Rusycystyczne Studia Literaturoznawcze nr 32 (2022) ISSN 2353-9674



DOI https://doi.org/10.31261/RSL.2022.32.10

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A HOSTILE HOMOPHOBIC CULTURE WELCOME TO CHECHNYA BY DAVID FRANCE AS A FORM OF PRESERVING THE MEMORY OF THE VICTIMS

The paper concerns the documentary *Welcome to Chechnya* (2020), made in response to the mass purge of gay men and women that started in the Chechen Republic in 2017. The main aim of this paper is to highlight the problem of LGBTQIA+ society in Russia and Chechnya and give a voice to the victims of discriminated minorities. In the face of the war in Ukraine, it seems more important than ever. It is done through presenting the legal situation of LGBTQIA+ in both countries, explaining possible causes of the lack of acceptance of homosexuality in Russia and Chechnya, clarifying the Kremlin's point of view in the domain of homosexuality and explicating the reason for which artificial intelligence (AI) is used in the documentary.

Key words: LGBTQIA+, Russia, Chechnya, David France, discrimination

ВРАЖДЕБНАЯ ГОМОФОБНАЯ КУЛЬТУРА ФИЛЬМ ДАВИДА ФРАНСА *WELCOME TO CHECHNYA* КАК ФОРМА СОХРАНЕНИЯ ПАМЯТИ О ЖЕРТВАХ

Статья посвящена документальному фильму Welcome to Chechnya (Добро пожаловать в Чечню, 2020), снятому в ответ на массовую чистку сексуальных меньшинств, начавшуюся в Чеченской Республике в 2017 году. Основная цель статьи — осветить проблему общества ЛГБТКИА+ в России и Чечне и дать голос жертвам дискриминируемых меньшинств, что кажется как никогда важным сегодня на фоне войны в Украине. В статье представлено правовое положение ЛГБТКИА+ в обеих странах, определены возможные причины непринятия гомосексуальности в России и Чечне, изложена официальная позиция Кремля в отношении гомосексуальности и объяснены причины использования искусственного интеллекта (ИИ) в фильме. Ключевые слова: ЛГБТКИА+, Россия, Чечня, Давид Франс, дискриминация

INTRODUCTION

Imagine that in 21st century you have cases where people are killed simply because they are homosexual, where they are maimed, where the families of these people are urged to kill their children and siblings, it is unreal.¹

According to its official synopsis *Welcome to Chechnya* the HBO Max documentary film "exposes [...] underreported atrocities, while highlighting an extraordinary group of people confronting deadly brutality."² It was made in response to the mass purge of gay men and women that started in the Chechen Republic in 2017. It tells the stories of survivors and Russian LGBTQIA+ activists who helped them escape the North Caucasus. One may witness the confessions of those who escaped and the scenes of brutal beating and torture. All of that is confronted with the scenes of family life and statements of Chechen politicians. In France's film, the viewers also experience the phenomenon of intermediality, in which photographic images, the filmic record and mediated audiovisual oral accounts combine to form a multi-layered description.³

¹The statement made by David Isteev, Crisis Response Coordinator, the Russian LGBT Network, in the documentary *Welcome to Chechnya*, directed by David France.

² "Welcome to Chechnya." The Film Collaborative, accessed July 4, 2022, https://www.thefilmcollaborative.org/fiscalsponsorship/projects/ welcometochechnya.

³ Tomasz Łysak, Od kroniki do filmu posttraumatycznego — filmy dokumentalne o Zagładzie (Warszawa: IBL, 2016), 11.

The documentary had its premiere on January 26, 2020 in the Sundance Film Festival's Documentary Competition. It won the Panorama Audience Award for Best Documentary, it collected a number of awards at the 2020 Berlinale and it was awarded with the Amnesty International Film Award and the Teddy Activist Award. It also won an award from DOC NYC, the largest documentary festival in the United States.

