not fully grown. It is instructive to examine the divergence between their views in print, and practice in criminal investigations.

Merzheevskii presented two St Petersburg court cases of "pederastic rape" which he criticized on forensic medical grounds, insisting on the necessity of mutual consent for anal

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<sup>50</sup> Ibid, l. 158. Mamaev said he could not remember, or had never obtained, the names of his previous male "lovers" (liubiteli), so police had no other witnesses.

<sup>51</sup> B. I. Piatnitskii, Polovye izvrashcheniia i ugolovnoe pravo (Mogilev: 1910), 31-32.

penetration to take place.<sup>52</sup> Tarnovskii could not allow that "the entire act from beginning to end" could be committed against the will of the receptive male, whom he termed a catamite. In the vast majority of cases, he claimed, the youthful, naive "catamite" was prepared by the active pederast for his role by "months...of preliminary manipulations".<sup>53</sup> By implication, the barrier of the sphincter muscle could only be breached voluntarily; because of his anatomy and predisposition the receptive male in a same-sex "rape" was incapable of being victimized.<sup>54</sup> He was a "pederast" and a member of the same category of criminalized or pathologized males.

What these authorities regarded as a fully grown male in this context is suggestive of the boundaries of manhood in this culture and era. Russian court cases and evidence from medical literature indicate that there was a 'threshold age' for anally penetrated victims, of approximately 12 to 14 years, after which male rape was more difficult to prove.<sup>55</sup> The two examples

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<sup>52</sup> Merzheevskii, Sudebnaia ginekologiya, 219-20, 245-48.

<sup>53</sup> Tarnovskii, Izvrashchenie polovogo chuvstva, 91-93.

<sup>54</sup> Tashkent physician A. Shvarts took this notion to its logical conclusion in 1906, when he argued against Tarnovskii that pederasts had greater control over this muscle than the "normal man", Shvarts, "K voprosu o priznakakh privychnoi passivnoi pederastii", 818.

<sup>55</sup> The 1845 criminal code made consensual sodomy with underage (maloletnye) boys equivalent to forms of aggravated sodomy with adults; the 1903 criminal code revisions strengthened parallels between heterosexual and homosexual rape where the victim was a minor. Senate rulings on heterosexual rape cases in the 1870s created an ambiguous zone between ages 10-14 when girls might be



Merzheevskii presented were rapes of 14- and 15-year-old youths by their employers, adult men, and he denied that these were genuine "rapes" but involved some degree of mutual consent. These youths were regarded as fully grown (vozmuzhalye) and thus capable of resisting unwelcome advances.<sup>56</sup> Viewing pubescent and teenaged males as sexually knowledgeable and available was typical of European traditional cultures, especially in the Mediterranean region.<sup>57</sup> Younger, less developed boys could be potential victims of adult male lust because of their physical disadvantages, or the possibility that attackers might exploit them in an unconscious state.<sup>58</sup>

The realities of rape between males in tsarist Russia were considerably more brutal and complex, and forensic medical practice did not discard the notion of the penetrated boy or youth as victim, despite the theoretical musings of these authorities. Perhaps the violence of these cases moved most

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said to have "awareness" of their own sexual actions, Engelstein, The Keys to Happiness, 60, 78n, 82.

<sup>56</sup> Note the embedded gendering of the term, incorporating the root for 'male' (-muzh-). Merzheevskii, Sudebnaia ginekologíia, 245-48.

<sup>57</sup> Men's mutual sexual relations in early modern Europe were structured around an age differential, with the anally receptive partner usually falling in the 12-20 year age range, and the insertive partner somewhat older, in e.g. the case of 15th- to 17th-century Florence, 19-30 years of age. Victims of male rape in Florence also fell into the younger age range, Michael Rocke, Forbidden Friendships: Homosexuality and Male Culture in Renaissance Florence (New York & Oxford: Oxford University Press, 1996), 162-65.

<sup>58</sup> Tarnovskii, Izvrashchenie polovogo chuvstva, 91.

doctors to produce detailed evidence to assist police in securing convictions.

Two cases, roughly a decade apart, demonstrate the increased sophistication in forensic medical intervention. Both involved the rape of boys under the threshold age of 12-14 years by older males. The first, from the files of the Moscow Holy Consistory, took six years to resolve, as the charges against a priest, Afanasii, shuttled between church and secular courts in a jurisdictional dispute. A soldier's son, 8-year-old Ignatii, in a village of Serpukhovskii district, in August 1862 told his parents he had been "jabbed" in the "behind" by the cleric. The boy had endured the assault in silence, then escaped after Afanasii "finished" and went looking for a present to give to the boy.<sup>59</sup>

Confusion arose over the procedure for trying the offender, with the case disputed in both secular and church courts. In 1865, the Consistory noted a medical examination of Ignatii should have taken place, but had been neglected by the ecclesiastical court. Nevertheless, a secular court had ordered an examination in December 1862, over three months after the alleged attack, and this was read into the record. The doctor's testimony was terse, describing Ignatii simply as "healthy" and therefore not likely to have been sodomized.<sup>60</sup>

A further Consistory hearing in 1867 noted the secular court

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<sup>59</sup> TsGIAgM, f. 203, op. 757, d. 518, ll. 4-4 ob.

<sup>60</sup> Ibid., ll. 49 ob.-50, 70-70 ob., 55-56.

had found Afanasii guilty of "the strongest suspicion of sodomy". The priest was pardoned and allowed to remain in a monastery. No record remains of the secular court's deliberations which resulted in this verdict, but it is striking that the doctor's testimony was sought by a secular court, if only after an unsuitable delay, and that despite its denial of any stigmata on the boy, it apparently did not influence the outcome of the secular case. The church court's acknowledgement three years after the case arose that a medical examination would have facilitated its work, is also indicative of a turn to forensic science in these matters.<sup>61</sup>

In 1874 in a similar case the Moscow secular courts applied a detailed medical opinion, obtained promptly from a doctor, to secure a conviction. A 19-year-old merchant's son, Kniazev, was accused of having "committed an act of sodomy" on Nikanor Fedorov, an 11-year-old apprentice in a hatmaking workshop owned by Kniazev's mother. The victim was examined two days after the crime, and the doctor agreed that he had been raped.<sup>62</sup> The same

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<sup>61</sup> The same church court in 1855-56 showed no interest in medical examinations of a soldier who admitted an 1849 episode of bestiality with a cow, but instead ordered an investigation of canon law authorities to determine what penance was relevant; the miscreant did not escape military duties, but was assigned 15 year's penance, the same duration for sex with animals as for sodomy between men; TGIAGM, f. 203, op. 575, d. 29, ll. 4-7.

<sup>62</sup> His opinion read in part: "Fedorov is of medium build, 11 years of age, his anus opened freely when the buttocks were parted, so that a finger could easily be introduced into it, the area surrounding the passage presenting the aspect of a crater, of a red colour, especially on the left side, where there is a superficial abrasion the size

doctor also examined Kniazev's body and clothing, but found no traces of the sodomitical assault on Kniazev's penis.<sup>63</sup> The jury which heard this case in a closed session of the Moscow circuit court pronounced Kniazev guilty, principally on the basis of the medical evidence. Kniazev received four years hard labour (katorga), then permanent exile in Siberia, and the Senate rejected an appeal for clemency in January 1875. In this case, the physician's conclusive technical evidence convinced the jury to convict a "pederastic" rapist.

The principal signs of anal rape were traumatic bruising and abrasions or cuts to the victim's anus or body, or blood blistering observed on the penis of the perpetrator. Forensic doctors reported on these indications using formulas of words which occasionally appear to lead investigators to conclusions which would swiftly resolve these cases. The more defenseless the victim (by virtue of age), the more doctors openly employed conjecture and suggestion in their testimony.<sup>64</sup>

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of a chick-pea, from which Fedorov to the present time complains of a pain in the anus when seated... Taking all the above into account the conclusion follows that the indicated harm to the anus of Fedorov is the result of the consequences of sodomy (muzhelozhstvo).\" TsGIAgM, f. 142, op. 3, d. 233, ll. 79-79 ob.

<sup>63</sup> Ibid., ll. 75, 76, 78.

<sup>64</sup> A 1907 case document noted the presence of a scar on the penis of the alleged offender, "which in the opinion of Dr. Zybin, could have resulted about 10 days ago during forcible sodomy.", TsGIAgM, f. 142, op. 1, d. 2532, (Delo po obvineniiu Kolesnikova N. P., ... v iznasilovanii krest'ianina Kuznetsova A. E.), l. 4. A doctor testifying in the 1913 case of a brutal rape of a six-year-old boy by a 44-year-old labourer combined his observations of

Ambivalent expertise could lead to acquittal. The case of the alleged rape in 1892 of Vasilii Barshev, a 13-year-old apprentice in a wheelwright's workshop in Moscow, by a craftsman, 26-year-old Vasilii Reshetnikov, ended in acquittal after two doctors produced contradictory evidence. The first examination of victim and accused had taken place three days after the alleged rape, the other more than two weeks later; but the second physician declared that both inspections were too late to produce reliable indicators of rape. Another factor in the craftsman's acquittal may have been the age of his 'victim'. Despite the fact that Barshev is described as a "boy" throughout, he may have been regarded as capable of self-defense; his fellow apprentice boys said they were familiar with Reshetnikov's sexual advances and used to repulsing them. Barshev's accusations initially elicited laughter, not opprobrium, directed at Reshetnikov from the apprentices in the workshop.<sup>65</sup>

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the victim's bruises with the boy's testimony and his own conjecture, to conclude that the trauma was the result of rape, TsGIAgM, f. 142, op. 3, d. 186, (Delo po obvineniiu Bukhvalova S. F., ... v iznasilovanii maloletnego Fedotova, A. A.), ll. 49-49 ob. A 1915 examination explained blood blisters on the foreskin of a prisoner accused of raping a 17-year-old cellmate, as the probable result of "great stress to the foreskin, for example during the introduction of the penis into the anus of another person." TsGIAgM, f. 142, op. 12, d. 99, l. 14 (Delo po obvineniiu Savel'eva D. N. i Bezrukova V. V. v iznasilovanii arestanta Belousova S. G.).

<sup>65</sup> "The apprentices of the workshop... testified that before the incident with Barshev, Reshetnikov was inclined to try to copulate with them, but they did not yield to him." TsGIAgM, f. 142, op. 2, d. 433, l. 7. Unfortunately, the forensic medical documentation in this file does not describe Barshev's physical build; if he

By World War I, the task of forensic medicine to identify the "pederast" and the evidence of sexual assault between males was established in the police and court procedure of the capitals. Merzheevskii and V. M. Tarnovskii remained the domestic authorities in this arcane field, probably because the demand for such expertise in relation to the relatively modest number of sodomy prosecutions remained negligible. By the first years of the twentieth century psychiatry was displacing forensic medicine as the principal interpreter of same-sex love in Russian medical discourse. The key texts on the criminological meaning of sodomy in the last years of tsarist Russia abandoned descriptions of the body of the sodomite and turned to psychiatric medicine, both domestic and Western European, for the latest explanations of the phenomenon that, after 1905, was more frequently being called "homosexuality".<sup>66</sup> Forensic medicine retained a modest but ongoing role as purveyor to the courts of expertise in cases of violent sexual assaults between males.

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appeared full grown and capable of self-defence, this might have contributed to Reshetnikov's acquittal. The indictment emphasized Barshev's fear of the older man as a reason for submitting to him, ll. 6-6 ob.

<sup>66</sup> Piatnitskii, Polovyiia izvrashcheniia i ugolovnoe pravo; I. B. Fuks, Gomoseksualizm kak prestuplenie. Iruidich. i ugol.-politich. ocherk (St Petersburg: "Obshchestvennaia Pol'za", 1914).

(iii) Forensic medicine, sodomy and the Soviet regime

After October 1917, it was unclear what the new regime's approach toward homosexuality would be. During the Civil War, sodomy was occasionally the subject of specific, politicized attention, but records suggest it normally went virtually unprosecuted.<sup>67</sup> The 1919 case against Bishop Palladii, who indulged in "pederasty" with 14-year-old Ivan Volkov, illustrated how the Bolsheviks might call upon various branches of medicine to perform new tasks with regard to the old regime crime of sodomy. It also displayed their impatience with the fissiparous possibilities of the new scientific approaches.

Volkov was not handed exclusively to physicians who might have provided a swift conclusion about the stigmata of sodomy on his body. Instead, he was delivered into the hands of a team of specialists in child psychiatry, medicine, and education, from the Institute of the Defective Child, headed by psychiatrist M. O. Gurvich. The Institute's experts had "numerous questions" for the boy and they were eager to launch a study of Volkov's

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<sup>67</sup> For example in the 1919 Moscow trial of Bishop Palladii for sodomy; and the trial of male homosexuals following the 15 January 1921 raid of a "pederasts' club" in Petrograd. The court records contain few references to sex crimes: opisi of Moscow revolutionary tribunals at TsGAMO hold no convictions for sodomy, personal communication from Christie Story, PhD Cand., University of California (Santa Cruz), 15 August 1995; note also absence of sex crimes in conviction statistics gathered for Moscow, 1918, by the department of moral statistics, Central Statistical Administration (TsSU), in RGAE, f. 1562, op. 31, d. 53, "Statisticheskie listki ob osuzhdennykh narodnymi sudami gor. Moskvyy za 1918 god".

personality, life history and hereditary antecedents.<sup>68</sup> The Commissariat of Justice demanded forensic evidence within three days; reportedly, two documents, one on Volkov's mental condition, the other on his physical state, were supplied. Neither indicated any harm had come to the boy.<sup>69</sup> When medicine could not bolster the state's case to produce a courtroom coup de théâtre, political considerations demanded the trial proceed regardless, with the prosecutor Krasikov offering popular scientific explanations of clerical depravity instead. Jurists apparently looked first to psychiatry, not forensic medicine, to interpret same-sex offenses.<sup>70</sup>

Following the civil war, legislative and institutional change created a new environment for branches of legal medicine dealing with sex crime. Sodomy was dropped as a discrete offense in the 1922 RSFSR Criminal Code. The forensic medical function to identify consenting male homosexuals with anatomical evidence was

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<sup>68</sup> At this Health Commissariat institute pedagogy was blended with child psychiatry and studies of the disabled child, T. Iudin, Ocherki istorii otechestvennoi psikhatrii. (Moscow: Medgiz, 1951), 370.

<sup>69</sup> GARF, f. A353, op. 3, d. 745, l. 58 ob.

<sup>70</sup> After his amnesty in 1920, Palladii was sent for "treatment" to a mental hospital, ostensibly for his sexual perversion. In the 1921 Petrograd raid on the "pederasts' club", police and jurists turned not to forensic medical specialists but to V. M. Bekhterev, Russia's foremost psychiatrist, for expertise: G. R. "Protssessy gomoseksualistov." Ezhenedel'nik sovetskoi iustitsii (33 1922): 16-17; V. M. Bekhterev, "O polovom izvrashchenii, kak osoboi ustanovke polovykh refleksov." In Polovoi vopros v shkole i v zhizni, ed. I. S. Simonov (Leningrad: Brokgauz-Efron, 1927).



now formally retired; only same-sex assaults of minors or using violence would interest legal physicians. Forensic medicine located the detection of sexual assaults in the division of the discipline devoted to "the examination of live persons" (ovsidetel'stvovanie zhivvykh lits). The radically restructured criminal code introduced a new category, "sexual maturity" (polovaia zrelost'), which allowed for considerable imprecision and also, of course, produced a shadow category - sexual immaturity. Forensic medical practitioners found themselves expected by the courts to make definitive rulings about the sexual maturity of victims of sex crimes, and they did not agree on how to recognize this life stage.<sup>71</sup> In addition, the six articles of the code dealing with sexual offenses made distinctions based on maloletstvo (childhood) and nesovershennoletie (minority), and jurists had varied ideas about the ages understood. A great deal of interpretative work was accordingly thrust upon forensic doctors involved in sexual offense cases.<sup>72</sup> The actual character of sexual offenses

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<sup>71</sup> See for example, V. A. Riasentsev, "K voprosu ob opredelenii polovoi zrelosti zhenshchin." Sudebno-meditsinskaia ekspertiza (7 1927): 26-29. L. Leitman, "K voprosu o polovom sovershennoletii." Sudebno-meditsinskaia ekspertiza (9 1928): 75-78. The range of disagreement on polovaia zrelost' among medical practitioners, judges and procurators can be gauged in "Rasshirenniy nauchnyy s'ezd sudebnykh vrachei i predstavitelei iustitsii v g. Ivanove-Vosnesenske 23-25 dekabria 1927 g." Sudebno-meditsinskaia ekspertiza (9 1928): 135-64.

<sup>72</sup> Of 94,060 live persons examined in the RSFSR by forensic doctors in 1925, 7.8% were subjects in sexual offense cases; of these, 3% were examined in "rastlenie

designated in the criminal code as "the satisfaction of sexual lust in perverted forms" (article 167/151) or as "depraved activities" (article 168/152) - offences only when inflicted on young persons variously defined - was left to jurists to determine.<sup>73</sup>

The forensic medical discipline received modest but ongoing support from the Commissariat of Health in the first years of the Soviet regime, and early legislation enunciated a role that greatly enhanced doctors' powers and position in criminal investigations and court. As early as 1919, the Commissariat

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[defloration] and rape" cases, 2.8% in cases of infecting a partner with VD, 2% in cases of "determination of virginity", and 0.06% (i.e., 54 persons) in "determination of sex" cases. The categories used by the author of these statistics appear to have comprehended determinations of sexual maturity in both the defloration and virginity columns, see Ia. Leibovich, "Godovoi otchet po sudeb.-meditsinskoi ekspertize v RSFSR za 1925 g." Sudebno-meditsinskaia ekspertiza (5 1927): 96-128, Table 9, 128. Another doctor noted a similar distribution of cases for 1926, although he listed determination of sexual maturity as a discrete category: K. S. Kechek, "Sudebno-meditsinskii i bytovoi analiz ekspertiz zhivikh lits za 1916 [misprint; should read 1926] god po gg. Rostovu n/D. i Nakhichevani n/D." Sudebno-meditsinskaia ekspertiza (8 1928): 100-105. In 1923 in Moscow city, 3.65% of all live persons examined by forensic doctors were for "rape and defloration" cases but there was no breakdown published of other sex-related examinations, N. V. Popov, "O rabote Moskovskoi sudebno-meditsinskoi ekspertizy" Moskovskii meditsinskii zhurnal (7 1924): 88.

<sup>73</sup> The figures in parentheses refer to the relevant articles in the 1922, then 1926, redactions of the RSFSR Criminal Code. "Defloration" (rastlenie) or "satisfaction of sexual lust in perverted forms" were offences under articles 167/151 when inflicted on "persons not having achieved sexual maturity". "Depraved activities" (razvratnye deistviia) were crimes when inflicted against children (maloletnie) or minors (nesovershennoletnie), under article 168/152.

organized a department of forensic medicine, and after the end of the civil war, established a network of responsible forensic physicians in major centres. A joint decree of Health and Justice Commissariats, "New decree on forensic medical opinions" (1921) gave doctors power to initiate post-mortems or examinations in criminal investigations, rights to amend medical points in investigators' files before these went to court, and to have the last word in trials if medical points had been distorted by defense or prosecution.<sup>74</sup> The acknowledged leader of the discipline, Ia. I. Leibovich, chief of the Health Commissariat's forensic medical department, urged practitioners to breathe life into these powers (and into his vision of the discipline as "social medicine") by forging active links with criminal investigators and the courts.<sup>75</sup> Yet even in well resourced Moscow and the surrounding province, experts confronted a burgeoning caseload which left little time for conferences or the search for new tasks. As awareness of the availability and necessity of forensic medical expertise increased, examinations of live persons doubled or tripled in 1923 alone.<sup>76</sup>

Leibovich's early hopes that the doctor in court would no

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<sup>74</sup> Ia. Leibovich, "Tri goda sudebnoi meditsiny" Ezhenedel'nik sovetskoi iustitsii (7 1922): 8.

<sup>75</sup> Ibid., see also idem., "Piat' let sudebnoi meditsiny." Ezhenedel'nik sovetskoi iustitsii (34 1923): 775-77; idem., "Sudebno-meditsinskaia ekspertiza pri NEP'e." Ezhenedel'nik sovetskoi iustitsii (2 1923): 36-38.

<sup>76</sup> Popov, "O rabote Moskovskoi sudebno-meditsinskoi ekspertizy", 88.

longer be a tsarist "functionary" but a "social worker" and "sociologist" within a confident, discrete discipline were not fully realized during his tenure (which ended during the cultural revolution). In 1923, faced with impending transfer of funding of regional legal medical networks from central Health Commissariat resources to local ones, he argued (unsuccessfully) that Justice and Internal Affairs Commissariats should pick up the bill for regional laboratories. Still worse was the disadvantaged position of legal doctors, whom he now termed the "stepchildren" of the medical profession. Education of new forensic physicians was lagging, and little was being written by existing practitioners, which further hampered development.<sup>77</sup> By the time of the discipline's second All-Russian Congress in 1925, the visionary goals of the 1921 "New decree" were facing intense pressure. The caseload burden, worsened by underfunding of salaries, training, and facilities, and the new Criminal Procedural Code, which had largely disregarded the "New decree's" view of forensic practice, all confined the discipline to immediate, purely evidentiary, duties. Complaints were voiced that forensic medicine lacked a "definite situation" whether under the Commissariats of Health, Justice or Internal Affairs, and that legal doctors were "besprizornye" (homeless waifs). Moreover, neither physicians nor criminal investigators were content with the inconsistencies and

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<sup>77</sup> Leibovich, "Sudebno-medit'sinskaia ekspertiza pri NEP'e.", 38. For a brief period, approximately the mid-to-late 1920s, the discipline did have its own central journal, Sudebno-medit'sinskaia ekspertiza.

lacunae in procedural regulation at the interface between their two functions, but these problems were neglected by legislators.<sup>78</sup>

In an atmosphere of limited resources and dispute over the agenda of tasks in the discipline, forensic doctors were not motivated to revive the study of signs of sodomy or consenting homosexual relations. Homosexuality as a medical problem was by this time clearly the province of psychiatrists, no longer a crime but commonly regarded as an disorder of the mind or the sex glands. References to same-sex perversion in 1920s forensic medical literature were for the most part subordinate to the psychiatric view of the problem.<sup>79</sup> Simultaneously, Soviet psychiatrists drew upon physicians' expertise when describing the bodies of their cases of "homosexuality", but they did not direct doctors to search for stigmata of sodomy. Instead, physicians or gynecologists were called in to eliminate a diagnosis of hermaphroditism, or to conduct anthropometric examinations of patients to evaluate their conformity to supposed masculine or

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<sup>78</sup> N. I. Izhevskii, "Vtoroi vsrossiiskii s"ezd sudebno-meditsinskikh ekspertov v g. Moskve (25 fevralia-3 marta 1926 goda)" Leningradskii meditsinskii zhurnal (4 1926): 144-45; "Rasshirennii nauchnyi s"ezd sudebnykh vrachei i predstavielei iustitsii v g. Ivanove-Vosnesenske 23-25 dekabria 1927 g.", 143-47, 158-64.

<sup>79</sup> See e.g., gynecologist V. A. Riasentsev's report of his examination of two apparent female homosexuals, "Dva sluchaia iz praktiki. 1. Gomoseksualizm?" Sudebno-meditsinskaia ekspertiza (2 1925): 152-56; and same case, analysed by psychiatrist N. P. Brukhanskii, Materialy po seksual'noi psikhopatologii (Moscow: M. i S. Sabashnikov, 1927), 65.

feminine somatic types, or to seek evidence of degeneration.<sup>80</sup> Only two psychiatrists invoked the authority of Casper, and that was to emphasize the German forensic doctor's hypothesis that pederasty could be ascribed to environmental or congenital factors.<sup>81</sup>

The discipline did not entirely abandon its interest in forms of sexual deviance which were nominally decriminalized. A supplement to the central journal Sudebno-meditsinskaia ekspertiza (Forensic medical expertise), entitled "A Handbook of Forensic Medicine", by the Austrian legal physician Julius Kratter, was published in 1928, and included a detailed chapter on "forensic sexology".<sup>82</sup> The transmission to a post-

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<sup>80</sup> Markers of degeneracy, see V. P. Protopopov, "Sovremennoe sostoianie voprosa o sushchnosti i proiskhozhdenii gomoseksualizma." Nauchnaia meditsina (10 1922): 49-62; and V. A. Belousov, "Sluchai gomoseksuala-muzhskoi prostitutki." Prestupnik i prestupnost'. Sbornik II, (1927): 309-17. Anthropometric and gynecological examinations, see A. P. Shtess, "Sluchai zhenskogo gomoseksualizma pri nalichii situs viscerum inversus, ego psikhoanaliz i gipnoterapiia." Saratovskii vestnik zdavookhraneniia (3-4 1925): 1-19; E. K. Krasnushkin, and N. G. Kholzakova. "Dva sluchaia zhenshchin ubiits-gomoseksualistok." Prestupnik i prestupnost'. Sbornik I (1926): 105-20.

<sup>81</sup> Protopopov, "Sovremennoe sostoianie voprosa o sushchnosti i proiskhozhdenii gomoseksualizma", 57; only one Soviet psychiatrist, of the older generation, invoked forensic medical sodomy indicators, including the active partner's supposed canine-like member, V. M. Bekhterev, "Polovye ukloneniia i izvrashcheniia v svete refleksologii." Voprosy izucheniia i vospitaniia lichnosti (4-5 1922): 721.

<sup>82</sup> Iu. Kratter, "Rukovodstvo sudebnoi meditsiny. Dlia vrachei i studentov. Ch. IV. Sudebnaia seksologiya. Avtorizovannyi perev. so 2-go nemetsk. izd. pod red. i s dopolneniiami Ia. Leibovicha (Prodolzhenie)." Sudebno-

revolutionary generation of foreign expertise was the object of this publication, despite the fact that some of the deviant sexual practices catalogued were not offenses in Soviet Russian law (male and female homosexuality, and transvestism, were specifically mentioned). The translator, Leibovich, intervened in Kratter's text to point out that these phenomena were not illegal in the USSR (with the exception, he noted, of sodomy in certain union republics, "for example Georgia").<sup>83</sup> Nevertheless, Kratter's instructions for detecting the signs of "pederasty", virtually unchanged from those of Casper and to a lesser extent Tardieu (to whom Kratter accorded less credence, especially on "active" pederasty), were presented without commentary from Leibovich. Kratter divided same-sex love into two separate phenomena based on widely held theories of their etiology, and argued that German and Austrian law ought to acknowledge this division. "Acquired" pederasty was punishable in these nations as a vice governed by individual moral will, whereas "homosexual feeling" (gomoseksual'noe chuvstvo), a mental condition said to exhibit less outright sexual expression, ought not to be punishable because the offender was compelled to homosexual actions by his or her constitution. By his interventions, Leibovich presented Kratter's argument as an example of advanced

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meditsinskaia ekspertiza (1928): kn. 9, 1-38; kn. 10, 67-114. This was a translation from Julius Kratter, Lehrbüch der gerichtlichen Medizin (Stuttgart: Ferdinand Enke, 1921).

<sup>83</sup> Kratter, "Rukovodstvo sudebnoi meditsiny", kn. 9, p. 37, kn. 10, p. 58.

scientific thinking on the question of homosexuality, and he positioned Soviet legislation in the vanguard of that new view.<sup>84</sup> Yet by reproducing the text on anal examinations, Leibovich signaled to his readers that authorities had developed an arcane form of expertise around this issue, an expertise worth transmitting if not elaborating.<sup>85</sup>

(iv) Forensic medicine and the recriminalization of sodomy

The institutional insecurities of forensic medicine, evident in the complaints heard at its second congress in 1925, apparently continued into the late 1920s. Neglect by the Commissariat of Health, despite the essential service legal medicine was meant to provide in the Soviet justice system, generated sufficient dissatisfaction to prompt a review of the discipline during the first Five Year Plan. At a time when the key institution in a related speciality, forensic psychiatry, was removed from Health Commissariat control,<sup>86</sup> the Internal Affairs Commissariat's

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<sup>84</sup> Ibid.; the distinction between voluntary "pederasty" and congenital, desexualized "homosexual feeling" was also present in early Soviet psychiatric literature. Leibovich implied that Western nations, "with their special conditions of life [spetsial'no bytovye usloviia]" were subject to more forms of sex perversion than Russians were, presumably because of a lower degree of urbanization, *ibid.*, kn. 10, p. 66n.

<sup>85</sup> *Ibid.*, kn. 10, pp. 61-64.

<sup>86</sup> From 1932 to 1938, the V. P. Serbskii Institute of Forensic Psychiatry and its "medical sanitary network" was formally under the jurisdiction of the Justice Commissariat; GARF, f. A482, op. 24, d. 847, l. 37 ob;



militia apparatus had also petitioned to absorb forensic medical functions. In 1931, the Council of People's Commissars (Sovnarkom) referred the question to the Workers' and Peasants' Inspectorate (Rabkrin), and in December, Rabkrin expressed "complete dissatisfaction with forensic medical affairs" and directed the Health Commissariat to implement sweeping changes in the training of specialist physicians and the outlay of resources to the discipline. By 1933 however, N. V. Popov, the director of the newly founded Central Institute of Forensic Medicine, complained to the People's Commissar of Health that only a fraction of the recommendations had been realized. The discipline had lost its representative on the Commissariat's Expert medical council, publishers Medgiz greeted proposals "with complete scorn" and the forensic medical journal had been discontinued, while his Institute's location was far from satisfactory.<sup>87</sup>

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Ts. M. Feinberg, Sudebno-psikhiatricheskaja ekspertiza i opyt raboty instituta sudebnoi psikhiatrii im. prof. Serbskogo za XXV let. (Moscow: Tsent. n.-i. institut sudebnoi psikhiatrii im. prof. Serbskogo MZ SSSR, 1947), 11.

<sup>87</sup> GARF, f. A482, op. 24, d. 301, ll. 1-4 ob. The "only exposition chamber for corpses in the USSR, beautifully equipped", was occupied by a Moscow medical institute Komsomol cell, which had appropriated the chamber's refrigeration equipment, l. 3. Popov's criticism, in this report, of Leibovich's editorial work (l. 2 ob.), and Leibovich's replacement as head of the forensic medical department at Narkomzdrav by V. M. Smol'ianinov, suggest that ex-chief of this department had been ousted sometime during the cultural revolution. He is not mentioned at all in a 1968 historical sketch of the discipline, which mentions none of the obstacles to its progress in the 1930s evident in archival documents, see V. Prozorovskii, ed. Sudebnaia meditsina. (Moscow: Iuridicheskaja literatura, 1968), 7-9.

Popov worried that fresh calls for an "extremely undesirable" transfer into the hands of the police would overwhelm the discipline, but formally this does not appear to have occurred.<sup>88</sup>

While forensic medicine remained a purveyor of evidence in the judicial system under the first Five Year Plans, the demand for more systematic guidelines on the examination of living persons, expressed by doctors and legal officials in the 1920s, was addressed at a significant moment in the history of antisodomy legislation. In late 1933 examinations of live persons were the subject of rules devised by the Central Institute of Forensic Medicine and adopted for distribution by the Health Commissariat in consultation with the Procurators of the RSFSR and USSR, and a representative of the Main Administration of the militia, in June 1934.<sup>89</sup> The rules for "forensic medical obstetric-gynecological examination", were published within months of the adoption of the stalinist antisodomy statute, and contained specific instructions for detecting the signs of "pederasty":

13. In examinations regarding depraved acts, accompanied by rape or not, and as well regarding sexual perversions (with or without the use of force), the expert, besides the above-mentioned

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<sup>88</sup> GARF, f. A482, op. 24, d. 301, l. 4 ob.

<sup>89</sup> GARF, f. A-482, op. 25, d. 879, ll. 22-29 (Pravila ambulatornogo sudebno-meditsinskogo akusher.-ginekologicheskogo issledovaniia). These rules were being discussed simultaneously with the enactment of the new antisodomy statute, but evidence of a direct link between the two initiatives has not been uncovered.

[considerations], examines (in the case of pederasty [pederastia]) the anal orifice and should note its form (crater- or funnel-shaped), whether it gapes or not, the flabbiness or slackness of the mucous membrane of the rectum, the presence or absence of ray-shaped folds of skin around the anal orifice, of fissures and wounds, the status of the sphincter, levator, the dilation of the ampulla, prolapsus of layers of the rectum; particular attention is to be paid to the presence of rectal gonorrhea, especially in victims who are men (or boys)...<sup>90</sup>

The placement of the essential characteristics of the anatomical indications of pederasty directly after a discussion of heterosexual rape, in a code of rules governing gynecological examinations, all echo Vladislav Merzheevskii's treatment of the issue in his manual 56 years previously. Yet this was not simply a return to pederasty-as-vice, but a convenient and discreet method of locating a politically charged duty which reappeared under the forensic medical rubric with the recriminalization of male homosexuality in 1933-1934.

In a manual of forensic gynecology, published in 1935 by doctors who contributed to the formulation of these guidelines the previous year, male homosexuality was spoken of with a degree of inconsistency which betrayed the authors' political and scientific bewilderment. N. V. Popov and E. E. Rozenblium, at the end of a chapter entitled "Rape", discussed "rape with sexual perversions", and devoted two pages to etiologies of "homosexuality" and "lesbian love". The authors presented a neutral review of endocrinological and reflexological theories, listing foreign and domestic authorities by name, and even

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<sup>90</sup> Ibid., 1. 24.

stating, unusually for the period, that hormonal theories "deserve ...full attention".<sup>91</sup> Popov and Rozenblium then turned abruptly from scientific discourse, and wrote:

Finally the role of specific class conditions must be emphasized: homosexuality has obtained a special prevalence in such countries as Germany, among the aristocratic military bosses and generally among the "big shots" of the fascist movement.<sup>92</sup>

Noting that homosexuality was now punished in all union republic criminal codes, the authors argued that because it was an offense between men, there was no need to deal with it in their volume.<sup>93</sup> Forensic gynecologists, responsible for gathering evidence from victims and perpetrators of sexual crimes, appeared reluctant to take on the duty of detection of voluntary sodomy in males. By minimizing the crime's prevalence, suggesting that the problem was better understood by psychiatrists and even endocrinologists, and finally by putting a class-enemy gloss on the offense, Popov and Rozenblium seemingly rejected any involvement for their discipline. Yet immediately after these passages, they presented the case of a wife whose husband demanded perverse sex (anal and oral), referring to her as a "passive pederast" (passivnyi pederast). The authors then rehearsed all the classic stigmata of receptive anal intercourse,

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<sup>91</sup> E. E. Rozenblium, M. G. Serdiukov, and V. M. Smol'ianinov. Sudebno-meditsinskaia akushersko-ginekologicheskaja ekspertiza. (Moscow: Sovetskoe zakonodatel'stvo, 1935), 45.

<sup>92</sup> Ibid., 46.

<sup>93</sup> Popov had previously asserted that "in our conditions" sodomy was seldom encountered; *ibid.*, 9.

in language reminiscent of Merzheevskii and Tarnovskii, rather than the bureaucratism of the 1934 "Rules", and concluded with remarks on the differences in signs of anal gonorrhoea between women and men.<sup>94</sup> Perhaps the authors, by presenting a case of "passive pederasty" gendered as female, were emboldened to transmit a heritage of medical lore on male sodomy.<sup>95</sup>

It remains unclear to what extent medical expertise contributed to the conviction of male homosexuals after the 1934 anti-sodomy law came into effect. In this study's sample of eight Moscow sodomy trials (of 36 persons accused specifically of sodomy) dating from 1935 to 1941, only two males were examined for anatomical evidence of pederasty. The first was scrutinized in 1935 to verify his claim that he had lost his genitals in the civil war, and was thus only capable of receptive anal intercourse (he received an unusually light one-year sentence).<sup>96</sup> The second individual was examined for reasons which are difficult to reconstruct from the surviving sentencing document alone. In 1937 he was arrested while masturbating with another man in the notorious public toilet at Nikitskie Gates -

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<sup>94</sup> Ibid., 47.

<sup>95</sup> A post-1945 textbook discussed sodomy without conceptual confusions, as a sexual crime routinely identified by forensic doctors, rehearsing the acknowledged stigmata of "pederasty" with an exemplary "Document of forensic medical expertise" in a case of consensual sodomy; no reference to psychiatric etiologies, or political dogma, was made. M. I. Avdeev, Sudebnaia meditsina 3rd ed., (Moscow: Gosizurizdat, 1951), 375-76.

<sup>96</sup> Prigovor Bezborodova i 11 dr. (1935), 11. 241-42.

in that year hardly a scenario requiring more evidence of homosexual inclinations to convince a court to convict - yet medical testimony that he frequently played "the role of a passive pederast" was used against him. It may be that this evidence was used to link this individual to others in the group of ten who were tried together in this case. This man did not launch an appeal, probably because of this medical testimony against him, and unlike most defendants in the Tereshkov case, his sentence was not later suspended or reduced.<sup>97</sup>

The absence of references to forensic medical examinations of the other 34 defendants in this sample is consistent with the sentencing documents' formulations that confessions and eyewitness testimony were the usual forms of evidence used against them. In the atmosphere of the Great Terror, there was apparently no need for scientific confirmation of that which could be 'proven' by self-incrimination and denunciation. Evidence from the late 1940s and into the 1950s suggests that when sodomy was well established as an offense of byt (everyday life), forensic medical (and psychiatric) expertise may have become more prevalent in sodomy trials.<sup>98</sup>

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<sup>97</sup> Prigovor Tereshkova i 9 dr. (1938), l. 42.

<sup>98</sup> It is difficult to establish from Moscow's surviving trial records how differences between consensual and aggravated sodomy affected the resort to expertise. Individual Moscow city trials with forensic expertise from this era: TSMAM, f. 901, op. 1, d. 1352 (1950; consensual sodomy; forensic psychiatric expertise only); TSMAM, f. 1921, op. 1, d. 69 (1955; consensual sodomy; forensic medical expertise only); TSMAM, f. 901, op. 1, d. 1534 (1949; forcible sodomy; forensic medical

(v) Forensic medicine and female mutual sexual relations

Since same-sex relations between women were not a crime in tsarist or Soviet law, forensic medical specialists paid far less attention to the anatomical indications of what was usually referred to as "lesbian love" (lesbiiskaia liubov') or "tribadism" (tribadiia), in the literature of the discipline. An early Russian source on medico-legal expertise in same-sex crimes, the 1870 article by one Dr. Zuk of the Ministry of Internal Affairs, stated, "If a woman uses another woman for the satisfaction of her sexual excitement, then this crime is called lesbian love". Such love could only be a crime if a woman abused a position of power over a ward or pupil, under article 993 of the tsarist criminal code. If there was no such relationship between two females apprehended in mutual sexual relations, then "it was not our affair" to judge and punish them, and in any case, "lesbian love leaves extremely rare traces".<sup>99</sup> Very few cases of sexual assaults between women, or of women's seduction

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expertise); TSMAM, f. 1919, op. 1, d. 136 (1952; sodomy with minors; forensic medical expertise only); TSMAM, f. 1919, op. 1, d. 238 (1955, forcible sodomy later reduced to consensual; forensic medical expertise); TSMAM, f. 901, op. 1, d. 394 (1955, forcible sodomy; forensic medical and psychiatric expertise); TSMAM, personal communication from archives staff, (1959, case against piano performance instructor at Moscow Conservatory, forensic psychiatric opinion obtained from V. P. Serbskii Institute of Forensic Psychiatry by police).

<sup>99</sup> Dr. Zuk, "O protivozakonnom udovletvorenii polovago pobuzhdeniia i o sudebno-meditsinskoii zadache pri prestupleniiakh etoi kategorii" Arkhiv sudebnoi meditsiny i obshchestvennoi gigiiny (2, sec. 5 1870): 12-13.

of female minors, appear to have reached the courts.<sup>100</sup>

Merzheevskii's manual of forensic gynecology similarly abdicated any role for the doctor when "lesbian love" was suspected. Even in court cases where minors or the mentally deficient were seduced by women, doctors were obliged "to declare themselves not competent" to give testimony, unless it could be shown that the victim's hymen had been ruptured. The use of dildos (kauchukovyiia muzh'ia, literally, 'rubber husbands') and mutual masturbation between adult women might leave minor traces (enlarged clitoris, enlargement or pigmentation of the labia minora) but nothing reliable as evidence, for these could be observed on "innocent individuals". In his brief discussion of the issue, Merzheevskii made no references to European authorities, citing only the ancient poets and one modern author, Adolphe Belot, whose novel, Mademoiselle Giraud ma femme (Paris,

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<sup>100</sup> Moscow's secular and ecclesiastic court records for the years 1865-1917 (TsGIAgM, Moskovskii okruzhnyi sud, f. 142; Moskovskaia dukhovnaia konsistoriia, f. 203) hold no cases of this type. Jurist A. F. Koni's criminal case files contain no lesbian convictions, although there is the Krasikova case, an 1893 murder of a woman in a relationship with a female prostitute, by her jealous husband, GARF, f. 564, op. 1, d. 260, ll. 22-32 ob., also described in Laura Engelstein, "Lesbian Vignettes: A Russian Triptych from the 1890s." Signs 15 (4 1990): 813-31. Piatnitskii reported that from 1874 to 1904, four women in the Russian Empire were indicted for "pederasty", but all were later acquitted. Piatnitskii's "pederasty" statistics included charges and convictions under three separate crimes: simple sodomy, aggravated sodomy, and bestiality. He justified this use of the statistics to discuss both forms of sodomy alone, with the observation that cases of bestiality were extremely rare, and Moscow's court records appear to support this claim; Piatnitskii, Polovyiia izvrashcheniia i ugolovnoe pravo, 11n.



1870), was said to be typical of a Western popular literature cloaked in morality while stimulating "passionate natures" to vice.<sup>101</sup> There were few further passages mentioning lesbian love in forensic medical texts published before 1917. V. M.

Tarnovskii's 1885 study of sexual perversion devoted itself virtually entirely to males, and a similar disinterest in women marks the work of psychiatrist V. M. Bekhterev.<sup>102</sup>

With the restructuring of concepts of sexual crime in the 1922 RSFSR Criminal Code, forensic medicine was assigned the task of determining "sexual maturity" (and thus, the age of consent) in offenses under article 167 (from 1926, article 152). This gender-blind article allowed for prosecutions against women in sexual relationships with young girls; yet definitions of sexual maturity in girls varied from one authority to the next. Some argued for an explicit age limit (N. V. Popov suggested 17 years was reasonable),<sup>103</sup> while others felt physical and social criteria ought to be applied, leaving the question of age open to

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<sup>101</sup> Merzheevskii, Sudebnaia ginekologiya, 261-62. On Belot's novel and its context, see Victoria Thompson, "Creating Boundaries: Homosexuality and the Changing Social Order in France, 1830-1870." In Homosexuality in Modern France, eds Jeffrey Merrick and Bryant T. Ragan (New York & Oxford: Oxford University Press, 1996), 117-20.

<sup>102</sup> Tarnovskii, Izvrashchenie polovogo chuvstva, 5.

<sup>103</sup> N. V. Popov, "Neskol'ko zamechaniy po voprosu o vremeni nastupleniya polovoi zrelosti." Sudebno-meditsinskaia ekspertiza (7 1927): 29-33. He was supported by an empirical study of hundreds of young women, V. S. Piaternev, "K voprosu ob opredelenii polovoi zrelosti zhenshchiny." Sudebno-meditsinskaia ekspertiza (11 1929): 21-26.

variation.<sup>104</sup> Prosecutors complained that differences of medical opinion made a hash of their work, especially when decisions were challenged or reviewed.<sup>105</sup>

The number of cases of female same-sex offenses which appeared in legal or medical literature are too modest to permit firm generalizations, yet they do offer illustrations of a disciplinary tension between forensic gynecology and psychiatry in identifying and interpreting the "female homosexual". The role for gynecology set by the "sexual maturity" category was abundantly apparent in the 1923-1925 sex assault case against letter carrier Fedosiia P., who had convinced 15-1/2-year-old Nina that she was a man disguised as a woman. As the dossier on this alleged defloration grew with contradictory testimony, and as the "victim" matured during the two years the case dragged on, forensic gynecological examinations of both parties served two functions. The first was to assure all parties that Fedosiia was indeed a woman and not a "hermaphrodite" as suspected by the initial people's investigator on the case. Later, in 1925 when Nina would have been nearly 18, examinations confirmed her supposed long-standing sexual maturity and loss of virginity. The court accordingly acquitted Fedosiia, assuming that the two

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<sup>104</sup> V. A. Riasentsev, "K voprosu ob opredelenii polovoi zrelosti zhenshchin" Sudebno-meditsinskaia ekspertiza (7 1927): 26-29; one female doctor applied similar criteria to sexual maturity in males, Leitman, "K voprosu o polovom sovershennoletii".

<sup>105</sup> "Rasshirennnyi nauchnyi s"ezd sudebnykh vrachei i predstavitelei iustitsii v. g. Ivanove-Vosnesenske 23-25 dekabria 1927 g.", 143-47.

"sexually mature" women had had consensual homosexual relations which were not a crime. Forensic gynecologist V. A. Riasantsev reported this result, and his contributions toward it, under the heading "Homosexuality?", in the forensic medical profession's central journal. Somewhat later, forensic psychiatrist N. P. Brukhanskii published his own evaluation of Fedosiia's psyche, without mentioning the acquittal and how it was reached, in his monograph on sexual psychopathology.<sup>106</sup>

When in 1933-1934 the forensic medical discipline in conjunction with jurists and police drafted rules for "forensic medical obstetric-gynecological examination", no explicit guidelines were included on female same-sex offenses comparable to those on "pederasty". One passage about gathering evidence of sexual crime suggests that assaults by women on girls, of the type understood in the criminal code's article 152, were perhaps anticipated. When conducting examinations

establishing VIRGINITY or RAPE with DEFLORATION, or DEPRAVED ACTIONS, or SEXUAL MATURITY [the doctor should verify]:

a) GENERAL STATUS OF THE EXAMINED PERSON: body structure corresponding in external appearance to her stated age, infantilism, virilism (masculinization [omuzhestvlenie]), abnormalities...<sup>107</sup>

The text also directed doctors to check if assailants (usually assumed in the guidelines to be males, yet here treated more

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<sup>106</sup> Riasantsev, "Dva sluchaia iz praktiki. 1. Gomoseksualizm?"; Brukhanskii, Materialy po seksual'noi psikhopatologii, 62-65 (note especially his abrupt conclusion to this section on Fedosiia).

<sup>107</sup> GARF, f. A482, op. 25, d. 879, l. 23 ob.

ambiguously) displayed masculine or feminine patterns of hair growth. A year later, medical contributors to these guidelines, N. V. Popov and E. E. Rozenblium, in a forensic gynecological manual, only briefly touched the issue of female same-sex assaults in a section on "rape with sexual perversions", and were silent about "masculinization" in women assailants. "Lesbian love" figured among the rare, but not specifically criminalized, sexual perversions of which the medical examiner ought to be aware. "Tribadism" left "no changes in the genital region", although "rare cases observed in Paris" of clitoral wounds caused by teeth were known. "Active partners" could have an enlarged clitoris, and their victims often displayed hysteria or more complex mental disorders.<sup>108</sup> If Rozenblium and Popov revived the archaism of treating male rape under the rubric of 'forensic gynecology', then by ignoring domestic authorities on female "homosexuality" such as Riasantsev, they also returned to the tropes of innocent Russia and sexually depraved Western Europe, exemplified by the Paris of Louis Martineau whose 1883 Leçons sur les déformations vulvaires et anales was the only source they cited on this issue.<sup>109</sup> Simultaneously, by pointing to the

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<sup>108</sup> Rozenblium et al., Sudebno-meditssinskaia akushersko-ginekologicheskaja ekspertiza, 45-47.

<sup>109</sup> Louis Martineau, Leçons sur les déformations vulvaires et anales produites par la masturbation, le saphisme, la défloration, et la sodomie (Paris, 1883); idem., La prostitution clandestine (Paris, 1885; Russian translation, 1885, 1887). On Martineau's influence on tsarist discussions of forensic gynecology, see Engelstein, The Keys to Happiness, 131-32, 153.

potential for mental disorders among "tribades" they also indicated that they perhaps preferred to share the problem with psychiatrists.

