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The Creation of a Crime

Analysis of Different Discourses in the Pussy Riot Debate

Abstract

One of the most significant acts of protest against the rule of Vladimir Putin was staged by the punk group *Pussy Riot* in Christ the Saviour's Cathedral in Moscow in February 2012. The protest was one of several actions during the last decade where Russian artists had questioned the role of the Russian Orthodox Church, but this time the role of the Church in relation to the State rule was directly highlighted. This caused strong reactions internationally and in Russia, and there is a need to look into the arguments used in the debate in detail, using discourse analysis. This thesis, therefore, investigates what discourses the most prominent stakeholders – the Church, the State and *Pussy Riot* – rely on in the public debate around the *Pussy Riot* performance and the trial. Interconnections between different discourses are also investigated in order to gain a better insight into of how religion, politics and popular culture interact in Russia today. The most important conclusion in this thesis is that religion and religious discourse affect legal and political practices in Russia today in ways that are not normally expected in a modern and secular state.

KEY WORDS: Pussy Riot, political protest, human rights, Russian Orthodox Church, ideology, discourse analysis, (DA)

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Introduction

Over the last few years, Russia has seen increasing political protests against the Putin rule. One of the most significant acts of protest was performed by the punk group *Pussy Riot* (PR) in Christ the Saviour's Cathedral in Moscow in February 2012, which led to the arrest and incarceration of three of its members in March 2012. The protest was one of several actions during the last decade where Russian artists had questioned the role of the Russian Orthodox Church (ROC), but this time the role of the ROC in relation to the Putin rule was directly highlighted, which was perceived as an extreme provocation by the ROC and the State. The performance lasted only for a couple of minutes, but the event stirred up much controversy and attracted massive media attention in Russia and worldwide. Internationally, prominent politicians and artists proclaimed their support for the group. In the trial that followed the PR performance the ROC was not a direct party, but three of the group's members were still sentenced to prison for 'hooliganism motivated by religious hatred'. How could this happen in a democratic, secular state? In order to gain a deeper understanding of the harsh reactions by the ROC and the Russian State, it is necessary to study the arguments used by the different stakeholders in the debate around the PR protest and the subsequent trial. This will be achieved through Discourse Analysis (DA). A main motivation for this thesis is the need for empirical research that takes into account the discourses in which the arguments are formed. The main research question is, therefore: what discourses do the most prominent stakeholders in the debate – the Church, the State and PR itself – rely on in their public argumentation? Two secondary research questions are: are there any interconnections between the stakeholders' argumentation and to what extent do the stakeholders deviate from their main discourse? There are a few general discourses that are relevant to investigate, among which religious discourse, artistic discourse, and juridical discourse are the most obvious ones, but elements from political discourse, feminist discourse and dissident discourse are also relevant for the analysis. The hypothesis is that the State will rely on juridical and political discourse, that the Church will rely on religious and Orthodox discourse and that PR will rely on artistic and political discourse.

Background

Through unconventional methods, the female punk group *Pussy Riot* (PR) has succeeded in creating global attention around Russian political issues and emerged as one of the leading critics of the current political rule and its relations and interaction with the Russian Orthodox Church. PR was formed in 2011, and since then, its methodical and spectacular approach for challenging Russian political power, with carefully planned and ideologically rooted public actions and performances, has placed the group among the most prominent critics of the Putin regime. PR has chosen to manifest its political views through performance art blended with artistic expressions derived from punk rock, but which also connects to the Orthodox ‘fool for Christ’¹ tradition and the ‘carnavalesque’ approach as elaborated by Bakhtin². These cultural expressions are combined with an overt dissident and freedom of speech discourse with roots in the Soviet times of cultural oppression. Criticism of the current regime is the backdrop for virtually all PR’s protests. There is a trend of legal action in the authorities’ efforts to inhibit the opposition’s possibilities to reach out to the masses, where the legal processes against the leading oppositional figure, Alexei Naval’nyi, is the most blatant example.

The PR case is one of several events in Russia over the last decade where religion has stood against artistic freedom: *Ostorozhno, religiia!* [Beware, religion!] was a provocative exhibition at the Sakharov Centre in Moscow in 2003 that questioned the role of the ROC in society by parodying icons and other Orthodox symbols. The exhibition can be viewed in the light of the Russian and Soviet history of iconoclasm in the context of art, as elaborated by Bodin (2011). Metropolitan Kirill, (who later became today’s Patriarch) called the exhibition ‘a direct provocation, creating tension in our society’ (Borisov, 2004). The exhibition was vandalised by an Orthodox group from a nearby church, after which the organisers ironically continued the exhibition by putting some of the vandalised works themselves on display (Bodin, 2009:256). The organisers were subsequently sentenced to pay a fine

¹ The concept of ‘fool for Christ’, or ‘holy foolishness’ (Russian: *Iurodstvo*) is deeply rooted in Russian culture. Beat argues, (Beat, 2012): ‘In claiming inspiration from such holy folly, Pussy Riot allies itself with a long theological and artistic tradition in which the fool’s “passion, openness, and naïveté” expose official hypocrisy[...]’.

² Bakhtin’s ‘carnivalistic’ sense of the world, described in *Рабле и его мир* [‘Rabelais and His World’] (Бахтин, 1965) bares many resemblances with PR’s style of performance.

for violating article 282 of the Russian Criminal Code: ‘Incitement of National, Racial, or Religious Enmity’³. A similar sentence faced the organisers of the exhibition *Zapretnoe Iskusstvo-2006* [Forbidden Art-2006], also at the Sakharov Centre. The museum was even under threat to be closed down (Bodin, 2009:256). There, art works that had been banned from state museums were on display, among them caricatures of Jesus Christ. Finally, the performance *Moskovskie protsessy* ‘Moscow Trials’, alluding to three show trials held in the Soviet Union in the 1930’s, was a theatrical re-enactment in 2013 of three famous trials concerning art in recent years: ‘Beware, religion!’, ‘Forbidden Art-2006’ and the *Pussy Riot* trial of 2012⁴.

During the PR trial, the prosecution and the defence put forward very different perspectives upon the events in the cathedral on 21 February. The prosecution described the events in the church in much detail, even though the act itself lasted for only a couple of minutes⁵. There was little disagreement during the trial regarding what actions took place, although the interpretations differed. In the following, a summary of the performance as described in the trial records (Khamovnicheskii Court Moscow, 2012) and in the original video recording of the event that was posted on Youtube (Pussy Riot, 2012a) will be presented: In the morning of 21 February 2012 four to five PR members, dressed in plain outer garments, entered Christ the Saviour’s Cathedral. A few other persons in charge of technical support for the performance also entered the church. Shortly thereafter, four PR members took off their outer garments and put on colourful balaclavas. The group of four then moved towards the stand in front of the altar and began chanting what was later identified as a ‘punk prayer’⁶. At this point, the words of the song were barely audible to those present. The church had relatively few visitors and there was no on-going service. The three PR members that were later convicted, and one who was never even arrested, made dancing steps, punched and kicked in the air, bowed as in prayer, and chanted their punk verse without electronic amplification. The performance and some of the chaotic events around it were recorded with a handheld video camera or smartphone. Some of the

³‘Возбуждение ненависти либо вражды, а равно унижение человеческого достоинства’ (Уголовный кодекс РФ, 2013). For more information about the verdict: (Сова-Центр, 2005).

⁴ See further: (Interfax, 2013).

⁵ The original uncut video recording of the entire performance lasted for 1 minute and 33 seconds.

⁶ English translation: (Rumens, 2012)

church personnel tried to stop them from performing by trying to seize them by the arms and by chasing them from one place to another. The group left the church less than two minutes after entering. During the event, little or no violence was used by either party, and there was no destruction of the interior. A few days after the performance in the church, an edited film clip was posted on Youtube, with an added musical track and interwoven movie clips from previously recorded scenes. It was this film clip that caused the strong reactions and the worldwide attention to the performance, and thus the performance was ‘medialised’ from the very beginning. This thesis is about the reactions to the short performance and the film clip.

Previous Research

Since the PR case is still a fairly recent event at the time of writing this thesis, there is little of thorough academic research available on the subject. However, several academic articles have covered different aspects of the case, some of which are discussed below:

In the article ‘Reinventing the show trial: Putin and Pussy Riot’ (Schuler, 2013), Catherine Schuler analyses some of the controversy around the Pussy Riot performance in February 2012 and the following trial, with special attention to the verdict. Schuler places Pussy Riot in a line of prominent critics of the Russian State: Mikhail Khodorkovskii, Anna Politkovskaia, Sergei Magnitskii and Natalia Estemirova (2013:17). She characterises Tolokonnikova’s final statement⁷ as ‘remarkable for its complexity, sophistication and (perhaps paradoxically) naiveté’ (2013:14). She points out that the issue of whether the PR act should be regarded as a work of art was all but absent in the verdict, but that there is sufficient evidence that PR actually did create and made public a work of video art (2013:12). Schuler concludes that there was no chance of acquittal in the trial, partly because of shortcomings of PR’s defence lawyers. She also acknowledges that church employees and parishioners did not understand PR’s protest act (2013:15).

⁷ Tolokonnikova’s statement is analysed in the chapter ‘Discourse Analysis (DA)’ in this thesis.

Yngvar B. Steinholdt argues in the article ‘Kitten Heresy: Lost Contexts of Pussy Riot’s Punk Prayer’ (Steinholt, 2013) that many Russians can accept criticism of the Russian Orthodox Church as an institution, but that PR failed to persuade them that its critique originated in sincere faith (2013:124). Steinholdt also states that PR acts within the field of cultural activism rather than the field of popular music or punk music, as shown by PR’s roots from the cultural activist group Voina! and the limited response to its punk protests among Russian punk musicians.

In the article ‘What does the pussy riot case tell us about women’s human rights in Russia?’, Vikki Turbine (2013) poses the question whether the PR case can serve as a ‘catalyst for women’s human rights activism in Russia’. She concludes, however, that there is little prospect for this and that the case may instead provide conservative forces in Russia with an opportunity to equate feminism and gender equality with ‘delinquency, religious hatred and destabilising the nation’. Turbine states that due to a legacy of ‘Soviet rhetoric of women’s emancipation’ in combination with ‘the increasingly restrictive and conservative political and social climate in post-Soviet Russia’, many women in Russia today view feminism with suspicion.

In the article ‘Pussy Riot: reflections on receptions’, Iulia Gradszkova, Irina Sandomirskaia and Nadezhda Petrusenko (Gradszkova, et al., 2013) investigate how the Pussy Riot action was received by Russian public, and especially the impact of PR’s feminist agenda on the Russian debate. The authors argue that the act ‘posed questions about the role of religion and religious institutions in every area: in the state, in the family, and in individual life’. They explain that the act generated an ambiguous response from the small Russian gender research community, which risked being associated with hooliganism and social tension. The authors conclude that the PR performance created a ‘crisis of social consensus’ and a collective ‘fear of the active and politically conscious woman’.

