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Reckoning with Positionality and the Implications of Soviet Colonialism

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Editorial Commentary¹

This session brings together scholars, practitioners, and independent experts who actively engage decolonial approaches in their work on law, race, knowledge production, and political practice in and beyond the post-Soviet region. At the heart of the dialogue is a reckoning with Soviet colonialism and its continuities—a reckoning that draws on, and pushes against, the frameworks currently available to name them.

The conversation opens with the question of law and its limits. International legal universalism has long concealed its own imperial genealogies—the categories through which suffering is rendered legible, and victims recognized, are not neutral but historically produced. This session takes that critique into the post-Soviet terrain, asking what happens when legal frameworks developed elsewhere become the primary instruments available to those working on Soviet and Russian colonial harm. The tension between law as a tool of accountability and law as a reproduction of the very hierarchies it claims to address runs through the dialogue.

Central to the session is the question of race, one that Soviet and post-Soviet studies have persistently avoided. Despite extensive archival and sociological evidence, Soviet coloniality has been reframed as class-based rather than racial, a displacement encoded as civilizational or developmental difference. Recent scholarship on the racialization of Central Asian migrants in Russia, and on the racial logic embedded in Soviet ethnic persecution, has begun to correct this. This session presses that correction further, asking why institutional resistance to naming race, in academia, in NGOs, in international law, has proven so durable, and what it would mean to place it firmly on the agenda of decolonial inquiry into the region.

The dialogue also reflects on what it means to produce knowledge from within the structures one is analyzing. Drawing on decolonial feminist and epistemic justice frameworks, from Lugones's theorization of the coloniality of gender to Tlostanova's call for epistemic disobedience, the session asks how scholars, lawyers, and practitioners navigate the inherited conceptual vocabulary of post-Soviet studies: "titular nations," "minority rights," "transition." This vocabulary does not simply describe its object; it reproduces the imperial

1 Authorship note: This section reflects a collective discussion held during the workshop. The order of authorship follows the sequence in which contributors spoke during the session, rather than alphabetical order, while recognizing that each contribution carries equal weight in shaping the discussion.

categorization that produced it. What contributors refuse, what they repurpose, and at what cost, is a central thread of the conversation.

Finally, the session insists that decolonial critique is not abstract. Shrinking civic space, institutional pressure, and the personal stakes of speaking out shape what is possible for those working inside these contexts. The session holds theory and practice in deliberate tension, bringing academic analysis into direct encounter with the experience of those whose work is most immediately constrained by the structures under discussion. Together, these threads make one central argument: to reckon with Russian and Soviet imperialism, we must confront its continuities in law, race, knowledge, and political practice. We must do so collectively, across the disciplinary and professional divides that currently keep these conversations apart.

Nodira Kholmatova: This session employs an experimental format, bringing together speakers from different disciplines, civil society practitioners, and independent experts. The aim is to share and learn from one another's experiences, while engaging with broad, guiding questions that allow for diverse perspectives and languages, both academic and non-academic. The intention is to bridge the gap between knowledge produced in academia and the language used by policymakers, journalists, and practitioners. That gap often grows, sometimes intentionally and sometimes not, and remains a common struggle across disciplines. Our focus here is on the present: how we arrived at this critical moment in the region's history. This is the only session that deliberately combines academic researchers, lawyers, and practitioners to ensure that multiple perspectives and positionalities are brought into dialogue. The session title "Reckoning with Positionality: Implications of Soviet Colonialism" calls us to reflect on continuities. The first question posed is: How do you address historical oversights, intellectual blind spots, complex narratives, limited perspectives, and structural inequalities that disregard Soviet coloniality in knowledge production, whether in academia or in your professional practice?

