

RULE OF LAWYERS: LATTER-DAY SAINT ENTANGLEMENT IN EASTERN EUROPEAN ANTI-LGBTQI+ LEGISLATION

Kate Mower

In August 2017, I had just returned home from a Fulbright year in Bulgaria and Romania to an email from a Romanian friend I had met in the small congregation of the Church of Jesus Christ of Latter-day Saints in Constanta, Romania. They wrote to say: “Early this morning, I was going through Facebook and there was this article”—I could sense a fear and frustration in the message—“they were presenting a few facts about what it was like to be gay in Romania. . . . There is this whole movement by several associations and organizations who want to redefine family . . . in the Romanian Constitution and they want a referendum.”¹ This was the first time the Romanian Referendum was brought to my attention. They continued, “My heart was heavy. And then there are these people whom I admire and love who fully support *Coaliția pentru Familie*.” *Coaliția pentru Familie* (Coalition for the Family) was the Romanian organization leading the charge for the referendum, designed to erect further barriers to same-sex marriage in that country. My correspondent was speaking about both Romanian and non-Romanian members of the Church of Jesus Christ of Latter-day Saints supporting the cause. Same-sex marriage was not permitted in Romania, despite Romania’s European Union (EU) membership, so

1. Name withheld. Private email sent to author on Aug. 17, 2017.

the referendum on its face might seem preemptive, but to the legal strategists, it was a layering of defenses. Article 48 of the Romanian Constitution reads that family is based upon spouses freely agreeing to marry.² The 2018 referendum sought to change the language of the constitution to say that marriage is between a man and a woman.³ As a closeted queer person, the referendum caught my attention for its hostility toward queer people.⁴ As a Latter-day Saint, it caught my attention because it felt much too familiar.

2. The Romanian word *soți* is default masculine gendered and therefore translates to “spouses.” “Familia se întemeiază pe căsătoria liber consimțită între soți.” “Constituția României: Titlul II: Drepturile, Libertățile Și Îndatoririle Fundamentale,” n.d., <http://www.cdep.ro/pls/dic/site.page?id=371&par1=2&idl=1>.

3. As of this writing, the European Union is applying pressures on Romania and other EU countries who have not adopted measures to protect same-sex couples. Starting Jan. 1, 2024, EU officials will either sanction Romania for being noncompliant with EU law or it will prompt protests on behalf of LGBTQI+ groups. News Wires, “Romania Must Recognise Same-Sex Civil Unions, EU Top Rights Court Rules,” *France 24*, May 23, 2023, <https://www.france24.com/en/europe/20230523-romania-must-recognise-same-sex-civil-unions-eu-top-court-rules>.

4. Since 2018, scholars have dedicated much time and energy to uncovering the history and processes of the Romanian Referendum on the Family. Though not an exhaustive list, the following details the extent to which the Romanian Referendum has been covered so far. Oana Băluță, “Egalitatea de Gen. Politici Publice Sau Un Câmp de Luptă Discursiv Și Politico-Religios?” *Transilvania*, December 15, 2020, 18–33, <https://doi.org/10.51391/trva.2020.12.03>; Radu Cinpoș, “The Christian Orthodox Church and Illiberal Politics in Romania,” in *Illiberal Politics and Religion in Europe and Beyond*, edited by Anja Hennig and Mirjam Weiberg-Salzmann (Frankfurt: Campus Verlag, 2021), 407–431; Georgeta Ghebrea, “Non-Voting as a Political Action: The Behaviour of Political Science Students Regarding the Referendum for the ‘Traditional Family’ in Romania, 2018,” *Annals of the “Ovidius” University of Constanta, Political Science Series* 8 (2019): 75–91; Sergiu Gherghina, Alexandru Racu, Aurelian Giugal, Alexandru Garvis, Nanuli Silagadze, and Ron Johnston, “Non-Voting in the 2018 Romanian Referendum: The Importance of Initiators, Campaigning and Issue Saliency,” *Political Science* 71, no. 3 (Sept. 2, 2019): 193–213, <https://doi.org/10.1080/00323187.2020.1781541>; Sergiu Gherghina, “Hijacked

The end of the Cold War led to power struggles in Eastern Europe that American conservatives and Latter-day Saints saw as an opportunity to intervene in the creation of a new world order. Mormon history scholars K. Mohrman and Taylor Petrey have both described a new global order at the end of World War II, which brought with it globalized racialized imperialist politics disguised as American exceptionalism where Latter-day Saints epitomized that racialized exceptionalism in

Direct Democracy: The Instrumental Use of Referendums in Romania,” *East European Politics and Societies: And Cultures* 33, no. 3 (Aug. 2019): 778–797, <https://doi.org/10.1177/0888325418800553>; Sergiu Gherghina and Nanuli Sil8 agadze, “Selective Equality: Social Democratic Parties and the Referendums on Same-Sex Marriage in Eastern Europe,” *SSRN Electronic Journal* (2020), <https://doi.org/10.2139/ssrn.3539054>; A. Maftai and A-C. Holman, “Predictors of Homophobia in a Sample of Romanian Young Adults: Age, Gender, Spirituality, Attachment Styles, and Moral Disengagement,” *Psychology & Sexuality* 12, no. 4 (Oct. 2, 2021): 305–316, <https://doi.org/10.1080/19419899.2020.1726435>; Diana Margarit, “LGBTQ Rights, Conservative Backlash and the Constitutional Definition of Marriage in Romania,” *Gender, Place & Culture* 26, no. 11 (Nov. 2, 2019): 1570–1587, <https://doi.org/10.1080/0966369X.2019.1567472>; Martijn Mos, “The Anticipatory Politics of Homophobia: Explaining Constitutional Bans on Same-Sex Marriage in Post-Communist Europe,” *East European Politics* 36, no. 3 (July 2, 2020): 395–416, <https://doi.org/10.1080/21599165.2020.1733983>; Ov Cristian Norocel and Ionela Băluță, “Retrospective Mobilization in the 2018 ‘Referendum for Family’ in Romania,” *Problems of Post-Communism* 70, no. 2 (Mar. 4, 2023): 153–162, <https://doi.org/10.1080/10758216.2021.1987270>; Sorina Soare and Claudiu D. Tufis, “Phoenix Populism: Radical Right Parties’ Mobilization in Romania after 2015,” *Problems of Post-Communism* 66, no. 1 (Jan. 2, 2019): 8–20, <https://doi.org/10.1080/10758216.2018.1460158>; Sorina Soare and Claudiu D. Tufis, “No Populism’s Land? Religion and Gender in Romanian Politics,” *Identities* 30, no. 1 (Jan. 2, 2023): 112–130, <https://doi.org/10.1080/1070289X.2021.1953784>; Iulian Stănescu, “The Curious Story of the 2018 Romanian Traditional Family Referendum: Buck-Passing and the Failure to Mobilise Voters,” *Sociologie Romaneasca* 18, no. 2 (Nov. 11, 2020): 74–111, <https://doi.org/10.33788/sr.18.2.3>; Sorina Voiculescu and Octavian Groza, “Legislating Political Space for LGBT Families: The 2018 Referendum on the Definition of Family in Romania,” *Area* 53, no. 4 (Dec. 2021): 679–690, <https://doi.org/10.1111/area.12729>.

popular media.⁵ These imperialist political machinations intertwined with sexual politics as part of an anticommunist religious revival. They challenged and were challenged by USSR critiques of race and religion in the United States. With the demise of the USSR, that new global order no longer had competition. American organizations, individuals, and religions capitalized on a defeated foe by spreading American religious and imperialist agendas without impediment and with the help of Eastern European ideologues who had been suppressed in and by the former Soviet Union.

This post-Soviet floodgate opening a new global far-right religious movement has been recounted by scholars; however, few have focused on the influence of the Church of Jesus Christ of Latter-day Saints in that process. The Church of Jesus Christ of Latter-day Saints took advantage of the expansionist global atmosphere in two important ways. First, lawyers from the J. Reuben Clark Law School at Brigham Young University (BYU) and former Utah Supreme Court Justice Dallin Oaks worked to create legal, legislative, and constitutional changes in Eastern Europe toward “religious freedom.”⁶ Second, members of the Church of Jesus Christ of Latter-day Saints, Latter-day Saint political think tanks, academic organizations, nongovernmental organizations (NGOs), and top Church leadership, including Dallin Oaks here as a member of the Quorum of the Twelve Apostles of the Church of Jesus Christ of Latter-day Saints, worked to fund and campaign for anti-LGBTQI+ legislation in the United States and Eastern Europe simultaneously at the end of

5. Taylor G. Petrey, *Tabernacles of Clay: Sexuality and Gender in Modern Mormonism* (Chapel Hill: University of North Carolina Press, 2020), 58; K. Mohrman, *Exceptionally Queer: Mormon Peculiarity and U.S. Nationalism* (Minneapolis: University of Minnesota Press, 2022), 214.

6. This article expands on K. Mohrman’s astute argument that “legal claims to sexual and religious freedom in the United States inevitably require a willful erasure of the nation’s racial-colonial legacy and any acknowledgment of its racial-colonial present” and that “Mormonism remains a vital assemblage justifying U.S. colonialism and imperialism.” Mohrman, *Exceptionally Queer*, 274.

the Cold War.⁷ This article argues that Latter-day Saint leaders, representatives, and lawyers helped to shape a global order at the end of the Cold War and at the same time were active participants in and perpetrators of a climate of legislative violence against people belonging to the LGBTQI+ community in Eastern Europe (including Russia) and the United States.

Over the past decade, a growing and exciting body of scholarship in Mormon studies has applied critical theory to Mormon history, specifically queer and race critical theory. This is leading to important critiques of US nationalism and imperialism and thoughtful analyses of the social constructions of gender, sexuality, race, and assimilation. This work, however, centers Mormonism in the United States and neglects the global impacts of a proselytizing religion. Conversely, Eastern European historians, sociologists, and political scientists have been writing extensively on gender and anti-LGBTQI+ legislation and organizations in Eastern Europe. Because Mormon studies scholarship overemphasizes the United States—with good reason since Church authorities consistently reiterate that it is an American religion—the international networks of power are overlooked.⁸ And because the Church of Jesus Christ of Latter-day Saints accounts for such a small percentage of the global population, and an especially small percentage in Eastern Europe, the Church goes unnoticed in the extensive Eastern European scholarship on gender and anti-LGBTQI+ organizations and legislation. This article seeks to highlight the widespread political and

7. The official abbreviation for the International Lesbian, Gay, Bisexual, Trans and Intersex Association is LGBTI. Many European organizations have chosen to use the abbreviation LGBTQI+ with acknowledgment of the “Q” for “queer,” though this is an English-centered term. I use LGBTQI+ in recognition of “queer” and of nonnative English-speaking Eastern European organizations here.