Theory and Method

About Discourse Analysis (DA)

The term ‘discourse’ has no universally established definition, but for this thesis, the following definition from Jørgensen and Phillips (2002) is used: ‘a discourse is a particular way of representing

the world' (2002:143), and 'discourses shape what it is possible to say in particular situations' (2002: 157). Jørgensen and Phillips suggest that discourse should be regarded as an analytical concept rather than a reflection of reality (2002:143). They also point out that the concept of discourse analysis has become vague and is often used without definition. Inspired by Jørgensen and Phillips, the definition used in this thesis is that DA is the analysis of argumentative patterns that occur when people take part in social life. In this thesis, a selected corpus is thoroughly analysed, with a special focus on what different discourses are used by the stakeholders and how they are combined. In the public debate around the PR performance, there are non-discursive and discursive elements. A non-discursive element is the undisputed fact that PR entered Christ the Saviour's Cathedral on 21 February 2012, and that there were strong reactions after this performance was presented and made available to a broader public on the Internet. However, comments and descriptions of the event, which are the focus of this thesis, are interpretations dependent on discourses in society and can thus be analysed with discourse analysis.

Definitions of Relevant Discourses

As stated above, the term 'discourse' has many definitions, and the same is true also for specific discourses: the discourses mentioned in this thesis are defined differently in various academic sources. A simplified definition of religious discourse could be 'the use of religious language', a simplified definition of political discourse could be 'the use of political language' etc. However, the account below aims to be more precise, and applicable to the analysis of different discourses in this thesis.

- Religious discourse: John Grimes (1994:21) defines religious discourse as being the language of religion and theological language. He elaborates the definition: 'Religious discourse is composed of all the utterances of religious individuals regarding their experience of the Divine' (1994:21), and 'Religious discourse includes not only statements of personal experiences, but also ethical admonitions, creeds, moral codes, ritual procedures, myths, parables and so on.' (1994:22).

- Orthodox discourse: Bodin (2009) defines the Orthodox discourse as being pre-modern and authoritative and using concepts such as ‘sacred, holy, evil, God and Satan’.
- Legal or juridical discourse: Wojciech Kwarciński (2003) defines legal discourse as a ‘distinctive form of language associated with law’ and argues that the term ‘successfully captures the various relationships between language use and the realm of law.’ In this thesis, the term *juridical discourse* is used as a synonym to *legal discourse*. Bodin argues (2009:271) that ‘Central to juridical discourse is the one truth that allows assignment of responsibility, intention and guilt’.
- Feminist discourse: Feminism is defined in the Merriam-Webster dictionary (Merriam-Webster, 2013) as, firstly, ‘the belief that men and women should have equal rights and opportunities’, and secondly, as ‘organised activity in support of women's rights and interests’. Drawing on Jørgensen and Phillips (2002), *feminist discourse* is, therefore, a feminist way of representing the world.
- Dissident discourse: Dissident is defined in the Merriam-Webster dictionary (Merriam-Webster, 2013) as ‘disagreeing especially with an established religious or political system, organization, or belief’. *Dissident discourse* can thus be defined as a dissident way of representing the world.
- Political discourse: van Dijk (1997) argues that ‘the definition of political discourse can hardly escape the definition of the very notion of ‘politics’ itself’ (1997:15). ‘Political discourse is identified by its actors or authors, viz., politicians’ (1997:12). Van Dijk states that people are part of political discourse ‘only when acting as political actors, and hence as participating in political actions, such as governing, ruling, legislating, protesting, dissenting, or voting’ (1997:14).

Selection of a Relevant Corpus

The corpus for the DA is based on four different texts:

- The court's verdict as presented in the court proceedings in August 2012 (Khamovnicheskii Court Moscow, 2012).
- An official statement by the Patriarch of the ROC after the performance (Kirill I, Patriarch of the ROC, 2012a).
- An official statement by the ROC High Council after the trial (ROC High Council, 2012).
- The closing statement of one of the three accused members (Tolokonnikova, 2012b).

After extensive reading of the texts mentioned above, excerpts from the texts that were deemed relevant were selected for the analysis and constitute a corpus. The choice of what parts are relevant to the analysis and corpus is a matter of judgment, and there is no self-evident way to make the selection. In order to delimit the study, the DA is concentrated on what was brought up in the actual trial, and in the case of the ROC, direct comments on the performance and the trial. With regard to the specifications for the university bachelor level, the scope of the essay has been a limiting factor for how comprehensive the corpus should be. For the thesis to provide a degree of new knowledge and insight, the body of statements must be limited enough to allow for discourse analysis in some detail. In this case, the selection was made by identifying coherent arguments, resulting in excerpts ranging from about 20 to about 100 words. For the DA, the selected passages are treated as separate utterances.

A limiting factor applies also to the original selection of texts from which to select the corpus, where one obvious limitation is that only the closing statement of one out of three convicted members of PR, Nadezhda Tolokonnikova, was selected. A presupposition for the DA is that she represents the group PR and not herself as individual. The rationale for choosing her utterances before those of other members is that she presented the longest and most eloquent closing statement in the court, that she, (although she and the group themselves reject this claim), is widely considered a leader of the group, and that her statement in the court has been regarded as a defence manifesto (Tolokonnikova, 2012a) for PR. Another limitation is that the Church representatives' utterances were made outside and not within the court and trial, in contrast to the other statements used in the corpus. It was a necessary

choice to include these statements, since otherwise the Church's argumentation could not be analysed with the chosen method. Lastly, the author of this thesis is neither a Russian nor English native speaker, which may affect the stylistic quality, but hopefully less so the accuracy of the translations.

Discourse Analysis (DA)

Structure and Workflow of the DA

The material to be analysed in this section is a representative selection of utterances from the different stakeholders: the Russian State, the High Council and *Pussy Riot*. To facilitate the reading, the quotations are labelled as follows: (HC) the High Council, (P) the Patriarch, (S) the State, (PR) *Pussy Riot*. The quotations are numbered in the order they are presented in the analysis (PR1, PR2 etc.). The analysis is presented *above* each quotation. The translations are the author's own, except for the statements of PR, which are taken from an English non-official version (Tolokonnikova, 2012a) that has been slightly adapted before use in this thesis, and Bible quote translations which are taken from King James Bible. All quotations combined with the identified discourses are also listed in a matrix in Appendix II of the thesis.

Arguments by the State in the Verdict: 'Blasphemous, Sacrilegious Acts against Orthodox Believers'

The three PR members were sentenced to serve two years in penal colony for 'Hooliganism motivated by religious hatred'⁸. During the trial against PR, which lasted for eight days in August 2012, the prosecutor's *particular of claim* laid the ground for the subsequent verdict, and large parts of the verdict is identical with the particular of claim. The main strategy of the prosecution appeared to be to allow for plaintiffs and witnesses to explain to the court in what way their religious feelings had been hurt: from watching the performance, when trying to interfere, or by merely being present during the events. The reasons behind this strategy could be disputed, but one is probably that in order for

⁸ For the exact wording of article 213 of the Russian Criminal Code, 'hooliganism', see Appendix III.

paragraph 213 in the Russian penal code (hooliganism) to be applicable, there must be plaintiffs present who can be offended by the actions. The prosecution, thus, put forward no less than ten plaintiffs and three witnesses to support its claim that the actions were first and foremost aimed to hurt the feelings of religious people, that is, the claimed motive behind the action rather than the action itself was the fundamental part of the crime. The action itself was described in detail, seemingly without much deviation from what actually took place. In order to prove that the performance was carefully planned and even rehearsed, technical evidence seized in PR members' apartments were presented as support. The technical evidence consisted mainly of computer files of texts and song lyrics, and video clips of rehearsals and performances. Tolokonnikova was portrayed as the driving force. In the discourse analysis below, the Khamovnicheskii district court and its judge are regarded as representatives of the Russian State⁹. The verdict from which the quotations are selected was read aloud by Judge Marina Syrova for several hours on 17 August 2012.

In the first quotation, the Khamovnicheskii court argues that the PR members on trial, contrary to what the defence claims, are motivated by religious hatred. This is proven by their affiliation to feminism, the court claims, which is an argument that seems to lack congruence. A logical interpretation of this reasoning is that the Russian State regards feminism as an extremist ideology. The court uses a juridical and a political discourse.

(S1) Суд не может согласиться с доводами стороны защиты об отсутствии в действиях подсудимых мотива религиозной ненависти и вражды, ненависти какой-либо социальной группы, мотив религиозной ненависти в действиях подсудимых суд усматривает в следующем: подсудимые позиционируют себя сторонниками феминизма, то есть движения за равноправие женщин с мужчинами.

The court cannot agree with the defence's argumentation that the accused in their actions lack a motive of religious hatred and enmity, or hatred towards any social group. The court judges the motive of religious hatred in the following: the accused position themselves as supporters of feminism, a movement for the equality between women and men.

⁹ See also the chapter 'Background'.

Next, the court defines what crime has allegedly been committed. The language used here is similar to the final wording in the verdict, where the Russian terms *khuliganstvo* [hooliganism] and *religioznaia nenavist'* [religious hatred] are combined. The court uses a juridical discourse.

(S2) Толоконникова, Самуцевич и Алехина совершили хулиганство, то есть грубое нарушение общественного порядка, выражающее явное неуважение к обществу, совершенное по мотивам религиозной ненависти и вражды и по мотивам ненависти в отношении какой-либо социальной группы, группой лиц по предварительному сговору.

Tolokonnikova, Samutsevich and Alekhina have committed hooliganism, which is a grave violation of public order, and expressed overt disrespect for society. These acts were motivated by religious hatred and hostility against any social group and were planned in premeditated agreement¹⁰.

The court states that the three defendants have violated public order and planned the crime in advance. It is central to the final verdict that the court affiliates the PR act with a motive of religious hatred. The group's alleged motive of religious hatred is repeated, and the act is claimed to have caught the attention of many religious believers. The court's line of argument is largely following a juridical discourse but the elements of religious hatred and provocation of religious believers can also belong to a religious discourse.

(S3) Так, Толоконникова, Самуцевич, Алехина и неустановленные лица [...] вступили в преступный сговор с целью совершения грубого нарушения общественного порядка, выражающего явное неуважение к обществу, по мотивам религиозной ненависти и вражды и по мотивам ненависти в отношении какой-либо социальной группы в виде осуществления провокационных и оскорбительных действий в религиозном здании с привлечением внимания широкого круга верующих граждан.

Thus, Tolokonnikova, Samutsevich, Alekhina and unidentified persons [...] made a criminal agreement with the purpose to commit a grave violation of the public order, expressing overt disrespect for society for motives of religious hatred and hatred against any social group, by carrying out provocative and insulting acts in a religious building, catching the attention of a wide circle of believers.

¹⁰ '*Gruppa lits po predvaritel'nomu sgovoru*' is a direct quotation of Russian Penal Law, where according to article/paragraph 35 a crime is considered to be committed by a group of persons in a preliminary conspiracy (premeditated agreement), if the persons took part in it after they had reached an agreement on the joint commission of a crime. (Уголовное право России, 2013); (The Criminal Code Of The Russian Federation, 2013)

By stating that PR planned its way of dressing so as to break church regulations, the court continues its attempts to prove that the PR act was a premeditated crime. The term chosen to describe PR's garments is *oblachenie* [attire/vestment], which is first and foremost used for clothing of priests, so also the choice of words implies a breach of church regulations. The term *tserkovnye pravila* [church regulations] combines juridical and religious discourse in only two words. In Russian Orthodoxy, it denotes an overall set of regulations for how a believer should abide by Orthodox customs. So, the court relies mainly on a juridical discourse but also sees a need to define what breaches of church regulations PR has been committed, which borders to a religious discourse.