Selbi Durdiyeva: It's a great question, though difficult to answer. Let me start with academia, where I feel most unsettled. For me, the core issue is: how do we do research now? Do we risk interdisciplinarity, even if it makes us less employable? Or are we already so precarious that it doesn't matter? That links to my own path into decoloniality. I came through armed conflict, human rights, and humanitarian law, studying how hostilities are conducted, what's permitted, and later transitional justice: how atrocities and unaddressed legacies of the past shape the present. I've always studied Russia and will continue to do so, because Russia is a perpetrator. I believe we must also study perpetrators, not only victims, bystanders, or implicated subjects. For me, the root of

many problems lies in Russia, so it's logical to focus there. Politically, I identify myself as being on the left, strongly aligned with the class struggle. But I struggled with the fact that many Marxist scholars criticized me for being too critical of the Soviet Union. In memory studies circles, people would even ask: Why study the Soviet Union at all? For me, that's a strange question, because I see the entire Soviet project—not just Stalinism—as criminal by design. That perspective isolates me, but it's central to my work. I also draw on Marx's own call to insert race and racism into the analysis, because they cannot be left out. Another part of my positionality is that I'm a colonized subject studying the colonizer. As someone from Turkmenistan doing research in Moscow and St. Petersburg, I experienced the field as deeply traumatic, with rape jokes, sexist comments, and harassment from the so-called intelligentsia. It was all there, from the *crème de la crème* of Russian society. That experience left me so shaken that I no longer want to return to the field. Now I prefer to study archives and the works of those no longer alive, rather than face those dynamics again. There's also the burden of representation. As a person of color, whenever I speak, it's assumed I'm speaking on behalf of "my people," whatever that means. This raises a larger question borrowed from Marsha Henry: can we be both objects of knowledge and producers of knowledge simultaneously? Positionality constantly pushes us to confront this dilemma.

Kostia Gorobets: Thank you—I'm humbled to be here. I'm relatively new to decolonial studies; for most of my career, I worked in the analytic philosophy of law, one of the most abstract and detached fields. It was Russia's invasion of Ukraine that pushed me to look seriously at imperialism and decolonial thought in international law. From a positionality perspective, this is complicated. For most Ukrainians, until the war, we didn't think of ourselves as colonized. That contrasts sharply with Central Asia. When I speak about decolonization, I often hear, "Aren't you too white to talk about that?" This shows how the global North/South lens doesn't fit neatly here. What happens when you have "North-on-North" colonization, or an imperial project that doesn't match those categories? This connects to racialization. Take the Russian claim that "Russians and Ukrainians are one people." For Russian speakers, the distinction between *russskiy* (ethnic Russian) and *rossiyskiy* (imperial, political Russian) is obvious, but for outsiders it's shocking. Putin isn't saying Ukrainians and Russians are ethnically the same; he's saying they belong to one imperial project. That's why the narrative is contradictory: Ukrainians are the same people, yet some are "Nazis," so they must be subdued. This, to me, is a form of racialization. International law struggles to engage with these questions. The field of imperial and postcolonial studies is so focused on the global South that it has no vocabulary for this context. Mainstream legal scholarship insists

we are already “post-imperial.” The UN Charter, for example, is celebrated as anti-imperial, even though it was fully compatible with the British Empire at the time. Once you point out the imperial context, the next step is to show how these lessons apply here, but the resistance is immense. At times, it feels like speaking a language that doesn’t exist. This ties to the question of continuity. In colonial studies, the Soviet Union is often portrayed as an anti-colonial power, fighting Western empires. Its own colonial practices are overlooked. After 1991, the celebration of the Soviet collapse overshadowed any serious reckoning with Soviet colonialism. Russian intellectual elites also avoided this. So continuity with Soviet colonial practices is rarely acknowledged. That makes the task enormous. To argue that Russia’s war is part of an ongoing colonial project, you first have to build the conceptual scaffolding from scratch, naming, defining, and connecting the dots others refuse to see. That is the challenge I face.