The use of both forensic gynecological and psychiatric expertise in the 1940 Moscow city court's investigation and trial of Irina Stepanova demonstrated how the distribution of functions between the two disciplines could serve authorities in a context now far removed from the atmosphere of sexual revolution which led to the acquittal of Fedosiia in 1925. Stepanova's two-year affair with Anna, beginning when the teenager was 16, resembled the Fedosiia-Nina liaison, yet the legal outcome in the later case was a three-year prison term for the older woman.<sup>110</sup> Here the gynecologist who examined Anna to assess her sexual maturation apparently applied the more exacting standards set by the "forensic medical obstetric-gynecological" guidelines established in 1934,<sup>111</sup> and deemed the teenager to have been sexually immature when relations with Stepanova commenced in 1937. Meanwhile, a forensic psychiatric opinion was sought about Stepanova, and this expertise deemed her fit for trial. No

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<sup>110</sup> Prigovor Stepanovy (1940), ll. 17-18.

<sup>111</sup> No reference to the criteria used is found in the sentencing documents for this case. The 1934 guidelines stipulated that a "combination" of the ability to bear a child, the intellectual development required to rear it, and the social preparedness for an independent existence, constituted sexual maturity "from the point of view of forensic medical practice"; see GARF, f. A482, op. 25, d. 879, ll. 24, 27-27 ob; Rozenblium et al., Sudebno-meditsinskaia akushersko-ginekologicheskaja ekspertiza, 20-21.

apparent attempt to find signifiers of "masculinization" on Stepanova's body took place, nor was there any hope of excusing her actions on the grounds of a psychiatric disorder.<sup>112</sup>

Forensic gynecology could be called upon to supply evidence of damage done to an 'innocent' victim (in this case, Anna's loss of virginity), while psychiatry interpreted the 'female homosexual' personality as perverted but still responsible for her acts.

### Conclusion

In Russia, scientific stigmatization of the "pederast", and to a lesser extent the "tribade", began with the adoption of Western forensic medical methods for detecting illegal sexual acts. Landmark German and French texts were digested for a domestic professional audience, and supplemented with local material which allowed authorities to apply Western terminology to the "pederasts" and "catamites" they encountered in their own cities. Russian scientific experience, because of the time lag in adoption of forensic medical views of the pederast, adds an important new challenge to those already presented by Chauncey, Hansen, Rosario and others, to Foucault's hypothesis that psychiatry alone "created" the homosexual as a personality. This lag in absorbing medical models of homosexuality, the result of "combined underdevelopment" in Engelstein's phrase, throws into

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<sup>112</sup> The RSFSR Supreme Court thus rejected Stepanova's appeal for a review of both forms of medical expertise, Prigovor Stepanovy (1940), 1. 18.

relief the shared interest of physicians and psychiatrists in the practitioners of same-sex eros. Although they concentrated on anatomy, not personality, even Casper and Tardieu's medical studies of sodomy detection did not confine themselves to purely somatic terrain, but discussed "pederastic milieux" in detail. Merzheevskii and Tarnovskii were consequently as fascinated by the subcultural world of the pederast - and keen to introduce their readers to the Russian versions of that subculture - as they were enthusiasts for transmitting information about particular kinds of bodies. Chauncey's assertion that doctors did not create the homosexual, but "encountered" him in his element, is supported by the two Russians' texts, especially in Tarnovskii's ethnographic appreciation of the innocence of the "Russian common folk" who tolerated "gentlemen's mischief". Evidence from non-medical sources, discussed in chapter six, confirms that Tarnovskii accurately observed a well established male urban subculture of mutual sexual relations.

Forensic medical practice, in its apparently episodic adoption of the Western norms on sodomy detection, tends as well to confirm the "combined underdevelopment" thesis. The vector of growing medical sophistication running through the trials of Father Afanasii (1862-1867), Vasilii Kniazev (1874), and Petr Mamev (1888), was undercut by a widespread ignorance or half-knowledge among legal physicians, best illustrated in Merzheevskii's commentaries, but perhaps also in the practice of rural doctors. Geography and poor communications hampered the

spread of new medical technique.<sup>113</sup> Another countervailing trend was procurators' reluctance to prosecute consensual sodomy, making stigmatization through doctors' interventions (as in Mamaev's case) less frequent and influential as a nominative process than in Western Europe and America. Nevertheless Russian physicians retained those aspects of this knowledge which assisted in the detection of anal rape, against expert claims that such rape was impossible or improbable. The disembodied theories of Merzheevskii and Tarnovskii denying male rape were contradicted in the experience of doctors called upon to examine victims, and forensic physicians responded by exposing male brutality when they detected it. For this reason, the classification of knowledge on sodomy under the rubric of forensic gynecology, where doctors most likely to encounter victims of male sexual violence would make use of this lore, was logical, and followed Western precedent.

Under the early Soviet regime there appeared to be no role

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<sup>113</sup> The rape of a 12-year-old shepherd by a 22-year-old peasant in Klin district in 1896 shows that even this late, a rural district physician (not in a remote region, but between the two capitals) might be utterly ignorant of the new medical practices on indications of sodomy. The doctor in this case examined the accused rapist a week after the event; he only looked at the victim four months later, and his medical opinion shows no acquaintance with either Merzheevskii or Tarnovskii. The accused rapist was acquitted by a jury. TsGIAgM, f. 142, op. 1, d. 195, ll. 74, 96. On the obstacle geography presented to health reform in Russia, see "Introduction: The Problem of Health Reform in Russia" in Susan Gross Solomon, and John Hutchinson, eds Health and Society in Revolutionary Russia. (Bloomington & Indianapolis: Indiana University Press, 1990), xii-xiii.



for legal medicine concerning consensual male intercourse, and probably a diminished role even in cases of male rape, to judge from the turn to psychiatry and pedagogy illustrated in the case against Bishop Palladii. The extent to which physicians acted in same-sex assault or abuse cases in the 1920s is difficult to ascertain from published sources, and court records remain to be canvassed for what they can tell us.<sup>114</sup> Forensic doctors were apparently exasperated with the "unsuccessful redaction" of criminal code articles on sexual crimes. The intriguing history of the clash between revolutionary (hetero-) sexual utopianism and the brutal realities of NEP experience, as expressed in the work of forensic physicians, remains to be written.<sup>115</sup>

Forensic doctors drafted new regulations in 1933-1934 on the examination of (usually female) sex assault victims, and were perhaps directed to include instructions for the detection of male sodomy (consensual and aggravated) in the wake of the recriminalization of these acts. Both doctors and courts seem to have been unenthusiastic about the return to forensic medical

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<sup>114</sup> Forensic medical professional journals and monographs of the 1920s are virtually silent about practice in male rape cases. I was denied access in 1995 even to the inventories of criminal cases of the Moscow circuit court (okruzhnyi sud), ff. 5062 and 7335, for 1922-1930, on the basis of the 75-year embargo on "personal files" at TsGAMO.

<sup>115</sup> These themes are explored, without sustained reference to medical agents, in Eric Naiman, "The Case of Chubarov Alley: Collective Rape, Utopian Desire and the Mentality of NEP." Russian History/Histoire Russe 17 (1 1990): 1-30. See also N. B. Lebina, and M. B. Shkarovskii. Prostitutsiia v Peterburge (Moscow: Progress-Akademiia, 1994), especially Chapter 3, "Milost' k padshim".

evidence in this revived offense, for different reasons. To doctors, under the influence of psychiatric views of the 'homosexual' as physically normal but psychically a sex and gender deviant, or even a sufferer of hormonal abnormality, returning male sodomy to the forensic gynecological envelope must have seemed a bewildering anachronism. From a scientific problem the male 'homosexual' became a political one, and legal physicians were compelled to perform an unpleasant duty recalling their policing functions evident in the 1888 case of Moscow townsman Petr Mamaev, or in Tarnovskii's examinations of "commercial catamites". To Soviet forensic doctors, accustomed to training their gaze on the victimized female body in the service of a revolutionary, scientific sexual ethic, the prospect of handling the bodies of "pederasts" doubtless seemed degrading. It was also perhaps viewed as an expensive, unnecessary use of technical expertise during a period of terror and evidentiary laxity. In the late 1930s Moscow's courts generally tried sodomy cases without requiring medical evidence, unless perhaps it could serve to extend culpability.

In a similar fashion, mutual sex between women, never an area of formal interest for the Russian or Soviet legal systems, was viewed by forensic gynecologists through the political lenses appropriate to their eras. Even in this discipline, where scientific authority to speak about the female body was paramount, experts deferred to psychiatry in the 1920s and 1930s, acknowledging the momentum that theories of mental pathology had

accumulated in dealing with sexual deviance. Soviet psychiatric interest in the 'female homosexual' would expand rapidly in the 1920s, elaborating new texts and understandings which overwhelmed the modest and pessimistic observations of forensic gynecologists on the topic.

## Chapter 5: Psychiatry and the homosexual mind, 1917-1941

Doctors look upon homosexuals as unfortunate stepchildren of fate, they are like cripples, similar to the blind, deaf-mutes, etc., who owe their defect only to a physiological deformation; but they can in no way be considered debauched people offending society's morality, and therefore the term perversion and not perversity or debauchery is used to designate this pathological condition.<sup>1</sup>

If doctors had been reluctant to accept the Western medical model of homosexuality in Russia before 1917, the establishment of the Soviet regime conferred prestige on science which encouraged psychiatrists to examine the medical model afresh. Ambitious Petrograd psychiatrist V. P. Protopopov showed the way in 1922, banishing the old regime's religious, moralistic understanding in favour of an interpretation already widely held in professional circles in Europe and America: homosexuals were victims of a biological deformity and not responsible for their sexual drives.

Not only did the pace of psychiatric studies of homosexuality in Soviet Russia quicken, but their range broadened as well. More lower-class men, and significantly more women, became the subjects of case histories in the 1920s. Psychiatric anxieties about masculinity and femininity in the new society formed an important motive for these studies.<sup>2</sup> Some

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<sup>1</sup> V. P. Protopopov, "Sovremennoe sostoiianie voprosa o sushchnosti i proiskhozhdenii gomoseksualizma", Nauchnaia meditsina, (10 1922): 49.

<sup>2</sup> Few explicit statements on these anxieties appeared in case histories, yet their focus on gender-transgressive individuals as the prime subjects designated "homosexual" implied that men and women who failed to conform to gender norms were most likely to attract this diagnosis.

practitioners were apparently motivated to approach the topic for the access to novel developments in hormone functions, psychoanalysis, or psychopathy currently being applied to it. On many occasions, doctors were called upon to assess "homosexuals" by legal authorities, regardless of the decriminalization of sodomy between males in the 1922 RSFSR Criminal Code, and the continuing interaction between psychiatrists and police exercised great influence on the doctors' understanding of the question in Russian conditions.

How Soviet psychiatrists defined "homosexuality" and diagnosed their "homosexual" patients in this new scientific atmosphere reveals the degree to which Western medical concepts penetrated the discipline. Soviet science approached the problem of gender and sexual non-conformity in ways that confirm and magnify the fragmentation of the public transcript. A significant division in the psychiatric study of the problem was evident in the gendering of homosexuality. With their varying preoccupations, psychiatrists implicitly sketched the boundaries of respectable socialist masculinity and femininity.

The most overtly political division in Soviet psychiatric discourse on the problem was between congenital and nurturist etiological understandings of same-sex love and gender dissent. Here the durable nature-versus-nurture debate was reflected along lines which potentially pitted Old Bolsheviks against stalinists, supporters of emancipationism against proponents of custodial solutions, and clinical practitioners against forensic

psychiatrists. Despite the force of biological justifications for homosexuality, virtually all experts emphasized some role for environmental factors, and in this way but remained a significant lens through which Soviet psychiatry viewed sexual and gender non-conformity.

(i) The problematic of homosexuality in Soviet psychiatry

By the 1920s, the diagnostic label applied by psychiatric doctors to classify patients' same-sex desire was "homosexuality" (gomoseksual'nost' or gomoseksualizm). The male patient who admitted either to feeling emotional attraction toward other men, or to having sexual contact with them, was most often called a "homosexual" (gomoseksualist, or somewhat less frequently, gomoseksual).<sup>3</sup> Two psychiatrists, Academician V. M. Bekhterev and his student, V. P. Protopopov, published widely read articles about sexual perversion and homosexuality, based in part on their study of 95 men arrested on 15 January 1921 in the Petrograd

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<sup>3</sup> Russian psychiatrists in the 1920s used gomoseksualizm, gomoseksualist interchangeably with gomoseksual'nost', gomoseksual. The terminology's instability suggests its relative novelty in Russian. The -izm/-ist form prevails in legal and political discourse. Russian lesbians and gays in 1995 reported that the -izm/-ist form bore connotations of the "totalitarian system" and said they preferred gomoseksual'nost'/gomoseksual for their political neutrality. See Dan Healey, "Queer Russia at Political Crossroads." Centre/Fold: Publication of the Toronto Centre for Lesbian and Gay Studies (9 1995): 16-17.

"pederasts' club".<sup>4</sup> Both doctors reserved the term "homosexual" for men who felt an intense emotional bond with their same-sex partners, and who reportedly avoided anal intercourse in favour of mutual masturbation, fellatio, or intercrural intercourse. These "homosexuals" were contrasted with the "pederast" (pederast), who engaged in anal sex with men supposedly as a substitute for "normal" coitus with women, and who was said to be emotionally cold toward his male partners.<sup>5</sup> This division of male same-sex perversion into categories according to sexual activity and psychological profile owed much to Veniamin Tarnovskii's 1885 distinction between congenital and acquired same-sex perversion, with its suggestion that some homosexuals ("genuine" ones, in Bekhterev's view) were not as interested in sexual as emotional gratification. Tarnovskii had said such men were frequently the passive partners in anal intercourse.<sup>6</sup> In a 1924 article for educators, Bekhterev intensified this divide,

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<sup>4</sup> V. M. Bekhterev, "Polovye ukloneniiia i izvrashcheniia v svete refleksologii." Voprosy izucheniia i vospitaniia lichnosti (4-5 1922): 720-21, 740; *ibid.*, "O polovom izvrashchenii, kak osoboi ustanovke polovykh refleksov." In Polovoi vopros v shkole i v zhizni, ed. I. S. Simonov. (Leningrad: Brokgauz-Efron, 1927), 167-71; Protopopov, "Sovremennoe sostoianie voprosa o sushchnosti i proiskhozhdenii gomoseksualizma", 50.

<sup>5</sup> Bekhterev, "Polovye ukloneniiia i izvrashcheniia v svete refleksologii" 660; *idem.*, "O polovom izvrashchenii, kak osoboi ustanovke polovykh refleksov" 171; Protopopov, "Sovremennoe sostoianie voprosa o sushchnosti i proiskhozhdenii gomoseksualizma", 56-57.

<sup>6</sup> V. M. Tarnovskii, Izvrashchenie polovogo chuvstva. Sudebno-psikhiatricheskii ocherk (St Petersburg: 1885), 25, 62-64.

virtually desexualizing "homosexuals" as solely mutual masturbators, while noting that only a few individuals arrested in the 1921 raid could be said by their physical characteristics to be "pederasts", (i.e., adepts of anal intercourse). Bekhterev even revived the forensic medical myth of the active pederast's canine penis (sobachii penis) to distinguish between the supposed anal orientation of the "pederast" and the physically diffused sexuality of the "homosexual".<sup>7</sup> Later students of male homosexuality in Russia did not dwell on the sexual aspects of the Bekhterev-Protopopov definitions, but framed their research within the durable binarism of congenital and acquired forms of same-sex perversion.<sup>8</sup>

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<sup>7</sup> Bekhterev, "O polovom izvrashchenii, kak osoboi ustanovke polovykh refleksov", 171. It is possible that the uncertain Soviet legal categories before the 1922 criminal code decriminalized sodomy between consenting adults influenced many of the arrested men's reported descriptions of their sexual lives. Bekhterev quoted many of these men as denying any anal activity (pederastiia), while they admitted solely to mutual masturbation with men, or had refrained from anal sex for unspecified periods of time or reasons, *ibid.*, 167-70, 171. These men may have sought to protect themselves from the as yet not repudiated antisodomy statute with guarded testimony. Instead of uncovering a distinct division of "pederasts" and "homosexuals", Bekhterev and Protopopov may have inadvertantly described these men's appeal to the "public transcript" to define themselves defensively.

<sup>8</sup> Psychiatrists were conscious of the lively debate in Western medicine over nature-vs.-nurture etiologies; see e.g. V. P. Osipov, Kurs obshchego ucheniia o dushevnykh bolezniakh (Berlin: RSFSR Gosizdat, 1923), 357-61; V. A. Belousov, "Sluchai gomoseksuala-muzhskoi prostitutki." Prestupnik i prestupnost'. Sbornik II (1927): 316; N. P. Brukhanskii, Materialy po seksual'noi psikhopatologii. (Moscow: M. i S. Sabashnikov, 1927), 6-8; P. B. Gannushkin, Klinika psikhopatii: ikh statika, dinamika, sistematika. (Moscow: "Sever", 1933), 117.



The term "lesbian" (lesbiianka) and its derivatives appeared very infrequently in the psychiatric literature. There are references to "lesbos" in the writing of Moscow psychiatrists E. K. Krasnushkin and N. G. Kholzakova, but generally this label was probably too literary for the tastes of doctors who were groping for a more scientific understanding of the issue.<sup>9</sup> They employed feminized substantives (gomoseksualistka, female homosexual) or adjectival modifiers (zhenskii gomoseksualizm, female homosexuality) to designate the lesbian and her desire. One provincial psychiatrist, greatly influenced by Freud, used the psychoanalytic term "inversion" (inversiiia) interchangeably with "homosexuality", but even he employed "female homosexuality" in the title of his article, indicating the relative prevalence of the two terms.<sup>10</sup>

Problems of same-sex perversion and gender non-conformity were often conflated in Soviet psychiatric discourse of the 1920s, an indication of the instability of the concept of homosexuality. An occasional diversion from the diagnosis as

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<sup>9</sup> E. K. Krasnushkin, and N. G. Kholzakova. "Dva sluchaia zhenshchin ubiits-gomoseksualistok." Prestupnik i prestupnost'. Sbornik I (1926): 105-106. The literary resonance of the term in Russian culture is described in Diana Lewis Burgin, "Laid Out in Lavender: Perceptions of Lesbian Love in Russian Literature and Criticism of the Silver Age, 1893-1917." In Sexuality and the Body in Russian Culture, eds Jane T. Costlow, Stephanie Sandler, and Judith Vowles. (Stanford: Stanford University Press, 1993).

<sup>10</sup> A. P. Shtess, "Sluchai zhenskogo gomoseksualizma pri nalichii situs viscerum inversus, ego psikhoanaliz i gipnoterapiia." Saratovskii vestnik zdravookhraneniia (3-4 1925): 1-19.

"homosexual" was the use by some authorities of the term "transvestite" (transvestit).<sup>11</sup> Originating from German sexologist Magnus Hirschfeld's 1910 monograph, the term was intended to distinguish between the impulse to wear clothing inappropriate to one's sex, and the desire for sexual relations with one's own sex.<sup>12</sup> Also in circulation (if not in frequent use in the psychiatric literature) were popular and scientific labels such as "the intermediate sex" (srednii pol) and "psychic hermaphrodites" (psikhicheskie germafrodity).<sup>13</sup> These variations on the theme of gender and sexual dissent tended to be associated in discussions of homosexuality. Disputes over terminology apparently took place most frequently offstage, in professional hidden transcripts, rather than overtly in print.<sup>14</sup>

The 1921 raid on the Petrograd "pederasts' club" and the

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<sup>11</sup> Krasnushkin and Kholzakova, "Dva sluchaia zhenshchin ubiits-gomoseksualistok", and A. O. Edel'shtein, "K klinike transvestitizma." Prestupnik i prestupnost'. Sbornik II (1927): 273-82.

<sup>12</sup> Magnus Hirschfeld, Die Transvestiten (Leipzig: 1910).

<sup>13</sup> Used for example by psychiatrists on the Commissariat of Health's Expert medical council in 1929: GARF, f. A482, op. 25, d. 478, ll. 85-86 ob.

<sup>14</sup> For example, in the agenda setting for the Expert medical council's February 1929 meeting to discuss sex and gender dissent, the terminological shifts suggested disagreement between forensic medical experts and psychiatrists. Leading legal doctor Ia. Leibovich labelled the forthcoming discussion one of "psychic hermaphrodites"; medical council secretaries (perhaps influenced by psychiatrists, who were dominant at the discussion), rephrased it as a meeting on "changing of sex". GARF, f. A482, op. 25, d. 575, l. 1; GARF, f. A482, op. 25, d. 479, l. 18 ob.

articles on homosexuality it generated illustrate the role of the legal system in stimulating psychiatric interest in the question. In other ways, the selection of individuals later designated as homosexual was made for psychiatrists. Some persons reportedly presented themselves voluntarily to psychiatrists, seeking professional explanations for their sexual and gender non-conformity, or assistance with apparently unrelated problems.<sup>15</sup> Unpublished and foreign sources indicate that urban, self-identifying homosexuals of both sexes referred to doctors routinely during this period, and some psychiatrists understood that the treatment of homosexuality was a significant aspect of their clinical practice. In the February 1929 meeting of the Expert medical council of the Commissariat of Health, psychiatrist P. B. Gannushkin and biologist N. K. Kol'tsov (both of Moscow) noted they had encountered many representatives of the

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<sup>15</sup> Two women who appear to have sought psychiatric advice voluntarily are described by Osipov, Kurs obshchego ucheniia, 355-56. One woman sought assistance with drug addiction but became the subject of a study of her homosexuality, N. I. Skliar, "O proiskhozhdenii i sushchnosti gomoseksualizma." Vrachebnoe delo (24-26 1925): 1919-1923. Men who sought out psychiatric advice are described in A. K. Lents, Kriminal'nye psikhopatyi (Sotsiopatyi) (Leningrad: Rabochii sud, 1927), 45-46; R. I. Livshits, "Reaktsiia d-ra Manoilova kak pokazatel' narusheniia sekretornoii funktsii polovykh zhelez pri seksual'nykh prestuplenniiakh." Leningradskii meditsinskii zhurnal (2 1925): 12-13; I. S. Sumbaev, "K psikhoterapii gomoseksualizma." Sovetskaia psikhonevrologiia (3 1936): 59-68; M. M. Zavadovskii, "Issledovanie semennika gomoseksualista." Trudy po dinamike razvitiia (Prodolzhenie "Trudov laboratorii eksperim. biologii Mosk. Zooparka") (VI 1931): 65-70. Before turning to testicular grafts, the biologist Zavadovskii had advised psychotherapy, which his patient underwent without result.

"intermediate sex" in their clinics, and they declared that the problem of deviant sexuality presented by these individuals was worthy of medical attention.<sup>16</sup> Moscow psychiatrist Lev Rozenshtein, apparently convinced of homosexuality's relevance to the psychiatric discipline, invited "happy, well-adjusted Lesbians" to speak in lectures to his students at the Moscow Institute of Neuropsychiatric Prophylaxis.<sup>17</sup> Harry Whyte, a British homosexual Communist working in Moscow from 1932-1934, visited several psychiatrists and wrote that on the eve of the recriminalization of sodomy, and even afterward until doctors became aware of the legal change, they viewed homosexuality as a medical condition with which they assisted their patients ("honest citizens or honourable Communists") in coping.<sup>18</sup>

Soviet psychiatrists, expected to process "homosexuals" for police and courts, or deal with patients seeking advice in their clinics, reacted by studying the phenomena in an ad hoc fashion. Homosexuality was not a problem which inspired systematic interest among psychiatrists conducting research during NEP. After the Bekhterev-Protopopov studies of the men arrested in the Petrograd "pederasts' club" - studies which were a reaction to a police invitation - only Bekhterev, Krasnushkin and Kholzakova, and the Moscow forensic psychiatrist N. P. Brukhanskii, published

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<sup>16</sup> GARF, f. A482, op. 25, d. 478, ll. 86-87.

<sup>17</sup> Ella Winter, Red Virtue: Human Relationships in the New Russia (London: V. Gollancz, 1933), 169.

<sup>18</sup> Harry Whyte, "'Mozhet li gomoseksualist sostoiat' chlenom kommunisticheskoi partii?'" Istochnik (5-6 1993): 186.

specifically comparative multiple case histories of homosexuality, and these were not quantitative studies of large samples but rather anecdotal reviews of handfuls of patients.<sup>19</sup> There was no Russian version of Hirschfeld's Institute for Sexual Research, which studied sexual variety and educated the public, nor of the US Committee for the Study of Sex Variants, formed to conduct a systematic mass study of homosexuals.<sup>20</sup> Studies which did appear in Soviet publications were usually based on modest clinical samples, or individuals processed through a penal psychiatric facility. Archival records of research plans for Moscow's top psychiatric facilities betray no systematic interest in the question.<sup>21</sup>

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<sup>19</sup> V. M. Bekhterev, "Ob izvrashchenii i uklonenii polovogo vlecheniia." In Polovoi vopros v svete nauchnogo znanii, ed. V. F. Zelenin (Moscow: Gosizdat, 1926); Krasnushkin and Kholzakova "Dva sluchaia zhenshin ubiits-gomoseksualistok"; Brukhanskii, Materialy po seksual'noi psikhopatologii.

<sup>20</sup> For Hirschfeld's activity, see James Steakley, "Per scientiam ad justitiam: Magnus Hirschfeld and the Sexual Politics of Innate Homosexuality." In Science and Homosexualities, ed. Vernon Rosario. (New York & London: Routledge, 1997); the US Committee produced a report: George W. Henry, Sex Variants: A Study of Homosexual Patterns. (New York: Hoeber, 1941); on the Committee's activity, see Jennifer Terry, "Lesbians under the Medical Gaze: Scientists Search for Remarkable Differences." Journal of Sex Research 27 (3 1990): 317-39.

<sup>21</sup> Reports of activity of Moscow's Institute of Neuro-psychiatric Prophylaxis (director: L. M. Rozenshtein) for 1928-29, where A. O. Edel'shtein worked, (GARF, f. A406, op. 12, d. 2734; f. A482, op. 10, d. 1748) are virtually silent on sexual questions. An undated "Decree on the Central Psychohygienic Clinic" includes "questions of sexual life" as fifth of six issues the clinic is to address in its services to industrial workers, GARF, f.

Nevertheless, an important body of clinical data accumulated in the 1920s psychiatric literature, and a debate over etiologies percolated in the discipline. When in January-February 1929 the Health Commissariat's Expert medical council confronted the problems of "transvestites" and the "intermediate sex", the outlines of the debate on same-sex perversion crystallized, yet the problem remained essentially one of public order: the fear of "mental infection", "abuses...of visits to public baths", "economic exploitation" and "refusal of military service".<sup>22</sup> The council decided to establish a "mixed commission" with representatives from Health and Justice Commissariats, charged with handling not just the "general question of transvestites" but their "right" to same-sex marriage and to access to sex-change operations.<sup>23</sup> For the Soviet medical establishment, after a decade of moderate interest in questions of sexual intermediacy, the issue was still one doctors were reluctant to embrace exclusively. Instead they required the sanction of legal authority to deal with the public issues it raised.

During the first Five Year Plans, research agendas turned

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A406, op. 12, d. 2734, l. 8; an undated plan for "psychohygienic work with Pioneer leaders" includes child sexuality and sex education among issues to be raised in seminars with youth leaders, *ibid.* l. 9. Holdings at GARF and TsMAM are slight on the V. P. Serbskii Forensic Psychiatric Institute for the 1920s-30s, and Institute archivists say their own holdings for the period were destroyed during the Great Patriotic War.

<sup>22</sup> GARF, f. A482, op. 25, d. 478, ll. 85 ob., 86.

<sup>23</sup> *Ibid.*, ll. 80 ob., 86-86 ob.

sharply to the problems of major psychiatry (schizophrenia and disorders with identifiable biological sources), and trained the resources devoted to minor psychiatry (neuroses and everyday problems of the individual's adjustment to life) on specific sectors of the workforce in an effort to enhance productivity.<sup>24</sup> A reorganization of the Commissariat of Health was ordered by a decree of the Central Committee of the Communist Party on 13 December 1929, directing the Commissariat to place more emphasis on the needs of industrial workers and collectivized farmers. Old Bolshevik Nikolai Semashko, Health Commissar since 1918, was replaced by a Party and NKVD man, M. F. Vladimirskii, in 1930. A decree from the Workers' and Peasants' Inspectorate of 26 October 1931, noted several deficiencies in psychiatric provision, including the limited network and low quality of hospitals and staff; the inadequate use of "labour therapy"; and the inordinate number of hospitalized patients who could be supervised as outpatients. There were further directives to the Commissariat to intensify the industrial applications of psychiatric medicine and

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<sup>24</sup> T. Iudin, Ocherki istorii otechestvennoi psikhiiatrii. (Moscow: Medgiz, 1951), 386-87; Rozenshtein's 1929 report for the Moscow Institute for Neuropsychiatric Prophylaxis criticized its research for reflecting "individual interests of the Institute's staff" and haphazard choices made in the Institute clinic, rather than Institute priorities, see GARF, f. A482, op. 10, d. 1748, l. 53. Criticism of "individualism" in research priorities: P Emdin, "Sovetskaia nevropatologiya." In 13 let nauchnoi meditsiny na Severnom Kavkaze, ed. I. L. Ben'kovich. (Rostov-na-Donu: Severnyi Kavkaz, 1934), 130; M. Ia. Sereiskii, E. M. Zalkind, and E. V. Maslov. "Uspekhi nauchnoi psikhiiatrii." In 13 let nauchnoi meditsiny na Severnom Kavkaze, 162.

the labour content of therapeutic techniques, with more resources to be directed to "workers in the leading branches of industry," and the expansion of labour colonies and workshops in psychiatric institutions. It should be noted that the emphasis on labour as therapy pre-dated the first Five Year Plan; the channelling of research and therapies to specific producing populations of society was novel. The most productive return possible for the modest resources put into mental health was sought.<sup>25</sup> The Commissariat of Health was unlikely to back costly individualized therapies for abnormalities which appeared to be relatively rare, difficult to detect and intractable to remedy; categories of patients previously associated with homosexuals (psychopaths such as drug addicts) were to be sent to labour colonies (in one proposal, to be re-christened "state farms" [sovkhozy], and the inmates, "employees of state farms" [sovkhozniki]).<sup>26</sup> The Commissariat's Expert medical council wound up subcommittees which did not reflect these priorities; in the archives no trace of any meeting of the interdepartmental commission on "transvestites" exists, but a 1933 memorandum indicates the neuro-psychiatric commission of the council (which had called for the interdepartmental commission) had already been eliminated.<sup>27</sup>

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<sup>25</sup> Iudin, Ocherki istorii otechestvennoi psikhiiatrii, 386-87; David Joravsky, Russian Psychology: A Critical History (Oxford & Cambridge, MA: Basil Blackwell, 1989), 339-41.

<sup>26</sup> GARF, f. A406, op. 12, d. 2772, ll. 7, 4.

<sup>27</sup> GARF, f. A482, op. 24, d. 742, l. 1.



By the late 1930s, professional journals made few if any references to sexual deviance or minor psychiatry as a clinical research topic. An "almost complete absence of psychological topics and of psychotherapeutic studies" was noted in this literature by one Western observer, who commented that the general orientation of psychiatry after 1930 was toward medical biology and organic explanations of mental illnesses.<sup>28</sup> A planned shift away from minor psychiatry only partly explains the decline in research into homosexuality. The 1933-34 ban on male sodomy almost certainly signalled to psychiatrists that male same-sex perversion was no longer in their jurisdiction, and the discipline sought to forget its early interest in the topic.<sup>29</sup>

(ii) Gendering homosexuality: Men

Pre-revolutionary psychiatric texts about the homosexual man made explicit a presumed link between effeminacy (zhenopodobnost') and same-sex desire. Psychiatrists usually reserved the medical model of homosexuality to upper-class European males in the Russian

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<sup>28</sup> Joseph Wortis, Soviet Psychiatry. (Baltimore: Williams & Wilkins, 1950), 148-49.

<sup>29</sup> Stalin-era chronicler of Soviet psychiatry Tikhon Iudin ignored all studies of homosexuality by psychiatrists of the Leningrad and Moscow schools when discussing their 1920s research agendas in his Ocherki istorii otechestvennoi psikhiiatrii, 124-24 (Bekhterev's works), 402-443 (Gannushkin et al., 1920s-30s). He also ignored forensic psychiatrist N. P. Brukhanskii and his unique work Materialy po seksual'noi psikhopatologii (1927), in text and bibliography.

Empire. In their texts, some psychiatrists expressed anxiety, and sometimes thinly disguised contempt, for boys and men of this elite stratum who failed to internalize the values of courage, controlled emotions, and devotion to duty. Homosexuality was linked to this gender role inadequacy. Other doctors, refusing perhaps to apply the full Western model of pathology to these subjects, did not insist upon an association between effeminacy and same-sex perversion in their case histories.

V. M. Tarnovskii organized his classification of "pederasts" so that the most effeminate among them were deemed to have a congenital disorder. Effeminacy was observed in some pederasts from early in childhood, and was a symptom of degeneration.<sup>30</sup> Tarnovskii alerted his readers, both in his book for forensic specialists and in his more widely read manual for educators, to the revolting spectacle of the effeminate "passive pederast" youth:

[He] blushes and gets confused in conversation with men and feels completely free in the company of women; he willingly takes the follower's role when dancing [tantsuet okhotno za damu], and always selects for himself a big, masculine partner; he becomes unusually vivacious and excited every time he meets a man he fancies for the first time, or he becomes bashful in his presence and runs off like a pensionerka (boarding-school girl).<sup>31</sup>

One young unchecked pederast could infect an entire boys' school.

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<sup>30</sup> Tarnovskii, Izvrashchenie polovogo chuvstva, 8-27.

<sup>31</sup> Tarnovskii, Izvrashchenie polovogo chuvstva, 12; idem., Polovaia zrelost', eia techenie, otkloneniia i bolezni. (St Petersburg: 1886), 66.

Tarnovskii produced a classificatory scheme linking gender role deviations and sexual practice, which was influential even beyond Russia's borders.<sup>32</sup> Tsarist psychiatrists who followed Tarnovskii generally avoided vivid descriptions of unmanly behaviour, and expressed far less interest in gender role patterns in their perverse subjects. This lack of attention to effeminacy is a symptom of psychiatrists' reluctance, noted by Laura Engelstein, to pathologize homosexuals wholeheartedly.<sup>33</sup> Bekhterev's pre-revolutionary, upper class men were described in their case histories with sparing reference to their gestures or forms of dress.<sup>34</sup> On the other hand, popular-scientific and journalistic accounts of homosexuality published after 1905 emphasized a link between effeminacy and same-sex desire in men. These texts often highlighted fresh cultural aspects of gender deviance in the form of the decadent movement, linking effeminacy

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<sup>32</sup> Magnus Hirschfeld recorded how in a Berlin medical school lecture on sex-offenders in 1892, V. Tarnovskii's classification of pederasts was used to explain variations in perversion; see Steakley, "Per scientiam ad justitiam", 136.

<sup>33</sup> Laura Engelstein, The Keys to Happiness: Sex and the Search for Modernity in Fin-de-Siècle Russia. (Ithaca & London: Cornell University Press, 1992), 132, 164.

<sup>34</sup> Bekhterev, "Lechenie vnusheniem prevratnykh polovykh vlechenii i onanizma"; idem., "O polovykh izvrashcheniakh, kak patologicheskikh sochetatel'nykh refleksakh." Obozrenie psikhiiatrii (7-9 1915): 1-26. Similar silence on effeminacy prevails in two other case histories of the era, S. Liass, "Izvrashchenie polovogo vlecheniia." Obozrenie psikhiiatrii, nevrologii i eksperimental'noi psikhologii (6 1898): 415-16; N. A. Obolonskii, "Izvrashchenie polovogo chuvstva." Russkii arkhiv patologii, klinicheskoi meditsiny i bakteriologii (1898): 1-20 [offprint lacking full publication data].

to European urban styles of living.<sup>35</sup>

Revolution heralded a modest revival of psychiatric interest in the male effeminacy-homosexuality link. Osipov recycled Tarnovskii's accounts of the effeminate male, now dubbed a "homosexual", for a new generation of psychiatrists in his 1923 general course on mental illness.<sup>36</sup> Bekhterev's and Protopopov's articles about the 1921 raid on the Petrograd "pederasts' club", with their vignettes of transvestite parties and male parodies of heterosexual relations, depicted a world of transgressive behaviour in gesture and language which had not been the subject of serious scientific scrutiny in Russia since Tarnovskii's day.<sup>37</sup> This world of the "women-haters' ball" (bal zhenonenavistnikov) which had existed in urban Russia before 1914 was also reflected in Belousov's 1927 case history of a "male prostitute" (muzhskaiia prostitutka).<sup>38</sup> In 1929, the Health

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<sup>35</sup> Popular-scientific accounts: A. Borisov, Izvrashchennaia polovaia zhizn'. Boleznennye izmeneniia polovoi sfery. (St Petersburg: 1907); P. I. Kovalevskii, Psikhologiiia pola. Polovoe bezsilie i drugie polovye izvrashcheniia i ikh lechenie. (St Petersburg: 1909). Journalistic accounts: A. I. Matiushenskii, Polovoi rynok i polovye otnosheniia. (St Petersburg: 1908); V. P. Ruadze, K sudu!.. Gomoseksual'nyi Peterburg. (St Petersburg: 1908); P. V. Ushakovskii, (pseud.) Liudi sredniago pola. (St Petersburg: 1908).

<sup>36</sup> Osipov, Kurs obshchego ucheniia, 354-55.

<sup>37</sup> Bekhterev, "Polovye ukloneniia i izvrashcheniia v svete refleksologii"; idem., "O polovom izvrashchenii, kak osoboi ustanovke polovykh reflektov"; Protopopov, "Sovremennoe sostoianie voprosa o sushchnosti i proiskhozhdenii gomoseksualizma".

<sup>38</sup> Belousov, "Sluchai gomoseksuala - muzhskoi-prostitutki".

Commissariat's Expert medical council worried that homosexual "infection" (implicitly effeminizing "normal" men) could hamper military recruitment.<sup>39</sup>

The revival in psychiatric interest in the gender transgressive male homosexual stemmed principally from concerns about public order. Most of the relevant case histories emerged from police initiatives to control private gatherings (the "pederasts' club") or economic crime (the "male prostitute"). Psychiatric expertise was apparently sought by authorities in these cases to confirm the danger of the "mental infection" possible if suggestible individuals came into contact with homosexuals.<sup>40</sup> Occasionally, forensic psychiatric expertise exculpated the homosexual by desexualizing him, or by claiming to have cured him, and in such texts the role of effeminacy was downplayed or ignored.<sup>41</sup>

Far more consistent throughout the period were the rigid roles with which Russians viewed sexual activity between men, assigning holistic identities according to reported preferred positions in anal intercourse ("passive, active pederast"). The passive/active binarism was often expressed in explicitly

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<sup>39</sup> GARF, f. A482, op. 25, d. 478, l. 86.

<sup>40</sup> G. R. "Protsessy gomoseksualistov." Ezhenedel'nik sovetskoi iustitsii (33 1922): 16-17, Bekhterev, "O polovom izvrashchenii, kak osoboi ustanovke polovykh refleksov", 171; Belousov, "Sluchai gomoseksuala - muzhskoi-prostitutki".

<sup>41</sup> Brukhanskii, Materialy po seksual'noi psikhopatologii, 66-69; Lents, Kriminal'nye psikhopatyy (Sotsiopaty), 45-46.

gendered terms, from the earliest moments of Russian adoption of the medical model of homosexuality.<sup>42</sup> Case histories of males, when describing sex roles, employed phrases such as "D. offered himself as a woman"<sup>43</sup>, "he generally prefers to be in the woman's position".<sup>44</sup> The Russian language possesses a vivid means of shaping this gendered perception in the verbs "to use" (upotrebliat', ispol'zovat'), to describe the insertive "male" posture in sex acts.<sup>45</sup> The division of pederasts into active and

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<sup>42</sup> Merzheevskii reported testimony from a Dane in St Petersburg who complained in 1869 of being blackmailed by a pederast, "I understood...that he was prepared to offer himself for sodomy (sebia predlozhit' dlia muzhelozhstva); it was understood from his manner of addressing me, which had the appearance of feminine courtesy (zhenskaia liubeznost')", V. Merzheevskii, Sudebnaia ginekologiya. Rukovodstvo dlia vrachei i iuristov. (St Petersburg: 1878), 254. Associating effeminacy with sodomy may have been this Dane's Western European perception; elsewhere in Merzheevskii little effeminacy was reported, but sex roles are clearly divided into active=male, passive=female categories, e.g. a male bathhouse attendant was reported saying "...[the male client] lies with me like with a woman, or orders me to do with him as with a woman, only in the anus", *ibid.*, 238.

<sup>43</sup> Bekhterev, "O polovom izvrashchenii, kak osoboi ustanovke polovykh reflektsov", 170.

<sup>44</sup> Protopopov, "Sovremennoe sostoianie voprosa o gomoseksualizme", 50. On anal intercourse among homosexuals, Osipov wrote: "Just as in normal intercourse one side plays the active and the other the passive role, so we find the same among pederasts, with the difference that in natural conditions the active role belongs to men, and the passive to women; while here both roles are filled by men...", Kurs obshchego ucheniia, 353.

<sup>45</sup> See entry under "upotrebliat'" in D. A. Drummond, and G. Perkins Dictionary of Russian Obscenities (Oakland: Scythian, 1987), 77. A 1941 police investigation and court trial recorded accused individuals using the verb ispol'zovat' in this sense: Trial of Andreevskii and 2

passive types, received from the forensic medical tracts of Casper and Tardieu, resonated in Russia with the deep cultural divide between men and women and the mechanistic understanding of lust as a masculine drive to which women submitted passively.<sup>46</sup> Where other forms of sexual relations were described, they could be recast within this binarism.<sup>47</sup> The official language of police/court dossiers and the recorded speech of sodomy-trial defendants in the 1930s-1940s reflected the presence of this durable gender and sexual model in Russian society.<sup>48</sup>

Attempts to link male passivity with congenital

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others (1941), ll. 29, 108 ob.

<sup>46</sup> "Sodomy" and "unnatural" intercourse (neestestvenno) involved some sort of inversion of "proper" relationships, such as putting the woman in the dominant "male" position, or placing another man in the passive "female" position.' Eve Levin, "Sexual Vocabulary in Medieval Russia" in Sexuality and the Body in Russian Culture, eds J. Costlow et al., 45; see also idem., Sex and Society in the World of the Orthodox Slavs, 900-1700. (Ithaca & London: Cornell University Press, 1989), 199.

<sup>47</sup> In one case, of a patient who fellated bathhouse attendants, an attendant "was supposedly using him in the mouth"; Bekhterev, "Lechenie vnusheniem prevratnykh polovykh vlechenii i onanizma", 8.

<sup>48</sup> For example, "I gave in to him and we committed a sexual act. First I took the role of a woman, then he did", Trial of Andreevskii and 2 others (1941), l. 16; "We became close and then committed acts of sodomy...First he used me, and then I him", *ibid.*, ll. 57-58; see also in this complete case record ll. 29, 57 ob., 100, 108 ob.; "Pavlov, for whom the active role was physically impossible [because of a war wound], was the object of Shelgunov, but nevertheless his active strivings he expressed in his emotional ties with Shelgunov, who on this level played the role of a woman (igral rol' zhenshchiny)"; Prigovor Bezborodova i 11 dr. (1935), ll. 241-42.

homosexuality, and an active sexual posture to acquired forms, appeared primarily in studies by psychiatrists promoting biological or socio-biological etiologies for their case studies; they sought to distinguish these cases from supposedly less authentic acquired forms of homosexuality.<sup>49</sup> The link was tightest in writing on the 1921 "pederasts' club", in which Bekhterev to a limited extent, and Protopopov more radically, insisted that "pederasts" who also had relations with women, were exclusively "active" users of the male anus faute de mieux. Protopopov went further than Bekhterev (whose nurturist model of perversion excluded inborn homosexuality), by adding that such men were not true or "congenital homosexuals" at all. Both psychiatrists disassociated the medically interesting "homosexual" (as opposed to the morally corrupt "pederast") from the practice of anal intercourse, seeking to exculpate the medicalized homosexual by detaching him from the most reviled of sexual practices.<sup>50</sup>

Manly, uneffeminate men who engaged in same-sex love were

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<sup>49</sup> Tarnvoskii, Izvrashchenie polovogo chuvstva, 63-64; Protopopov, "Sovremennoe sostoianie voprosa o sushchnosti i proiskhozhdenii gomoseksualizma", 56; Osipov, Kurs obshchego ucheniia, 354-55; Lents, Kriminal'nye psikhopatyi (Sotsiopatyi), 45.

<sup>50</sup> Later examples of the desexualized male homosexual appeared in a case history discussed by Brukhanskii, Materialy po seksual'noi psikhopatologii, 66-69, and as a "latent homosexual" (latentnyi gomoseksualist) in I. S. Sumbaev, "K psikhoterapii gomoseksualizma." Sovetskaia psikhonevrologiia (3 1936): 59-68. In both cases the psychiatrist appeared to be urging sympathy for the patient who had restrained perverse impulses or was capable of rehabilitation.



acknowledged and described by Russia's psychiatrists, but usually in less pathological terms. Tarnovskii included men whose dress and respectable behaviour conformed to expectations of masculinity among his types of "pederasts", but he tended to assert that they took the "active" sex role and were usually afflicted with an acquired, not inborn, perversion. Many were married and had children, Tarnovskii observed, and he invented the category of the congenital "periodic pederast" to describe how such men might live peacefully in the family bosom between sex romps with bathhouse youths or male street prostitutes.<sup>51</sup> Bekhterev's most substantial case history of male homosexuality, first described in 1913, presented the autobiography of an army officer whose masculine comportment was never in question.<sup>52</sup> In his landmark 1922 article on sexual perversions, Bekhterev's portraits of homosexuals were carefully balanced between effeminized and masculine males. Men and boys in single-sex environments were at risk of acquiring homosexual tastes, according to Bekhterev's nurturist views, demonstrating the point by relating how one individual could corrupt an entire artel' of lumberjacks,<sup>53</sup> or how a man still capable of relations with women (and apparently not effeminate) could be diverted through

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<sup>51</sup> These fits were said to be caused by epilepsy or degenerative neuropathies, Tarnovskii, Izvrashchenie polovogo chuvstva, 27-31.

<sup>52</sup> Bekhterev, "O polovykh izvrashcheniakh, kak patologicheskikh sochetatel'nykh refleksakh".

<sup>53</sup> Bekhterev, "Polovye ukloneniia i izvrashcheniia v svete refleksologii", 731-34.

mutual masturbation toward a taste for rough lower class adult males.<sup>54</sup> In 1927, Belorussian psychiatrist A. K. Lents described how he had cured or lessened homosexual desire with hypnosis; the two patients had been inclined to the insertive role and were not effeminate. Another homosexual Lents encountered spoke in a "effeminate" tone, however, and was judged less susceptible to hypnotherapy.<sup>55</sup> Protopopov singled out one of the ten cases he presented as a true "pederast", a sailor whose taste for sodomy with men originated at sea; the sailor said he preferred "men who are masculine in appearance and do not try to make women of themselves".<sup>56</sup> The sailor's preference for masculine men did not deter Protopopov from asserting against the evidence that the "pederast" (whose vice was acquired) sought out effeminate adult males and androgynous youths as sex partners, unlike the congenital "homosexual", who preferred manly men.<sup>57</sup>

The masculine male who had sex with other males was in the eyes of Russian psychiatry less authentically pathological because of his insertive sexual role and the positive prognosis this suggested. An active/passive (or dominant/submissive) model of heterosexual relations informed doctors' interpretations of the sexual contacts they encountered between men. Men whose

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<sup>54</sup> Ibid., 739.