(S4) Для совершения своих противоправных действий Толоконникова, Самуцевич, Алехина и неустановленные соучастники распределили между собой роли и намеренно приобрели для облачения одежду, явно и очевидно противоречащую общим церковным правилам, требованиям порядка, дисциплины и внутреннего уклада церкви.

In order to carry out their illegal acts, Tolokonnikova, Samutsevich, Alekhina and their unidentified accomplices divided the roles between themselves and deliberately acquired clothes for attire, openly contradicting general church rules, regulations of order and discipline, and the indoor practices of the church.

The court states that PR has entered a criminal agreement and planned its way of dressing in order to show open disrespect towards the Christian world. The colourful masks are claimed to have been particularly offensive with regard to local church canons. A logical explanation for the court's reasoning is that it aims to prove PR's alleged motive of religious hatred. It therefore blends religious discourse into the juridical wording through the expression *neuvazhenie k khristianskomu miru* [disrespect for the Christian world].

(S5) Толоконникова, Самуцевич и Алехина и неустановленные участники преступного сговора, причисляющие себя к женской панк-группе Pussy Riot, планировали в кафедральном соборе Русской православной церкви, храме Христа Спасителя, облачиться в вышеуказанные одеяния для того, чтобы открыто выразить неуважение к христианскому миру и церковным канонам. При этом на свои лица они надели защитные маски вызывающе яркой окраски, то есть имели на себе предметы одежды, непристойной, с точки зрения церковных канонов, для данного места.

Tolokonnikova, Samutsevich, Alekhina and their unidentified accomplices in the premeditated criminal agreement, who affiliate themselves with the female punk group Pussy Riot, planned to dress in the aforementioned apparel in a cathedral of the Russian Orthodox Church, the Cathedral of Christ the Saviour, in order to overtly express disrespect for the Christian world and the church canons. Hereby

they put on protective masks in bright colours, so they wore articles of clothing that were offensive in relation to the church canons for this location.

In the following excerpt from the verdict, the court summarises a hearing of the witness Riazantsev. Orthodox believers are claimed to be deeply offended, even though the act is not outright *godless* [bogoborcheskii]. The PR act reminds the witness of the ‘Union of the Godless’, active in the 1920’s and 1930’s, whose parodying of the Orthodox rituals is claimed to have started the persecution of the ROC. The reference to the ‘Union of the Godless’ implicates that mockery of religious symbols can have disastrous consequences. The PR act is labelled *bogokhul’nyi* [blasphemous] and *koshchunstvennyi* [sacrilegious] – terms that are carefully avoided elsewhere in the verdict but appear in the below summary of a witness statement¹¹. The overall argumentation uses both religious and juridical discourse:

(S6) 21 февраля 2012 года в храме Христа Спасителя с точки зрения православной религии, православных верующих участницами группы Pussy Riot совершены богохульные, кощунственные действия, которые очень сильно оскорбляют чувства верующих, высмеивают истинно верующих православных граждан. В прямом смысле богоборческими эти действия назвать трудно, однако указанные действия ему напоминают деятельность организации «Союз безбожников», действовавшей в 20-30-х годах, которые в шутовской форме пародировали священные действия, совершаемые РПЦ, такие как крестный ход, публичные молебны и т.д. Указанные действия являлись началом гонения на Русскую православную церковь, что в последующем чуть не привело к ее полному уничтожению.

On 21 February 2012, from the point of view of the Orthodox religion, the members of the group Pussy Riot committed blasphemous, sacrilegious acts against Orthodox believers, which deeply offended the feelings of religious believers and ridiculed devout Orthodox citizens. In the true sense of the word, it is difficult to name these actions as godless, but the actions remind him of the activities of the organisation “Union of the Godless”, active in the twenties and thirties, which in a clownish form parodied sacred acts of the ROC, such as the procession, public prayers and so forth. Those acts were the beginning of the persecution of the ROC, which eventually all but lead to its complete destruction.

¹¹ As a contrast to the verdict, the prosecutor’s *particular of claim* in the same PR trial (not included in the DA of this thesis) contains as many as 30 instances of various derivations of the word *bogokhul’stvo* (blasphemy) and 35 instances of *koshchunstvo* (sacrilege). For further uses of the terms, see quotations HC1, HC2 and HC3.

In the next quotation there is a rare reference to PR's 'punk prayer'¹², here referred to as *pesnia* [song]. Its lyrics are said to be blasphemous towards believers and clerics, a sense which is accentuated further by the information that Tolokonnikova while 'playing a record' was located at the religiously important areas 'solea' and 'ambo'¹³. It could be argued that the lyrics were only partly audible in the church, and that they in order to offend must have been read after they were published on the Internet. It is also worth noticing that there is no mention here of any political content in the punk prayer's lyrics¹⁴. Again, the religious term *bogokhul'nyi* [blasphemous], rarely used by the State elsewhere in the verdict, plays a part in the largely juridical argumentation. 'Blasphemous' is specified with the expression 'with regard to the norms of the Russian Orthodox Church', as to avoid assigning the term a juridical meaning.

(S7) В это же время Толоконникова, находясь на солее и амвоне, без промедления подключила микрофон к звукопроизводящей аппаратуре и включила фонограмму с заранее подготовленной песней, содержание которой, с точки зрения норм Русской православной церкви, является богохульным и оскорбительным для верующих и священнослужителей.

At this moment Tolokonnikova, who was on the solea and ambo, without delay connected a microphone to a sound system and turned on a record with a previously prepared song whose contents, with regard to the norms of the Russian Orthodox Church, was blasphemous and offensive to believers and clerics.

The court states that Tolokonnikova and Alekhina¹⁵ gravely violated public order by staying in a forbidden area for about one minute. The group's pattern of movement during the short performance is described in some detail, and the two PR members are claimed to have used curses and other words described as *oskorbliaiushchii* [insulting]. The court uses a juridical discourse, but PR's motive of religious hatred is central to the argumentation, as shown in the expression *rukovodstvuias chuvstvom religioznoi nenavisti i vrazhdy* [guided by religious hatred and hostility].

¹² See Appendix I for the full text.

¹³ 'Solea' (Ru: *солея*) is the elevated area in front of the iconostasis. 'Ambo' (Ru: *амвон*) is a semi-circular area of the solea immediately before the holy doors (Glossary of Common Terms in the Orthodox Church, 2008). It is worth noticing that PR did not enter behind the Iconostasis where women are not allowed, which would have been a much more serious offense.

¹⁴ As Appendix I shows, the Russian original contains many political references.

¹⁵ The third PR member that was identified from the performance, Ekaterina Samutsevich, was also convicted but subsequently released from prison on the grounds that she did not participate in the 'punk prayer' itself (Der Spiegel, 2012).

(S8) Затем, игнорируя предостережения прихожан, действия охранников и сотрудников храма, Толоконникова, Алехина и неустановленные следствием соучастники продолжили грубое нарушение общественного порядка, а именно, пренебрегая правилами поведения и проявляя явное неуважение к культуре поведения в храме, находясь в предалтарной части храма, перемещаясь по солею и амвону, вход на которые посетителям строго воспрещен, в течение примерно одной минуты, руководствуясь чувством религиозной ненависти и вражды, выкрикивали, скандируя, бранные слова и слова, оскорбляющие присутствующих, а также прыгали, задирали ноги, имитируя танцы и нанесение ударов кулаками по воображаемым противникам.

After this, ignoring the cautions of the parishioners, the actions by the guards and employees of the cathedral, Tolokonnikova, Alekhina and their unidentified partners continued their grave violation of public order, in fact ignoring the rules of conduct and showing a clear lack of respect for the culture of behaviour in the church, moved in the solea and ambo area in front of the altar, the entry to which is strongly forbidden for visitors, remained there for about one minute and, guided by a sense of religious hatred and hostility, shouted and chanted curses and other words that were insulting to those present, jumped and raised their legs imitating a dance and threw fist punches at imaginary enemies.

The court states that PR has deeply offended the religious feelings of Orthodox believers by breaking the Cathedral's rules of conduct. The expression *nezakonnye deistviia* [the illegal acts] intimates that breaking the rules of conduct was a criminal act in itself. The court uses mainly a juridical discourse, but the expression *oskorbili i unizili chuvstva i religioznye orientiry veruiushchikh...* pertains to a religious discourse.

(S9) Своими действиями Толоконникова, Самуцевич, Алехина совместно с неустановленными лицами грубым образом нарушили общественный порядок, лишили граждан общественного спокойствия, прервали нормальное функционирование кафедрального собора — храма Христа Спасителя, нарушили предусмотренные регламентом нахождения посетителей в храме, проявили явное неуважение к посетителям и служителям храма, ставшим невольными очевидцами вышеуказанных незаконных действий, глубоко оскорбили и унизили чувства и религиозные ориентиры верующих православных граждан.

With their actions, Tolokonnikova, Alekhina and the unidentified persons violated the public order gravely, deprived citizens of general peace and quiet, disrupted the normal functioning of Christ the Saviour's Cathedral, violated the regulations stipulated in the statutes for visitors to the church, showed open disrespect for the visitors and staff of the church, who had become involuntary eye-witnesses to the above mentioned illegal acts, and deeply insulted and offended the feelings and religious orientation of believing Orthodox citizens.

The court summarises the PR act as immoral, spiteful and directed against the entire religion of Christianity. A wide range of negative value-laden terms are used to describe the PR act:

neuvazhitel'nyi/nepochtitel'nyi [disrespectful], *lishennyi morali* [immoral], *religioznaia nenavist'* [religious hatred], *vrazhda* [hostility]. These negative connotations are contrasted against positive values of Christianity, claimed to have been violated: *ravnopravie* [equality], *samobytnost'* [originality], *znachimost' dlia natsii i narodov* [significance to nations and peoples]. The argumentation belongs to a religious rather than a juridical discourse, and Christianity and religion are victimised and portrayed as threatened by the PR act. There is a tendency in this quotation, as in several other arguments of the State and the Church, to enlarge the short PR performance in the cathedral and its perceived consequences to great proportions:

(S10) В целом реализованной акцией, в явной неуважительной и непочтительной форме, лишенной всяких основ морали, явным и недвусмысленным образом выразили свою религиозную ненависть и вражду к одной из существующих в настоящее время религий, христианству, посягнув на его равноправие, самобытность и высокую значимость для большого количества наций и народов.

Through their action they, in an openly disrespectful and irreverent form, free from all basic elements of morality, overtly and unambiguously expressed their religious hatred and hostility towards one of the currently existing religions, Christianity, violating its equality, originality and high importance for many nations and peoples.

In the verdict, several plaintiffs are described as faithful and loyal to the ROC and its traditions. Automated assurances of their religious devotion are repeated as a means for the prosecution to assign credibility to eye-witnesses and plaintiffs. The State's strategy can be seen in the light of the legal case being very much centred on proving that PR, by their actions on 21 February 2013, hurt the religious feelings of Orthodox believers. The automated characterisations lend arguments from a religious or Orthodox discourse and also add to the theatrical backdrop to the trial and the verdict.

(S11) Потерпевший Железов в судебном заседании показал, что является православным, глубоко верующим и церковным человеком, соблюдает посты, праздники, участвует в церковных таинствах, богослужениях, исповедует православную веру, соблюдает все каноны и обряды православной церкви.