Nodira Kholmatova: I want to highlight one of the takeaways that the interventions pointed to, which is the role of the categories, vocabulary, and language that make it harder to approach and frame the historical oversights and complex narratives, and set the knowledge production on Soviet coloniality in stone, supported by the literature and the researchers who resist reconsidering the pre-existing notions. Another takeaway is how each of the speakers engaged with decolonial approaches and questioned the continuities of imperialism. For each speaker, it is a unique experience stemming from personal experiences and questions that they want to research. These interventions uniquely speak for your positionality. My own encounter with decolonial approach and Russian colonial continuities started when I researched how Central Asians are being racialized in Russia, which goes beyond ‘othering’ them as foreign labor migrants. Historicizing the racialization in Russian colonialism is not an easy task. We are currently working on how to advance and modify the methodological tools to address the ambiguities of how to explain the present racialization, which is a continuity from Russian settler colonialism and the Soviet regime.

Nodira Abdulloeva: I agree with Selbi that the question is a difficult one, and for me, it takes time and reflection to approach it. With my background in public policy and two decades of working with labor migrants, the first thing that comes to mind is the lack of discussion around colonialism and decolonization. Drawing on the experiences of practitioners and civil society in Central Asia, I realize that before Russia invaded Ukraine, I had never viewed labor migration through the lens of colonization. Now, thinking back, I see how much I needed this perspective earlier—when I was drafting laws and policies, I could have brought a different lens into the process. Of course, changing

policies and laws is never easy. However, we also need to understand how official bodies and grassroots practitioners—those working with development aid partners and international organizations—interpret or fail to interpret these approaches and the knowledge they produce. I believe that discussions of this kind still do not exist at the decision-making or policy-making levels, and we need to consider how to bring them into practice.

Another point is about the narratives that remain embedded in our policy documents and legislation. This is not only about Russia. Open any law, and you will see terms like illegal immigrant, which shows how entrenched these narratives are. Even in local policy documents and legislation, this language persists and needs to be changed. For example, while reviewing the new Migration Strategy until 2040 in Tajikistan, I was struck by how it positions Russia as the leading country for migrants—again reinforcing dependency. In these kinds of documents—and also when our official bodies talk about migration and Russia—I'm always struck by how the narrative is framed. For example, after the Crocus incident, a high-level official in Tajikistan said that the deportations and expulsions happen simply because “our citizens don't follow the laws.” That kind of framing really needs to change.

The media is another challenge for me. One of my biggest triggers is the term “illegal migrant.” Whenever I see it, I get upset, because we've talked so many times about why this terminology should be abandoned. Yet just two weeks ago, a well-known media outlet published a video for migrant workers explaining recent changes in Russian legislation. In that short video, they used the phrase “illegal migrants” five times. This language reproduces harmful stereotypes about our citizens in Russia. I've also been reflecting on how these narratives get reproduced in Tajikistan itself, often tied to our dependent and subordinated position toward Russia. I worked for ten years on information campaigns for migrants, together with different stakeholders. Looking back, I realize that our messaging was always centered on Russia—teaching people the language, telling them to follow the laws. We rarely addressed Russia's own responsibility for human rights violations. That imbalance is important to recognize. Lastly, in recent years, Russia has expanded its migration control structures into Tajikistan itself. Between 2022 and 2024, two Russian agencies opened offices in Dushanbe. Officially, they claim to help migrants travel “safely,” but in reality, these semi-governmental agencies also make money and serve as mechanisms of control—now directly on Tajikistani soil.

Nodira Kholmatova: A short note to contextualize the discussion for those who are not familiar with the recent events in Russia. After the Crocus City Hall terrorist attack in Moscow, Tajik citizens were quickly accused of being