8. Mohrman does incorporate US imperialism in her analysis as a framework but focuses on the push for imperialism domestically through racialized politics. Mohrman, *Exceptionally Queer*.

legal entanglements the Church has quietly inserted itself in throughout Eastern Europe.

Latter-day Saint representatives, like other religious groups and networks, shaped their political motivations around “religious liberty.” However, this religious liberty has been constructed around orthodox visions of established religions, not individual liberty to pursue individual faith in whatever form, inclusive of atheism. This construction of “religious liberty” consistently does not include the religious freedom of gender and sexual minorities. Second, they rely on undefined language like “pro-family” and, more specifically, “pro-traditional family” and assume a strict orthodox religious definition, one that does not exist across all historical time and space. They restrict the definition of family to only include constructions that are patriarchal and nuclear.⁹

While Latter-day Saint members and representatives have influenced right-wing politics for much of the twentieth century, this article

9. Proponents of the religious right “pro-family” movement purposefully disparage feminist scholarship around patriarchy and family without engaging with it more than that. Extensive work has been done, particularly by feminist historians, to disrupt the notion that “traditional family” is a term that crosses all spatial and time boundaries. That scholarship is too extensive to list here, but I include some of the works on the construction of “traditional family” in Romania and Romanian Orthodoxy. See note 48 also. Maria Bucur and Mihaela Miroiu, eds., *Patriarhat Și Emancipare În Istoria Gândirii Politice Românești*, Studii de Gen (Iași, Romania: Polirom, 2002); Maria Bucur, “An Archipelago of Stories: Gender History in Eastern Europe,” *The American Historical Review* 113, no. 5 (Dec. 2008): 1375–1389, <https://doi.org/10.1086/ahr.113.5.1375>; Maria Bucur, “Gender and Religiosity in Communist Romania: Continuity and Change, 1945–1989,” in *Women and Religiosity in Orthodox Christianity*, edited by Ina Meerdjanova (New York: Fordham University Press, 2010), 155–175; Maria Bucur, “Gender and Religiosity among the Orthodox Christians in Romania: Continuity and Change, 1945–1989,” *Aspasia* 5, no. 1 (Jan. 1, 2011), <https://doi.org/10.3167/asp.2011.050104>; Maria Bucur and Mihaela Miroiu, *Birth of Democratic Citizenship: Women and Power in Modern Romania* (Bloomington: Indiana University Press, 2018); Maria Bucur, “Gender Analysis and Gender Ideology: Gender Studies in Romania,” *Studia Politica* XXI, no. 2 (2021): 385–408.

focuses on the international projects and collaborations between Latter-day Saint representatives and political, religious, and wealthy leaders in the former Soviet Union and its satellite countries after the fall of communism in joint efforts to squash LGBTQI+ movements in the region through the subtle and inexact language of “religious freedom” and “pro-family.” Much scholarship has been and is currently being produced concerning right-wing international networks organizing and funding the anti-LGBTQI+ legislation in Eastern Europe and especially in Russia, but so far none of that scholarship has incorporated how influential the Church of Jesus Christ of Latter-day Saints and its representatives and law school have been on these movements.¹⁰

10. I include a handful of those works published since 2021 concerning Eastern Europe more broadly. See note 48 below for Russia specifically. Aswin A. Azis and Alifia N. Azarine, “Future and Challenges of LGBT in Eastern Europe: The Rise of Populism and Political Movement Analysis in Poland,” *European Journal of Humanities and Social Sciences* 3, no. 2 (Mar. 10, 2023): 21–30, <https://doi.org/10.24018/ejsocial.2023.3.2.399>; Barbara Grabowska-Moroz and Anna Wójcik, “Reframing LGBT Rights Advocacy in the Context of the Rule of Law Backsliding: The Case of Poland,” *Intersections* 7, no. 4 (2021): 85–103, <https://doi.org/10.17356/ieejsp.v7i4.852>; Petra Guasti and Lenka Bustikova, “In Europe’s Closet: The Rights of Sexual Minorities in the Czech Republic and Slovakia,” in *The (Not So) Surprising Longevity of Identity Politics: Contemporary Challenges of the State-Society Compact in Central Eastern Europe*, edited by Timofey Agarin (London: Routledge, 2022), 226–246; Eszter Neumann and Paweł Rudnicki, “Populist Radical-Right Governments in Central-Eastern Europe and Education Policy-Making: A Comparison of Hungary and Poland,” *Journal of Contemporary European Studies*, May 10, 2023, 1–14, <https://doi.org/10.1080/14782804.2023.2211935>; Michal Pitoňák, “LGBT+ Activism and Morality Politics in Central and Eastern Europe: Understanding the Dynamic Equilibrium in Czechia from a Broader Transnational Perspective,” in *Activist Feminist Geographies*, edited by Kate Boyer, LaToya E. Eaves, and Jennifer Fluri (Bristol, England: Bristol University Press, 2023), 94–119, <https://doi.org/10.51952/9781529225129.ch005>; K Slootmaeckers, “The Europeanization and Politicisation of LGBT Rights in Serbia,” in *The Routledge Handbook of Gender in Central-Eastern Europe and Eurasia*, edited by K. Fabian and J. E. Lazada (London: Routledge, 2021), 387–394.

Latter-day Saint representatives collaborated, wrote, and designed constitutions in nations where constitutions were rewritten after 1991 to reflect neoliberal language. Through this process, Latter-day Saint legal experts designed constitutions where adherents could develop legal arguments similar to those they were utilizing in United States' law, including—and especially—laws concerning “religious freedom” to include legal discrimination against same-sex marriage and gender and sexual minorities. While legal experts worked in the United States and Eastern Europe to develop religion-favorable constitutions, Latter-day Saint members and representatives helped to create and sustain organizations such as the World Congress of Families (WCF), which actively funds and campaigns on anti-LGBTQI+ platforms throughout the world. In some cases, the law professors at BYU created and otherwise supported these anti-LGBTQI+ organizations, such as the World Family Policy Center (WFPC). These organizations supported and networked with Russian neo-imperialist politicians and oligarchs to create a web of international actors who worked to create a global anti-LGBTQI+ climate in attempts to legalize discrimination against LGBTQI+ people in countries throughout the world.

Anticommunism, Mormon Paleoconservatives, and Russian Neo-Imperialists

In 1995, Allan Carlson, the president of the American paleoconservative think tank the Rockford Institute, visited Moscow on a mission to meet Russian right-wing academics interested in “reviving” traditionalist politics in Russia. Carlson has many ties with Latter-day Saints (though not a Latter-day Saint himself) and would eventually cofound the World Congress of Families (WCF) through the help and support of Latter-day Saints and Russian neo-imperialists alike. His initial point of contact in Moscow was Anatoly Antonov, the other cofounder of the WCF and a professor of family sociology and demography at Moscow State University. Antonov introduced Carlson to many Russian

“academics, intellectuals, and politicians,”¹¹ and the trip resulted in the creation of the WCF by Antonov and Carlson.

The post-Soviet anti-LGBTQI+ political and legislative targeting began with sociologists at Moscow State University and within the Russian Academy of Sciences. Historian Kevin Moss shows that “one of the key producers of anti-LGBTQI+ ideology in Russia is Moscow State University,” and particularly the faculty of sociology.¹² This was largely due to the work of early twentieth-century Russian sociologist Pitirim Sorokin. In fact, Antonov and Carlson connected over Sorokin, and the late sociologist is now often deployed to rally the Christian right.¹³ Sorokin was responsible for introducing sociology to Russian academic institutions and then only afterward did sociology take hold in the United States.

During the 1920s, Sorokin was outwardly anticommunist, for which he was sentenced to death, then pardoned by Lenin. Soon after, he escaped to Czechoslovakia where he taught at the University of Prague. Then he emigrated to the United States where he ultimately founded the Department of Sociology at Harvard University. In opposition to the Bolshevik policies and theories, Sorokin theorized that emphasis needed to be placed on the rural perspective and agricultural way of life. He believed that the “traditional” model of the family, focusing on manual labor and home-based business, was “sociologically, demographically and economically sustainable.”¹⁴ Clearly, Sorokin saw the failure of the Bolsheviks as a failure in maintaining the family as well as overestimating urban production and underestimating rural

11. Kristina Stoeckl, “The Rise of the Russian Christian Right: The Case of the World Congress of Families,” *Religion, State and Society* 48, no. 4 (2020): 225.

12. Kevin Moss, “Russia’s Queer Science, or How Anti-LGBT Scholarship Is Made,” *The Russian Review* 80, no. 1 (2021): 18, 27.

13. Dmitry Uzlaner and Kristina Stoeckl, “The Legacy of Pitirim Sorokin in the Transnational Alliances of Moral Conservatives,” *Journal of Classical Sociology* 18, no. 2 (2018): 133–153.

14. Uzlaner and Stoeckl, “Legacy of Pitirim Sorokin,” 136.

production. Russian scholars after 1990, then, had a better grasp of the historical context that Sorokin referenced in his works than their American counterparts did. The turn by Russian scholars and sociologists toward Sorokin was a deliberate move away from Soviet policies in post-Soviet Russia, and it included a specific concept of the family, an emphasis on rural populations and life, and faith in a God as the only universal force to stop the “age of chaos.”¹⁵ Even though Sorokin’s works were banned during the Soviet period, Russian intellectuals, including those at Moscow State University, read them. Kristina Stoeckl wrote that “Sorokin’s ideas were largely unknown in the Soviet Union, but Antonov recalls clandestinely reading his works during Soviet times.”¹⁶

Russian and American sociologists, lawyers, and religious and policy leaders have revived Sorokin as an opposition figure to the failed Soviet family policies. While Russian and American scholars speak directly against Soviet family policies, more often they speak to the benevolent patriarchal family model constructed by Sorokin, and it is implied that these views are antithetical to Lenin’s policies. Lenin’s treatment of Sorokin also lends well to a mythmaking of Sorokin in both post-Soviet Russia and the United States, where his oppression parallels the oppression of the “traditional” family in Russia. Where Lenin failed, Sorokin triumphed, twenty-first-century “pro-family” scholars say. Christian right leaders, including Latter-day Saints, turned to Sorokin and dialogues about civilization decline being tied to declines in sexual morality and traditional family and turned to what they saw as the cure, Christian nationalism.¹⁷ Carlson and Antonov, therefore, found the basis of their new anti-LGBTQI+ political work through Russian sociology, and particularly the work of Sorokin, and a continued anticommunism push.

15. Uzlaner and Stoeckl, “Legacy of Pitirim Sorokin.”

16. Stoeckl, “Rise of the Russian Christian Right,” 227.

17. Taylor Petrey lists Sorokin specifically as one of the influences within twentieth-century Latter-day Saint dialogues concerning the decline of civilization. Petrey, *Tabernacles of Clay*, 58–59.