<sup>55</sup> Lents, Kriminal'nye psikhopatv. (Sotsiopaty), 21, 45-46.

<sup>56</sup> Protopopov, "Sovremennoe sostoianie voprosa o sushchnosti i proiskhozhdenii gomoseksualizma", 51.

<sup>57</sup> Ibid., 57.

characters favoured the active, dominant, and therefore masculine posture were thus read as capable of normal sexual relations with women, perhaps after hypnosis or sessions of talk therapy.

Effeminate homosexual men, however, posed a more profound psychiatric dilemma: how to re-direct sexual desire from a passive to an active posture, and how to re-socialize the unmanly male who preferred such acts? Psychiatrists appear to have avoided discussing these questions after the interest displayed in the early 1920s, and reports of effeminacy in males dropped dramatically by the end of the decade.<sup>58</sup>

(iii) Gendering homosexuality: Women

Tsarist psychiatry was reluctant to pathologize the female homosexual. Few if any actual Russian case histories of women who loved women appeared in domestic psychiatric literature after

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<sup>58</sup> Approximately 47 case histories of male homosexuals appeared in Soviet Russia's psychiatric publications (central journals, edited collections, and monographs) in the 1920s, if one includes 17 out of the 95 men arrested in the 1921 Petrograd "pederasts' club" raid (Bekhterev, "O polovom izvrashchenii, kak osoboi ustanovke polovykh reflektov", seven cases; and Protopopov "Sovremennoe sostoianie voprosa o sushchnosti i proiskhozhdenii gomoseksualizma", ten cases). Psychiatric case histories after 1923 tended to appear in forensic psychiatric publications and described persons accused of criminal acts; the majority were delinquent youths whose sexual deviance was discussed in contexts of bezprizornost' (homelessness), prison or institutional care.

1905.<sup>59</sup> It was in manuals on sexual perversion intended, after 1905, for a broad educated public, that "lesbian love" was mentioned, using examples from Krafft-Ebing, Albert Eulenberg and Havelock Ellis.<sup>60</sup> The treatment of lesbianism through the lens of Westerners' observations amplified the impression that the phenomenon was alien or at least rare to Russia. The lack of a clear-cut etiology for sexual perversion, the disenfranchisement of women as full political and social subjects, and the corresponding disinterest in sexuality between women, made pathologization of home-grown lesbianism by Russian psychiatrists an incomplete enterprise.<sup>61</sup>

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<sup>59</sup> Five individual case histories have come to light from the years before 1905: V. F. Chizh, K ucheniiu ob "izvrashchenii polovogo chuvstva" (Die conträre Sexualempfindung). Soobshcheniia obshchestvu Peterburgskikh morskikh vrachei v zasedanii 1-go fevralia 1882 goda ([St Petersburg?], 1882); F. E. Rybakov, "O prevratnykh polovykh oshchushcheniiakh' Vrach (23 1898): 1-23; Laura Engelstein presents three cases in "Lesbian Vignettes: A Russian Triptych from the 1890s" Signs 15 (4 1990): 813-31, based on Ippolit Tarnovskii, Izvrashchenie polovogo chuvstva u zhenshchin (St Petersburg, 1895). On lesbian prostitutes in medical literature before 1905, see Engelstein, The Keys to Happiness, 161.

<sup>60</sup> Psychiatrist P. I. Kovalevskii's compendium tended to favour environmental etiologies for "homosexuality", but aired congenital theories fully; on lesbians he cited Albert Eulenberg's 1895 study of "sexual neuropathy" and Ellis' article of the same year on "Sexual inversion in women", Psikhologiya pola. Polovoe bezsilie i drugie polovye izvrashcheniia i ikh lechenie, 132-35. The more sensational A. Borisov's gallery of "pathological deformities of the sexual sphere" relied heavily on a bricolage of texts by Krafft-Ebing and Mantegazza; Izvrashchennaia polovaia zhizn'. Boleznennye izmeneniia polovoi sfery. (St Petersburg: 1907), 266-68. Neither text introduced Russian cases of lesbianism.

<sup>61</sup> Engelstein, The Keys to Happiness, 152-64.

By contrast, early Soviet psychiatry was eager to explore this relatively uncharted phenomenon. Case histories of Russian "female homosexuality" were the subject or an important feature of approximately ten psychiatric texts (articles, monograph chapters, textbooks) in the 1920s, in comparison to the virtual disinterest of pre-revolutionary medicine. Virtually all of these texts were written as a result of the psychiatrists' encounter with women who violated conventional gender norms.<sup>62</sup>

Soviet psychiatrists of the 1920s recorded with considerable consistency the "mannish" (muzhepodobnyi) character of the principal female homosexuals they studied. Such gender non-conformity was found to have begun early in childhood. While case

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<sup>62</sup> Osipov, Kurs obshchego ucheniia, two case histories, 355-56, 365; Shtess, "Sluchai zhenskogo gomoseksualizma pri nalichii situs viscerum inversus, ego psikhoanaliz i gipnoterapiia", (one case history, with numerous partners); Skliar, "O proiskhozhdenii i sushchnosti gomoseksualizma" (one case history); Krasnushkin and Kholzakova "Dva sluchaia zhenshchin ubiits-gomoseksualistok" (two case histories involving two pairs of women; one pair later described in Brukhanskii, below); Edel'shtein, "K klinike transvestitizma" (one case history); Brukhanskii, Materialy po seksual'noi psikhopatologii, two separate case histories involving two pairs of women, 53-65; V. A. Riasentsev, "Dva sluchaia iz praktiki. 1. Gomoseksualizm?" Sudebno-medit'sinskaia ekspertiza (2 1925): 152-56 (reviews one case later discussed by Brukhanskii above); Ia. I. Kirov, "K voprosu o geterotransplantatsii pri gomoseksualizme." Vrachebnoe delo (20 1928): 1587-90 (one case); E. K. Krasnushkin, Prestupniki psikhopaty (Moscow: Izd-vo pervogo Moskovskogo gos. universiteta, 1929), one case history, 11-12. A biologist R. I. Livshits examined and described a woman imprisoned in Leningrad for "same sex attraction" in "Reaktsiia d-ra Manoilova kak pokazatel' narusheniia sekretornoi funktsii polovykh zhelez pri seksual'nykh prestupleniakh", 13. There are discussions of female same-sex love in sexological survey material and pedagogic literature of the period as well.

histories of male homosexuals had privileged the sexual development of boys when recording childhood experience, (relegating effeminacy to a secondary role), women's case histories paid at least as much attention to girlhood gender transgression as to early sexuality. V. P. Osipov described how a female soldier, who sought his expertise regarding her sexual deviance, had "loved the company of the boys she grew up among in childhood, and often wore their clothing".<sup>63</sup> Another woman who had served in the Civil War as a commissar told N. I. Skliar in 1924 that she had played with boys as a child, and loved "climbing trees, playing Cossacks, war games". She did not begin wearing men's clothing until her military service, when she "began to go by a masculine name" and refer to herself using masculine grammatical forms in her speech.<sup>64</sup> Forensic psychiatrists likewise found elements of masculinization in the histories of childhood they obtained from their patients. Valentina P., who murdered her lover Ol'ga Shch., said that she "began to wear men's clothing in childhood... I loved men's clothing". Valentina had applied to join the Red Army while a young teenager but her older, more feminine lover had prevented it. Ol'ga's brother said of Valentina, that "she had trouble in school because she was always chasing after girls, writing them notes"; at home she would refuse to wear her skirt and put on

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<sup>63</sup> Osipov, Kurs obshchego ucheniia, 365.

<sup>64</sup> Skliar, "O proiskhozhdenii i sushchnosti gomoseksualizma", 1919.

trousers instead.<sup>65</sup> Similar accounts appeared in the work of Krasnushkin and Kholzakova who also reported on Valentina P. and another "female homosexual" murderer in 1926, and in Edel'shtein's 1927 study of Evgeniia Fedorovna M.<sup>66</sup>

Masculinization could persist into adulthood, and psychiatrists were particularly fascinated by individuals who publicly transformed their gender identities, taking male names, changing their passports, adopting masculine occupations, gestures and habits. Some women passed as men periodically, others for the long term. Cases of female temporary and more long-term gender identity transformation aroused the interest of (overwhelmingly male) psychiatrists on both sides of the nature-versus-nurture divide. Their curiosity about the phenomenon, for which science had no conclusive explanations, implicitly reflected an anxiety about women's respectable gender roles which was widespread in NEP society.<sup>67</sup>

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<sup>65</sup> Brukhanskii, Materialy po seksual'noi psikhopatologii, 59-60.

<sup>66</sup> Krasnushkin and Kholzakova, "Dva sluchaia zhenshchin ubiits-gomoseksualistok", 107, 112, 115; Edel'shtein, "K klinike transvestitizma", 273-74.

<sup>67</sup> Doctors promoting nurturist etiologies: Shtess, "Sluchai zhenskogo gomoseksualizma"; Skliar, "O proiskhozhdenii i sushchnosti gomoseksualizma", 1919; Edel'shtein, "K klinike transvestitizma". Doctors promoting biological or socio-biological origins: Osipov, Kurs obshchego ucheniia, 365; Brukhanskii, Materialy po seksual'noi psikhopatologii, 62-65 for case of Fedosiia P.; on Rozenshtein, see Winter, Red Virtue: Human Relationships in the New Russia, 169; psychiatrist A. K. Rakhmanov described "masculinized" women in the army, February 1929 Health Commissariat Expert medical council meeting on "transvestites", GARF f. A482, op. 25, d. 478, ll. 86

The most influential case of a woman who passed as male in the 1920s psychiatric literature was that of Evgeniia Fedorovna M., published by A. O. Edel'shtein in 1927.<sup>68</sup> The story of Evgeniia's adoption of a man's identity and a Cheka uniform, and of her marriage to another woman, was retold and analysed by the Soviet Union's top psychiatrists in the February 1929 Expert medical council discussion of "transvestites". Their reaction to a summary of Evgeniia's case, drawn from Edel'shtein's article, underscored medical concern about the passing woman and her influence. On hearing of Evgeniia's successful fight to have her marriage to a woman recognized by the Commissariat of Justice, biologist N. K. Kol'tsov worried that

the wife, that is, the woman who married the other woman [meaning Evgeniia's partner, "S."], certainly suffered as a result. That woman was done serious harm, for she could hardly remain as normal (normal'naia) as she would have if she had been married to a man. I suggest that in such circumstances we must be extremely careful. Only in exceptional circumstances, and with the agreement of experienced experts should this be permitted.<sup>69</sup>

Kol'tsov proposed that a specific law should forbid a woman dressed as a man from marrying another woman. Psychiatrist L. Ia.

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ob., 87. Forensic medical practitioners also noted the phenomenon, from biological perspectives: Riazantsev, "Dva sluchaia iz praktiki. 1. Gomoseksualizm?"; Livshits, "Reaktsiia d-ra Manoilova", 13. On NEP anxieties over female gender roles, see e.g. Barbara Evans Clements, Bolshevik Women. (Cambridge: Cambridge University Press, 1997); Elizabeth A. Wood, The Baba and The Comrade: Gender and Politics in Revolutionary Russia. (Bloomington & Indianapolis: Indiana University Press, 1997).

<sup>68</sup> Edel'shtein, "K klinike transvestitizma".

<sup>69</sup> GARF, f. A482, op. 25, d. 478, l. 86.



Brusilovskii pointed to the danger of disruption in women's bathhouses if the privilege of being a transvestite with some form of state sanction were recognized.<sup>70</sup>

Yet other psychiatrists present saw a less sinister prognosis. A. K. Rakhmanov noted that while it was customary and "successful" to send men who "refused military service call-up on this [transvestite or homosexual] pretext" to "psychiatric establishments for an expert opinion", with some women an opposing phenomenon was observed. "I have examined perhaps two cases of such women. They were of a masculine (muzhestvennyi) appearance, wearing military uniform", and working successfully as military commanders. Each case deserved individual expert assessment, he argued.<sup>71</sup> Individual psychiatrists at the centre of the Soviet profession regarded masculinization in women with ambivalence, even qualified tolerance, and associated it with homosexual desire.

As Kol'tsov's comments suggested, feminine partners of these women were believed to be "normal" until they contracted the "infection" of homosexuality. In psychiatric case histories of the 1920s, the female homosexual was virtually always a gender

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<sup>70</sup> Ibid., ll. 85 ob., 86.

<sup>71</sup> Rakhmanov said one woman was married with a child, the other, unmarried, was "a more masculinized type", but was as competent in her work performance, *ibid.*, ll. 86 ob., 87.

role transgressor, a "mannish" figure.<sup>72</sup> Partners of this woman were often represented as "normal" (heterosexual) and their conformity to expectations of femininity was thus implicit. Feminine partners appeared fleetingly in the case histories, often indulging the masculinized principals, then rejecting them for marriage to males.<sup>73</sup> Feminine partners in this literature also conformed to gender expectations by exposing themselves to psychological and physical abuse from their masculinized partners.<sup>74</sup> Ol'ga Ivanovna Shch., a librarian and teacher, murdered near Moscow in 1924 by Valentina P., was described by Krasnushkin and Kholzakova (who could not have met the victim) as "a woman with a soft, kind, generous character, a feminine (zhenstvennaia), subtle refined figure, of slight height, with a

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<sup>72</sup> One case of an apparently quite feminine seamstress, in Osipov, Kurs obshchego ucheniia, 355-56, dwelt on her romantic sentimentality in her attachment to various women. This case, in its emotionalism and lack of gender role deviance, resembled a pre-revolutionary case history described by Rybakov, "O prevratnykh polovykh oshchushcheniiakh".

<sup>73</sup> See e.g. Shtess, "Sluchai zhenskogo gomoseksualizma", 9 (patient's affair with Al'ga, who leaves to get married); Edel'shtein, "K klinike transvestitizma", 274 (S.'s affair with male co-worker); Krasnushkin and Kholzakova, "Dva sluchaia zhenshchin ubiits-gomoseksualistok", 117 (Ol'ga's decision to get married drives Valentina P. to murder her).

<sup>74</sup> E.g. Krasnushkin and Kholzakova, "Dva sluchaia zhenshchin ubiits-gomoseksualistok" (two masculinized female homosexuals murdered their partners); Shtess, "Sluchai zhenskogo gomoseksualizma", 9 (patient beats partner to point of hospitalization); Kirov, "K voprosu o geterotransplantatsii pri gomoseksualizme", 1588 (patient habitually "scornful" of "baby" [women] she pursued).

sweet face".<sup>75</sup> The foregrounding of the mannish female homosexual was accompanied by the implicit denial of the possibility of a feminine 'genuine' homosexual as partner. More intensively than with the manly 'pederast', (whose insertive posture suggested the possibility of a cure), psychiatrists implied that the womanly partners of masculinized 'female homosexuals' were scarcely 'sick' at all. In this sense, doctors could only imagine sexual desire itself as heterosexual, requiring essentially masculine and feminine natures to meet before attraction could exist.

(iv) Sexual revolution, psychiatry and biological models

In the immediate years following the conclusion of the European Great War, scientific ideas of homosexuality's etiology took a sensational if short-lived turn to biological explanations. These theories, based on new hormonal research, were especially influential in Central and Eastern Europe, where they had originated and where discussion and attempts to replicate experiments on the sex glands took place. Russian biologists and psychiatrists, despite the meagre resources at their disposal, nevertheless participated in these developments. The new hypothesis that homosexuality was caused by a hormonal disorder or anomaly circulated beyond medical discourse, propagated most

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<sup>75</sup> Krasnushkin and Kholzakova, "Dva sluchaia zhenshchin ubiits-gomoseksualistok", 116.

notably by Magnus Hirschfeld in Germany. To some (including Soviet jurists and one social hygienist commenting after the fact), such ideas seemed to justify the decriminalization of sodomy, as part of the sexual revolution.<sup>76</sup>

Pre- and post-World War I research on animals by the Austrian biologist Eugen Steinach contributed to a revolution in the scientific understanding of sex gland functions. With publicity and encouragement from Hirschfeld, Steinach's research turned to the question of altering human sexual behaviour by controlling glandular secretions. In 1918, Steinach and a partner, the surgeon Robert Lichtenstern, reported that they had successfully performed a partial transplant of a "normal" (heterosexual) human testicle to a male homosexual, who had subsequently lost his effeminate mannerisms, enjoyed sexual relations with a female prostitute and later married.<sup>77</sup> Hirschfeld seized upon these results as the most compelling support for his "biomedical construction of a new homosexual

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<sup>76</sup> Jurists' views: P. I. Liublinskii, Prestupleniia v oblasti polovykh otnoshenii. (Moscow-Leningrad: Iz-vo L. D. Frenkel', 1925); and E. P. Frenkel', Polovye prestupleniia. (Odessa: Svetoch, 1927). Social hygiene: G. A. Batkis, Die Sexualrevolution in Russland. (Berlin: Syndikalist, 1925).

<sup>77</sup> Alexander Lipschütz, The Internal Secretions of the Sex Glands: The Problem of the "Puberty Gland". (Cambridge, England: W. Heffer, 1924), 369. The experiment was reported in E. Steinach and R. Lichtenstern, "Umstimmung der Homosexualität durch Austausch der Pubertätsdrüsen" Münch. mediz. Wochenschr., (6 1918).

identity", and publicized them widely in the early 1920s.<sup>78</sup> Russians were aware of Steinach's experiments, especially because of his related work on animal and human rejuvenation therapy (omolozhenie). These surgical procedures, fashionable in Europe and the USSR in during the 1920s, received wide publicity in the Soviet press.<sup>79</sup> In 1923 while in Berlin, People's Commissar of Health Nikolai Semashko paid a visit to Hirschfeld's Institute for Sex Research with a group of Russian doctors, and the Commissar made positive remarks about Hirschfeld's promotion of homosexual emancipationism. His approval was perhaps interpreted as a signal that research into the supposed hormonal origins of homosexuality would be welcomed by the new regime.<sup>80</sup>

Many of the Soviet proponents of a biological or socio-

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<sup>78</sup> Chandak Sengoopta, "Glandular Politics: Endocrinology, Sexual Orientation, and Emancipation in Early Twentieth Century Central Europe." Paper given at the American Association for the History of Medicine in Pittsburgh, 1995, 6-9, quotation 10. I am grateful to Chandak Sengoopta for providing me with a copy of this article.

<sup>79</sup> Mikhail Zolotonosov, "Masturbanizatsiia: "Erogennye zony" sovetskoi kul'tury 1920-1930-kh godov." In Erotika v russkoi literature: Ot Barkova do nashikh dnei (Literaturnoe Obozrenie. Spetsial'nyi vypusk), eds I. D. Prokhorova, S. Iu. Mazur, and G. V. Zykova. (Moscow: Literaturnoe obozrenie, 1992), 97; N. K. Kol'tsov, ed. Omolozhenie tt. 1-2 (Moscow-Petrograd: Gosizdat, 1923); A. V. Nemilov, V. A. Gorash, L. N. Voskresenskii et al., eds Omolozhenie v Rossii (Leningrad: Meditsina, 1924), 98-134. The procedure was often in 1920s Soviet press and film, as is clear from Mikhail Bulgakov's story "Sobach'e serdtse" ('The Heart of a Dog', 1925; first Soviet publication, 1987), see M. O. Chudakova, "Posleslovie" in M. Bulgakov, Sochineniia: Roman, povesti, rasskazy (Minsk: Universitetskoe, 1988), 412-14.

<sup>80</sup> Semashko's remarks were reported in Jahrbuch für sexuelle Zwischenstufen (23 1923): 211-12.

biological view of the homosexual received early training from Moscow psychiatrist P. B. Gannushkin (1875-1933). Gannushkin's central role in the establishment of Soviet Russian psychiatry in part accounts for this fact; few students of the discipline in the capital could have failed to come in contact with this energetic teacher, administrator and clinician. His work in the psychiatric clinic of I Moscow State University, his supervision of young psychiatric doctors until his death from natural causes in 1933, and his contributions to the neuro-psychiatric section of the Health Commissariat's Expert medical council, left a legacy focused on the problems of clinical practice.<sup>81</sup>

Gannushkin was the "virtual founder" of minor psychiatry (malaia psikhiatriia) - the psychiatry of everyday life<sup>82</sup> - in Russia.

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<sup>81</sup> For Gannushkin's career and promotion of minor psychiatry, see P. M. Zinov'ev, "Osnovnye etapy nauchnoi raboty P. B. Gannushkina." Sovetskaia nevroopatologiya, psikhiatriia i psikhogigiena 2 (5 1933): 3-6; Iudin, Ocherki istorii otechestvennoi psikhiatrii, 406-7; A. O. Edel'shtein, "P. B. Gannushkin kak uchitel'." Sovetskaia nevroopatologiya, psikhiatriia i psikhogigiena 2 (5 1933): 7-9; idem. "Pamiati uchitelia" In 1-i Moskovskii meditsinskii institut. Trudy psikhiatricheskoi kliniki. vyp. 4, ed. A. O. Edel'shtein. (Moscow & Leningrad: Gos. izd-vo biologicheskoi i meditsinskoi literatury, 1934), 7.

<sup>82</sup> In Russia, a distinction was made between "major psychiatry" (bol'shaia psikhiatriia) dealing with aspects of insanity (later schizophrenia and other disorders requiring long-term institutionalization of the patient), and "minor psychiatry" (malaia psikhiatriia). The latter put the nineteenth-century profession's categories of "feeble-mindedness" and "moral insanity" under the microscope, and by the early twentieth century used the category of "psychopathy" (psikhopatiia) as a reconceptualization of mental conditions mid-way between illness and health. Analogous disciplinary divisions were present in German, French and American practice, see

He thus directed his students' attention toward questions of sex, and of social deviance and crime, encouraging some to study sexual perversions and homosexuality.

Gannushkin's European training before World War I had brought him under the influence first of Valentin Magnan of France, then of the German psychiatrist Emil Kraepelin.<sup>83</sup> He published little during the Soviet years of his career; his most respected work is a brief monograph on psychopathy printed posthumously in 1933, containing his fullest statements on homosexuality.<sup>84</sup> Gannushkin himself was not a supporter of Hirschfeld's biological hypothesis. In his book he classified

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Henry Werlinder, Psychopathy: A History of the Concepts: Analysis of the origin and development of a family of concepts in psychopathology. (Uppsala: University of Uppsala, 1978), Chapters 4 & 5; Elizabeth Lunbeck, The Psychiatric Persuasion: Knowledge, Gender and Power in Modern America (Princeton: Princeton University Press, 1994), 46-47.

<sup>83</sup> Gannushkin supervised a translation of Kraepelin's Einführung in die psychiatrische Klinik (3rd ed.): E. Kraepelin, Vvedenie v psikhiatricheskuiu kliniku 3rd ed., (Moscow: Narkomzdrav, 1923).

<sup>84</sup> Gannushkin, Klinika psikhopatii: ikh statika, dinamika, sistematika. Gannushkin weathered criticism for a 1927 article on "acquired mental invalidism" in party activists, and published a response in 1930, renouncing his alleged "pessimism" on labour therapy in such cases. See Edel'shtein, "P. B. Gannushkin kak uchitel'", 9; Iudin, Ocherki istorii otechestvennoi psikhiiatrii, 403, 407. The controversy simmered into 1931, with one doctor blaming him for immobilizing ten activists under psychiatric care, GARF, f. A406, op. 12, d. 2772, ll. 18-12 ob. Gannushkin had been head of the Moscow Society of Neuropathologists and Psychiatrists, which had come under attack for elitism and been forced to accept the strictures of partiinosť (in other words, relinquish its formal autonomy to party direction) in 1929; Joravsky, Russian Psychology, 336-39.

homosexuality among the impulsive psychopathies and viewed its etiology as overwhelmingly environmental, like his most important mentor, Kraepelin.<sup>85</sup> He respectfully acknowledged (while disagreeing with) Hirschfeld's research on the somatic effeminization of male homosexuals, and this was the last positive reference to the homosexual emancipationist in Soviet professional psychiatric literature of the 1930s.<sup>86</sup>

Gannushkin's students reflected his clinician's curiosity and eclecticism, and some expressed an unwillingness to pathologize homosexuality as sexual perversion per se, generally arguing from biological or socio-biological etiologies of the condition. Endocrinological hypotheses caught the imagination of Gannushkin's students who had worked under him at Moscow's Devich'e pole psychiatric clinic from 1918 until the mid-1920s, in particular E. K. Krasnushkin and M. Ia. Sereiskii, who in their writing resisted pathologization of individuals displaying socially harmless homosexual desire.<sup>87</sup> Of these, Sereiskii was the most committed to the argument that homosexuality constituted a benign hormonal anomaly, and it is a mark of his authority as a

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<sup>85</sup> He argued against Kraepelin that numerous varied personality inadequacies could lead to homosexuality: Gannushkin, Klinika psikhopatii, 116-18; cf. Kraepelin, Vvedenie v psikhiatricheskuu kliniku, 336-37.

<sup>86</sup> Gannushkin, Klinika psikhopatii, 117.

<sup>87</sup> Iudin, Ocherki istorii otechestvennoi psikhiatrii, 406; L. L. Rokhlin, "Nekotorye osobennosti klinicheskogo napravleniia E. K. Krasnushkina." In Voprosy sotsial'noi i klinicheskoi psikhonevrologii. t. XI, eds L. L. Rokhlin and A. M. Chirkov. (Moscow: Tsentr. moskovskoi obl. psikhonevr. bol'nitsy, 1961), 5.



psychiatrist specializing in endocrinology that he was selected by Semashko, who edited the first version of the Great Medical Encyclopedia, to write its article on "homosexuality". In 1929 in this piece Sereiskii argued fiercely for a constitutional and biological etiology based on the Steinach findings, and in the following year his Great Soviet Encyclopedia article on the same topic linked the endocrinological hypothesis to a robust defence of Hirschfeld's campaign for homosexual emancipationism.<sup>88</sup> The limits of this political argument were fixed with the appending of an "ethnographic sketch" from P. Preobrazhenskii on the subject of "homosexual love" among "s[o] c[alled] uncivilized peoples".<sup>89</sup> Thus in the cultures of the small peoples of the Far North (among the Chuchki, Koriaki, and Kamchadal), or in Soviet "asiatic" cultures (by which Preobrazhenskii meant islamic cultures), the origins of homosexuality "bear to a significant extent a social character".

Krasnushkin had also been encouraged by Gannushkin while at the Devich'e pole clinic to examine endocrinological factors in

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<sup>88</sup> M. Ia. Sereiskii, "Gomoseksualizm." Bol'shaia meditsinskaia entsiklopediia 7 (1929): col. 668-672; later expanded for a general audience in idem. "Gomoseksualizm." Bol'shaia sovetskaia entsiklopediia 17 (1930): col. 593-96. Note also his Problemy endokrinologii v psikhiiatrii. (Moscow: 1925).

<sup>89</sup> See under "Gomoseksualizm." Bol'shaia sovetskaia entsiklopediia 17 (1930): col. 596. Preobrazhenskii was an authority on ancient Greek and Roman civilizations, and the selection of him to write this supplementary sketch suggested editorial sympathy with the Europe-wide homosexual intellectual practice of the historicization of the ancients as bearers of noble traditions of same-sex love.

mental illness. Very soon, however, he was drawn into forensic and penal psychiatric responsibilities, serving during the civil war in Moscow's Provincial Penal Hospital (Gubernskaia tiuremnaia bol'nitsa) and taking an active role during NEP in the assessment and rehabilitation of criminals with mental disorders at the V. P. Serbskii Forensic Psychiatric Institute (Institut sudebnoi psikhiatrii imeni V. P. Serbskogo), the Moscow Bureau for Study of the Personality of the Criminal and Criminality, and the city's labour reformatory for minors (Mostruddom).<sup>90</sup> In his 1926 joint study with N. G. Kholzakova of "female murderer-homosexuals", the two psychiatrists had proposed an essential, constitutionally determined etiology for same-sex desire originating in the sex glands. They relied on an interpretation of Hirschfeld's complex modelling of "intersexuality".<sup>91</sup> The two Russian doctors appear to have been heavily influenced by

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<sup>90</sup> V. Rozhanovskii, "Sudebno-meditsinskaia ekspertiza v dorevoliutsionnoi Rossii i v SSSR." Sudebno-meditsinskaia ekspertiza (6 1927): 75; Iudin, Ocherki istorii otechestvennoi psikhiatrii, 372, 406.

<sup>91</sup> Krasnushkin and Kholzakova, "Dva sluchaia zhenshchin ubiits-gomoseksualistok", 105-106. These authors do not indicate which Hirschfeld text(s) they employed. Note also that in 1919, Dr Kholzakova had been a member of the team of specialists from the Institute of the Defective Child which examined 14-year-old Ivan Volkov, allegedly the victim of Bishop Palladii. Her career has been difficult to reconstruct; she published one study of schizophrenia in the 1930s with an adult male case history briefly mentioning an episode of "sodomy": N. G. Kholzakova, "Chastichnaia utrata (stoikoe snizhenie) trudo-sposobnosti pri shizofrenii." In Problemy pogrannichnoi psikhiatrii (Klinika i trudosposobnost'), ed. T. A. Geier. (Moscow-Leningrad: Gos. iz-vo biologicheskoi i medtsinskoi literatury, 1935).

Hirschfeld's Die Transvestiten. In this text, (written before Steinach's 1918 "breakthrough" on human homosexuality), the German sexologist had elaborated a scheme of sexual "intermediaries" to classify all forms of gender and sexual non-conformity between the extremes of an essential and heterosexual masculinity and femininity. Krasnushkin and Kholzakova in their article designated all "intermediaries" as "transvestites", and referred to "homosexuals" and "bisexuals" as sub-categories. This reading ignored Hirschfeld's clear distinction between cross-dressing and same-sex eros. Krasnushkin quickly moved toward a more nurturist etiology for same-sex perversion after the appearance of this study in the first collection of articles published by the Moscow Bureau for the Study of the Personality of the Criminal and Criminality. In the following year, he wrote that he had witnessed attempts to transplant animal-to-human "sex glands" in a male homosexual, and also in an older male for rejuvenation purposes. The apparent failure of these procedures had left him sceptical about the Steinach and Lichtenstern claims; a biological predisposition for homosexuality perhaps existed, but was still unproven, and there were instances in single-sex institutions (such as prisons, where Krasnushkin had devoted much of his professional practice), where "compensatory homosexuality" arose which was not congenital. Despite these reservations, Krasnushkin continued his robust support for the non-criminalization of harmless sexual deviations. By 1929, in a published collection of his lectures on psychopathy in criminals,

he had virtually abandoned any role for constitutional factors in forming the homosexual personality, adopting a nurturist position instead. He remained, however, convinced that there were "socially useful and valuable psychopaths", including among these homosexuals.<sup>92</sup>

Other Moscow psychiatrists who expressed comparatively benign attitudes towards homosexuals (based rather more on social than biological etiologies) worked at the Health Commissariat's Institute of Neuropsychiatric Prophylaxis. In their respective fields, the clinician L. M. Rozenshtein and forensic expert N. P. Brukhanskii encountered individuals displaying same-sex desire and patterns of gender non-conformity. Brukhanskii described a number of cases of female and male homosexuality which arose in Moscow's provincial (guberniia) court, in a 1927 monograph on "sexual psychopathology". He supported the decriminalization of sodomy, while professing doubts about scientific theories for homosexuality given the state of knowledge then current.<sup>93</sup> In his forensic psychiatric textbook published the following year, he was more direct, suggesting that "authentic homosexuality" was the result of constitutional factors (citing Hirschfeld), while

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<sup>92</sup> E. K. Krasnushkin, "K psikhologii i psikhopatologii polovykh pravonarushenii." In Pravonarusheniia v oblasti seksual'nykh otnoshenii, eds E. K. Krasnushkin, G. M. Segal, Ts. M. Fainberg (Moscow: Izd. MOZ'a, 1927), 17-18; idem., Prestupniki psikhopaty. (Moscow: Izd-vo pervogo Moskovskogo gos. universiteta, 1929), 10-12, 23-25.

<sup>93</sup> Brukhanskii, Materialy po seksual'noi psikhopatologii, 6-8. The "homosexuals" in these cases were being tried for acts of violence arising out of jealousy brought on by their desire, not for their sexuality as such.

acknowledging that culture could force individuals, such as the Central Asian bachi, into homosexuality against "one's nature".<sup>94</sup> Rozenshtein's sanguine view of female homosexuality, expressed before 1933, extended to inviting "Lesbians, militiawomen and Red Armyists" in uniform to come and give their life histories to his students, while claiming that "women may legally take men's names and live as men".<sup>95</sup> Rozenshtein, however, did not express his views on this subject in print.

Elsewhere in the Soviet Union, constitutional or socio-biological explanations for homosexuality were also heard, especially in the years immediately following Steinach and Lichtenstern's "breakthrough". The ambitious Bekhterev student, Protopopov, disagreed publicly with his teacher, and apparently used the issue of homosexuality to stake out his own scientific territory. In 1921 as a reflexology laboratory assistant at the Institute for the Study of the Brain, Protopopov seized the opportunity presented by the "pederasts' club" raid of 15 January 1921. The indefatigable Bekhterev had dictated notes of examinations of seven men that evening (to a doctor Mishutskii, who "for some reason" refused to hand them over later); he later reviewed the investigation and court files, and wrote about the

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<sup>94</sup> N. P. Brukhanskii, Sudebnaia psikhiaatriia. (Moscow: M. i S. Sabashnikov, 1928), 77.

<sup>95</sup> Winter, Red Virtue: Human Relationships in the New Russia, 169. Winter did not give the dates of her visit to Russia in this book, published in 1933.

raid in two articles.<sup>96</sup> Protopopov meanwhile conducted interviews with 40 men detained by police. He not only wrote up ten of the most interesting case histories from his sample, but used the material as an springboard to survey the current state of medical thinking on homosexuality, in the process expressing support for the newest endocrinological hypotheses as proposed by Steinach in 1918, which were diametrically opposed to Bekhterev's nurturist viewpoint.<sup>97</sup> Later, in 1928 as director of the Faculty of Psychiatry at Khar'kov State University, Protopopov supervised an experiment based on the Steinach hypothesis, an attempt at sex-gland transplants conducted by surgeons led by psychiatrist Ia. I. Kirov.<sup>98</sup> The experimental cure for a determined "female homosexual" was a dismal failure, and neither Protopopov nor his student Kirov revisited homosexuality as a research topic.

Another Bekhterev student whose views on homosexuality

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<sup>96</sup> Bekhterev described his note-taking with Mishutskii in "Polovye uklonenii i izvrashchenii v svete refleksologii", 720; he reconstructed his impressions of the interviews with case-file documents on about seven arrested men, in "O polovom izvrashchenii, kak oboi ustanovke polovykh reflektov", 167-70.

<sup>97</sup> Protopopov, "Sovremennoe sostoianie voprosa o sushchnosti i proiskhozhdenii gomoseksualizma". This article appeared not in a Bekhterev-sponsored journal, but in the Commissariat of Enlightenment periodical Nauchnaia meditsina, where Protopopov had already published two works in the previous three years.

<sup>98</sup> Kirov, "K voprosu o geterotransplantatsii pri gomoseksualizme". "Heterotransplantation" refers not to sexual orientation, but the source of the tissue grafts used, that is external to the patient herself. Protopopov became faculty director at Khar'kov in 1923, Iudin, Ocherki istorii otechestvennoi psikhiiatrii, 426.

dissented from those of his teacher was V. P. Osipov (1872-1947), whose 1923 and 1931 psychiatric textbooks reviewed current Western theories of same-sex perversion and offered a synthesis allowing for both environmental and endocrinological etiologies. Osipov was also notably open to Freudian theories, especially in his 1923 textbook, in contrast to Bekhterev, who (at least where sexual perversion was concerned) appreciated the psychoanalytic master's attention to sexual development but discounted Freud's deconstruction of the categories of illness and health, and the emphasis placed in psychoanalysis on "parts of the body not intended for sexual attraction".<sup>99</sup> Following Bekhterev's death, Osipov directed Leningrad's Reflexological Institute - renamed the Institute for the Study of the Brain - from 1929 until his death in 1947.<sup>100</sup>

In the first years of Soviet rule constitutional and sociobiological hypotheses for the cause of homosexuality were on the ascendant. These models were buoyed by the fascination with and supposed success of the Steinach procedure of testicular grafts, and probably received further impetus from Semashko's approval of Hirschfeld's emancipatory enterprise. German and Austrian mistrust of the glandular grafting process as a means of

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<sup>99</sup> Osipov, Kurs obshchego ucheniia; idem., Rukovodstvo po psikhiiatrii (Moscow-Leningrad: Gosizdat, 1931); Bekhterev, "Polovye ukloneniia i izvrashcheniia v svete refleksologii", 656.

<sup>100</sup> Wortis, Soviet Psychiatry, 190.

transforming sexual orientation had accumulated by the mid-1920s,<sup>101</sup> but these developments did not discourage enthusiasts like Protopopov, Sereiskii (and indirectly, Semashko) from continuing to advance hormonal theories in the late 1920s. By this time, however, nurturist views of the homosexual were acquiring new force as explanatory tools in the struggle to build a socialist byt (daily life).

(v) Nurturist views on the ascendant

The view that environmental factors influenced human sexual development, and that when these inputs were adverse, they could lead to perversions of "normal" sexuality, had found strong proponents before the end of the tsarist regime. Under early Bolshevik rule, those who advanced these ideas found it necessary to address the apparent success of the Steinach experiments, and soon they were conveying to a Russian professional audience the doubts about them which emerged from Europe. Soviet environmentalist perspectives on homosexuality were not monolithic during the 1920s, but relied on at least three scientific frameworks, including Bekhterev's reflexology, psychoanalysis as interpreted in Russia, and on the durable medical concept of psychopathy. The eventual triumph of the nurturist point of view over constitutional ones emerged in the discipline of forensic psychiatry, where disputes over the meaning and legal implications of psychopathy erupted in the late

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<sup>101</sup> Sengoopta, "Glandular Politics".



1920s and continued to simmer into the early 1930s.

Bekhterev (1857-1927) had been the most vigorous exponent of a nurturist etiology for sexual perversions prior to the revolution. He had been the founder and director of St Petersburg's Psychoneurological Institute (1908), and by the war was an acknowledged leader in studies of the physiology of the brain as well as of hypnosis and psychotherapy. He embraced the Bolshevik regime and energetically participated in institution-building in the years after October. Renamed "Psychoreflexological Institute" in 1919, Bekhterev's principle institutional base became the nucleus for the Psychoneurological Academy, grouping 15 research institutes under his presidency, including the Institute for the Study of the Brain and Mental Activity (established 1918). The Academy remained in existence until Bekhterev's death in 1927, when it was reorganized.<sup>102</sup>

Bekhterev's interest in male same-sex love originated in his experiments with hypnosis as a form of psychotherapy. His earliest article on what he termed "perverse sexual drives" (prevratnye polovye vlecheniia), appearing in 1898, described two case histories of male patients suffering from attraction to their own sex, and the doctor's efforts to cure them using hypnotic suggestion. In this article Bekhterev did not examine the etiology of sexual perversion. He did refer allusively to perversions as a syndrome similar to degeneracy, and he noted the

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<sup>102</sup> Iudin, Ocherki istorii otechestvennoi psikhiiatrii, 125, 128, 405; A. S. Nikiforov, Bekhterev (Moscow: Molodaia gvardiia, 1986), 234-44.

terminology used by Krafft-Ebing to describe same sex love.<sup>103</sup> Where the article broke new ground for Russians was in his assertion that hypnosis was "a completely effective means" of therapy for sexual deviance. There was no longer a need for doctors to "limit themselves in such cases to a virtually passive role" when confronted with these disorders, Bekhterev declared.<sup>104</sup> The French psychiatrists Jean-Martin Charcot and Valentin Magnan had proposed a similar therapy for sexual inversion in 1882, but Veniamin Tarnovskii had scarcely addressed therapies in his monographs on perversion, and Bekhterev, Russia's chief advocate of suggestion therapy, was the logical promoter of its application to sexual perversion. Bekhterev did not acknowledge the French psychiatrists in his article but was aware of their work in hypnosis.<sup>105</sup>

Bekhterev's principle contribution to Russian psychology and psychiatry was his theory of reflexology, and his later writing about sexuality concentrated on the interpretation of case histories using this theory. Applying a model of stimulus and instinctual reaction to human behaviour, Bekhterev emphasized the environment as the source of mental pathologies including sexual

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<sup>103</sup> Bekhterev, "Lechenie vnusheniem prevratnykh polovykh vlechenii i onanizma", 9.

<sup>104</sup> Ibid.

<sup>105</sup> J.-M. Charcot, V. Magnan, "Inversion du sens genital" Archives de neurologie (3 1882): 53-60, 296-322; Tarnovskii, Izvrashchenie polovogo chuvstva; Bekhterev on hypnosis in 1890s, Iudin, Ocherki istorii otechestvennoi psikhiiatrii, 125; V. M. Bekhterev, Gipnoz, vnushenie i psikhoterapiia (St Petersburg, 1911).

perversions.<sup>106</sup> Perverse sexual drives, he wrote in 1913, were the result of childhood sexual traumatization, careless upbringing, and later experiences. These inappropriate sexual stimuli formed "combined reflexes" (sochetatel'nye refleksy), which developed in puberty to produce habitual sexual perversion. His conclusions were based not only on clinical observation and comparison of patient histories, but on laboratory examinations of the human brain. He rejected various hypotheses for a congenital origin to homosexuality, including Magnan and Gley's theory of the woman's brain in man's body, noting that brains of "homosexuals" he examined revealed no discernible differences from normal brains. Bekhterev reserved a small, and secondary, role to degeneracy as a biological factor which might in some cases be contributory. The appearance of a strong sexual appetite in early childhood was a degenerate characteristic which could "awaken the sex drive at an early age in unusual circumstances, with which it would closely compose itself and then soon solidify as a result of its production over time in analagous external circumstances...".<sup>107</sup> Later in 1922, in his monograph-length article on the origins of sexual deviance and perversion,

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<sup>106</sup> Bekhterev's reflexology resembled physiologist I. P. Pavlov's ideas about reflexes on a superficial level. Early disputes between Bekhterev and Pavlov over the former's failure to duplicate the latter's results in animal physiology experiments led Pavlov to accuse Bekhterev's staff of poor quality work; the result was "one of the bitterest feuds in Russian scientific history", Wortis, Soviet Psychiatry, 36.

<sup>107</sup> Bekhterev, "O polovykh izvrashcheniakh, kak patologicheskikh sochetatel'nykh refleksakh", 5.

Bekhterev interpreted the Steinach claims about sex-gland influences on sexuality to underpin his environmentalist theory of perversion. Noting that the sex drive "was facilitated by development of the sex glands and their hormones", Bekhterev argued that the hormonal system in humans was subordinate to the mediation of "socio-cultural conditions" (such as modesty taboos, literature, and courtship practices) which ordered sexuality. "Inversion" (same-sex attraction) resulted from the habituation of mutual masturbation between boys or girls, "when the inclination to normal sexual intercourse is weakened or absent", or by the influence of deliberate sexual stimuli, especially during puberty.<sup>108</sup> The implications of this etiology were clear: monitoring childhood sexual experience was crucial to the development of "normal sexual attraction".<sup>109</sup>

While Bekhterev lived, his authority in the Soviet Union on the scientific bases of sexual development and pedagogy was considerable, but with the break-up of his institutional networks after his death in 1927, the reflexological viewpoint lost its most vocal advocates. A related perspective on sexuality which attracted more modest attention from psychiatrists in the USSR was offered by psychoanalysis. Freudian explanations of

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<sup>108</sup> Bekhterev, "Polovye ukloneniiia i izvrashcheniia v svete refleksologii", 671, 745-46.

<sup>109</sup> Bekhterev popularized this message to both general audiences and professional educators: Bekhterev, "O polovom ozdorovlenii." Vestnik znaniia (9-10 1910): 924-37 & 1-19; idem., "Ob izvrashchenii i uklonenii polovogo vlecheniia"; idem. "O polovom izvrashchenii, kak osoboi ustanovke polovykh refleksov".

homosexuality were infrequently rehearsed in Soviet Russian psychiatric literature, notwithstanding the widespread awareness of Sigmund Freud's psychotherapeutic practices in the early 1920s. One explanation for the virtual absence of psychoanalytic interpretations of same-sex perversion may be that while Freud's work was well known, few powerful practitioners actively took up his methods in the psychiatric discipline itself, where the prevailing inclination toward biological empiricism was strengthened by the revolution. Both Bekhterev and Gannushkin opposed Freudian analysis, the first from his biological and reflexological approach, the second, from his pre-revolutionary studies under Emil Kraepelin.<sup>110</sup> Two students of Gannushkin, Krasnushkin and Rozenshtein, had an interest in Freud before the revolution, but there is no trace of this influence on Krasnushkin's later work about sexuality; Rozenstein's activities at the Institute of Neuropsychiatric Prophylaxis in Moscow were said by Wilhelm Reich in 1929 to be influenced by Freudianism, but the Soviet doctor avoided expressing his views on sexuality in print.<sup>111</sup> Two examples of case histories of homosexuality

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<sup>110</sup> Aleksandr Etkind, Eros nevozmozhnogo: Istoriia psikhoanaliza v Rossii (St Petersburg: Meduza, 1993), 137-39. Bekhterev was more categorical than Gannushkin in his opposition to Freud, no doubt because of his institution-building in reflexology.

<sup>111</sup> Magnus Ljunggren, "The Psychoanalytic Breakthrough in Russia on the Eve of the First World War." In Russian Literature and Psychoanalysis, ed. Daniel Rancour-Lafférière. (Amsterdam & Philadelphia: 1989), 184; Krasnushkin and Kholzakova, "Dva sluchaia zhenshchin ubiits-gomoseksualistok", 105-106. On Rozenshtein, W. Reich, "Psikhoanaliz kak estestvenno nauchnaia

from Russia's regions displayed enthusiastic applications of Freudian concepts, but neither made a great impression on the psychiatric discipline.<sup>112</sup> Saratov psychiatrist A. P. Shtess's 1925 case history is the most thoroughly psychoanalytic profile of a homosexual in the Soviet psychiatric literature, with its creative application of the Oedipal complex, penis envy and castration fear to his interpretations of his patient's psyche. Shtess, like American psychoanalysts in a later era, used the techniques of Freud to "cure" homosexuality; he also combined them with hypnosis, a blending Freud had originally condemned, along with the dogmatic pathologization of homosexuality.<sup>113</sup>

The most prominent nurturist model of same-sex perversion was the very flexible concept of psychopathy, first applied cautiously to homosexuality in Russia by V. F. Chizh in an 1882

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distsiplina." Vestnik kommunisticheskoi akademii 35-36 (1929): 345-350; L. M. Rozenshtein, "Fakty iz psikhiatricheskoi organizatsii Berlina (Iz materialov nauchnoi komandirovki)." Moskovskii meditsinskii zhurnal (11 1926): 70-76.

<sup>112</sup> Shtess, "Sluchai zhenskogo gomoseksualizma"; I. S. Sumbaev, a dotsent at the Irkutsk psychiatric clinic of the Eastern Siberian Medical Institute, did not explicitly mention psychoanalysis, but spoke of "the language of the unconscious" and the "'deep layers' of the mind", and employed free-association techniques, Sumbaev, "K psikhoterapii gomoseksualizma", 59, 67.