perpetrators. What followed was massive state-level profiling, persecution, and abuse of Tajik migrants. Authorities immediately framed them as “bad migrants”—terrorists and threats—while at the same time promoting narratives of “good migrants,” like the young boy presented as a hero for helping during a fire. This dual framing allows the state to demonize migrants when useful and instrumentalize them as disposable labor when needed. Every day we see police harassment, arbitrary detentions, and deportations—all part of the technologies of control. Migration governance in Russia has long been securitized: since 2016, it has been under the Ministry of the Interior, making migrants extremely vulnerable to exploitation, violence, and even recruitment for the war in Ukraine. In this situation, millions of families and individuals live with no protection, and no one is willing to defend their rights. But this is not just about Russia. These practices are connected to wider global forces. Migration policies around the world reproduce the same neoliberal logic seen in Southeast Asia or Latin America, where people are treated as exportable labor. For example, international organizations have sent delegations from Central Asia to the Philippines to learn how to “supply” workers more efficiently, reinforcing the same exploitative systems. Russia’s deportation regime also mirrors practices in other empires like the UK or Germany that prefer quick, cheap expulsions over due legal process. Empires learn from each other, copying and adapting these mechanisms of control. So, when we talk about Central Asian migration, we need to see it not only in Russia’s colonial practices but also within these bigger globalized structures of labor extraction and control.

Selbi Durdiyeva: To follow up on what was said: can we use the language of law, and if we do, are we still working with the master’s tools? What I see now in Palestine and Ukraine is people almost begging the West: follow your own rules, your own human rights—you imposed them on us. But if we look at the origins of human rights, they were formed by diplomats in Geneva in a very top-down manner as a way to cover up colonial crimes after World War II. In that sense, in the words of Ariella Aïsha Azoulay, they were imperial rights. However, there is another form of rights: those articulated by social movements on the ground. That’s why I prefer to speak in the language of transitional justice. Transitional justice was born in the global South, emerging from social movements, and it places repair at its center. Of course, repair can never be complete. We face questions of incommensurability, but we must still ask. I work on this in the context of Russia’s full-scale invasion of Ukraine, looking at accountability and justice. People want crimes like aggression to be prosecuted, which raises complex debates. And I wonder: how do we bring highly

theorized decolonial debates into practice? From my experience with policymakers, even after a session on decolonizing transitional justice, a German policymaker concluded that Ukraine has a functioning criminal law system and that we will decide on accountability because we pay. After all that discussion, the master's tools still dominated. So the question remains: what tools do we use, if not theirs?

Kostia Gorobets: This is huge. First, about language, I don't think there is a single "language of law." The very idea of legality makes it appear universal, but in reality, law speaks in abstractions. International law especially forces us to think of it as one universal language, but it's not. There are different legal systems, and they can operate in very different ways. That's part of my research: trying to understand the anatomy of the Russian language of international law. What you said about rights is also interesting. It's not only about their origins, but also about the genre we are dealing with when discussing human rights. In human rights discourse, there are two competing genres. One genre is rebellion, telling the story of people rising and reclaiming their freedom. This term is often used to describe the early origins of human rights, such as the French Revolution—a glorious battle for rights reclaimed from the usurpers. But the dominant genre today is melodrama. Here, the focus is on suffering. People become trapped in playing the role of victims, their purpose in the story being to suffer so that others feel sorry for them. There's no way out of this genre; it's dramatic but also limiting. The logic here is bizarre. The human rights melodrama usually casts people of color as the victims, so when others occupy that role, it doesn't register in the same way. The same applies to debates on the crime of aggression. When discussions began about establishing a tribunal, critics argued it wouldn't work because past crimes—like the U.S. invasion of Iraq—went unpunished. By that logic, we can never prosecute aggression, because earlier cases weren't addressed. To me, that's absurd. We can't fix the past, but if we never start, the injustices only multiply. Yes, it feels random and uneven, and yes, the Iraq invasion was clearly a crime of aggression, acknowledged across the legal community. But that shouldn't stop us from acting now. We have to begin somewhere.