The plaintiff Zhelezov declared during the court proceedings that he is Orthodox, a deep believer and a religious person, that he observes Lent and holidays, participates in the Church sacraments and services, confesses to the Orthodox belief and honours all guiding principles and ceremonies of the Orthodox Church.

Witnesses for the prosecution are described in a similar manner with religious attributes:

(S12) Свидетель Жукова в судебном заседании показала о том, что она православная глубоко верующая. Соблюдает все посты, традиции, православные обычаи.

The witness Zhukova declared during the court proceedings that she was of Orthodox belief and a deep believer. She observes all Lents, traditions and Orthodox customs.

Arguments of the ROC High Council: ‘And he opened his Mouth in Blasphemy against God’.

Although the ROC is not a party in the PR trial, its arguments concerning the alleged crime and the trial are considered highly relevant for the DA. The reasons for selecting the statements of the High Council and the Patriarch have been discussed earlier under ‘Selection of Corpus’ in the ‘Theory and Method’ chapter. In its statement published in August 2012 immediately after the verdict against *Pussy Riot* (PR), the ROC High Council defines the performance in the cathedral as an act of blasphemy, conducted with the intent to insult God and the feelings of religious people. The council underlines the seriousness of blasphemy with the support of a Bible quotation, where *zhilishche* [home¹⁶] could be seen as a parallel to Christ the Saviour’s Cathedral. The council relies mainly on religious discourse but touches also upon juridical discourse:

(HC1) Богохульство — главная примета врага Божия, описанного в Откровении: «И отверз он уста свои для хулы на Бога, чтобы хулить имя Его, и жилище Его, и живущих на небе» (Откр. 13:6).

Blasphemy is the main signature of an enemy to God, described in the Book of Revelation: ‘And he opened his mouth in blasphemy against God, to blaspheme his name, and his tabernacle, and them that dwell in heaven.’ (The Book of Revelation 13:6)¹⁷

The branding of PR’s act as *кощунство* [insult or desecration] in quote (HC2) below is the starting point and the very basis for the Council’s discussion. The term *богохульство* [blasphemy] is not used at this point, probably to avoid the use of a religious discourse together with the reference to the court’s verdict in the same utterance. *Богохульство* clearly pertains to a religious discourse whereas

¹⁶ The ancient Greek original (Palmer, 2011) uses the word ‘σκηνήν’ (tabernacle).

¹⁷ King James Bible (KJV)

the word *кощунство* can be used also about non-religious insults. A check for descriptions of *кощунство* and *богохульство* in a number of well-known dictionaries has provided the following information.

Dal' (Даль, 1881) and Ushakov (Ушаков, 1935) give the following definitions:

- (Даль, 1881) – definition of *koshchunit'*: 'Насмѣхаться надъ священными предметами, отзываться объ нихъ съ презрѣньемъ, бранно, пошло; поругать, сквернить, осквернять, суесловить, буесловить.'
- (Ушаков, 1935) – definition of *koshchunstvovat'*: 'Оскорблять религиозное чувство верующих насмешками над предметами культа.'

Dictionaries of the 20th century give the following definitions:

- (Институт языкознания, 1956) – definition of *koshchunstvo*: 1. 'Насмешка над религиозной святыней, оскорбление чьих-либо религиозных чувств. 2. Оскорбительно неуважительное отношение к чему-либо, достойному уважения.'
- (Институт русского языка, 1958) – definition of *koshchunstvo*: '1. Один из видов преступления против веры в православной церкви и в законодательстве царской России – оскорбление религиозной святыни. 2. Оскорбительно, неуважительное отношение к чему-л. Почитаемому кем-л., дорогому кому-л.'
- 1992 definition of *koshchunstvo* (Ожегов, 1992): 'Глумление, надругательство над кем-чем-н. почитаемым, над святыней [первонач. религиозной].'

Thus, the dictionaries of the 19th century fixed only one meaning of the word *кощунство*. All dictionaries of the 20th century fix two meanings. This gives reason to believe that a diachronic shift has taken place during the last 100 years. In order to confirm this hypothesis a corpus-based analysis based on the Russian National Corpus (RNC) was also conducted. 353 contexts with *кощунство* and 114 contexts with *богохульство* were found. It is apparent that the word *кощунство* occurs three times more frequently than *богохульство*. The next step was to analyse present-day contexts. 129 contexts with *кощунство* were found and analysed. The analysis shows that the word occurs 21 times in religious discourse and 108 times in neutral contexts, including political, historical, military and sports discourse. This leads to the conclusion that a non-religious or neutral meaning of *кощунство* is used much more frequently than the religious meaning of the word.

For the word *богохульство*, 40 contexts were found and analysed. The word occurs 35 times in religious discourse and only five times in other contexts. None of the five other contexts can be

definitely defined as neutral and cannot be excluded to pertain to a religious discourse. The conclusion is, therefore, that *богохульство* has a near exclusive religious meaning.

(НС2) Высший Церковный Совет считает важным еще раз прояснить позицию Церкви относительно кощунственного акта в Храме Христа Спасителя, в том числе в связи с вынесенным судебным решением.

The Church High Council considers it important to once again clarify the position of the Church regarding the act of desecration in Christ the Saviour's Cathedral, also in connection with the court's decision.

After its initial branding of the act as blasphemous, the council returns to this topic several times. Here, the performance is described as a deliberate act of blasphemy and desecration of millions of people. The discourse used is strictly religious.

(НС3) То, что произошло, есть богохульство и кощунство, сознательное и намеренное оскорбление святыни, проявление грубой враждебности к миллионам людей и их чувствам.

What took place was blasphemy and desecration, a conscious and deliberate insult of the sanctuary, a display of brute hostility towards millions of people and their feelings.

The council discusses the difference between committing a sin against a person and a sin against God, where sins against God are said to require sincere repentance, whereas sins against people should be forgiven. The argumentation is clearly pertaining to religious discourse.

(НС4) Существует различие между грехами против человека и грехами против Бога. Если христианин как личность является пострадавшей стороной, он призван простить согрешившего против него. Но прощение греха против Бога невозможно без искреннего раскаяния согрешившего перед Ним.

There is a difference between sins against man and sins against God. If a Christian is the aggrieved party in person, he is called upon to forgive the sins committed against him. But the forgiveness of sins against God is impossible without sincere regret before Him.

Furthermore, the Church delimits its responsibility to moral guidance and claims not to evaluate the justness of the verdict. Here, the Church relies on religious discourse and actively furthers itself from the political and artistic discourse by referring to the 'pastoral duty' of the Church:

(НС5) Мы также не рассматриваем происшедшее с политической или эстетической точки зрения. Пастырский долг Церкви — давать духовную, нравственную оценку имевшим место событиям.

We also do not regard the occurred events from a political or aesthetical perspective. The pastoral duty of the Church is to provide a spiritual and moral evaluation of the events.

However, the next two quotations reveal how the juridical discourse is very much prevalent in the Church's argumentation. In the first quotation, the Church reasons that the State, by creating a legal precedent in the trial, should discourage future offence of religious feelings and the mocking of religious sanctities or cultural monuments. The Church unexpectedly uses the expression *glumlennie nad pamiatnikami* [mocking of monuments] – a secular term normally reserved for describing protest actions at public monuments such as historical statues¹⁸. Here, the Church enters the State's discourse, but it can also be unintentional confusion with the religious expression *glumlennie nad sviatyniami* [mocking of shrines]. The ROC Patriarch uses the similar *glumitsia pered velikimi sviatyniami* [mock in front of great shrines] later in this thesis¹⁹. The intertwining of legal and moral arguments illustrates the Church's dilemma in keeping apart juridical, religious and moral discourses when analysing the *Pussy Riot* act.

(НС6) Недопущение оскорбления чувств верующих, актов кощунства над религиозными святынями и глумления над культурными памятниками — задача государства, уважающего своих граждан²⁰. Созданный судебный прецедент должен предотвратить повторение подобных действий в будущем.

The prevention of offence against religious feelings, acts of insult against sanctuaries and mockery of cultural monuments is a task for a State that respects its citizens. The precedent created must preclude the repetition of such actions in the future.

In the second quotation, the council places the performance in a series of immoral public acts [PR's earlier performances] defined with the term *bezna kazannye* [unpunished], thus implying that the Church considers not only PR's preceding performances but also the act in February 2012, as illegal.

¹⁸ The term was used, for instance, in media accusations of supporters of the oppositional front figure Aleksei Naval'nyi during his Moscow mayor campaign in September 2013 (Сегодня.Ру, 2013). The Russian definition used in the Ozhegov dictionary is: 'Глумиться: Злобно и оскорбительно издеваться'.

¹⁹ See quotation (P5).

²⁰ This sentence from the Orthodox Church Council's statement was reused and copied letter by letter in a statement on 25 August 2013 by the Vladikavkaz episcopate, concerning a case of vandalism of icons at an Orthodox chapel in the Russian Republic of North-Ossetia-Alania (Православие.Ру, 2013).

(HC7) Бесчинство в храме стало продолжением глубоко безнравственных публичных акций, ранее совершенных теми же лицами и их соратниками и оставшихся безнаказанными.

The ravage in the church was a continuation of the deeply immoral public acts that were previously committed by the same people and their accomplices and left unpunished.

The council also argues for denying the act any association or resemblance with religious practices.

This contrasts against the *Pussy Riot* defence claims that it is a ‘punk prayer’.

(HC8) Поэтому никак нельзя согласиться с попытками представить произошедшее в храме как молитву, совершенную в нетрадиционной форме.

For this reason it is not possible to accept the attempts to present what took place in the church as a prayer performed in an untraditional form.

An Orthodox person cannot take part in or support blasphemy, the council argues, implying that the *Pussy Riot* members are not Orthodox Christians:

(HC9) Православный христианин не может ни участвовать в богохульстве, ни одобрять его, ни прямо или косвенно его поддерживать.

An Orthodox person cannot take part in blasphemy, nor approve of it or directly or indirectly support it.

The Church Council deplors those misled by the PR act, some of whom ignorant of the alleged insults. Also, by locating the act to the ambo, a liturgically significant part of the cathedral, the seriousness of the religious insults is emphasised:

(HC10) К сожалению, эти попытки дезориентировали многих людей, в том числе отдельных членов Церкви, пребывающих в неведении относительно того, какие кощунственные и мерзкие слова были произнесены на амвоне Храма Христа Спасителя.

Alas, these attempts disoriented many people, including single members of the Church who were left ignorant of which insulting and disgusting words were expressed at the ambo of Christ the Saviour’s cathedral.

In the following quotation, the Church Council elevates the debate of the PR performance to a national level, where the alleged crime is perceived to have far-reaching consequences. In an effort to explain the strong reactions from the Orthodox community, the council claims that due to anti-religious hatred during the German occupation of Russia and the Soviet period, the Russian people are especially

sensitive to infringement of their religious and national feelings. This is relating to a discourse of religious freedom, in which the Church is the aggrieved party in a struggle against mighty powers aiming to disrupt religious practice with ‘militant atheism’ [Soviet rule] and ‘fascist aggression’ [German occupation]. It could be argued, as do Alekseev and Armes (1977), that the German occupation forces during the Second World War were not unequivocally hostile towards the Russian Orthodox Church, but rather showed leniency in many cases. The council also connects to a Russian national discourse, in which the Russian people are united with the Orthodox Church by historical bonds. The term *nash narod* [our people] includes all Russians as perceived victims of religious persecution – not only the religious Orthodox. By connecting a religious discourse with one of ethnic persecution, the historical bonds between the Orthodox and the ethnical Russian are even more emphasised.