<sup>113</sup> Freud and hypnosis, see Etkind, Eros nevozmozhnogo, 143; Freud on homosexuality, see e.g. Stephanie H. Kenen, "Who Counts When You're Counting Homosexuals? Hormones and Homosexuality in Mid-Twentieth-Century America." In Science and Homosexualities, ed. Vernon A. Rosario. (New York & London: Routledge, 1996), 202; and Richard Pillard, "The Search for a Genetic Influence on Sexual Orientation", in Science and Homosexualities ed. V. Rosario, 227.

case, then more confidently by V. M. Tarnovskii in 1885.<sup>114</sup> Later Russian psychiatrists were also influenced in viewing sex perversion as psychopathic illness from Krafft-Ebing's Psychopathia sexualis. Psychopathy, a concept popularized in German psychiatry in the late nineteenth century, was conceived as a borderline state between mental health and illness, usually bringing an inability to exercise moral judgment or self-discipline.<sup>115</sup> Psychiatrists made increasing use of the concept from the 1890s, but they were aware that no common definition existed to define psychopathic states. As F. E. Rybakov put it in 1906, the category "means nothing" to jurists and medical professionals, but he used psychopathy anyway to classify an otherwise "completely normal" female homosexual.<sup>116</sup> Psychopaths were "degenerates (degeneraty) who stand on the border between health and mental illness"; their weakness of character could be attributed to a "severe psychopathic heredity"<sup>117</sup> or a "functionally unstable" nervous system.<sup>118</sup> Eccentricities or extremities of character were easily comprehended in the

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<sup>114</sup> Chizh, K ucheniiu ob "izvrashchenii polovogo chuvstva"; Tarnovskii, Izvrashchenie polovogo chuvstva.

<sup>115</sup> Lunbeck, Psychiatric Persuasion, 66; Werlinder, Psychopathy: A History of the Concepts, 86n.

<sup>116</sup> Rybakov, Granitsy psikhicheskogo zdorov'ia i pomeshatel'stva, 19.

<sup>117</sup> I. Zakharov, "Ocherednye voprosy kriminal'noi psikhiatrii." Ezhenedel'nik sovetskoi iustitsii (8 1922): 8.

<sup>118</sup> Lents, Kriminal'nye psikhopaty (Sotsiopaty), 33.

psychopathic concept, enabling psychiatrists to expand their remit to include the nearly well, those capable of functioning outside the mental hospital. Both biological and environmental influences on the personality were canvassed to explain psychopathies. Classifications which linked character to somatic types, in particular the influential scheme laid out by Ernst Kretschmer in his 1921 Körperbau und Charakter, suggested to psychiatrists of the 1920s clues to personality formation.<sup>119</sup> Most case histories, whether based on nurturist or constitutional views, incorporated elaborate physical descriptions of patients, usually attempting to identify signs of degeneracy, but on occasion classified according to the Kretschmer typology, or using anthropometric calibrations; in at least one case, Soviet anthropologist V. V. Bunak examined a female patient for signs of "masculinization".<sup>120</sup>

Yet in the estimation of most authorities, environment contributed most to the psychopathic personality. Despite her "psychopathic constitution", Skliar's patient's homosexuality was "purely psychogenous", formed in the mind from life experiences,

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<sup>119</sup> Werlinder, Psychopathy: A History of the Concepts, 100.

<sup>120</sup> For example, Protopopov, "Sovremennoe sostoianie voprosa o sushchnosti i proiskhozhdenii gomoseksualizma", 50-54; Shtess, "Sluchai zhenskogo gomoseksualizma", 2; Krasnushkin and Kholzakova classified "Sh." according to Aschner's (?) sex-identification scheme as "a type of masculine woman" (tip muzhestvennoi zhenshchiny) after she was examined by Bunak, "Dva sluchaia zhenshchin ubiits-gomoseksualistok", 112.



albeit on "an abnormal, degenerative, hysterical soil".<sup>121</sup> In 1929, when he had all but abandoned the congenital model, Krasnushkin wrote of psychopaths that "the whole psyche is disharmonious, distorted - a characterological disorder [is present]"; such personalities "struggle more weakly with the usual environmental stimuli".<sup>122</sup> Psychiatrists varied the degrees of emphasis on environmental and biological factors at play, although the trend toward the end of the 1920s was to lay greater stress on environment when "biologizing" and "neo-Lombrosian" approaches came under official attack.<sup>123</sup>

As a psychiatric concept, psychopathy was closely associated with criminality both in its German development, and in its early Soviet versions.<sup>124</sup> Sexual offenders were frequently said to be psychopathic in their personalities, and their mental disturbances were increasingly linked to byt, the conditions of everyday life. The influence of byt on social deviance (alcoholism, hooliganism, sexual misconduct) in NEP society was already a well established theme in political and social

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<sup>121</sup> Skliar, "O proiskhozhdenii i sushchnosti gomoseksualizma", 1922; similarly, see Edel'shtein, "K klinike transvestitizma", 282; Belousov, "Sluchai gomoseksuala - muzhskoi prostitutki", 316.

<sup>122</sup> Krasnushkin, Prestupnye psikhopaty, 13, 23.

<sup>123</sup> S. Ia. Bulatov, "Vozrozhdenie Lombrozo v sovetskoj kriminologii." Revoliutsiia prava (Jan-Feb 1929): 42-61.

<sup>124</sup> C. Birnbaum's 1914 Die psychopathischen Verbrecher is cited as a landmark text in the development of this linkage, see Werlinder, Psychopathy: A History of the Concepts, 128.

commentary.<sup>125</sup>

In 1927, in a joint publication from the Serbskii Institute, Moscow's Bureau for the Study of the Criminal Personality and the Criminal, and the capital's provincial court, Krasnushkin and colleagues G. M. Segal and Ts. M. Feinberg argued for the legitimacy of studying sexual offenses to uncover the linkages between social and biological factors in crime. By exposing "remnants of the old way of life" (starvi byt), sexual crime studies could reveal the "binding of byt with psychopathology, their interaction, their direct and reciprocal influence on each other."<sup>126</sup> Comparing rising sexual offenses to the recent wave of hooliganism, Segal argued for the study of these crimes "which have a relationship to social-lifestyle conditions". The excess "vital energy" displayed by sex offenders needed to be redirected

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<sup>125</sup> For a study of female prostitution as psychopathy, see B. R. Gurvich, "Prostitutsiia, kak sotsial'no-psikhopatologicheskoe iavlenie (Predvaritel'noe soobshchenie)." In Sovetskaia meditsina v bor'be za zdorovye nervy: Sbornik statei i materialov, eds A. I. Miskinov, L. M. Rozenshtein, and L. A. Prozorov. (Ul'ianovsk: Izd. Ul'ianovskogo kombinata PPP, 1926). On the depiction of casual sex, alcoholism and venereal disease as undesirable facets of everyday life, see Frances L. Bernstein, "Envisioning Health in Revolutionary Russia: The Politics of Gender in Sexual-Enlightenment Posters of the 1920s." Russian Review (57 1998): 191-217.

<sup>126</sup> Krasnushkin, Segal, and Feinberg, "Ot redaktsii", in Pravonarusheniia v oblasti seksual'nykh otnoshenii, 3. This emphasis on byt over biology was far greater than that expressed by Krasnushkin in a report on the study of psychopathy in criminals published two years earlier, E. K. Krasnushkin, "Kabinet po izucheniiu lichnosti prestupnika i prestupnosti", in Izuchenie lichnosti prestupnika v SSSR i za granitse. (Moscow: Izd. Moszdravotdela, 1925), 29, 33.

toward positive channels, especially to ensure that young persons were not influenced to adopt "an abusive (naplevatel'skoe) attitude to the new ethics of progressivism and revolutionary élan".<sup>127</sup> In a chapter highlighting two case histories of male sex abuse of boys, V. A. Vnukov and A. O. Edel'shtein argued that homosexuality was an "acquired vice", yet they insisted that local examples were usually the result of "sexual infantilism" brought on by a "decline into the primitive" (literally, primitivirovanie). These images of underdeveloped sexuality enabled them to argue that Russian examples of same-sex perversion differed from those observed in Europe, where the "refinement" and "cultivation" of sexual tastes "served as a singular form of narcotic". Ten years after the revolution, the rhythm of Soviet life had not accelerated notably, and so by comparison to the West, Russia had no rich array of refined perversions, especially since the hypocritical "cultured" individual associated with tsarism had disappeared.<sup>128</sup>

As this joint publication demonstrated, the leading institutions of the forensic psychiatric discipline (the Serbskii Institute, the Moscow Bureau for the Study of the Personality of the Criminal) were the source of an analysis of sexual

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<sup>127</sup> G. M. Segal, "K probleme polovoi prestupnosti" in Pravonarusheniia v oblasti seksual'nykh otnoshenii. E. K. Krasnushkin et al., eds, 5-8.

<sup>128</sup> V. A. Vnukov and A. O. Edel'shtein, "O kharaktere lichnosti pravonarushitel'ia i mekhanizmax pravonarushenii v oblasti polovykh otnoshenii", in Pravonarusheniia v oblasti seksual'nykh otnoshenii. E. K. Krasnushkin et al., eds, 45-48, 72-75.

perversions as psychopathic disorders influenced by byt. Although evidence is only circumstantial, it appears that within these institutions conflict arose during the mid- to late-1920s over the nature and significance of gender and sexual dissent, and its relationship to the diagnosis of psychopathy. Psychiatrists who took a comparatively benign view of the "homosexual", often from Hirschfeld's constitutional notions, or from a socio-biological perspective, were challenged by determined pathologizers who relied on negative aspects of the psychopathic diagnosis. Publishing separate studies of a female "transvestite" and a "male prostitute" in the second, 1927, edition of the review of the Bureau for the Study of the Personality of the Criminal, Edel'shtein and Belousov entered into an implied polemic with Krasnushkin and his research partner Kholzakova, demonstratively undermining their reading of Hirschfeld and their understated emancipationist exposition on same-sex love which had appeared the year before in the first edition of the same organ.<sup>129</sup> Edel'shtein and Belousov, seeing no "social future" for their patients, named psychopathy as the defining defect in these

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<sup>129</sup> Edel'shtein, "K klinike transvestitizma"; Belousov, "Sluchai gomoseksuala - muzhskoi prostitutki"; Krasnushkin and Kholzakova, "Dva sluchaia zhenshchin ubiits-gomoseksualistok", 105-106. Krasnushkin and Kholzakova's observation that "Magnus Hirschfeld, the greatest expert of modern sexology", had demonstrated that historically homosexuality was often linked with "high aesthetic giftedness", and their discussion of Sappho, implied a benign view of socially harmless homosexuals.

subjects.<sup>130</sup> According to psychiatrists who identified homosexuality with psychopathy in this hostile tone, the unbalanced personality could account for gender role deviations, transvestism, compulsive lying and elaborate falsifications of the individual's identity, prostitution, vagabondage, and drug abuse - all linked with same-sex desire. Arguments from patients defending or celebrating homosexual love were easily dismissed as pseudologia phantastica or infantilism;<sup>131</sup> the failure to restrain oneself from engaging in homosexual sex, vagabondage or swindling was diagnosed as "disruption" of the brain's inhibitory centres,<sup>132</sup> or as "psychogenic illnesses".<sup>133</sup>

It would appear that clinical psychiatrists (along with the soon sidelined forensic experts Krasnushkin and Brukhanskii) did not share this hostile nurturist position espoused at the Serbskii Institute and from the Moscow Bureau for the Study of the Criminal Personality. In the 1929 deliberations of the Health Commissariat's Expert medical commission, Russia's leading

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<sup>130</sup> Edel'shtein, "K klinike transvestitizma", Belousov, "Sluchai gomoseksuala - muzhskoi prostitutki". The same view was expressed by an Astrakhan' psychiatrist, see Skliar, "O proiskhozhdenii i sushchnosti gomoseksualizma".

<sup>131</sup> Edel'shtein, "K klinike transvestitizma", 280; Belousov, "Sluchai gomoseksuala - muzhskoi prostitutki", 316.

<sup>132</sup> If diagnosticians favoured Pavlov's mechanistic modeling, see Lents, Kriminal'nye psikhopatyi. (Sotsiopaty), 29.

<sup>133</sup> If diagnosticians preferred environmentalist etiologies, see V. M. Gakkebush, and I. A. Zalkind. Kurs sudebnoi psikhopatologii. (Khar'kov: Iurid. iz-vo Narkomiusta UkrSSR, 1928), 334.

psychiatric clinician, Gannushkin, argued for an open-minded approach to the question of sexual and gender dissent, and except when considering specific circumstances (in the army, for example), others present did not express anything comparable to the pessimism and hostility present in Edel'shtein's study of Evgeniia Fedorovna M.<sup>134</sup> In this year and the following one, that is, during the utopian phase of the cultural revolution, Sereiskii's constitutionalist and emancipationist articles on homosexuality appeared in authoritative encyclopedias, with approval from the Health Commissariat, and evidently, the Party leadership.<sup>135</sup> From his Moscow outpatient clinic Rozenshtein voiced elaborately tolerant sentiments during this era, while other psychiatrists practising in the capital continued to assume (until informed of sodomy recriminalization) that "homosexuals" loyal to the regime could order their personal lives without medical intervention.<sup>136</sup> Forensic psychiatry's nurturist view of

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<sup>134</sup> GARF, f. A482, op. 25, d. 478, ll. 85-87. The gathering had listened to extracts from Edel'shtein, "K klinike transvestitizma".

<sup>135</sup> Sereiskii, "Gomoseksualizm" in Bol'shai meditsinskaia entsiklopediia; idem., "Gomoseksualizm" in Bol'shaia sovetskaia entsiklopediia. It was perhaps in response to this apparent revival of the endocrinological hypothesis that Moscow biologist M. M. Zavadovskii published, in 1931, details of a 1923 attempt to "cure" a male homosexual using the Steinach and Lichtenstern testicular graft, see Zavadovskii, "Izsledovanie semennika gomoseksualista".

<sup>136</sup> Rozenshtein as cited in Winter, Red Virtue: Human Relationships in the New Russia, 169; reports on psychiatrists' attitudes in 1933-1934, White, "'Mozhet li gomoseksualist sostoiat' chlenom kommunisticheskoi partii?'".

the psychopathic homosexual competed with the clinicians' constitutional or frankly emancipationist view of the question.

During the late 1920s and into the first Five Year Plan, as this debate percolated, a sterner attitude toward the application of the diagnosis of psychopathy was apparently forced upon the Serbskii Institute.<sup>137</sup> The use of the psychopathic label in determining criminal responsibility (vmeniaemost') became the focus of a campaign to reduce the numbers of individuals pronounced mentally unfit to answer for their crimes. A large percentage of these defendants had been categorized as "psychopaths" in the early-to-mid 1920s, and this particular classification came under intense scrutiny in the early 1930s. During the period 1923-1941, the proportion of persons examined by the Serbskii Institute judged to be "psychopaths" fluctuated between 17-21%, while the number of "psychopaths" pronounced not responsible (nevmeniaemyi) fell:

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<sup>137</sup> The resulting sharp reductions in inmates judged not liable to answer for their crimes (nevmeniaemye) is designated as the first of "five waves of political assault on the psychiatric profession" under stalinism, in Joravsky, Russian Psychology, 415-16, 419.

Table 5.1:

Year	% of psychopaths among all examined individuals	% of psychopaths judged <u>nevmeniaemyi</u>
1922	9.8	46.5
1923	19.8	28.9
1924	22.3	35.7
1925	18.0	19.2
1926	20.2	25.0
1927	19.8	17.6
1928	17.0	22.6
1929	16.6	13.0
1930	12.8	6.4
1931	19.6	7.9
1932	17.8	10.0
1933	14.1	9.9
1934	16.7	8.2
1935	20.4	3.0
1936	23.6	3.7
1937	20.6	3.4
1938	17.3	4.4
1939	20.7	4.3
1940	21.1	4.3
1941	21.6	6.2

Source: Ts. M. Feinberg, Sudebno-psikhiatricheskaya ekspertiza i opyt raboty instituta sudebnoi psikhiatrii im. prof. Serbskogo za XXV let. (Moscow: Tsent. n.-i. institut sudebnoi psikhiatrii im. prof. Serbskogo MZ SSSR, 1947), 15.

By 1930, Krasnushkin and Brukhanskii, who were associated with the Serbskii Institute from its establishment and who were the supposed originators of the liberal application of the psychopathic diagnosis, had been dismissed. They had been made the subjects of press attacks for "biologizing" socially produced criminality. In both cases, the excessive medicalization of byt was the political error each psychiatrist had fallen into.<sup>138</sup>

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<sup>138</sup> Krasnushkin attacked, see Bulatov, "Vozrozhdenie Lombrozo v sovetskoi kriminologii"; on Brukhanskii, see I. Il'inskii, "Obshchestvennost' i bolezni byta [Po povodu



During the 1930s, as new officials arrived to run the Serbskii Institute (including its new director from 1930, Ts. M. Feinberg, a rare woman at the top of the field), they established their credentials by repeating the attacks on the pair for excessive biologization.<sup>139</sup> The proliferation of psychopathic diagnoses in the early 1920s was blamed for the growing appropriation by defendants and patients of the psychopathic label. Serbskii psychiatrist A. M. Khaletskii wrote, "one came up against psychopaths who already held a belief in their reduced- or non-responsibility [for crimes], aggressively insisting on their right to lawless, antisocial behaviour in connection with their illness." Even worse, such criminals knew they were regarded as "patients" and used the language of a medical identity to demand

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knigi N. P. Brukhanskogo: "Materialy po seksual'noi psikhopatologii"])." and T. Segalov, "Po povodu stat'i I. Il'inskogo." Molodaia gvardiia (5 1928): 175-93. Krasnushkin practised psychiatry in Moscow province during the 1930s, and later served as chief Soviet forensic psychiatrist to the Nuremburg Trials. Brukhanskii took up a post in the faculty of psychiatry at Smolensk University. His career was ignored in Iudin's 1951 history of the psychiatric profession, Ocherki po istorii otechestvennoi psikhiatrii.

<sup>139</sup> Feinberg, Sudebno-psikhiatricheskaia ekspertiza, 5-10 (indirect criticism of the Institute's record when Krasnushkin was associated with it); A. M. Khaletskii, "Poniatie umen'shennoi vmeniaemosti v sudebno-psikhiatricheskoi otsenke psikhopatii", in Ts. M. Feinberg, ed. Psikhopatii i ikh sudebno-psikhiatricheskoe znachenie. (Moscow: Sovetskoe zakonodatel'stvo, 1934), 99-102; V. A. Vnukov, "Sudebno-psikhiatricheskaia ekspertiza psikhopatii", in Feinberg, ed., Psikhopatii i ikh sudebno-psikhiatricheskoe znachenie, 15-16. On the virtual replacement of the Serbskii Institute's staff during the cultural revolution, see Joravsky, Russian Psychology, 416.

"cures" and to protest against the length of "treatment" they had to submit to compulsorily. "Therapy for psychopaths is their rehabilitation (vospitanie)", insisted Khaletskii.<sup>140</sup>

The Serbskii Institute, founded and funded by the Commissariat of Health, was transferred along with its "medical sanitary network" to the jurisdiction of the Justice Commissariat, which situated it alongside the courts as part of their investigatory function, in a decree of 5 March 1932.<sup>141</sup> The transfer (which was reversed in 1938) was part of a larger shift of penal medical organizations to Justice Commissariat control. Feinberg wrote in 1947 that the transfer brought a tighter link with the work of "judicial-investigatory organs", and one may plausibly infer that during the period of maximum terror, "leniency" or "liberalism" in psychiatric assessments of all kinds was at its lowest ebb.<sup>142</sup> In a 1936 report to

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<sup>140</sup> V. A. Vnukov, and Ts. M. Feinberg. Sudebnaia psikhiatriia. Uchebnik dlia iuridicheskikh vuzov. (Moscow: OGIz, 1936), 250-52; Khaletskii wrote the chapter on psychopathy in this textbook for legal colleges. For complaints about psychopaths with similar demands, see Bulatov, "Vozrozhdenie Lombrozo v sovetskoi kriminologii", 60.

<sup>141</sup> GARF, f. A482, op. 24, d. 847, l. 37 ob.

<sup>142</sup> Feinberg, Sudebno-psikhiatricheskaia ekspertiza, 11; see also Table 5.1, showing the marked reduction in nevmeniaemye psychopaths 1935-40. The motives for psychiatric cooperation with police remain unclear. Joravsky surmises that by ridding themselves of difficult criminal patients, psychiatrists cynically preserved "their self-image as doctors", not punishers; Russian Psychology, 417. Yet psychiatrists in tsarist Russia had found themselves confronted with the same dilemmas when police intruded into asylums to insist that criminal patients wear manacles and leg irons. As Julie V. Brown

Commissar of Justice Nikolai Krylenko, Feinberg defended the Institute's activity and called for more funds to secure student places and complete the national network of forensic psychiatric expertise. She argued that the Institute took a tough line on psychopaths, judging far greater numbers of them liable to answer for crimes, and produced new research which demonstrated the criminal responsibility and potential for rehabilitation through labour, of psychopaths.<sup>143</sup>

After sodomy was recriminalized in 1934, the forensic psychiatric profession moved to delete at least male homosexuality from the forms of psychopathy nominally within its bailiwick. Textbooks and manuals produced soon after the sodomy ban were revised accordingly, and homosexuality was either tersely defined, or excised from discussions of sexual pathology

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points out, in 1909 fearing the loss of control over all mental asylums, psychiatrists "reluctantly proposed that mentally disturbed prisoners be transferred to penal institutions". In disputes over public transcripts, the state's non-scientific priorities could demoralize the corporate defences of doctors. See J. V. Brown, "Social Influences on Psychiatric Theory and Practice in Late Imperial Russia." In Health and Society in Revolutionary Russia, eds Susan G. Solomon and John Hutchinson. (Bloomington & Indianapolis: Indiana University Press, 1990), 31-34.

<sup>143</sup> GARF, f. A482, op. 24, d. 847, ll. 38-40; Feinberg made similar arguments to colleagues in a closed session on forensic psychiatry at the II<sup>nd</sup> Congress of Psychiatrists and Neuropathologists, Moscow, December 1936, see "Zakrytie raboty s"ezda. 26 dekabria 1936 g." in Trudy vtorogo s"ezda psikhiatrov i nevropatologov. 25-29 dekabria 1936 g. vyp. 2 (Moscow: n.p., 1936), 673-74.

in various ways.<sup>144</sup> In 1935, E. A. Popov radically deconstructed the category of "homosexuality" as scientifically untenable given the variety of primarily exogenous etiologies for it. Applying the full force of the nurturist psychopathic model, he spoke of the "non-uniformity of that group of phenomena figuring in psychiatric systems under the name of homosexuality".<sup>145</sup> It was an elegant rhetorical solution to a scientific dilemma posed by the antisodomy policy turn.

Despite these shifts, the discipline held the notion of the "genuine" homosexual afflicted by a psychopathic disorder in reserve, and had official signals to do so. Explaining the 1934 sodomy ban, Justice Commissar Krylenko said in a 1936 speech that

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<sup>144</sup> Ts. M. Feinberg, ed. Psikhopatii i ikh sudebno-psikhiatricheskoe znachenie (Moscow: Sovetskoe zakonodatel'stvo, 1934), 168, definition of "gomoseksualizm"; V. A. Vnukov and Ts. M. Feinberg Sudebnaia psikhiaatriia. Uchebnik dlia iuridicheskikh vuzov (Moscow: OGIZ, 1936), 246-47, ignores homosexuality.

<sup>145</sup> E. A. Popov, "O klassifikatsii polovykh izvrashchenii." In Problemy psikhiaatrii i psikhopatologii ed. S. N. Davidenkov (Moscow: Biomedgiz, 1935), 527-28. It is noteworthy that Popov had been a student supervised by Protopopov at the Khar'kov Psychiatric Institute during the late 1920s, at one point publishing a study of sex perversion challenging his teacher's endocrinological theories: E. A. Popov, "K voprosu o geneze nekotorykh form mazokhizma (passivnogo flagelliantizma)." Vrachebnoe delo (7 1928): 527-31. His article on "sexual perversions" in the second edition of the Great Medical Encyclopedia extolled the nurturist hypothesis: idem. "Polovye izvrashcheniia." Bol'shaia meditsinskaia entsiklopediia 2nd edn., (Moscow: 1962), t. 25, 942-52. Thus in three academic generations (Bekhterev - Protopopov - Popov) the major currents in Soviet psychiatry on the sexual perversion question were embodied.

only a small number of male homosexuals - like alcoholics - might in fact "be sick", apparently meaning that their perversion might have a biological basis which could be identified by a doctor in court. Drawing analogies with drunkenness, Krylenko said that in the majority of cases, homosexuals were responsible for their crime.<sup>146</sup> The primary purpose of this unusual public reference to homosexuality was of course to criminalize it, but the possibility was theoretically left open that forensic psychiatry might exculpate a few victims of the new law.<sup>147</sup> Nevertheless, in keeping with the increase in other psychopaths then being judged responsible for their crimes, homosexuals of both sexes before the Moscow city courts in the late 1930s were unsuccessful in obtaining psychiatric expertise to exculpate themselves. Either their appeals were refused, or they were deemed both psychopathic and fit to stand trial.<sup>148</sup> As Feinberg had claimed

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<sup>146</sup> Nikolai Krylenko, "Ob izmeneniiakh i dopolneniiakh kodeksov RSFSR." Sovetskaia iustitsiia 15 (7 1936): 1-5.

<sup>147</sup> The late Stalin-era anonymous article on homosexuality in the Great Soviet Encyclopedia referred to the psychopathic model to explain a tiny minority of homosexuals, "Gomoseksualizm", Bol'shaia sovetskaia entsiklopediia, 2nd edn., (Moscow, 1952) t. 12, 35; see also A. M. Khaletskii, "K probleme psikhopatii" Zhurnal nevropatologii i psikhiiatrii im. S.S. Korsakova (12 1952): 64.

<sup>148</sup> One 38-year-old male underwent a forensic psychiatric evaluation on 22 September 1937 at the Serbskii Institute where he was judged "a psychopathic personality with aspects of neurasthenic development and inclination to sexual perversions", yet pronounced liable to answer for his crimes, Prigovor Siniakova (1937), l. 130; a 35-year-old physical education teacher's plea for a forensic psychiatric examination to reduce his five-year sentence was refused in March 1939, Prigovor Leont'eva i Baikina

to Krylenko in 1936, these homosexuals might be diagnosed "psychopaths" if they obtained the right to expertise - but they were still criminally liable, and still went to prison. There they joined the homeless persons, drug addicts, prostitutes and pathological fantasizers who had also inhabited the psychopathic category, but who now were required to answer for their crimes as "declassed elements" who perpetrated their deviance ("bytovye crimes") as "survivals of the old ways of life".<sup>149</sup>

### Conclusion

Building on a heritage of relatively reluctant pathologization of same-sex love before 1917, Soviet psychiatry explored constitutional and nurturist models of homosexuality available from Western medicine. The research undertaken during the 1920s represented an intensification of interest but the medicalization of homosexuality in Soviet Russia was incomplete, hesitant, and episodic, as the confusion over conceptual categories illustrates. The confinement of medicalization to European citizens of the slavic heartland, implied in Preobrazhenskii's "ethnographic sketch" appended to Sereiskii's Great Soviet

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(1939), l. 188; a woman accused in 1940 of depraved sex acts with a 16-18 year old girl was examined by the Serbskii Institute and deemed fit to stand trial, despite her protests, Prigovor Stepanovy (1940), ll. 17-18.

<sup>149</sup> A. Gertsenzon, "Klassovaia bor'ba i perezhitki starogo byta." Sovetskaia iustitsiia (2 1934): 16-17; for similar language, Krylenko, "Ob izmeneniakh i dopolneniakh kodeksov RSFSR".

Encyclopedia article on the topic, also demonstrated cultural and geographic limits to the medical grasp of the issue in the Soviet Union's unique conditions.

The 1929 decision by psychiatrists of the Commissariat of Health's Expert medical council to strike an interdepartmental commission between Health and Justice Commissariats on "transvestites" and "the intermediate sex" did represent the crystallization of a debate over the variety of approaches to the gender and sexual non-conformity. Yet the fluidity of terminology, and the unwillingness of doctors to claim the problem fully as their own, underscore the incomplete medicalization of perversion in Russian science. By resorting to an interdepartmental commission, this group of psychiatrists and other scientists (who were comparatively well disposed toward benign forms of sexual dissent), signalled their lack of confidence to write this page of the public transcript on their own. Perhaps, like pre-revolutionary psychiatrists who hoped to preserve their control over asylums by abandoning jurisdiction over the criminally insane, these men of science foresaw that their views on this issue might lead them into an unequal, and fruitless, struggle with the state's watchdogs of public order.<sup>150</sup>

Homosexuality was gendered in ways which reflected research priorities and psychiatrists' preoccupations. Male homosexuality

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<sup>150</sup> Brown, "Social Influences on Psychiatric Theory and Practice", in Health and Society in Revolutionary Russia eds S. G. Solomon and J. Hutchinson, 33.

was divided into "congenital" versus "learned" perversion, and psychiatric anxiety shuttled inconclusively between the two etiological poles. The congenital/effeminate, learned/masculine paradigm, established in Russia as early as 1885 in Veniamin Tarnovskii's writing, was resuscitated in the early 1920s by the flurry of interest in the endocrinological model of homosexual orientation. Yet Russian psychiatrists, unlike Western counterparts, were not obsessed in print by the overtly effeminate male, after the first burst of concern following the 1921 raid on the Petrograd "pederasts' club". Anxiety over the "infection" of males due for military service found occasional expression, yet even in the stenographic transcript of the Expert medical council's 1929 deliberations on this point, effeminization was implied obliquely rather than explicitly admitted as a problem. This comparative silence about unmanly males eloquently betrays an anxiety about men who shamelessly refused to conform to a prescribed code (however unlike Western European or American ones in its socialist elements) of masculinity.<sup>151</sup> Meanwhile, the relentless attention paid by medical professionals to active/passive sexual roles between men went to the heart of gender anxieties. Here, psychiatric pathologization was usually reserved for the passive man, whose sexual posture was "unnatural".

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<sup>151</sup> On the socialist warrior as masculine stereotype, see George L. Mosse, The Image of Man: The Creation of Modern Masculinity. (New York & Oxford: Oxford University Press, 1996).



Female homosexuality only became a significant psychiatric concern for the first time in Russia during the 1920s. Psychiatrists sought to establish a boundary between the "normal" woman who embraced her maternal role, and the pathological woman who rejected it. Psychiatrists acted from an ideological interest in clarifying the new women's public identities which were acceptable in a socialist society. The contradictory priorities of moving women into education and paid labour, while reviving the birthrate, made female homosexuality an unruly identity, one in opposition to respectable socialist womanhood. The attention paid to individuals who rejected femininity, in some cases deliberately representing themselves as males at the workplace or in the marriage registry office, underlines these doctors' anxiety to normalize the new social roles for women. Psychiatrists policed a boundary between "congenital homosexuals" and the "normal women" they contaminated.

The lessons for historians of homosexuality, and of medicine, from the experience of Soviet attempts to embrace the medical model of same-sex eros are intriguing. Essentialist etiologies, which have recently inspired so much anxiety and controversy chiefly among American advocates of antihomophobic strategies,<sup>152</sup> were espoused in revolutionary Russia by

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<sup>152</sup> For a guide to these anxieties, see V. Rosario, Science and Homosexualities. Karlinsky's characterization of Soviet science as "morbiditying" homosexuals encapsulates these concerns, combining them with a traditional totalitarian perspective on all things Soviet; see S. Karlinsky, "Russia's Gay Literature and Culture: The Impact of the October Revolution." In Hidden From

scientists who apparently felt that homosexuality could be a benign variation of the human condition. At any rate, these psychiatrists seemed to deal with their patients who presented issues of gender and sexual dissent with sympathy and humanity. They shared versions of the biomedical view of sexual dissidence promoted by homosexual emancipationist Magnus Hirschfeld, and until the ouster of Nikolai Semashko as Health Commissar in 1930, they would appear to have had official encouragement to do so. That the constitutional model was supported for so long, in a political and ideological system which favoured a robustly nurturist view of humanity as perfectible through the transformation of the environment, was a significant contradiction. It seems that Semashko's interest in Hirschfeld's enterprise, and the prestige of the endocrinological hypotheses which potentially underpinned it, outweighed the social-constructionist Bolshevik attitudes to homosexuality in other, specific contexts, such as among the USSR's Central Asian peoples, or in ecclesiastical institutions.

Historians must also recognize that the roots of the much criticized stalinist nurturist etiology for sexual perversion,<sup>153</sup> had comparatively benign pre-stalinist scientific

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History: Reclaiming the Gay and Lesbian Past, eds Martin Duberman, Martha Vicinus, and George Chauncey (New York: Penguin, 1989), 358.

<sup>153</sup> See, for example, John Lauritsen, and David Thorstad. The Early Homosexual Rights Movement (1864-1934). (New York: Times Change, 1974); V. Kozlovskii, Argo russkoi gomoseksual'noi subkul'tury: Materialy k izucheniiu. (Benson, VT: Chalidze Publications, 1986); Gert Hekma,

origins and sponsors. Some advocates of this position, especially V. M. Bekhterev, were not consistently hostile toward homosexuality and (after the revolution) probably defended the right to privacy of individual "homosexuals" when called upon to act for the police. Other psychiatrists blended tolerance for individuals already 'suffering' from acquired homosexuality with the hope that as socialism advanced, future examples of the syndrome would be prevented. Such attitudes flowed from the heritage of a far more humane vision of socialism than that which denied the "social future" of sex and gender dissidents, or consigned them to prison as "declassed elements". After the victories of the first Five Year Plans, the Stalin-era nurturist view could not admit that the environment which produced Soviet homosexuals was in any way defective. The medical category of (male) homosexuality was virtually deconstructed, and men who loved men became either political or bytovye criminals, not to be returned to the medical gaze at any point during Soviet power. Meanwhile the lesbian as medical personality was ignored until the post-Stalin revival of sexology. Gendered state regulation (with the 1933-1934 statute on sodomy) eventually resulted in a gendering of sexual psychopathology after 1953.<sup>154</sup> Permission to

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Harry Oosterhuis, and James Steakley, eds Gay Men and the Sexual History of the Political Left. (Binghamton, NY: Harrington Park Press, 1995).

<sup>154</sup> See especially E. M. Derevinskaia, "Materialy k klinike, patogenezu, terapii zhenskogo gomoseksualizma." (Kandidatskaia dissertatsiia meditsinskikh nauk, Karagandinskii gosudarstvennyi meditsinskii institut, 1965); Derevinskaia's academic supervisor used much of

re-open the medical study of sexology allowed psychiatrists to reclaim only the women's side of the medical model of homosexuality, which had been held in reserve.

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her material in his widely circulated (100,000 copies printed) monograph: A. M. Sviadoshch, Zhenskaia seksopatologiya. (Moscow: Meditsina, 1974).

## **PART II**

### **HIDDEN TRANSCRIPTS**

## Introduction to Part II

Is it possible to reconstruct the lived experience of Russia's men and women who felt and expressed same-sex desire? Using much the same sources already sifted for their access to public transcripts of gender and sexual dissent, a picture, if sometimes faint or lacking in the desiderata of context and evidentiary weight, can be sketched. Medical case histories and records of court trials were framed in ways that are predominantly unsympathetic to the sexual dissidents they portray, but they can still be examined for the hidden transcripts they contain. What patterns do they repeat, and how do these reflect the realities of their subjects' (our sex and gender dissidents') world? Where did individuals congregate, what argot did they use, what forms of dress and comportment appear repeatedly in these documents? Russian and Soviet legal and medical experts tended to dwell on these details at some length, often believing that they were describing something comparatively exceptional, occasionally even something unique to their country. Perhaps for this reason this accumulation of details may be relied upon as less subject to the influence of foreign discursive habits and patterns.

The temporal frame for an examination of Russia's hidden transcripts of "homosexuality" is not identical for men and women. As in other historiographies of sexual dissidence, there is a preponderance of sources on men's experience, and they

suggest an earlier evolution of a sexual culture, in the public spheres where males dominated. Chapter six discusses this culture of sex between men, in its traditional and modern variants, from 1861, a comparatively arbitrary (and conventional) starting point. Women's same-sex relations, the subject of Chapter seven, appear in Russian legal and medical sources somewhat later, and therefore this discussion begins with the 1880s. The richness of these late Imperial sources demonstrates that these forms of sex and gender dissent evolved with tsarist society. It is not always possible to match this richness of material for the early Soviet era, and there are points in the narrative where the hidden transcript is comparatively muted. Nevertheless, within the post-revolutionary decades there are some sufficiently rich clusters of material (psychiatric profiles of "female homosexuals" for the 1920s, and Moscow city court sodomy trials for the 1930s) from which patterns of a continuing, at times lively sexual dissidence can be discerned.

## Chapter 6: Men together: Social contexts, 1861-1941

The place of sex between males in traditional Russian culture has generally been neglected by historians. Igor Kon characterizes Russia's sexual culture, even in the nineteenth century, as having been more deeply divided between "high" and "low" versions than Western European sexual cultures. The "popular", everyday (bytovaia) sexual patterns and practices of the mass of Russians were marked by "naturalistic", pagan survivals which Orthodoxy had been incapable of eradicating. Ecclesiastical authorities "turned a blind eye" to popular sexual culture with resigned indulgence, while publicly the Church "compensated with a strengthened spirituality and unworldly asceticism in its church doctrine" on sexuality and marriage. Popular sexual lore as expressed in erotic tales, verse (chastushki) and profanity (mat) reflected values utterly at odds with Christianity.<sup>1</sup> Kon does not speculate on how this chasm between sacred and profane affected popular understandings of sex between men. Yet it seems plausible that the apparent ease with, and (from a Western European perspective) tolerance of, male same-sex eros grew from the popular repertoire of earthy narratives of "sexual mischief".<sup>2</sup> Foreign observers of pre-Petrine Muscovy reported

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<sup>1</sup> I. S. Kon, "Istoricheskie sud'by russkogo Erosa." In Seks i erotika v russkoi traditsionnoi kul'ture, ed. A. L. Toporkov. (Moscow: Ladomir, 1996), 6-8.

<sup>2</sup> Ibid., 12. The range of tropes of male anal penetration expressed in mat is vast, and discussion of its significance to Russian notions of gender deserves its own monograph: see for example Vladimir Kozlovskii, Argo russkoi gomoseksual'noi subkul'tury: Materialy k



the widespread practice and discussion of "sodomy", apparently unfettered by any religious sensibilities or sense of civic dignity.<sup>3</sup> The military prohibition of "sodomy" (muzhelozhstvo), introduced by Peter the Great in 1716, "served to regulate a social network" of soldiers organized along Western lines.<sup>4</sup> Extending this regulation to the civilian male population in 1835, Nicholas I sought to instill those religious sensibilities and civic virtues which Russian males apparently still lacked.<sup>5</sup>

By examining medical, legal and diaristic sources from the late Imperial era, the contours of a masculine tradition of mutual eros can be sketched. Men who experienced same-sex desire expressed it according to the social roles they played. Workshops, bathhouses and large urban households were sites for same-sex relations within this tradition. Masters and servants,

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izucheniiu. (Benson, VT: Chalidze Publications, 1986), 96-98; F. Il'iasov, et al. Russkii mat (Antologiya). (Moscow: Lada M, 1994).

- <sup>3</sup> Simon Karlinsky, "Russia's Gay Literature and History." Gay Sunshine (29/30 1976): 1, discusses several reports; see also idem., "Russia's Gay Literature and Culture: The Impact of the October Revolution." In Hidden From History: Reclaiming the Gay and Lesbian Past, eds Martin Duberman, Martha Vicinus, and George Chauncey. (New York: Penguin, 1989), 348n; and James Riordan, "Sexual minorities: the status of gays and lesbians in Russian-Soviet-Russian society." In Women in Russia and Ukraine, ed. Rosalind Marsh. (Cambridge: Cambridge University Press, 1996), 156-57.
- <sup>4</sup> Laura Engelstein, The Keys to Happiness: Sex and the Search for Modernity in Fin-de-Siècle Russia. (Ithaca & London: Cornell University Press, 1992), 58.
- <sup>5</sup> In this sense, state regulation preceded the internalization of modern forms of morality, see Kon, "Istoricheskie sud'by russkogo Erosa", 6.

coachmen and their clients, bathhouse attendants and customers, craftsmen and apprentices exploited the opportunities of their positions to obtain or demand sexual favours, or indeed to sell them. These men and youths were not necessarily or exclusively "homosexual" in the modern sense; their culture of masculinity included indulgence in same-sex eros.<sup>6</sup>

Meanwhile, emerging from an increasingly visible set of practices, a subculture of recognizably "homosexual" men developed late in the tsarist era. This subordinate world had its own acknowledged gathering spots and rituals of sexual contact, incorporating linguistic and symbolic conventions which were intelligible to initiates.<sup>7</sup> In its signals and gestures, its veiled locations and acknowledged territories, its participants developed a hidden transcript of sexual diversity. "One's own people" (svoi liudi) became a recognizeable affiliation for some men expressing same-sex desire, 'homosexuals', by the end of the

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<sup>6</sup> For a recent argument that same-sex erotic relations between early modern Europeans were not intrinsically "homosexual", but constituted part of the fabric of general masculine culture, see Michael Rocke, Forbidden Friendships: Homosexuality and Male Culture in Renaissance Florence. (New York & Oxford: Oxford University Press, 1996).

<sup>7</sup> On the male "homosexual subculture" in Western societies, see for example, Mary McIntosh, "The Homosexual Role." Social Problems 16 (1968): 182-92; Alan Bray, Homosexuality in Renaissance England. (London: Gay Men's Press, 1982), 114n; Martin B. Duberman, Martha Vicinus, and George Chauncey Jr, "Introduction", in Hidden From History: Reclaiming the Gay and Lesbian Past. (New York: Penguin, 1989), 9; David F. Greenberg, The Construction of Homosexuality. (Chicago: University of Chicago Press, 1988), 14.

tsarist period. Evidence for the rise of this subculture in Russia is particularly plentiful for the two capitals, where jurists and doctors, and the publications for which they wrote, were concentrated. The traces of the male homosexual subculture from these sources, from court records, diaries and journalists' accounts, can be used to describe its geography, rituals and language in St Petersburg and Moscow.

Sexual relations between males were inflected by social hierarchies. Age, relative strength, wealth, or command of resources determined the forms of exchange which accompanied sexual intercourse (if not always who performed insertive or receptive roles). The commercialization of sexual relations increased during the late tsarist years, influencing the physical locations where males were able to consummate relations. Public sex was nevertheless a familiar experience. In tsarist Russian cities, privacy for the poor had always been at a premium, while in the Soviet era, domestic space for all was squeezed by unprecedented pressures. Moreover, the commodification of sheltered and semi-public spaces (brothels, hotel rooms, private rooms in bathhouses and restaurants) sharply declined or ended in early Soviet cities, persisting only in circumstances of greater scarcity and state control. Soviet city dwellers were accustomed to appropriating public spaces, and constructing privacy in them through various devices.

Other forms of space harboured or encouraged same-sex relations. The artistic world, a significant and well documented

pre-revolutionary social locus for homosexuals, became a respectable refuge for them during the Soviet regime. Recriminalization of sodomy in 1933-1934, and the political redefinition of male homosexuals as enemies or bytovye criminals, apparently did little to change homosexuals' use of the art world as refuge. Same-sex environments such as the Red Army and the prison or Gulag camp were more problematic. Men in the military participated in 'homosexual' relations, many in the pre-revolutionary tradition of offering sexual services to civilians for cash. Prison and Gulag life created an environment where the social relations governing sex between men in normal society were exaggerated in a brutal parody of gender roles.

(i) Mutual male eros and the rise of a 'homosexual' subculture

The late nineteenth and early twentieth centuries in Russia were a period of rapid social transformation, and same-sex relations saw corresponding changes. The emancipation of the serfs in 1861, and accelerating industrialization in the 1880s and 1890s brought large numbers of people (principally but not exclusively males) to cities in search of work. A significant proportion of these newcomers stayed only temporarily or seasonally; many left wives and families behind in the village. Others settled and became the basis of an urban proletariat in St Petersburg, Moscow and a handful of other centres. For these people, whether migrants or

settled, the availability of housing was poor. A huge proportion lived in barracks, flop-houses, or shared rooms and even beds; a significant percentage lived in employers' households and workshops.<sup>8</sup> Heterosexual family relations were thus placed under great stress by the rapid expansion of Russia's industrial base. In tsarist Moscow, working men in the sexually active younger age groups outnumbered women, and were crowded together in living arrangements which precluded any possibility of beginning families, or of bringing a wife or children from the village to join them.<sup>9</sup> While traditional forms of patriarchal solidarity and mutual supervision, such as the artel' (work team) and zemliachestvo (common ties between migrants of a particular region) functioned in the town, in this setting they might not always serve to enforce the compulsory heterosexuality of village

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<sup>8</sup> In Moscow in 1882, 20% of the population occupied non-familial accommodation such as factory barracks; a further 12.6% were clerks or workers who lived with their employers in situations like apprenticeships. In highly industrialized districts (Lefortovskaia, Serpukhovskaia) the proportion of the population in barracks and group accommodation rose to as high as 43.7%. See Robert Johnson, Peasant and Proletarian: The Working Class of Moscow in the Late Nineteenth Century. (New Brunswick, NJ: Rutgers University Press, 1979), 53-66.

<sup>9</sup> Between 1871 and 1902, the proportion of women in Moscow's entire population rose from 40% to 45%, but still the number of these who were dependents, or women of child-bearing age, was low; in 1902, there were twice as many married men as married women in Moscow, evidence that migrant workers still left their wives at home in the village and lived apart from them for extended periods in the city. Ibid., 55-56. These conditions also led many workers to resort to female prostitutes, Laurie Bernstein, Sonia's Daughters: Prostitutes and Their Regulation in Imperial Russia. (Berkeley & Los Angeles: University of California Press, 1995), 90-92.

life. Males found encouragement, and opportunities, for sexual expression with other males in Russia's industrializing centres.

The inflection of sexual relations by social ones took on new forms as market relations mixed with traditional patterns. In Russia's cities, the sexually available subordinate male was found in numerous settings. Men of means, often exploiting the license which money and vodka conferred, made use of such youths or young men. A Moscow merchant from the peasant estate has provided us with a rich example of these relations. Pavel Vasil'evich Medved'ev kept a diary for the year 1861, in which he recorded his emotional and sexual experiences.<sup>10</sup> Unhappily married, Medved'ev sought consolation alternately in church and at the tavern. When drunk, he indulged in "lustfulness" with both male and female partners - and recorded these encounters in his diary. The document speaks of a traditional masculine culture, indulgent of sex between men. Yet at the same time, in the cash exchanges accompanying some of Medved'ev's sexual encounters, and the location of most of his liaisons outside the home, we can also discern the seeds of a transition to a modern homosexual subculture.

Medved'ev and his companions habitually used subordinate males for sex when lust was unleashed by vodka. An account of an

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<sup>10</sup> Jeffrey Burds, trans. & ed., Dnevnik moskovskogo kuptsa Pavla Vasil'evicha Medvedeva, 1854-1864 gg. [Diary of Moscow merchant Pavel Vasil'evich Medvedev, 1854-1864] (forthcoming). I am grateful to Jeffrey Burds for providing me with generous access to a transcript of the text of Medved'ev's diary for the year 1861 which contains these vignettes.

evening of theatre, dining, and drinking "to excess" ended with Medved'ev's reflections on how to satisfy one's arousal on the journey homeward:

For some time now my lust leads me to pick a younger cab-driver, who I make fun of along the way; with a little nonsense you can enjoy mutual masturbation. You can almost always succeed with a 50-kopek coin, or 30 kopeks, but there are also those who agree to it for pleasure. That's five times this month.<sup>11</sup>

Cab-drivers who supplemented their income (or simply took pleasure) in this fashion are not unusual characters in Russian legal and psychiatric literature of the era.<sup>12</sup> Coachmen were not alone among male servants willing to service male employers sexually. Medical reports described how youths and young men profited in this fashion as waiters, household staff, and as simple soldiers or officers' servants.<sup>13</sup> It is not always

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<sup>11</sup> Burds, Dnevnik moskovskogo kuptsa, 152.

<sup>12</sup> For example, V. G. Golenko, "Pederastiia na sude." Arkhiv psikhiiatrii, neiologii i sudebnoi psikhopatologii 9 (3 1887): 42-56; V. M. Tarnovskii, Izvrashchenie polovogo chuvstva. Sudebno-psikhiatricheskii ocherk (St Petersburg: 1885), 69-71; Tarnovskii wrote about one patient: "A third ['pederast'] particularly exploits young coachmen, travels with them, converses with them, strikes up acquaintances with them, visits coachmen's courtyards, a never had even an unpleasant confrontation. They consented to, or laughed at, his propositions, but always in the most kindly fashion." Ibid., 70.