Nodira Abdulloeva: So great, I'd like to reformulate a bit, as I would like to hear more about her work. You[Nodira Kholmatova] once said in a podcast² something that made me think about the role of embassies in domestic affairs: you mentioned how Russia allegedly intervenes, makes demands,

2 Refers to the Majlis Podcast, Radio Free Europe/Radio Liberty, Expert Talk on Racialization of Central Asian migrants in Russia. September 2024.

and often has more leverage, so others comply. The language used in these situations is infantilizing—like, you're backward, let us teach you how to do it right. This language translates into actual policies and practices. It's similar for many countries of origin of migrants, not just in Central Asia but globally. Without leverage, they submit, like the EU with African and other countries, signing agreements and sending reports back. It's the same logic, though with less paperwork, in how democracies or regimes like Russia are built. So, my question is: What tools could help us envision alternative frameworks? For example, when discussing or considering reparations, we were also referring to this concept. How do we actually practice them? What would that look like? At the same time, I think it's unfair to portray Central Asians as completely powerless in these exchanges. Research shows that Central Asian leaders often benefit from these relationships. Central Asian societies are complex, and the partnerships are contingent, not fixed. Sometimes scholarship paints them as rigid, but I don't think the lines are that strong. These dynamics come together in layered and shifting ways.

Nodira Abdulloeva: When I hear reparations, my first reaction is that practitioners also need to start thinking this way because we usually don't. When I reflect on my background and professional work related to millions of Central Asians in Russia, reparations could mean equal treatment, protection, and access to remedies when their rights are violated. However, I honestly don't know how this could work under the current Russian system, with its constantly changing laws and policies. For the future, though, I think it's something that needs to be on the agenda. It would be essential to initiate these discussions at the grassroots level with practitioners, then progress step by step toward those working with governments. This is something that has to be initiated.

Nodira Kholmatova: This brings us to our second set of questions: how might our understanding of empire and coloniality shift if we examine non-Western empires? In your work with international knowledge production and policies, what encounters have helped you move forward—and how might we share that literature? For me, reading Abdelmalek Sayad's work on Algeria was eye-opening.³ I wish I had encountered it ten years earlier, during my PhD. Instead, I reviewed the available literature and knowledge without engaging in discussion with scholars from other colonized regions. Not even my French supervisor mentioned it. Yet one encounter with those thinkers and their knowledge production can completely shift perspective. That's

3 Please refer to the bibliography for further details.

why I feel we urgently need transregional dialogues—not just transnational ones, and not always with the West. By engaging with colleagues across our region, we can foster dialogue, identify shared patterns and differences, and begin to unravel the empires that perpetuate a narrow view of everything as merely “context.”

Selbi Durdiyeva: That’s a great question. Diana mentioned we need to write more, but I think we also need to read more. I have heard that writing is like breathing out, but reading is breathing in. For me, self-reflection on decoloniality began when I realized I wasn’t reading enough literature from my own region. I’m 35, and only recently read my first Central Asian novel. It was a revelation. One initiative that shaped me was a reading group on Central Asian literature. It wasn’t tied to my academic work, but it felt like a way of decolonizing myself. I try not to overuse the word “decolonization,” because people have died and continue to die for it—it’s not just a metaphor. But for me, reading regional fiction opened up new ways of imagining other worlds and other futures. Fiction allows us to think differently. I also view decolonization as a future-oriented project, rather than romanticizing the past. I’ve been criticized for over-romanticizing traditions, ironically, by someone who couldn’t even locate Turkmenistan on a map. But I agree with Indian postcolonial thinkers who argue that real agency is not about choosing between patriarchal traditions on one side and colonial discourse on the other. That’s not a choice at all. Understanding terminology has helped me, too. Grasping how coloniality differs from colonization opened up new perspectives. I also draw inspiration from Nelson Maldonado-Torres, who reminded us not to settle for decolonization. At the same time, it’s a learning process. Within decolonial circles, people sometimes criticize whom I cite, but I would prefer open conversations—tell me directly, help me learn. These debates are complex and challenging to keep up with, so I often share summaries and reading suggestions with others. And honestly, I don’t think academia holds the most intelligent voices. I’ve met brilliant, politically aware people outside of academia who are far more well-read. We shouldn’t romanticize academia. As Judith Butler once said, people outside it also want to engage with complicated texts. We need to trust readers more, instead of always simplifying. Creativity and openness matter in how we share knowledge.