Latter-day Saint leaders and academics took a hard anticommunist stance during the twentieth century. Particularly, Latter-day Saint President Ezra Taft Benson, former secretary of agriculture under President Eisenhower, was awarded the Presidential Citizens Medal by President George H. W. Bush in 1989 for his fiery anticommunist dogma.¹⁸ The collapse of the Soviet Union, then, fit well in the Latter-day Saint millenarian worldview. The United States, through the eyes of Latter-day Saints and their leaders, won the Cold War not simply because of neoliberalism, but because of a divine trajectory toward a global Christian millennium. Atheist communism offered Latter-day Saints a foe in the divine battle toward a Second Coming. Though, this view was not restricted to Latter-day Saints. In 1983, President Ronald Reagan delivered his now famous “Evil Empire Speech” given at the National Association of Evangelicals in which he repeated again and again the anticommunist propaganda that the godless Soviet Union could only bow to a nation and people led by God.¹⁹ The slaying of the Soviet Union by the Divine, therefore, offered insight into the failures of the Marxist millenarian ideology.²⁰

18. Matthew L. Harris, ed., *Thunder from the Right: Ezra Taft Benson in Mormonism and Politics* (Urbana: University of Illinois Press, 2019), 1; Petrey, *Tabernacles of Clay*, 29–30.

19. Ronald Reagan, “Evil Empire Speech,” *Voices of Democracy*, March 8, 1983, <http://voicesofdemocracy.umd.edu/reagan-evil-empire-speech-text/>.

20. Angela Lahr shows that Mormonism was part of a larger Evangelical millenarian movement and the ways in which millenarian religious ideology intertwined with political ideology. The official Church biography of Dallin Oaks by Richard Turley also highlights the ways in which the fall of the Soviet Union was seen as a divine act (Oaks “rejoiced with other leaders and saw the hand of God at work”) toward the millennium. Angela M. Lahr, *Millennial Dreams and Apocalyptic Nightmares: The Cold War Origins of Political Evangelicalism* (New York: Oxford University Press, 2007); Richard E. Turley, *In the Hands of the Lord: The Life of Dallin H. Oaks* (Salt Lake City: Deseret Book, 2021), 252.

These ideas continued to influence Latter-day Saint intellectuals and activists. BYU law professor Lynn Wardle concluded in his 2004 article for the *Georgetown Journal of Law & Public Policy* concerning the Bolshevik family law reforms of Russia between 1917–1926 that “American lawmakers would be wise to consider carefully the Russian experience. If they will learn the lessons of history, of the Russian Bolshevik family law reforms, they will seek to avoid the terrible human and social tragedies that resulted from that failed experiment, and they will avoid and eliminate family laws and policies that directly or indirectly promote the ‘withering away’ of marriage.”²¹ Wardle fueled the anticommunist fears of Latter-day Saints that Marxist ideology destroyed the family and marriage and warned that Americans needed to protect “traditional marriage” or otherwise succumb to the same tragedies of the Soviet Union.

One Latter-day Saint leader and scholar, Dallin Oaks, was particularly persuaded by Sorokin’s ideology. Oaks is currently the next in line to lead the Church of Jesus Christ of Latter-day Saints. He also was a justice for the Utah Supreme Court and president of BYU. Much like Benson, his political, social, religious, and professional convictions overlapped in ways that influenced the future of Church doctrine. As recently as 2014 in a speech delivered at Utah Valley University, Oaks was asked to address the audience in his capacity as a prominent legal expert, not only as one of the foremost authorities in the Church of Jesus Christ of Latter-day Saints.²² He invoked Sorokin in that speech, one that focused on religious freedom and specifically the religious freedom to discriminate against same-sex marriage. In the speech, he focused on

21. Lynn D. Wardle, “The Withering Away of Marriage: Some Lessons from the Bolshevik Family Law Reforms in Russia, 1917–1926,” *Georgetown Journal of Law and Public Policy* 2 (2004): 521.

22. Dallin H. Oaks, “Transcript: Hope for the Years Ahead,” *Church Newsroom*, Apr. 16, 2014, <https://newsroom.churchofjesuschrist.org/article/transcript-elder-dallin-oaks-constitutional-symposium-religious-freedom>.

only this one solitary “religious freedom” impediment, arguing for free speech, saying, “I could comment further on these attempted incursions on religious freedom, but for the reasons stated at the outset I believe I should forgo comment on all such arguments except one. As it happens, the argument I have chosen for comment has figured in various recent court decisions on same-sex marriage . . .”²³ In this same speech, Oaks then calls upon another BYU professor, W. Cole Durham, specifically for his work with the “EU Guidelines on the Promotion and Protection of Freedom of Religion.” Immediately following that, Oaks offers two Sorokin quotes. Oaks summons Sorokin’s prediction that the world will turn toward religion and spirituality as a result of great catastrophes, calamities that “can strengthen instead of destroy.”²⁴

Sorokin’s ideas acted as the link between American paleo-conservatives, including Latter-day Saints and Oaks, and Russian neo-imperialists. Sorokin’s work buttressed the Cold War anticommunism of American Latter-day Saints and the repressed anticommunism of Russian academic outsiders who gained academic clout and power with the collapse of the Soviet Union. The failure of the Soviet experiment married those anticommunist forces who mourned the loss of religious liberty and traditional marriage in the United States and in Russia, and ultimately political and academic actors in other Soviet satellite countries.

The interest in postsocialist Eastern European constitutions by Oaks and other Latter-day Saints did not always include interest in same-sex marriage law and legislation. Initially, Latter-day Saints were merely invested in missionary work being open in those countries, since under the Soviet arm they were not. However, the fall of the Soviet Union did coincide with Latter-day Saint legal battles against same-sex marriage in the United States, as will be discussed in the following section. The

23. Oaks, “Transcript.”

24. Oaks, “Transcript.”

Church of Jesus Christ of Latter-day Saints was set to send its first missionaries to Russia in 1989. Church leadership tasked Oaks with hosting the delegations from Soviet Russia that year to make amendments to the Soviet Constitution.²⁵ Later that year, he met with Mikhail Gorbachev, whom he called a “very impressive man.”²⁶ At the time, Russell Nelson was overseeing the Church’s expansion into Eastern Europe. He also met with delegations from the Soviet Union, including vice president of the Republic of Russia, Alexander Rutskoy, and Gorbachev. He met with ministers in Hungary, Romania, and Czechoslovakia.²⁷ The intentions of these meetings, no doubt, were to open missionary work in these countries.

The Family: A Proclamation to the World

In 1991, as the Church of Latter-day Saints was entering into the global battle for power in Eastern Europe, Church leaders were simultaneously beginning legal work in the United States against same-sex marriage. On May 1 of that year, six plaintiffs filed a complaint in Hawai‘i Circuit Court. They challenged the state’s marriage statute that said that marriage was between “man and woman.”²⁸ The trial court ruled in favor of the state. The plaintiffs appealed to the Hawai‘i Supreme Court, saying that denying same-sex marriage violated the right to privacy. The court ruled, using *Loving v. Virginia* as a legal precedent, that denial of marriage between same-sex partners was a matter of determining and discriminating based on sex. In May 1993, the Hawai‘i Supreme Court

25. Turley, *In the Hands of the Lord*, 252.

26. Turley, *In the Hands of the Lord*, 253.

27. Aubrey Eyre, “President Nelson’s 36 Years of Influencing World Leaders and Sharing the Gospel throughout the Globe,” *Deseret News*, Sept. 9, 2019, sec. Church News.

28. Jonathan Deitrich, “The Lessons of the Law: Same-Sex Marriage and *Baehr v. Lewin*,” *Marquette Law Review* 78, no. 1 (1994): 141.

sent the matter back to the lower court. At that point, the Church of Jesus Christ of Latter-day Saints and the Catholic Church took notice and became increasingly involved in the matter.²⁹

The Church was ready to use its legal might to crush the Hawai'i issue. In September and October 1993, the Hawai'i legislature held public hearings about the case. The legislature then passed Act 217. This act did a number of things, one of which was to create a Commission on Sexual Orientation and the Law. The Commission was comprised of eleven members. In December 1994, a federal lawsuit was issued against the governor regarding certain members who were appointed to the Act 217 Commission, saying there was a violation of church and state. A judge sided with the plaintiffs and removed four members of the commission who represented the Catholic Diocese and the Church of Jesus Christ of Latter-day Saints, and the commission was left with seven members.³⁰

On February 1, 1994, the Church's highest authoritative body, the First Presidency, issued a public statement: "The principles of the gospel and the sacred responsibilities given us require that The Church of Jesus Christ of Latter-day Saints oppose any efforts to give legal authorization to marriages between persons of the same gender," concluding that "we encourage members to appeal to legislators, judges and other government officials to preserve the purposes and sanctity of marriage between a man and a woman and to reject all efforts to give legal authorization or other official approval or support to marriages between

29. Petrey also details the Hawai'i events. Petrey, *Tabernacles of Clay*, 146–151.

30. Thomas Gill, "Report of the Commission on Sexual Orientation and the Law," State of Hawaii, Dec. 8, 1995, https://lrb.hawaii.gov/wp-content/uploads/1995_ReportOfTheCommissionOnSexualOrientationAndTheLaw.pdf; Gregory A. Prince, *Gay Rights and the Mormon Church: Intended Actions, Unintended Consequences* (Salt Lake City: University of Utah Press, 2019), 44–57.

persons of the same gender.”³¹ *Deseret News*, owned by the Church of Jesus Christ of Latter-day Saints, reported on the matter on March 4, 1995, saying that “under Hawaii law, an entity may intervene in a legal action by proving that it has substantial interests in the outcome of the case,” which was to say that the Church was putting together a legal argument to say that it had “substantial interests” in the matter.³² A month later, the publication reported on the Hawai‘i trial again, saying, “In its original petition filed in February, the LDS Church said it could offer Attorney General Margery Bronster additional legal manpower, expert witnesses and research results as she prepares the case, which goes to trial Sept. 25.”³³ Just as the Church of Jesus Christ of Latter-day Saints offered legal experts, including Oaks, to become involved in Eastern European legal and constitutional matters, they also offered legal experts domestically. These legal experts had a vested interest in the perpetuation of Church positions.

The highest Church authorities were creating their own religious committee prepared to combat the Hawai‘ian measure in 1994 and 1995. Oaks was dealing with “a property matter” in Hawai‘i when he wrote in his journal: “My legal skills and public policy (and Church communications) skills seem to be most in demand.”³⁴ He was asked by the president of the Quorum of the Twelve Apostles, Boyd K. Packer, to help create a “scripture-based proclamation.”³⁵ The committee consisted of Oaks, Nelson—the person working in Eastern Europe to open missionary work there—and James E. Faust. It was not until the

31. The First Presidency, “First Presidency Statement Opposing Same Gender Marriages,” *Ensign*, Feb. 1, 1994 (Apr. 1994 edition).

