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Anti-Gender Movements on the Rise?

Strategising for Gender Equality in Central and Eastern Europe

Contributions by Ekaterine Aghdomeleshvili, Anna Arganashvili, Magdalena Grabowska, Borbála Juhász, Jana Smiggels Kavková, Eizbieta Korolczuk, Zuzana Maďarová, Tamara Martsenyuk, Anna Nikoghosyan, Volha Piatrukovich, Veronika Šprincová, Jelena Višnjić and Tamara Zlobina



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Eastern Europe

Edited by the Heinrich Böll Foundation



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Strategising for Gender Equality in Central and Eastern Europe
Edited by the Heinrich Böll Foundation
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Gender/ Backlash. In the Wake of yet Another Conservative Revolution

Within the Heinrich Böll Foundation's global programmes for a just, peaceful, and sustainable world, gender democracy is defined as a cross-cutting task. Consequently, the Foundation is also interested in comprehending attempts and movements that oppose greater equality between men and women and respect for individual life choices. In order to discuss strategies for overcoming such ultra-conservative resistance to gender equality, our offices in Belgrade, Kiev, Moscow, Prague, Tbilisi, and Warsaw invited scholars and activists to attend our third International Gender Workshop. Held in September 2014 in Berlin, it assembled participants from Armenia, Belarus, the Czech Republic, Georgia, Hungary, Poland, Russia, Serbia, Slovakia, and Ukraine.

The concept of «backlash» refers to perceived setbacks and deteriorations in the relations between (and among) men and women. Its proponents assume that gender equality and LGBTI rights are on the decline all over the developed world, or that there is at least a significant increase in rabid attacks against them. As a catchword it encompasses a seemingly odd medley of activities pursued by a multitude of different local initiatives all over Central and Eastern Europe, all of which strongly promote tradition over equality. In many cases these groups appear to be backed and inspired both by influential US-American «pro life» organisations as well as the Kremlin's «Gayrope» propaganda, which aims to discredit the European Union as a place of moral decline. As you will see, the contributors to this publication disagree as to what extent the concept of «backlash» presents a valid instrument for interpreting regional or global trends; nevertheless, the concept was used as a common starting point for reflecting on recent developments and possible strategies.

Indigenous grassroots movements – or conservatives disguised as parents?

The contributions collected in this publication can be roughly divided into two, unfortunately rather uneven, groups – those expressing grave concern about the current situation in a given country – and those giving reason for hope. In Russia, the recently passed «propaganda laws» banning the distribution of information about so-called «non-traditional sexual relations» among minors provide a de facto legal framework

for extra-legal violence against LGBTI people and force NGOs to keep quiet about feminist policies. Similar developments can be observed in Georgia and Armenia where, despite recent legal reforms, domestic violence is also a widespread problem. The LGBTI community and human rights groups have documented numerous assaults, which, as pointed out by Ekaterine Aghdgomelashvili, Anna Arganashvili, and Anna Nikogosyan in their respective contributions, are part of an aggressive strategy by Orthodox clergymen to purify public space. What's more, influential movements like the «Pan Armenian Parents» initiative are blacklisting activists and defaming them online.

Although the trend is less pronounced, some EU member states have also seen a substantial increase in anti-emancipatory activism. In her contribution, Borbála Juhász explains how the ever more autocratic Hungarian FIDESZ government wants to protect «Hungarian families» at the expense of equal rights for women and men, while Zuzana Maďarová reports that much pressure has been put on public authorities and civic activists in Slovakia to stop the alleged «promotion of homosexuality» and «sexualisation of children.»

The contributions of Elżbieta Korolczuk and Magdalena Grabowska help us better understand the reasons for the current political struggle in Poland over the ratification of the Council of Europe's «Convention on preventing and combating violence against women and domestic violence» (Istanbul Convention) and the so-called «declarations of faith» for doctors, pharmacists, and teachers.

Male heroes, female supporters?

Encouraging, however, are the news from the Ukrainian «revolution of dignity» with its diversity of protest forms. Euro-Maidan did not only topple a lawless, violent regime, as Tamara Zlobina and Tamara Martsenyuk demonstrate in their contribution, it also became a laboratory for new, renegotiated gender roles, sensitising activists for the need to overcome traditional patriarchal role models such as «male heroes» and «female supporters.»

In this context also interesting: Volha Piatrukovich gives us an analysis of gender equality in Belarus, a subject about which is little else to read.

Worth noticing are also the Czech experiences with using election campaigns to promote wider access of women to parliaments and to mainstream gender parity throughout all political parties.

In her essay, Jana Smiggels-Kavková reports on how the Czech Republic managed to adapt the inspiring Polish model of a «Women's Congress» – a project supported by the Warsaw and Prague offices of Heinrich Böll Foundation.

Another positive note came from Serbia, where, in Belgrade, after a series of violent attacks against the LGBTI community, a Gay Pride parade was held in September 2014, which was protected by the authorities. According to Jelena Višnjić, the Serbian government thus demonstrated that, as a EU candidate country, it is willing to protect minority rights. Serbian society, however, is still marked by deeply entrenched homophobic attitudes.

At the workshop experts stressed that the support anti-emancipatory groups receive in Central Europe, like, for example, the French *Le Manif Pour Tous*, has to be taken much more seriously. It is sad enough that in many parts of Eastern Europe «feminist» is still a pejorative term or even used as an outright defamation, rather than as a label for somebody's (albeit very pronounced) convictions.

Many dangerous myths and lies do circulate about gender policies, and wherever such malicious stories are spread, they have to be debunked. Examples for this are alleged practices in other European countries, for example, concerning the «legality» of incest or paedophilia in Scandinavia or petting as part of the curriculum in German kindergartens. An effective way of doing this can be to involve the respective embassies or her representatives of the countries in question. A recent example was the staunch, yet witty reaction of the Danish ambassador to claims about the alleged legality and social approval of paedophilia in Denmark made by Jarosław Kaczyński, the leader of Poland's Law and Justice party, in the nation-wide weekly magazine *Wprost*. While rhetorically insinuating, that for sure Kaczyński must have been misunderstood by the journalists, in case of a «mistake» Steen Hommel is asking for an official rectification of this misinformation in the same newspaper, at the same time cordially inviting Kaczyński to contact the embassy «if he would like to learn more about Denmark».

