

The Sources of Russia's Transgressive Conservatism: Cultural Sovereignty and the Monopolization of *Bespredel*

Jardar Østbø

SOVEREIGNTY is a dominant theme in Russian hegemonic discourse. While all states have an interest in safeguarding their own sovereignty, the present Russian regime is *obsessed* with it (Makarychev & Medvedev 2018, 224–25; Borenstein 2019). The Russian regime views Russia's sovereignty and even the very concept of state sovereignty globally as under imminent threat. Culture and identity have become inalienable from this particular understanding of state sovereignty (Patrushev 2020). The notion that “culture is politics” is thus particularly relevant for this concept of sovereignty. The “cultural turn” in Russian politics from 2012 onwards (Suslov & Uzlaner 2019) has resulted in an increased securitization of culture in the wider sense—including values, morality, and social norms (Østbø 2017). The safeguarding of cultural sovereignty is seen as essential to Russia's existence as a state and nation. Artists opposing the “traditional values” agenda risk repression. Official Russia is increasingly conservative, culturally and politically, both in domestic and international affairs. It is precisely with reference to sovereignty that it seeks to preserve the established legal order and existing cultural and moral norms. Domestically, the Putin regime has propagated “spiritual-moral values”—at the expense of individual and artistic freedoms. Internationally, the Kremlin propagates a traditional understanding of Westphalian sovereign equality.

Paradoxically, this conservatism and obsession with what is to be regarded as “normal” are combined with transgressiveness. The contradiction between the obsession with laws and regulations on the one hand,

and the ability and will to circumvent, break, or refrain from upholding these, on the other, was already noted by Saltykov-Schedrin in the 19th century. This paradox is often explained in terms of Sakwa's theory of the "dual state" consisting of two competing political orders: In addition to the constitutional state, there is the administrative regime, "a tutelary order standing outside the normative state although not repudiating its principles" (Sakwa 2010, 185). However, introduced before the "cultural turn," this theory does not account fully for the regime's simultaneous instrumentalization of conservatism and transgression. Nor does it explain why transgression appears to have become a goal in itself, with access to transgression of the norms being monopolized and distributed by the state. The regime and its proponents are entitled to violate international law as much as the norms of decent public communication (Kukulin 2018, 226). By most international accounts, Russia blatantly violated Ukraine's sovereignty by annexing Crimea in 2014. The Russian regime almost routinely passes laws in breach of the spirit and sometimes the letter of its own Constitution. Criminal groups are used strategically by the regime as auxiliaries for certain tasks domestically and internationally (Galeotti 2017). Academics have referred to the regime as a kleptocracy (Dawisha 2015) or even a "thugocracy" (Ries 2020). Putin himself has, albeit selectively, adopted a gangster-like demeanour and language (Gorham 2005; Wood 2016)—not exactly what one would expect from a proponent of "spiritual-moral values." Pro-regime organizations such as the Cossacks and the National Liberation Movement (NOD) operate essentially as criminal thugs in their efforts to intimidate the liberal opposition and associated artists, and the "formerly outlaw" Night Wolves Motorcycle Club receives generous state funding, with Putin conspicuously riding with them at some of their events (Zabyelina 2019).

In this contribution, I offer a novel explanation of this contradiction of transgressive conservatism by looking beyond the allegedly weaponized postmodernism (Pomerantsev 2017) and short-term pragmatic calculations of a power-hungry regime. I argue that the phenomenon is, most of all, rooted in Russia's experience of neoliberal reforms in the anarchic 1990s, and the subsequent restoration of order, drawing on criminal culture and methods. To this end, I combine two theoretical approaches to sovereignty which have been so far largely kept apart. Namely, that of political science/international relations (particularly

Carl Schmitt) and that of cultural theory/anthropology (particularly George Bataille). Using examples from Russian domestic politics and foreign policy, I show why and how Russia, by its very transgressions, seeks to uphold a traditional concept of sovereignty. Firstly, I outline the concept of sovereignty and how Russia's understanding of it differs from the post-Cold War Western-dominated consensus, and how the Russian view of sovereignty is opposed to the liberal idea of cultural freedom. Consequently, I offer a brief account of the chaotic 1990s in Russia, where the gangster emerged as a symbol of sovereignty in a situation that was characterized by lawlessness and normlessness, best captured by the concept of *bespredel*,¹ rather than by freedom. I argue that criminal culture and methods have profoundly shaped the way in which the state re-established order under Putin in a *de facto* state of exception that was (re-)produced by the regime itself. I conclude that the Russian state's paradoxical role of a "transgressive conservative" in international relations, as well as in domestic politics and culture, stems from this by now habitual *modus operandi* of violating the norms of the order one aims to uphold.