32. “Church Opposes Same-Sex Marriages,” *Deseret News*, Mar. 4, 1995, sec. Church News.

33. Douglas Palmer, “3 LDS Officials Seek to Join Hawaii Suit,” *Deseret News*, Apr. 13, 1995.

34. Turley, *In the Hands of the Lord*, 219.

35. Turley, *In the Hands of the Lord*, 219.

publication of the 2021 biography of Oaks that it was made public that Nelson headed the committee.³⁶ Oaks's Church-sanctioned biographer, Richard Turley, admits—in rare transparency—that the proclamation was created in direct response to the Hawai'i legal matter.³⁷ A draft of the proclamation “was completed over the Christmas holidays” and “submitted to the First Presidency on January 9, 1995.”³⁸ “The Family: A Proclamation to the World” was presented at the Church's biannual General Conference during the Relief Society session on September 23, 1995.³⁹ It was a document celebrated among Latter-day Saints as supportive of “millennia of marriage law and tradition,” according to Oaks (despite the Church's own deviation from this “traditional” marriage that operated less than a century previous).⁴⁰

Homosexuality had been a major concern of the Church of Jesus Christ of Latter-day Saints for the second half of the twentieth century.⁴¹ During the Cold War, Latter-day Saints purged their institutions of

36. Oaks insisted on Turley to write his biography and oversaw the publication process. Turley, *In the Hands of the Lord*; Tad Walch, “New Biography of President Dallin H. Oaks Uses His Journals, Letters to Show Man behind the Talks,” *Deseret News*, 2021, sec. Faith, <https://www.deseret.com/faith/2021/3/2/22310108/biography-of-president-dallin-oaks-provides-insight-into-latter-day-saints-leader-salt-lake-city>.

37. “Church leaders grew concerned about the efforts to legalize same-sex marriage in the state of Hawaii. As the movement gained momentum, a group of Church authorities and Latter-day Saint legal scholars, including Oaks, recommended that the Church oppose the Hawaii efforts.” Turley, *In the Hands of the Lord*, 219.

38. Turley, *In the Hands of the Lord*, 219.

39. Petrey also details the relationship between this document and others created at the same time by the Religious Right. Petrey, *Tabernacles of Clay*, 145–146.

40. Turley, *In the Hands of the Lord*, 220.

41. Prince links the Cold War Lavender Scare and Latter-day Saint anticommunist practices on the BYU campus. Prince, *Gay Rights and the Mormon Church*, 15–17.

homosexuality during the US anticommunist Lavender Scare.⁴² Starting in 1967, seventy-two students were expelled, and security files were created for every student suspected of being gay.⁴³ BYU police also conducted secret surveillance of gay students, which received national condemnation.⁴⁴ In the 1970s and 1980s, a BYU psychology program administered aversion and electroshock therapy to homosexual men in the basement of the Smith Family Living Center.⁴⁵ Oaks, president of BYU from 1971–1980, came under scrutiny in November 2021 when he publicly denied that these practices took place under his tenure as president. However, though Oaks was not personally involved, the evidence is definitive that the aversion therapy research was conducted, and those involved published the results of its studies during those

42. While this is a nontraditional source, it is well researched with a complete bibliography. The work of queer BYU students to make transparent BYU's policies has been met with hostility. This work has been done at great risk to BYU students, and I thank them for their research and bravery in the face of expulsion and other religious, academic, and familial consequences. BYU USGA, "The History of BYU and LGBTQ Issues," 2020, <https://www.usgabyu.com/single-post/byuhistory>.

43. BYU USGA, "History of BYU and LGBTQ Issues"; Mohrman, *Exceptionally Queer*, 224–225.

44. "Brigham Young U. Admits Stake Outs on Homosexuals," *New York Times*, Sept. 27, 1979; "Homosexuals Level Charges at Mormon Church," *Kokomo Tribune*, Oct. 27, 1979; Robert McQueen, "BYU Inquisition," *Advocate*, Aug. 13, 1975; Ben Williams, "This Week in Lambda History: October 16–31," *Metro (QSalt Lake Magazine)*, Oct. 27, 2005; Erin Alberty, "Longtime Utah LGBT Advocates Recount Brutal History," *Salt Lake Tribune*, Oct. 7, 2014.

45. Psychology professor Allen Bergin, one researcher in the BYU field of change therapy, issued a public apology after activist Kyle Ashworth published a document called "On the Record" of the compiled instances of Church references to LGBTQ+ issues. An updated version of the document in 2020 included the public apology. Kyle Ashworth, "On the Record: A Chronology of LGBTQ+ Messaging Within the Church of Jesus Christ of Latter-Day Saints," *Latter Gay Stories*, 2019, updated 2022, 94, 95, <https://lattergaystories.org/record/>.

years.⁴⁶ Oaks from 1971 to today has been a leader in the legal and institutional change in anti-LGBTQI+ Church, US, and global policies. He and other Church leaders gained their legal and political footing in Hawai‘i and found ways to export those lessons learned on a global scale.⁴⁷

The first instance for “The Family: A Proclamation to the World” to enter the global discussion was in 1996 when BYU law professor Richard G. Wilkins used it at the Habitat II United Nations (UN) conference in Istanbul when the conference organizers mistook Wilkins for a Harvard law professor and put his speech in a prominent spot. Wilkins used the time to talk about “The Family: A Proclamation to the World.” In some instances, Wilkins and other Latter-day Saints have touted this as the “miracle at Istanbul.”⁴⁸ The conference talk and results gave BYU law professors influence on the UN. Wilkins shortly after created the NGO Family Voice to directly influence UN policy and law. Following the talk, Wilkins and the dean of BYU’s law school, H. Reese Hansen, spent ten days in 1997 “in Romania to meet with government officials about ways BYU can help families in Eastern Europe. Possibilities include scholarly exchanges, seminars and a family training and

46. Peggy Fletcher Stack, “Dallin Oaks Says Shock Therapy of Gays Didn’t Happen at BYU While He Was President. Records Show Otherwise,” *Salt Lake Tribune*, Nov. 16, 2021, <https://www.sltrib.com/religion/2021/11/16/dallin-oaks-says-shock/>; Gregory A. Prince, *Gay Rights and the Mormon Church: Intended Actions, Unintended Consequences* (Salt Lake City: University of Utah Press, 2019).

47. The dictatorial methods of Oaks and the Church mirror those of the Soviet Union with regard to homosexuals and dissidents. These methods were more alike in this matter than different when it came to dealing with those considered “deviants.”

48. Richard G. Wilkins, “Defending the Family,” Brigham Young University, July 6, 1999, <https://speeches.byu.edu/talks/richard-g-wilkins/defending-family/>; Staff, “Pro-Family Movement Began with ‘Miracle at Istanbul,’” *Daily Universe*, Nov. 11, 1999, <https://universe.byu.edu/1999/11/11/profamily-movement-began-with-miracle-at-istanbul/>.

law center.”⁴⁹ Through these contacts with the UN and with other globally connected organizations, BYU law professors and Latter-day Saint leaders and representatives worked to export “The Family: A Proclamation to the World.”

World Congress of Families

Much scholarship has been devoted to the influence of the WCF on Eastern European politics, legislation, and LGBTQI+ lives. To date, no scholarship has focused on the widespread role Latter-day Saint representatives, leaders, and law professors played in organizing within the WCF and offering separate legal support to buttress the organization’s political and cultural agendas.⁵⁰ The WCF operates at the intersection

49. Edward L. Carter, “New Family Voice Pushes Old Values,” *Deseret News*, Aug. 30, 1997.

50. By no means an exhaustive list, this shows how much scholarship has been devoted to the WCF, especially in Eastern European and international gender studies, and to date no link to the Church of Jesus Christ of Latter-day Saints has yet been explored. K. Bluhm and M. Brand, “‘Traditional Values’ Unleashed: The Ultraconservative Influence on Russian Family Policy,” in *New Conservatives in Russia and East Central Europe*, edited by K. Bluhm and M. Varga (London: Routledge, 2018), 223–244; Jennifer Butler, *Born Again: The Christian Right Globalized* (London: Pluto Press, 2006); Bob Clifford, *The Global Right Wing and the Clash of World Politics* (New York: Cambridge University Press, 2012); Bob Clifford, “The Global Right Wing and Theories of Transnational Advocacy,” *International Spectator* 48, no. 4 (2013): 71–85; Sara Kalm and Anna Meeuwisse, “For Love and for Life: Emotional Dynamics at the World Congress of Families,” *Global Discourse* 10, no. 2 (2020): 303–320; Sara Kalm and Anna Meeuwisse, “Transcalar Activism Contesting the Liberal International Order: The Case of the World Congress of Families,” *Social Politics: International Studies in Gender, State & Society* (2023): 1–24; Andreas Kemper, *Foundation of the Nation: How Political Parties and Movements Are Radicalising Others in Favour of Conservative Family Values and Against Tolerance, Diversity, and Progressive Gender Politics in Europe* (Berlin: Friedrich-Ebert-Stiftung—Forum Politics and Society, 2016); Susanna Mancini and Kristina Stoeckl, “Transatlantic Conversations: The Emergence of

of Latter-day Saint interest in curbing same-sex marriage and in developing the Church's foothold in Eastern Europe. The WCF also operates at the intersection of Russian and Latter-day Saint interest in a post-Soviet global order that centers on a new twenty-first-century radical right traditionalism.

Russia had already begun its turn toward conservative neo-traditionalism by 1995. After the collapse of the Soviet Union in 1991, President Boris Yeltsin sought unsuccessfully to build a Russian liberal democracy on a capitalist foundation. Between 1992–1994, Russia underwent a massive privatization effort. According to Bernard Black, Reinier Kraakman, and Anna Tarassova, “The Russian government lacked the capacity to force privatization on unwilling managers. The political solution was to bribe them with cheap shares so they would pursue privatization voluntarily.”⁵¹ Rapid privatization of major Russian industries led to pyramid schemes and a lack of confidence and transparency in the privatization process through auctions of corporations and companies. Managers were able to obtain vast wealth through purchasing companies at much lower auction rates. The rigged auctions

Society-Protective Anti-Abortion Arguments in the United States, Europe and Russia,” in *The Conscience Wars: Rethinking the Balance Between Religion and Equality* (Cambridge: Cambridge University Press, 2018), 220–257; Moss, “Russia’s Queer Science”; Kevin Moss, “Russia as the Savior of European Civilization: Gender and the Geo-Politics of Traditional Values,” in *Anti-Gender Campaigns in Europe: Mobilizing Against Equality* (Lanham, Md.: Rowman and Littlefield, 2017), 195–214; Roman Kuhar and David Paternotte, eds., *Anti-Gender Campaign in Europe: Mobilizing Against Equality* (London: Rowman and Littlefield, 2017); Cole Parke, “Natural Deception: Conned by the World Congress of Families,” *Political Research Associates* no. 22 (Jan. 2015); Stoeckl, “Rise of the Russian Christian Right”; Uzlaner and Stoeckl, “Legacy of Pitirim Sorokin.”