Resist, rename, reclaim? Facing the surge of reactionary politics

The cases discussed in this volume are part of a wider, at least regional trend, consisting of right-wing populists, ultra-nationalist extremists, and anti-egalitarian movements (frequently anti-immigrant as well as anti-feminist), which are worming their way into public discourse. Unfortunately, such movements are pushing the political establishment of many (Eastern) European countries towards accommodation, pretending – as all populists do – that they represent society at large. The experts attending our International Gender Workshop disagreed about the root causes of this phenomenon, with some interpreting it as a symptom of growing discontent with neoliberal globalisation and transformation processes in Central and Eastern Europe, while others saw in it an expression of the need to unify around a seemingly simple «matter of the heart» in order to recreate community and belonging in an increasingly alienating environment.

Where is our place between, on the one side, oppressive conservative interpretations of community (claiming to offer meaning, love, and protection in traditional families) and, on the other, market-driven liberal individuality (promoting economic success on the basis of independence and tolerance)? The answer is not easy to find, yet one possible approach may lie in the strikingly uneven media coverage that favours populist traditionalism over gender equality and LGBTI rights. The proponents of what one may paradoxically call «new conservatism» often elevate emotions over rational discourse, giving simple, de-contextualised answers that many people seem to be listening to. It is against this background that Elżbieta Korolczuk poses the question whether we should try to reclaim and reinterpret certain national, social,

or religious symbols (such as the Virgin Mary) and popularise alternative views of the family – views that are based on non-violent and inclusive practices of parenting.

During the workshop, the experts stressed that it is not enough to refute rumours and spread truthful information, there is also a need to come up with solid and appealing responses to actual social and economic challenges – be it demography, the pension and education systems, or innovation – in short, with responses that appeal to all citizens, whatever their political outlooks, personal backgrounds, or lifestyles may be.

In doing this, we should not eschew the term gender, quite the contrary; however, we will have to use it in ways that are more context-related, transparent, and intelligible to everyone. We sincerely hope that the contributions to this publication will help sharing knowledge and boosting the confidence of experts and activists, who are frequently working under difficult conditions in order to achieve a better future with greater equality for all.

Berlin and Warsaw, February 2015

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The Fight for Public Space

It sounds paradoxical, but in Georgia anti-gay rallies have a longer history than those supporting LGBT rights. In 2007, the newspaper *Alia* reported on a planned gay parade in Tbilisi. What it actually was, was an event hosted by the Council of Europe, titled «All Different, All Equal,» in which LGBT people were to participate. It wasn't the first time that *Alia* had published such misleading information, similar things happened several times during 2007. However, the desired result – creating an uproar – was only achieved when a journalist accused the government of supporting this mythical parade.¹

Little by little the homophobic hysteria created by the newspaper spread to every part of society. The organisers and representatives of the Council of Europe tried to explain the purpose of the planned event, yet no one heeded their statements. Opposition politicians were especially vociferous, claiming the government was trying to «debauch and degenerate» the Georgian people.² The Orthodox Church of Georgia issued a special statement on the gay parade.

*We want to stress once again that abnormal sexual relations are a mortal sin and have to be confessed. The public propagation of such behaviour will expose the nation to grave danger.*³

While some opponents of the fictitious gay parade were holding press conferences, denouncing the event, others were waiting in the streets for participants, ready to «beat them up.» Soon it became clear that the alleged gay parade was utter nonsense and had been made up by *Alia*, however the discussion about it raged on in the media and social networks.

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- 1 I. Mamaladze (2007). Pederasts are Preparing for Parade in Tbilisi. Newspaper *Alia*, #82, July 17–18, 2007.
 - 2 «I believe that this idea comes from the chancellery. The homosexuals' parade is planned by the regime, since they want to show the world and the Council of Europe that democracy in Georgia is developing and human rights are protected – and receive grants in return.» M. Khorguashvili. «Gay-pride in Tbilisi? This idea comes from chancellery.» *Sakartvelos Respublika*. #140. 21 July 2007. «This event has been arranged by President Saakashvili because there are many people of unclear gender and sexual orientation in his government lobbying for such parade.» *Alia*, #83, 19–20 July 2007.
 - 3 Statement of Catholicos Patriarch of All Georgia, His Holiness and Beatitude Ilia II regarding the planned gay parade, quoted in *Alia*, 2007.

Making homophobic statements in a loud aggressive voice paid such high dividends for those behind this moral panic that it turned into something of a ritual. The government has become firmly identified with «anti-national, anti-orthodox» political forces, something facilitated by homophobic attitudes existing in Georgian society.

A second massive anti-gay rally was held in Batumi in 2010. Numerous people lead by a priest and armed with crosses were walking the streets all day long, searching for the participants of another fictitious parade in order to purify the city from «sinners» («we will throw them out of every building»). The source of the rumour about such a parade was never found, though the participants of the march did not seem to be especially concerned with how real the reason for their protest was.⁴

In 2012, the participants of a rally marking the International Day Against Homophobia (IDAHO) managed to cover only part of the planned route, and then they were stopped by counter-demonstrators, mainly from the Orthodox Parents' Union, who managed to block the road. The confrontation escalated into the fight, and although police managed to break it up, the remainder of the march was cancelled.

On the 17 May 2013, a march marking IDAHO was attacked in Tbilisi after the Orthodox Church of Georgia managed to mobilise around 30,000 counter-demonstrators against the maybe one hundred participants of the rally. This time, the police did not manage to separate demonstrators and counter-demonstrators. Buses used by participants were besieged and crowds smashed windows, threw stones, and tried to pull participants from the vehicles. On the same evening and over the following days the number of injured rose steadily and many people faced persecution for days after the event. The attacks were directed at everyone who was thought not to conform to traditional gender roles or to belong to an LGBT group. Although the persecution went on for three days, the government arrested none of the perpetrators, and only four people were fined for «violating the public order.» The slow response of the government and the statement by a representative of the Orthodox Patriarchy who «congratulated the Georgian people on their victory» obviously further encouraged perpetrators.