Defining sovereignty

In political science and international relations, it is useful to distinguish analytically between internal and external/international sovereignty. Internal sovereignty refers to

the principle that within each political entity there is a structure capable of making authoritative determinations. [...] the basic claim of internal or domestic sovereignty is that decent human existence requires an independent authority structure capable of providing order and, ideally, justice and prosperity as well. (Krasner 2007, 1)

External/international sovereignty pertains to how relations between political entities are organized. A sovereign state has a defined territory over which it exercises autonomy without external interference, in return for its acceptance of other states' sovereignty over their respective territories. Although all states are different in size and actual influence, the principle of sovereignty implies that they are formally equal and have the right to

¹ See below for an explanation of the word.

enter treaties of their own choice. As argued by Krasner, this status is similar to that of individuals in a liberal society, in that every state has a set of inalienable basic rights (Krasner 2007, 1–2).

Sovereignty is often spoken of with reference to legality, and as such it is inextricably linked to transgression. Carl Schmitt famously defined the sovereign as “he who decides over the state of exception” (Schmitt 1985, 5), where the exception is “a case of extreme peril, a danger to the existence of the state, or the like” (Schmitt 1985, 6). Acts of transgression affirm the norm by breaking it. This is even more explicit in the writings of George Bataille, who used the concept of sovereignty differently, in terms of individuals, and saw it as “an aspect that is opposed to the servile and the subordinate” (Bataille 1997, 301). Its domain is “life *beyond utility*” (Bataille 1997, 302), beyond the rational calculations that make the individual work (suffer) today for the sake of receiving a reward tomorrow; to work in order to eat, and to eat in order to work (Bataille 1997, 302). Sovereignty is asserted through completely non-utilitarian, transgressive, and even wasteful acts. Crucially, Bataille was mainly preoccupied with sovereign *moments* that paradoxically can be regarded as upholding the order by transgressing its norms (Lemole 2005, 33–35).

The changing concept of sovereignty and Russia’s conservatism

The concept of state sovereignty has ancient roots that can be traced at least to the Roman Empire (Hinsley 1986). Modern state sovereignty, often called Westphalian sovereignty after the peace treaties that were signed in Westphalia in 1648, ending the Thirty Years’ War and laying the ground for the modern system of sovereign states, has also evolved over time (Bartelson 1995). Even a brief summary of this genealogy would exhaust the length of this contribution,² but what is important to emphasize is that the definition above is *ideal-typical*. Since the emergence of the modern concept of state sovereignty, stronger states have violated this principle whenever they deemed necessary (Krasner 1999). From the 1990s on, however, the norm *itself* was subject to change (Ikenberry 2011). Several man-made humanitarian disasters, such as the Rwandan genocide and the ethnic cleansing in the former Yugoslavia, contributed to problematizing the principle of unlimited

2 For more, see Bartelson (1995).

state sovereignty, as dictators could use it as a shield behind which they could engage in shocking barbarity against their population, with the international community sidelined. Towards the end of the decade, the general consensus in the West and Western-dominated international structures was that the state should be the servant of the people, and not the other way round, as expressed by Kofi Annan (UN 1999). As a result, states were now sovereign only insofar as the international community regarded their behaviour as acceptable (Deyermond 2016, 959). The adoption of the concept of “Responsibility to Protect” (R2P) at the UN World Summit in 2005 (UN 2005) reinforced and codified this revised understanding of the limits of sovereignty.

