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# Local histories, European LGBT designs: Sexual citizenship, nationalism, and "Europeanisation" in post-Yugoslav Croatia and Serbia



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#### SYNOPSIS

The article addresses the ways in which the homonationalist discourses and "leveraged pedagogy" of sexuality present in the context of the EU accession process in Croatia and Serbia have been negotiated by the local pro-EU political elites. The paper argues that while contributing to positive, though limited, transformations of national legal frameworks, homonationalist discourses have simultaneously facilitated the increased resistance to struggles for sexual equality. Based on comparative analysis, the article shows how global and European homonationalism produces uneven, differential, and heterogeneous effects on sexual citizenship in the locations and within communities that are objects of its "othering." Therefore, in order to make productive use of positive examples when addressing the existing inequalities based on sexuality, the article concludes that both global and local constellations should be taken into account.

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#### Introduction

The centrality of normative visions of gender and sexuality in the processes of nationalisation and national identity construction has been persistently brought to light by scholars within feminist and sexuality studies during the past two decades (Alexander, 1994; Nagel, 2003; Parker, Russo, Sommer, & Yaeger, 1992; Peterson, 1996, 1999; Yuval-Davis, 1997). Some of the most important findings point to the ways in which women's reproductive capacities and reproductive heterosexuality have been constructed as the obvious and ultimate bearers of national unity and survival in the context of nationalism that invokes an alleged common descent as a way of defining the boundaries of a community (Yuval-Davis, 1997; Yuval-Davis & Anthias, 1989). The nationalist logic that places reproductive heterosexuality at the forefront of national survival at the same time conceives of non-heterosexual individuals as "immoral" and "foreign" to an imagined national tradition and essence (Nagel, 2003). These symbolic practices through which the identity of a particular national community is being re/ constructed play an important role in setting up and legitimizing the features of citizenship as the institutionalised set of norms that determine who (and under what conditions) can belong to a particular polity. In other words, the dominant conceptions of nation, gender, and sexuality are reflected not only in various laws and policies, such as family codes, citizenship and immigration acts, but also in labour and health insurance acts, that participate in the production of sexual citizenship and define the unequal citizenship status of sexual minorities (Cossman, 2007; Richardson, 1998).

Since the late 1960s the unequal citizenship status of sexual minorities has become a subject of serious contestations across the globe. The political debates pertaining to discrimination on the grounds of sexuality first started to emerge in the context of liberal capitalist democracies of the Anglophonic West, namely in the US, UK, Canada, Australia and New Zealand. There are many intermingling factors which influenced the emergence of the new politics of sexuality in these contexts, which include, but are not limited to, democratic political system, ideology of (individual) liberalism, capitalist consumerism, and the positive socio-cultural climate created by the multiplicity of other anti-discrimination movements that peaked in the 1960s

(Evans, 1993; Seidman, 2002). In the context not only of global capitalism and Anglo-American global domination, but also of increasing global exchanges owing to the development of newer communication technologies and transportation, struggles over rights and status of sexual minorities started to spread globally. Criticism posed by the new politics of sexual equality facilitated the emergence of new discourses of tolerance towards sexual minorities and brought about the legal changes concerning the citizenship status of sexual minorities in a number of states.

These changes reflected and at the same time informed the new trend in the interplay between sexuality and nationalism, namely, an inscription of "gay tolerance" in the national identity. This structural shift, which, it is important to note, did not necessarily cast away the heteronormative underpinning of the nationalist projects, has been pointedly conceptualized by Puar (2007) as homonationalism. In the context of the homonationalist turn, the proclaimed tolerance towards sexual minorities is incorporated in the national imaginary as a marker of alleged progressiveness, tolerance, and modernity, creating in this way a spatial and temporal boundary which places the "homophobic others" on the historical path of progress towards Western-style "civilisation" and "modernity". Thus, homonationalism has been deployed as a new discourse of Anglo-American "civilising mission" which came to "supplement 'the woman question' of the colonial era to modulate arbitration between modernity and tradition, citizen and terrorist, homonational and queer" in the post-9/11 world (Puar, 2013, p. 34).