Its director, Oscar nominee (How to Survive a Plague) David France started filming in August 2017, looking for characters to structure the documentary. He chose a daring rescue of Grisha (a pseudonym, real name Maxim Lapunov), a 30-year-old Russian gay who was evacuated, firstly from Chechnya, and then from Russia, together with his boyfriend and all his family (mother, sister and her children). From his story we learn that he came to Chechnya for his job (he organized events) and he really liked the country, he liked people living there, their kindness and readiness to help. That is why it was difficult for him to understand how the same people could treat others so violently. According to his statement, Lapunov was captured and tortured in Chechnya. When he was leaving the Republic he could barely walk. He only survived because his abusers realized that he was Russian. France ensures the equality of representation as the second protagonist is Anya (a pseudonym), a young lesbian whose uncle is threatening to reveal her sexual orientation unless she has sex with him. As one of the activists states in the documentary: "Genocide in Chechnya isn't only about gay men, it affects lesbians as well. They get locked up at home, where they're battered. No one hears anything about it. And they simply die from physical violence. Because no one can help them." There are also two activists in the documentary (again, equal representation), David Isteev (Crisis Response Coordinator, the Russian LGBT Network) and Olga Baranova (Moscow Community Centre for LGBT+ Initiatives), who not only provide narrative comments but are also essential in rescue missions (according to the report presented in the Parliamentary Assembly of the Council of Europe in June 2018 "More than 114 LGBTI people and members of their families have fled

the Chechen Republic^{"4}). David and Olga were the only who did not decline to be identified as the need to protect the anonymity was in this documentary a matter of life and death.

It is obvious that the key role of the analyzed documentary is, firstly, to inform the public opinion about the situation in Chechnya secondly, to keep the interest in the cruel and inhuman practices. In my opinion, another role maybe even more important than the aforementioned, is to preserve the memory of the victims. Images recorded by France, especially difficult to watch videos of assaults, rapes and murders posted on the Internet by Chechen pursuers as trophies, are evidence gathered to bring the homophobic perpetrators to justice one day. Similarly, the main aim of this paper is to highlight the problem of LGBTQIA+ society in Russia and Chechnya and give a voice of the victims of discriminated minorities, which now, in the face of war in Ukraine, seems more important than ever. It is done by presenting the legal situation of LGBTQIA+ in both countries, explaining possible reasons for the lack of homosexuality acceptance Russia and Chechnya, clarifying the Kremlin's point of view in the domain of homosexuality and explicating the reason for which artificial intelligence (AI) is used in the documentary.

RUSSIA

Before Federal Law No. 135-FZ on the amendment of Article 5 of the Law "On the Protection of Children from Content Harmful to Their Health and Development and Certain Legislative Acts of the Russian Federation to Protect Children from Information that Negates the Values of the Traditional Family" was introduced in the Russian Federation on June 29, 2013 St. Petersburg MP Vitaly Milonov announced that gay people were depraving Russian children through homosexual propaganda. Then Russian administrative units passed resolutions banning the so-called homosexual

⁴ Report on Persecution of LGBTI people in the Chechen Republic, accessed June 8, 2022, https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en. asp?fileid=24805&lang=en.

propaganda, i.e. in their understanding, neutral or positive statements about homosexuality in public. Thus, "LGBT-free zones"5 were created in Russia. The law introduced in 2013 most severely punishes organizations: fines of up to one million rubles and temporary suspension of activities. Consequently, the law introduced under the pretext of protecting family traditions, has led to the complete closure of spaces for non-heteronormative people (websites, support groups), and thus to the restriction of access to information and education for young people. As Daniela Vazquez Loriga states in her research LGBT Rights in Russia: The "Gay Propaganda" Law and its Consequences in Chechnya⁶ anti-LGBT attitudes have a very long tradition in Russia. The origins go all the way back to Peter the Great, who banned sodomy in the army in 1716, then Nikolai I in 1835 criminalized same-sex sexual relationships. The Bolsheviks decriminalized homosexuality in 1917, but Stalin reinstated the previous situation in 1933. Article 121, a sevenyear prison sentence for homosexual acts, had been in force in the USSR since the 1960s. As a result of this policy, thousands of men in the Soviet Union were convicted of sodomy and imprisoned in labor camps or psychiatric institutions. Interestingly, women were not threatened with imprisonment for the same 'crime,' but could be subjected to forced psychiatric hospitalization. In 1993, after the collapse of the Soviet Union, Article 121 was repealed, decriminalizing same-sex relationships. In 1999, the Russian Ministry of Health removed the diagnosis of homosexuality from the International Classification of Diseases (ICD).⁷ This brought the Russian non-heteronormative community hope for an end to

⁵ Misza Czerniak, "Aktywista LGBT z Rosji: Dekadę temu nie wyobrażałem sobie, że Polska tak się zmieni," interview by Olena Babkova, *Krytyka Polityczna*, April 4, 2022, https://krytykapolityczna.pl/kraj/lgbt-rosja-pis-misza-czerniak-olena-babakova/.