Georgia decriminalised homosexuality in 2000. This was followed by legal reform in several areas, including employment and healthcare.⁵ In 2012, crimes committed because of a victim's sexual orientation or gender identity were added to the list of aggravating circumstances in the criminal code. In 2014, despite opposition from the Orthodox Church, parliament passed an anti-discrimination law prohibiting discrimination because of sexual orientation or gender identity (SOGI). SOGI issues are also part of Georgia's Human Rights Strategy and included in the government's human

4 «We have no exact information. We have heard about this from relatives.» Thus Father Mikael Botkoveli, secretary of the Catholicos Patriarch of Georgia when asked by a journalist. *Netgazeti*. 25 August 2010 www.netgazeti.ge/GE/22/News/2280

5 Study on Homophobia, Transphobia and Discrimination on Grounds of Sexual Orientation and Gender Identity. Legal Report: Georgia, by Ana Natsvlshvili. COWI. 2010. p.3. www.coe.int/t/Commissioner/Source/LGBT/GeorgiaLegal_E.pdf

resources action plan. At first glance it seems as if the situation of LGBT people in Georgia is on the mend.

The situation on the ground, however, is all but rosy. Violence against LGBT people (verbal, psychological, and physical abuse) remains widespread in Georgia, and research and case studies show that violence against LGBT is actually increasing.

So far, no in-depth study of attitudes towards LGBT has been undertaken in Georgia, making it difficult to gauge the extent of the problem. However, research into values and attitudes shows that LGBT people are one of the least respected groups in Georgia.⁶ Members of LGBT groups speak of a marked rise of negative attitudes towards them.⁷

Surveys have shown that over the last decade homophobic hate speech has become very much politicised in Georgia, especially in the run-up to elections. It is almost routine to call political opponents homosexuals, and to accuse them of aiding and abetting deviants. Also, in Georgia, the Soviet myth that homosexuality is a Western phenomena still is very much alive. This makes it possible to link homosexuality to Western, liberal values and to political groups attached to such values.⁸

Obviously, a lot can be said about the reasons for the extreme politicisation of homosexuality, the stirring up of hate by politicians, the revival of the Soviet myth that homosexuality originated in the West (Russia is not only trying to regain the Soviet Union's territory, it is also reviving the anti-Western sentiments propagated by the Soviets), and, finally, about the Georgian Orthodox Church, one of the most powerful outposts of Russia in our country.

To know that the 17 May 2013 was a demonstration of power and influence by the church towards the new government, and that we were merely pawns in this game, does not really change the challenges we face. Taking into account the level of homophobia in our society, the church could not have found a better cause to mobilise so many. Also, counter-demonstrators were repeatedly heard saying that the campaign was planned by officials of the former government and their supporters.

6 To the question: «Do you consider the groups listed below undesirable?», the group named most undesirable were homosexuals, followed by drug addicts, and the mentally unstable. N. Sumbadze, *Generations and Values*, Institute of Public Policies, Tbilisi, 2012. www.ipska.techtone.info/files/4313/4245/8451/Taobebi_da_Girebulebebi_-_Book_1.pdf

A study conducted by Heinrich Böll Foundation South Caucasus Office on attitudes towards minorities shows that LGBT groups experience the biggest pressure. Heinrich Böll Foundation South Caucasus Office, *Study on Attitudes and Approaches of the Population towards the Minorities*, June 2011.

7 According to a 2006 study by Fund Exclusive, 57.5% of LGBT people described Georgian society as intolerant; 24.2% stated that the society is indifferent towards them, and 10% answered that the society is tolerant. (Study on LGBT Discrimination in Georgia, Fund Inclusive, 2006). In 2012, the joint research of Women Initiatives Support Group and Organisation Identity showed that the number of LGBT people thinking that society was intolerant towards them had risen to 78%. 15% of the interviewed assessed attitudes as «more intolerant than tolerant»; 4% as «more tolerant than intolerant»; 3% did not answer the question. Less than 1% think that Georgian society is tolerant. *Research on LGBT Discrimination in Georgia*, WISG, Tbilisi, 2012.

8 E. Aghdgomelashvili. *Coverage of Sexual Orientation/Gender Identity Issues in Media*; Media Development Fund, May 2011.

As the 17 May 2014 was approaching, there were expectations and anxiety that last year's events would happen all over again. Some members of our community thought that not holding a rally would be a step back and equivalent to capitulation. Others argued that to forgo a large demonstration was only reasonable because otherwise lives would be at stake.

Two months before the day the church began to mobilise, and tensions between church and government rose. It was during this time that hearings on the anti-discrimination law were held in parliament, making the confrontation increasingly heated. The church declared the 17 May as a day of celebration for the traditional family and planned a march in the centre of Tbilisi, which, in case of a LGBT rally, would have made a confrontation unavoidable. On the day, people carrying homophobic posters were slowly marching in the streets and the International Day Against Homophobia was turned into a celebration of homophobia. As no safety guarantees had been given, LGBT organisations did not hold a rally. There were some closed events but nothing was heard of them among the general homophobic hubbub.

For the church, total control of public space is one of its most important goals («the purification of public space from sins»). However, the church is also trying to control private space – as did the Soviet authorities – and it is campaigning against gay marriage and abortion and defending traditional family hierarchies.

So where is our place? And how can we avoid being mere victims – pawns in a larger power struggle? So far we only have one answer – we say no to war, but we keep on fighting. The fight for civil rights is an evolutionary, everyday process, not a revolutionary one.

Empowering Women Against Discrimination in Labour Relations in Georgia¹

General Overview

Following the 2013 parliamentary report of the Public Defender of Georgia² (that is, the ombudsman), women's economic activity and participation in the economic life of the country is low. According to data from the «Global Gender Gap Index» Georgia ranks 64th among 136 countries. The same source points out that instead of making progress, Georgia is dropping behind – in 2012, it had been ranked 57th and in 2011 54th.

According to data from the same source regarding equal pay for equal work, Georgia is ranked 14th, while the ratio between annual income of women and men puts it in 114th position. Salaries of women are lower in every sector, even in those where the majority of employees are women, such as in education and healthcare.