51. Bernard Black, Reinier Kraakman, and Anna Tarassova, “Russian Privatization and Corporate Governance: What Went Wrong?,” *Stanford Law Review* 52, no. 6 (2000): 1740.

over the course of the 1990s in Russia created a group of Russian oligarchs who acquired massive wealth gains through this process.⁵²

This happened alongside a renewed interest in and power of the Russian Orthodox Church (ROC) after the notoriously atheist Soviet period. After the dismantling of Soviet power, the Orthodox Church began acquiring wealth and networks of power. This led to a fractioning of the ROC into member groups, some vying for liberal policies, some vying for anti-Western Russian culture and religion, and other groups aligning themselves with American conservatives on policy issues like abortion and same-sex marriage. This struggle within the ROC continued into Vladimir Putin's presidency after 2000 when Putin began to provide the conservative factions political support and Russian oligarchs began to work with clergy and fund conservative projects within the ROC.⁵³

This was the political milieu American paleoconservative Allan Carlson entered in 1995 when he visited Anatoly Antonov and the sociologists at Moscow State University. It was then that he introduced the idea of starting a so-called pro-family organization with Antonov. By the end of their meeting, the first WCF conference was scheduled for Prague in 1997.⁵⁴

The Church of Jesus Christ of Latter-day Saints was well represented at the first WCF conference in Prague. In an article from February 15, 1997, the *Deseret News* reported that the Church had official delegates appointed to speak at the first congress, including Bruce Hafen and Lynn Wardle (who had critiqued Soviet marriage policies in the quote

52. Black, Kraakman, and Tarassova, "Russian Privatization and Corporate Governance," 1740–1750.

53. Stoeckl, "Rise of the Russian Christian Right," 228–229.

54. Stoeckl, "Rise of the Russian Christian Right," 225–226.

above), professors at BYU's J. Reuben Clark School of Law.⁵⁵ Hafen was a member of the original team to plan the event in Prague and said that he was invited to participate by Carlson because of his legal background. When he arrived to plan for the congress, he distributed copies of the proclamation on the family to the committee members. The *Deseret News* article additionally quoted Oaks saying, "The Church is anxious to have official representation to show support for an effort that is itself supportive of wholesome values."⁵⁶ The article stated that copies of "The Family: A Proclamation to the World" "will be distributed in Prague in the official languages of the World Congress of Families: Czech, English, French, Spanish, German and Russian."⁵⁷

The following year in 1998, Carlson, in his role as president of the Howard Center for the Family, Religion and Society and as the founder of the first successful conference of the WCF, was invited to Salt Lake City to meet with several members of Latter-day Saint leadership: Boyd K. Packer, Oaks, Relief Society General President Mary Ellen Smoot, and BYU President Merrill J. Bateman. The *Deseret News* reported on the dinner event and included important information about the WCF: "BYU and the Howard Center are the sponsors and co-conveners of the congress, with support from NGO . . . Family Voice, a BYU group that participates in the formulation of United Nations policy."⁵⁸ Oaks was a member of the board for the Howard Center for twenty-five years

55. "LDS to Be at World Congress of Families," *Deseret News*, Feb. 15, 1997, sec. Church News, <https://www.thechurchnews.com/archives/1997-02-15/lds-to-be-at-world-congress-of-families-131491>.

56. "LDS to Be at World Congress of Families."

57. "LDS to Be at World Congress of Families."

58. R. Scott Lloyd, "Looking Forward to Congress of Families," *Deseret News*, Nov. 27, 1998, <https://www.deseret.com/1998/11/28/20774111/looking-forward-to-congress-of-families>.

and is currently listed as one of fifteen honorary board members of the WCF.⁵⁹

After the success of the 1997 congress at Prague, organizers began planning a second congress. BYU and the Howard Center would together sponsor the second WCF.⁶⁰ In 1999, NGO Family Voice transformed from an NGO to a branch of the BYU law school and changed its title to the World Family Policy Center (WFPC). Wilkins was the WFPC's only director in its eight years of existence. BYU's website about the WFPC states that the "primary goals" of the center "were designed to strengthen the family as the basic unit of society and to guide the United Nations in moral lawmaking practices."⁶¹ Carlson would later note in Wilkins's obituary that Wilkins was "one of the greatest and most energetic advocates of the natural family. He was particularly effective on legal matters involving the family and the United Nations."⁶²

Through these pathways, professors at BYU's law school weighed in on major international negotiations concerning the family. In the same period, BYU law professors began to take notice concerning the antidemocratic situation developing in Eastern Europe more broadly.

59. "Exposed: The World Congress of Families an American Organization Exporting Hate," Human Rights Campaign, 2015, 9, <https://assets2.hrc.org/files/assets/resources/WorldCongressOfFamilies.pdf>.

60. Wilkins, "Defending the Family."

61. "Brigham Young University. World Family Policy Center," Brigham Young University, n.d., https://byuorg.lib.byu.edu/index.php/Brigham_Young_University_World_Family_Policy_Center.

62. "Pro-Family Leader Richard Wilkins Passes Away," *Illinois Review*, Nov. 29, 2012, sec. Obituaries, <https://www.illinoisreview.com/illinoisreview/2012/11/pro-family-leader-richard-wilkins-passes-away.html>.

While they worked to undermine LGBTQI+ rights across the globe and namely in Eastern Europe, the professors were concerned with what they viewed as religious liberty being stifled in the same region. The situation in Russia grabbed the attention of BYU's law professors in 2000 when Vladimir Putin was elected. Putin caused concern from BYU law professors since he called for a "dictatorship of law." At the same time, he also leaned into traditionalism, a useful platform for Latter-day Saints in their global fight against LGBTQI+ rights.⁶³

BYU's law school founded their International Center for Law and Religion Studies in 2000. Delegations from the center contribute annually to UN side events in New York and Geneva, and the center "pursues law reform by . . . frequently providing expert review of draft legislation and constitutional proposals at the invitation of government and civil society leaders."⁶⁴ The center's director was W. Cole Durham, whom Oaks had praised in his speech in 2014 just before introducing the ideas of Sorokin. Durham, a Harvard law graduate, has taught courses across Europe. Since 1994, he has been a recurring visiting professor of law at Central European University in Budapest. He also has taught at Ovidius University in Constanta, Romania. His prominent role has been to draft constitutional law in Eastern Europe. The associate director of the new center was Elizabeth Clark. Clark is a particularly talented international law professor, fluent in Czech and Russian, and has working knowledge of German and French. She has published multiple books and articles

63. Richard Sakwa, "Putin's Leadership: Character and Consequences," in *Power and Policy in Putin's Russia*, edited by Richard Sakwa (London: Routledge, 2009), 14.

64. BYU Law: International Center for Law and Religion Studies, "Our Mission," n.d., <https://www.iclrs.org/our-mission/>

on law and religion in postcommunist Europe and participated in organizations in Ukraine and Slovakia.⁶⁵

In 2001, Clark addressed the US Senate—in her position as associate director of the center—concerning religious freedom in Europe. With her testimony, she provided a written statement that she and Durham drafted (she excused Durham for having conflicting obligations).⁶⁶ She raised concerns that fear and prejudice in Western Europe around small religious sects—which, she said, Europeans inaccurately called “cults”—was spreading dangerously into Eastern Europe, and she

65. A condensed list of the works by Elizabeth A. Clark: Elizabeth Clark and Dmytro Vovk, eds., *Religion During the Russian-Ukrainian Conflict* (Abingdon, England: Routledge, 2019); “Civil Religion and Religious Freedom in the Russian-Ukrainian Conflict,” in *Religion During the Russian-Ukrainian Conflict* (Abingdon, England: Routledge, 2019); International and Comparative Law Protections of Collective Aspects of Religious Freedom, 75 S. Ct. L. Rev. (Canada, 2016); with W. Cole Durham Jr. and Silvio Ferrari, eds., *Law and Religion in Post-Communist Europe* (Leuven, Belgium: Peeters, 2003); “Religious Exceptionalism,” in *SOVREMENNOM OBSHCHESTVE*, edited by Ekaterina Elbakian (Moscow: ATISO, 2009); “Conscientious Objection in the United States,” in *Vyhrada vo Svedomi: Conscientious Objection*, edited by Michaela Moracvikova (Bratislava, Slovakia: Ustavu pre vzťahy statu a cirkvi, 2006); “A Comparative Perspective on Secular Governments and Equality of Religious Organizations,” in *ПРЕДЕЛЫ СВЕТСКОСТИ. ОБЩЕСТВЕННАЯ ДИСКУССИЯ О ПРИНЦИПЕ СВЕТСКОСТИ ГОСУДАРСТВА И О ПУТЯХ РЕАЛИЗАЦИИ СВОБОДЫ СОВЕСТИ*, edited by Alexander Verkhovskiy (Moscow, 2005); “A Comparative Analysis of Religious Association Laws in Post-Communist Europe,” in *Religious Registration Laws in Post-Communist Europe*, edited by W. Cole Durham Jr. and Silvio Ferrari (Leuven, Belgium: Peeters, 2004); “Facilitating Freedom of Religion or Belief Through NGOs,” in *Facilitating Freedom of Religion or Belief: A Deskbook*, edited by Tore Lindholm, W. Cole Durham, Bahia G. Tahzib-Lie, Elizabeth A. Sewell, and Lena Larsen (Leiden, Netherlands: Martinus Nijhoff, 2004); “Case Law of the European Court of Human Rights on Freedom of Religion and Belief,” in *Desyat’ let Po Puti Svobody Sovesti* (Moscow: Institut religii i prava, 2002).

66. “Religious Freedom in Europe and Around the World,” US Government Printing Office, June 1, 2001, <https://www.govinfo.gov/content/pkg/CHRG-107shrg72558/html/CHRG-107shrg72558.htm>.

called on Congress to intervene.⁶⁷ In the written statement provided, Durham and Clark provide background to the International Covenant on Civil and Political Rights, according to which religion was listed as a protected human right and sexual orientation was not. The statement also asked for NGOs to be established in Eastern and Central European countries especially to “make it easier for national centres to exchange information.”⁶⁸ She asked the US government to work with NGOs and said that “dialog can also be encouraged through existing multilateral organizations,” but she did not indicate what organizations she meant.⁶⁹

WCF had held its Third World Congress in Mexico City in 2004 which was coconvened by the WFPC through BYU’s law school.⁷⁰ By 2007, BYU law professor Hafen had advanced to a member of the Church of Jesus Christ of Latter-day Saints’ third-ranking leadership body, the Seventy, and was president of the Europe Central Area, highlighting how BYU law professors who fought against same-sex marriage were rewarded with positions of power in the Church of Jesus Christ of Latter-day Saints. While in that Church position, he oversaw the Fourth World Congress in 2007 in Warsaw. In his speech, he commented that “the current debate about same-gender marriage is potentially a good thing, because the debate will force us to clarify what marriage is, and should be.” This point would come to fruition in the United States the following year and throughout Eastern Europe over the course of the next decade and into the current one.⁷¹

67. “Religious Freedom in Europe and Around the World.”