⁶ Daniela Vazkez Loriga, "LGBT Rights in Russia: The 'Gay Propaganda' Law and its Consequences in Chechnya," *The Bellarmine Law Society Review*, vol. XI, issue 1 (2020), accessed July 4, 2022, https://ejournals.bc.edu/index.php/blsr/article/view/12353/10041.

⁷ Ibidem, 2–3.

persecution, as evidenced by the numerous LGBT organizations that emerged during this time. Surveys conducted in Russia in the 1990s showed a significant decrease in homophobia. In 2002, the European Court of Human Rights showed that the number of LGBT-related court cases in Russia was only 2.1 per cent. However, the situation worsened significantly during the presidency of Vladimir Putin. As early as 2007, the number of LGBT court cases in Russia was 22.5 per cent. In 2017, the Levada Centre, an independent and non-governmental Russian public opinion research organization, reported that 81 per cent of the Russian public disapproved of same-sex couples. Moreover, 63 per cent of respondents in a 2018 government survey believed that the spread of "gay propaganda" was destroying traditional Russian values. According to a Levada Centre survey, 30 per cent of Russians support the isolation of non-heteronormative people, and 18 per cent support their abolition.8

CHECHNYA

After the collapse of the USSR, all the republics within the Russian Federation abolished the criminalization of homosexual acts. The exception is Chechnya, which remains the only republic in the Russian Federation where, under its law, homosexual acts are prohibited and punishable by death. The 1996 Chechen criminal code is based on Islamic law, the Sharia, and according to Article 148 homosexuality is punishable by flogging or even death. Formally, this code has no legal force because Russian law applies in Chechnya.⁹ In practice, however, the persecution of non-heteronorma-

⁸Ibidem, 3.

⁹ Admittedly, the "Rodina" party has tried several times to reinstate the criminalization of homosexual contacts. However, so far, all the bills (2002, 2003, 2004) have been rejected at the beginning of the legislative process and deemed unconstitutional. Interestingly, according to its initiators, the bill on criminalizing homosexuality was supposed to concern women to a greater extent, which, in turn, would lead to an increase in the birth rate in Russia.

tive people by means of kidnapping, torture and murder, supported by the authorities, is widespread. All this happened with the approval of Ramzan Kadyrov, who, as early as 2006, after becoming prime minister, implemented an official policy supporting groups that monitor the gender expression of the population. It allowed homophobia to spread in Chechnya - a conservative and predominantly Muslim Russian republic. In a report entitled Republika strachu. Prawa człowieka we współczesnej Czeczenii [Republic of Fear. Human Rights in Contemporary Chechnya] prepared for the Helsinki Foundation for Human Rights in 2019 one may read that in the Chechen Republic, which is part of the Russian Federation, people belonging to sexual minorities face persecution organized largely by the authorities. The authors of the report cite a series of articles by Novaya Gazeta, which was the first to report on what is happening in Chechnya. According to it, unannounced raids on minority groups began as early as mid-December 2016, and during the night of January 26, 2017, security forces killed 27 people. Investigative journalists also established that between February and April 2017, at least 100 homosexual men were detained and imprisoned in two secret centers near Grozny, where they were subjected to torture, including the use of electricity. Their phones were searched to confirm sexual contact with men. Attempts were also made to force them to reveal the identities of other homosexuals. Relatives of the freedmen were encouraged to carry out honour killings as the only way to save the entire family's reputation. All of Gazeta's findings were denied by the Chechen authorities, among others by the imams of the main mosque in Grozny in the lead. The crowning argument was Ramzan Kadyrov's now famous statement that "there are no gays in Chechnya." Intense international pressure has not prompted the Russian authorities to investigate this persecution.¹⁰ Even filing a criminal complaint by the tortured Maksim Lapunov, whose story is presented in Welcome to Chechnya, did not lead to any charges being brought against anyone. Lapunov took his case to the European Court of Human Rights in Strasbourg. He