Russia vehemently opposes this new understanding of sovereignty, advocating for a *conservative* view. Indeed, Russia has become the most important “global defender of traditional conceptions of state sovereignty” (Deyermond 2016, 967), making “sovereignism” into an export strategy (Laruelle 2020). Officially, Russia is not against R2P *per se*, but remains a sceptic, and is a firm opponent of its third pillar, i.e. international intervention (Kurowska 2014, 497), being “particularly vigilant upon signs of sovereignty being downplayed or circumvented” (Baranovsky & Mateiko 2016, 52). In the latest edition of the Russian Foreign Policy Concept (2016), Western practice under R2P is not only criticized as a pretext for expanding geopolitical influence, but itself regarded as a violation of international law. Thus, Russia intends to “prevent military interventions or other forms of outside interference contrary to international law, specifically the principle of sovereign equality of States, under the pretext of implementing the ‘responsibility to protect’ concept” (Foreign Policy Concept 2016). This seemingly flies in the face of Russia’s stated intention to “protect compatriots” in the “near abroad,” which was one of the justifications for its actions in Crimea in 2014. The fact that it is consonant with Russia’s insistence on a multipolar world order and Russia’s right to establish the rules within its sphere of interests (Kurowska 2014), as well as its state-centered view of security (Baranovsky & Mateiko 2016), does not fully account for this paradox.

The West's liberal view of culture vs. Russian cultural sovereignty

Even for Western structures such as the EU and NATO, it can be argued that culture is securitized, in the sense that threats against “democratic values” and the rights of the individual are seen as threats against the very foundations of these international organizations (Williams & Neumann 2000; Sopo 2020). As long as this liberal framework is not challenged, there is a professed and real openness to a plurality of cultural expressions and even moral views. The essentially liberal conviction is that this is a moral imperative. But the ideas of pluralism and individual freedom also have a realist dimension, providing the West with “soft power” (Nye 2005). Artistic freedom was weaponized during the Cold War, when the US Central Intelligence Agency (CIA) covertly promoted American modern art abroad, especially abstract impressionism. The paintings of artists such as Jackson Pollock, as “art for art’s sake,” were the ultimate display of artistic diversity and intellectual freedom. The cynical overarching aim was of course to undermine Soviet-led communism by appealing to intellectuals in countries under Soviet hegemony as well as leftist intellectuals in the West (Saunders 1999). The tension between idealism and hardcore realism that was particularly evident in American foreign policy was seemingly resolved with the end of the Cold War, the idea of liberal democracy as the “End of History” (Fukuyama [1992] 2006), and the rise to prominence of the “democratic peace theory”: Since liberal democracies do not wage war against each other, it would be best for all, not only the US, if liberal democracy were exported to the rest of the world (D’Anieri 2019, 14). This includes, of course, an almost unlimited cultural freedom.

Russia’s approach is different. Cultural *sovereignty* is enshrined in the National Security Strategy. Cultural sovereignty is understood here as the very opposition to what is seen as Western interventionism through aggressive promotion of liberal values. The state has identified a need to protect Russian culture against the “globalization of unculturedness” (Neimark 2017) and

ослабление единства многонационального народа Российской Федерации путем внешней культурной и информационной экспансии (включая распространение низкокачественной продукции массовой культуры), пропаганды вседозволенности и

насилия, расовой, национальной и религиозной нетерпимости, [...] противоправные посягательства на объекты культуры. (Strategiia 2015)³

This is seen as a serious threat. In fact, the National Security Strategy (Strategiia 2015) refers to culture almost as frequently as to the military. The root *kul'tur-* is used 41 times, whereas *voenn-* and *voin-* (military or pertaining to war) are used 50 times. *Culture* is used in a wide sense, hence the document refers to the need to respect cultural differences globally and to preserve and strengthen Russian historical, cultural, spiritual, and moral values. There is also an entire section dedicated to culture. According to the strategy, culture is to be recognized as having a первостепенн[ую] рол[ь] [...] в сохранении и приумножении традиционных российских духовно-нравственных и культурных ценностей, укреплении единства многонационального народа Российской Федерации (Strategiia 2015, §82).⁴ Securing cultural sovereignty is thus seen as a concrete measure intended to strengthen national security both in the cultural sphere, and at large.