<sup>13</sup> N. A. Obolonskii, "Izvrashchenie polovogo chuvstva." Russkii arkhiv patologii, klinicheskoi meditsiny i bakteriologii (1898): 1-20, esp. 15; V. M. Bekhterev, "O polovykh izvrashcheniiah, kak patologicheskikh sochetatel'nykh refleksakh." Obozrenie psikhiiatrii (7-9 1915): 1-26, esp. 9-13; V. A. Belousov, "Sluchai gomoseksuala-muzhskoi prostitutki." Prestupnik i prestupnost'. Sbornik II (1927): 309-17.

possible to gauge whether subordinates were motivated solely by incentives of money and advancement. The easy willingness of Russia's urban serving classes to tolerate even unpaid "gentlemen's mischief" (as V. M. Tarnovskii said they called it)<sup>14</sup> suggests a relative indulgence of mutual male relations. There is little hint in pre-1905 sources of these subordinates' anxiety about their own masculinity.

In workshops, men in positions of authority subjected apprentice boys to sexual advances or assaults. Medved'ev wrote that he repeatedly masturbated with a member of his extended household, a "boy" of 18, an apprentice or servant, who "satisfied me according to my desire with manual onanism, and I did the same for him".<sup>15</sup> Medved'ev consoled his religious anxieties by writing that the young man enjoyed their encounters, arguing that he was old enough to know what he wanted. Court records of male rapes in Moscow workshops demonstrate a similar if more sinister pattern of relations. In 1892 in one Moscow workshop, a 26-year-old craftsman, Reshetnikov, was notorious for his sexual advances toward apprentice boys, and his unmasking

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<sup>14</sup> Even when turning down proposals from upper class men for sex, it was suggested lower class males did so "good-naturedly" and without turning to the police for satisfaction; see Tarnovskii, Izvrashchenie polovogo chuvstva, 70. Note also the case of Moscow craftsman Reshetnikov, described below, whose sexual advances evoked mirth-making among the apprentice boys in his workshop.

<sup>15</sup> Burds, Dnevnik moskovskogo kuptsa, 144.



initially provoked laughter rather than opprobrium.<sup>16</sup> The same year saw the trial of a Moscow baker, Chelnokov, whose sexual involvement with his apprentice boys aroused the ire of a children's charity.<sup>17</sup> Pedagogic arrangements, informal and unsupervised, were similar sites for outright abuse. One victim of sexual interference from his 55-year-old teacher explained in court in 1881 how he was abused, saying "I came not long ago to Petersburg from the village, and not knowing the customs here did not complain, because I thought that's the way things were with every master."<sup>18</sup> The workshop with young resident labour could be a site for same-sex erotic activity, apparently much of it coercive or at least potentially abusive in character. Similarly, servants and coachmen were viewed by upper-class males as sexually available, often for the exchange of a few kopeks. These relations, based on hierarchies of class and age, illustrated traditional patterns of mutual male eros which preceded the emergence a modern homosexual subculture in Russian cities.

From as early as the seventeenth century, that cherished national institution, the bathhouse (bania), was perhaps a site for this traditional sexual indulgence between men. Here again, the power held by older, wealthier males over young subordinates

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<sup>16</sup> TsGIAgM, f. 142, op. 2, d. 433. Note also the case of Kniazev, son of a workshop owner, convicted of raping an 11-year old apprentice in 1874; *ibid.*, f. 142, op. 3, d. 233.

<sup>17</sup> TsGIAg.M, f. 142, op. 1, d. 172. See also A. F. Koni dossier, GARF, f. 564, op. 1, d. 260, ll. 92-100.

<sup>18</sup> Tarnovskii, Izvrashchenie polovogo chuvstva, 70.

inflected relations. By the late nineteenth century medical discourse had identified baths as a significant locus of male prostitution in Russian cities.<sup>19</sup> The first commercial baths appeared in Moscow in the mid-1600s and the state mandated that the sexes should be scrupulously segregated.<sup>20</sup> Authorities differ on how rigorously segregation was actually observed, and on whether the baths represented a desexualized space in Russian culture.<sup>21</sup> Certainly, separate steam rooms for men and women created a homosocial environment which contributed to the evolution of bathhouse male prostitution in a later era. A seventeenth-century miniature illustrating a visit by bearded, mature males to the baths shows four beardless, youthful males

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<sup>19</sup> V. Merzhhevskii, Sudebnaia ginekologiia. rukovodstvo dlia vrachei i iuristov. (St Petersburg: 1878); V. M. Tarnovskii, Izvrashchenie polovogo chuvstva. Sudebno-psikhiatricheskii ocherk. (St Petersburg: 1885).

<sup>20</sup> A. A. Biriukov Eta volshebniitsa baniia. (Moscow: Sovetskii sport, 1991), 17; Anatolii Rubinov Sanduny: Kniga o moskovskikh baniakh. (Moscow: Moskovskii rabochii, 1990), 19.

<sup>21</sup> Levin concludes from ecclesiastical sources that the Russian baths were desexualized space, Eve Levin, Sex and Society in the World of the Orthodox Slavs, 900-1700. (Ithaca & London: Cornell University Press, 1989), 195-97. Foreigners' accounts contradict this picture of decorum, suggesting that in peasant villages, and disreputable establishments in towns, the sexes mixed freely, see Claude de Grève, Le Voyage en Russie. Anthologie des voyageurs français aux XVIIIe et XIXe siècles (Paris: Robert Laffont, 1990), 948-54; and Sir N. Wraxall A Tour Through Some of the Northern Parts of Europe (n.p.: 1776), 248, cited in Havelock Ellis Studies in the Psychology of Sex v. 1 (Philadelphia: F. A. Davis, 1926), 31.

serving them.<sup>22</sup> One youth, in trousers, removes an older man's boots; another trousered lad draws water from a well. A naked young man pours water on the stove to produce steam, as another, also unclothed, beats a bearded older visitor, lying nude on a bench, with a leafy switch. While there is no intimation of sexual acts in the illustration, the serving boys' subordinate social position is emphasized by their youthful beardlessness. Clerics, for example the fifteenth-century Metropolitan Daniil, and archpriest Avvakum in the seventeenth century, condemned men who shaved off their beards as inciting immorality, apparently because smooth faces were an invitation to sodomy.<sup>23</sup> With the growth of commercial relations in the eighteenth century, youths may have sought out careers in bathhouses. A group of 16-year-old peasant males apprehended entering Moscow in 1745 claimed they came to seek work in commercial baths.<sup>24</sup> Urban spas, staffed by beardless youths, may have been sites of mutual male sexual relations long before the recorded instances of the nineteenth century.

Male bathhouse attendants appear in a range of sources from the late tsarist years as prostitutes serving a male clientele. Pavel Medved'ev wrote of a visit with a drinking partner to an

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<sup>22</sup> See illustration, Akademiia nauk SSSR Istoriiia Moskvvy. t. 1 (Moscow: Akademiia nauk SSSR, 1952-59), 515.

<sup>23</sup> Kozlovskii, Argo russkoi gomoseksual'noi subkul'tury, 21; Russian men adopted shaving from the West in the late seventeenth century.

<sup>24</sup> For discussion of this fact in the context of labour migration, see Istoriiia Moskvvy, v. 2, 553.

unnamed Moscow bathhouse, where they found "onanism and kulizm [anal intercourse]" awaiting them, in 1861.<sup>25</sup> Few references to this trade in Moscow appear in forensic texts or the city court records, but there are enough discussions of the phenomenon in St Petersburg baths to suggest that what Medved'ev encountered at the bathhouse in Moscow persisted and flourished until the 1917 revolution. The link between baths with private rooms and the exploitation of young males was evident from the records of the 1919 case against Bishop Palladii. Twice he testified that while he and his novice Volkov had indeed been to "public" baths or the baths for the upper clergy in Moscow, he had never taken the novice to baths with private rooms. He said "it was the custom that two boys went with me, to allay the suspicions of bystanders."<sup>26</sup> By this late date, the notoriety of private rooms in Moscow's spas was sufficiently widespread to move Palladii to repeated denials that he took boys there. There is little reason to doubt that Moscow bathhouses harboured casual male prostitution earlier in the imperial era.

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<sup>25</sup> Burds, Dnevnik moskovskogo kuptsa, 157. Kulizm (i.e., anal intercourse) was derived from the French "cul" (ass). The word "culiste", meaning someone who enjoys anal intercourse, was first published in French in 1677 and was in use in bawdy verse and speech during the Enlightenment. See entry for "coniste", under which "culiste" is discussed in opposition, in Claude Courouve, Vocabulaire de l'homosexualité masculine (Paris: Payot, 1985), 84-86. Probably these words arrived in Russia during the eighteenth century as elite sexual culture adapted models from France, Kon, "Istoricheskie sud'by russkogo Erosa", 13.

<sup>26</sup> GARF, f. A353, op. 3, d. 745, ll. 39, 32 ob.

Evidence from Petersburg on this trade is more detailed, and suggests that it was highly organized according to peasant traditions. The migrants' practice of mutual assistance and solidarity in the city with fellow-villagers or countrymen (based on zemliachestvo), and the peasant pattern of working in a team (the artel') for an equally apportioned share of earnings, was observed among the bathhouse trade. In 1866, one attendant reported that he and his colleagues earned about one ruble for each session of "sodomy" they provided. They operated as an artel', pooling the proceeds from sexual services, after the baths' manager, apparently acting as the team's starosta or leader, skimmed off a cut for himself.<sup>27</sup>

By the 1880s, jurists and expert witnesses for Petersburg courts noted the existence of youths they called "commercial catamites" (prodazhnye kinedy), who sold their bodies under the guise of attending bathhouse clients.<sup>28</sup> Whether they continued to operate by the artel' formation was not recorded. But the trade apparently became entrenched in urban male culture. Blackmailers exploited the bath as a site for shaking down

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<sup>27</sup> Merzheevskii, Sudebnaia ginekologiya, 239. Thirty years later, attendants in a Petersburg bathhouse were said to charge 3 to 5 rubles for similar attentions, see V. M. Bekhterev, "Lechenie vnusheniem prevratnykh polovykh vlechenii i onanizma." Obozrenie psikhiiatrii (8 1898): 1-11. As with female prostitution, price differentials between male prostitutes apparently indicated perceptions of value associated with the luxury or modesty of the setting, the age of the male providing sexual services, and the acts performed. See Bernstein, Sonia's Daughters, 86-93.

<sup>28</sup> Tarnovskii, Izvrashchenie polovogo chuvstva, 89.

respectable victims; psychiatric patients reported discovering their sex inclinations with the help of bathhouse attendants.<sup>29</sup> The bathhouse became an institution where the traditional masculine indulgence of same-sex eros confronted and mixed with the emerging homosexual subculture. In 1906, Mikhail Kuzmin signalled the place of the bathhouse in this subculture in his novel, Kryl'ia (Wings), and foreign apologists for homosexuality in the modern, Western sense, sang the praises of the Russian bath as a place of particular opportunity.<sup>30</sup> The luxurious Russian bania of the turn of the century (of which Moscow's Sandunovskie Baths was the leading example) was evidently admired as far away as New York City, where entrepreneurs opened imitations. Men seeking sex with with other men soon exploited these spas, and the American gay steam-bath of the twentieth

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<sup>29</sup> On blackmailers and the baths, see Merzheevskii, Sudebnaia ginekologiya, 252, and A. F. Koni, Na zhiznennom puti. Iz zapisok sudebnago deiatelia. Zhiteiskii vstrechi. t. 1 (St Petersburg: 1912), 152-56; patients, Bekhterev, "Lechenie vnusheniem prevratnykh polovykh vlechenii i onanizma".

<sup>30</sup> Mikhail Kuzmin, "Kryl'ia" in Podzemnye ruch'i. Izbrannaia proza (St Petersburg: Severo-Zapad, 1994), 30; foreign praise, Magnus Hirschfeld, Tret'ii pol Berlina. Trans. V. Pirogov (St Petersburg: 1908); idem. Die Homosexualität des Mannes und des Weibes. (Berlin: Louis Marcus, 1914); X. Mayne [E. I. Prime-Stevenson] The Intersexes. A History of Similsexualism as a Problem in Social Life ([Naples]: 1908, rpt New York: Arno, 1975), 431; for a "heterosexual's" less positive, more lurid view, Bernhard Stern, Geschichte der Öffentlichen Sittlichkeit in Russland. (Vienna: n.d. [1907]), vol. II, 570.

century was born.<sup>31</sup>

Russia's medical and legal experts were not alone in noticing and usually deploring the practice of same-sex relations in the bathhouse. An anonymous denouncer of St Petersburg's sodomites fulminated in 1889 that they escorted "soldiers and apprentice boys" to the Voroninskie Baths at the corner of Fonarnyi Lane and the Moika Canal.<sup>32</sup> Social critics also voiced concern about male prostitution in the capital's baths. In the wave of sex-themed journalism following the 1905 revolution, lurid descriptions appeared of bathhouses as virtual male brothels. St Petersburg's Znamenskie Baths near the square of the same name (today's Vosstanie Square) supposedly catered to the "little homosexual world" (gomoseksual'nyi mirok):

Hardly do you penetrate this "cloister" but the massive figure of bath attendant Gavriilo, famous in the homosexual sect, approaches with a duck-like waddle. Gavriilo is an obese man of 40 to 45 with an ugly, repulsive face and an obsequious look that bores into your soul. This "gentleman" doesn't shrink from

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<sup>31</sup> George Chauncey, Gay New York: Gender, Urban Culture, and the Making of the Gay Male World, 1890-1940. (New York: Basic Books, 1994), 209. The connection between Russia's baths and those of New York deserves further exploration. Promoters in America, attempting to appeal to a middle-class clientele, probably adopted the "Russian" and "Turkish" bath labels as an exotic marketing strategy.

<sup>32</sup> Konstantin Rotikov, "Epizod iz zhizni 'golubogo' Peterburga." Nevskii arkhiv: istoriko-kraevedcheskii sbornik (3 1997): 449-66. Rotikov describes and comments on the denunciation, which he discovered among the personal papers of M. I. Ostrovskii (younger brother of the playwright A. N. Ostrovskii), in Rossiiskii gosudarstvennyi istoricheskii arkhiv (RGIA), f. 1683, ed. khr. 119. I am grateful to Richard Davies for bringing this marvellous source to my attention.

offering you his "services" on the spot, or those of somebody else...Gavrilo will bring you an album of photographic pictures where all these homosexual "Frinas" and "Aspazias" are depicted, dandyfied and decorated, some even in women's finery...You just point to one of these "miniatures" in the album, and in about five minutes the "original" is at your disposal. And incidentally, you are immediately informed of the price.<sup>33</sup>

The appearance in this satirical text, published in 1908, of a "little homosexual world", indicated that by this time, outside observers were already well aware of a subculture of similar-minded males.<sup>34</sup> This subaltern culture had been in existence, at least in Petersburg, from at least the 1870s, when patterns of street cruising, and symbolic systems of mutual recognition including language, gesture and dress, are first evident in the sources.

A significant development in the emergence of this subculture was the arrival of patterns of street cruising, which implied mechanisms of mutual recognition and communication beyond the client-patron relations associated with traditional mutual male eros. Men in this "little homosexual world" used public space not merely for socializing, but for sex as well. Sources

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<sup>33</sup> V. P. Ruadze, K sudu!.. Gomoseksual'nyi Peterburg (St Petersburg: 1908), 17-18.

<sup>34</sup> A description of a "pornographic club" which offered a fictive summary of the Petersburg homosexual subculture by cataloguing youthful male prostitution, strip shows with male and female dancers, lectures on unnatural love, and poetry from a figure suggestive of Mikhail Kuzmin, is found in A. I. Matiushenskii, Polovoi rynok i polovye otnosheniia. (St Petersburg: 1908), 124-28, citing an article said to have been published in Stolichnoe Utro, no. 45 (1907).



for these patterns are again more modest for Moscow than St Petersburg, and suggest a slower evolution toward a modern homosexual subculture in the older capital. Medved'ev's 1861 diary made no mention of cruising or male prostitution in Moscow's streets (as existed in European capitals in his day). Prosperous individuals such as the composer Peter Tchaikovsky found lower-class sexual contacts in Moscow among servants or through louche friends, rather than risk scandal through direct cruising.<sup>35</sup> Meanwhile public cruising, male prostitution and sex were already part of the St Petersburg streetscape, which had acquired a specifically homosexual geography.

Certain streets, parks and indoor environments in the tsarist capital became notorious haunts for the circulation of men who sought sex with men by the mid-to-late nineteenth century. Nevskii Prospekt, the main thoroughfare, was reportedly a place for "pederastic depravity" as early as the 1830s and 1840s.<sup>36</sup> Especially notorious was the Passazh (Passage), a covered gallery completed in 1848 connecting the busy Nevskii with another contact-point, Mikhailovskii (now Isskustv) Square.

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<sup>35</sup> In 1878, Tchaikovsky wrote to his homosexual brother Modest, describing how a friend Nikolai Bochechkarov introduced him to a young butler. The three met on the boulevard, went to a pub, and an "infatuated" Tchaikovsky took the butler to a private room. Alexander Poznansky, Tchaikovsky's Last Days: A Documentary Study (Oxford: Clarendon Press, 1996), 19.

<sup>36</sup> A comment from one "witness" of that era, V. P. Burnashev, in A. I. Reitblat, "Letopisets slukhov" Novoe literaturnoe obozrenie (4 1993): 167-69, cited in Rotikov, "Epizod iz zhizni 'golubogo' Peterburga", 451.

This central, public and sheltered space proved ideally suited, especially in the winter, for the discreet pursuit of same-sex liaisons. By the 1860s, the Passage was already attracting blackmailers (shantazhisty), who preyed on the men who picked up available youths in its upper reaches.<sup>37</sup> The Mikhailov gang, a group of accomplished extortionists caught in 1875, was well known to the operators of nearby Dominic's restaurant and of the billiard hall located inside the Passage itself.<sup>38</sup> In 1889, the citizen who penned an elaborate denunciation of same-sex eros in the capital, noted that "On Sundays in the winter queens (tetki) stroll in the Passage on the top gallery, where cadets and schoolboys come in the morning; at around six in the evening, soldiers and apprentice boys appear".<sup>39</sup>

By the late 1880s, the pavements of Nevskii from Znamenskaia Square to Anichkin Bridge (both locations where public toilets were reportedly used for making contacts), and on toward the Public Library and the Passage, formed a promenade visible to initiates. Another favoured cruising site were the exhibitions

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<sup>37</sup> On 6 January 1869, a 56-year-old Dane met a young Petersburger while buying eau-de-cologne in this gallery. After sex with the Dane in his flat, the young man tried to blackmail him; Merzheevskii, Sudebnaia ginekologiya, 254.

<sup>38</sup> Koni, Na zhiznennom puti, 154-55; Tarnovskii, Izvrashchenie polovogo chuvstva, 72.

<sup>39</sup> Rotikov, "Epizod iz zhizni 'golubogo' Peterburga", 454, 456, 459. The author of this denunciation used the argot term tetka (literally, "aunt"), to describe the men of the subculture he described. A discussion of this term's significance, and of the translation as "queen", follows below.

and fairs held in the Mikhailovskii Manège (now the Winter Stadium). Maslenitsa fairgrounds, with their balagany (amusement booths and crude temporary theatres) erected in the nearby Champs de Mars (Marsovoe pole), were reportedly stalked by some "queens" looking for young spectators to corrupt. Wednesdays saw an upper-class gathering of "queens" at the ballet performances of the Mariinskii Theatre. It was generally a similar class which patronized restaurants, with their private dining rooms, discreetly (if sporadically) serving as meeting-places for "pederasts".<sup>40</sup> The Palkin Restaurant, located at Nevskii Prospekt, 47, the same building which housed the notorious homosexual Prince Meshcherskii's Grazhdanin newspaper, was a busy gathering spot in the late 1880s.<sup>41</sup>

Saturdays were reserved by some, who sought "apprentice boys" or youths from the "lower orders" at the more plebian amusements of the Cinizelli Circus.<sup>42</sup> The embankment of the Fontanka Canal, and the gardens adjoining the Circus, reportedly

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<sup>40</sup> Petersburg restaurant-based "clubs" or "dens" of "pederasts" were uncovered periodically, but solid information on these locations remains elusive. The young Tchaikovsky escaped scandal when the Chautemps Restaurant was exposed in the press, Alexander Poznansky, Tchaikovsky's Last Days: A Documentary Study. (Oxford: Clarendon Press, 1996), 10; another scandal forced the closure of a restaurant in approximately 1893, P. V. Ushakovskii [pseud.], Liudi sredniago pola. (St Petersburg: 1908), 6.

<sup>41</sup> Rotikov, "Epizod iz zhizni 'golubogo' Peterburga", 454-55.

<sup>42</sup> Rotikov, "Epizod iz zhizni 'golubogo' Peterburga", 454, 456, 459.

remained hubs of male prostitution into the last years of the tsarist regime and beyond.<sup>43</sup> By 1908, one jaundiced critic was able to map the daily routine for "an entire band of suspicious young people", the male prostitutes of the "little homosexual world". They gathered in the dog-exercising garden by the Circus in the mornings, moved on to Nevskii Prospekt and the Café de Paris in the Passage during the afternoon, and returned to the Fontanka embankment, or the Tauride Gardens, to attract clients in the evening.<sup>44</sup>

If most of these cruising paths centred on or around Nevskii Prospekt, with the infamous Passage and the Cinizelli Circus as their hubs, two places elsewhere were important for civilian males who wished to have sex with military men. According to the anonymous citizen who denounced the capital's "queens" in 1889, near the Peter and Paul Fortress there existed a busy fair-weather spot:

In the summer the queens gather almost daily in the Zoological Garden, but their assemblies are especially populous on Saturdays and Sundays, when soldiers come from their quarters and when Junkers, regimental choirboys [polkovye pevchie], cadets, gymnasium pupils and apprentice boys have the day off. The soldiers of the L[ife]-Gu[ard] Mounted regiment, cavalry guards, and both Urals and Ataman Cossacks, come to the Zoological Garden solely for the purpose of earning a few 20-kopek pieces without any labour on their part. They know all the queens to see them, and so - a soldier, passing one of them, glances significantly at him and goes off in the direction of the water-closet,

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<sup>43</sup> Ruadze, K sudu!..Gomoseksual'nyi Peterburg, 55-56, 102-103.

<sup>44</sup> Ibid., 102-103.

checking to see if the queen is following him...<sup>45</sup>

This censorious observer wrote that once an arrangement had been agreed, the "queen" took his soldier "to the nearest bathhouse, where he used him in the anus, or conversely, the soldier used the queen that way, for which he would receive 3-5 rubles from him".<sup>46</sup> "Queens" were also to be found strolling along Konnogvardeiskii (i.e., Horse Guards, now Profsoiuznyi) Boulevard, usually earlier in the day. This thoroughfare with its barracks and riding school for the eponymous regiment, was located conveniently for escorting young men to the nearby Voroninskie and other bathhouses.<sup>47</sup>

Codes of mutual recognition in gesture and speech imbued these locations with significance for the homosexual subculture. Men who wished to have sex with youths or other men identified

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<sup>45</sup> Rotikov, "Epizod iz zhizni 'golubogo' Peterburga", 452. The nearby Narodnyi Dom (opened 1901, now the Velikan cinema) became another site for same-sex military-civilian liaisons, see Ruadze, K sudu!..Gomoseksual'nyi Peterburg, 108.

<sup>46</sup> Ibid., 453. Rotikov states that this 1889 denouncer's text is sexually explicit, but (perhaps at the behest of his editor) declines to publish the denouncer's "description of the procedure for acquaintance" practised between soldiers and queens in the Zoological Garden toilet. He does write, however, that the cost of entry to the Garden - 15 kopeks - "could be recovered with interest by those looking for adventures among the lower orders" since a "simple look and 'touching' [shupan'e] cost 20 kopeks". An 1886 guidebook to St Petersburg, according to Rotikov, noted the ease of connections by horse-tram and ferry to the Garden from the Winter Palace, and advised visitors to go on summer Sundays, when performers and acrobats amused large crowds.

<sup>47</sup> Ibid., 453-54.

themselves to each other in diverse ways. Some gestures were closely linked to the forms of prostitution within which they were frequently used. Also evident in many stories told by poorer young men trying to make contact with men of a more affluent class was a narrative of poverty. Conspicuous clothing, the use of rouge and powder, and the adoption of effeminate mannerisms were mechanisms some youths and men in this subculture used to draw attention and to signal their intentions.

The single most important gesture was the significant glance, the most widely acknowledged form of discreet self-proclamation:

The queens, as they call themselves, recognize each other with one glance, by signs unnoticeable to passersby, but by these experts can even define the category of queen we are dealing with.<sup>48</sup>

The principle "sign", an exchange of eye contact, especially in a location with a notorious reputation, established participation in the subculture. Soldiers and "queens" performed this ritual in the vicinity of the public toilets of the Zoological Gardens. A similar procedure was followed by rent boys and their clients outside a facility next to the Cinizelli Circus, as observed in 1908.<sup>49</sup> The rituals of requesting, offering and lighting

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<sup>48</sup> Rotikov, "Epizod iz zhizni 'golubogo' Peterburga", 452. For a similar assertion made four years earlier, in 1885, see Tarnovskii, Izvrashchenie polovogo chuvstva, 62.

<sup>49</sup> Male prostitutes lined the pavement leading to the facility, and followed potential customers into it. "They became acquainted with the intimate details of their bodies, and then came to an agreement on where to go and for how much." Ruadze, K sudu!..Gomoseksual'nyi Peterburg, 103.

cigarettes were used to establish contact, although some "hooligan" male prostitutes dispensed with such niceties and simply approached potential clients with a bluff "hi!" (dras'te) and an outstretched hand. Their clients, commented a social critic, could be recognized by their "nonchalantly thrown glance" and the "particular, specific mask of desire" on their faces.<sup>50</sup>

Once contact was made, conversation developed. St Petersburg procurator A. F. Koni reported some of the tales told by the Mikhailov gang of blackmailers in the 1870s to entice prosperous men into compromising situations. They exploited a narrative of the impoverished but deserving youth. These tales were probably not only used by blackmailers, but by male prostitutes, whether hardened or casual. A justice of the peace on his way to his Mikhailovskii Square club via "the fateful Passage" was accosted by a gang member, who asked him for money to save his dying mother. When, in the street, the naive judge gave him three rubles, the youth raised the alarm, claiming he deserved 50 rubles for being subjected to "that filth you suggest". Other members of the gang told tales of having been excluded from school for non-payment of fees. Another favourite pretext the gang (and doubtless many other lads) exploited, was to loiter by the entrance to the Cinizelli Circus, asking wealthy gentlemen to purchase them tickets to the performance.<sup>51</sup>

The class division evident in these encounters could also

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<sup>50</sup> Ibid., 105-106, 108.

<sup>51</sup> Koni, Na zhiznennom puti, 155-56.

reflect the chasm between city and countryside. Petersburg diarist and poet Mikhail Kuzmin recorded how he met a "professional", apparently new to city life, on Nevskii Prospekt in 1924. Despite the post-revolutionary date of this chance meeting, both actors - prostitute and potential client - apparently read from a familiar script which had changed little from the tsarist era:

On Nevskii I glanced at a sweet-looking lad. He turned and came back to me. Began a conversation, "How to get to Ligovka [Street]." Then the usual story. From the country, some place, doesn't want to perish... etc. Why did he speak to me? I see you are a good man. And why was I looking at you? I don't know, it pleased me to. Yes? so I please you just a little? Practically on the spot - [he] dreams of a life together, of going for walks, of learning, culture etc., of the train to the countryside. Naive, false, lying, simple-minded. He wrote down his address, I gave him mine. Just like all country folk, he plays the hypocrite. But it's been so long since I've seen a Russian lad who is goodlooking. If he's a professional, so much the better. Am I married, with whom do I live?... We walked along Nadezhdinskaia [Street, now Maiakovskaia], but it was too well-lit everywhere.<sup>52</sup>

The following day, the "professional" turned up at Kuzmin's flat, and Kuzmin took him out for a drink:

Of course, he has a heart, and dreams, even if they're the most stupid and confused ones. A "backward" [*temnyi*] person, as he says. We went to a beerhall. It was incredibly boring and awkward, what was I to do with him? Yes, it's no longer 1907 when I could get into such adventures. The main thing is I can't stand it when people build something up on me. I ran off like one liberated...<sup>53</sup>

The script of client-prostitute transactions, however tattered in

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<sup>52</sup> RGALI, f. 232, op. 1, d. 62, l. 460 (28 October 1924).

<sup>53</sup> Ibid., l. 462 (29 October 1924).



Kuzmin's hands, was nevertheless fresh enough for his interlocutor, a country youth, who was sufficiently familiar with its lines to rehearse them until his hapless 'client' was bored to distraction. Through this script ran several oppositional relationships: town versus country, education versus ignorance, apparent wealth versus indigence, age versus youth. Little in the scripts of commercial sex offered by the city's male prostitutes seemed to have changed as a result of the revolution.

In tsarist Petersburg, effeminate gesture and dress, or simply conspicuous clothing, were also trademarks of the "commercial catamite" and the "queens" who resorted to them. The degree to which these semiotics were consciously used by such persons (as opposed to having been attributed to them) is difficult to establish. Some mid-nineteenth century medical sources describing indoor male prostitution (for example, of the bathhouse or serving-class varieties) made no mention of effeminacy among youths and men selling sex. But male prostitutes in Petersburg streets appear to have used effeminate signals to identify themselves to customers. A Dane who picked up a young male for sex in the Passage in 1869 said he recognized that the man was "prepared to offer himself for sodomy; it was understood in his manner of addressing me, which had the appearance of feminine courtesy [zhenskaia liubeznost']"<sup>54</sup> Members of the Mikhailov extortion gang reportedly wore "strange outfits" - velveteen trousers and red boots, or in one case, a "much too

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<sup>54</sup> Merzheevskii, Sudebnaia ginekologiya, 254.

long" velvet tie.<sup>55</sup>

The anonymous denoucer of the capital's "queens" in 1889 appended to his diatribe a lengthy list of guilty individuals, characterizing many of them by their nicknames and traits. Few were apparently overtly effeminate, but a significant minority bore nicknames like "Nana", "Dina" and "Aspaziia", and the author labelled many of his subjects "ladies" (damy).<sup>56</sup> Post-1905 sensationalized portrayals of similar individuals were laden with images of distorted femininity. Aliases as baronesses, duchesses, and babushki proliferated among the male prostitutes of Cinizelli Circus. After 1905, this yellow journalism also asserted that colour codes distinguished "homosexual" men. Coquettish homosexuals sported "their bright red cravats, a kind of homosexual uniform, and some have a bright red handkerchief blazing from the pocket". Male prostitutes, both seasoned professionals and newcomers, wore make-up in the street. A German hairdresser supposedly wandered the town after he closed his shop "to catch a pederast" by wearing rouge, "so that they'll see I'm a girl".<sup>57</sup>

By the late nineteenth century, the urban homosexual subculture deployed at least a handful of code-words to refer to its denizens. Some were euphemisms which gave very little away to

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<sup>55</sup> Koni, Na zhiznennom puti, 154.

<sup>56</sup> Rotikov, "Epizod iz zhizni 'golubogo' Peterburga", 460-66.

<sup>57</sup> Ruadze, K sudu!..Gomoseksual'nyi Peterburg, 55-56, 90, 105, 108, 109.

non-initiates; expressions such as "our circle" (nash krug), reportedly used in 1898 by a Petersburg gentry woman who loved women, implied affiliation without betraying its source.<sup>58</sup> Among men, the label tetka, literally "aunt", circulated among participants in the subculture, and their observers. The word, had both foreign and domestic resonance. In France, the literal equivalent tante was in use in the mid-nineteenth century to denote male prostitutes, and by the end of the century, it had appeared in print referring to all homosexuals in general.<sup>59</sup> It was in the first sense that forensic expert Vladislav Merzheevskii had used its Russian variant in his 1878 manual on forensic gynecology.<sup>60</sup> Ten years later, Peter Tchaikovsky was evidently already using tetka in the more generalized, second sense, with its nuances of preening lubriciousness (close to that heard in today's Anglo-American term "queen"), in his diary.<sup>61</sup> So too was the anonymous denouncer of Petersburg's "queens" in

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<sup>58</sup> F. E. Rybakov, "O prevratnykh polovykh oshchushcheniiakh." Vrach (23 1898): 8.

<sup>59</sup> Courouve, Vocabulaire de l'homosexualité masculine, 207-209.

<sup>60</sup> Merzheevskii, Sudebnaia ginekologiya, 205.

<sup>61</sup> He fleetingly described a gathering of such men: "Russian tetki are repulsive." See P. I. Chaikovskii, Dnevnik 1873-1891. (Moscow-Petrograd: Gos. iz-vo Muzykal'nyi sektor, 1923, reprint 1993), 203 (13 March 1888); in the twentieth century, the word still retains this generalized sense: Kozlovskii, Argo russkoi gomoseksual'noi subkul'tury, 69. A satisfying translation of tetka which conveys these meanings is hard to choose; in this chapter, I have opted for "queen" as the closest rough equivalent.

1889.<sup>62</sup> Nevertheless, this term borrowed from French acquired a domestic resonance in its target language, which Russian speakers in the subculture, especially those closer to village life, may have appreciated. Peasants used tetka to refer, colloquially and often pejoratively, to any middle-aged woman, or at least one older than the speaker.<sup>63</sup> It was perhaps with this dual meaning that the word was employed by the peasant 'P.', who migrated to Moscow from Smolensk province, when referring to the proprietor of a homosexual pub.<sup>64</sup>

The story of this 17-year-old's entry into the homosexual world of Moscow in 1912, retold by his psychiatrist in 1927, records a number of other terms current among 'homosexuals' of the era. It also neatly summarizes the development of this subculture in Russia's old capital. Forced to leave his village after compromising sexual misadventures, P. found a situation for himself using traditional connections, through a woman from his own village who was resident in Moscow. While working as an apprentice at the 'Nature and School' shop, he began to attend night courses for workers. Coming home in the evening after

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<sup>62</sup> Rotikov, "Epizod iz zhizni 'golubogo' Peterburga".

<sup>63</sup> Vladimir Dal', Tolkovyi slovar' zhivogo velikoruskogo iazyka. (St Petersburg-Moscow: 1903-1909), t. 4, col. 761; A. M. Babkin, et al., eds Slovar' sovremennogo russkogo literaturnogo iazyka. (Moscow-Leningrad: Akademii nauk SSSR, 1963), t. 15, 405-406.

<sup>64</sup> In this instance, P.'s usage of tetka comes from an admittedly much later source. V. A. Belousov, "Sluchai gomoseksuala-muzhskoi prostitutki." Prestupnik i prestupnost'. Sbornik II (1927): 309-17.

classes along Prechistenskii and Nikitskii Boulevards, he met "his own people" (svoi liudi) and "many acquaintances appeared".<sup>65</sup> He began to have sexual relations with these men, and found himself drawn to loiter on these boulevards every night - "it was boring to stay at home". P. soon met Prince Feliks Feliksovich Iusupov (on what pretext is not clear), and they had a sexual liaison intermittently over the following two years. P. joined the prince's household service as a lackey "in order to deflect the suspicions of the prince's wife". Iusupov reportedly kept two other male servants, a cook and a coachman, as sexual partners.<sup>66</sup>

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<sup>65</sup> It was on Prechistenskii Boulevard that townsman Petr Mamaev had been arrested while looking for a male sex partner in 1888. As he told police, "For the past eight years I have been committing sodomy with different, unknown persons. I go out to the boulevard at night, strike up a conversation, and if I find a devotee [liubitel'], then I do it with him. I cannot identify who I did it with... I attempted to do just the same with Agapov [a man with whom he had been arrested], without money, without any exchange of money in mind, just to obtain pleasure for myself and for him." TsGIAgM, f. 142, op. 2, d. 142, l. 148.

<sup>66</sup> Belousov, "Sluchai gomoseksuala-muzhskoi prostitutki"; on the prince's identity and family life, see V. Sheremet'evskii, "Neobkhodimoe dopolnenie." Zerkalo: Informatsionnyi biulleten' "GenderDok" (2 1996): 14-15. The prince was Governor-General of Moscow in 1914-1915. His son, also named Felix Iusupov, and like him noted for having relations with both sexes, was one of the famous murderers of Grigorii Rasputin. In the son's autobiography, he described his father: "As he grew older, he showed signs of eccentricity... His nature was so different from my mother's that he never really understood her." And, "The reason why I saw so many queer and eccentric people is that they amused my father. I often admired the kindness and patience of my mother, whose house was invaded by these strange characters, for she received them all with the same good grace." Prince

P. recalled the years before the Great War as "a marvellous time", when first Iusupov then a second wealthy sponsor showered him with money and presents. P. also described to his psychiatrist aspects of the homosexual subculture of that time. He attended "balls of women-haters" (zhenonenavistniki) in masquerade as a Ukrainian woman; to avert the attention of the suspicious, "lesbian-prostitutes" were invited to come along, but "we weren't bashful around them". A beerhall near Nikitskie Gates was run by a "queen" (tetka), and it had a special room "with an electric organ", where only "our kind" were admitted and where dancing was permitted. When not staying with the prince, P. would pick up a variety of men for sex, claiming to his psychiatrist (who did not believe him) that he did this without mercenary motives. He said he would take home beggars, give them a bath, and make them stay the night. P. loved soldiers, whom he met while loitering in public pissoirs and bathhouses. When P. lived with Prince Iusupov, he was not permitted to "loaf about" in the street, perhaps with good reason, for he had a sharp nose for the city's homosexual street life.

P.'s account of Moscow's male homosexual subculture on the eve of the Great War and the 1917 revolution catalogues the transformation of mutual male erotic relations and the social practices which grew up around them. The contrasts and continuities with the world described in Pavel Medved'ev's 1861

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Felix Youssouppoff [Iusupov], Lost Splendour. (London: Johnathan Cape, 1953), 37, 74.

diary entries are instructive. The traditional forms of mutual male sexual relations, evident in Medved'ev's easy erotic access to his household servant, to coachmen, and perhaps bathhouse attendants, persisted into the last years of the tsarist regime. Prince Iusupov could add subordinate youths discreetly to his huge domestic staff without undermining his respectability nor his masculine credentials. He apparently did not participate openly in the 'homosexual world'. Vagabonds and soldiers continued to offer their sexual services to other males for cash or material favours, without necessarily identifying themselves as 'homosexual'. But P.'s world also included men exclusively attracted to their own sex (the so-called "women-haters"). This new group, of "our own people" (svoi liudi), had ways of recognizing each other on the boulevard (doubtless using argot, gesture and dress in the ways Petersburg homosexuals were). Moreover, they congregated in notorious public locations to socialize and have sex. New commercialized spaces for the subculture (balls organized by "our own people", a beerhall with music and dancing) reflected the growing intrusion of the market even into highly specialized leisure activities. Despite these changes, as in Medved'ev's time, same-sex relations continued to reflect social hierarchies, and the cash-for-sex exchange (and its non-monetary variations) remained a prominent part of everyday life for both the affluent and the indigent.

(ii) The subculture and Soviet society

The world war, revolution and then civil war brought sweeping and devastating change to urban Russia in the years between 1914 and 1921. Combat, epidemics, migration and starvation decimated the urban population, and from a 1917 count of 1.9 million, Moscow's inhabitants numbered only 1 million in 1921. Meanwhile Petrograd's population dropped from 2.5 million to just 720,000 in the same period. The demographic basis of Russia's homosexual subculture was radically undercut. If St Petersburg before the revolution had constituted Russia's liveliest homosexual "capital", it appears that after 1917 this honour shifted to Moscow, to which the Soviet Union's political capital had moved.<sup>67</sup>

As might be expected, the economic policies of the first socialist state greatly affected the lives of city-dwellers who experienced same-sex desire. Most pervasive perhaps was the effect on everyday life (byt). First under war communism, then after 1921 during the New Economic Policy (NEP), a material culture of shortages and exchange, negotiated through informal

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<sup>67</sup> Both cities continued to harbour lively male homosexual subcultures, but Petrograd/Leningrad's decline with the removal of the capital, and the financial, administrative, cultural and diplomatic advantages associated with it, probably had an impact. In 1927, the male prostitute 'P.' ranked the USSR's cities by the degree to which homosexuality flourished thus: Moscow (where he had encountered personally not less than 5,000 of "his own" [svoi] in the previous two years), then Leningrad, Kiev, Odessa and Khar'kov. See Belousov, "Sluchai gomoseksuala - muzhskoi prostitutki", 313-14.



connections and illegal networks, evolved. This culture re-cast human relationships and byt in ways unintended by economic and social planners. Sexual favours became an even more valued commodity which would be swapped for other resources, despite Bolshevik utopian visions of (heterosexual) love unfettered by the marriage contract or material bonds. Also unanticipated were the effects of socialized housing and the virtual elimination of private space on the human need for intimacy. As a result, when homosexuals appropriated private space in the face of diminishing possibilities, their acts constituted a form of resistance. They kept alive the hidden transcript of the homosexual subculture, which had emerged through the exploitation of notorious sites.

The peculiarities of housing in the command economy drove people indulging in most forms of illicit sex to use communal space in unintended ways. The state's control over housing, and the relatively low priority in the national economy which apartment construction commanded, created a chronic shortage. With the Bolshevik revolution, most urban homes were nationalized and the 'communal' apartment was born. The kommunal'ka often brought together dozens to share a single kitchen, toilet, bath, and telephone, while entire families inhabited each room. Soviet planners rejected the bourgeois household as the basic unit of domestic space, and thought in terms of a per capita entitlement to square footage, more amenable to collective living. It was

also cheaper to build.<sup>68</sup> Many pre-revolutionary tenement blocks in Russia's towns were converted to communal flats, and demand for this housing undoubtedly remained high since most of these blocks were located in city centres. The pressure on urban housing space was always great, but it intensified during the rapid industrialization of the Five Year Plans in the 1930s. Factories constructed their own housing, and placed favoured workers in these blocks, while newcomers resorted to distant barracks and flop-houses. In Soviet towns, the average number of dwellers per room rose from 2.71 in 1926 to 3.91 in 1940.<sup>69</sup>

Privacy was therefore a luxury many were unable to achieve at home. In the 1920s, Soviet sexologists and criminologists reported, for example, that female prostitutes increasingly entertained their male clients in public spaces. Parks and boulevards, bathhouses, entrances to tenement blocks, taxis and toilets were all sites for illicit connections.<sup>70</sup> Little change

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<sup>68</sup> Stephen Kotkin, Magnetic Mountain: Stalinism as a Civilization. (Berkeley & Los Angeles: University of California Press, 1995), 158 ff.

<sup>69</sup> David L. Hoffmann, Peasant Metropolis: Social Identities in Moscow, 1929-1941. (Ithaca & London: Cornell University Press, 1994), 131-33, 139.

<sup>70</sup> B. R. Gurvich, "Prostitutsiia, kak sotsial'no-psikhopatologicheskoe iavlenie (Predvaritel'noe soobshchenie)." In Sovetskaia meditsina v bor'be za zdorovye nervy: Sbornik statei i materialov, eds A. I. Miskinov, L. M. Rozenshtein, and L. A. Prozorov. (Ul'ianovsk: Izd. Ul'ianovskogo kombinata PPP, 1926); Hans Haustein, "Zur sexuellen Hygiene in Sowjet-Russland." Abhandlungen aus dem Gebiete der Sexualforschung V (1 1926), 17-20; A. Uchevatov, "Iz byta prostitutsii nashikh dnei." Pravo i zhizn' (1 1928): 50-60.

to these patterns apparently took place. A 1946 survey of 5,000 male clients of Moscow's central VD clinic revealed that 75% had met female sexual partners (previously unknown to them) on the streets or in theatres and restaurants; fully 30% had sex with these women not "in domestic circumstances" but "on the street, in entrance halls to blocks of flats, in parks or automobiles".<sup>71</sup> Homosexuals were not alone in constructing privacy out of communal spaces for sexual purposes.

Evidence of how homosexual men negotiated and secured housing during the 1920s is slight, but examples from the 1930s suggest how stalinist housing patterns affected personal lives. Those men who had access to housing in the capital apparently took advantage of this scarce resource. Many Moscow city court trials for sodomy between 1935 and 1941 mentioned exchanges of accommodation for sex, usually in terms found in one 1935 trial. The defendant Bezborodov initiated a sexual liaison with Timofenko in 1927, and "using his dependant position", offered him a place to live in exchange.<sup>72</sup> The nature of Timofenko's "dependent position" was not explained, but usually this condition was either youth or being a newcomer to Moscow. Murav'ev, another man accused of sodomy that year, met an unnamed visitor from the Turkmen SSR on the tram in Moscow, and spent a day showing him the sights of the capital. Murav'ev was said to have displayed "particular zeal" in trying to find the Turkmen a

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<sup>71</sup> GARF, f. A482, op. 47, d. 4868, ll. 40-40 ob.

<sup>72</sup> Prigovor Bezborodova i 11 dr. (1935), ll. 238-245.

place to live; he introduced him to a homosexual Communist Party member, Venadiktov, who testified that the Turkmen immediately offered him sex, apparently in hopes of obtaining accommodation.<sup>73</sup>

A trial heard in 1950 illustrates the vulnerability of the domestic sphere in the communal flat.<sup>74</sup> Ivanov, a 50-year-old professor of Marxism-Leninism in a Moscow technical institute, was arrested after his wife, with whom he shared one room in a kommunal'ka, became exasperated with his carousing with men half his age. She did not put up with his misconduct for long. In one statement to police, she described how she had watched her intoxicated husband and a man of about 25 "commit sexual acts" in their room:

[The younger man] undressed my husband and laid him on the bed. Then he got undressed and lay down with my husband. I demanded that he not get into bed with my husband, but he didn't listen. They both began to shout at me to get rid of me, but I stayed. [The young man] embraced my husband. The light in the room was on. Then they began to commit sexual acts... I was indignant at this and pulled the sheet off them... my husband fell from the bed, but then he got up and started to swear at me. I took fright and called for our neighbour, Vera. She arrived when my husband and [the young man] were already up out of bed.<sup>75</sup>

Ivanov's wife only called the police after another episode exhausted her patience. On this occasion, Ivanov was found in bed

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<sup>73</sup> Ibid, l. 242.

<sup>74</sup> On the communal flat's effects on heterosexual married couples, see Kotkin, Magnetic Mountain, 195.

<sup>75</sup> TSMAM, f. 901, op. 1, d. 1352, ll. 49 ob.- 50.

with a 17-year-old youth. The neighbour Vera, a trusted Party member, provided reports of gossip against Ivanov in the communal kitchen, and an eye-witness account of his unmasking in bed with this friend.<sup>76</sup> The crowded world of the communal flat could be dangerous territory for all sexual non-conformity, and drove illicit relationships out of the domestic sphere.

The tsarist homosexual subculture had depended in part on the commodification of private spaces, such as bathhouses and restaurants, which offered rooms for rent. Soviet rule brought great constraints on access to this kind of space. Even during NEP, when restaurants and baths were available for lease or hire to entrepreneurs, allocation was controlled by functionaries hostile to displays of disorder.<sup>77</sup> Hotel rooms were, at least nominally, reserved for visitors from out of town (priezzhie) and even heterosexual couples encountered difficulty resorting to

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<sup>76</sup> Ibid, 1. 7.