¹⁰ Vazkez Loriga, "LGBT Rights in Russia," 5.

is still waiting for the verdict. "The thing that has affected me the most is not getting justice for the three people in the basement with me who were killed," he said.¹¹

The Chechen authorities are most heavily targeting non-heteronormative men, but women must not be forgotten. Although no similar campaign is waged against them, their situation is even more difficult. They belong simultaneously to two minority groups whose status is very low and whose rights are not protected by the system. According to activists and experts, there is a great fear of exposure and possible persecution among this group. Similarly, honour killings or quick marriages come into play here.¹² Irina Kosterina, an expert at the Heinrich Böll Foundation, believes that lesbians and other women with non-heteronormative identities and sexual orientations are "the most vulnerable social group in the North Caucasus,"¹³ they experience systemic violence based on both gender and sexual orientation. The researches¹⁴ presented by the authors of the report Republika strachu... (Helsinki Foundation for Human Rights in 2019) indicate that sexual abuse by relatives against women is common in the Caucasus and increases after disclosing orientation. There are cases of so-called corrective rapes, and it is not uncommon for women, having revealed their orientation, to be subjected to a brutal ritual of expelling jinn, a form of local exorcism. Escape from Chechnya and Russia is extremely difficult, not only because of financial issues but because in order

¹¹ Jasmine Andersson, "'There is no justice, and that's the worst thing for me': Life after surviving Chechnya's gay purge," *iNews*, accessed July 4, 2022, https:// inews.co.uk/news/life-after-surviving-chechnya-gay-purge-1318989.

¹² Vazkez Loriga, "LGBT Rights in Russia," 5.

¹³ Sergei Khazov-Cassia, and Carl Schreck, "A Lot Of Girls Would Probably Rather Die': In Russia's Chechnya, Lesbians Tell of Suffocating Existence," *Radio Free Europe*, September 20, 2017. https://www.rferl.org/a/chechnya-lesbiansrepression-suffocating-existence/28746353.html.

¹⁴ Marta Szczepanik, "Republika strachu. Prawa człowieka we współczesnej Czeczenii. Raport," *Helsińska Fundacja Praw Człowieka*, accessed July 4, 2022, https://www.hfhr.pl/wp-content/uploads/2019/01/Czeczenia-raport-COI-2019-FIN.pdf.

to leave the country, you need a foreign passport, for which the guardian, i.e. the man, must give his consent. Fleeing also entails a great risk of being found and killed, as families are supported in their search by law enforcement agencies from other regions of the country.¹⁵

CAUSES

Omar Encarnación — professor of political science, in his article Gay Rights: Why Democracy Matters,¹⁶ gives a simple correlation of domestic factors that influencing citizens' attitudes towards LGBTQIA+ rights. The richer and more secular the state, the greater the acceptance of homosexuality. Correspondingly, as citizens' wealth decreases and their religiosity increases, acceptance of homosexuality decreases. Given that Chechnya is largely made up of Muslims, it comes as no surprise to anyone that 84 per cent of this society does not accept homosexuality. In Russia itself, on the other hand, there is a noticeable increase in religiosity. In 1991 it was 11 per cent, and in 2008 it was already fifty-four per cent,¹⁷ which makes it much more difficult to improve public sentiment on the issue of homosexuality. Russia's GDP in 2013 was the highest in history at around \$2.3 trillion, four years later, in 2017, it was only around \$1.5 trillion. Similarly, Russia's GDP per capita in 2013 was about \$16,007, while in 2019 it was \$10,750.18 The combination of rising religiosity and falling wealth coincides with the passing of a law on gay propaganda in 2013 and the brutal repression in Chechnya in 2017. The final domestic factor that affects LGBTQIA+ people is the state system. And while it is clear that

¹⁵ Ibidem.

¹⁶ Omar Encarnación, "Gay Rights: Why Democracy Matters," *Journal of Democracy*, vol. 25, issue 3 (2014): 90–104.

¹⁷ Ibidem, 98.

¹⁸ The World Bank Data, accessed July 4, 2022, https://data.worldbank.org/ indicator/NY.GDP.MKTP.CD?locations=RU.