(НС11) В XX веке антирелигиозная ненависть — как и ненависть этническая — унесли жизни миллионов людей. Наш народ прошел через испытание воинствующим безбожием и фашистской агрессией. Это дало нам трагический урок, который сформировал особую чувствительность к оскорблению религиозных и национальных чувств.

In the 20th century anti-religious hatred – like ethnic hatred – took the lives of millions of people. Our people went through ordeals of militant atheism and fascist aggression. This gave us a tragic lesson which formed a special sensitivity to insults of religious and national feelings.

Arguments of Patriarch Kirill: ‘The Devil has Laughed at All of Us’

About a month after the PR performance, Patriarch Kirill I of Moscow presented the official view of the ROC before a devout group of Orthodox believers at a Church service in a Moscow church (Kirill I, Patriarch of the ROC, 2012b). The images below are taken from a video recording made of the ROC on 24 March 2012 (Kirill I, Patriarch of the ROC, 2012a).



Picture 1. Patriarch Kirill holding Church service.

Picture 2. Orthodox audience during the service.

In the Patriarch's Church service, the national significance and the long history of Christ the Saviour's Cathedral are emphasized by the notion that those who made Russia a 'prosperous nation' also founded the cathedral. The Patriarch argues for the national significance of the cathedral by underlining its historical context. He also bridges a 70 year time gap, from the demolition of the cathedral in the Soviet period (after which it was replaced by a public swimming pool), until its re-inauguration in 2000. *Pussy Riot* is not mentioned by name, but vaguely referred to as *potomki* [descendants] of the cathedral's founders, who have desecrated a holy place. In this quotation, a Russian national and historical discourse is linked to a religious discourse.

(P1) Думаю, все вы знаете о том, что произошло недавно в Храме Христа Спасителя. Вот давайте соотнесем свою мысль с тем фактом, что на месте, где мы стоим, благочестивые предки наши, полагавшие основу процветания России как великого государства, заложили храм сей только ради встречи со святыней. А их далекие потомки в веке XXI осквернили эту святыню, находящуюся в Храме Христа Спасителя...

I believe you are all familiar with what took place in the Cathedral of Christ the Saviour recently. Let us relate our thoughts to the fact that after our pious ancestors had laid the ground for the prosperity of Russia as a great nation, they founded this cathedral at the place where we now stand, only for the sake of meeting the *sanctity*. But their distant descendants in the 21st century desecrated this *shrine* located in Christ the Saviour's Cathedral...

The Patriarch argues that Russia owes much of its existence to the Orthodox Church and its faith, which are claimed to have brought Russia to the victory over Napoleon's France in 1812 (in memory of which Christ the Saviour's Cathedral was originally built). The Patriarch denounces the use of force

for resolving conflicts, and continues to use a Russian national discourse related to historically significant events.

(P2) Прошли времена, когда люди силой решали такие вопросы — и слава Богу, что прошли. Ну что должно было бы быть в земле нашей, которая самим фактом своего существования во многом обязана Церкви Православной и вере православной, подвигавшей народ наш на величайшие подвиги — в том числе на защиту Отечества в 1812 году?

Those times have passed, when people resolved such issues by force, and thank God that they are gone. But what should then have followed in our land, which by its very existence owes much to the Orthodox Church and the Orthodox faith that moved our people toward great feats – including the defence of the fatherland in 1812?

The Patriarch expresses deep bitterness that the PR act has been justified, minimised and dismissed as a funny joke, even by persons identifying themselves as Orthodox. Again, there is a tendency to augment the PR act to an event that concerns the whole Russian Orthodox community. The Patriarch's perspective derives from a religious discourse.

(P3) Нет, появляются люди, которые оправдывают это кошунство, минимизируют его, стараются представить как некую забавную шутку. И печально, и от горечи сердце мое разрывается, что среди этих людей есть и те, кто называет себя православными.

No, there are people who justify this insult, minimise it, and attempt to portray it as some sort of funny joke. And it is sad, and my heart breaks from bitterness, that among these people there are those who call themselves Orthodox.

The Patriarch defines it as a duty of all religious people to take a stand against the PR performance, which is considered especially serious because of the historical importance of the Cathedral. The tendency to augment the PR act to an almost universal concern is even stronger in this quote. The Patriarch uses a religious or Orthodox discourse.

(P4) Давайте проведем эту линию между храмом Ризоположения здесь, на Донской, событиями века XVII, и тем, что произошло в XXI веке перед величайшей святыней Церкви нашей и всего православного мира — перед частицей Ризы Господней. Думаю, ни один верующий человек не должен сказать: "это меня не касается", "это не мое дело". Каждого верующего человека это не может не уязвлять.

Let us draw a line between the Cathedral of the Deposition of the Robe temple here on Donskaia and the events in the 17th century, and what took place in the 21st century before the greatest relic of our church and the whole Orthodox world – before a fragment of the Lord's Robe. I believe that not one religious person needs to say: 'this does not concern me'; 'this is no business of mine'. This cannot be but offensive to every believer.

Next, the Patriarch warns for the view that actions such as the one of PR are political protests, jokes or acceptable actions. ‘We do not have a future’ can relate either to the Orthodox community or to the Russian nation. By implying that the PR performance should not be regarded as a political protest, the council connects to a central theme in the State’s viewpoint during the trial: the denial of any political motives behind the act is in accordance with the previously analysed arguments of the State (quotations S1-S12). Further, if the performance is regarded as a humorous event, the Church sees a risk that it will not be perceived as important and severe. The expression *glumitsia pered velikimi sviatyniami* identifies the discourse as religious.

(P5) Ибо нет у нас будущего, если мы начинаем глумиться перед великими святынями и если это глумление кому-то ложится на душу как некая доблесть, как некое выражение политического протеста, как некое уместное действие или как безобидная шутка.

Because we do not have a future if we begin to mock in front of great shrines and if some see this mockery as a kind of valour, as an expression of political protest, as an acceptable action or harmless joke.

The Patriarch equates the PR performance with an act of the Devil, who ‘has laughed at us’, and this is perceived as a particularly serious offence as Orthodox believers are observing Lent. This is a striking example where the PR performance is elevated to be perceived as a strike against the entire Orthodox community, and is even supported by the Devil. The Patriarch here uses an exclusively religious discourse.

(P6) Мы все сегодня проходим через Великий пост. Дьявол посмеялся над всеми нами, введя столько скорбей в те дни, когда мы должны уходить от волнений мира сего, погружаться в молитву, ограничивать себя постом, каяться в своих собственных грехах.

Today we are all observing Lent. The Devil has laughed at all of us, bringing so much sorrow in these days, when we need to move away from the worries of this world, kneel in prayer, observe Lent and confess our own sins.

Next, without mentioning PR by name, the elevated character and religious devotion of Orthodox believers is contrasted against the moral corruption of ‘the others’, who instead believe in a worldly mix that includes the Internet, media, money and weapons. The Patriarch uses a religious discourse, where Orthodox believers should seek support in prayer rather than in worldly things.

(P7) У православного человека это чувство ответственности выражается, в первую очередь, в горячей молитве к Богу. Те люди не верят в силу молитвы. Они верят в силу пропаганды, в силу лжи и клеветы, в силу Интернета, в силу СМИ, в силу денег и оружия. Мы верим в силу молитвы.

For the Orthodox person, this sense of responsibility is expressed first and foremost through fervent prayer to God. Those people do not believe in the force of prayer. They believe in the force of propaganda, in lies and defamation, in the force of the Internet, in the force of mass media and in the force of money and weapons. We believe in the force of prayer.

Arguments of *Pussy Riot*: ‘He Hath a Devil, and is Mad’

Tolokonnikova, Samutsevich and Alekhina delivered their closing statements in the Khamovnicheskii court on 8 August 2012. This was the only time during the trial that PR was allowed to make coherent statements. Tolokonnikova’s statement is rhetorically strong, relies on the classic rhetorical concepts of *ethos* and *pathos*, and has by some been labelled a defence manifesto for *Pussy Riot*. Tolokonnikova traces a historic relation between Soviet dissident martyrs and PR’s modern day punk expression. She describes a Church abused by an evil State and takes the perspective of a righteous Orthodox believer, using poetical language and frequent Bible quotes.



Picture 3. Moscow, 8 August 2012: Nadezhda Tolokonnikova (to the right) reading her statement in the Khamovnicheskii court from a glass cage sometimes used in Russian courts.

The analysis takes its starting point in the assumption that Tolokonnikova's statement first and foremost represents the group PR rather than herself as an individual²¹. In the first quotation below, PR elevates the debate to a national political level and refers to a Russian history of state repression. PR thus considers the trial not to be about the three defendants but about the Russian State, and questions the validity of the court by comparing the trial with Stalin's show trials in the 1930's, where the guilt of the defendants was already decided in advance. The trial is described with the term *imitatsiia* [imitation]. PR claims that the State displays authoritative characteristics known from the worst times of Russian history, and uses the strong accusation *politicheskii zakaz na repressii* [political order for repression], claiming that the Russian government controls court decisions. By using the above arguments from dissident and political discourses but avoiding religious discourse, PR directs its accusations not against the Orthodox Church but against the Russian State for using methods known from Soviet time repression of dissidents.

(PR1) По большому счету текущий процесс идет не над тремя вокалистками группы Pussy Riot. Если бы это было так, происходящее здесь не имело бы ровно никакого значения. Это процесс над всей государственной системой Российской Федерации, которой, к несчастью для нее самой, так нравится цитировать свою жестокость по отношению к человеку, равнодушие к его чести и достоинству – все самое плохое, что когда-либо случалось в российской истории. Имитация судебного процесса приближается к стандарту сталинских «троек», к моему глубокому сожалению. Так и у нас - следователь, судья и прокурор. И еще, кроме того, выше всего этого – политический заказ на репрессии, определяющий слова, действия, решения всех троих.

By and large, the on-going process is not about the three vocalists from the group Pussy Riot. If this were the case, the events here would not be nearly as significant. This is a trial about the whole governmental system of the Russian Federation, which, to its own misfortune, enjoys quoting its own cruelty towards the individual, its indifference towards their honour and dignity – the worst elements of Russian history. To my deepest regret, the imitation of a judicial process is approaching the standards of Stalin's 'troika'. It is like that also for us – investigator, judge and prosecutor. Furthermore, the words and decisions of those three are guided by a political order of repression.

PR then presents the political motives for its performances and strongly criticises the Russian State with labels as *zakostenelost'* [unyieldingness], *zakrytost'* [self-containment] and *kastovost'* [caste system]. These accusations belong to a political discourse, which is never used in the quotations of the

²¹ Hence the coding of Tolokonnikova's statements as PR1, PR2 etc. The reasons for choosing Tolokonnikova's statement before those of other PR members are previously discussed in the chapter 'Theory and Method'.

State or the Church. However, the three critical labels above have more poetical than outright political connotations, also seen in the alliteration of the consonants k, s and t, which makes the statement rhetorically effective.

(PR2) Мы делали наши политические панк-концерты, потому что в российской госсистеме царит такая закостенелость, закрытость и кастовость, а проводимая политика подчинена лишь узким корпоративным интересам настолько, что нам от одного российского воздуха больно.