Although a number of steps towards legal regulation have been undertaken, the professional advancement of women, their equal participation in economic development, and proper pay all still present formidable challenges. The feminisation of poverty and a high rate of violence against women are caused by women's low economic activity. Although many women hold jobs, their average pay differs from that of men because women frequently have low-wage positions and the glass ceiling prevents promotions.

Legal overview

Georgia has been a member of the ILO since 1993 and it has ratified 16 ILO Conventions. In 2012, Georgia had one of the lowest levels of ratification of ILO Conventions

- 1 This presentation has been prepared based on the shadow report submitted to UN CEDAW by a group of two non-governmental organisations and one trade union: Article 42 of the Constitution (Article 42) and Georgian Trade Union Confederation (GTUC) prepared by Raisa Liparteli (GTUC), Maka Gioshvili (Article 42), Anna Arganashvili (Article 42). The shadow report was discussed at the 1227th and 1228th meetings on 8 July 2014 (CEDAW/C/SR.1227 and 1228).
- 2 Parliamentary report of the Public Defender of Georgia, 2013. www.ombudsman.ge/uploads/other/1/1563.pdf

among countries in Western and Eastern Europe, the Caucasus, and Central Asia. The last ILO convention ratified by Georgia was no. 163 in 2004. Georgia is part of the EU Neighbourhood Policy and the Eastern Agreement and is moving towards integration with the European Union. Georgia has also signed the Social Charter in 2005 as a member of the Council of Europe.

As the ILO report³ states, the Labour Code Georgia adopted in 2006 is one of the most deregulated among the countries studied – even in comparison with such liberal economies as the US, Canada, and the UK. Several indicators were criticised, for example, probationary periods, the regulation of contracts of employment, and valid reasons for dismissal. The former Labour Code of Georgia, dating from 2006, lists no valid reasons for terminating an employment. It should also be noted that upon ratification of the European Social Charter, in 2005, Georgia accepted only the minimum number of requirements. The Georgian government did not ratify article 24 of the Charter about workers' rights to protection in case of dismissal without valid reasons. The same is true for Article 3 – the right to safe and healthy working conditions – and Article 8, «The right of employed women to protection of maternity.»

Moreover, in the former Labour Code of Georgia the employer had no obligation to justify a dismissal and there were many reports about discriminatory dismissals.

Under the old Labour Code, the employer did not need to observe any notice period to dismiss an employee and the only legal requirement was the payment of one month's salary. Also, the former Labour Code did not regulate collective dismissal for economic reasons. The only reason cited for terminating employment was the liquidation of an enterprise. A further means of discrimination were verbal and short-term labour contracts, something not prohibited by the code.

Changing the Labour Code

First set of changes – 2012

On 22 June 2012, two amendments were made to Georgia's labour legislation, namely to the Labour Code of Georgia and to the Law on Trade Unions. Both changes were based on recommendations made by the ILO committee and local organisations. Article 49 (8) that limited the right to go on strike to ninety calendar days was removed from the Labour Code, and Article 2 (9) was changed so that the minimum membership required to form a trade union was lowered from 100 to 50. The Georgian Trade Union Confederation (GTUC) was not consulted during the parliamentary process of drafting and reviewing the amendments, and the changes did nothing to improve Georgia's harsh working environment.⁴

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- 3 International Labour Organization (2012). Employment Protection Legislation in Georgia: A review based on ILO standards, OECD indicators and comparative labour law. www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---dialogue/documents/publication/wcms_202301.pdf
 - 4 Georgian Trade Union Confederation (GTUC) report to the ILO for 2012.

Second set of changes – 2013

The Public Defender welcomed legislative initiatives made in 2013 that aimed to improve workers' rights. These changes were passed into law on 12 June 2013. For this process local NGOs and the GTUC were consulted. The document adopted by the parliament at the first hearing on 16 May 2013 generally complied with international labour standards and Georgia's international obligations. However, after this stage the government terminated the open consultation process and subsequently only conferred with the employers. The result was changes very much to the detriment of workers.

The document finally adopted improved the situation of workers to a certain extent. Namely, it prohibits discrimination in pre-contract relations [Article 2 (3)]; the subjects of labour relations have been identified precisely; the obligations of employers were defined; oral and short-term contracts were restricted considerably; the basics of an employment agreement were defined; and contracts running counter to the Labour Code or Collective Agreement were declared null and void – unless they improve workers' conditions. Finally, the new amendments prohibit the dismissal of pregnant women.

Despite this progress there still are many problems with the Labour Code, such as loopholes that enable employers to use fixed-term contracts to discourage employees from exercising their right to freedom of association and collective bargaining; vague provisions for collective labour disputes that restrict the right to go on strike; employers' ability to dismiss for «objective» reasons, thus undermining the freedom of association and collective bargaining; the insufficient regulation of issues related to collective dismissals; the lack of standards for occupational safety; and the lack of women's rights. There also still is a considerable risk that employers discriminate against certain groups when hiring, as Article 5 (8) states, «The employer is not required to prove his/her decision on refusal of employment.»

Third set of, as yet, unrealised changes

Soon after, on 27 September 2013, the Parliament of Georgia undertook a new set of changes concerning women's rights. These, however, were widely inconsistent and not based on a real gender perspective. According to the amendments, the terms of leave and remuneration for pregnancy, maternity, and childcare will be increased to up to 730 calendar days, of which 183 shall be paid. If delivery is difficult or twins are born, 200 calendar days will be allowed, which the employee can split between the pregnancy and post-delivery periods.⁵ Employees who adopt an infant under twelve months of age will get a leave of absence of 550 calendar days, of which 90 will be paid.⁶

5 The previous rule allowed for 477 days of absence for maternity and childcare, of which 126 were paid leave. In case of difficult deliveries or the birth of twins the period was 140 calendar days.

6 The previous rule allowed 365 calendar days, 70 of which were paid.

The costs of paid maternity or childcare leave will be covered by the state up to an amount of 1000 Georgian lari (GEL) for the complete period. Employers and employees may agree additional payment.⁷ The new law also provides additional funds for female public sector employees.