In the context of Europe and the European Union, homonationalist discourses which use the rights of sexual minorities as a marker of progress in order to construct the hierarchical dichotomy between the "tolerant progressive self" and "homophobic immigrant other," have been particularly noted in Western European countries such as The Netherlands (Bracke, 2012; Fassin, 2010; Mepschen, Duyvendak, & Tonkens, 2010), Germany (Haritaworn, Tauqir, & Erdem, 2008), and the UK (Haritaworn et al., 2008). At the same time, the Orientalist homonationalist logic has also been deployed in establishing the unequal division between the "tolerant" West and "homophobic" East within the supranational European Union (Butterfield, 2013; Graff, 2010; Kahlina, 2012; Kulpa, 2011; Kulpa, 2013). In a recent article, Robert Kulpa (2013) speaks of a "leveraged pedagogy" performed by the Western Europe in the context of EU enlargement in the Central and Eastern Europe. As Kulpa notes, "leveraged pedagogy" has been established through the set of conditions that each country which wants to join the EU has to meet in order to become an EU member state, with LGBT rights gradually becoming a part of these requirements. Such a framework enables "old" Western European member states to position themselves as knowledgeable teachers of democracy, liberalism, and tolerance, while at the same time, as Kulpa argues, it frames Central and Eastern European countries "as permanently 'post-communist', 'in transition' (i.e. not liberal, yet, enough), and, last but not least, homophobic" (p. 2).

The existing studies that sought to expose the role of gay rights discourses in the re/production of the West/East hierarchy within the EU have made an important contribution to the discussion of the implications of homonationalist rhetoric and practices in the European context. However,

what has often been left out of the discussions is the way in which the present EU politics of sexuality has been negotiated in the locations and within communities that are objects of its "othering". Given the simultaneous existence of local, national, supranational, and global scales, and their mutual interdependence in the context of global capitalism (Binnie, 2004; Calhoun, 2007; Sassen, 2006), it is important to pay attention to the complex negotiations taking place at the sites where these spheres come together, like sexual citizenship in this case. Therefore, in this paper I will build on the existing studies of homonationalism in the EU by examining the ways in which the "leveraged pedagogy" concerning LGBT rights has been negotiated in the accessing countries and consider the effects of these negotiations on the citizenship status of sexual minorities.

In my paper I will focus on the cases of post-Yugoslav Croatia and Serbia as post-conflict societies that have been striving for EU membership in the past decade when LGBT rights became a part of the "leveraged pedagogy" of the EU. The central question of this paper concerns the ways in which the tensions between nationalism and nation-building related to the disintegration of SFR Yugoslavia and the transnational process of EU enlargement influence the transformation of sexual citizenship in these new states of South East Europe. In order to tackle this question, I will address the dynamic interplay between the competing visions of nation and national community, EU accession process, and the citizenship status of sexual minorities in these states. I will show that in this context sexual citizenship has been instrumentalised not only by sexual rights activists, but also by the pro-EU and anti-EU proponents alike. In particular, I will reveal how the local pro-EU political elites, by drawing on the EU conditionality in respect to human rights and freedom of assembly, externalised the demand for more equal citizenship. I will argue that the EU's homonationalist practices and externalisation of the discourses of sexual equality facilitated the joining of hetero-nationalist, religious, and anti-EU discourses in the mobilisation against the transformation of sexual citizenship. In this way, in the context of the EU accession process in post-Yugoslav Croatia and Serbia, sexual citizenship became a contested terrain where struggles over "Europeanisation"/EU accession, national identity, and modernity take place.

In addition to revealing the similarities in the way in which the EU accession process represents one of the main driving forces behind the transformation of sexual citizenship in Croatia and Serbia, I will also attend to important differences in how the "leveraged pedagogy" concerning LGBT rights has been negotiated in these two contexts. The local variations, as I will suggest, are conditioned not only by the level of advancement towards EU membership, but also, and perhaps more importantly, by the distinct legacies of the 1990s and different visions of nation–EU relations which exist in these post-Yugoslav contexts.

#### EU enlargement and the politics of sexuality

Although some of the European Union member states started to introduce special measures in order to address the unequal citizenship status of sexual minorities in the late 1980s, the social inequality based on sexuality would not be recognized as an issue which should be tackled at the level of the European Union for at least another decade. The Copenhagen criteria, a document which defined explicit criteria for EU membership in

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