We made our punk concerts because in the Russian political system governs such an unyieldingness, self-containment and caste system, and the politics are subordinated only to narrow corporate interests, such that it makes us sick to breathe the Russian air.

PR stresses that the group enjoys strong support among Orthodox believers, who are said to be praying for them in large numbers, and challenges the notion put forward by the prosecution that the Orthodox community is a homogeneous group of aggrieved believers. PR here relies on a religious or Orthodox discourse.

(PR3) И я знаю, что сейчас огромное количество православных людей выступают за нас, в частности, у суда за нас молятся, молятся за находящихся в заточении участниц группы PussyRiot. Нам показывали те маленькие книжечки, которые раздают эти православные, с содержащейся в этих книжечках молитвой о находящихся в заточении. Одно это показывает то, что нету единой социальной группы православных верующих, как пытается представить сторона обвинения.

I know that a great number of Orthodox Christians speak out on our behalf, the ones who gather near the court in particular. They pray for us; they pray for the imprisoned members of Pussy Riot. We have seen the little booklets the Orthodox pass out containing prayers for the imprisoned. This fact alone demonstrates that there is no single, unified group of Orthodox believers, as the prosecutor would like to prove.

In the next quotation, Christianity is described as forgiving and truth-seeking, in contrast to the prosecution which is criticised for not following the example of Jesus: *storona obvneniia popiraiet khristianstvo* [the prosecution tramples on Christianity]. PR claims that the trial takes place under the banner of Christianity, which should lead to forgiveness of the accused. PR enters a religious discursive territory by referring to Bible studies and reconciliatory acts of Christ:

(PR4) И я полагаю, что христианство, то, как я его поняла, изучая Ветхий Завет и, в особенности, Новый Завет, оно поддерживает именно поиск истины и постоянное преодоление себя, преодоление того, чем ты был раньше. Христос

не зря был с блудницами. Он говорил: надо помогать тем, кто оступается, и я прощаю их. Но почему-то я не вижу этого на нашем процессе, который происходит под знаменем христианства. Мне кажется, что сторона обвинения попирает христианство!

I think that Christianity, as I understood it while studying the Old and especially the New Testament, supports the search for truth and a constant overcoming of oneself, the overcoming of what you were earlier. It was not in vain that when Christ was among the prostitutes, he said that those who falter should be helped; "I forgive them," He said. I do not see this in our trial, which takes place under the banner of Christianity. Instead, it seems to me that the prosecution is trampling on religion.

PR identifies itself with Soviet time dissidents by referring to a dissident group in the 1920s, the 'OBERIU'²² poets, who were 'never defeated' and remained artists until their death. This is a direct challenge of the State and implies that PR cannot be defeated and, regardless of what repressive actions the State will take, will continue their actions²³. Dissident and artistic discourses are intertwined and connect to historic times of State repression.

(PR5) Я и Катя, и Маша сидим в тюрьме, в клетке. Но я не считаю, что мы потерпели поражение. Как и диссиденты не были проигравшими. Теряясь в психбольницах и тюрьмах, они выносили приговоры режиму. Искусство создания образа эпохи не знает победителей и проигравших. Так и поэты, обэриуты, до конца оставались художниками, по-настоящему необъяснимо и непонятно, будучи «зачищенными» в 1937 году.

Katya, Masha and I may be in prison, in a cage, but I do not consider us defeated. Just as the dissidents were not defeated; although they disappeared into mental institutions and prisons, they pronounced their verdict upon the regime. The art of creating the image of an epoch does not know winners or losers. It was the same with the OBERIU poets, who remained artists until the end, inexplicable and incomprehensible, and were purged in 1937.

More specifically, PR identifies itself as heir of the avant-garde and OBERIU poet Aleksandr Vvedenskii, whose style of 'bad rhymes' has inspired PR. This reference pertains to an artistic discourse and leads the mind to punk rock aesthetics.

(PR6) PussyRiot – ученики и наследники Введенского. Его принцип плохой рифмы для нас родной. Он писал: «Бывает, что приходят на ум две рифмы: хорошая и плохая. Я выбираю плохую. Именно она и будет правильной».

Pussy Riot are Vvedenskii's students and heirs. His principle of the bad rhyme is dear to us. He wrote, "Occasionally, I think of two different rhymes, a good one and a bad one, and I always choose the bad one because it is always the right one."

²² OBERIU, the Association for Real Art, was a Russian dissident group of authors in the 1920's and 1930's that rejected traditional art forms. Several of its members were killed under Stalin's repression.

²³ Schuler (p. 14) describes this as a clear metaphor: 'Oberiu's art cost the poets their lives; Pussy Riot's art costs three Pussy Riot performers their freedom.'

Next, PR returns to the Bible with the story of Stephen, who was accused of blasphemy based on false testimony and stoned to death. Although *bogokhul'stvo* [blasphemy] is not directly part of the official accusations, it is portrayed as such by PR. PR points out that even Jesus Christ was accused for blasphemy and for being possessed by the Devil. Perhaps there is also here the implicit question of who was the original 'holy fool' if not Jesus? By providing extensive and concrete bible references, PR uses a religious discourse in its response to the accusations and almost takes the perspective of a misunderstood saviour.

(PR7) А не забыли ли вы, при каких обстоятельствах завершил свой земной путь последователь апостолов Стефан? «Тогда научили они некоторых сказать: «Мы слышали, как он говорит хульные слова на Моисея и на Бога. И возбудили народ, и старейшин, и книжников. И на Пасху схватили его и повели в Синедрион. И представили ложных свидетелей, которые говорили: «Этот человек не перестает говорить хульные слова на святое место сие и на закон». Он был признан виновным и казнен побиванием камнями. Также смею надеяться, что все хорошо помнят, как иудеи говорили Христу: «Не за доброе дело хотим побить тебя камнями, но за богохульство». И, наконец, стоило бы держать в уме такую характеристику Христа: «Он одержим бесом и безумствует».

Have you forgotten under what circumstances Stephen, the disciple of the Apostles, concluded his earthly life? 'Then they suborned men, which said, "We have heard him speak blasphemous words against Moses, and against God." And they stirred up the people, and the elders, and the scribes, and came upon him, and caught him, and brought him to the council, and set up false witnesses, which said, This man ceaseth not to speak blasphemous words against this holy place, and the law.'²⁴ He was found guilty and stoned to death. I also hope that you all remember well how the Jews answered Christ: 'For a good work we stone thee not; but for blasphemy; and because that thou, being a man, makest thyself God.'²⁵ And finally we would do well to keep in mind the following characterization of Christ: 'He hath a devil, and is mad'.²⁶

In the next quotation, PR again relies on the Bible to claim its innocence, and forebodes a repressive third presidential term of Vladimir Putin. PR claims its innocence and directs an appeal of mercy to the State, but also to the Russian people. The statement is also bold in the sense that it openly ridicules President Putin. By combining political and religious discourse, PR criticises Putin and the State from the perspective of Orthodox believers.

²⁴ Book of Acts 6:11-13, (King James Bible).

²⁵ John 10:33, (King James Bible).

²⁶ John 10:20, (King James Bible).

(PR8) Я полагаю, что если бы начальство - цари, старейшины, президенты, премьеры, народ и судьи - хорошо знали и понимали, что значит «милости хочу, а не жертвы», то не осудили бы невиновных. Наше же начальство пока спешат лишь с осуждением, но никак не с милостью. Кстати, спасибо Дмитрию Анатольевичу Медведеву за очередной замечательный афоризм! Если свой президентский срок он обозначил лозунгом «Свобода лучше, чем несвобода», то, благодаря меткому слову Медведева, у третьего срока Путина есть хорошие шансы пройти под знаком нового афоризма - «Тюрьма лучше, чем побивание камнями».

If the authorities, tsars, presidents, prime ministers, the people, and judges understood what ‘I will have mercy, and not sacrifice’²⁷ meant, they would not put the innocent on trial. Our authorities, however, still rush with condemnations, and never reprieves. To this point, I would like to thank Dmitry Anatolyevich Medvedev for providing us with the following excellent aphorism. He summarized his presidential term with the statement: ‘Liberty is better than non-liberty.’ Thus in line with Medvedev’s apt words, Putin’s third term can well be characterized by the aphorism ‘Prison is better than stoning.’

In the following, PR rejects the accusations of religious hatred and accuses the court for relying on false testimony. Bear in mind that the subsequent verdict read: ‘Hooliganism motivated by religious hatred’²⁸. This is one of the few occasions in the studied corpus where the group uses a predominately juridical discourse.

(PR9) Поскольку мы реально не питали и не питаем религиозной ненависти и вражды, нашим обвинителям ничего не остается, как прибегать к помощи лжесвидетелей.

Since we truly have never harboured any religious hatred or animosity, our accusers have to rely on false witnesses.

PR again takes an Orthodox viewpoint, and contrasts its own respect for Orthodox values against the State’s misuse of Christian philosophy. The arguments pertain to a religious discourse.

(PR10) Мы уважительно относимся к религии, православной в частности. Именно поэтому нас возмущает, что великую светлую христианскую философию так грязно используют.

We respect religion in general and the Orthodox faith in particular. This is why we are especially infuriated when Christian philosophy, which is full of light, is used in such a dirty fashion.

²⁷ Matthew 9:13, (King James Bible).

²⁸ *‘Khuliganstvo na pochve religioznoi nenavisti’*.

Results and Discussion

Summary of Analysed Discourses

The original hypothesis that the stakeholders in the *Pussy Riot* trial would stay with their expected discourse did not hold, since there was a considerable influence of a religious discourse on many of the arguments. This is especially true for the analysed statement of PR, which is relying to an unexpected degree on religious discourse. The religious discourse is dominated by the historic bonds between the Russian Orthodox Church and the Russian people and its traditions. It is also related to Russian national historic discourse. Juridical discourse, centred on the legal aspects of the alleged crime, was also evoked in large parts of the trial. Dissident discourse connects Soviet times of state repression with today's political rule, and is closely related to the artistic discourse sometimes used, where artists' right to political protest and freedom of speech are important features. Since PR has become known also for its feminist agenda, it is noteworthy that feminist discourse had little space in the analysed corpus.

As seen in the statements of the court, in the comments of the Church, and in the defence of the accused, there are sometimes discursive shifts or breaks where the stakeholders deviate from their expected domain. The most relevant discoveries of the DA are thus found in the quotations where the State uses a religious discourse (quotations S3, S4, S5, S6, S7, S8, S9, S10, S11 and S12), where the Church uses a juridical discourse (quotations HC1, HC2, HC6 and HC7), and where *Pussy Riot* uses a religious discourse (quotations PR3, PR4, PR7, PR8 and PR10). See Appendix II for a schematic overview of the discourses used.

The Creation of a Crime – did a Criminal Offence Take Place?

Different from what is usually perceived as public protests, namely the actions or performances themselves, in the case of PR, the edited version of the original performance was the starting point for the events that followed. As we have seen in the DA, the State and

the Orthodox Church struggle with the underlying dilemma of where and when the alleged blasphemy and insulting of Orthodox believers actually took place: when the song was heard in the Cathedral, when the lyrics were subsequently posted on the internet, when plaintiffs were exposed to the evidence or when they were reminded of the act in the trial? One could argue that since it was the internet version of the PR performance that initiated the process, the crime of hooliganism cannot be applied, since this is not possible to commit in digital form.