However, as of May 2014, and despite the government's promises, these amendments have not been ratified.

Labour inspection

The ILO Committee has noted with concern that, after the abolition of the Labour Inspection Service in 2006, Georgia no longer has a supervisory body for the workplace. The Georgian government has indicated that a new supervisory body will be established, one, however, that will only monitor occupational health and safety. The ILO Committee stresses that the principle of equal remuneration of men and women also needs to be enforced adequately, and that lacking a relevant labour supervisory body, women's workplace rights will not be realised.

Discrimination

According to the latest report by the Public Defender⁸ women are discriminated against in the workplace in a number of ways – however, relatively little is known about this, as there is a lack of statistics, a lack of court cases, and a lack of reporting. Often, female victims of discrimination do not realise that they have been discriminated against, and they regard unfavourable workplace conditions as normal.

Covert discrimination is closely linked to cultural stereotypes and prejudices, which are often internalised by the victims. Frequently, women also do not report discrimination, as they fear further discrimination and isolation. According to the report, even those illegally dismissed are afraid to sue, and even if they do, there are significant barriers, including the difficulty of providing sufficient evidence.

Sexual harassment is rarely reported. Although Georgia's Gender Equality Law has made sexual harassment illegal, the law's definitions are not flexible enough to enable women to name certain behaviours as sexual harassment, and there is a lack of sanctions. There are no statistics for sexual harassment and no guarantees that, in case of a complaint, the victim's privacy is respected. It is not uncommon that co-workers and the general public will blame the victim for sexual harassment.

The glass ceiling that obstructs the promotion of women is another common form of discrimination, albeit one that is very difficult to prove. As the report states, women and women's rights organisations lack the experience to gather the data and evidence necessary to prove the existence of a glass ceiling.

⁷ Previously the maximum allowance was GEL 600.

⁸ Office of the Public Defender of Georgia (2014). Special report on Discrimination in Labour Relations.

Discrimination prior to hiring is common, beginning with the job posting. This includes the process and format of the job interview and the conditions set out in the contract. According to the report, there are numerous cases of pre-contract discrimination where women don't file a case.

The ILO Committee of Experts on the Application of Conventions and Recommendations (SEACR) has been raising concerns regarding the absence of legislation giving full expression to the principle of equal remuneration for men and women for work of equal value.

The Committee recalls that the principle of the Convention no.100 is not reflected explicitly in the Labour Code of 2006, section 2(3), which contains a general prohibition of discrimination in labour relations, nor in Article 14 of the Constitution, which guarantees equality before the law, or in the Law on Gender Equality adopted on 26 March 2010. The Committee notes that the Government refers to the equality provisions in the Constitution, the Labour Code and other legislation, as well as to the Action Plan on Gender Equality for 2011–13. The same, general prohibition provisions are also characteristic for the Labour Codes of 2010 and 2013.

The Committee, once again, recalls that while general non-discrimination and equality provisions are important, they will not normally be sufficient to make Convention no.100 effective, as they do not capture the key concept of «work of equal value.» This concept is at the very heart of the fundamental right of equal remuneration for men and women and the promotion of equality.

Due to historical attitudes and stereotypes regarding women's aspirations, preferences, and capabilities, certain jobs are held predominantly or exclusively by women (such as in the caring professions) and others by men (such as in construction). When determining wages, «female jobs» are often undervalued in comparison with work of equal value performed by men. The concept of «work of equal value» is fundamental to tackling occupational gender segregation, as it permits a broad scope of comparison, including, but going beyond, equal remuneration for «equal,» «the same,» or «similar» work, and it also encompasses work of an entirely different nature, yet nevertheless of equal value.

The Committee, once again, urges the government to take concrete steps to give full legislative expression to the principle of equal remuneration for men and women for work of equal value to ensure the full and effective implementation of the Convention.

Case law

In the framework of this project, the NGOs submitting this report have analysed the case law (administrative and civil law) of the domestic courts on women's labour rights cases. The analysis covers a period of five years. Researchers have retrieved information from the Supreme Court's online registry and from NGO and trade union databases. In total 49 cases were identified. An absolute majority of these cases involved a request to declare a dismissal null and void, and to reinstate and compensate the dismissed. Only in two cases the plaintiffs claimed compensation for moral

damages, and two cases were related to maternity leave payments. None of these cases were dealing with gender-based discrimination. It also should be noted that none of the plaintiffs claimed that they had been discriminated against because of their gender.

Following the recent change of government in Georgia after the 2012 elections, several hundred public servants reported that they had been dismissed illegally. Among them, women constituted a sizable group. Even after the legal amendments, plaintiffs are frequently unable to mount an effective legal challenge. Among the biggest issues are the lack of legal aid and counselling, since they are often unable to afford legal counsel, and there are only a few NGOs (GTUC, GYLA, Article 42 of Constitution, and some others), which can represent them in court. Consequently, these women complain about a lack of legal remedies and the breach of their labour rights.

In 2013, the Public Defender of Georgia revealed that local self-government bodies had dismissed pregnant women. Most of them handed in their resignations, yet an investigation by the Public Defender showed that these resignations were written as a result of pressure and cheating. However, because the discrimination had not been overt, the dismissed had no evidence. The Public Defender issued recommendations to the Telavi and Kareli municipalities, yet the local authorities did not heed these. Nevertheless, the Kareli case was resolved in court, the woman reinstated, and the municipality had to pay compensation.

Groups of women most affected by discrimination

No unified research has been conducted thus far, showing which women are the most affected, however different reports indicate that the most affected groups include: Women with disabilities; sexual minorities (LBT women); internally displaced women; those living in remote and mountainous areas; victims of early marriage; women with family responsibilities; women with disabled children; and single mothers.

Contributing factors to the violation of labour rights (immediate, historical, systemic, etc)

The violation of women's labour rights is informed by multiple factors and has to be explored across several areas. In doing so, one has to consider, among other things, traditional cultures and stereotypes that hinder women's participation, the lack of positive action, and legislation that is all too gender neutral, plus the lack of employment opportunities, and the lack of legal aid and counselling.