<sup>77</sup> The mechanisms and priorities which determined these controls remain obscure. In 1925, article 171 of the RSFSR criminal code (against operating a "den of vice") was used to close down Moscow's Ermitazh Restaurant, and another bar also harbouring female prostitutes; in a 1924 survey, men infected with VD from prostitutes in Moscow, who gave the locations of their trysts, suggested that the role of commodified space (hotels, "dives" and bathhouses) had declined, and communal space such as railway stations and the street had increased in importance; Haustein, "Zur sexuellen Hygiene in Sowjet-Russland", 20, 28. On the partial privatization of Leningrad bathhouses during NEP, S. I. Avvakumov et al., eds Ocherki istorii Leningrada. (Moscow-Leningrad: Nauka, 1964), t. 4, 493.

them for sex.<sup>78</sup> Reports of organized male prostitution in the bathhouse cease with the revolution,<sup>79</sup> but individuals continued to strike up acquaintances and have both voluntary and paid sex either on the premises or after meeting there. In 1927, a 16-year-old thief who engaged exclusively in sex with boys told a psychiatrist that he preferred partners from among his fellow besprizornye (homeless youths). He took them to the bathhouse to "wash them first", and they had sex there in private rooms.<sup>80</sup> The male prostitute P. informed his doctor that he found mutual male backscrubbing in the bathhouses often led to more tender attentions, and the psychiatrist himself noted that P. had been arrested for theft in 1926 after a liaison begun in the baths had

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<sup>78</sup> Gurvich, "Prostitutsiia, kak sotsial'no-psikhopatologicheskoe iavlenie (Predvaritel'noe soobshchenie)", 66.

<sup>79</sup> One social critic found that bathhouses outside of Russia were "the centre of homosexuality", citing these institutions in "the civilized nations of Europe and America"; L. M. Vasilevskii, Polovye izvrashcheniia. (Moscow: "Novaia Moskva", 1924), 38.

<sup>80</sup> N. I. Ozeretskii, "Polovye pravonarusheniia nesovershennoletnikh." In Pravonarusheniia v oblasti seksual'nykh otnoshenii, ed. E. K. Krasnushkin. (Moscow: 1927), 147. Group rapes of boys who violated besprizornyi norms exposed a more brutal side of sexual relations among homeless children, V. S. Krasusksii, and A. M. Khaletskii. "Sreda besprizornykh, ee traditsii i navyki." (offprint from unidentified journal, undated but apparently mid-1920s): 227-39. See also Peter H. Juviler, "Contradictions of Revolution: Juvenile Crime and Rehabilitation." In Bolshevik Culture: Experiment and Order in the Russian Revolution, eds Abbott Gleason, Peter Kenez, and Richard Stites. (Bloomington and Indianapolis: Indiana University Press, 1985), 270.

soured.<sup>81</sup> During the early 1930s male homosexuals continued to frequent the Tsentral'nye Baths.<sup>82</sup> The construction of new baths, and the remodelling of older facilities, during the 1930s, expanded the number of these homosocial institutions in both capitals. The affect on the homosexual subculture of this expansion remains obscure.<sup>83</sup>

The near-disappearance of commodified space had predictable consequences. Public toilets, which had been an arena of rituals of acquaintance for the male homosexual world, took on a new significance. Dr Belousov said P. told him that "after the revolution...meetings in toilets have become the most predominant [means of contact]." The male prostitute's description of the toilet in the cinema "Maiak" in Khar'kov in the 1920s, as "particularly convenient", betrays an awareness of the perverse applications of architectural accidents which might afford privacy. He identified only two "meeting places" in 1920s Leningrad, both of which were sites with public toilets (although Belousov declined to mention this fact, referring to both

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<sup>81</sup> It is unclear whether this affair began as a voluntary or commercial sexual relationship. Belousov, "Sluchai gomoseksuala - muzhskoi prostitutki", 312, 314.

<sup>82</sup> Trial of Andreevskii and 2 others (1941), ll. 57, 106 ob.

<sup>83</sup> A Moscow guide for 1940 lists 54 bathhouses: Moskva. Kratkaia adresno-spravocnaia kniga. (Moscow: Moskovskii rabochii, 1940), 180-81; Leningrad had 50 baths in 1928, and 64 (which were said to be more spacious) by 1940, Avvakumov, Ocherki istorii Leningrada, t. 4, 502-503. Sources on Soviet-era baths are generally silent about surveillance of clients, or the organization of space, in the baths.

locations in the abstract "mestnost'", a term recalling "otlozhnoe mesto", an old euphemism for a privy). The two sites were "the vicinity of the Cinizelli Circus with its little benches, and the area on Nevskii Prospekt near the Anichkin Palace".<sup>84</sup> It seems likely that male prostitutes continued to haunt public toilets "on squares and railway stations" as they had prior to 1917.<sup>85</sup> The revolution, by virtually eliminating commodified indoor space available for private rental and enjoyment, relegated male homosexuals to a "culture of the toilet".<sup>86</sup>

Sources for Moscow say little about toilets as cruising places in the 1920s, but it appears that the most important toilet used as gathering spot for the homosexual subculture in the 1930s was on Trubnaia Square. This facility was constructed underground in a circular shape, with cubicles against the perimeter wall, facing inward. There were no doors on the stalls,

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<sup>84</sup> Belousov, "Sluchai gomoseksuala - muzhskoi prostitutki", 312, 314. These had been sites of public facilities in the tsarist era.

<sup>85</sup> A penal psychiatrist discussing young men's prostitution did not explicitly admit his subjects used toilets in this fashion, but by mentioning these busy public places - where facilities were located - the implication was clear; Ozeretskii, "Polovye pravonarusheniia nesovershennoletnikh", 150.

<sup>86</sup> The phrase "kul'tura unitaza" belongs to Moscow gay publisher Mikhail Gladkikh (Debate on 'gay culture', IIIrd All-Russia Conference of Lesbians & Gays, 8 June 1996). See also M. Anikeev [pseud. of M. Gladkikh], "'Liudi byli zagnany v tualety, i ot etogo ikh kul'tura - tualetnaia'." Uranus (1 1995): 46-47. Our conversations on Russian gays' relationship to "general culture" have greatly assisted me in thinking about these issues.



which had simple holes in the floor.<sup>87</sup> All users were in a position to observe each other, and this perverse panopticism apparently enabled as many meetings as it prevented. One defendant investigated for sodomy in 1941 described his discovery of this facility:

Once in autumn 1940 I left a restaurant on Tsvetnoi Boulevard and was walking toward my apartment on Neglinnaia Street. On the way I stopped in the toilet on Trubnaia Square and there, against my will, an act of sodomy was committed with me. A man came up to me and began to masturbate, touching my penis. I did not particularly object. A month and a half after this I once again went to the toilet on Trubnaia Square, but this time with the deliberate intention of committing an act of sodomy. In this manner I committed acts of sodomy about five or six times...<sup>88</sup>

Sometimes, this man invited partners home to sleep overnight with him; others he had sex with on the spot. He claimed that his loneliness drove him to drink, and it was only the alcohol that was responsible for his cruising in the toilet, not his desire for company.

Sources for Moscow's male homosexual subculture in the 1920s and 1930s can be used to construct a rudimentary geography of this milieu. The testimony of the male prostitute P., described by Dr. Belousov in 1927, may be compared with data from 1930s

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<sup>87</sup> Personal communication, Viktor Gulshinskii of the Russian Library of Lesbians and Gays (GenderDok), 4 Nov. 1995. In 1938, this public toilet was the scene of a police raid netting a group of men caught in mutual masturbation, Prigovor Tereshkova i 9 dr. (1938), l. 43.

<sup>88</sup> Trial of Andreevskii and 2 others (1941), l. 83. "Sodomy" in Soviet-era police documents might mean any sexual contact between males.

sodomy trial records. In the post-revolutionary era, according to P., the Boulevard Ring (Sul'varnoe kol'tso) remained the city's most notorious male homosexual territory. This ring of connected boulevards (each with its own name) surrounded the heart of Moscow in a semi-circular band of greenery dotted with benches, refreshment kiosks, public pissoirs and toilets. The boulevards provided pleasant places to sit, smoke, and converse; there was a constant circulation of pedestrians; links with public transport made them accessible. They were but a few minutes' walk to Moscow's greater and lesser theatres, to the Conservatory, and to shops and department stores. P. quite accurately noted, "You can find and meet men on any boulevard."<sup>89</sup>

Parts of the Boulevard Ring also had a seedy reputation as hubs of female prostitution, and as in European and American towns, in Russia public women and male homosexuals shared urban territories.<sup>90</sup> Tsvetnoi Boulevard and adjoining Trubnaia Square

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<sup>89</sup> Belousov, "Sluchai gomoseksuala - muzhskoi prostitutki", 312.

<sup>90</sup> Note also the frequent mention in Mikhail Kuzmin's diary of Leningrad's "Cafe PEPO" (i.e., 'petrogradskaia kooperatsiia') as a place to go with his homosexual friends, and its simultaneous reputation as a hub for female prostitutes: RGALI, f. 232, op. 1, d. 62, ll. 286, 500, cf. N. B. Lebina, and M. B. Shkarovskii. Prostitutsiia v Peterburge. (Moscow: Progress-Akademiia, 1994), 79. For New York City, see George Chauncey, "The Policed: Gay Men's Strategies of Everyday Resistance." In Inventing Times Square: Commerce and Culture at the Crossroads of the World, ed. William Taylor. (New York: Russell Sage Foundation, 1991); for Amsterdam, Lisbon, Paris, and other centres, see Higgs, David, ed. Queer Sites: Gay Male Urban Histories. (London: Routledge, forthcoming).

were dubbed by two 1923 critics "the classic centres of Moscow prostitution", where women sold themselves on the boulevard and consummated their liaisons in private rooms, in nearby side-streets.<sup>91</sup> Psychiatrist B. R. Gurvich's careful mapping in a 1926 study indicated that these boulevards, along with the Petrovskii and Sretenskii Boulevards connected to them, were the territory of Moscow's poorer and cheaper rank of female prostitutes.<sup>92</sup>

Male homosexuals shared this territory with them. The specific areas of the Boulevard Ring which homosexuals frequented seem to have changed little during the 1920s and 1930s. Nikitskii Boulevard led to Moscow's "most important 'den'", the square known as Nikitskie Gates, said the male prostitute P.; Ante Ciliga, a Yugoslav communist, also named this square in his memoirs as the site of a "secret market" of homosexual men in the late 1920s.<sup>93</sup> In a trial of three young men in 1941, contacts were said to have been made in this area. One defendant explained to interrogators: "In 1936 in the apartment where I lived,

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<sup>91</sup> L. M. Vasilevskii, and L. A. Vasilevskaia Prostitutsiia i novaia Rossiia (Tver': "Oktiabr'", 1923), 127-30.

<sup>92</sup> The high-earning female prostitute appeared on major thoroughfares and squares (Tverskaia Street, Strastnaia Square, Kuznetskii Most), and dressed subtly, "like a modest Soviet office worker in a cap, but with beautiful shoes and an excellent handbag", to avoid undesired attention from police; Gurvich, "Prostitutsiia, kak sotsial'no-psikhopatologicheskoe iavlenie (Predvaritel'noe soobshchenie)", 64-66.

<sup>93</sup> Belousov, "Sluchai gomoseksuala - muzhskoi prostitutki", 312; Anton Ciliga, The Russian Enigma (London: Ink Links, 1979), 67.

Afanas'ev, an artist of the ballet, moved in... He showed me the places where pederasts meet: Nikitskii Boulevard and Trubnaia Square." Another defendant said that a friend "told me that the chief places for pederasts were Nikitskii Boulevard, Trubnaia [Square], a bar on Arbat [Street], and the Tsentral'nye Baths." He was speaking of the early 1930s.<sup>96</sup>

Sretenskii and Chistoprudnyi Boulevards were also mentioned by the prostitute P. as places where "an especially important public" among Moscow's homosexuals made assignations.<sup>95</sup> In a 1935 sodomy trial, Sretenskii Boulevard figured as a meeting place and as a possible trysting ground too. The court noted that the accused "met by chance on Sretenskii and other boulevards of the city of Moscow with men-pederasts [muzhshchiny-pederasty], and entered into sexual intercourse with them in toilets, in apartments and on the boulevards...'.<sup>96</sup> The avenues of the Boulevard Ring escaped much of the major reconstruction which engulfed central Moscow in the 1930s, and thus they continued to be places with special notoriety for male homosexuals.<sup>97</sup>

Another trial suggests that this flurry of building, the

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<sup>96</sup> Trial of Andreevskii and 2 others (1941), ll. 57, 106 ob.

<sup>95</sup> Belousov, "Sluchai gomoseksuala - muzhskoi prostitutki", 312. 'P.' also listed meeting places and trysting grounds in major cities of the USSR in the 1920s. All of these were on public terrain: embankments, boulevards, toilets in cinemas, public gardens.

<sup>96</sup> TsMAM, f. 819, op. 2, d. 10, l. 297.

<sup>97</sup> For example, Prigovor Tereshkova i 9 dr. (1938), ll. 42-44; Trial of Andreevskii and 2 others, ll. 57, 63, 102 ob.

result of the Five Year Plans and the grand projects for transforming Moscow into a model socialist city, led to new patterns in street cruising. The 1938 sentence of Mosfilm executive Sinkiakov for aggravated sodomy noted he had met soldiers and sailors on Manezh Square (in 1937) and nearby Sverdlov Square (in 1936), located in front of the Bol'shoi Theatre. By the 1950s, Sverdlov (now Teatral'naia) Square had become perhaps the Soviet Union's most notorious gathering spot for male homosexuals. This early appearance in the sources of this location suggests that communist town planning produced new cruising patterns. The 1935 opening of the Moscow Metro, and the reconstruction of central traffic arteries (Mokhovaia Street and Okhotnyi Riad, which became Prospekt Marksa in the 1930s)<sup>98</sup> lured the curious to these urban showcases. Servicemen on leave and civilians visiting the capital in the late 1930s flocked to the Metro and especially its most central stations such as "Prospekt Marksa". In addition, the street-level pavillions, underground passageways, and platforms of this Metro station later were noted as venues for meeting homosexuals, particularly in winter.<sup>99</sup>

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<sup>98</sup> Evan Mawdsley, Blue Guide: Moscow and Leningrad. (London: A. & C. Black, 1991), 120-22.

<sup>99</sup> Much of the terrain around this metro station has acquired subcultural designations and readings, but history of the emergence of this folklore is obscure. See for example entries under "Direktor pleshki" (an ironic reference to the Marx monument overlooking the square), "Goluboi zal", "Gomodrom", "Shliapki" (a reference to a millner's shop which used to be located nearby) and "Shtrikh", in Kozlovskii, Argo russkoi gomoseksual'noi

One aspect of the street culture of early Soviet Russia closely associated with these homosexual spaces was male prostitution. If female prostitution no longer took place in licensed brothels, casual lone male prostitutes (rather than organized groups) apparently continued to operate discreetly in bathhouses. As before the revolution, boys and young men, often from the village, sold their bodies in the streets of Russia's towns. Very few officials or experts found the language to describe this phenomenon; when they mentioned it in the 1920s, it emerged as the unspeakable result of child abandonment (besprizornost'). One psychiatrist wrote in 1927, "this is a totally degraded group of teenagers, who give themselves for a smoke, for a small piece of bread, and sometimes for a kind word or the protection of a stronger companion."<sup>100</sup> Orphaned boys in Moscow prostituted themselves to support cocaine habits or

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subkul'tury, 45, 73.

<sup>100</sup> Ozeretskii, "Polovye pravonarusheniia nesovershennoletnikh", 149. The same author in 1940 brought to light the case of a 15-year-old who, dressed as a woman, lured men into darkened entryways and then robbed them; Ts. M. Feinberg, N. I. Ozeretskii, eds Problemy sudebnoi psikhiiatrii (Moscow: 1940), cited in Joseph Wortis, Soviet Psychiatry. (Baltimore: Williams & Wilkins, 1950), 222. The boy ("F. R.") had been involved from the age of 12 in a sexual relationship with an adult male, who was subsequently tried for this crime. Interestingly, instead of being popularly regarded as a victim, he "was subjected to the derision of certain people, because his relationship became known", and from that time his behaviour deteriorated. He was expelled from school and spent his time roaming Moscow, according to his mother. One could imagine that besprizornye male prostitutes led even more brutalized existences.

because they could not master the techniques of begging.<sup>101</sup> A Khar'kov observer in the 1920s drew attention to the link between boy prostitution and besprizornost'; children as young as nine were being abused by unscrupulous men who offered them shelter.<sup>102</sup> "Men-prostitutes" (muzhchiny-prostituty) and male "professionals" still plied their trade during the 1920s in Leningrad.<sup>103</sup> Many same-sex relationships uncovered by the new sodomy statute in Moscow's city court after 1934 bore the stamp of various material exchanges: sex for jobs or career opportunities, for modest gifts of food and drink, but especially for shelter.<sup>104</sup> Chronic material scarcity encouraged male prostitution, and as with female prostitution, the line between voluntary casual sexual relations and liaisons for gain became blurred.

Urban streets were places where the casual male prostitute and the self-identified "homosexual" embodied Russia's two coincident patterns of same-sex love, the traditional, hierarchical world of eros between men, and the modern self-

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<sup>101</sup> Ozeretskii, "Polovye pravonarusheniia nesovershennoletnikh", 149-50.

<sup>102</sup> Ball, And Now My Soul Is Hardened, 57.

<sup>103</sup> Vasilevskii and Vasilevskaia, Prostitutsiia i novaia Rossiia, 125; RGALI, f. 232, op. 1, d. 62, ll. 460-62 (Kuzmin's encounter in 1924 with "professional" youth).

<sup>104</sup> Prigovor Bezborodova i 11 dr. (1935); Prigovor Anisimova i Brodskogo (1935); Prigovor Siniakova (1938). Such exchanges were also prevalent in casual heterosexual relations of the time; see e.g. Lebina and Shkarovskii. Prostitutsiia v Peterburge, 77-85.

conscious homosexual subculture. The subculture did not confine itself to public territory, however. Despite homosexuals' increasing difficulty under Soviet rule in controlling private spaces, they occasionally managed to use domestic or other semi-private venues (halls, cabarets) to gather. Parties, mascarades, and artistic performances brought scores of men together to socialize and be socialized, and to make sexual contacts. The relative openness of homosexual entertainments tapered off rapidly after the civil war, but a few sources hint at their more discreet continuation. Many of the best records of gatherings come from the Petrograd-Leningrad subculture, where a tradition of popular private homosexual assemblies was well established.

The best description of organized, possibly commercially run, Soviet-era private gatherings of homosexual men comes from psychiatrist V. M. Bekhterev's various articles on sexual deviance mentioning the Petrograd raid on a "pederasts' club" on 15 January, 1921.<sup>105</sup> On that evening 95 men were arrested in a flat belonging to a military policeman's father (otets militsionera svodno-boevogo otriada); the policeman himself was said to have invited guests "promising an interesting evening with ladies".<sup>106</sup> A gathering of that magnitude was clearly the

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<sup>105</sup> V. M. Bekhterev, "Polovye ukloneniiia i izvrashcheniia v svete refleksiologii." Voprosy izucheniia i vospitaniia lichnosti (4-5 1922): 644-746; idem. "O polovom izvrashchenii, kak osoboi ustanovke polovykh reflektsov." In Polovoi vopros v shkole i v zhizni, ed. I. S. Simonov. (Leningrad: Brokgauz-Efron, 1927).

<sup>106</sup> Bekhterev, "O polovom izvrashchenii, kak osoboi ustanovke polovykh reflektsov", 168-69.



result of some planning and effort. Moreover, it was one of a series which had been observed, and later even organized, in the preceeding months by a policeman. The agent, known only as "Sh.", alleged that several "such evenings" (for 'pederasts') in a variety of private flats had taken place around Petrograd.<sup>107</sup> Who began organizing these parties was not clear from Bekhterev's reporting of Sh.'s deposition, but the doctor wrote that "the police agent himself had later run several evenings, 'in order to find out their [the participants'] opinions'".<sup>108</sup> One seaman in custody told Bekhterev that "the parties were organized about twice a month"; he had been to many of them, and recognized many attendees from previous parties. The presence of so many sailors and soldiers at these gatherings seems to have been the most likely stimulant of police interest.

"B.", a soldier of the Red Army arrested in the raid, described how he came to be at the event, and what he saw there.

I heard there would be a party at M.'s and they were inviting people to come: there were a lot of people at the party I knew. I heard it would be an original party in the form of a wedding. When I arrived with X., we found the following: from a room off the corridor the young ones (molodye) came out into the large room - S.

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<sup>107</sup> The 15 January 1921 party took place at Simeonovskaia (now Belinskogo) Street 6, flat 1; other parties took place at Angliiskii (now Malkina) Prospekt 31; Ofitsterskaia (officially re-named Dekabristov in 1918) Street 10, "where several parties were organized". Other parties took place at the home of an ex-monk on 21-aia Linia; and in another private home in Pavlovsk, near Petrograd; *ibid.*, 169.

<sup>108</sup> According to the protocol describing the arrests at the January party, the hosts were not running the evening for the police, but for private profit; *ibid.*, 169.

was dressed as the bride, Sh. [presumably not the police agent - D.H.] was the groom, behind them walked many whose names I didn't know, dressed in women's gowns; where they solemnized the marriage [blagoslovliali ikh khlebom], I didn't see, but we congratulated them in the big room. Some of the participants kissed. Then afterwards there was dancing and lots of people kissed.

The costumes were not confined to wedding-garments, nor were the dances apparently raucous or orgiastic:

We arrived at the flat at around 11 p.m.; the party was already in full swing. When we got there, we found some kind of masquerade, there was a bride, several Spanish costumes, and two individuals in white wigs. One of these I invited to dance a waltz, and then a minuet.

Nevertheless, this party was not merely a masquerade, but was explicitly set up to bring together men searching for sex with men.<sup>109</sup> A "flying post" (letuchaia pochta) enabled men to send messages to others they fancied; one (lucky!) sailor reported receiving notes inscribed "I fancy you" and "I'd like to get to know you". Another seaman, Andrei K., serving on a torpedo-boat, made it clear he understood the sexually specific nature of these parties he frequented:

...it wasn't my first time at these parties, I knew lots of people, I know the persons dressed in women's garments. I personally don't engage in pederasty, but I

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<sup>109</sup> Using the much less detailed description of the raid found in G. R. "Protssessy gomoseksualistov." Ezhenedel'nik sovetskoi iustitsii (33 1922): 16-17, Laura Engelstein points out that no sex acts, illegal or otherwise, had been detected in the raid, "Soviet Policy Toward Male Homosexuality: Its Origins and Historical Roots." In Gay Men and the Sexual History of the Political Left, eds G. Hekma, H. Oosterhuis, and J. Steakley. (Binghamton, NY: Harrington Park Press, 1995), 168. Bekhterev's and Protopopov's descriptions of the arrested men make it clear they admitted their homosexual desire, and not only transvestism.

knew that many of the guests at these parties did engage in pederasty, because I saw it in their glances, conversations, and smiles.

Same-sex affection that evening was not confined to flying missives, smiles and looks. Bekhterev interviewed the arresting officers, who told him that in police cells, "two of the arrested men stroked each other on the back and hands, and kissed each other...these were a sailor from the transport 'Kama' and citizen A. P. P." When questioned by Bekhterev, citizen P. admitted that "the sailor Ch. really did kiss me on the cheek, I don't know why, but I think he likes me".<sup>110</sup>

Bekhterev's interviews with arrested men from this party indicate that while few claimed they had been invited "by chance", several acknowledged that they knew they were attending a "pederasts' party" (vecherinka pederastov), and others insisted "it was not possible to be a chance visitor" at these affairs. Several acknowledged they knew many of the other guests from previous gatherings. The soldier B. and his "partner" (Bekhterev's word) regularly attended these parties, and asserted that the guests were "in one way or another were all acquainted with each other".<sup>111</sup> In the diary of Mikhail Kuzmin, a characteristically laconic but suggestive entry records that this particular evening, and its unhappy end, made an impression among his circle of homosexual friends. Kuzmin's partner, Iurii Iurkun

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<sup>110</sup> Bekhterev, "O polovom izvrashchenii, kak osoboi ustanovke polovykh refleksov", 168.

<sup>111</sup> Ibid., 170-71.

came home late that evening, reporting "impressions of mascarades", and visitors to his flat the next day continued conversations about "mascarades".<sup>112</sup> These parties were a vivid expression, carried over from Petersburg's tsarist era, of a subculture of male homosexuality.

Few parties, mascarades or similar amusements appear in the sources for the later 1920s, which are dominated by generally unsympathetic forensic psychiatric texts. Dr Belousov's "male prostitute" P. did not describe any such gatherings occurring after the revolution, although he asserted that he believed he had seen, met or recognized "in Moscow in the last two years [1925 to 1927] not less than 5,000 'of our kind'".<sup>113</sup> These men were apparently encountered in the street or in private meetings. One 1935 sodomy trial referred to a private flat, where "a citizen named Petr and nicknamed "The Baroness" (Baronessa), who had an entire den of homosexuals", offered his visitors alcohol and conviviality.<sup>114</sup> Private parties arranged by and for homosexuals, as well as suggestions of a lively if discreet

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<sup>112</sup> Mikhail Kuzmin, "Dnevnik 1921 goda." (eds N. A. Bogomolov, S. V. Shumikin) Minuvshee. Istoricheskii al'manakh (12 1993): 438-39.

<sup>113</sup> Belousov, "Sluchai gomoseksuala - muzhskoi prostitutki", 313.

<sup>114</sup> Prigovor Bezborodova i 11 dr. (1935), l. 241. Defendants in this trial were said to have visited the Baroness's flat on 7 November 1934 - after the publication of the antisodomy law.

sociability, also figured in trials as late as 1941.<sup>115</sup> These men apparently had some secure access to private domestic space, and in controlled circumstances were willing to share it.

The rental of cabarets or halls for cultural events organized by members of the homosexual subculture was increasingly difficult, but not entirely impossible, during NEP. "Antinói" (Antinous), a private arts circle devoted to the appreciation of "male beauty" in prose, verse, drama and music, functioned in Moscow during the early 1920s, staging readings of consciously homosexual poetry, recitals of music by "our own" composers, and even an all-male ballet. The group made plans to publish an anthology of homosexual verse from ancient to modern times. The collection went unpublished, and the record of this group's activity begins and ends with correspondence relating to Mikhail Kuzmin's May 1924 reading to the group in the Blue Bird Café, just steps from Tverskoi Boulevard. The group apparently disbanded as it became more difficult to rent meeting space, or publicize its activities even by word of mouth.<sup>116</sup>

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<sup>115</sup> One defendant mentioned that an aging male homosexual actor of the Malyi Theatre had organized a "name-day" party for him, Trial of Andreevskii and 2 others (1941). The survival of social contacts and private gatherings seems especially evident in Prigovor Krasina i Popova (1935), a pianist and an actor found guilty of "mixing with homosexuals" (l. 283); and Prigovor Tereshkova i 9 dr. (1938), in which Tereshkov's web of "systematic" contacts among homosexuals is cited by the court (l. 47).

<sup>116</sup> Describing obstacles to holding the reading in a letter to Kuzmin, V. V. Ruslov blamed "the generally awful mood reigning at the moment in Moscow, among Muscovites in general (the reason - mistrust and arrests) and also among 'our own', who, as you doubtless know, are more

Kuzmin's last public reading in Leningrad, in 1928, encapsulated the problems posed by Soviet power for those who would promote homosexual culture. Organizers of the reading (apparently from the Institute of the History of Art) included it in a series of literary evenings, but had to seek special permission from the Institute's director to invite Kuzmin. They realized that "undesireable persons" - homosexuals - would be keen to hear the author of "Wings". No advertisement of the evening was permitted, and admission was to be controlled by invitations. Despite these precautions, on the appointed evening, the auditorium was filled to capacity, with people standing in the aisles and seated on the floor. Many in the audience were male homosexuals, "exactly those most feared by the director":

Most were middle-aged or mature; they began elbowing their way toward the stage, many had bouquets of flowers in their hands. When Kuzmin finished reading, they dashed up to the stage and began throwing these bouquets upon it. As Orlov [a student who was close to the organizers] put it, this was "the last demonstration of the Petersburg pederasts". For Kuzmin the performance turned out to be a genuine, happy triumph, but for the organizers of the evening it all nearly ended badly: they only just managed to convince the director that they had been incapable of handling

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timid than desert gazelles; as a result, frightened by the mood here, they are prostrate and at the thought of 'our' evening immediately fall into hysterics and refuse to purchase tickets". See A. G. Timofeev, "Progulka bez Gulia? (K istorii organizatsii avtorskogo vechera M. A. Kuzmina v mae 1924 g.)." In Mikhail Kuzmin i russkaia kul'tura XX veka: tezisy i materialy konferentsii 15-17 maia 1990g., ed. G. A. Morev. (Leningrad: Sovet po istorii mirovoi kul'tury AN SSSR, 1990), 187. Kuzmin, ever impecunious, was keen to appear for Antinoi, which planned to pay him a fee and travel expenses, *ibid.* and RGALI, f. 232, op. 1, d. 62, ll. 179, 198.

the crowd.<sup>117</sup>

Clearly St Petersburg's homosexual subculture still existed as a network of affiliations, with its own means of disseminating information, and a powerful cultural memory. For men who recalled their youth as a time of carefree amusements and sexual "adventures" (persistent themes in Kuzmin's diary), the outspoken poet "dressed in pre-revolutionary fashion...and reading with the assistance of old-fashioned spectacles, occasionally using them as a monocle" was a talisman from that time, and a rebuke to the world they now lived in.<sup>118</sup>

If physical space was difficult for homosexuals to control in Soviet conditions, then at least one social 'space' offered the hope of respectability and even prestige. This important locus of the male homosexual subculture was the art world. Homosexuals believed with some justification that they were tolerated there, and they gravitated toward music, drama, dance, the visual arts, and allied professions. Homosexual figures at the summit of Russia's artistic life have been well documented in English.<sup>119</sup> Little has been said, however, about ordinary

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<sup>117</sup> N. A. Bogomolov, and John E. Malmstad. Mikhail Kuzmin: Iskusstvo, zhizn', epokha. (Moscow: Novoe literaturnoe obozrenie, 1996), 259-60.

<sup>118</sup> Ibid.; Kuzmin looked back to 1907-1908 as a "merry" time, RGALI, f. 232, op. 1, d. 61, l. 462; *ibid.*, d. 66, l. 55.

<sup>119</sup> Karlinsky, "Russia's Gay Literature and History", 1-7; *idem.* "Gay Life before the Soviets: Revisionism Revised." The Advocate 339 (1 April 1982): 31-34; *idem.* "Russia's Gay Literature and Culture"; Alexander Poznansky, Tchaikovsky: the Quest for the Inner Man (New York: Schirmer, 1991); Kevin Moss, ed. Out of the Blue:

homosexuals and their use of the arts as a cloak of respectability in a society which assigned great prestige to official culture.

If independent artistic initiative was politically dangerous, then official culture provided opportunities for homosexual men, and indeed would have been the poorer without them. Great talents such as Sergei Eisenstein and Sviatoslav Richter took wives to make their peace with an economy offering only one patron: the state.<sup>120</sup> Others did not always fare as well. Of the 36 individuals named in the Moscow sodomy trial documents for 1935-1941, fully one-third were employed, or getting training, in the arts.<sup>121</sup> Most were dramatic actors, but there were dancers, a film executive, a pianist, and a humble ticket-collector from a branch of the Bol'shoi Theatre. One man even claimed to be a stage designer to homosexuals he met on the boulevard, according to a partner whose testimony led to his arrest.<sup>122</sup> A student of the Moscow Glazunov Musical Theatre College, when questioned in court by his defense advocate, explained that he deliberately sought out actors "and wanted to

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Russia's Hidden Gay Literature (San Francisco: Gay Sunshine Press, 1996); Ronald Bergan, Eisenstein: A Life in Conflict. (London: Little, Brown, 1997).

<sup>120</sup> Karlinsky, "Russia's Gay Literature and Culture", 361-62.

<sup>121</sup> A further four out of ten homosexuals briefly mentioned in the 1941 sodomy trial of students at the Moscow Glazunov Musical Theatre College were cultural employees; Trial of Andreevskii and 2 others (1941).

<sup>122</sup> Trial of Andreevskii and 2 others (1941), 1. 83.



work in the theatre, because I engaged in that [sodomy]".<sup>123</sup> A female singer, interviewed in the Harvard Project on the Soviet Social System, recalled her friendship with a male homosexual ballet dancer in the 1930s. The prevalence of same-sex love in the dance and drama world was common knowledge, but "people kept silent because it is punished". Male homosexuals married and fathered children but it was known, she claimed, that they "do not live with their wives but rather with other men".<sup>124</sup> A Latvian graduate student of history, convicted of sodomy in 1938, was banished from Moscow and found work in an Ashkhabad theatre.<sup>125</sup> The regime's need for artistic and cultural showcases apparently produced an unstable, but lively, sphere of tolerance.

(iii) Brutality and gender in prison relations

As in other European cultures, same-sex erotic practices in places of confinement were observed and deplored by Russia's penal experts of the first three decades of the twentieth

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<sup>123</sup> Ibid., l. 106 ob.

<sup>124</sup> Soviet Refugee Interview and Questionnaire Data, 1950-53; Project on the Soviet Social System - Schedule "A" Interviews. Interview no. 386, pages 60-63. I am grateful to Amy Randall for bringing this interview to my attention.

<sup>125</sup> Two years later he wrote to the court, requesting documents to enable him to travel to Moscow for a festival of Turkmen culture to be held at the Bol'shoi. Prigovor Tereshkova i 9 dr. (1938), unnumbered sheets following l. 47.

century. Official voices fell silent on this topic after 1930, and until dissident memoirists took it up after the death of Stalin, the issue was suppressed, leaving a very thin base of sources on the 1930s and 1940s.<sup>126</sup> In tsarist and early Soviet prisons, a distinctive and harrowing role for anal rape and other sexual humiliations marked male prisoners' subculture, reflecting a brutalized version of Russia's traditional masculine culture of mutual erotic practices. Evidence of the sexual culture of men's prisons appears to reflect a remarkable degree of stability from the late nineteenth century to the present day. It is however plausible to propose that the growth of the Gulag system from the late 1920s expanded the intensity and prevalence of the worst features of this subculture.<sup>127</sup>

From the turn of the century, descriptions of the place of so-called "pederasty" in prison life reflected (usually unconsciously) the general masculine traditions of mutual sexual activity. Hierarchies of age, physical strength, command of resources, and social status dictated who would become sexually accessible, and who would dominate. The youthful newcomer, if

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<sup>126</sup> Kozlovskii, Argo russkoi gomoseksual'noi subkul'tury, 94.

<sup>127</sup> The view that this sexual culture is "more or less stable and universal" in Russia's penal history is suggested in Igor S. Kon, The Sexual Revolution in Russia. (New York: Free Press, 1995), 221; the implication that stalinist camps contributed to the proliferation of homosexuality in Soviet society is found in Mikhail Stern, Sex in the USSR. (New York: Times, 1980), 217, 267, 278.

raped or seduced by fellow prisoners, would rapidly be incorporated as a "pederast" into the prison's internal social system, at its lowest rung. Once his status was established, he would often turn to prostitution if circumstances and character allowed, as a survival mechanism. Initiatory rape, and prostitution, were not the only routes to the status of "pederast" in prison. Some inmates were pushed outside the community of fully masculine prisoners (known as muzhiki, the word for ordinary village peasant patriarchs), for failing to adhere to the code of prisoners' norms. These men joined the first two categories of "pederasts", often after initiatory rapes or sexual humiliations, and became part of the same caste.

As they arrived in common cells, naive teenagers were often courted with favours, tricked into compromising positions, or simply raped. On Christmas Eve in 1902 in Ekaterinburg, one youth put into a remand cell was raped by no less than six juvenile inmates. "Petia...did not look more than 15-16 years old, but he looked terribly like a girl."<sup>128</sup> This lad had the courage to complain about his attackers, and a doctor who examined him noted:

This vice is one of the evils of prison. It is not only terrible for the individual who bears the evidence of such assaults, but because at the end of the day it creates these people who convert it into their own sort of profession, living flagrantly (pripevaiuchi) in

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<sup>128</sup> N. Bek, "V zakrytom zavedenii. (Otryvki). Rozhdestvo v tiur'me." Ural 1675 (31 December 1902): 2. I am very grateful to Aleksei Kilin for sending me a copy of this article.

prison, earning money for that profession.<sup>129</sup>

Once it was known that a young newcomer had been assaulted in this way, he became the object of abuse and attacks. His assailants sought to prevent him from making a complaint with a combination of violence and (if he complied), eventually with money or gifts of tea, tobacco or food.<sup>130</sup> As the physician in Ekaterinburg observed, the path from initial sexual assaults frequently led to open prostitution.

In 1911 an observer vividly depicted prison inmates' view of young men, as surrogate women. The traditions of bathhouse prostitution, with youthful males assumed to be sexually available, were evident:

they go naked together [to the bath], young and old, gazing at each other with greedy eyes, like men looking at women, at anybody a little younger, a little paler, a bit more tender, softer to the touch. They surround him on all sides, laugh and pinch, and slap him on the back. He tears himself away, squeals and makes eyes like a woman of easy virtue. Jokes and curses rain forth, simply bestial. Such is love in prison.<sup>131</sup>

The criminologist Mikhail Gernet, reproducing these words in his 1925 study of penal psychology, believed there was very little in this bathhouse vignette to distinguish it from reports of more

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<sup>129</sup> Ibid.

<sup>130</sup> Ibid. In 1915, a Moscow court heard the case of the rape of 17-year-old S. G. Belousov while in custody by fellow prisoners Savel'ev and Bezrukov; another prisoner had offered Belousov 40 kopeks for sex after the first assault, TsGIAg.M, f. 142, op. 12, d. 99, ll. 17-18, 20-21 ob.

<sup>131</sup> Tan, "Tiuremnye mysli" Vestnik Evropy (November 1911), 130, cited in M. N. Gernet, V tiur'me. Ocherki tiuremnoi psikhologii (Moscow: Izd. "Pravo i zhizn'", 1925), 79-80.

organized homosexual vice in French prisons. Despite his contention that "sexual famine" (polovoi golod) was at the root of such phenomena whatever the nationality, the Russian bath was a peculiarly national institution, long associated with mutual male sexual activity. In this setting, youths were clearly viewed as sexually available, and some might exploit this circumstance "like a woman of easy virtue", as their counterparts did in the commercial baths of St Petersburg and Moscow. They were subjected to a barrage of "bribes, offers of rations accompanied by seduction, promises of protection or defense, intimidation and plain assault..." by older prisoners with sexual intentions.<sup>132</sup> Prisoners and expert observers universally interpreted "pederastic" relations behind bars as gendered into an active/passive, masculine/feminine dichotomy, with all the assumptions about domination and subordination these binarisms implied. Younger men were thought to be available for the "passive" role. Social hygienist David Lass of Odessa noted in his 1927 survey of 692 male prisoners, that among the pederasts he surveyed, the "passives" were most likely to be younger men, while older men were more often "active".<sup>133</sup> The exchange of favours of various kinds (access to food, housing, education) for sex was a commonplace between males in Russian society from at least the mid-nineteenth century. The existence of such relations

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<sup>132</sup> Gernet, V tiur'me, 77.

<sup>133</sup> Nowhere did Lass define what he meant by "active" or "passive" forms of pederasty; David I. Lass, Polovaia zhizn' zakliuchennykh (Odessa: 1927), 19.

in prison was not a depravity peculiar to penal life, as some experts believed. They ignored the fact that similar exchanges flourished beyond prison walls.<sup>134</sup>

The seasoned prostitute behind bars attracted open resentment and (less frequently, perhaps) surreptitious expressions of kindness. In 1899, a former convict described a male prostitute, Shuster, who wore his uniform "more decently, I would almost say, more exquisitely, than the other prisoners", and who went by the name "Kat'ka"; he was the object of much hatred and violence.<sup>135</sup> The ex-convict wrote that when quizzed about the hostility directed at Shuster, the "starosta" (chief) of his barracks replied:

Our fellows have their own ideas on this account. They keep to the rule: if your chance comes, take it; if not - run away. And why do they persecute him if a good half of the prison is guilty of it [sodomy]? Well, scoundrels like Kat'ka are either fed to fatten them up for the slaughter, or beaten in their fat mugs.

The starosta implied that like a peasant's beloved cow or pig, "Kat'ka" could be stroked and fawned over, until the moment of cyclical violence (corresponding to the day of slaughter), when the prostitute must be humiliated to preserve the community's masculine honour.

In Soviet Russia's jails of the 1920s, penologist Mikhail

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<sup>134</sup> See Lass, Polovaia zhizn' zakliuchennykh, 4, 32-33; Gernet, V tiur'me, 77-80.

<sup>135</sup> L. Mel'shin [P. Iakubovich] V mire otverzhenykh. Zapiski byvshego katorzhnika (St Petersburg: 1899) t. II, 200-201, 234-35, cited in Kozlovskii, Argo russkoi gomoseksual'noi subkul'tury, 87-89.

Gernet encountered "pederasty...in the form of prostitution, when passive pederasts offer themselves to all comers for the going rate". Such men possessed a "psychology resembling the feminine", and used all the typical gambits of the female prostitute, "virtually up to the traditional opening of an acquaintance with a request for a cigarette".<sup>136</sup> Officials working with homeless youth during NEP reported that teenage boys sent to adult prisons, and youths in reformatories prostituted themselves for petty gifts and protection.<sup>137</sup> Young men continued to be the most successful as prison prostitutes, but older men were observed "offering themselves for tea or cigarettes" during the 1950s.<sup>138</sup> Whole barracks of "pederasts" operating as male brothels have been reported in memoirs of gulag camp life from the 1930s and 1970s.<sup>139</sup> Individual prostitution persists inside

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<sup>136</sup> Gernet, V tiur'me, 77. Meanwhile Lass, using formal interviews and a standard questionnaire to probe the details of his prisoners' sex lives, was unable "to obtain frank answers about this question [pederasty]". The anthropology of prison 'pederasty' was something he had observed, but was reluctant to describe. Lass, Polovaia zhizn' zakliuchennykh, 18.

<sup>137</sup> Ozeretskii, "Polovye pravonarusheniia nesovershennoletnikh", 149-50; Ball, And Now My Soul Is Hardened, 125.

<sup>138</sup> V. Markman, Na kraiu geografii, (Jerusalem: 1979), 81-83, cited in Kozlovskii, Argo russkoi gomoseksual'noi subkul'tury, 104.

<sup>139</sup> Eduard Kuznetsov, Mordovskii marafon. (Jerusalem: 1979). An entire chapter from this memoir describes how "in big camps [in the 1930s] passive 'queers' [gomiki] lived in separate barracks, run by...a brothel madame", that is a male prisoner acting as a procurer; cited in Kozlovskii, Argo russkoi gomoseksual'noi subkul'tury, 200-210. For descriptions of similar operations inside labour camp of

the "zones" to this day.<sup>140</sup>

Inmates who violated the common code of prisoners' norms were also relegated to the status of "pederasts", and were often forced to serve as sexual objects of the muzhiki. The most enduring general pretext in prison for relegation to this status was by losing at cards without being able to pay one's debts. Losers were compelled to service their victors sexually by way of compensation, and afterwards were regarded as "pederasts". Sources appear from the first years of the twentieth century for this particular phenomenon.<sup>141</sup> Symbolic humiliations such as the use of specific, feminizing insults (also noted by observers as early as the 1900s) were sufficient to consign violators of the prison moral code to this category.<sup>142</sup> In the memoirs of post-1953 dissidents, theft from fellow inmates, or informing on them to the camp administration, were by the 1960s and after also

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the 1970s, see Stern, Sex in the USSR, 264-65.

<sup>140</sup> Vladimir Bondarenko, "Golubye v seroi stae." Kristofer (1992): 32-33.

<sup>141</sup> V. Aleksandrov, "Arestantskaia respublika" Russkaia mysl' (9 1904): 68-84; and V. Trakhtenberg, Blatnaia muzyka (St Petersburg: 1908); cited in Kozlovskii, Argo russkoi gomoseksual'noi subkul'tury, 89-90.

<sup>142</sup> To refer to an inmate using the feminine-gendered past tense verb, or labels such as suka (bitch) or baba (peasant woman) were mortal insults, reserved for putting that person into the realm of "passive pederasts"; Aleksandrov, "Arestantskaia respublika"; P. Fabrichnyi, "Iazyk katorgi" Katorga i ssylka (6 1923), both cited in Kozlovskii, Argo russkoi gomoseksual'noi subkul'tury, 91.



routes to the "pederasts'" caste.<sup>143</sup> Evidence from more recent research indicates that the "untouchable" status forced upon men subjected to same-sex rape and abuse has hardened into a cruel and rigidly observed pattern in late Soviet and post Soviet places of confinement.<sup>144</sup>

In 1926, E. K. Krasnushkin had permitted himself to imagine the socialist prison,

...with physical education, with a school, with a cinema, theatre, library, with well organized medical care in all specializations, with a determination to develop the prisoners' independence and inclination to social skills.<sup>145</sup>

Prison in the new society would be an arena of rehabilitation and resocialization. Life inside the prison - its byt - would be examined and restructured, down to its most intimate aspects, including (as Gernet and Lass did) even the sex lives of prisoners. Yet a major feature of the prison environment, same-

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<sup>143</sup> For post-1953 accounts, A. Amal'rik, Zapiski dissidenta. (Ann Arbor: Ardis, 1982), 187-88; Markman, Na kraiu geografii, 81-83; and an interview recorded in 1973 by Kozlovskii; all cited in Kozlovskii, Argo russkoi gomoseksual'noi subkul'tury, 94-95, 105 and passim.

<sup>144</sup> Stern, Sex in the USSR, 258-66; Kozlovskii, Argo russkoi gomoseksual'noi subkul'tury, 94-110; Kon, The Sexual Revolution in Russia, 218-22, 257; Bondarenko, "Golubye v seroi stae", partially translated in Moss, ed. Out of the Blue; Masha Gessen, "We Have No Sex: Soviet Gays and AIDS in the Era of Glasnost." Outlook 3 (1 1990): 42-54; idem., The Rights of Lesbians and Gay Men in the Russian Federation. (San Francisco: International Gay and Lesbian Human Rights Commission, 1994); Iaroslav Mogutin and Sonia Franeta. "Gomoseksualizm v sovetskikh tiur'makh i lageriakh." Novoe vremia (35, 36 1993): 44-47, 50-54.

<sup>145</sup> E. K. Krasnushkin, "Chto takoe prestupnik?" Prestupnik i prestupnost'. Sbornik I (1926): 6.

sex relations, was dealt with timidly by these researchers. Prisoners refused to answer questions, or gave evasive replies. Penologists recoiled from probing further. They covered their reluctance to examine this shameful aspect of prison life with optimistic nostrums about the effect of a reformed byt: separate beds, better physical education, a more carefully ordered schedule of routines would obviate the problem. There was no need to inquire further into the origins of sexual brutality between prisoners of the same sex.

Soviet places of confinement did not become centres for rehabilitation, but in the Gulag system, hypertrophied into an economic empire for the NKVD. This expansion multiplied the sites for mutual male sexual cruelty. The economic exploitation of the prison camp regime squeezed resources out of prisoners, intensifying the already existing market for the barest scraps of comfort (food, clothing, tobacco, tea, sexual release) among inmates. In tsarist prisons, attitudes toward the sexually available male were shaped at least in part by peasant views of that male as demasculinized and therefore dehumanized. This prisoners' subculture was already brutal, especially by comparison with views held by men who had sex with other males in wider Russian society. Timid examinations of the problem did nothing to alleviate it in the early revolutionary years. Under stalinism, traditional prison hierarchies were reinforced and even fostered by authorities who sought to intimidate

'politicals' with violence meted out by 'criminals'.<sup>146</sup> The evidence suggests that the 'passive pederast' was at the bottom of this hierarchy throughout the twentieth century, a gender and sexual "untouchable" whose dual role as sexual surrogate, and despised scapegoat, resonated with amplified masculine insecurities and vicious misogyny.

### Conclusion

In the twentieth century, urban Russians, wittingly or not, have lived alongside a male homosexual subculture. During the late Imperial era it had developed from indigenous patterns of a traditional mutual male sexual culture. The homosexual 'world' was not alien to the national body, but a living, vigorous, and resourceful part of society. It is untenable to claim that in tsarist Russia, or the USSR, the appearance of homosexuals was a development fostered by foreigners or created by communist rule.<sup>147</sup>

Relations between males which took place within the

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<sup>146</sup> Alexander Solzhenitsyn, The Gulag Archipelago. Vol. 1 (New York & London: Harper & Row, 1973), 499-512.