The severity of the penalty comes across as disproportional in relation to what took place: in Sweden for instance, a similar act in a church would at the most render the accused a fine for the minor offense ‘disorderly conduct’ (Bodin, 2013), and the religious feelings of those present would not play as dominant a role, if any, in the verdict. This prominent role of the religious discourse in a legal trial may be a sign that fundamental parts of Russian society are influenced by religious traditions.

Blasphemy, Hooliganism or Political Protest?

Although Russia is *de jure* a secular state, the legal trial is heavily imbued by religious discourse. The State evokes a religious discourse in large parts of the trial, as opposed to a strict juridical discourse. The ROC denies the PR act any connection to *religious* practices while the State is anxious not to assign the act any *political* motives. PR itself, however, claims that the act was a political protest in the form of an art performance. Therefore, there is a discursive struggle regarding how the performance should be characterised. In Russia, blasphemy is not a crime, neither is political satire, performance art or public protests against the State, and this is troublesome to the court: by choosing to regard the PR performance neither as a piece of art nor as a political protest, the State has to find a way of proving that PR has committed hooliganism and, moreover, hooliganism motivated by religious hatred. As shown in the DA, such an offence is difficult to prove. The efforts to produce evidence by

assigning witnesses and plaintiffs various religious virtues, such as piety and abidance by Church rules and customs creates a theatrical backdrop to the trial in the sense that witnesses are perceived to be coached by the prosecution. What is also apparent in the arguments of the Church and in PR's defence is that both sides enlarge the short PR performance in the church out of proportion: the Church paints a menacing picture where ancient moral and sacred values are being threatened, and PR evokes a dissident discourse comparing the trial with Stalin's show trials, and a religious discourse where PR relates to a misunderstood Christ.

The Russian Orthodox Church as a Stakeholder in the Debate

The Russian Orthodox Church and its representatives are neither participants nor plaintiffs in the trial, but actively participate in the debate around the performance and the trial. The Church relies mainly on a religious discourse when it presents its arguments against the *Pussy Riot* act. The Church claims to distance itself from juridical argumentation, which is said to be left to the legal authorities, but in some significant cases the Church itself evokes a juridical discourse.

Did *Pussy Riot* Win or Lose the Debate?

Tolokonnikova's emotional and rhetorically strong final statement may well in the future be found among classic speeches. Through the Russian and international media attention around the trial, PR's message was available to a world-wide audience that can only be wished for by other protest movements. Ironically, the State provided an excellent platform for PR to convey its message and it can be debated whether the trial itself may even be considered a part of PR's artwork. PR evokes a dissident discourse and connects it to an artistic discourse, but more effective is PR's use of a religious discourse. Through repeated biblical references, PR assures its members' devotion and respect for religion, the Orthodox Church and its believers. The extensive references from a religious and Orthodox discourse may be a

response to the State's focus on the PR act's alleged desecration of religious feelings as the bearing element of the prosecution. It could be argued that PR risks losing support within the political, dissident and free speech discourses, which are prominent features of PR's other performances and public declarations. Also, feminist and punk discourses, earlier trademarks of PR, are not prominent. However, PR's choice to formulate its criticism within a religious and Orthodox discourse challenges the ROC's ambition to exclusively represent the Orthodox faith, and can be an effective means to disclose the ties between the ROC and the Putin regime. PR argues that its political views and the base for all its public performances and protests were not heard in the trial. PR's focus on religious discourse could also improve the support and lessen the disparagement of ordinary Russians with a high esteem of the Church and its practices. The message is directed to a Russian audience rather than an international one, which cannot relate to the Orthodox discourse in the same way as Russians.

Smearing of God: Who is the Real Plaintiff?

Throughout this thesis, the State aims at avoiding religious language in its accusations, since actions directed mainly against God, such as blasphemy and desecration, are no valid grounds for a criminal case in a secular state. However, in large parts of the trial, most prominently in the witness hearings, the alleged smearing of God becomes a central issue. The State's strategy to systematically portray the plaintiffs as almost impeccable iconic figures adds to the notion that there was more at stake in this trial than the violation of a number of rules regulating how visitors should behave in a church. This raises the question: is it God who is the implicit plaintiff and defender of the Orthodox faith in the trial?

Conclusion

The historical bonds between the Russian people and the Orthodox Church were significant elements of the *Pussy Riot* trial, and religious discourse was used by all three stakeholders in the debate – the State, the Church and *Pussy Riot* – to support their rhetorical message. This observation leads to the conclusion that in Russia today, religious ideas and traditions influence important parts of the society, even democratic institutions such as the judiciary, in ways that are not expected in a modern, secular state.

Appendix I: Lyrics of punk prayer

Панк-молебен: Богородица, Путина прогони – partly performed in Christ the Saviour's Cathedral on 21 February 2012 (Pussy Riot, 2012b)

(Хор)

Богородица, Дево, Путина прогони
Путина прогони, Путина прогони,
Путина прогони, Путина прогони

Черная ряса, золотые погоны
Все прихожане ползут на поклоны
Призрак свободы на небесах
Гей-прайд отправлен в Сибирь в кандалах

Глава КГБ, их главный святой
Ведет протестующих в СИЗО под конвой
Чтобы Святейшего не оскорбить
Женщинам нужно рожать и любить

Срань, срань, срань Господня
Срань, срань, срань Господня

(Хор)

Богородица, Дево, стань феминисткой
Стань феминисткой,
феминисткой стань

Церковная хвала прогневших воджей
Крестный ход из черных лимузинов
В школу к тебе собирается проповедник
Иди на урок - принеси ему денег!

Патриарх Гундяй верит в Путина
Лучше бы в Бога, сука, верил
Пояс девы не заменит митингов -
На протестах с нами Приснодева Мария!

(Хор)

Богородица, Дево, Путина прогони,
Путина прогони

Punk Prayer, English translation by Carol Rumens, The Guardian (Rumens, 2012)

(Chorus)

Virgin Mary, Mother of God, banish Putin,
banish Putin, Virgin Mary, Mother of God,
banish him, we pray thee!

Congregations genuflect,
Black robes brag gilt epaulettes,
Freedom's phantom's gone to heaven,
Gay Pride's chained and in detention.

KGB's chief saint descends
To guide the punks to prison vans.
Don't upset His Saintship, ladies,
Stick to making love and babies.

Crap, crap, this godliness crap!
Crap, crap, this holiness crap!

(Chorus)

Virgin Mary, Mother of God.
Be a feminist, we pray thee,
Be a feminist, we pray thee.

Bless our festering bastard-boss.
Let black cars parade the Cross.
The Missionary's in class for cash.
Meet him there, and pay his stash.

Patriarch Gundy believes in Putin.
Better believe in God, you vermin!
Fight for rights, forget the rite –
Join our protest, Holy Virgin.

(Chorus)

Virgin Mary, Mother of God, banish Putin,
banish Putin.

Appendix II: Identified Discourses

Quotations of the State (the Verdict)	Discourses used
S1 Суд не может согласиться с доводами стороны защиты об отсутствии в действиях подсудимых мотива религиозной ненависти и вражды, ненависти какой-либо социальной группы, мотив религиозной ненависти в действиях подсудимых суд усматривает в следующем: подсудимые позиционируют себя сторонниками феминизма, то есть движения за равноправие женщин с мужчинами.	Juridical discourse, political discourse
S2 Толоконникова, Самуцевич и Алехина совершили хулиганство, то есть грубое нарушение общественного порядка, выражающее явное неуважение к обществу, совершенное по мотивам религиозной ненависти и вражды и по мотивам ненависти в отношении какой-либо социальной группы, группой лиц по предварительному сговору.	Juridical discourse
S3 Так, Толоконникова, Самуцевич, Алехина и неустановленные лица [...] вступили в преступный сговор с целью совершения грубого нарушения общественного порядка, выражающего явное неуважение к обществу, по мотивам религиозной ненависти и вражды и по мотивам ненависти в отношении какой-либо социальной группы в виде осуществления провокационных и оскорбительных действий в религиозном здании с привлечением внимания широкого круга верующих граждан.	Juridical discourse, religious discourse
S4 Для совершения своих противоправных действий Толоконникова, Самуцевич, Алехина и неустановленные соучастники распределили между собой роли и намеренно приобрели для облачения одежду, явно и очевидно противоречащую общим церковным правилам, требованиям порядка, дисциплины и внутреннего уклада церкви.	Juridical discourse, religious discourse
S5 Толоконникова, Самуцевич и Алехина и неустановленные участники преступного сговора, причисляющие себя к женской панк-группе Pussy Riot, планировали в кафедральном соборе Русской православной церкви, храме Христа Спасителя, облачиться в вышеуказанные одеяния для того, чтобы открыто выразить неуважение к христианскому миру и церковным канонам. При этом на свои лица они надели защитные маски вызывающе яркой окраски, то есть имели на себе предметы одежды, непристойной, с точки зрения церковных канонов, для данного места.	Juridical discourse, religious discourse
S6 21 февраля 2012 года в храме Христа Спасителя с точки зрения православной религии, православных верующих участницами группы Pussy Riot совершены богохульные, кощунственные действия, которые очень сильно оскорбляют чувства верующих, высмеивают истинно верующих православных граждан. В прямом смысле богоборческими эти действия назвать трудно, однако указанные действия ему напоминают деятельность организации «Союз безбожников», действовавшей в 20-30-х годах, которые в шутовской форме пародировали священные действия, совершаемые РПЦ, такие как крестный ход, публичные молебны и т.д. Указанные действия являлись началом гонения на Русскую православную церковь, что в последующем чуть не привело к ее полному уничтожению.	Juridical discourse, religious discourse
S7 В это же время Толоконникова, находясь на сцене и амвоне, без промедления подключила микрофон к звукопроизводящей аппаратуре и включила фонограмму с заранее подготовленной песней, содержание которой, с точки зрения норм Русской православной церкви, является богохульным и оскорбительным для верующих и священнослужителей.	Juridical discourse, religious discourse
S8 Затем, игнорируя предостережения прихожан, действия охранников и сотрудников храма, Толоконникова, Алехина и неустановленные следствием соучастники продолжили грубое нарушение общественного порядка, а именно, пренебрегая правилами поведения и проявляя явное неуважение к культуре поведения в храме, находясь в предалтарной части храма, перемещаясь по сцене и амвону, вход на которые посетителям строго воспрещен, в течение примерно одной минуты, руководствуясь чувством религиозной ненависти и вражды, выкрикивали, скандируя, бранные слова и слова, оскорбляющие присутствующих, а также прыгали, задирали ноги, имитируя танцы и нанесение ударов кулаками по воображаемым противникам.	Juridical discourse, religious discourse
S9 Своими действиями Толоконникова, Самуцевич, Алехина совместно с неустановленными лицами грубым образом нарушили общественный порядок, лишили граждан общественного спокойствия, прервали нормальное функционирование кафедрального собора — храма Христа Спасителя, нарушили предусмотренные регламентом нахождения посетителей в храме, проявили явное неуважение к посетителям и служителям храма, ставшим невольными очевидцами вышеуказанных незаконных действий, глубоко оскорбили и унизили чувства и религиозные ориентиры верующих православных граждан.	Juridical discourse, religious discourse
S10 В целом реализованной акцией, в явной неуважительной и непочтительной форме, лишенной всяких основ морали, явным и недвусмысленным образом выразили свою религиозную ненависть и вражду к одной из существующих в настоящее время религий, христианству, посягнув на его равноправие, самобытность и высокую значимость для большого количества наций и народов.	Religious discourse
S11 Потерпевший Железов в судебном заседании показал, что является православным, глубоко верующим и церковным человеком, соблюдает посты, праздники, участвует в церковных таинствах, богослужениях, исповедует православную веру, соблюдает все каноны и обряды православной церкви.	Religious discourse, Orthodox discourse
S12 Свидетель Жукова в судебном заседании показала о том, что она православная глубоко верующая. Соблюдает все посты, традиции, православные обычаи.	Religious discourse, Orthodox discourse

