

Russia's Reversal of Amendment to Article 116 in January of 2017: Tracing Why Female Victims of Domestic Violence Disappeared from a Dialogue on a Domestic Violence Law

Jennifer Belardo

Center of Interdisciplinary Studies, Davidson College

Background

In the summer of 2016 the Russian parliament and President Vladimir Putin signed into law an amendment that codified the criminalization of domestic violence.

The amendment drew harsh criticisms from the Russian Orthodox Church, several conservative Russian politicians, and activists focused on family values.

Less than a year later, on January 27th 2017, Russia formally rescinded the amendment, thereby softening the domestic violence law.

Analysis

The reversal of the domestic violence laws exhibits an attempt to find a new cultural narrative in post-Soviet Russia and President Vladimir Putin's initiative to position Russia as a cultural power rivaling the West.

As President Putin and the Russian parliament negotiated a huge policy reversal, female victims of domestic abuse were left out of the conversation

By examining the historic context, current obstacles in addressing domestic violence laws, and the timeline of the amendment's reversal this thesis will suggest that this swift reversal of legal code indicates a larger desire to promote Russia as an influential moral authority rather than address issues of gendered violence.

Methods of Examination

Russia's Legal History of Domestic Violence

- Tsarist Era- Legally acceptable to conduct physical discipline within the family. In court women were held to stricter standards than their male counterparts.
- The Soviet Union- Domestic violence was absent from the political and legal sphere. Typically prosecuted under "hooliganism."
- Post-Soviet Russia- Domestic violence is commonly prosecuted under battery. Domestic violence is not codified in Russia's legal criminal code.

Main Obstacles in Obtaining Justice for Victims

- Lack of statistics
- Not recognized as a separate offense under legal code
- Cultural concept of domestic violence as a "private matter"
- Most cases of domestic violence brought as private prosecutions
- Lack of national machinery
- Little support for civil society

Political Rhetoric

- President Vladimir Putin
- The Russian Orthodox Church
- The Russian Parliament (the Duma)
- The Russian Supreme Court
- Local activists

Conclusions

- Engrained cultural norms still shape domestic violence into a "private matter" not worthy of state intervention. Female victims are often ignored due to these norms.
- Conservative rhetoric framed the domestic violence law as a law that harms children rather than prevents gendered violence.
- The reversal of this amendment fits into a series of Russian initiatives that aim to bring Russia back to its supposed moral roots.

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