<sup>147</sup> For discussions of these national-patriotic charges, see Simon Karlinsky, "'Vvezen iz-za granitsy...'? Gomoseksualizm v russkoi kul'ture i literature." In Erotika v russkoi literature. Ot Barkova do nashikh dnei. Literaturnoe obozrenie. Spetsial'nyi vypusk, eds I. D. Prokhorovaia, S. Iu. Mazur, and G. V. Zykovaia. (Moscow: Literaturnoe obozrenie, 1992); Kon, The Sexual Revolution in Russia, 222, 249; Riordan, "Sexual minorities: the status of gays and lesbians in Russian-Soviet-Russian society".

traditional social hierarchies of late tsarist Russia (master-apprentice, patron-servant, bathhouse attendant-client) tended to belong to the nation's older masculine sexual culture. Here there was little identification with a specific group of "one's own people", with an effeminate self-image, or with an exclusive sexual orientation. Individuals in positions of authority or class dominance indulged in same-sex erotic acts for pleasure, while their subordinates apparently often acquiesced with a view to material or personal profit. Yet many also tolerated or welcomed "gentlemen's mischief", and did not always expect to be compensated. This was a sexual culture which grew from a popular and elite indulgence of masculine sexual release, and perhaps from a perception that "normal" outlets for male "lustfulness" (especially public women) could be expensive or contaminated by venereal disease.<sup>148</sup>

Parallel to this traditional sexual indulgence a modern, "homosexual", subculture took form, apparently the result of rapid urbanization, and the accelerated introduction of market relationships such as the more distant and anonymous bond between employer and employee. In the subculture, forms of speech and mutual recognition identified participants across the barriers of class, age and education. A proportion of the "homosexual world's" denizens used boldly effeminate manners, gestures and

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<sup>148</sup> On elite beliefs that regular sexual indulgence for males was healthy, and male workers', soldiers' and students' demand for sexual release, see Bernstein, Sonia's Daughters, 86-93.

forms of dress. Others perhaps adopted a more discreet symbol, such as the red cravats or handkerchiefs said to have constituted a "homosexual uniform" in 1908. A sense of self-consciousness appeared, as some men having erotic relations with their own sex now referred to themselves and their friends as "tetki", "women-haters" or "our own kind". Commercialization catered to this specialized market; by the late tsarist era, bathhouse "mischief" conducted by the peasant artel had apparently developed into efficiently organized, discreet but notorious male prostitution in the bania, resembling the licensed female sex trade. "Balls of women-haters" and bars run by tetki could apparently survive on the proceeds generated by "our own kind" alone.

After 1917, revolutionary Soviet policies perhaps indicated to some that the homosexual subculture might be tolerated; yet the male homosexual world's uses of space were out of step with the communist goal of reconstructing byt. The communalization of domestic space disabled the expression of diversity, whether sexual or political. Gradually losing control over commodified public territory, such as hotel rooms, private rooms in bathhouses or restaurants, halls for poetry readings or cabarets for entertainments, Soviet homosexuals retreated into the ever-narrower private realm. They also maintained social and sexual contacts, keeping alive their affiliation through the creative abuse of streetscapes, public lavatories, and other city territory. Apparently undeterred by fear during the Great Purges, a surprising number of Moscow homosexuals pursued these contacts

in notorious sites. Others apparently hoped that the respectable refuge for Soviet homosexuals, the art world, might serve as sufficient camouflage to protect them.

Meanwhile, traditional forms of mutual male eros continued to evolve inside men's prison subculture. Here a brutal hostility to the "passive pederast" prevailed well before the revolution. Soviet experience of this subculture, only faintly documented, suggests that the prison and later the Gulag system preserved and probably intensified the cruelty of traditional forms of sex between men found inside places of confinement. Yet these patterns were not completely detached from Russian or Soviet society, nor from its traditional patterns of sexual expression between males of different ages and classes. In this area as in so many others, prison presented a distorted reflection of Soviet social realities.

## Chapter 7: Women together: Social contexts, 1880-1941

For my part, my love for an individual of my own sex is just as great, pure and sacred, as the love of a normal woman for the opposite sex; I am capable of self-sacrifice, I would be ready to die for that beloved person who would understand me. How sad that we are considered depraved and diseased.<sup>1</sup>

Unlike their male counterparts, Russian women who had erotic relations with their own sex had less access to the public sphere and so were less able to construct for themselves a coherent subculture with the attributes of the male homosexual world. This is not to suggest that no female homosexual subculture existed in 1920s and 1930s Soviet Russia. Traces in the historical record of the nature and extent of the semiotics of a subculture are slight. Scraps of evidence suggest that among certain urban women, dress, mannerisms and deportment served as signals to other women that same-sex erotic approaches were welcome. Psychiatrists, in their burst of interest in female homosexuality of the 1920s, failed to display any concern about the social connections between individual 'patients', treating them instead in their discourse as isolated 'misfits' without linkages to similar women. There was little or no policing of female mutual sexual relations during these decades, so data on the customs and geography of a subculture available to us from prosecutions of homosexual men, do not exist. Yet this does not necessarily mean

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<sup>1</sup> Extract from Evgeniia Fedorovna M.'s "History of my illness (the brief confession of a person of the intermediate sex, a male psycho-hermaphrodite)" in A. O. Edel'shtein, "K klinike transvestitizma." Prestupnik i prestupnost'. Sbornik II (1927): 277.

that women did not form 'circles' or networks in the private sphere, which facilitated mutual recognition by individuals who felt same-sex desire. The record is episodic, briefly illuminating the varied sites of women's mutual relations, and leaving the historian to speculate on continuities in the evolution of these hidden worlds.

Despite the fragmented sources, it is possible to propose at least some social locations for female homosexuality in late tsarist and early Soviet Russia. Psychiatric, criminological and biographical records can be examined for indicators of these social contexts. The medical sources, which offer some of the earliest biographical accounts of male and female same-sex desire produced by Russians, only begin to describe women who loved other women in the 1880s in any detail. Erotic relations between women of earlier eras cannot be ruled out, but the character of these affinities are seldom intelligible in non-medical genres.<sup>2</sup>

From the sources published after medical interest arose, it appears that class position was a significant determinant of opportunities for the expression of same-sex desire between women. In late tsarist and early Soviet sources, lower class

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<sup>2</sup> For speculation on a supposed homosexual relationship between Catherine the Great and Princess Dashkova, see Simon Karlinsky, "Russia's Gay Literature and History" Gay Sunshine (29/30 1976); and (more cautiously), Tatyana Mamonova, Russian Women's Studies: Essays on Sexism in Soviet Culture. (New York: Pergamon, 1985), 9-18. A fleeting mention of mutual female sexual acts is found in Dr Zuk "O protivozakonnom udovletvorenii polovago pobuzhdeniia i o sudebno-meditsinskoi zadache pri prestupleniakh etoi kategorii" Arkhiiv sudebnoi meditsiny i obshchestvennoi gigieny (2, sec. 5 1870): 8-13.



women having mutual relations were normally featured in this literature when they were prostitutes or in prisons.<sup>3</sup> These single-sex locations created their own cultures of self-preservation. Gulag memoir literature records the existence of an extreme form of the early twentieth-century prison culture, lasting through the Stalin era and apparently enduring into the present in contemporary places of confinement. The medical literature also reveals that more fortunate women occasionally found their own biological families to be a source of support for their unconventional desires. Nevertheless, the role of economic independence in constructing opportunities for these women was also significant, allowing them to detach themselves from fathers and husbands and to establish households of their own. Intelligentsia women were best able to achieve this kind of freedom, but education was not the only route to it. Women workers and entrepreneurs were also able to realize some measure of economic and personal self determination.

The widely observed 'passing woman' in Russian society offers another perspective on gender and sexual dissidence. Women who radically manipulated their own performance of gender stepped on to the social stage as men, exploiting the privileges of masculinity, including sexual access to women. These apparent

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<sup>3</sup> For a useful discussion of the role of class in the experience of sexually ambiguous French women, see Francesca C. Sautman, "Invisible Women: Lesbian Working-class Culture in France, 1880-1930." In Homosexuality in Modern France, eds J. Merrick and B. Ragan Jr. (New York & Oxford: Oxford University Press, 1996).

'males', and 'masculinized' women as well, adopted a complex gender and sexual strategy which exploited opportunities and pockets of tolerance for gender ambiguity in the 1920s. In their lives the voices of a hidden transcript of gender are audible, and their dreams that the 'intermediate sex' might be allowed to live on its own terms may be glimpsed.

(i) Women apart: the culture of brothels and prisons

Prior to 1905, Russian medicine had linked lesbianism to female prostitution infrequently, in contrast to its Western counterparts, where the association was well established as a moralistic trope in medico-legal literature. After the 1905 revolution, Russian experts began to discard their view of the prostitute as the innocent, often peasant, victim of urban male depravity, and gradually adopted the discourse of the marginalized and masculinized sexually deviant woman.<sup>4</sup> The fragmentary evidence suggests that whatever the ideological transformations the category 'prostitute-as-lesbian' was undergoing, at the level of actual social experience, some women

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<sup>4</sup> Laura Engelstein, The Keys to Happiness: Sex and the Search for Modernity in Fin-de-Siècle Russia (Ithaca & London: Cornell University Press, 1992), 160-64. For examples of the new discourse on lesbian-prostitutes: A. Borisov, Izvrashchennaia polovaia zhizn'. Boleznennye izmeneniia polovoi sfery (St Petersburg: 1907); P. I. Kovalevskii, Psikhologiiia pola. Polovoe bezsilie i drugie polovye izvrashcheniia i ikh lechenie (St Petersburg: 1909); A. Koffin'on, Izvrashchennyi mir. (Moscow: 1908), 31-40.

exploited the stable shelter provided by tsarist licensed brothels to foster same-sex relations.

Wealthy women could even constitute clients of female prostitutes. In the early 1880s one affluent gentry woman, "Miss N.", was introduced to "unnatural sexual directions" with other women after meeting a prostitute on the streets of St Petersburg. Miss N.'s reports informed her psychiatrist that in the hidden space of the public brothel a world of women who loved women flourished. Dr Chizh recorded:

Among her many acquaintances with perverted sexual feeling, she lived the most varied life of love and sexual feeling; here there was platonic love, and courtship, and jealousy, and satiety, betrayals, a connection (*sviaz'*) with two women simultaneously; the joys of victory and the bitterness of failure, in a word, the whole life of Miss N. was absorbed by this perverted love. She loved to get dressed in men's clothing and drive out in a troika with the objects of her love; dressing in men's suits she went to public houses and spent a great deal of money on women. According to her assurances, there are by far more women with perversion of the sexual feeling than we usually think, and in fact they occupy the most varied social positions.<sup>5</sup>

This case history, Russia's first psychiatric study of a homosexual of either sex, thus explicitly indicated that a nascent culture of women who recognized their sexual affiliation across the barriers of class already existed in the Petersburg of the early 1880s. The brothel was one institution which could discreetly provide a meeting-point for these women.

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<sup>5</sup> V. F. Chizh, K ucheniiu ob "izvrashchenii polovogo chuvstva" (Die conträre Sexualempfindung). Soobshcheno obshchestvu Peterburgskikh morskikh vrachei v zasedanii 1-go fevralia 1882 goda (n.p. [St Petersburg?]: 1882), 14.

A criminal case caught the attention of experts in the capital about ten years after the study of Miss N. was published. A Petersburg tobacconist who had married a prostitute, Krasavina, was charged with her murder. In 1893 he had discovered his wife in bed with a prostitute, one of her former colleagues; he stabbed his wife to death on the spot. The story of Krasavina's relationship with her female lover was heard in court and later recounted by gynecologist I. M. Tarnovskii in 1895.<sup>6</sup> Krasavina's parallel life as a "homosexual", like that of Miss N. and her circle, had been sheltered and tolerated in the official brothel. Anna Ivanova, a 24-year-old sex worker from the same establishment, testified in court that Krasavina and her lover had been inseparable, that they had had sexual relations together and that "in a word they became what we call in public houses koshki [female cats]" - an argot term for female prostitutes who shared sexual favours.<sup>7</sup> Female same-sex relationships were apparently common enough in the brothels of St Petersburg to have a specific label in the language of sex workers. Love letters between the two women were heard as evidence in court. In one note, Krasavina had written "you are my Polly, my sweet and dear and my own [rodnaia], I love you". Similar expressions of romantic endearment were exchanged by prostitutes in venereal

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<sup>6</sup> I. M. Tarnovskii, Izvrashchenie polovogo chuvstva u zhenshchin (St Petersburg: 1895), presented in Laura Engelstein, "Lesbian Vignettes: A Russian Triptych from the 1890s." Signs 15 (4 1990): 813-31.

<sup>7</sup> GARF, f. 564, op. 1, d. 260, ll. 28-29 ob. (A. F. Koni fond).

wards, where "affectionate pairs" of public women were observed conducting relationships of a passionate character.<sup>8</sup> The tsarist public house provided a potential material basis for the "ménages de tribades" observed in similar official premises in turn of the century France, where some owners deliberately favoured same-sex relations among their sex workers as a stabilizing influence as well as a commercial attraction; the degree to which Russia's brothel operators consciously mirrored this aspect of their French counterparts remains obscure.<sup>9</sup>

The Soviet abolition of the licensed brothel, and the subsequent rise in the informal and covert sex trade made prostitution a less predictable social sphere for women living beyond the family. The housing shortage, and the decline in private control over sheltered urban spaces, appeared to drive more illicit sex into the streets, railway stations and wagons, restaurants, bathhouses, and taxicabs. Prostitution was thrust into the public eye by the abolition of official regulation and Bolshevik campaigns to discourage women from taking up sex work.

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<sup>8</sup> Letters were cited in B. I. Bentovin, Torguushchie telom: Ocherki sovremennoi prostitutsii (St Petersburg, 1909), and have been reproduced in some detail in Laurie Bernstein, Sonia's Daughters: Prostitutes and Their Regulation in Imperial Russia. (Berkeley & Los Angeles: University of California Press, 1995), 172-74.

<sup>9</sup> Sautman, "Invisible Women", 187-89. Conditions in Russia's licensed brothels were generally squalid, with deleterious psychological and physical effects on prostitutes. The suggestion that they constituted a social sphere which sheltered some same-sex relationships cannot be considered without acknowledging the harshness of the brothel as human environment. See Bernstein, Sonia's Daughters, Chapter 5.

Police nevertheless targeted the women engaged in the trade, paying less attention to their male clients. The abolition of licensed brothels turned prostitution into a very unstable and dangerous livelihood for female sex workers.<sup>10</sup> Russian historians have argued that more urban women apparently turned to casual or occasional heterosexual prostitution in the 1920s as urban unemployment hit them hardest.<sup>11</sup>

A 1926 case history of "Sh.", a "female homosexual" who murdered her partner, "L.", a prostitute, illustrated these social conditions. It also suggested that Soviet doctors would pursue the link in the Western medical imagination between prostitution and female homosexuality.<sup>12</sup> Before meeting L. in a

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<sup>10</sup> L. Eratov, "Nakazuema li prostitutsiia?" Ezhenedel'nik sovetskoi iustitsii (4 1922): 4-6; A. Uchevatov, "Iz byta prostitutsii nashikh dnei." Pravo i zhizn' (1 1928): 50-60; B. R. Gurvich, "Prostitutsiia, kak sotsial'no-psikhopatologicheskoe iavlenie (Predvaritel'noe soobshchenie)." In Sovetskaia meditsina v bor'be za zdorovye nervy: Sbornik statei i materialov, eds A. I. Miskinov, L. M. Rozenshtein, and L. A. Prozorov. (Ul'ianovsk: Izd. Ul'ianovskogo kombinata PPP, 1926). In a survey of men seen in a Moscow venereal clinic, over a third had sex with female prostitutes in hotels and "dives" until 1918; between 1922 and 1923, the same proportion of men were then having sex with prostitutes in the street, railway stations and baths: Hans Haustein, "Zur sexuellen Hygiene in Sowjet-Russland." Abhandlungen aus dem Gebiete der Sexualforschung Band V, Heft I (1926): 18-19.

<sup>11</sup> N. B. Lebina, and M. B. Shkarovskii. Prostitutsiia v Peterburge. (Moscow: Progress-Akademiia, 1994), 40-60, 77-85.

<sup>12</sup> E. K. Krasnushkin, and N. G. Kholzakova. "Dva sluchaia zhenshchin ubiits-gomoseksualistok." Prestupnik i prestupnost'. Sbornik I (1926): 105-20; case of "Sh" and "L", 106-14. The psychiatrist Krasnushkin three years later published a lecture mentioning the case of a

Moscow cafeteria where they both worked, Sh. had been married twice, once apparently for love before the world war, and a second time for "material reasons" during the civil war. By 1919 however, Sh. had been widowed and she drifted to Moscow in search of a living. Sh. and L. shared a flat, and later a room, while L. alternated between earning a living at a succession of unstable menial jobs, and bringing home men for paid sex. Sh. also found employment in short term and unreliable jobs as a maid and in a cafeteria. Later she took in mending and laundry, and cooked meals for L. Sh. reported to the psychiatrists Krasnushkin and Kholzakova that L. had made sexual advances to her, and that eventually she had been provoked to murder L. with an axe. The psychiatrists doubted Sh.'s evasive and vague claims that the sexual relationship with L. had been brief and episodic, and they suggested that the "bisexual" Sh. had had regular physical relations with L., while also engaging in prostitution periodically.<sup>13</sup>

The actual role of commercial heterosexual sex in the partnership of L. and Sh. was not explained by the psychiatrists. The financial partnership of younger women (to sell sex) and older women (with rooms to rent) was remarked upon by some observers of the heterosexual prostitution market in early Soviet

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"lesbian poetess" whose forays into heterosexual prostitution brought her in contact with the police and psychiatry, Krasnushkin, Prestupniki psikhopaty. (Moscow: Izd-vo pervogo Moskovskogo gos. universiteta, 1929), 10-12.

<sup>13</sup> Krasnushkin and Kholzakova, "Dva sluchaia", 110-12.

Russia, but no suggestion that lesbian relations lay behind this symbiosis was mooted.<sup>14</sup> Between L. and Sh., a same-sex relationship appeared to supply the glue that cemented the household formed by these two women. Whatever the elements of domestic and economic cooperation here might have been, experts viewed their engagement in the sex trade, and their "female homosexuality", as illicit, masculinizing, and degenerate.

Another social location frequently said to harbour female same-sex relations was the prison, and later, the Gulag camp. As with men's places of confinement, these institutions were widely believed to encourage same-sex intimacies, to the point of generating 'acquired' homosexuality, as a result of a culture of "social self-regulation among prisoners".<sup>15</sup> Yet Russians who studied women in the penal environment in the 1920s regretted the lack of reliable data on their sexual activity. Criminologist Mikhail Gernet could only muster two letters in his possession illustrating "unnatural vice" in prison.<sup>16</sup> David Lass's 1927 survey of the sex lives of 81 female and 692 male Odessa prisoners foundered before the unwillingness of women to reveal more than a few intimate details to the expert.<sup>17</sup> His data based

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<sup>14</sup> L. M. Vasilevskii, and L. A. Vasilevskaia. Prostitutsiia i novaia Rossiia (Tver': "Oktiabr'", 1923), 99, 129.

<sup>15</sup> Sautman, "Invisible Women", 193-94.

<sup>16</sup> M. N. Gernet, V tiur'me. Ocherki tiuremnoi psikhologii (Moscow: Izd. "Pravo i zhizn'", 1925), 80-81.

<sup>17</sup> D. I. Lass, Polovaia zhizn' zakliuchennykh (Odessa: 1927), 19.



on surveys did suggest that some proportion of women engaged in same-sex relations. In his sample, 35.3% admitted they were "not abstaining" from sexual activity (which Lass interpreted as masturbation "and other sexual perversions") while in prison. Yet Lass found it either impossible to obtain, or to relay in print, further information about the nature of the "other sexual perversions" his subjects displayed, except to surmise that many subjects were reporting "pollutions" in his survey as a means of disguising events of a different nature. He also noted about a third of his female subjects shared beds in prison, a fact which he feared encouraged vice.<sup>18</sup>

Gernet's approach to the "psychology of prison sex life" was more anecdotal, not dependent on a questionnaire-led methodology. One of the letters he presented, from a female prisoner described "being pestered" by a masculine-looking woman, known in prison slang as one of the "'kovyrialki'", as the women-tribades taking the man's role in unnatural relations with their female cellmates are called." Gernet continued,

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<sup>18</sup> Ibid., 11, 15, 19. Social hygienists and educators deplored the sharing of beds with varying degrees of frankness about the possibly sexually perverse outcomes; see for example V. Z. Land, "Opyt izucheniia effektivnosti sanitarno-prosvetitel'noi raboty na predpriiatii." Vrachebnoe delo (22 1929): 1437-40; idem., "Opyt planirovaniia sanitarno-prosvetitel'noi raboty iz predpriiatii" Vrachebnoe delo (17 1930): 1237-40; Moskalevich-Karetnikova, "Seksual'nye pravonarusheniia nad maloletnimi kak so storony samikh nesovershennoletnikh, tak i vzroslykh sub"ektov po dannym Leningradskogo Komones'a za period vremeni s 1926 po 1927 god i Gubsuda za 1927 g." Voprosy izucheniia i vospitaniia lichnosti (3-4 1929): 59-64.

According to our correspondent, these women 'have all the tricks of men, they walk, kept their hair like men, they smoke and wear Russian men's shirts (rubashki-kosovorotki) secured with a lace.' The courtship began with notes, with avowals of mad love and requests to belong to no one else. In [the correspondent's masculinized friend's] notes she wrote 'she kisses her little mouth and eyes, and wants to kiss her all over.' The correspondent who the prison administration informed us had been seduced by her comrade, wrote to us, 'I liked her, she came to me when I was alone but I was afraid to greet her: right away she was kind of mad and strong, she grasped me on the bed and began to kiss my breasts, legs, hands so unexpectedly that I didn't have the strength to say anything.'<sup>19</sup>

Gernet's text presents an early Soviet portrait of the 'masculinized' female homosexual in prison, accompanied with one of the earliest documented references to the prison slang term kovyrialka. (The word is an untranslatable derivation from the verb kovyriat'(-sia), a colloquialism meaning to dig in to, to tinker, to rummage in.) Sources quoting Gulag memoirs and interviews with female ex-convicts of the Brezhnev years employ the term to denote so-called 'passive' sexual partners of masculinized prison women, rather than the 'active' women themselves.<sup>20</sup> The female homosexual prisoner, masculinized either by her confinement or by a deeper nature, was noted by

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<sup>19</sup> Gernet, V tiur'me, 80.

<sup>20</sup> This could mean Gernet misunderstood the term he reported, or that it underwent a reversal of meanings during the 1920s and 1930s; see Vladimir Kozlovskii, Argo russkoi gomoseksual'noi subkul'tury: Materialy k izucheniiu (Benson, VT: Chalidze Publications, 1986), 126. For a recent psychiatric text which notes the use of the term among present-day female prisoners to denote "active" partners or "husbands", V. N. Volkov, S. I. Kalinichenko, and A. V. Pishchelko. Seksual'nye izvrashcheniia u osuzhdennykh-zhenshchin (Domodedovo: MIPK rabotnikov OVD, 1992), 55.

scientists in other disciplines as well.<sup>21</sup>

Soviet scientists fell silent on the issue of same-sex relations between women in places of confinement during the 1930s, not returning to the question until the general revival of sexology in the 1960s.<sup>22</sup> Literature on women's experience of the stalinist Gulag camp system offers some interesting if selective characterizations of same-sex relations in these institutions. This literature also reveals how educated Gulag victims constructed their experience in memoirs to draw significant distinctions between themselves and persons supposedly justly imprisoned for 'genuine crimes'. There is a tendency in this literature to evaluate mutual female sexual relationships in an extremely hostile manner. 'Lesbian love' is often ascribed selectively to women said to be criminals, that is not incarcerated under false charges of 'counterrevolution' or 'antisoviet agitation' but for authentic penal offenses. The Gulag lesbian is thus constructed as a dangerous character, a

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<sup>21</sup> See for example the psychiatric portrait of a so-called "Marquise of Ligovka" (a seedy district of Leningrad) in A. K. Lents, Kriminal'nye psikhopat'y (Sotsiopaty) (Leningrad: Rabochii sud, 1927), 48-50; and the description of a female homosexual in prison described in R. I. Livshits, "Reaktsiia d-ra Manoilova kak pokazatel' narusheniia sekretornoi funktsii polovykh zhelez pri seksual'nykh prestupleniiakh" Leningradskii meditsinskii zhurnal (2 1925): 11-14.

<sup>22</sup> For a study of female homosexuality derived mainly from prisoner-subjects, see E. M. Derevinskaia, "Materialy k klinike, patogenezu, terapii zhenskogo gomoseksualizma." (Kandidatskaia dissertatsiia meditsinskikh nauk, Karagandinskii gosudarstvennyi meditsinskii institut, 1965); see also Volkov et al., Seksual'nye izvrashcheniia u osuzhdennykh-zhenshchin.

pitfall awaiting innocent (heterosexual) women arriving in the camp system. As one German communist veteran of eleven years in the Gulag, Elinor Lipper, wrote,

Most women prisoners had never even heard of the existence of sexual relations between two women. They learned about it for the first time as prisoners: for it is relatively frequent among female criminals.<sup>23</sup>

A Russian memoirist recalled a species of camp inmate she first saw at Kolyma in the 1930s, named simple "it" (ono). These individuals cut their hair in masculine fashion and took more feminine "lovers".

They went about the camp in pairs, arm-in-arm, defiantly displaying their love. The administration and the great majority of inmates hated the "its". Women in camps fretfully made way for them.<sup>24</sup>

Another writer, recalling Gulag existence in the early 1950s, presented a more nuanced set of reflections about the "its". The "literary-scientific word 'lesbian'" was not widely used, she reported. The camp vocabulary ran from the jocular use of "it" to refer to masculinized lesbians, to the "merciless" criminals' label "dog" (kobel).<sup>25</sup> These women tried to resemble

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<sup>23</sup> Elinor Lipper, Eleven Years in Soviet Prison Camps (London: Hollis & Carter, 1951), 158.

<sup>24</sup> E. Olitskaia, Moi vospominaniia (Frankfurt: 1971), v. 2, 243-44, cited in Kozlovskii, Argo russkoi gomoseksual'noi subkul'tury, 111.

<sup>25</sup> M. Ulanovskaia, "Konets sroka - 1976 goda" Vremia i my (10 1976): 153-55, cited in Kozlovskii, Argo russkoi gomoseksual'noi subkul'tury, 114-16. All references in this paragraph to Ulanovskaia's text are from this passage in Kozlovskii. Kobel, pronounced with a final ë-sound, used to denote a female "who fulfills the sexual function of a man" in prison slang from the 1940s onwards, appears to be a corruption from kobel' (male

men, wearing trousers and short hair; they were most common among criminals, but some were known to exist among German prisoners "and even among our intelligentsia". This author believed fewer Ukrainian women and peasant women fell under such "demoralization", yet she observed that there were cases of keen friendships founded on shared religiosity in which only "sublimation" drew off sexual pressures. It was among criminal inmates that same-sex relations were conducted "openly", while among "the intelligentsia, everything was of course hidden, veiled, ambivalent."<sup>26</sup> Influential sources on Gulag camp life of the 1940s and 1950s repeat similar observations of same-sex relations between women, with the same moral and class inflections.<sup>27</sup>

Ol'ga Zhuk has sketched the patterns of "butch" and "femme" behaviour which mark the contemporary Russian women's prison, ascribing its roots to the Gulag system and totalitarianism.<sup>28</sup>

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dog), see Kozlovskii, op cit., 126.

<sup>26</sup> Ulanovskaia cited a chastushka she heard sung by one criminal lesbian inmate: Oi, spasibo Stalinu/Sdelal s menia baryniu -/I korova ia, i byk./Ia i baba, i muzhik. (Oy, thank-you Stalin/You made a gentleman of me/A cow I am, and a bull/I'm a woman and a man.) Ibid., 115.

<sup>27</sup> Evgeniia Ginzburg, Krutoi marshrut (Milan: 1979), 113, cited in Kozlovskii, Argo gomoseksual'noi subkul'tury, 113; Alexander Solzhenitsyn, The Gulag Archipelago. Vol. 2 (London: Collins/Fontana, 1975), 234-35; Vasily Grossman, Forever Flowing (London: Collins Harvill, 1988), 116-17.

<sup>28</sup> Olga Zhuk, "The Lesbian Subculture: The Historical Roots of Lesbianism in the Former USSR" In Women in Russia: a new era in Russian feminism, ed. Anastasia Posadskaya. (London: Verso, 1994).

The roles and terminology of kobel (imitating 'men's' roles) and kovyrialka (performing 'women's' functions) persist to the present day, reproducing a simulacrum of "the patriarchal and strictly regulated structure of heterosexual Soviet families". Both the masculine violence and feminine tenderness of heterosexual relations are represented in the prison role system. Lesbian prisoners "live in families" patterned after male-female relations, according to observer Vladimir Bondarenko. Like Gulag memoirists, Zhuk locates the source of these prison roles in "the criminal underworld", and notes how it persists beyond the prison "among the working class, especially among its lumpen elements".<sup>29</sup> A new development in post-soviet descriptions of prison-based 'butch-femme' relations is the assertion that such bonds are (in Zhuk's words) "stable" and "familiar", or in the words of Bondarenko that "women recreate inside Russian prisons the world which they have lost". Even soviet and post-soviet prison psychiatrists report the formation of "homosexual families" among women prisoners with a certain degree of reluctant appreciation.<sup>30</sup>

(ii) Domestic contexts for same-sex relations between women

If female same-sex eros between prostitutes or in prison often

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<sup>29</sup> Ibid., 150; see also Vladimir Bondarenko, "Golubye v seroi stae." Kristofer (1 1992): 32-33.

<sup>30</sup> Volkov et al., Seksual'nye izvrashcheniia u osuzhdennykh-zhenshchin, 56.

bore the stamp of a brutalized lower-class culture, there were also women whose privileged economic position allowed them to express their desires, if more discreetly. Tsarist psychiatric literature yields a handful of biographies of gentry or bourgeois women like Dr Chizh's Miss N., whose strong wills, and access to education and resources, permitted them to explore same-sex self-expression.<sup>31</sup> The lives chronicled in this medical discourse paralleled in their material aspects those of literary "lesbians" of late-tsarist salons.<sup>32</sup> In the early Soviet era, women with cultural capital were also sometimes able to invest this resource to construct a domestic environment sheltering same-sex desire. The political and economic stability requisite for a culture of the literary salon declined during the 1920s, eventually becoming

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<sup>31</sup> Chizh, K ucheniiu ob "izvrashchenii polovogo chuvstva"; F. E. Rybakov, "O prevratnykh polovykh oshchushcheniiakh." Vrach (23 1898): 1-23 (offprint); case of "active tribade" N., also called "Misha" in I. M. Tarnovskii, Izvrashchenie polovogo chuvstva u zhenshchin, cited in Engelstein, "Lesbian Vignettes: A Russian Triptych from the 1890s". Note also a possibly fictionalized account: "Razskaz o sebe doktora filosofii, Marii Vladimirovny Bezobrazovoi" in Vasilii Rozanov, Liudi lunnogo sveta. (St Petersburg: 1913), 227-60.

<sup>32</sup> The place of the "lesbian" in Silver Age belles lettres is discussed in Diana Lewis Burgin, "Laid Out in Lavender: Perceptions of Lesbian Love in Russian Literature and Criticism of the Silver Age, 1893-1917." In Sexuality and the Body in Russian Culture, eds Jane T. Costlow, Stephanie Sandler, and Judith Vowles. (Stanford: Stanford University Press, 1993). On sexual ambiguity in these salons, see Beth Holmgren, "Stepping Out/Going Under: Women in Russia's Twentieth-Century Salons." In Russia, Women, Culture, eds Helena Goscilo and Beth Holmgren. (Bloomington & Indianapolis: Indiana University Press, 1996), 233.

submerged in the social transformations of the first Five Year Plans. The historical roots of Russia's "lesbian subculture", always fragile and tentative in the first three decades of this century, were greatly undermined by the stalinist system's upheavals and the accompanying policies of officially sanctioned culture, and of compulsory heterosexuality.

One source of domestic shelter for same-sex relations which is not often considered is the heterosexual family. The conventional Russian family was not totally inimicable to the gender non-conformity, and homosexual relations, in its midst. Families strove to contain, control or accommodate these phenomena, often employing considerable adaptivity. Tsarist and early Soviet psychiatric case histories suggest that parents reacted with equanimity when female children displayed interest in boy's clothing and games. Tomboyishness and even failure to learn housekeeping skills was tolerated in childhood, but the same girl was expected to adapt at sixteen or so and agree to marriage.<sup>33</sup> Some families went to unusual lengths to accommodate gender and sexual dissent. Miss N.'s mother claimed she had "lost control" of her daughter as early as age twelve; yet this widowed matriarch and her family expressed only respect for her daughter's "love of work" and "energy" in her extraordinary chosen profession as manager of a horse-drawn cab service. Miss

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<sup>33</sup> In tsarist families, see Rybakov, "O prevratnykh polovykh oshchushcheniiakh"; Rozanov, Liudi lunnago sveta, 228-34; in Soviet-era families, Krasnushkin and Kholzakokov, "Dva sluchaia zhenshin ubiits-gomoseksualistok", 107; Shtess, "Sluchai zhenskogo gomoseksualizma", 8.



N., who supposedly had an annual allowance of "3-4 thousand [rubles]", kept her business finances separate from her mother's household accounts. There was not a relationship of economic dependency. When the psychiatrist Chizh considered this young woman's development, he concluded that "with more discipline in her upbringing and life, the matter would not have gone as far as it had".<sup>34</sup> Perhaps Chizh implied that the lack of a firm paternal presence in the family had allowed Miss N.'s "many peculiarities" to arise.

Families adapted to the personal characteristics of gender dissidents in their midst, and despite Chizh's implied faith in paternal gravitas, fathers too could be indulgent when it came to daughters' refusals to be socialized into feminine roles.<sup>35</sup> In the first decade of the twentieth century, Evgeniia Fedorovna M.'s expulsion from school for refusing to wear a skirt was accepted by her father who educated her at home, and later arranged for her to write external gymnasium examinations.<sup>36</sup> In 1919, a teacher, Ol'ga Shch., lived in a household in Ozery, near

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<sup>34</sup> Chizh, K ucheniiu ob "izvrashchenii polovogo chuvstva", 12, 16.

<sup>35</sup> According to a biography, probably highly edited, in Rozanov, paternal indulgence facilitated deviance. Rozanov reported that one Mariia Bezobrazovaia managed in the 1870s to convince her father, who allegedly shared the opinions of reactionary Prince Meshcherskii on the question of women's "freedom", that she could and should receive an education. Bezobrazovaia's father eventually employed her as a secretary (then a 'male' occupation) in his publishing concerns. Rozanov, Liudi lunnago sveta, 244-46.

<sup>36</sup> Edel'shtein, "K klinike transvestitizma", 273-74.

Moscow, consisting of her brother Boris and an adult sister. That year Ol'ga invited 16-year-old Valentina P., with whom she had been having a sexual relationship for over a year, into her home after the teenager was orphaned. They shared a bed and continued a love affair until 1922, when quarrels over Valentina's membership in the Komsomol destabilized the liaison. During this time Ol'ga's siblings adapted to the lesbian relationship under the family roof, referring ironically to Valentina as "your [Ol'ga's] husband" and noting that they kissed "not the way women kiss, but another way". Yet the teenager's growing dishonesty and violence led Boris to cut short the family's experiment in adaptation. He forbade further contact between Ol'ga and her lover, even summoning his sister home from a factory-teacher posting in Saratov (where Valentina had followed), and apparently persuaded Ol'ga to consider offers of marriage from local men.<sup>37</sup> Standing in for the absent patriarch, Boris reasserted masculine authority in his family, and attempted to reimpose heterosexual norms of behaviour on his sister.

A little later, another family accommodated a gender and sexual dissent in its midst for financial reasons, since the "female homosexual" it harboured was a capable market trader. When in 1925 she was arrested, and was eventually given a course of hypnotherapy to 'cure' her, authorities returned her to a different, better-off branch of her family for surveillance. The

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<sup>37</sup> Brukhanskii, Materialy po seksual'noi psikhopatologii, 53-54, 57; Krasnushkin and Kholzakova, "Dva sluchaia zhenshchin ubiits-gomoseksualistok", 117.

police apparently did not trust her closest relatives to restrain her from donning a Nepman's garb and returning to the marketplace; these siblings had grown dependent on her earnings.<sup>38</sup> The use in this instance by authorities of the heterosexual family as a site for the rehabilitation of a social 'misfit' was unusual in Soviet psychiatric literature about the homosexual. What was more common in this discourse was the degree of adaptability families displayed. Families thus did not simply expell 'homosexuals' from their midst, but often exerted some effort to accommodate or adapt to the sexual or gender dissident member.

Beyond the ties of the biological family, Russian women who experienced same-sex desire and who possessed sufficient resources established their own households, and in urban centres even circles of like-minded friends. These circles formed the beginnings of a "lesbian" subculture among women of the tsarist intelligentsia. As Diana Lewis Burgin has established, the word "lesbian" was little used; these women only sporadically expressed a sense of selfhood defined by a specific sexuality. Nevertheless, the case of Miss N. from the Petersburg of the early 1880s indicates that there were prosperous women-loving women who crossed class boundaries to express their desire with prostitutes open to the same sexual tastes. Another Petersburg psychiatric case dating from 1898 described the somewhat less affluent, but equally adventurous, "Z., a virgin, 20 years old,

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<sup>38</sup> Shtess, "Sluchai zhenskogo gomoseksualizma".

from an extremely degenerated family" of provincial gentry origins. She had begun an erotic affair at the age of 18 with another woman, who was apparently kept as a gentleman's mistress. Z.'s interviews with her doctor emphasized the cohesion of what she referred to as "our circle" (nash krug), a group of women who had mutual relations:

The patient affirms that women such as her, i.e. [women] loving women, are found not at all infrequently; they among themselves form a kind of particular world. Such women recognize each other by manners, expressions of the eyes, mimicry and so on. She herself learned to discern such women virtually from her very first experience. 'We,' the patient says, 'in no way become jealous when the object of our love belongs to a man: we know that that woman (only of course if she belongs to our circle) cannot love her husband and only fulfills her role passively. But it is a different matter if a beloved woman gives herself or pays attention to another woman: then we feel a strong jealousy and we are prepared to set off a great scandal or dispute.'<sup>39</sup>

In this case, Z.'s family had compelled her to refer to the psychiatrist for advice about her sexual difference; it appeared that her financially straitened parents had counted on her to accept one of the many proposals of marriage she had recently rejected. Yet Z. was more keen to remain in the company of her "circle" of female friends. Other contemporary reports of same-sex perversion between Russian women of upper class families tended to evade any mention of a social world formed by the female perverts themselves.<sup>40</sup> In Russia's literary salons of the

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<sup>39</sup> Rybakov, "O prevratnykh polovykh oshchushcheniia", 8.

<sup>40</sup> "Misha" in I. M. Tarnovskii's 'trptych' of cases had had several successive girlfriends, but the gynecologist's narrative obscured any reference to a milieu of same-sex

late Imperial era, the discourse of lesbianism in all its French "vocabulary and stereotypes" remained an exotic spectacle for the male gaze, and "lesbians" were a decadent species confined to an indoor, artificial world and isolated from any social roots. Burgin has argued that virtually all "lesbian" authors of this era consciously suppressed information about their sexuality in their public writing and utterances. Once the possibility of lesbian love had been acknowledged in imitation of the French aesthetic canon, with the publication of Lidiia Zinov'eva-Annibal's Tridtsat' tri uroda (St Petersburg: 1907), salon culture embraced sexual ambiguity within the confines of this aesthetic discourse, and certain salons became stages where these ambiguities might be paraded.<sup>41</sup>

Conditions for the survival of tsarist bourgeois salon culture which might have harboured continuing explorations of sexual dissidence "eroded and finally collapsed" in the two decades following the October Revolution, according to Beth Holmgren.<sup>42</sup> Significant figures who had contributed to the elaboration of aestheticized sexual ambiguity (Zinaida Gippius,

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relations; see Engelstein, "Lesbian Vignettes", 827-28; see also Rozanov, Liudi lunnago sveta, 234.

<sup>41</sup> Burgin, "Laid Out in Lavendar", 181-94; Holmgren, "Stepping Out/Going Under", 233-34; Karlinsky, "Russia's Gay Literature and Culture", 354-56. The influence of the fin-de-siècle fashion for lesbian tableaux-vivants in France's licensed brothels (Sautman, "Invisible Women", 187) on male bourgeois tastes cannot be discounted as a factor contributing to the rise of a more aestheticized salon discourse of "lesbianism".

<sup>42</sup> Holmgren, "Stepping Out/Going Under", 234.

Marina Tsvetaeva) emigrated during the revolution, and those who remained, especially Sofiia Parnok (1885-1933), endured an increasingly unstable material and political situation. An unabashed celebrant of mutual female relations in her verse, Parnok led a bohemian existence without a permanent address, supporting herself on the margins of intellectual work with a succession of poorly paid publishing and translation commissions in the 1920s and early 1930s.

Translator and photographer Lev Gornung (1902-1993) was an intimate friend of Parnok and one of her partners, the mathematician Ol'ga Tsuberbiller. Gornung's description of their dress and intellectual circle fleetingly opens a window on what Burgin has described as "the totally closeted lesbian subculture, which was well-represented in the theatrical, artistic and university communities" of Russia.<sup>43</sup> Of Parnok and Tsuberbiller, Gornung observed,

They dressed very simply, and almost alike, always wearing severe, almost masculine attire consisting of jackets and skirts with hems below the knees. Both of them wore shirts and ties. Their shoes were invariably the same style of brown, low-heeled oxford.

Parnok's biographer Burgin posits that such "almost masculine" dress was a signal of their sexual preference, an urban code which could be read by other women who loved women. Photographs of the poet and the mathematician from the mid-1920s suggest that they consciously manipulated this code, wearing shirts and ties only in the city, and donning skirts and dresses to avoid

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<sup>43</sup> Burgin, Sophia Parnok, 261.

"unwanted attention" when visiting the countryside.<sup>44</sup> Another fragment (again, the product of a man's observation) from Parnok's biography recorded an awareness of this nascent subculture, and perhaps linked it teasingly to the streetwalkers of Moscow's Tverskaia-Iamskaia street. In a friendly parody on one of Parnok's most overtly homosexual verses, a member of her literary circle wrote:

"Some intractible girls find a girlfriend more dear  
than a boyfriend"/  
Not for masculine hearts have my arrows been sharpened  
by Love/  
So she sang in Piéra (on the Fourth, on Tverskaia  
Iamskaia)/  
The sister of Sappho, a daughter of Lesbos true-blue./  
Well, one can't argue tastes. Blest she who embodies  
the feat/  
Of the girlfriend of girlfriends here on Tverskaia  
Iamskaia streets.<sup>45</sup>

The deterioration of Moscow's salon culture by the late 1920s meant that this liminal space of the domestic flat as semi-public stage gradually contracted, and the possibilities for a cultural lesbianism did with it. Homosexual relations between women endured in Moscow and Leningrad of the 1930s, but they retired

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<sup>44</sup> Ibid. Photographs of the two women, many of them taken by Gornung who was a tireless recorder of their excursions, see *ibid.* photographs following 134, especially figures 18-23. For more on Gornung, see Veronique Garros, Natalia Korenevskaya, and Thomas Lahusen, eds Intimacy and Terror: Soviet Diaries of the 1930s (New York: New Press, 1995), 99-107.

<sup>45</sup> Verse by M. Vazlinskii (1924), archive of Mariia Shkapskaia, RGALI, cited in Burgin, Sophia Parnok, 183-84. On the use of this Moscow district by relatively high-class female prostitutes, see Gurvich, "Prostitutsiia, kak sotsial'no-psikhopatologicheskoe iavlenie".

behind the screen of domestic life. In the 1930s, it was only in the private world of the home that individuals were able to preserve Parnok's legacy of a discourse of lesbianism in Russian verse. Tsuberbiller kept Parnok's photograph adorned with flowers in her flat, and their circle of friends continued to meet after the poet's funeral in 1933; the flat and this circle constituted one of the sites within which alternative voices could be preserved under the severe constraints of stalinism.<sup>46</sup> In a more prosaic example, the Party member and researcher Irina Stepanova, brought before the Moscow city court in 1940 for having sexual relations with an "immature" teenage girl, "for more than ten years had engaged in an unnatural sexual life with various women ([in other words] lesbian love)", in Leningrad. Presumably, during this decade Stepanova had successfully concealed her private, romantic affairs from the intellectual and Party circles to which she belonged, by exploiting domestic space. It is plausible to speculate that the "various women" whose connections with Stepanova were reduced to the merely physical in the court record may have constituted a network of friends or a circle of like-minded women, protecting their emotional links behind the closed doors of their flats or rooms. Stepanova's "lesbian" way

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<sup>46</sup> Sofiia Poliakova, "Poeziia Sofii Parnok." In Sofiia Parnok: Sobranie stikhotvorenii, ed. S. Poliakova. (Ann Arbor: Ardis, 1979), 36. On the domestic sphere and women's role as bearers of witness to repression (although usually of husbands), see Beth Holmgren, Women's Works in Stalin's Time: On Lidiia Chukovskaia and Nadezhda Mandelstam. (Bloomington & Indianapolis: Indiana University Press, 1993), 9-10.



of life was only uncovered when police finally searched her flat and confiscated a diary.<sup>47</sup>

If there was any sign of a Russian lesbian subculture moving into the public realm of urban streetscapes and society at large, it was in the "almost masculine" styles cultivated by some women. Medical and lay sources confirm that, at least in an urban setting, the 'masculinized' woman was a fixture of Soviet society, adopting styles of dress and behaviour which at least metaphorically facilitated the occupation of masculine social terrain.<sup>48</sup> The mannish Bolshevik female was the subject of

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<sup>47</sup> Prigovor Stepanovy (1940), l. 17. A Russian emigré interview subject commenting on her encounters with homosexuals in 1930s artistic and Party circles pointed to the existence of women who had affairs with women, hiding behind the veil which concealed privileged living standards enjoyed by officialdom, Harvard University Project on the Soviet Social System - Schedule "A" Interviews (1950-1953), Interview no. 386, 58-59.

<sup>48</sup> Virtually all Soviet psychiatric, forensic medical and sexological cases describing "female homosexuals" of the 1920s featured urban women, and except for some prostitutes and one NEP-trader, most were white-collar employees, students, soldiers or unskilled workers. Twenty-two women are identified as "female homosexuals" in the following literature. Case histories from forensic psychiatry: Brukhanskii, Materialy po seksual'noi psikhopatologii, 53-61, 62-65; Krasnushkin and Kholzakova, "Dva sluchaia zhenshin ubiits-gomoseksualistok"; one case ('Fedosiia P.') occurring in these first two texts is also discussed in: V. A. Riasentsev, "Dva sluchaia iz praktiki. 1. Gomoseksualizm?" Sudebno-meditssinskaia ekspertiza (2 1925): 152-56. Other cases: Shtess, "Sluchai zhenskogo gomoseksualizma"; Edel'shtein, "K klinike transvestitizma"; Krasnushkin, Prestupniki psikhopaty, 11-13. From clinical psychiatry: V. P. Osipov, Kurs obshchego ucheniia o dushevnykh bolezniakh. (Berlin: RSFSR Gosizdat, 1923), 355-56, 365; N. I. Skliar, 'O proiskhozhdenii i sushchnosti gomoseksualizma' Vrachebnoe delo (24-26 1925): 1919-23; Ia. I. Kirov, 'K voprosu o

considerable foreign scrutiny in the early Soviet era.<sup>49</sup> Women who donned collars and ties, trimmed their hair like a man's, and walked with a businesslike, manly gait, were neither always drawn to their own sex, nor unique to Soviet Russia of the 1920s and 1930s. But the outward symbols of masculinity, which were associated (perhaps more by popular perceptions of fashion and politics, than Bolshevik intentions) with women's emancipation, were replete with positive value. Masculine styles were used by some female homosexuals as a semaphore code to like-minded women. Some adopted a masculine style not merely because they wished to resemble men, but because they wished to attract other women.<sup>50</sup>

Until the stalinist revision of femininity of the mid-1930s, women who chose to occupy masculine social roles who happened to

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geterotransplantatsii pri gomoseksualizme' Vrachebnoe delo (20 1928): 1587-90. Two cases from a sexology survey: I. G. Gel'man, Polovaia zhizn' sovremennoi molodezhi. Opyt sotsial'no-biologicheskogo obsledovaniia. (Moscow & Petrograd, 1923), 119-21.