Kostia Gorobets: Yes, it’s incredible, and I fully agree with you about the importance of reading. I approached this question from a different angle through the lens of international law. Western imperialism is the most studied, especially in contexts like the Iraq invasion, often cited as a clear example of imperial use of force. The question for me is: what makes Western empires distinct, and how do non-Western empires differ? As it has already been noted,

empires learn from each other. Russian imperialism, for instance, has long been portrayed on par with Western empires. Literary criticism, like Thompson's work on Tolstoy, shows this clearly. But today, Russia seems to position itself as both imitating and distinguishing itself from Western imperialism. That raises the question: what are the structures of imperial legality at play? Western imperialism is very rule-centric. Rules serve as tools of oppression, masking imperial practices. You have to excavate how law reproduces racial hierarchies and power imbalances—whether through human rights or other seemingly neutral labels. International law still carries the “civilizing” language, even if hidden. For example, Article 36 of the ICJ Statute refers to principles recognized by “civilized nations.” In classrooms, this is often dismissed as outdated, but in practice, the language of civilization persists. It's less openly racial now and more tied to capitalism: if you don't adopt a particular mode of capitalism, you're deemed uncivilized. This rule-based logic is central to Western imperialism. The U.S., for instance, frames everything around a “rules-based international order,” yet never defines what those rules actually are. That ambiguity is strategic: if the rules aren't disclosed, they can't be violated—because they're decided ad hoc. By contrast, I hypothesize that Russia's structure of legality is not rule-based, but rather rule-averse. During the invasion of Ukraine, many dismissed Putin's Security Council letter as “just political.” However, if you read the Constitutional Court judgments on annexation, written by legal professionals, you will notice the same style is evident. It's legal language without real rules—articles are cited, but the actual rights or obligations they contain are absent.

The standard way of looking at Russia's legal arguments is to say they're just an impoverished version of what the U.S. did before—a copycat. Marxist scholars often argue that the persuasiveness of legal claims depends on the productive power behind them. Since Russia lacks the economic weight of the U.S., the best it can do is mimic. Dennis Whelan even made this case in the *American Journal of International Law* in 2022.⁴ But I think that's only the first step. If you read carefully, Russia isn't simply copying—it's mocking. It's saying, we caught you violating your own rules. And hypocrisy only makes sense if you subscribe to rules in the first place. If you don't, you're not being hypocritical. This mocking comes from outside the rule-centric logic of Western imperialism and is rooted in Russian jurisprudence, going back to the late 19th and early 20th century. Schools like the Eurasian School of Law were openly rules-averse, seeing rules as superficial and alien, and insisting that the actual

4 Please refer to the bibliography for further details.

reality of law is more profound, more complex, and not reducible to rules. In this framework, rules get replaced by historical narratives. That's why the constant invocation of "Ukrainian Nazis" is significant. It's not just a bizarre claim. It performs a legal function: extending the logic of self-defense against Nazi Germany beyond 1945, claiming an ongoing legal authorization to fight "Nazis" wherever they are found.

Nodira Kholmatova: I'm often struck that in decolonial events, race and racialization aren't mentioned at all. Is this because of disciplinary limits? We follow up on the key points raised by the speakers and focus on the third set of questions of the discussion: Do Eastern European and Central Asian studies and academia in general, as well as the work of NGOs, human rights practitioners, pay sufficient attention to race and racism, both by looking at Russia and within their disciplines? How do race, racialization, ethnicity, and indigeneity intersect with your fields? Are there specific cases that help us understand these dynamics conceptually?