Domestic tasks have always been thought of as women's obligation. Stereotypes about women's inability to fill managerial and decision-making positions are still very deep-seated. Unfortunately, the Georgian government has not undertaken any campaigns to raise awareness on these issues. The named stereotypes can also still be found in school curricula and therefore continue to shape society.

In spite of significant changes, the legal framework still lacks gender-sensitive provisions, and the need for positive actions is frequently ignored (government officials are still cracking jokes about gender quota).

The lack of employment opportunities is a great barrier for women who don't have access to facilities such as pre-schools, and who have to combine their careers with family responsibilities.

The only childcare facilities to support working mothers are kindergartens, schools, and day-care centres for children with disabilities. However, many regions and villages have no kindergartens, and attendance at day-care centres is only free of charge for children of families below the poverty level. These two factors are depriving many woman of the chance to exercise their family and working rights simultaneously. As a result, a great number of women with children are not able to work and realise their full potential.

Effects of discrimination

According to surveys on domestic violence and the reports of the Public Defender, the major reason why women do not speak out about gender-based violence is that they are financially dependent on the perpetrator. A high number of women cannot enter the labour market until their children are old enough to not require additional childcare services anymore. Until then, women are financially fully dependent on their partner or husband. In cases of domestic violence such women, who have not inherited property from their parents (traditionally, all property goes to the son), have to choose between leaving the house or tolerating the violence. Since the government provides victims of domestic violence only with accommodation for six months, these women often do not dare to walk away from the perpetrator. Without a job, they will not be able to rent a place and earn a living for themselves and their children. Consequently, the unemployment of the women results in unreported cases of domestic violence and a high tolerance towards gender-based violence.

Additionally, the fact that women are denied the rights guaranteed under Article 11 often leads to isolation and social breakdown. Women are unable to achieve their goals and live their own lives – and as a result their self-esteem collapses. Family members will constantly remind them that they are financially dependent on others and thus they cannot have an equal say. The violation of women's rights in the workplace has numerous consequences. With the onus of proof on women, discrimination is very difficult to prove. Discrimination has a seriously negative economic impact and causes the feminisation of poverty.

Strategies for empowering women

Women rights advocacy groups have been trying to take the big steps, taking for granted that workplace discrimination against women would gradually vanish as labour rights increased. This has never come to pass – and it will not happen until

the shortcomings of this approach have been understood. Mainstreaming issues too quickly, without taking into account the specific needs of vulnerable groups, has often perverted the concept of mainstreaming. One can't persuade a woman to stand up in court, if she doesn't feel empowered enough.

Women empowerment against labour discrimination includes joint strategies of increasing women's access to justice, improving the social welfare standards and targeting direct and indirect forms of discrimination. Building the skills and capacity of the women, as well as improving self-esteem and self-efficacy are essential pillars to reach that purpose. Mass-media and the journalists are the best counterparts which deliver the right messages for reconsidering the societal stereotypes in this regard. Specific needs of women to consider might include lack of writing and public presentation skills, fear to appear before the administrative bodies, lack of assistance to share child-care tasks etc. in order to reach the upper level of labour rights realization, one needs to find the solutions to the issues related with the special needs.

The NGO Partnership for Human Rights (PHR) together with its partners organizations has launched a programme for empowering small local communities in the regions of Georgia – and empowering women through participation in local government. For this, a group of particularly vulnerable women has been selected, that is, women with disabilities and women with disabled children. Current PHR activities give women with disabilities a knowledge of UN Human Rights Instruments and treaties and train them in social auditing. With the assistance of PHR, a working group of women with disabilities is reviewing the policy papers of local government and their compliance with the UN CRPD and UN CEDAW conventions. The result is a set of recommendations on how to employ persons with disabilities, which are being submitted to local government and local legislative bodies (Sakrebulo). The women in question attend sessions of the local self-government bodies and participate in the planning of local government budgets and social programmes. PHR provides access to public documents, budget drafts, and draft laws and organises pre- and post-sessions to help women have their say at public meetings. The media is also contacted and asked to cover the events. For many women, this has been the first time they appeared on TV. Gradually, women who used to be invisible are coming to the fore, and with the free legal aid provided by PHR, many of them are now able to stand up in court and to engage in litigation. In addition, members of PHR are sharing their experiences, thus empowering other women and turning victims into activists.

For PHR, empowering a woman so that she is able to stand up for her labour rights means helping her become self-confident and competent. With our support, these women activist will then not only fight their own cases, they will also help other women with similar concerns. The result is solidarity between women who share their experiences – and thus promote the development of their communities as a whole.

Tools for Change: Collective Actions of Women's Rights Activists in Armenia

Women's rights in Armenia

Armenia is a patriarchal society, in which gender-based stereotypes and patriarchal attitudes are passed on from generation to generation. According to a sociological survey, «Keep me away from your stereotypes,» undertaken by the NGO Society Without Violence in 2010–2011, 60 % of men and 37 % of women think that women do not make good leaders, while 53 % of women stated that women, who successfully pursue a career, will have problems in their private lives.

Men have more power and better opportunities in Armenian society. Consequently, the survey showed that 63.8 % of women in Armenia regret that they are not male. At the same time, however, they are afraid of breaking patriarchal chains and norms and prefer to stay silent. Indeed, in Armenian society public opinion by far outweighs individual attitudes, forcing people to swim the mainstream. In the same survey, 74 % of respondents noted that «public opinion» limits their freedom. These limitations are especially strict for women and girls.

In Armenian society violence against women is widely accepted and, in some circumstances, even the norm, especially inside the family. In a survey, 57 % of men and 44 % of women agreed with the statement that, «women provoke their husbands to beat them.» In most cases, Armenian women tolerate domestic violence for many years, «for the sake of the children,» or out of fear «to be alone or abandoned.» This tolerance towards violence leads to severe cases, some with lethal outcomes. In 2012, five women died as a result of domestic violence, leaving twelve children without their mothers. Armenian police has registered 766 domestic violence cases in 2012, while data collected by women's rights organisations' hotlines, as well as surveys, clearly show that the actual number is much higher (some data suggests that around 66 % of women in Armenia are subjected to violence).