LGBTQIA+ rights are not fully protected in all democratic countries, no one doubts that both Russia and Chechnya are not even close to having a democratic system. Thus, as Encarnación notes, in Russia's case, all the factors of the LGBTQIA+ rights regression model are combined: high religiosity, decreasing the wealth and lack of democratic values.

Simultaneously, the pressure and appeals of international organizations for justice and accountability for the 2017 anti-gay purges are absolutely ineffective in Russia and Chechnya. This causes people holding high state positions to avoid responsibility for their actions for the time being. All this proves the ineffectiveness of such acts as the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the UN International Convention, the UN Convention on the Elimination of All Forms of Racial Discrimination and the UN International Covenant on Civil and Political Rights,¹⁹ as all of these documents were ratified by Russia and thus by Chechnya.

KREMLIN'S OFFICIAL POSITION

As Misha Chernyak — LGBTQIA+ activist, founder, conductor and artistic director of the Voces Gaudii choir, co-founder of the Wiara i Tęcza [Faith and Rainbow] Foundation and the association Za Wolną Rosję [For Free Russia] notes in an interview given to Krytyka Polityczna, Kremlin ideologues claim that the West wants to destroy Russian morality, culture and the Orthodox faith, and the LGBTQIA+ community is seen as the embodiment of these aspirations. According to Chernyak's opinion condoning the persecution of LGBTQIA+ people is one of the pillars of Putin's power, who cynically exploits the archetypal resentment of the Other inherent in Russian and Chechen society.²⁰ He also states that the

¹⁹ Vazkez Loriga, "LGBT Rights in Russia," 6.

²⁰Czerniak, "Aktywista LGBT z Rosji."

situation of LGBTQIA+ people in Russia is not due to conservatism but to the fact that since the beginning of Putin's presidency, the message has been flowing to Russians from propaganda radio and television. And this message sets that respecting the dignity of others is not a necessity and being an aggressive majority is not a bad thing. It is a very clear top-down condoning of violence against the LGBTQIA+ community.²¹

AI IN THE SERVICE OF THE DOCUMENTARY

In the article Coding reality: implications of AI for documentary media²²Amanda Kapur and Nagma Sahi Ansari emphasise that the digital turn that we are experiencing today and which has affected almost every domain of our life has not been indifferent to the documentaries. This impact concerns the things that are presented and how they are presented. As a result, more multilinear formats gain recognition among artists. It can be seen, for example, in the increasing use of non-sequential and associative pathways and the cases of replicating some elements by algorithms or AI.²³ According to the authors this indicates paradigmatic shift from, so-called, object-based (videos, visual display) towards act-based documentary (algorithms, user acts, hyperlinks).²⁴ Welcome to *Chechnya* is a project co-created by AI. Had it not been for AI, this film might not have been made. As LGBTQIA+ people in Chechnya are too afraid to tell their stories, the only way to convince them to take part in the film was to ensure their identity would not be revealed. It brought up some problems with filmmaking as the director "wanted to show his subjects' faces as they recounted what they

²¹ Ibidem.

²² Anandana Kapur, and Nagma Sashi Ansari, "Coding reality: implications of AI for documentary media," *Studies in Documentary Films*, vol. 16, Issue 2 (2022): 174–185.

²³ Ibidem, 176.

²⁴ Ibidem.

had been through, from fear of being hunted to capture and imprisonment and torture.²⁵ Many approaches were tested: rotoscoping, animation, filtering and overlying. None of them gave satisfying results, as, for example, filters created the effect of erasure and did not harmonize with the emotional layer of the film. France also refused to use visual effects as he was afraid that the audience will be distracted by it. Finally, in order to "disguise" but not "dehumanize" the protagonists, to protect their identities and, at the same time, maintain the effect of a natural-looking human, France turned to the "face replacement"²⁶ (or "face swap"), a technique which has been used in a film for the first time. In short, face replacement is an inversion of deep fake technology that "imposes a library image of well-known person to map over somebody's movements."27 France used the faces of twenty-two people, mainly queer activists living in New York, as a "physical shield to protect the people in the film."²⁸ The replacement was achieved by bringing the volunteers into a green screen where visual effects specialists created an algorithm. The algorithm firstly studied their faces, then mapped them, finally, all the facial movements and tics were matched.²⁹ Further efforts were made to reduce, preferably diminish completely the effect of the so-called "uncanny valley." According to its author Masahiro Mori, a Japanese roboticist, this term refers to a situation when "anthropomorphic realism is likely to cause deep unease in human viewers."³⁰ In the case of France's documentary, the aim was

²⁸ Ibidem.