Whereas culture was a topic in the previous version of the document as well (Strategiia 2009), it was not as conspicuous; the notion of cultural sovereignty was thus a novelty in the 2015 version. In the political discourse in general, the notion of preserving Russian “traditional” culture as a means to safeguard Russian state sovereignty has become prominent. For Bayefsky, writing in the mid-1990s, the recent global concern with cultural sovereignty does not stem from the desire to protect cultural identity per se, but represents authoritarians’ and dictators’ strategies to secure non-interference, supremacy, and control (Bayefsky 1996). This is not entirely incorrect in the case of contemporary Russia. However, as I will argue, Russia’s concern with cultural sovereignty runs much deeper than that.

3 “the weakening of the unity of the multinational people of the Russian Federation by external cultural and informational expansion (including the spread of low-quality products of mass culture, propaganda of normlessness and violence, racial, national and religious intolerance, [...] illegal encroachments on cultural objects.” (All translations are mine.)

4 “leading role in the preservation and increase of traditional Russian spiritual-moral and cultural values, [and] the strengthening of the unity of the multinational people of the Russian Federation.”

Neoliberalism and gangster sovereignty in the 1990s

As has often been pointed out, Russia's experience of unprecedented artistic and intellectual freedom in the 1990s coincided with an equally unprecedented humiliation and economic deprivation, both for the Russian state and the average citizen (Levinson 2014). Although intellectuals and artists were now, in principle, free to write and create whatever they wanted, they were also deprived of economic or even ontological security. Under neoliberalism, individual liberties such as freedom of expression had become inseparable from the vision of a "competitive market." In practice, these liberties were conditional on the deregulation of the economy, privatization, and rollback of the welfare state (Whyte 2019, 444), the Russians' experience of which was particularly gloomy.

The 1990s were a period of high crime levels, with street gangs clashing in bloody battles over the control of territory (Stephenson 2015; Volkov 2002; Varese 2001). It is no exaggeration to say that the reforms led to *anomie* (Passas 2000). The state did not collapse, but the proverbial oligarchs fighting among themselves for the redistribution of assets exerted immense power over the executive (Hoffman 2011), and some of them even became members of the government. Russia was flooded with low-quality Western popular culture, whereas state-funded classical culture suffered in the enduring economic crisis. The newfound freedom of expression of the perestroika period had opened up a plurality of voices and lively debate in the media, but in the early post-Soviet years, several outlets became akin to mouthpieces for their owners or patrons in the fight for power and *activa* (Zasoursky 2004), whereas others would eagerly publish *kompromat* on anyone for a set fee (Ledeneva 2006, 72–4). More to the point, Russian news media and popular culture of the 1990s not only reflected the dismal reality of chaos, despair, upheaval, crime, corruption, poverty, and violence, but, more importantly, amplified these negative traits—albeit this time without the moral thrust (to expose in order to improve) that had been a driving force under perestroika (Borenstein 2008). Ordinary people had a sense of insecurity, of being adrift and lacking autonomy, purpose or control over their own lives (Gudkov 2000). The vast majority was unable to succeed under the conditions of competitive consumerism, where respect and recognition are earned through the display of consumer goods, and where the failure to do so leads to anxiety

(Hall, Winlow & Ancrum 2008). Under these criminogenic conditions (Hall, Kuldova & Horsley 2020), the gangster or lad (*patsan*) appeared as a new symbol of sovereignty. One of the rules they would follow, was that the “*patsan* is always right”—he is a source of law in himself (Stephenson 2015, 175). The transgressor is the rule-maker, and the guarantor and upholder of order.