68. “Religious Freedom in Europe and Around the World.”

69. “Religious Freedom in Europe and Around the World.”

70. Jordan Burke, “Congress of Families Lures Nearly 3,500,” *Deseret News*, Mar. 30, 2004.

71. Bruce Hafen, “World Congress of Families,” *Deseret News*, May 25, 2007, sec. The Church News.

2008: Russians go to the United States, Latter-day Saints go to California

Russian political interest in the WCF was bubbling up within institutions that had been shut out of political power during the Soviet period, namely the ROC, just as representatives of the ROC were coordinating with the Russian military. Several historians, including Kristina Stoeckl, have uncovered the points of introduction of the WCF into the orbit of the ROC by 2008.⁷² Through a series of connections starting with Antonov, the WCF began networking with people with close connections to both the Moscow Patriarchate and the Kremlin. Stoeckl and others show that through the network of connections starting with Moscow State University professor Antonov, Archpriest Dmitrii Smirnov was introduced to the WCF team. He was able to develop the relationships between the WCF, the Moscow Patriarchate, and the Russian military. Stoeckl said that without Smirnov, the WCF “would not have become part of the ROC’s strategy on family.”⁷³ Smirnov introduced business consultant Alexei Komov to the WCF. Komov flew to Colorado Springs, Colorado, for a meeting with the WCF. Stoeckl reports that Komov said to the group in Colorado: “Hello, I’m Alexei Komov from Russia. I’m a business consultant and let us become friends and do a big World Congress of Families in the future in the Kremlin.”⁷⁴ Smirnov and Komov were the pieces of the puzzle linking Russian military efforts, the ROC, the WCF, and, ultimately, the American Christian right, including high-profile members of the Church of Jesus Christ of Latter-day Saints. This created a bond moving all these political forces in the same direction at once, which created a strong alliance.

72. Stoeckl, “Rise of the Russian Christian Right”; Bluhm and Brand, “‘Traditional Values’ Unleashed”

73. Stoeckl, “The Rise of the Russian Christian Right,” 228.

74. Stoeckl, “The Rise of the Russian Christian Right,” 228.

Though others may have dismissed Smirnov's plans in Colorado in 2008, he was ultimately able to secure a WCF conference in Moscow set for 2014. He did so not only by recruiting support from the Moscow Patriarchate but also through support of Russian oligarchs. Vladimir Yakunin was the former head of the Russian railways and married to Natalia Yakunina, who founded the organization Sanctity of Motherhood in 2006. By 2014, Sanctity of Motherhood would sponsor the WCF conference. Smirnov also recruited Konstantin Malofeev, who founded the Saint Basil the Great Charitable Foundation in 2007, which operated an Orthodox private school and TV station tsargrad.tv, "which promotes Russian Orthodox statehood."⁷⁵ In 2019, Malofeev became vice director of the World Russian People's Congress, which is directed by Patriarch Kirill himself.⁷⁶

While Komov was winning over WCF representatives in Colorado, Latter-day Saints ramped up political interference in same-sex marriage legislation. On June 20, 2008, all Latter-day Saint congregations in California began Sunday service by reading a statement by the First Presidency, the top three leaders of the Church, which urged: "We ask that you do all you can to support the proposed constitutional amendment by donating of your means and time to assure that marriage in California is legally defined as being between a man and a woman. Our best efforts are required to preserve the sacred institution of marriage."⁷⁷ The First Presidency was speaking about an initiative they quite literally helped to put on the California ballot. Proposition 8 (Prop 8) was a response to a Supreme Court ruling in California, *In re Marriage Cases*, which deemed discrimination against same-sex marriages to be unconstitutional. Prop 8 was a response that would change

75. Stoeckl, "The Rise of the Russian Christian Right," 229.

76. In Apr. 2022, Malofeev was sanctioned by the United States for his participation in the invasion of Ukraine in February 2022 by Russia.

77. Prince, *Gay Rights and the Mormon Church*, 131.

the constitutional definition of marriage in California as between a man and a woman, which was exactly what Hafen had called for in Warsaw. Discrimination against same-sex couples, proponents of Prop 8 said, would not apply to marriage if the legal definition of marriage included this stipulation.

Much research has gone into how much the Church of Jesus Christ of Latter-day Saints contributed financially and in volunteer hours to try to pass Prop 8. One investigation found that, while Latter-day Saints made up 2 percent of California's population, they amassed 48 percent of the total contributions for Prop 8.⁷⁸ A Church official also held a conference call for forty to sixty Latter-day Saint donors asking them to contribute \$25,000 each to fight for the California proposition.⁷⁹ On the podcast, *Called to Queer*, my cohost and I interviewed two queer Latter-day Saints who have spoken about their experience as BYU students during the 2007 and 2008 political movement for Prop 8.⁸⁰ These queer students were asked to join phone banks calling Californians initially asking them to sign to get Prop 8 on the ballot, and then, later, asking them to vote for the measure. BYU students who were California residents were asked to collect signatures.⁸¹ Historian Gregory Prince wrote that "there is no question that California members believed [voting 'yes' for Proposition 8] was a loyalty test. The prophet had spoken; if you didn't follow the counsel of the prophet, your loyalty was suspect."⁸²

78. Monica Youn, "Proposition 8 and the Mormon Church: A Case Study in Donor Disclosure," *George Washington Law Review* 81, no. 1 (2013): 2120–2121.

79. Youn, "Proposition 8 and the Mormon Church," 2121.

80. Colette Dalton and Kate Mower, *Called to Queer*, podcast, episode 2, "Colette Dalton (she/her)," n.d., <https://calledtoqueer.com/index.php/episodes/>; Colette Dalton and Kate Mower, *Called to Queer*, episode 22, "Chelsea Gibbs (she/her)," n.d., <https://calledtoqueer.com/index.php/episodes/>.

81. Prince, *Gay Rights and the Mormon Church*, 127.

82. Prince, *Gay Rights and the Mormon Church*, 131.

Though Prop 8 passed, it was later found to be unconstitutional and was not implemented.

In 2013, BYU law professors Clark and Durham submitted an *amicus curiae* brief to the Supreme Court of the United States trying to offer reasoning for why Prop 8 should stand in California.⁸³ The *curiae* consisted of a counsel of three—Clark, Durham, and Robert T. Smith—filed on behalf of the J. Reuben Clark Law School at BYU and sixteen other international scholars who focus on international and comparative law. Of these sixteen, three came from Slovakia, one from Bulgaria, one from Hungary, three from Italy, one from the Vatican, and one from the University of Notre Dame. Clark and Durham seemed to include many of their colleagues in the countries where they had influence and also with the Catholic Church whom the Church of Jesus Christ of Latter-day Saints had been partnering with on same-sex marriage legislation since 1991 in Hawai‘i.

The authors used international precedent to “protect the institution of heterosexual marriage” (worth noting here is that heterosexual marriage was not under threat anywhere in the world, including the United States, only same-sex marriage).⁸⁴ The BYU law professors argued that “international authorities confirm that there are rational, non-invidious reasons based in secular public policy considerations for the choice that the people of California made when enacting Proposition 8.”⁸⁵ Of the many examples the legal experts introduced in their *amicus curiae* of international precedent for stopping same-sex marriage in the United States was that of a 2011 civil code in Romania that included a “statutory interpretation of the relevant constitutional provision” that marriage is

83. W. Cole Durham Jr., *Amicus Curiae Brief of International Jurists and Academics in Support of Petitioner Hollingsworth and Respondent Bipartisan Legal Advisory Group Addressing the Merits and Supporting Reversal*, No. 12–144, 12–307, Supreme Court of the United States, Jan. 28, 2013.

84. Durham, *Amicus Curiae Brief*, 1.

85. Durham, *Amicus Curiae Brief*, 4.

a union between a man and a woman (not a constitutional amendment in Romania, but a civil code procedure).⁸⁶ The same year that Durham sent the brief to the US Supreme Court, the Theology Department at Ovidius University in Constanta, Romania, awarded him an honorary doctorate for his work teaching law at Ovidius and also for his work on international constitutions, including on Romania's constitution.⁸⁷ Eastern European and Latter-day Saint collaboration during the decade of the 2000s was therefore multifaceted, including through organizations like WCF, legal collaboration on Eastern European laws, and constitutions and United States' law, all of which placed anti-LGBTQI+ policies at the center of their attention.

From Moscow to Salt Lake City

In 2009, a year after Komov's arrival in Colorado Springs and Prop 8 was voted on in California, Amsterdam hosted the WCF. Latter-day Saints were well represented at the Fifth World Congress. At the time, a member of the second-ranking leadership body in the Church of Jesus Christ of Latter-day Saints, Apostle Russell M. Nelson, spoke. Nelson had spent the 1990s opening up Russia and Eastern Europe to Latter-day Saint missionaries, headed the committee that wrote "The Family: A Proclamation to the World," and is the current president of the Church of Jesus Christ of Latter-day Saints. His wife, Wendy Nelson, also spoke at the 2009 Congress. *Deseret News* reported that Elder Nelson "read extensive excerpts from 'The Family' and encouraged conference attendees to procure a complimentary copy of the

86. Durham, Amicus Curiae Brief, 9.

87. Sinziana Ionescu, "Americanul W. Cole Durham, Jr, Doctor Honoris Causa La Universitatea Ovidius," *Adevarul*, June 15, 2013, <https://adevarul.ro/stiri-locale/constantina/americanul-w-cole-durham-jr-doctor-honoris-causa-1446544.html>.

document at the WCF” establishing a relationship between official Latter-day Saint legal and theological discourse and WCF.⁸⁸

Mary Ellen Smoot, former general president of the Relief Society who had initially met with Oaks and Carlson in Salt Lake City in 1998, spoke at the 2012 WCF held in Madrid.⁸⁹ Latter-day Saint missionaries were also in attendance and managed a booth operated with the help of local members.⁹⁰ In 2013, the WCF was held in Sydney, Australia. It was the first WCF where the Church of Jesus Christ of Latter-day Saints itself was listed as a sponsor.⁹¹ Between 2009 and 2014, WCF and the Church of Jesus Christ of Latter-day Saints concerned themselves with planning two major congresses to be held in 2014 and 2015, the first in Moscow and the second in Salt Lake City, the headquarters of the Church of Jesus Christ of Latter-day Saints.