Quotations of the Orthodox Church High Council		Discourses used
HC1	Богохульство — главная примета врага Божия, описанного в Откровении: «И отверз он уста свои для хулы на Бога, чтобы хулить имя Его, и жилище Его, и живущих на небе» (Откр. 13:6).	Religious discourse, (juridical) discourse
HC2	Высший Церковный Совет считает важным еще раз прояснить позицию Церкви относительно кощунственного акта в Храме Христа Спасителя, в том числе в связи с вынесенным судебным решением.	Religious discourse, juridical discourse
HC3	То, что произошло, есть богохульство и кощунство, сознательное и намеренное оскорбление святыни, проявление грубой враждебности к миллионам людей и их чувствам.	Religious discourse
HC4	Существует различие между грехами против человека и грехами против Бога. Если христианин как личность является пострадавшей стороной, он призван простить согрешившего против него. Но прощение греха против Бога невозможно без искреннего раскаяния согрешившего перед Ним.	Religious discourse
HC5	Мы также не рассматриваем происшедшее с политической или эстетической точки зрения. Пастырский долг Церкви — давать духовную, нравственную оценку имевшим место событиям.	Religious discourse
HC6	Недопущение оскорбления чувств верующих, актов кощунства над религиозными святынями и глумления над культурными памятниками — задача государства, уважающего своих граждан. Созданный судебный прецедент должен предотвратить повторение подобных действий в будущем.	Juridical discourse, religious discourse, (moral discourse)
HC7	Бесчинство в храме стало продолжением глубоко безнравственных публичных акций, ранее совершенных теми же лицами и их соратниками и оставшихся безнаказанными.	Juridical discourse
HC8	Поэтому никак нельзя согласиться с попытками представить происшедшее в храме как молитву, совершенную в нетрадиционной форме.	Religious discourse
HC9	Православный христианин не может ни участвовать в богохульстве, ни одобрять его, ни прямо или косвенно его поддерживать.	Religious discourse
HC10	К сожалению, эти попытки дезориентировали многих людей, в том числе отдельных членов Церкви, пребывающих в неведении относительно того, какие кощунственные и мерзкие слова были произнесены на амвоне Храма Христа Спасителя.	Religious discourse
HC11	В XX веке антирелигиозная ненависть — как и ненависть этническая — унесли жизни миллионов людей. Наш народ прошел через испытание воинствующим безбожием и фашистской агрессией. Это дало нам трагический урок, который сформировал особую чувствительность к оскорблению религиозных и национальных чувств.	Religious freedom discourse, national historic discourse

Quotations of the Orthodox Church Patriarch		Discourses used
P1	Думаю, все вы знаете о том, что произошло недавно в Храме Христа Спасителя. Вот давайте соотнесем свою мысль с тем фактом, что на месте, где мы стоим, благочестивые предки наши, полагавшие основу процветания России как великого государства, заложили храм сей только ради встречи со святыней. А их далекие потомки в веке XXI осквернили эту святыню, находящуюся в Храме Христа Спасителя...	Religious discourse, national historic discourse
P2	Прошли времена, когда люди силой решали такие вопросы — и слава Богу, что прошли. Ну что должно было бы быть в земле нашей, которая самим фактом своего существования во многом обязана Церкви Православной и вере православной, подвигавшей народ наш на величайшие подвиги — в том числе на защиту Отечества в 1812 году?	Religious discourse, national historic discourse
P3	Нет, появляются люди, которые оправдывают это кощунство, минимизируют его, стараются представить как некую забавную шутку. И печально, и от горечи сердце мое разрывается, что среди этих людей есть и те, кто называет себя православными.	Religious discourse
P4	Давайте проведем эту линию между храмом Ризоположения здесь, на Донской, событиями века XVII, и тем, что произошло в XXI веке перед величайшей святыней Церкви нашей и всего православного мира — перед частицей Ризы Господней. Думаю, ни один верующий человек не должен сказать: "это меня не касается", "это не мое дело". Каждого верующего человека это не может не уязвлять.	Religious discourse, Orthodox discourse
P5	Ибо нет у нас будущего, если мы начинаем глумиться перед великими святынями и если это глумление кому-то ложится на душу как некая доблесть, как некое выражение политического протеста, как некое уместное действие или как безобидная шутка.	Religious discourse
P6	Мы все сегодня проходим через Великий пост. Дьявол посмеялся над всеми нами, введя столько скорбей в те дни, когда мы должны уходить от волнений мира сего, погружаться в молитву, ограничивать себя постом, каяться в своих собственных грехах.	Religious discourse
P7	У православного человека это чувство ответственности выражается, в первую очередь, в горячей молитве к Богу. Те люди не верят в силу молитвы. Они верят в силу пропаганды, в силу лжи и клеветы, в силу Интернета, в силу СМИ, в силу денег и оружия. Мы верим в силу молитвы.	Religious discourse, Orthodox discourse

Quotations of <i>Pussy Riot</i> (Tolokonnikova)		Discourses used
PR1	По большому счету текущий процесс идет не над тремя вокалистками группы Pussy Riot. Если бы это было так, происходящее здесь не имело бы ровно никакого значения. Это процесс над всей государственной системой Российской Федерации, которой, к несчастью для нее самой, так нравится цитировать свою жестокость по отношению к человеку, равнодушие к его чести и достоинству – все самое плохое, что когда-либо случилось в российской истории. Имитация судебного процесса приближается к стандарту сталинских «троек», к моему глубокому сожалению. Так и у нас – следователь, судья и прокурор. И еще, кроме того, выше всего этого – политический заказ на репрессии, определяющий слова, действия, решения всех троих.	Political discourse, dissident discourse
PR2	Мы делали наши политические панк-концерты, потому что в российской госсистеме царит такая закоренелость, закрытость и кастовость, а проводимая политика подчинена лишь узким корпоративным интересам настолько, что нам от одного российского воздуха больно.	Political discourse
PR3	И я знаю, что сейчас огромное количество православных людей выступают за нас, в частности, у суда за нас молятся, молятся за находящимися в заточении участниц группы PussyRiot. Нам показывали те маленькие книжечки, которые раздают эти православные, с содержащейся в этих книжечках молитвой о находящимся в заточении. Одно это показывает то, что нету единой социальной группы православных верующих, как пытается представить сторона обвинения.	Religious discourse, (Orthodox discourse)
PR4	И я полагаю, что христианство, то, как я его поняла, изучая Ветхий Завет и, в особенности, Новый Завет, оно поддерживает именно поиск истины и постоянное преодоление себя, преодоление того, чем ты был раньше. Христос не зря был с блудницами. Он говорил: надо помогать тем, кто оступается, и я прощаю их. Но почему-то я не вижу этого на нашем процессе, который происходит под знаменем христианства. Мне кажется, что сторона обвинения попирает христианство!	Religious discourse
PR5	Я и Катя, и Маша сидим в тюрьме, в клетке. Но я не считаю, что мы потерпели поражение. Как и диссиденты не были проигравшими. Теряясь в психбольницах и тюрьмах, они выносили приговоры режиму. Искусство создания образа эпохи не знает победителей и проигравших. Так и поэты, обэриуты, до конца оставались художниками, по-настоящему необъяснимо и непонятно, будучи «зачищенными» в 1937 году.	Dissident discourse, artistic discourse
PR6	PussyRiot – ученики и наследники Введенского. Его принцип плохой рифмы для нас родной. Он писал: «Бывает, что приходят на ум две рифмы: хорошая и плохая. Я выбираю плохую. Именно она и будет правильной».	Artistic discourse
PR7	А не забыли ли вы, при каких обстоятельствах завершил свой земной путь последователь апостолов Стефан? «Тогда научили они некоторых сказать: «Мы слышали, как он говорит хульные слова на Моисея и на Бога. И возбудили народ, и старейшин, и книжников. И на Пасху схватили его и повели в Синагогон. И представили ложных свидетелей, которые говорили: «Этот человек не перестает говорить хульные слова на святое место сие и на закон». Он был признан виновным и казнен побиванием камнями. Также смею надеяться, что все хорошо помнят, как иудеи говорили Христу: «Не за доброе дело хотим побить тебя камнями, но за богохульство». И, наконец, стоило бы держать в уме такую характеристику Христа: «Он одержим бесом и безумствует».	Religious discourse
PR8	Я полагаю, что если бы начальство - цари, старейшины, президенты, премьеры, народ и судьи - хорошо знали и понимали, что значит «милости хочу, а не жертвы», то не осудили бы невиновных. Наше же начальство пока спешат лишь с осуждением, но никак не с милостью. Кстати, спасибо Дмитрию Анатольевичу Медведеву за очередной замечательный афоризм! Если свой президентский срок он обозначил лозунгом «Свобода лучше, чем несвобода», то, благодаря меткому слову Медведева, у третьего срока Путина есть хорошие шансы пройти под знаком нового афоризма - «Тюрьма лучше, чем побивание камнями».	Political discourse, religious discourse
PR9	Поскольку мы реально не питали и не питаем религиозной ненависти и вражды, нашим обвинителям ничего не остается, как прибегать к помощи лжесвидетелей.	Juridical discourse
PR10	Мы уважительно относимся к религии, православной в частности. Именно поэтому нас возмущает, что великую светлую христианскую философию так грязно используют.	Religious discourse

Appendix III: Article 213 of the Russian Criminal Code

The Russian wording of Article 213 of the Russian Criminal Code – Hooliganism (Уголовный кодекс РФ, 2013):

1. Хулиганство, то есть грубое нарушение общественного порядка, выражающее явное неуважение к обществу, совершенное:

а) с применением оружия или предметов, используемых в качестве оружия;
б) по мотивам политической, идеологической, расовой, национальной или религиозной ненависти или вражды либо по мотивам ненависти или вражды в отношении какой-либо социальной группы, -наказывается штрафом в размере от трехсот тысяч до пятисот тысяч рублей или в размере заработной платы или иного дохода осужденного за период от двух до трех лет, либо обязательными работами на срок до четырехсот восьмидесяти часов, либо исправительными работами на срок от одного года до двух лет, либо принудительными работами на срок до пяти лет, либо лишением свободы на тот же срок.

2. То же деяние, совершенное группой лиц по предварительному сговору или организованной группой либо связанное с сопротивлением представителю власти либо иному лицу, исполняющему обязанности по охране общественного порядка или пресекающему нарушение общественного порядка, - наказывается штрафом в размере от пятисот тысяч до одного миллиона рублей или в размере заработной платы или иного дохода осужденного за период от трех до четырех лет, либо принудительными работами на срок до пяти лет, либо лишением свободы на срок до семи лет.

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