‘Bespredel’ as a state of exception

Unlike the English word *freedom*, the Russian word *svoboda* has strong connotations of the absence of any restrictions or constraints. Whereas *freedom* is associated with individual rights, having a private space, and with being left alone, *svoboda* can be linked to boundless space, “wild behaviour,” and intoxicating freedom of movements (Wierzbicka 1997, 142). Writing in the late 1960s, Soviet dissident Andrei Amal’rik claimed that the average Russian understands *svoboda* как синоним слова «беспорядок», как возможность безнаказанного свершения каких-то антиобщественных и опасных поступков (Amal’rik 1969, 31)⁵ (ironically, he was arrested not long after the publication of the book). These anarchic aspects of the concept of *svoboda* are represented in a pure form in the notion of *bespredel* (literally “no boundaries,” “no limits”). Originating in the argot of organized crime inside and outside the Soviet prison camps, it denotes the total absence of any moral or legal order (Stephenson 2015, 44; Fedorova 2019). Originally, this pertained exclusively to the specific code of behaviour of the *vory-v-zakone*, who allowed for the use of violence when “necessary,” but saw excessive or unjustified use of violence as *bespredel*. Crucially, whoever dared to break the code and engage in *bespredel*, most seriously by using unnecessary violence, in so doing suspended the code as it related to them. They were not only outside the law, but also outside the *vory* code. Hence, the upholders of the code did not have to abide by the code when dealing with *bespredel’shchiki*. For instance, a whole group could be exterminated on the grounds that they had committed *bespredel* (Volkov 2002, 82, 195).

With the criminogenic social, political, and economic upheaval of the fall of Communism, prison language and culture spread to the

5 “a synonym of ‘*besporiadok*’, as an opportunity to engage in anti-social and dangerous acts with impunity.” *Besporiadok* could be translated as “mess” or “lack of order.”

mainstream, as it seemed able to reflect adequately the new realities (Stephenson 2015, 223–38). Whereas in the beginning of the 1990s, knowledge of English was seen as key to career advancement, by the end of that decade, knowledge of criminal jargon seemed to fill that very same function (Borenstein 2008, 201). In this context, *bespredel* has come to refer to the complete lack of legal or moral order in *civilian* society, but has arguably retained many of its criminal connotations (Borenstein 2008, 198). To fight *bespredel*, post-Soviet gangsters, like the *vory*, regard themselves as entitled to transgress the very norms of the order they seek to uphold or re-establish (Stephenson 2015, 245).

Wherever the state is weakened or retreats, criminal organizations readily step in to fill the void (Kuldova 2019). The 1990s saw a new gangster breed, the *avtoritet*, a criminal-businessman who in contrast to the *vor* would have interests also in the legitimate economy and in politics (Galeotti 2018, loc. 2402). Hence, the *avtoritety* were interested in establishing order. Indeed, in Russian popular culture of that decade, criminals were sometimes seen as the only ones capable of restoring order. *Bespredel* could be eliminated only by suspending the norms (Borenstein 2008, 210–18; Fedorova 2019). Such transgression can not only be seen as a means (being ruthless in order to bring the ruthless *bespredel'shchiki* to heel), but also as an end in itself, an act that *defines* the sovereign. *Bespredel* is similar to a Hobbesian (Hobbes [1651] 2017) state of nature (Stephenson 2015, 51; 2011). In a sense, sovereignty and *bespredel* are opposed to each other and at the same time inextricably linked. The sovereign is simultaneously inside and outside the law (Agamben 1998). Suspending the law in order to fight lawlessness is an essentially sovereign act by Schmitt's definition. The Soviet *vory* had the right to declare a state of exception and put themselves outside the code precisely to restore order (Borenstein 2008, 198). The *avtoritety* had a less rigid code of conduct, but the logic was the same.

In the international arena, post-Soviet Russia lost its superpower status, having to deal with the dissolution of the Soviet empire and NATO enlargement into its former zone of influence. Though the Western spirit was not hostile, it is no exaggeration to characterize the 1990s as a decade of continuous humiliation for Russia. The NATO bombing of Yugoslavia in 1999 was met with particularly intense outrage. The West presented the campaign as a “humanitarian intervention” de-

signed to stop Yugoslav repression and violence in Kosovo and prevent the escalation of the humanitarian crisis. The official political aim of the bombing campaign was “a peaceful, multi-ethnic and democratic Kosovo in which all its people can live in security and enjoy universal human rights and freedoms on an equal basis” (NATO 1999). But what for the West was a step towards a more rules-based world order, Russia saw as precisely the opposite: Russian Minister of Defence Igor’ Sergeev lambasted the campaign as “*bespredel*” (Volkov 2002, 82).