Despite the huge efforts made by women's rights groups to highlight the issue of domestic violence in Armenia, there is a substantial lack of political will. In February 2013, a draft law on domestic violence was rejected, making domestic violence a «non-preventable» and «not properly punishable» crime.

Another major issue in Armenia that points to the low status of women is the sex-selective abortion of female fetuses. According to a study conducted by UNFPA, currently, for every 100 girls, 116 boys are born in Armenia. The biologically normal ratio is 102–106 boys to 100 girls. This study was undertaken by one of the world's leading experts in this area, Christophe Z. Guilmoto. Regarding sex-selective abortion, Armenia has the second highest rate worldwide, behind China. However, in one particular region of Armenia, Gegharkunik, 124 boys are born for every 100 girls – the highest rate in the world.

There are a number of reasons for the preference for male offspring in Armenia. First of all, it has to do with the recent war over Nagorno-Karabakh. Since the 1990s, Armenians have begun to prefer boys to girls because the former may become soldiers and protect their country. Also, during the war many men were killed, so families decided to have more boys to balance the loss. However, there are other reasons behind this imbalance, too. Armenia is a patriarchal society where women and men have very different, socially prescribed gender roles. In Armenian culture it is important for a couple to have at least one boy, and the hope usually is that the first-born is male because then, «a woman's most important task has been accomplished.»

Selective abortion also has socio-economic motives. Traditionally, when a girl grows up and gets married, she leaves her parents' house. This means a very low «return on investment» for girls.

Sex-selective abortions threaten women's fundamental rights and the nation's demographic and economic stability and growth potential. Consequently, women's rights and international organisations, as well as the Armenian government are currently discussing possible strategies to counteract this phenomenon.

The public perception of feminism and women's rights activists in Armenia

Armenia is a post-Soviet country and very much a closed society, showing little openness for diversity. There clearly is considerable intolerance towards women, LGBT people, and NGOs active on their behalf. Frequently, this problem is exacerbated by misleading media coverage, which has become a very common thing. Consequently, NGOs working in this area have to deal with harsh attitudes of the public and the media.

In May 2013, Armenia's Parliament adopted the law on «Equal Rights and Equal Opportunities for Men and Women.» This law caused many debates and led to something of a public hysteria. At the centre of this uproar, at least in the beginning, was Article 3, which defines gender as the «acquired, socially fixed behaviour of persons of different sexes.» The reason for this was that the word gender was ill understood or deliberately misrepresented as «propaganda for sex change, paedophilia, bestiality, and homosexuality,» – all of which was blended together. This reaction showed that there was little notion of what gender equality really means, and soon the word «gender» was used as an adjective.

Newly established ultra-nationalist groups began a campaign against the Gender Equality Law, fanning the flames. For this they used social media, particularly *Facebook*, as their main platform, posting articles and videos (mostly in Russian) of suspicious origin and content. Also, besides hate speech, they started attacking specific defenders of women's human rights – who had publicly expressed their concern about the growing hysteria surrounding the issue – posting their pictures and awarding them a mock «Prominent Gender of Armenia» prize. The ultra-nationalists claim that the law's definition of gender is «ambiguous and goes beyond traditional legal perceptions of the equality of men and women.»

To spread hate and fear in society, these groups are manipulating the wording of the law, misrepresenting the meaning of «gender equality.» Women's rights defenders are called «traitors of their country,» «destroyers of families,» a «threat to Armenian values,» and accessories to the sexual abuse of minors. Such views are reinforced by the mass media, especially TV, changing the general public's attitudes towards NGOs working on gender-related issues. Now, many people in Armenia use the word «gender» to describe anything perverted and sinful – anything that will undermine traditional Armenian values and families.

The backlash described is a part of a broader attack on civil society throughout much of the former Soviet Union, and it represents an at least semi-organised attempt to undermine European values and rights and stop further integration into Europe. In Armenia, gender and the Gender Equality Law were easy targets, and the campaign against them was used to spread misinformation, purporting women's groups were trying to undermine traditional family values in favour of «corrupt» European ones.

One of the reasons for the public's negative attitude towards «gender» and all NGOs and individuals working on gender-related issues is how the media manipulated the issue. The following is just one example. On 15 April 2014 the NGO «Society Without Violence» Armenia (SWV) organised a round table on «Gender in Social Science Teaching.» The aim was to present recommendations on how to teach gender issues as part of the social science curriculum to the Ministry of Education and Science. A number of neo-nationalist extremist groups got wind of the event and tried to disrupt it, carrying banners with slogans such as «No to anti-family propaganda,» «Homo-fascism will not get through,» etc. The extremists verbally attacked members of the round table, and there were even some attempts to use physical force.

Some journalists blamed members of the round table for the incident, publishing highly biased articles and videos. As the event took place at a hotel, the organisers called security. However, when a security guard arrived he was pushed out of the hotel by four or five extremists. Some media reports claimed SWV had started the attacks, and some government officials and MPs made the situation worse by blaming SWV for not allowing the troublemakers into the conference room. Finally, SWV was obliged to call the police, and fortunately the officers were very helpful.

Such attacks on women's and LGBT organizations in Armenia show that there is a growing neo-nationalist extremism in Armenia, and that women's rights activists are not protected from constant violence and attacks. Moreover, the hate and intolerance



«Give peace a Chance»:
Flashmob by Society Without Violence and Women in Black Armenia on July 27, 2013.

against human rights defenders and feminists is justified by public in large, state officials and reinforced by mass media.

Tools for change: struggling together

Since 2011, Armenian women's organisations have strengthened their capacity through increased collaboration. The Coalition to Stop Violence against Women¹ was established in 2011 by six organizations, including Society Without Violence. The coalition formed around the case of Zaruhi Petrosyan, a 20-year-old woman beaten to death by her husband. The members of the coalition have taken a number of high-profile domestic violence cases to court and used them to raise awareness. Today, the coalition is Armenia's most important women's rights organisation, comprising eight organisations and a number of independent feminists.