²⁵ Anne Thompson, "Sundance 2020: How VFX Pulled 'Welcome to Chechnya' Out of the Shadows — Exclusive," *India Wire*, January 22, 2022, https://www.indiewire.com/video/sundance-2020-vfx-hbo-welcome-to-chechnya-documentary-david-france-1202204703/.

²⁶Christopher Welker, David France, Alice Henty, and Thalia Wheatley, "Trading faces: Complete AI face doubles avoid the uncanny valley," accessed July 4, 2022, https://psyarxiv.com/pykjr/.

²⁷ Thompson, "Sundance 2020."

²⁹ Kapur, and Ansari, "Coding reality," 177.

³⁰ Ibidem.

to avoid looking like a human-like robot, as there is a clear connection between "the human-like appearance of a robotic and the emotional response it evokes."³¹ In this phenomenon, people feel awkward, even disgusted in response to humanoid robots, which are very realistic. Curiously enough, the activist's faces were not disguised.

CONCLUSIONS

Unbearably tense, harrowing tale of the brutally homophobic regime of entrapment, abduction and torture prepared by David France is difficult to watch. It consists of roving images taken with iPhone X and GoPro cameras, which convey the atmosphere of danger and fear. This was forced by the necessity to remain inconspicuous and not to raise any suspicions. Everyone can have phones and GoPro cameras in Russia. Whereas any special equipment or hidden cameras need certifications and permissions. Otherwise, you can be considered a spy.³² The viewers have also a chance to see the process of reversing "face replacement" as towards the end of the film Grisha (Maxim Lapunov) decides to reveal his face.³³ Many, among others, Olga Baranova, claim that because of that decision, Maxim will be hiding all his life: "Of course at some point in his life he will end up in a safe country, some final destination. He'll start building a new life with his husband. But in his place I'd be afraid to walk dark streets my entire life." Baranova herself had to leave Russia. Her relatives intercepted one of the girls she helped to flee in Belarus, and Baranova thought they would be returning

³¹ Kendra Cherry, "What is the uncanny valley? Example and Explanations for the Uncanny Valley Effect," *Very Well Mind*, accessed July 25, 2022, https://www. verywellmind.com/what-is-the-uncanny-valley-4846247.

³² Patricia Thomson, "How hidden cameras captured a daring rescue in 'Welcome to Chechnya," *documentary*, accessed August 26, 2022, https://www. documentary.org/column/how-hidden-cameras-captured-daring-rescuewelcome-chechnya.

³³ Thompson, "Sundance 2020."

to Chechnya through Moscow, so she went to the police in Moscow. In her statement, she had to give her information to the police, which was an "unavoidable error," as she called it. "Chechnya has its own traditions, some of which we might not understand. Helping a girl to leave is like taking away their property, you dishonoring them, so for them it's a question of honor. They have to punish me," she explained. As far as protagonists are concerned, Maxim and his family managed to flee. However, according to the interview he gave in 2021 to Jasmine Andersson he can handle the trauma of incarceration only with the help of antidepressants, anti-anxiety medication and with therapy, if he can afford it. "Sometimes you're going down the street and you hear someone speaking one word that's similar to Chechen, and then the flashbacks start," he said. "I have panic attacks, I shake, I have frequent nightmares. It admittedly gets worse when I have to retell it, then relive it."³⁴

The fate of Anya, a 21-year-old lesbian, remains unknown since she left the safe house without notice. No one blames her, she was waiting for visa six months confined to the house without being able to leave. The fate of the pop star Zekim Bakaev, suspected of being gay, is also a mystery. He disappeared from the Chechen capital during his sister's wedding. At some point he went out and never returned. Kadyrov suggested looking for Bakaev within his own family.

All mentioned above make the viewers slowly lose their faith in justice. It makes it realistic, though, as *Welcome to Chechnya* is a portrait of an unprecedented humanitarian crisis.

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³⁴ Andersson, "There is no justice, and that's the worst thing for me."

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