The biggest gang in town: the state takes over, 2000–2012

When Putin came to power, his programme was to restore order, build stability, and strengthen the state. He successfully dealt with the oligarchs’ infighting, protecting them from each other by establishing what was later theorized as a Limited Access Order (North, Wallis, and Weingast 2009), where access to resources is regulated by the state. From the outset, he distanced himself and his policies rhetorically from the preceding decade, cultivating the myth of the “miserable 1990s,” associated with, among other things, *bespredel* (Malinova 2018). In 2000, just after his installment as acting president, Putin used the concept of *bespredel* to justify the strengthening of the state, declaring that “without the legal system and the dictatorship of law, freedom turns into *bespredel*” (Volkov 2002, 82). However, as an adviser and later deputy of the mayor of St. Petersburg, he was in regular contact and on businesslike terms with the city’s criminal *avtoritety*, most prominently Vladimir Kumarin (Barsukov), a.k.a. “the night governor” (Dawisha 2015, 104–62; Reddaway 2018). He reportedly felt admiration (in addition to envy and fear) for us President George W. Bush precisely for being a “strong, rule-breaking leader” (Zygar’ 2015, loc. 3487). Instead of crushing the criminal networks, the state reached an informal agreement with the *avtoritety*, letting them know that the state was the “biggest gang in town” (Galeotti 2018, loc. 4566).

While restoring the state’s control, the methods used were sometimes very similar to the criminals’, relying on force, intimidation, blackmail, and *poniatiia* (informal “understandings”) (Dawisha 2015). What consolidated the unknown Vladimir Putin’s power in the first place was his resolve against Chechen *bespredel*. In the fall of 1999, after a series of apartment block bombings that were pinned on Chechen

terrorists, federal forces launched a second campaign against that republic's separatists. Though never proven so as to convince the bulk of international scholars, there is a persistent theory, backed up by journalistic and academic analysis, that these bombings were part of an FSB plot to bring Putin, the new prime minister, to the presidency (Satter 2017; Felshtinsky & Litvinenko 2002; Dunlop 2014). If anything, Putin definitely did not miss the opportunity to present himself as a man of action, and famously resorted to criminal jargon, declaring в сортире замочим (Putin 2009).⁶ In the protracted war that followed, Russian military operations were “dirty,” with forced disappearances, torture, summary executions, and mass killings, according to human rights observers (HRW 2001). Fighting *bespredel* with *bespredel*, Putin did not let the de facto state of emergency go to waste.

This was not the last time the regime thrived in exceptional situations. As stated by Krastev, “Schmitt’s definition of the sovereign as ‘he who decides on the state of exception’ perfectly fits the almost metaphysical role of the figure of the president in the Russian political system today” (Krastev 2006, 114). According to former Kremlin adviser Gleb Pavlovskii, the top members of the regime not only think in worst-case scenarios, but have problems conducting “normal governance.” As a consequence, he writes, the “Russian System”

has been engaged in a *struggle with normality* from the very beginning. [...] Since 1993, the Kremlin developed means of conduct that bypassed normality, falsifying it to more easily reach their targets. [...] The rejection of ‘normality’ started as a technology, but eventually became part of everyday life, and later it grew into contempt for the norm within Russia. (Pavlovsky 2015, 136; italics in original)

In this perspective, even the Ukrainian Euromaidan uprising in 2014, in many ways a nightmare come true for the Russian regime, was converted into a strategic resource (Pavlovsky 2015, 485), as it represented an existential threat legitimizing extraordinary measures at home. In the words of Boris Dubin, the sociologist, Russian society was brought into an “extraordinary mode” (*ekstraordinarnyi rezhim*) (Dubin 2014). A “social-psychological condition” corresponding to the legal term

⁶ “we’ll whack [the perpetrators] in the outhouse.”

“state of exception,” it is characterized by a high degree of support in the population for the regime’s transgressions of the norms of international law and even Russian law (Kukulin 2016, 224).