The WCF was set to hold a conference in Moscow in 2014, but on February 27, 2014, Russia invaded the Ukrainian territory of Crimea. US President Barack Obama issued an executive order freezing the US assets of seven Russian government officials. According to a 2015 report by the Human Rights Campaign, the WCF had “deep ties to the Russian Orthodox Church and the Putin regime. It counts several members of the Russian government as allies, some of whom were sanctioned by the United States following Russia’s invasion of Ukraine [in 2014].”⁹² The White House press release stated that sanctions were issued “to

88. Jamshid Askar, “Families the Hope of Nations, Mormon Apostle Says,” *Deseret News*, Aug. 12, 2009, sec. Faith.

89. “Elder Erich W. Kopischke Speaks at the World Congress of Families,” *Church Newsroom*, May 12, 2012, <https://news-uk.churchofjesuschrist.org/article/elder-kopischke-world-congress-of-families>.

90. “Elder Erich W. Kopischke Speaks at the World Congress of Families.”

91. “World Congress of Families Starts in Sydney: Why Society Needs Strong Families,” *Church Newsroom*, May 15, 2013, <https://news-au.churchofjesuschrist.org/article/world-congress-families-sydney-society-needs-strong-families>.

92. “Exposed,” 12.

impose costs on named individuals who wield influence in the Russian government and those responsible for the deteriorating situation in Ukraine.”⁹³ One of those officials was Russian parliament member Yelena Mizulina, a “staunch ally of WCF.”⁹⁴

At the time of the Crimean invasion, the WCF was associated with thirteen anti-LGBTQI+ laws in Russia.⁹⁵ Mizulina also introduced the so-called Gay Propaganda legislation, which outlawed LGBTQI+ public representation in Russia in 2012 and which continues to oppress and imprison LGBTQI+ Russian citizens and activists.⁹⁶

In 2013, when the Gay Propaganda Law was passed, there was a significant surge in violent attacks on LGBTQI+ people. It led to an “emboldened . . . right-wing vigilante group” called Occupy Pedophilia, which filmed members assaulting LGBTQI+ people.⁹⁷ This violence led to the anti-LGBTQI+ purges in the Russian republic of Chechnya starting in 2017. Chechen forces detained, tortured, and imprisoned gay men in concentration camps. Despite international attention, outrage, and Chechen forces facing human rights violations, the purges began again in 2019. Russian President Putin denied that gay people were being detained, tortured, and killed. LGBTQI+ activists cite the Gay Propaganda Law as the initial source to bolster violence in Russia against LGBTQI+ people.⁹⁸

Ahead of the Moscow conference, the Southern Poverty Law Center and the Human Rights Campaign offered detailed accounts

93. Office of the Press Secretary, “Fact Sheet: Ukraine-Related Sanctions,” White House, Mar. 17, 2014, <https://obamawhitehouse.archives.gov/the-press-office/2014/03/17/fact-sheet-ukraine-related-sanctions>.

94. “Exposed,” 13.

95. “Exposed,” 13.

96. “Exposed.”

97. Parke, “Natural Deception.”

98. Tom Batchelor, “Russian Police Round up LGBT Activists Demonstrating against Persecution of Gay Men in Chechnya,” *Independent*, May 1, 2017.

of the WCF's association with Russian politicians, oligarchs, and anti-LGBTQI+ legislation. They also exposed the Church of Jesus Christ of Latter-day Saints' connections to the WCF and labeled the WCF as a hate group. This led to a 2014 op-ed piece published in the *Salt Lake Tribune* written by Latter-day Saint political operative Paul Mero. Mero wrote a manifesto on the "natural family" with Carlson and served as the vice president of the Howard Center, the supervisory organization for the WCF.⁹⁹ The op-ed was titled: "World Congress of Families Is Not a Hate Group."¹⁰⁰ As an appeal to the *Salt Lake Tribune's* dominant faith base, Mero mentions that the WCF has hosted leaders from the Church of Jesus Christ of Latter-day Saints and that it "is about one thing and one thing only: A celebration that family is the fundamental unit of society," while ignoring the ways in which LGBTQI+ families are not a part of that unit and the ways in which the WCF has organized anti-LGBTQI+ legislation across the globe, most especially in Russia.¹⁰¹

Due to economic pressures and sanctions from the United States, in July 2014, with the WCF Moscow conference set to begin just a few months later, the WCF "canceled" their conference, and in its place was a "Large Families" conference that included many of the participants and speakers from the WCF's conference list, taking place in the same location and on the same dates.¹⁰² The Church of Jesus Christ of Latter-day Saints made no public condemnation or statement on the invasion of Crimea. *Mother Jones* reported on those events just as the Large Families conference was getting underway in Moscow. The article

99. Allan C. Carlson and Paul T. Mero, *The Natural Family: A Manifesto* (Dallas: Spence Publishing, 2007).

100. Paul Mero, "Op-Ed: World Congress of Families Is Not a Hate Group," *Salt Lake Tribune*, July 7, 2014, [https://archive.sltrib.com/story.php?ref=/sltrib/opinion/58156858-82/WCF; Carlson and Mero, *Natural Family*.](https://archive.sltrib.com/story.php?ref=/sltrib/opinion/58156858-82/WCF; Carlson and Mero, <i>Natural Family</i>)

101. Mero, "Op-Ed."

102. Hannah Levintova, "Did Anti-Gay Evangelicals Skirt US Sanctions on Russia?," *Mother Jones*, Sept. 8, 2014, sec. Politics.

ends with this: “Shortly after canceling its event in Moscow, [the WCF] announced that its 2015 international conference will be held in Salt Lake City.”¹⁰³

Despite the negative publicity, Salt Lake City hosted the conference in 2015. The Church-owned *Deseret News* offered a glimpse of what to expect from the conference and its speakers, including BYU professor Wardle.¹⁰⁴ In the article, the *Deseret News* celebrated the anti-LGBTQI+ work of Wardle, especially that he “was instrumental in passing a 1995 law in Utah that allowed the state to not recognize same-sex marriages performed in other states,” and noted that he is a “staunch opponent of legalizing same-sex marriage and has testified before congressional committees in support of Defense of Marriage Act.”¹⁰⁵ This was hardly, as Mero tried to argue in his op-ed, a stance that was only about celebrating the family. Elder M. Russell Ballard, a member of the Quorum of the Twelve Apostles, addressed the conference as its keynote speaker. Ballard stated that Latter-day Saint theology is “completely linked” to the “traditional family” and that “society, law, and popular opinion may change, but we know that society’s version of the family cannot and will not substitute for God’s purpose and plan for his children.”¹⁰⁶

The Human Rights Campaign also gathered in Salt Lake City to hold their own event called the Inclusive Families Conference at the University of Utah. Ahead of the WCF conference, Dmitry Chizhevsky spoke about his experience being shot by an air rifle in St. Petersburg

103. Levintova, “Did Anti-Gay Evangelicals Skirt US Sanctions on Russia?”

104. Daphne Chen, “Whom to Watch at the World Congress of Families,” *Deseret News*, Oct. 25, 2015, <https://www.deseret.com/2015/10/26/20575228/whom-to-watch-at-the-world-congress-of-families>.

105. Chen, “Whom to Watch at the World Congress of Families.”

106. Jason Swensen, “Elder Ballard Defends Traditional Marriage at World Congress of Families,” *Deseret News*, Oct. 27, 2015, sec. Church News, <https://www.churchofjesuschrist.org/church/news/elder-ballard-defends-traditional-marriage-at-world-congress-of-families-?lang=eng>.

in 2013, leaving him blind in his left eye. He was attacked for being gay. Reporter Hannah Levintova had asked Larry Jacobs, the director of the WCF, if the WCF played a role in the legislation and violence toward LGBTQI+ people in Russia. Levintova reports that Jacobs laughed before he said, “Yes, I think that is accurate.”¹⁰⁷ To date, the Salt Lake City WCF was the only one hosted in the United States. While the Howard Center in Illinois proudly boasts of its creation of the WCF, the 2015 conference location of Salt Lake City and its list of speakers show how deeply intertwined the WCF has been with the Church of Jesus Christ of Latter-day Saints over many decades.

Supreme Court’s Obergefell v. Hodges Decision

By 2015, though their efforts were thwarting same-sex marriage legislation internationally and their anti-LGBT organizations were thriving, Latter-day Saint leaders and BYU law professors were facing their biggest challenge. Just before the US Supreme Court legalized same-sex marriage nationally, BYU law professors made one last attempt to squash it. Five law professors drafted an amicus brief for the US Supreme Court to hear before ruling on Obergefell v. Hodges in June 2015.¹⁰⁸ Although the Counsel of Record was listed as Wardle, the primary author of the brief was Clark with the help and support of Durham.

107. Hannah Levintova, “How US Evangelicals Helped Create Russia’s Anti-Gay Movement,” *Mother Jones*, Feb. 21, 2014, sec. Politics, <https://www.motherjones.com/politics/2014/02/world-congress-families-russia-gay-rights/>; “HRC Takes on The World Congress of Families in Salt Lake City,” *Human Rights Campaign*, June 27, 2015, sec. Press Releases, <https://www.hrc.org/press-releases/hrc-takes-on-the-world-congress-of-families-in-salt-lake-city>.

108. Lynn D. Wardle, Elizabeth A. Clark, W. Cole Durham Jr., Robert Smith, and Donlu Thayer, Brief for 54 International and Comparative Law Experts from 27 Countries and the Marriage and Family Law Research Project as Amici Curiae in Support of the Respondent, No. Nos. 14–556, 14–562, 14–571 14–574, United States Supreme Court, March 30, 2015.

Given Clark's and Durham's backgrounds, the amicus brief had an international argument. The United States should not legalize same-sex marriage, the brief said, because only 6 percent of the world's countries did, and only one by means of the judicial system. There was an international precedent—an "emerging global consensus" even—to not legalize same-sex marriage. The argument was careful and deliberate: the conversation about legalizing same-sex marriage should continue in the legislative branch, and a decision should not be made by the judicial branch. Their argument was not surprising. Latter-day Saints had successfully won a legislative attack on same-sex marriage in California and elsewhere, but they had often failed in the court system.

When the *Obergefell v. Hodges* decision was announced, *Deseret News* published an opinion piece by Michael Erickson beginning with: "In *Obergefell v. Hodges*, a bare majority of the Supreme Court upended the millennia-old meaning of marriage, invalidated the marriage laws of more than half the states, disenfranchised millions of American voters and sidestepped decades of constitutional law."¹⁰⁹ Then in an ironic statement given the evidence provided by this article, Erickson says, "Rule of law should not be 'rule of lawyers.'"¹¹⁰ A Utah attorney himself, Erickson claimed that same-sex marriage is merely an entitlement, not a "freedom from governmental action."¹¹¹

Whether Latter-day Saints agreed with it or not, the *Obergefell* decision became the law of the land. Now they would focus on two things: continued push for international anti-LGBTQI+ legislation and eradicating same-sex married couples and their families from Latter-day Saint congregations. Just a few months later, in November 2015, the

109. Michael Erickson, "Supreme Court's *Obergefell* Decision Threatens American Democracy," *Deseret News*, June 20, 2015, <https://www.deseret.com/2015/7/20/20568663/supreme-court-s-obergefell-decision-threatens-american-democracy>.