Selbi Durdiyeva: Some postcolonial thinkers from Central Asia argue that discrimination in Russia was about class, not race. With all respect to that work, I find this problematic. Race figures centrally in Russia's coloniality and colonialism. One scholar even described Russia as a "young empire" that, on the one hand, presents itself as racialized and humiliated by the West, while on the other hand exercising racial domination over people of color. We can clearly trace this in laws on Indigenous populations after 1991, how territories were managed, and what language was used. I'm working with an Indigenous thinker, Maria Ochir-Goryaeva, on how these legal frameworks shifted after 1999, revealing deeply colonial logics. Yet when I raise the issue of race, especially in panels with Russian liberals, people become defensive. They're comfortable discussing decolonization, but the moment you mention race, they shut down. This has also been a challenge in my own work. In my book on transitional justice, I barely touched on the topics of race and colonialism.⁵ Even organizations like International Memorial, which focus on the Soviet past, never engaged with race. But if you look at legal documents on persecution, many were explicitly racial—anti-Semitic, targeting Germans, Uzbeks, and others. In memorialization practices, this is visible too. Russia is essentially a vast mass grave, with people of many ethnicities buried together. Yet the monuments are separated: one for Estonians, one for Latvians, one for Uzbeks. Persecution was racial, but this is rarely acknowledged—even by celebrated NGOs. The global left often avoids this as well. Think about hermeneutic justice:

⁵ Please refer to the bibliography for further details.

the term “sexual harassment” only appeared in the 1990s, but once named, it transformed the law. We always knew what racism was. People recognized it in the 1980s and 1990s. Why was it never applied to the Soviet or Russian context? That silence itself reveals coloniality. We need to put race firmly on the agenda and insist on bringing it into every discussion of colonialism.

Nodira Kholmatova: I faced the same problem in my writing. I couldn't find any literature that defines race in the context of Soviet colonialism. Some books touch on the topic, but none clearly engage with the question or offer a definition. It feels like no one wants to address it directly.

Nodira Abdulloeva: This is a perfect continuation of what you just said. In law, there is no concept of race; international law only recognizes racial discrimination.

Kostia Gorobets: Discrimination and racism are not the same thing. Discrimination is treated in law as an ad hoc act, meaning it is an isolated incident against a specific person in a particular situation. But structural racism isn't visible in international law; it's absent. This has long been a critique of the Convention on the Elimination of Racial Discrimination: it reduces racism to distinctions based on race, without addressing the structures behind it. This is clear in the recent *Ukraine v. Russia* judgment on the basis of this Convention at the International Court of Justice. The Court acknowledged discriminatory practices by the occupying power against Ukrainians and Crimean Tatars, but dismissed it as political discrimination, which isn't a protected ground under the Convention. Even doctrinal lawyers who never write about race were shocked. If that's not racial discrimination, then what is? The deeper issue is that the law doesn't give us the tools to address racism. It pushes it outside its domain, as if racism belongs to political science or anthropology, not law. Even the narrow category of “racial discrimination” proves so limited that it becomes almost unworkable.

Nodira Abdulloeva: I have a few connected thoughts from listening to you and Kostia. I agree that in almost every convention you can open, the second article will mention non-discrimination, including racial discrimination. I remember discussing racialization with Nodira [Kholmatova] on a Majlis podcast; it was the first time I had even heard the term.⁶ In the UN documents and expert opinions I usually work with, the word never appeared. I had to look it up, and only then did I realize how it differed from “racial discrimination.” This shows why we need to reframe these concepts for practitioners working on the ground. Many NGOs, media actors, and regional practitioners lack the

⁶ Radio Free Europe/Radio Liberty, Majlis Podcast, Expert Talk on Racialization of Central Asian migrants in Russia. September 2024.

understanding of how race, gender, and class intersect and how these intersections matter for decolonization efforts. Too often, we default to thinking only in terms of Russia. But take another example: the UK's seasonal worker program. You may recall when Tajikistan's Ministry of Labor released photos of British recruiters physically testing migrants' strength and preparedness for farm work. That case made visible how race, class, and gendered power relations travel beyond Russia and into global labor regimes. In the face of new migration regimes, we are not equipped enough, and yet these things are happening. We need to bring these discussions down to the grassroots level, as Selbi has mentioned, because real change starts there. Slowly, maybe, this can make a difference. At the same time, the situation in our region makes me less optimistic. The political space has shrunk to the point where we no longer know where the boundaries lie.