<sup>49</sup> Visitors from Western nations often noted the 'masculinized' female in the USSR. Their perceptions reflect their home societies' anxieties about the modernization of gender roles, and the Soviet role in forcing the pace of that process. Ernst Lubitsch's 1939 satirical film "Ninotchka" allowed the sexually ambiguous Greta Garbo to catalogue the West's anxieties about the Soviet threat to femininity, in her portrayal of the title role. For examples of impressions of female masculinization in foreigners' accounts, see John Littlepage and Demaree Bess. In Search of Soviet Gold. (London: Harrap, 1939), 45; Ethel Mannin, South to Samarkand. (London: Jarrolds, 1951), 92.

<sup>50</sup> Psychiatrists occasionally published photographs of their patients in the masculine clothing they wore when first presented themselves to doctors; Shtess "Sluchai zhenskogo gomoseksualizma"; Kirov, "K voprosu o geterotransplantatsii pri gomoseksualizme".

be "happy, well-adjusted Lesbians", were tolerated as part of the revolutionary social landscape.<sup>51</sup> Women in the uniform of the Red Army or militia enjoyed a sufficient degree of acceptance that even acknowledged "masculinization" in these individuals was not always viewed as a serious problem by experts.<sup>52</sup> Their image as energetic and enterprising participants in the new society's political, economic and military life earned the so-called "active" (that is, imitative of 'masculine' traits) female homosexual admiration from some quarters.<sup>53</sup> Some women evidently sought to manipulate this stereotype to realize their own sexual desires and personal objectives.

Female homosexuals who manipulated the symbols of masculinity in this era successfully, for this very reason attracted little attention from the authorities. We consequently have only occasional references to them such as the passage from Gornung's diary cited by Burgin. These successful individuals were probably able, as the widow and intellectual Tsuberbiller was, to disguise their same-sex desire behind a series of claims

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<sup>51</sup> Ella Winter, Red Virtue: Human Relationships in the New Russia (London: V. Gollancz, 1933), 169, quoting Moscow psychiatrist Lev Rozenshtein.

<sup>52</sup> For example, the psychiatrist A. K. Rakhmanov's 1929 comments on a "more masculinized" woman in uniform in his acquaintance indicated she was a competent worker and harmed no one by her failure to marry, GARF, f. A482, op. 25, d. 478, ll. 86 ob.-87.

<sup>53</sup> L. G. Orshanskii, "Polovye prestupleniia. Analiz psikhologicheskii i psikhopatologicheskii." In Polovye prestupleniia, eds A. A. Zhizhilenko and L. G. Orshanskii (Leningrad-Moscow: Rabochii sud, 1927), 88-89.

to respectability: her education, her previous marriage, her "quiet" way of life. Soviet Russia's "lesbian subculture" literally spoke "half-voiced", evaporating as soon as it might be broached.<sup>54</sup>

(iii) "I want to be a man"

A 23-year-old female respondent to Izrail Gel'man's 1923 sex survey of Moscow's Sverdlov University students wrote at the conclusion of her "confession" of her career as a "homosexual": "I want to be a man, I impatiently await scientific discoveries of castration and grafting of male organs (glands)."<sup>55</sup> Her faith that one day, science would be able to give her the biological attributes of masculinity (and that a surgical intervention would confer manhood upon her) was not exceptional. Nor was her desire to "change sex" unusual among so-called "homosexuals" of the 1920s. The medical techniques of gender reassignment in 1920s Russia were as primitive and unsuccessful as those in the West. Despite such limits, clinical psychiatrists, and biologists engaged in the emergent study of the mechanisms of sex differentiation, were sought out by 'homosexuals', who believed these experts could transform them into beings of the opposite

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<sup>54</sup> "Half-voiced" (Vpolgolosa) was the title of Sophia Parnok's last published collection of verse, issued in a tiny edition in 1928, Burgin, Sophia Parnok, 224-25.

<sup>55</sup> Gel'man, Polovaia zhizn' sovremennoi molodezhi, 120.

sex.<sup>56</sup> Other 'female homosexuals' turned to more traditional methods of appropriating the privileges of masculinity, effecting self-transformations with clothing and gesture which allowed them to be received in early Soviet society as 'masculinized' or indeed as 'men'. If some of these performances of gender constituted signs of an embryonic modern lesbian subculture, more extreme or total transformations typified the survival of the traditional 'passing woman' in Russian culture.

Gender marginality in itself was not a modern or imported phenomenon in Russia. Masculine women (and feminine men) were already sufficiently common in the everyday experience of nineteenth-century Russians of far-flung regions that a number of words had been coined, apparently by peasants, to name and describe them. The lexicographer Vladimir Dal' who gathered his material during the 1830s to 1850s in central Russia found that the manly woman was known as muzhlanka, muzhlatka, borodulia, suparen', and razmuzhich'e. Dal' reported that his informants defined these women as "resembling a man in their appearance, movements, voice, etc.", or "by structure, by body formation"; they might even approach the condition of a "hermaphrodite-woman"

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<sup>56</sup> In the 1929 meetings of the Expert medical council of the People's Commissariat of Health, psychiatrist P. Gannushkin and biologist N. Kol'tsov both told of treating patients who wanted to transform their biological sex: GARF, f. A482, op. 25, d. 478, ll. 85-87, described in Chapter 2. On contemporary Western sex-changes, see Bernice L. Hausman, Changing Sex: Transsexualism, Technology and the Idea of Gender (Durham & London: Duke University Press, 1995), 15-19.

(germafrodit-zhena).<sup>57</sup> The lexicographer found an analogous vocabulary describing the feminine male.<sup>58</sup> In addition, Dal' reported that the verb devulit'sia was used of men who "luxuriate, take women's habits, manners".<sup>59</sup> None of the words describing mannish women was reportedly used as a deliberate insult, but some terms for effeminate man (babatia, babulia) could "in this sense sometimes be abusive, like 'baba'".<sup>60</sup> The elaboration of a verb to describe male effeminacy suggests peasants exercised more judgmental scrutiny of this behaviour than of analogous activities on the part of masculine women (for whom no verbs were coined). The closest Dal' came to recording a critical estimate of the mannish woman was found in the entry for "borodulia". From Novgorod province he recorded the phrase "Borodulia ne muzhik" (A bearded lady is no man).<sup>61</sup> The saying reminded its audience that such a woman remained subordinate to

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<sup>57</sup> Vladimir Dal', Tolkovyi slovar' zhivogo velikoruskogo iazyka. (St Petersburg-Moscow: 1903-1909); see relevant entries for each term; for quotations, "razmuzhich'e", t. 3, 1532, "muzhlanka, muzhlatka", t. 2, 934. I am very grateful to Viktor Gulshinskii for bringing the Dal' entries discussed here to my attention.

<sup>58</sup> Ibid., see entries for devunia, devulia, babatia, babulia, razdevul'e; if married, the effeminate male was known as babiak, babenia. These terms denoted the "feminine-looking, beardless" man, an "effeminate" (zhenstvennyi) or "softy" (nezhenka); for quotations, "germafrodit" and subsequent synonyms, *ibid.*, t. 1, 859, "devunia", t. 1, 1267.

<sup>59</sup> Ibid., "devunia, devulia", t. 1, 1267.

<sup>60</sup> Ibid., "baba" and derivatives, t. 1, 86.

<sup>61</sup> Ibid., t. 1, 283.

the men around her, but it was not as bluntly abusive as some of the words used against effeminate males. In a patriarchal society, women who exploited their manly traits might acquire respect and status, whereas males who forsook their manhood caused more damage to their reputations. Rural and lower class Russians had an indigenous array of gendered terms to describe individuals who appeared or behaved like members of the opposite sex. They associated this gender marginality with hermaphroditism observed in domesticated animals, linking social qualities with the familiar phenomena of physical sexual indeterminacy.<sup>62</sup>

The existence of women who successfully live as men has been well documented for traditional European and non-European societies.<sup>63</sup> (Men too have been observed performing the female gender.)<sup>64</sup> It is important to make the distinction between this social pattern of identity appropriation, and the twentieth century sexual meanings which have often been attached to many forms of this performance. Homosexuality, transvestism and transsexualism are modern, Western constructs imposed on the

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<sup>62</sup> Ibid., "germafrodit", t. 1, 859. Dal' gives mezheumok as synonym for hermaphrodite, a person or thing lacking definite qualities.

<sup>63</sup> For Russia and Europe, see Nadezhda Durova, The Cavalry Maiden: Journals of a Russian Officer in the Napoleonic Wars Transl. Mary Zirin (Bloomington: Indiana University Press, 1988); Julie Wheelwright, Amazons and Military Maids: Women Who Dressed as Men in the Pursuit of Life, Liberty and Happiness (London: Pandora, 1989).

<sup>64</sup> Havelock Ellis Studies in the Psychology of Sex v. 7 ("Eonism and Other Supplementary Studies") (Philadelphia: Davis, 1928); Magnus Hirschfeld, Die Transvestiten. (Leipzig: 1910).

infinite varieties of human sexual and gender diversity. In certain cultures, the performance of a gender transformation was more significant than any accompanying same-sex erotic activity. Moreover, the disguise of a polar gender as intelligibly masculine or feminine was (and remains) a socially necessary performance for intersexual persons (hermaphrodites).<sup>65</sup>

Soviet psychiatry of the 1920s took an interest in women who convincingly occupied a male gender identity and in accordance with the evolving sexological categories of Western European science, labelled them "female homosexuals" and/or "transvestites". The life histories of these women reveal aspects of the 'masculine' social roles they consciously assumed. The reasons why some women decided to 'become' men by changing their identity documents, assuming male variants of their names, and altering their dress, manners and hairstyle, are hard to reconstruct. Same-sex desire might not have been the chief motive for their performances - they may not have been as "homosexual" as doctors claimed. It is quite possible these women were unaware

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<sup>65</sup> On traditional and non-European cultures, see Gilbert Herdt, "Introduction: Third Sexes and Third Genders", and René Grémaux "Woman Becomes Man in the Balkans", in Third Sex, Third Gender: Beyond sexual dimorphism in culture and history, ed. G. Herdt (New York: Zone Books, 1993); on the assumption and reassignment of polar gender roles by hermaphrodites in history, see Michel Foucault, Herculine Barbin: Being the Recently Discovered Memoirs of a Nineteenth-Century French Hermaphrodite (New York: Pantheon, 1980). The argument that gender transformation deserves its own history (independent of that of 'homosexuals' or other sexuality-based categories) is made in Leslie Feinberg, Transgender Warriors: Making History from Joan of Arc to RuPaul (Boston: Beacon Books, 1996).



of the existence of any 'lesbian subculture' in the capitals. They perhaps had less access to the possibilities available to 'masculinized' women who courted respectability while wearing selected pieces of male clothing (such as the collars and ties sported by Parnok's circle). Some women were clearly attracted by the full range of male participation in the revolutionary struggle, including the military life. The expression of the desire to become male ("I want to be a man") suggests that, had the technologies been available, some of these women would perhaps have presented themselves for hormonal and surgical gender reassignment. The assumption of a male identity could satisfy a range of sexual, social and personal ambitions for women engaged in these performances of gender.

One common feature in the life histories of women who "lived as men" in revolutionary Russia was fact that many apparently lived far from the capitals, the sites of the embryonic lesbian subculture, where this alternative to full gender transformation was evolving fitfully. The upheavals of the era in some cases also produced opportunities for self-transformation. The story of 'Aleksandr Pavlovich', a female homosexual 'NEPman', illustrates these factors. This "patient", described in 1925 by Dr. A. P. Shtess of the Saratov Bureau of Criminal Anthropology, had been trained and raised "like a son" by her father. The "patient's" childhood more resembled a boy's than a girl's, according to Shtess. When the family patriarch died in 1919, the "patient's" older sister, concerned that the wider household not lose the

market income she generated, compelled the young trader to marry a "weak-willed groom". The marriage ended after just three weeks, as the "patient", disgusted with conjugal relations, began to don masculine apparel and then ran away to Astrakhan', formally assuming the name 'Aleksandr Pavlovich'.<sup>66</sup>

For a period in Astrakhan 'Aleksandr Pavlovich' "continued to engage in trade"; presenting herself as a man in the marketplace, "she enjoyed a great success among the female traders". In 1920 she returned to Saratov as 'Aleksandr', resumed trade in small silver goods, and compelled her extended family to address her as her masculine persona. She began a series of romantic and sexual liaisons with women, including one relationship lasting two years during which the partners "considered the question of marriage".<sup>67</sup> 'Aleksandr's' assumption of a masculine social role was so complete, 'he' even gave vent to 'his' jealousy by giving this partner beatings, once hospitalizing her for two weeks.

This 'NEPman's' prosperity was sufficiently persuasive to quell disputes in the extended family over her assumption of a masculine identity. 'Aleksandr' lived for approximately four years in Saratov assisting her sisters' households financially

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<sup>66</sup> Shtess, "Sluchai zhenskogo gomoseksualizma", 5-8

<sup>67</sup> Presumably with the intention of convincing registry officials that 'Aleksandr' was in fact a man. Shtess described the clothing the "patient" particularly liked to wear: "a khaki-coloured military service-cap and jacket, invariably flared trousers, white shoes, a big man's ring on the little finger, and a riding-crop in hand". Ibid., 9.

with the proceeds of her market activities, which eventually included a large volume of gaming at cards ("orlianka" and "konfetka") as well as trade in silver. Her success at these forbidden activities led to administrative fines, brawls with rivals and clients, and conflict with the authorities until she was arrested in 1924 and later transferred to the Bureau of Criminal Anthropology for examination and compulsory therapy.<sup>68</sup>

Using a combination of Freudian psychoanalysis, 17 sessions of hypnotherapy, and "persuasion" (ubezhdenie), Shtess claimed he was able to completely "cure" this patient of her "homosexuality". Her willingness to relinquish her masculine identity (a point of resistance early in their encounter), was the ultimate proof of the doctor's successful intervention. The "patient" gave up smoking after her last hypnosis session,

her manners and behaviour are more feminine and reserved; to the question of having a child, she thinks for a bit and then expresses the wish to have a baby at some point; her mood is cheerful. On 13 October the patient signed out of the clinic, dressed in women's clothing.<sup>69</sup>

Shtess published photographs of this woman "before therapy" in her masculine garb, then naked ("Habitus") to reveal her body as typically female, not hermaphroditic, and finally "after therapy", docilely posed in a skirt. She was dispatched to a branch of the family which would not be tempted by her earning capacity as a 'man' to allow her to return to her old way of

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<sup>68</sup> Ibid., 10-11.

<sup>69</sup> Ibid., 12.

life. This "patient's" attempt to occupy a masculine gender role was the exterior manifestation of her "homosexuality", which the doctor said produced "internal conflicts with the [social] environment". Shtess regarded as pathological the fact that for four years, this "homosexual" had successfully negotiated those supposed conflicts - as a man.

'Aleksandr Pavlovich' was not an isolated, exceptional example of the "female homosexual" who deployed a masculine social persona over a sustained time period. Her interest in the turbulent world of the NEP market was mirrored by an apparently widespread attraction on the part of women "living as men", to the even more dramatic arena of soldiery.<sup>70</sup> The most widely discussed case of the female soldier as "homosexual" (and "transvestite") was described by psychiatrist A. O. Edel'shtein in 1927.<sup>71</sup> Evgeniia Fedorovna M. had represented herself as a man since being orphaned in 1915 at 17. During the revolution, she found work in the Cheka as a political instructor (politruk), in "investigatory-penal organs", and took part in "requisitions and searches of monasteries", later travelling to the Southern

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<sup>70</sup> The cases of women who posed as males in the army or Cheka forces include Evgeniia Fedorovna M. described in Edel'shtein, "K klinike transvestitizma"; a "case of transvestism and homosexuality" in Osipov, Kurs obshchego ucheniia o dushevnykh bolezniakh, 365; and 'P. A.' described in Skliar, "O proiskhozhdenii i sushchnosti gomoseksualizma".

<sup>71</sup> On Evgeniia see G. R. "Protssessy gomoseksualistov." Ezhenedel'nik sovetskoi iustitsii (33 1922): 16-17. Edel'shtein, "K klinike transvestitizma"; GARF, f. A482, op. 25, d. 478, ll. 85-87. The factual basis of Evgeniia's case is discussed in Chapter 2.

front where "she took part in operations against banditry". During this time she altered her identity documents to the masculine Evgenii Fedorovich; she also began to have sexual relations with a series of women.

In 1922, while posted by the GPU in a provincial town, Evgeniia met and courted "S.", a woman postal employee, and they concluded an officially registered marriage with Evgeniia presenting her altered (male) identity documents. Edel'shtein, who appears to have been able to interview S., reported at first this woman did not suspect that her 'husband' was not male. Evgeniia's ability or willingness to sustain her performance as a man faltered not long after the marriage. Rumours reached S. that Evgeniia was a woman, and Evgeniia finally admitted as much to her. This did not end the partnership, however.<sup>72</sup>

Evgeniia's indiscretion "brought attention to herself and doubt about her sex", apparently inspiring local authorities to charge her with a "crime against nature". The poorly constructed case against Evgeniia failed, and Narkomiust was compelled to recognize the two women's marriage as "legal, because concluded by mutual consent". The pair remained together for another two or three years. After S. had an affair with a male coworker, she had a child, which Evgeniia legally adopted, and the two women and the infant formed a family until Evgeniia's GPU regiment was transferred to Moscow. Evgeniia appears to have abandoned her wife and child to follow her soldiering career, only to be fired

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<sup>72</sup> Edel'shtein, "K klinike transvestitizma", 274.

in 1925 soon after arrival in the capital.<sup>73</sup>

The loss of her life in a man's uniform devastated Evgeniia, and she was unable to make a successful transition to civilian life. She began to drink, causing disturbances, and leading a promiscuous sex life with women, eventually acquiring a second (unofficial) 'wife'. In 1926 complaints began to accumulate that she was impersonating bureaucrats and party members for profit, and her drinking led to disorderly conduct. She found herself repeatedly before police and courts for hooliganism and "extortion", until Dr Edel'shtein examined her at the Moscow Health Department's Bureau for the Study of the Personality of the Criminal and Criminality. Throughout this decline and during the psychiatric observation, she continued her self-presentation as a man. The doctor did not report any attempt to 'cure' his patient, remarking cryptically that "the social future of such a subject is very difficult".<sup>74</sup>

Evgeniia's performance of a male gender role lasted for more than ten years. Others, like Dr Shtess's 'Aleksandr Pavlovich', sustained similar performances for considerable lengths of time.<sup>75</sup> Given more favourable circumstances, these women might

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<sup>73</sup> Ibid.; G. R., "Protsessy gomoseksualistov", 16.

<sup>74</sup> Edel'shtein, "K klinike transvestitizma", 282.

<sup>75</sup> "P. A.", a 26 year old manager of a medical clinic, spent one year in the Red Army as a commander (voenkom) impersonating a male, and after an unsuccessful marriage, a further three years using the same masculine persona, when observed by a psychiatrist in 1925, Skliar, "O proiskhozhdenii i sushchnosti gomoseksualizma", 1919-20.

never have been detected in their assumption of a masculine social position. These performances were not solely staged for the pursuit of material gain, or the opportunities of "living as a man" in a man's world. Same-sex desire was integrally connected to these women's desire to redefine themselves. They chose not only to become military 'men' or (in 'Aleksandr Pavlovich's' case) a gaudy NEPman, but to "chase after ladies" (ukhazhiyat' za baryshniami), to engage in "many affairs with women".<sup>76</sup> They found the masculine gender role well suited to satisfying this desire, and they eagerly exploited its potential.

Nevertheless, while exploring their same-sex desire these women wanted to remain physically female. Their "failed copies" of masculinity (in Judith Butler's phrase) reveal to us an otherwise hidden transcript of gender.<sup>77</sup> In an atmosphere where the transformation of the biological sex of animals was sensationally publicized, and the role of the sex hormones in the definition of biological sex was entering popular awareness,<sup>78</sup>

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<sup>76</sup> Ibid., 1920; quotations from Osipov, Kurs obshchego ucheniia, 365.

<sup>77</sup> Judith Butler, Gender Trouble: Feminism and the Subversion of Identity (London & New York: Routledge, 1990), 147.

<sup>78</sup> On the transformation of sex in animals, see M. M. Zavadovskii, Stranitsy zhizni. Istoriia odnogo issledovaniia (Moscow: Iz-vo moskovskogo universiteta, 1991). Popular awareness of sex hormone theories was promoted by journalism and cinema in the USSR during the 1920s, see M. O. Chudakova, "Posleslovie" in M. Bulgakov, Sochineniia: Roman, povesti, rasskazy (Minsk: Universitetskoe, 1988), 412-14; Mikhail Zolotonosov, "Masturbanizatsiia: "Erogennye zony" sovetskoi kul'tury 1920-1930-kh godov" In Erotika v russkoi literature: Ot

these women did not seek out scientific interventions to change their sex. Evgeniia, and Dr Skliar's 'P. A.', both knowledgeable about medical advances, were certainly aware of recent scientific developments regarding sex.<sup>79</sup> Other individuals (as noted above) were already presenting themselves by the late 1920s to Soviet medical professionals requesting surgical sex changes; Evgeniia, 'P. A.', and Dr Shtess's 'Aleksandr Pavlovich' were not among this cohort of precocious transsexuals.<sup>80</sup> In a "History of my illness" published by her psychiatrist, Evgeniia Fedorovna M. did assert that women of her type "consider their sex a

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Barkova do nashikh dnei (Literaturnoe Obozrenie. Spetsial'nyi vypusk), eds I. D. Prokhorova, S. Iu. Mazur, and G. V. Zyкова (Moscow: Literaturnoe obozrenie, 1992), 97.

<sup>79</sup> Evgeniia's "History of my illness (the brief confession of a person of the intermediate sex, a masculine psycho-hermaphrodite)", published as evidence of her "pseudologicality" by her psychiatrist, (Edel'shtein, "K klinike transvestitizma", 276-79), was later praised by psychiatrists for its grasp of foreign literature on the topic, in Narkomzdrav's Expert medical council, GARF, f. A482, op. 25, d. 478, l. 85-85 ob. In Skliar, "O proiskhozhdenii i sushchnosti gomoseksualizma", the patient P. A. had medical training and managed a clinic; she presented herself for treatment for addiction to opium, giving no apparent thought to the 'queerness' of her masculine persona. The doctor reportedly had to insist she don feminine clothing and remain in the women's ward. The virulence of his arguments against Magnus Hirschfeld's hypothesis that homosexuality is inborn and constitutes a natural human variation suggests he heard these from his patient.

<sup>80</sup> Nor apparently was one 'Andrei Ivanovich', a "female homosexual" representing herself as a man, living in Karaganda in a registered marriage with another woman, observed in the early 1960s, Derevinskaia, "Materialy k klinike, patogenezu, terapii zhenskogo gomoseksualizma", 117.



misunderstanding and wish to transform themselves into persons of the opposite sex", but she did not argue for surgery to effect the change. Instead, she pleaded for acceptance of "same-sex love...as a particular variation". She argued that once members of the "intermediate sex" were "no longer oppressed and smothered by their own lack of consciousness and by petty-bourgeois disrespect", their lives would become socially worthwhile.<sup>81</sup>

Evgeniia pleaded, in effect, for the social and political rights of the "intermediate sex" using arguments consciously borrowed from the essentializing, scientific justifications of homosexual emancipationism. Her assumption of a male gender persona, one traditional way for the sexually ambiguous to order their position in the world, was thus transitional, for she envisioned a world where gender and sexual ambiguity would be understood by medicine and respected in a knowledgeable society. The revolutionary faith in science to end archaic moral strictures, and to bring rationality to human sexual relations, was a powerful tool not only in the hands of Bolshevik legislators and medical practitioners, but in the hands of ordinary individuals who manipulated it to justify their own desires. Evgeniia Fedorovna M. wrote the "History of my illness" for her psychiatrist, explaining her personality in scientific terms, and elite psychiatrists acknowledged that her reading of

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<sup>81</sup> Edel'shtein, "K klinike transvestitizma", 279.

recent international scientific literature was impressive.<sup>82</sup> How much reading Evgeniia had in fact done is difficult to establish from existing sources. She dealt primarily with theories of "pseudohermaphrodites" and "psycho-hermaphrodites", terms which by the 1920s had been propagated by Krafft-Ebing and Havelock Ellis for persons who experienced varying degrees of desire for persons of either sex (a predecessor of our category of "bisexuals").<sup>83</sup> Evgeniia spoke of "pseudohermaphrodites as purely interested in same-sex relationships, echoing the concepts of apologists for same-sex love who used the term "intermediate sex" (srednii pol).

"Pseudohermaphrodites, both male and female, have a particular predisposition to same-sex sexuality", she argued, and "the attraction to a woman of a woman of the intermediate sex is just the same in nature as the normal man's attraction to a woman." The fact of a congenital predisposition was proved by the appearance of figures of the same sex in the subject's erotic dreams.

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<sup>82</sup> In opening the council's 1929 discussion on the "intermediate sex", Dr. Ia. I. Brusilovskii mentioned Evgeniia's "diary": "This is the diary of a very rich intellect. She knew languages and had the opportunity to make use of all the decisive foreign literature on this issue and her diary is a detailed report [doklad] in defense of her intermediate sex." GARF, f. A482, op. 25, d. 478, l. 85 ob. It is unclear whether Brusilovskii had access to an actual 'diary' or was simply reading from the published text of Evgeniia's "History of my illness".

<sup>83</sup> Alice D. Dreger, "Hermaphrodites in Love: The Truth of the Gonads." In Science and Homosexualities, ed. Vernon A. Rosario (London: Routledge, 1996), 59.

In sleep a person does not govern themselves, and if during involuntary erotic ecstasy the image of a woman and not a man appears to a woman, it means that such is her nature, which she is incapable of overcoming. These women are unable to reverse this attraction in them which from their point of view is natural, even if they wanted to. Once we come to accept that along with the usual love there exists same-sex love as well, as a particular variation, then we must make the logical conclusion and permit persons of the intermediate sex access to their form of sexual satisfaction.

Evgeniia argued that society must learn to distinguish between the signifiers of sex (external sex organs) and the determinants of sexual desire, which were "mental particularities... established by nature itself in the gonads". She borrowed verbatim from a tsarist apologist for the "intermediate sex" the assertion that science was well aware of the distinction:

Prof. [Sigmund] Freud justly points out that people who are in a sexual sense perverted ought not to be considered degenerates... No-one can consider people of the intermediate sex physically or mentally ill... One may count among the number of men with an abnormal deviation of sexual desire leading writers (Oscar Wilde, Whitman, Verlaine), artists (Michaelangelo) and musicians (Tchaikovsky), and this clearly proves it impossible to dismiss people of the intermediate sex to the category of the mentally and psychically disturbed."<sup>84</sup>

Evgeniia returned to her own words to argue that the scientific evidence about sexual intermediacy obliged society to deal humanely and rationally with people like herself.

It would be preferable when judging homosexual persons [gomoseksual'nye liudi] if their personality and mental capabilities were taken into account before all else, and not their actions, which are a private matter

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<sup>84</sup> Edel'shtein, "K klinike transvestitizma", 278. This passage of Evgeniia's "History" occurs in P. V. Ushakovskii (pseud.), Liudi sredniago pola. (St Petersburg: 1908), 199-200.

[chastnoe delo] just as for normal people. When people of the intermediate sex are given the right to do everything which does not break other laws, then they will undoubtedly strive to give their love the most noble hues possible... Society must finally admit the following fact. People of the intermediate sex are different from the rest only in one aspect... In all remaining aspects there is no difference between them and normal people whatsoever. They have the same characters, the same minds, the same wills. Not all have the same capacity and strength to govern their passions. Among people of the intermediate sex just as among normal people, there are weak-willed egoists and depraved individuals. That which society forgives in normal people must be forgiven in people of the intermediate sex. Excessive strictness will lead to undesired consequences.

In the "History of my illness", Evgeniia combined traditional ways of thinking about sexual ambiguity (as a form of hermaphroditism), with more recent scientific understandings (as a manifestation of anomalous function of the sex glands). The expression of the wish for self-transformation into a person of the opposite sex - so that her desire for women might make sense in a world overwhelmingly ordered according to a heterosexual norm - blended with the vocalization of a new identity, that of an "intermediate sex", of "homosexual persons". If the world could not reconfigure Evgeniia's "misunderstood" body with male sex organs, then it ought to recognize her sexual desire, her sexuality, as the misunderstood element of her being. In this fashion Evgeniia appropriated a language to explain and to vindicate same-sex desire.

## Conclusion

It would be unreasonable to look for a "lesbian subculture" where women were not in a position to establish one. Moscow of the 1920s was not Paris or Berlin, where same-sex relations between women found expression in an elite salon culture, in a commercial sector of sometimes louche bars and clubs, as well as in the disreputable worlds of the sex trade and prison cultures. The sites of a potential Soviet subculture of lesbians were constrained by material scarcity and a political mistrust of affluence and pleasure. The semi-public environment of the salon (making a public stage from domestic space) became constricted during the 1920s and died off in the fearful middle years of the 1930s. Networks and circles of like-minded women nevertheless exploited the regime's disregard for the home, and for them as 'homemakers', to preserve their affinities.

A code of 'masculinized' dress and manners enabled urban women who sought mutual erotic relations to recognize each other. There were pockets of tolerance for the mannish woman in military formations, and in academic or cultural institutions, which permitted some self-conscious "female homosexuals" to earn a living and apply their talents. These women apparently exploited the valorization of social and economic activity in the public sphere promoted for women by the revolution. Education and paid labour provided claims to socialist respectability which might deflect criticism for the failure to marry or produce children.

It appears that few women in this embryonic lesbian subculture came from the peasantry; nor did urban women who loved women flaunt their sartorial 'masculinization' in the countryside, reverting instead to a conformist femininity. "Lesbian love" supposedly required the oxygen of sophisticated city life, and early revolutionary Russia offered only a handful of cities with this degree of 'modernity'.

In the Russian intellectual imagination, the lesbian remained associated after the revolution with prostitution, and the single-sex environment of the prison. The link with prostitution was probably a continuation of late tsarist medical discourse, and if it reflected a widespread social reality, that was the reality of female unemployment and impoverishment. As a result of the abolition of licensed prostitution with the revolution, the peculiarly single-sex environment of the official brothel disappeared, and with it a potentially stable locus which had apparently sheltered homosexual relations between female sex workers. Women who turned to the sex trade under the new regime were compelled to adopt improvisatory housing and workplace arrangements. In such conditions, mutual assistance between sex workers, a feature of the culture of the tsarist brothel, perhaps extended to "lesbians" who worked as heterosexual prostitutes (as in the case of Sh. and L. in Moscow). Soviet women's prisons, concentration camps and labour colonies appear to have inherited from tsarist institutions a culture of female mutual relations based on a replication of male and female gender roles. The

sexual brutality in men's prisons, as means of enforcing a gendered hierarchy, was by some reports less prevalent in women's places of confinement. There, the hierarchy of kobel and kovyrialka was marked by more stability and emotional support, and formed the basis for 'family circles' within prison society. The Russian intellectual tradition regards these relations as indicative of criminality or lower class status, but such filters only serve to distance intelligentsia women from charges of homosexuality, and must be analysed more critically.

Women did not take control of urban spaces to express same-sex desire. Some, nevertheless, were able to find a site upon which to inscribe their hidden transcript: their own bodies. Through the performance of a 'masculinized' womanhood, or, more traditionally, of a completely male gender identity, some female homosexuals made their desire for their own sex intelligible within the confines of a culture which imagined the sex drive as universally heterosexual. By combing and reworking existing gender possibilities, such as the familiar phenomenon of hermaphroditism, or the exciting if far-off prospect of sex transformation performed by experimental biology, they inhabited one gender without abandoning another biological sex.

## Conclusion

In spring 1993, Russian President Boris Yeltsin signed a decree to decriminalize sodomy between consenting adults. Similar amendments to antisodomy statutes were then being enacted in other post-communist states, in an effort to harmonize legislation with the human rights standards set by the Council of Europe. Some gay observers questioned these states' commitment to the rights of their homosexual citizens, doubting if such legislative gestures were always genuinely backed by popular sentiment. Perhaps, they suggested, these changes were instead the unpalatable cost of achieving recognition (and financial support) from the wealthier nations of the West. Events in Romania, where lesbians and gays continued to suffer police surveillance and harassment, appeared to bear this out.<sup>1</sup>

These ambivalent elite and public attitudes were apparent in Russia as well. In a move timed to coincide with Yeltsin's 1993 decree, the journal Istochnik published documents relating to the 1933 enactment of the Iagoda-Stalin sodomy ban. The Archive of the President of the Russian Federation (APRF) released to Istochnik two very different sets of papers, from a single

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<sup>1</sup>

Russia's first post-communist criminal code (passed by the State Duma on 24 May 1996 and in effect from 1 January 1997), incorporated Yeltsin's 1993 decree, but in a departure from previous legislative language, included a specific article covering coercive same-sex offenses. See I. V. Smirnov, ed. Ugolovnyi kodeks rossiiskoi federatsii priniat gosudarstvennoi dumoi 24 maia 1996 goda. (St Petersburg: Al'fa, 1996), 64-65, art. 132.



archival file.<sup>2</sup> One set, the Iagoda-Stalin correspondence leading up to the 1933-1934 legislation, was presented against a side-bar reading "The real cause of events" (Podopleka sobitii), and the accompanying analysis drily noted "the OGPU took the legislative initiative in order to defend the socialist fatherland from such phenomena". The commentary preserved a formal distance from any overt criticism of Iagoda's initiative, although the use of Stalin's own words in the item's headline ("These scoundrels are to receive exemplary PUNISHMENT") may be read as characterizing his arbitrary and brutal rule. The presentation of this correspondence appeared, at least formally, to justify Yeltsin's decree as the elimination of a consequence of the totalitarian era.

At the conclusion of this item, a notation advised readers: "For a surprising continuation of this theme, see the end of this issue." There Harry White's reasonable and learned May 1934 letter to Stalin querying the theoretical basis for the new sodomy ban was reproduced, without commentary, under the unmistakably hostile headline "Humour from the special collections". This cynical juxtaposition of anonymously selected

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<sup>2</sup> APRF, f. 3, op. 57, d. 37. The first item, "Iz istorii Ugolovnogo kodeksa: 'Primerno NAKAZAT' etikh Merzavtsev'." Istochnik (5-6 1993): 164-65, cited ll. 24-26 from this file. The second piece, Harry White, "'Mozhet li gomoseksualist sostoiat' chlenom kommunisticheskoi partii?'" Istochnik (5-6 1993): 185-91, cited ll. 29-45 from the same file.

and edited texts (from collections not accessible to researchers)<sup>3</sup> signalled the Russian polity's on-going ambivalence with how the public transcript should incorporate notions of male homosexuality. Modernizing initiatives in the direction of individual human rights could be justified by demonstrating Soviet communism's arbitrary legislative and police practices. Yet simultaneously, neo-Stalinists who leafed to the end of the same Istochnik could take pleasure in noting that the vozhd' (leader) had sagely designated the foreign communist who dared to argue with him on this issue, "an idiot and a degenerate".<sup>4</sup>

In a similar fashion, female homosexuality had 'caught up' with the male version. Capitalism brought visibility. Voyeuristic images of lesbian chic were appearing with increasing frequency in the mainstream press, tabloids and domestic pornography. One luxurious lifestyle review, with advertisers including Rolls-Royce, Seagrams, Diesel Jeans and Dupont Lycra, found it profitable to put two stylishly clothed young women kissing each other on its cover, visible from every Moscow metro newsagent's stand in early 1996.<sup>5</sup> Meanwhile, in the parliamentary horse-

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<sup>3</sup> Such releases of archival documents, especially from APRF, have become a frequent political manoeuvre of the Yeltsin presidency, see R. W. Davies, Soviet History in the Yeltsin Era. (London: Macmillan, 1997), 111-14.

<sup>4</sup> White, "'Mozhet li gomoseksualist sostoiat' chlenom kommunisticheskoi partii?'" , 191.

<sup>5</sup> The magazine was Ptiuch no. 5 (1996). Other examples of the lesbian chic journalistic genre: Igor Shevelev, "Zachem vy, devushki, drug druga liubite?" Ogonek (21 (May) 1996): 52-53.

trading over Russia's first post-communist criminal code, "lesbianism" (lesbiianstvo) as a discrete variety of prohibited sex act, when inflicted coercively, was inserted into criminal law for the first time in the nation's legal history.<sup>6</sup>

Russia's public transcripts regarding same-sex relations began the twentieth century in a similar state of ferment. Tsarist jurisprudence and practices aroused criticism for their contradictory and unequal content. Timid reform failed in 1903 to eradicate a prohibition against voluntary adult sodomy which was virtually a dead letter in the capital and probably rarely enforced elsewhere. Privileged men flouted the law, most notoriously with the autocrat's approval. Urban young male prostitutes seemed to be both victims of terrible exploitation, and at the same time colluders in a commerce of bodies whose innocence had long been doubted by those who came in contact with "commercial catamites" in Petersburg's bathhouses and thoroughfares.

Liberals looked to decriminalization of consensual sodomy to resolve the ethical and legal contradictions of tsarist legislation. Socialists too wanted an end to exploitation of innocents, but they had also inherited, however faintly, the German Social-Democratic tradition of homosexual emancipationism. Once empowered, LSRs and Bolsheviki acted to decriminalize male homosexuality in the Russian republic. Their motives were mixed.

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<sup>6</sup> Smirnov, ed. Ugolovnyi kodeks rossiiskoi federatsii, 64-65.

In legislation concerning sex, they sought first of all to promote adult sexual autonomy and inviolability, within a framework of gender equality. To do this, they secularized, simplified, and medicalized legal discourse and procedures on sexual offenses. Male homosexual acts were no longer illegal as a result. Yet the Bolsheviks rejected rule-of-law principles, and viewed law as but one discourse through which to transform society.

During NEP, competing public transcripts on same-sex love and sex/gender dissidence prevailed, at least in European Russia. Emancipationist rhetoric enjoyed its heyday at international conferences (and possibly in psychiatrist's lecture theatres and private practices), but its political basis in Soviet Russia had never been strong. More robust were ambitions to transform humanity through improvements in education, health and the social environment. Bolsheviks did not analyse "homosexuality" as a single issue, but evaluated manifestations of sexual and gender dissidence according to their social and political priorities. Clerical "pederasty" was thus a political outrage demonstrating the hypocrisy of religion. Sodomy among the 'primitive' peoples of the USSR was a problem of byt, the conditions of everyday life such as the seclusion and veiling of women, the sexual harassment of males by other males, and the exploitation of innocent youths by procurers and parents. "Female homosexuality" could be alarming if it spread beyond a small, congenital minority; otherwise such persons might be useful so long as they obeyed the

law and remained discreet.

Soviet medical experts never fully claimed the gender and sexual deviant as their own to manage and interpret. In part this was because of the political economy of their professions: few resources could be allocated to forensic medicine, or minor psychiatry, in an impoverished country. Some practitioners accepted emancipationist readings of Soviet legislation: the sexual revolution included those homosexuals who remained harmless and productive. Others were swept up in the initial optimism that sex-gland transplants could cure homosexuality - an optimism which coincided with early revolutionary dreams of the late 1910s and early 1920s. Still others pathologized same-sex love and related deviant sex and gender behaviours, prescribing psychotherapy and apparently, incarceration. The Commissariat of Health's Expert medical council demonstrated in 1929 that Soviet public transcripts were fractured, contradictory, and not under the control of the medical profession alone.

The stalinist resolution of these competing discourses relied on a gendered strategy, a conscious set of legislative and ideological manoeuvres for homosexual men, and a less apparently deliberate policy-shift directed against women who loved women, in the 1930s. The revision of these public transcripts relied on the stalinist overhaul of gender roles more widely. Abortion and contraception bans, and strictures on divorce, along with promotion of femininity and middle class values, narrowed working women's autonomy and devalued their independence from men. Nazi

attacks on the masculinity of European and Soviet communists spurred the Stalin regime on to adopt an overt, vocal and increasingly complex analysis of homosexuality as typical of fascism, of bourgeois degeneration, and of traitors to socialism. Male sodomy became a bytovoe crime in the entire Soviet Union, as it had been from the beginning in Central Asian Soviet republics. The effects of these gendered policies remain difficult to trace, especially upon women. The international propaganda war over masculinity produced tragic consequences for male homosexuals inside the Soviet Union, just as it did for their counterparts in Nazi Germany. An unknown number of men were 'repressed' for homosexuality by political police, especially in the immediate aftermath of the rupture of relations with the new Nazi state. Many other men's lives were destroyed by conventional prosecutions for sodomy through the regular court system. Jurists in some cases did what they dared to mitigate the damage which the antisodomy statute wrought.

Despite these depredations, a surprisingly vigorous male homosexual subculture existed throughout the period under discussion; while an embryonic, more fragile female subculture existed during the 1920s, but would appear to have retreated from public view in the turmoil of the later 1930s. Male homosexuals exploited their privilege as men to use urban territories to express their sexual and emotional desires. The same privileges allowed some to become very mobile agents of a homosexual subculture. At least in NEP Russia, entertainments devoted to a

nascent homosexual culture of poetry, music and history were possible. Some men, who the 1930s courts referred to as persons "who facilitated the commission of sodomy", kept salons, organized parties and gatherings even apparently during the worst years of the Terror. A lively semiotics of mutual recognition continued to operate using gesture, glances and slang.

Women's versions of this world were not as elaborate in the public spaces of urban life. Nevertheless, a dress code of sorts did function in intelligentsia circles, partially concealed within a wider masculinization of women's manners in the early Bolshevik years. Such signals were probably confined to urban venues, where the 'new woman' of the revolutionary project was more prolific and less likely than her counterparts in the countryside to draw stares and ridicule. The long-standing female tradition of partial and full adoption of masculine clothes and/or identities would seem to have flourished in the civil war and NEP years. It was certainly much remarked upon by psychiatrists, who associated it with same-sex love, and by Westerners, whose exposure to journalistic excesses about the masculinized Russian woman predisposed them to see this phenomenon everywhere.<sup>7</sup> Women who appropriated entire male identities created themselves anew by inscribing their dreams on their bodies. They gained access to male privilege, including access to other women, by virtue of reinventing themselves as

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<sup>7</sup> Julie Wheelwright, Amazons and Military Maids: Women Who Dressed as Men in the Pursuit of Life, Liberty and Happiness. (London: Pandora, 1989).

members of the opposite sex.

For historians of the Soviet era, acknowledging the existence of traditions and experience of sexual and gender diversity in Russian and Soviet culture offers opportunities for new perspectives and paths of enquiry. The apparent compulsory heterosexuality of the region's cultures cannot be presumed to be 'natural'. If our narratives of Russian history are so dominated by the presumption of a natural, universal heterosexuality, it is worth asking whether in fact this is because 'there was no (homosexual) sex in the USSR', and therefore nothing to record, or whether historians have chosen to edit traditions of same-sex love and gender dissent out of the record. Russian patterns of sex and gender dissidence have been obscured behind a discursive Potemkin village populated by 'heterosexual', 'normal', 'natural' peasants, workers, intellectuals, Bolshevik revolutionaries, and stalinist cadres.

The relevance of sexual diversity to our accounts of early Soviet politics and administration is far from insignificant. It is not only a question of adding the lost possibility of homosexual emancipation to the great store of disappointments accumulated by the Soviet experiment. The fact of the loss of this liberatory potential should direct us to consider the wider question of diversity and how it was managed, degraded and suppressed by the Soviet system as it evolved. A productive framework for thinking about social diversity under Soviet rule is through the constructions placed on byt, the conditions of



everyday life. In this account of the history of 'homosexuality', byt appears repeatedly as a negative factor: if 'homosexuality' was present, it was as something faulty in the structure of daily life. Healthy byt would eventually cause homosexuality to wither away, an outcome regarded by many, probably most, Bolsheviks and medical experts as self-evidently desirable. This construction of homosexuality, as a defect susceptible to correction through social engineering, mirrored constructions of so many other sources of troublesome diversity in the Soviet Union.<sup>8</sup> Physical exercise, a single bed for every inmate or comrade, and sexual surveillance and enlightenment for the next generation would solve the problem of same-sex desire.

Consideration of the Russian and Soviet case should also give historians of queer sexualities new lines of enquiry to explore. The social history of male same-sex eros and of the male homosexual subculture in this region, in combination with the knowledge that medical stigmatization of the "pederast" was comparatively modest in Russia, contribute a new challenge to the Foucaultian assertion that psychiatry created "homosexuality", and the "homosexual" as an identity. In Russia, as in America, psychiatrists encountered a pre-existing male homosexual subculture which they described in their case histories; indeed,

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<sup>8</sup> An exemplary account of the Soviet encounter with diversity and its consequences is described in Yuri Slezkine, Arctic Mirrors: Russia and the Small Peoples of the North. (Ithaca & London: Cornell University Press, 1994); see especially Part III "Conquerors of Backwardness".

the subculture emerged and developed in spite of the far lower level of labelling practised by medicine in Russia. Scientific attention paid to same-sex eros in Western cultures was, of course, significant for the powerful understandings it claimed and the prospects of management and perhaps therapy it held out. Yet it was never so ambitious in Imperial Russia, and only momentarily so in the early Soviet republic. The influence of economic and social factors in constructing homosexuals' subcultures deserves deeper comparative examination, especially drawing from cultures beyond the Anglo-American orbit which has dominated queer historiography.

Historians also need to delve more deeply into the relationship between homosexual emancipationism and political movements of the left. Here there are clear implications in early-twentieth century socialist and communist attitudes toward diversity which require further exploration, and which would offer queer historians lines of enquiry linking their work with that of other marginalized groups. Moreover, there are implications about the dangers of social constructionist understandings of homosexuality, evident in the nurturist views of Soviet forensic psychiatrists, which contemporary queer theorists need to take into account. The adoption by Hirschfeld and his followers of an essentialist strategy from the late 1890s until the 1930s, so resonant in Evgeniia Fedorovna M.'s "History of my illness", and Harry White's letter to Stalin, was clearly a convincing conception of the self used by some individuals with

the courage to speak about themselves to power. Historians need to look more carefully at how ideas of essential or socially constructed homosexuality were incorporated by 'non-homosexual' socialists into their politics: how were emancipationists' arguments received and understood? Also of significance to queer historiography is the assertion that male homosexual subcultures, and perhaps female homosexual networks, appear to have withstood stalinist terror. The concealed pasts of homosexual mutual support and resistance, especially during the turbulent 1930s to 1950s, still need to be reconstructed.

For the emerging lesbian and gay communities of post-communist Russia, these stories of everyday survival and mutual support are a necessary addition to existing antihomophobic accounts of cultural heroes such as Sophia Parnok, Mikhail Kuzmin, and Sergei Eisenstein. Iconic figures are important for Russia's queer communities (especially in a culture which has always prized and privileged exceptional talent), yet of themselves they are not sufficient for the development of a sustaining historiographical narrative. The knowledge that one is part of a sexual and social tradition with long experience of the rigours of daily existence can be a source of strength in a culture which until recently has denied and devalued same-sex love. This awareness can be the starting point for a radical critique of traditional Russian gender and sex roles, and a pathway to the undoubtedly painful process of establishing a more open relationship between sexual and gender dissidence, and the

so-called 'natural' culture of the Russian mainstream.

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