110. Erickson, "Supreme Court's *Obergefell* Decision Threatens."

111. Erickson, "Supreme Court's *Obergefell* Decision Threatens."

Church of Jesus Christ of Latter-day Saints clarified that they would not allow children of same-sex couples to be a part of the Church and declared a doctrinal change that anyone within a same-sex marriage was an apostate, someone who God will declare their rath upon, and subject to excommunication.¹¹² With the matter cleared up within their own house, the Church of Jesus Christ of Latter-day Saints and its leaders, representatives, and law professors could once again turn their attention back to their international anti-LGBTQI+ fight.

The Romanian Case

LGBTQI+ organizations and activists strategized what to do about the 2018 Romanian Referendum well before it was voted on. Surprisingly, their strategy was not to direct voters to the polls to vote against the initiative. They simply told people to stay home. The referendum could not proceed if less than 25 percent of the voting population voted. While many factors, from the unpopularity of the party advocating for the referendum to pure indifference, kept people home, it is also true that activists were successful in keeping people from the polls and the initiative failed with only 21 percent of registered Romanian voters participating. The Romanian Constitution would not be changed to say that marriage was between a man and a woman. It would remain as it was, saying that marriage is between spouses. Romanian marriage would also continue to prohibit same-sex marriage, despite pressure from the European Union.

The question I wanted answered when I first heard of the referendum remains: Did the Church of Jesus Christ of Latter-day Saints influence Romanian politics in terms of same-sex marriage? The answer

112. Laurie Goodstein, "New Policy on Gay Couples and Their Children Roils Mormon Church," *New York Times*, Nov. 13, 2015, <https://www.nytimes.com/2015/11/14/us/mormons-set-to-quit-church-over-policy-on-gay-couples-and-their-children.html>.

is, of course, yes through its influence in the WCF and the voices of prominent BYU legal scholars and other LDS activists. For years the Church had contributed to a global effort of religious paleoconservatives, especially in Russia and Eastern Europe, to make opposition to same-sex marriage one of their defining political goals. The alliances they had built were together decisive in bringing the referendum to a vote.

The referendum was not the first attempt by anti-LGBTQI+ activists to halt same-sex marriage in Romania. It had been a year's long struggle to get the initiative in front of voters by *Coaliția pentru Familie* (CpF). But CpF was not the WCF. Who were they? Although Romanian Orthodox observers were the majority of those supporting CpF, CpF, like the other anti-LGBTQI+ organizations in Eastern Europe, had its roots in the United States. The founder of CpF was Peter Costea, a Romanian American whose permanent residence was in Houston, Texas. The efforts to change article 48 of the Romanian Constitution from "spouses" to "man and woman" began in 2006.¹¹³ Costea found alliances in the United States and United Kingdom among religious institutions and organizations and modeled his crusade for the change in the Romanian Constitution off the lobbying and organizing efforts of American anti-LGBTQI+ organizations. His organization was called Alliance of Families in Romania and worked closely with the Alliance Defense Fund in the United States as well as other organizations.¹¹⁴

By 2008, the Alliance Defense Fund had its first success with support from the Romanian parliament to press the issue further. In 2009, discussions concerning the civil code were developing (as mentioned above in the US amicus brief submitted by Wardle, Durham, and Clark arguing for maintaining Prop 8). The civil code passed, and WCF

113. Vlad Levente Viski, "Istoria Coaliției Pentru Familie," *Adevărul*, June 14, 2018, <https://adevarul.ro/blogurile-adevarul/istoria-coalitiei-pentru-familie-1871243.html>.

114. Clifford, *Global Right Wing*.

co-ounder Carlson praised it: “Romania asserts itself through a strong position in favor of the natural family.”¹¹⁵ The efforts eventually led to the leaders of the Alliance of Families in Romania to reorganize into the CpF in 2011, pushing toward the constitutional referendum.

Southern Poverty Law Center reported on the history of the referendum just before the vote took place, claiming that it “would not have been possible without the heavy involvement of at least four wealthy American anti-LGBTQI+ groups—ADF International, Liberty Counsel, the World Congress of Families (WCF) and the European Center for Law and Justice (ECLJ)—who filed legal briefs, lobbied or campaigned in favor of the change.”¹¹⁶ The Alliance for Families in Romania asked the WCF to “gather support from pro-family groups around the world,” which they did and they also created a petition in support of the Romanian Referendum.¹¹⁷ The petition was signed by 110 leaders who had founded their own organizations, including BYU law professor Wilkins and Latter-day Saint activist Sharon Slater, founder of Family Watch International.¹¹⁸ Slater, a prominent Arizonan Latter-day Saint, works primarily in Africa and the UN and fought for legislation

115. Viski, “Istoria Coaliției Pentru Familie.”

116. Hélène Barthélemy, “American Anti-LGBT Groups Battling Same-Sex Marriage in Romania,” *Southern Poverty Law Center*, Sept. 18, 2018, <https://www.splcenter.org/hatewatch/2018/09/27/american-anti-lgbt-groups-battling-same-sex-marriage-romania>.

117. Barthélemy, “American Anti-LGBT Groups Battling Same-Sex Marriage”; Don Feder and Larry Jacobs, “Over 100 Pro-Family Leaders from 22 Countries Sign Petition in Support of Romania’s Defense of Marriage,” *Christian News Wire*, Apr. 7, 2017, <https://archive.is/3uLdM>.

118. Barthélemy, “American Anti-LGBT Groups Battling Same-Sex Marriage”; World Congress of Families, “Petition in Support of Romania’s Defense of Marriage,” n.d., <http://web.archive.org/web/20120609010536/http://worldcongress.org/WCF/wcf.leadership.romania.0804.htm/>.

in Uganda known as the “Kill the Gays” bill and admits she was radicalized through attending the WCF conference in Geneva, Switzerland.¹¹⁹

Conclusion

In a series of hacked emails leaked from Russian hacker collective Shaltai Boltai (Humpty Dumpty), the WCF was exposed for their deep collaboration in Russian geopolitics, which gave Russian Orthodox oligarchs “access to the powerful American Christian evangelical political machine.”¹²⁰ The WCF, in fact, campaigned to keep Ukraine out of the EU.¹²¹ On February 24, 2022, after months of warnings, Russian military forces entered Ukraine. At the time of this writing, Russian forces remain in Ukraine, though they have fled the capital, Kyiv, with the Latter-day Saint temple still intact. The Church of Jesus Christ of Latter-day Saints was nebulous about the invasion, to considerable dismay of Latter-day Saints in Eastern Europe.¹²² Latter-day Saint reporter and researcher Jana Riess wrote on February 28, 2022 that the statement the Church released on February 25, 2022, was “anemic,” “vague,” and “generic” to the point that “it wasn’t entirely clear whether it

119. “Family Watch International,” Southern Poverty Law Center, n.d., <https://www.splcenter.org/fighting-hate/extremist-files/group/family-watch-international>.

120. Hélène Barthélemy, “How the World Congress of Families Serves Russian Orthodox Political Interests,” *Southern Poverty Law Center*, May 10, 2018, <https://www.splcenter.org/hatewatch/2018/05/16/how-world-congress-families-serves-russian-orthodox-political-interests>.

121. Barthélemy, “How the World Congress of Families Serves.”

122. At the time of the invasion and while writing this, I live in Constanta, Romania, approximately one hundred kilometers down the Black Sea coast from the Ukrainian border. Latter-day Saint missionaries were removed from Constanta shortly after the invasion, to the dismay of Romanian Latter-day Saints. Romanian Latter-day Saints wanted a swift and thorough dismissal of the invasion by leaders in Salt Lake City.

was supposed to be addressing Russia's invasion of Ukraine the day before.¹²³ In fact, the statement did not mention Ukraine or Russia and had seemingly deliberate obtuse writing: "We pray that this armed conflict will end quickly, that the controversies will end peacefully, and that peace will prevail among nations and within our own hearts."¹²⁴ By April 2022, WCF funder and organizer Malofeev was indicted by the US Justice Department for evading sanctions. He had been sanctioned by the United States and the EU for funding the occupying forces in Ukraine.

The Church of Jesus Christ of Latter-day Saint representatives and leaders saw a potential to expand their global reach at the conclusion of the Cold War in Eastern Europe building off their previous anticommunist statements and rhetoric. Just as the international dynamics of the Cold War shaped Latter-day Saint leaders' domestic US strategies, their domestic US conflicts over same-sex marriage inspired legal and political interventions abroad, giving Latter-day Saints the opportunity to influence global politics in their favor. They saw potential in Russia and Eastern Europe to expand their religious and political influence. They sent missionaries and BYU law professors to the region while they concurrently worked domestically on a traditionalist and right-wing anti-LGBTQI+ movement. Eventually, Church leaders and BYU law professors overlapped their influence in US and international politics, legislative branches, and judiciaries with a push for anti-LGBTQI+ constitutions and legislation. These leaders and professors founded organizations such as the WFPC at BYU's law school and participated in support for interfaith organizations such as the WCF. This network of organizational and legal support helped to create a

123. Jana Riess, "Amid Russian Invasion, LDS Church Issues Generic Denunciation of 'Armed Conflict,'" *Religion News Service*, Feb. 28, 2022, <https://religionnews.com/2022/02/28/amid-russian-invasion-lds-church-issues-generic-denunciation-of-armed-conflict/>.

124. Riess, "Amid Russian Invasion."

global anti-LGBTQI+ legislative and cultural movement particularly impacting the United States, Russia, and Eastern Europe, leading to discrimination, and, both directly and indirectly, the deaths of LGBTQI+ people. Though their approaches and rhetoric have shifted since the Obergefell v. Hodges US Supreme Court decision in 2015 legalizing same-sex marriage in the United States, Latter-day Saint representatives and BYU lawyers have continued to perpetuate and ignite new anti-LGBTQI+ discriminatory legislation in Eastern Europe into the present.

KATE MOWER {kmowe001@ucr.edu} (they/them) is a PhD candidate in Modern European History and History of Science at the University of California Riverside. They relocated to Constanta, Romania in 2021 to conduct dissertation research on biological determinism in Romanian archaeology, hosted by the Museum of National History and Archaeology of Constanta. They are the current historian, former board member, and former vice president of the organization Affirmation LGBTQ+ Mormons Families and Friends, and work with Romanian LGBTQI+ organizations including ACCEPT and Identity Education.