Nodira Kholmatova: We move the discussion forward and invite all contributors to join in with their thoughts and reactions.

Diana Kudaibergen: The imperial language of the Soviet Union remains a black box that we rarely unpack. We tend to conflate the Russian Empire, the Soviet Union, and contemporary Russia, without examining closely how the Soviet system itself was designed. Lenin outlined the logic as early as 1910, before the nationality policy. He divided people into categories: those who "deserved" to be nations, such as Russians and Ukrainians; those who did not, as they were considered outside the civilizational paradigm; those who were relegated to being mere regions within national republics; and those consigned to a liminal or marginal status. This hierarchy structured the Soviet Union, comprising national republics that were meant to represent nations, autonomous republics within them, and even smaller territorial divisions beneath. Instead of using the overt language of race found in Western empires, the Soviet system created a hierarchy of nations and regions, which functioned as a colonial order. That's why I argue Lenin was also colonial in his thinking—though many leftists would reject that claim.

Selbi Durdiyeva: I'd like to jump in on what Diana said. Essentially, you're describing the creation of nation-states as part of colonial policy. I was reading Quijano, who argues that nation-states are not allies of decolonization. Looking at Europe, he shows how different peoples were homogenized into one "race" to form modern nation-states, and then the same logic was applied to colonies. Thinking about our context, this helps explain how the nation-state project itself functioned as a form of colonization. It never allowed for true decolonization.

Diana Kudaibergen: In Soviet logic, republics were technically sovereign, but in reality, they could never leave or exercise that sovereignty. Legally, this

shows how the USSR created a colonial hierarchy. For those who still claim it wasn't an empire, I don't see how they can ignore this structure.

Nodira Kholmatova: For me, I reflected retrospectively on knowledge production on racialization. In my PhD dissertation, I used terms like 'titular nation' without fully realizing their implications. I treated them as neutral categories of ethnic groups in the context of sovereignty because this is what the literature also did. Later, I questioned why I even reproduced that hierarchy of knowledge. My readers didn't need it; I did it to trace who said what and when. What's valuable, though, is bringing in perspective, asking why concepts were framed this way, for whose purposes, and for which audience. That analytical framework is what helps us demystify the process. People often say these are "complex" problems, but they're not inherently so. The issue is whether we seek clear answers or make things too complex to address.

Tereza Hendl: Here, it is also helpful to discuss intersectionality and Western feminisms. In predominantly liberal feminist Western work, intersectionality is often reduced to a checklist of problems: a woman is not only a mother, but a single mother, unemployed, disabled, uneducated, and from a minority background. That becomes the definition of intersectionality. I find this disempowering. It often allows to frame "other" women as passive subjects of pity, reinforcing saviourism that "we" must go and help them because they failed to live as expected. To me, intersectionality, when conceptualized in regard to structural issues of power and injustice, is closely tied to concerns of oppression and empowerment. Perhaps what we need is intersectional resistance—a framework that highlights the legacies of liberation struggles and agency, rather than just layers of disadvantage.

Diana Kudaibergen: We're dealing with overlapping hierarchies that intersect in complex ways. There's the legal hierarchy of the Soviet system, and on top of that, racial differences are not simply added together but interact unevenly. One hierarchy might add weight, another subtracts, creating different positions of advantage and disadvantage. The challenge lies in conceptualizing this interaction and translating it into usable terms. We need alternative frameworks and working definitions that move beyond the Soviet imperial legacy, offering ways to understand and name these layered hierarchies today.

Tereza Hendl: I agree. I find that Patricia Hill Collins offers a strong take on intersectionality rooted in Black American feminist theory. She emphasizes how power shapes intersectionality, linking it to both oppression and empowerment. This framework is useful in practice. In my line of work on global health and health justice, it is helpful to understand how structural racism and structural sexism intersect in different contexts, and from there, to develop effective context-specific strategies to address and dismantle them.