Russia’s transgressions on the international stage can be read in a slightly different perspective, as the transgressive reassertion of external sovereignty started a decade after Putin ascended to power. Initially, the young president was geared towards cooperation with the West, even after the campaign against Yugoslavia, and he offered the USA support in the “war on terror.” But in 2007, his frustration was evident, as he attacked the United States for its

greater and greater disdain for the basic principles of international law. And independent legal norms are, as a matter of fact, coming increasingly closer to one state’s legal system. [...] the United States [...] has overstepped its national borders in every way. This is visible in the economic, political, cultural and educational policies it imposes on other nations. (Putin 2007)

The Obama administration’s attempts to “reset” relations with Russia under President Medvedev from 2009 ended with the Arab Spring of 2011 and the mass anti-regime protests in Russia in 2011–2012. Since then, in Russia’s experience there has been no Westphalian order where sovereignty is respected by the international community, only *bespredel*, with widespread “humanitarian interventions,” colour revolutions, and forced regime change. Increasingly, throughout the Putin era then, and particularly since 2014, key Russian decision makers have become convinced that Russia is not only encircled by enemies, but indeed at *political war* with the West (Galeotti 2019). The war in Georgia in 2008, the 2014 annexation of Crimea, the continued intervention in the Donbas, the support of international outcasts such as Bashar Assad and Sudan’s Omar al-Bashir, the meddling in the US 2016 elections, the attempted coup in Montenegro in 2016, to mention a few examples of Russia’s “rogue” behaviour, of course all had their individual logic and were, to a certain extent, the products of particular circumstances and the regime’s short-term calculations. But on another level, it is entirely possible to see them as Bataillean “moments of sovereignty.” In an insecure or even lawless environment where individuals have little control over

their lives, some people strive for moments of (Bataille) sovereignty through risky behaviour and seemingly senseless acts of crime (Groes-Green 2010). This finding can be applied to the Russian nation's experience, particularly in the case of Crimea (see Gudkov 2014). Tellingly, the showman Stas Baretskii, a self-proclaimed "icon of the 1990s," stated: Путин сам из 90-х, такой браток, отжал Крым по-пацански и правильно сделал (Koval' 2015).⁷ Under a liberal world order, where state leaders who, in their own eyes, merely assert sovereignty, are increasingly seen as rogues (Derrida 2005, 102), such gangster-like manifestations of sovereignty are perhaps the logical consequence.

From sovereign democracy to cultural sovereignty

Russia's position on external sovereignty is inseparable from the ruling elite's view on internal sovereignty. Since Putin's first presidency, the regime has been fearing the specter of a "colour revolution" coming to Russia, and has devised various strategies to neutralize this perceived threat (Horvath 2013). With George W. Bush's re-election in 2004, Putin's entourage even feared that the US would directly intervene in Russia (Zygar' 2015). Vladislav Surkov, then deputy head of the Presidential Administration, introduced the concept of "sovereign democracy" in early 2006. The gist was that the sole source of power should be the Russian multi-ethnic people, and international relations should be organized as "a community of free communities (sovereign democracies)" (Surkov 2009, 9). Hence, Surkov saw Russian democracy as independent from contemporary Western and liberal standards. Based on a state-centered, top-down perspective, the concept of sovereign democracy signalled to the population that "we are a party wielding state power and a sovereign elite [...]" (Okara 2007). In effect, sovereign democracy was a lot less about democracy than about sovereignty.

However, having proven ineffectual in preventing popular protest in 2011–12 (which the regime saw as foreign-instigated), sovereign democracy was scrapped and replaced by a notion of cultural sovereignty. A version of conservatism, or at least a preoccupation with so-called "traditional" or "spiritual-moral values," has now become an important part of Russian domestic and foreign policy (Engström 2014;

7 "Putin himself is from the 1990s, such a badass, he grabbed Crimea *patsan*-style, and that's a good thing."

Robinson 2019, 185–214; Robinson 2020; Keating & Kaczmarek 2019). Influential conservative ideologists regard Russia as a guardian against nefarious global forces of chaos (Engström 2014) and as an alternative to the situation in the West, which they perceive as a moral *bespredel*. This conservatism is not a clearly defined ideology, but is opposed to what is presented as postmodernist moral relativism and multiculturalism, and focuses on traditional gender roles, patriarchal family values, and spirituality. It includes highlighting the boundary between “normality” and “deviance,” particularly with regard to sexual minorities (Kukulin 2018, 226). Hence, in the name of sovereignty, the space for free cultural expression in Russia has become narrower. Pussy Riot could operate more or less freely until 2012, when they were given harsh sentences in a showcase trial (Sharafutdinova 2014). “Where the idea of a plurality of ethical and aesthetic norms was widespread in the Russia of the 1990s, now the image of a single common and united Norm is being established” (Kukulin 2018, 223).

However, a persistent feature of contemporary Russian culture is the transgression of this conservative norm by state actors or actors aligned with the state, making them appear as “state-sanctioned holy fools” (Kukulin 2018, 223). To take one example, the above-mentioned Stas Baretiskii has performed several theatrical, mediatized acts demonstrating a rather extreme attitude of carelessness with a hint of self-destruction, accentuating the message of sovereignty, for instance in support of the self-imposed Russian counter-sanctions. In a number of YouTube videos, he demonstratively destroyed Western products, sometimes wounding himself in the process. In one instance he bit open a can of imported beer with his bare teeth (his trademark act), declaring that one should drink Russian beer instead (Importozameshchenie 2015). In a video that was published on the website of the Russian Army’s own TV channel, he smashed an iPhone and a tablet, urging, absurdly, the audience to use Russian iPhones and tablets (Zvezda 2015). Baretiskii also demonstratively set light to a significant amount of Euro and USD banknotes, putting the burning money into his mouth (Filin 2015). Finally, he set a BMW (ostensibly his own) on fire, narrowly escaping the flames himself and then leaving the scene in a Russian-produced Lada (Chernikov 2015). The highly absurd character of these performances only emphasizes the manifestation of Bataillean sovereignty. A walking

stereotype of a Russian 1990s *avtoritet*, complete with a golden necklace, shaved head, poor dental health, scarred face, a baggy burgundy jacket accentuating his obesity, and exquisitely bad manners, Baretskii epitomizes the image of the sovereign gangster.

Conclusions

The Russian state has monopolized *bespredel*, in the sense that the state, tasked with fighting *bespredel*, is entitled to implement extreme measures against whomever it defines as *bespredelshchiki*. This is arguably what made Putin popular in the first place (his ruthless and decisive action in Chechnya). But this mode of governance by state of exception remained even after (non-state) *bespredel* in Russia was eradicated. Most conspicuously, state *bespredel* is the main feature of Ramzan Kadyrov's rule in Chechnya, with widespread disappearances and extrajudicial killings. Beginning in Georgia in 2008 and increasingly since 2014, exceptional measures became distinctive for Russia as an actor in the international arena. Sensing that its sovereignty in the Schmittian sense is threatened, Russia has resorted to acts that have at least brought it Bataillean moments of sovereignty.

Since 2012, and to an even larger extent since 2014, the notion of cultural sovereignty has become politically significant in Russia. This has led to stronger pressure against non-conformists. At the same time, however, the conformists' transgressions of cultural and social norms have multiplied. Hence, with the "cultural turn," Russia's hegemonic ideology can be characterized as "transgressive conservatism." A combination of the Bataillean and the Schmittian theories of sovereignty allows us to better understand this phenomenon and sheds more light on it than the sometimes slightly condescending liberal perspective that often obscures the power dimension of its own evangelium of individual freedom. The main problem is that the neoliberal "freedom" in Russia was experienced as *bespredel*, causing the loss of sovereignty, in both the Bataillean sense (for individuals) and the Schmittian sense (for the state, domestically and internationally). The Russian regime's transgressive conservatism, both as regards international law and domestic culture-fixated politics, is not mainly about hypocrisy or about cynical leaders violating the norms to reach short-term and self-interested goals, though that certainly plays a role. But it is, as I have argued

in this contribution, most of all about asserting sovereignty, which is a consistent and increasingly salient feature of post-Soviet Russian politics. Under these conditions, non-conformists are unfree, but paradoxically, they are so largely because of the kind of freedom they had in the 1990s.⁸

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