Since 2013, communication, co-operation, and trust between women's rights groups in Armenia has increased significantly, mainly because of the growing threats that occurred because of the orchestrated backlash against the Gender Equality Law. As a result, several women's rights organisations, as well as independent activists intensified their analyses and improved their strategies and collaboration. The experience of being targeted led to greater in-group cohesion, communication, and more trust among the groups.

According to women's rights activists, feminists, and experts in the field, an autonomous feminist movement is beginning to emerge in Armenia. Especially young women show a lot of commitment in areas such as environmentalism, campaigns to

¹ The founding members of the Coalition to Stop Violence against Women are Society Without Violence, Women's Rights Center, Women's Resource Center, Sexual Assault Center, Women's Support Center, and Pink Armenia.

preserve parks, or protests against copper and iron mining. A number of women's rights activists contribute to different movements and causes, thus expanding the number of activists.

To overcome the challenges described, collective action and solidarity are needed. One group or organisation alone can't fight against this backlash – everyone will have to join hands. Within and outside the Coalition to Stop Violence against Women we are organising numerous events, we attend trials to support unbiased and transparent procedures, we organise rallies in support of the Domestic Violence Law, submit petitions, launch campaigns, hold press conferences, and organise protests in front of government or law offices – all to gain justice for women and girls.

Besides, we are trying to bring together grassroots feminists and other activists. There are numerous recent examples, such as the One Billion Rising in Armenia on 14 February 2014, the public action on peace building in Yerevan on 27 July 2013, and the 8 March public action in 2014.²

We use a number of strategies and tools to become more effective, including both online and offline spaces. Social media is key in strategising online. We use *Facebook*, Google platforms, and other communication tools that facilitate communication and mobilisation. We also use the tactic of «occupying TV channels,» to push our messages.

We are also using offline space – meetings, discussions, public actions, rallies, and other events, to convey our messages to the general public and to decision-makers. We hold press conferences, release statements, submit petitions, and write open letters to push the issues that count for us. Depending on the desired outcome and the current situation, we may also hold closed events or engage in anonymous activities and investigations.

All these tools help us to identify the challenges and risks ahead and to develop our strategies and activities accordingly.

At the same time, we are trying to make the international community aware of problems we encounter, and we are using national and international mechanisms to hold our government accountable and make sure it complies with its international commitments. All of this is very hard, yet we see that things do change as a result of our joint actions. Most importantly, we see greater solidarity within Armenia's feminist movement, and this increases our impact considerably.

It is not easy to be a feminist in our country. We, however, do put our collective efforts behind it, hoping for a better future for women and girls in all their diversity.

2 www.youtube.com/watch?v=R5b9ospHwz0 ; www.youtube.com/watch?v=TGilgSjkPDg ; www.facebook.com/media/set/?set=a.597666580309303.1073741894.127312237344742&type=3

Forwards or Backwards? Strategies to Overcome Gender Backlash in Hungary

Over the past few years, gender equality has been under attack in Hungary and in other East-Central European countries. This backlash was made possible by the patriarchal character of Hungarian society, which, despite 40 years of state socialism, did not change. A lack of understanding in Hungarian ministries of the importance of gender mainstreaming, and the lack of gender-sensitive approaches to policy-making also facilitated such developments. Finally, the Catholic Church attacked feminist policies, following arguments set out in the books of Gabriele Kuby. The idea that gender is an anti-family, pro-gay, and anti-life ideology spread much faster in Hungarian public discourse than had notions of gender equality, and consequently institutional gender mainstreaming was quickly purged from state structures. Today, the only remaining proponents of gender equality theory in Hungary are some NGOs and a few academics. However, there are hopeful developments as more young women become conscious of the issue, as do survivors of domestic violence, and some business women. Social media and blogs help the growth of this, as yet, incoherent «movement.»

The Hungarian Women's Lobby (HWL) is an umbrella organisation for feminist and women rights' groups and NGOs from numerous areas (violence against women, work-life balance, Roma women organisations, women NGOs in the countryside, trade union-based associations, a lesbian organisation, etc.). It originated in 2003 with the aim of joining the European Women's Lobby, the largest gender equality organisation in the EU – which happened in 2004, the year Hungary acceded to the EU. HWL is a watchdog organisation (writing shadow reports to CEDAW, the European Commission, etc), and it is involved in policy-making (HWL's 2013 Gender Policy Recommendations) and lobbying at the national and EU level (for example on the maternity leave directive, the 50/50 campaign, violence against women, migrant and Roma women's rights, etc.). It also undertakes academic research (for example a book on gender policies of Hungarian governments since the transition, *The Womenless Years – A nőtlen évek ára*¹), information campaigns, and

1 Borbála Juhász (ed.)(2014). *A nőtlen évek ára*, Magyar Női Érdekérvényesítő Szövetség Budapest.

participates in global campaigns such as «One Billion Rising.» HWL is independent and has worked with politicians, think tanks, academics, and the media.

When Hungary acceded to the EU, gender equality and gender mainstreaming seemed to be just two of many areas to be harmonised with EU legislation. Gender equality (incorrectly translated into Hungarian as «equal opportunities,» which also indicates disadvantaged groups such as the Roma, the disabled, etc.) was one of the central themes in evaluating EU Structural Funds projects. For some years, women NGOs did well, and there was a general sense of euphoria among proponents of gender policy. More recently, however, Hungarian officials gradually distanced themselves from the idea of gender equality, instead proposing a homemade concept called «family mainstreaming.»²

Why should gender equality be perceived as a threat? Here is a definition of the term: «Gender equality means equal rights and opportunities for women and men in laws and policies, and equal access to resources and services within families, communities and society. It refers to women and men being able to access and participate in all spheres of life on an equal footing, including in democratic governance, decision-making and the security sector. Gender equality requires that women and men receive adequate and equitable protection of their human rights, including the right to live free of violence in a safe and supportive home and community.»³ Some European countries even use gender equality as a national brand: «Gender equality is one of the cornerstones of Swedish society. It means that women and men enjoy the same opportunities, rights and obligations in all areas of life. Everyone has the right to work and support themselves, to balance their career and family life and to not worry about being subjected to abuse or violence. In the Global Gender Gap Report 2010, Sweden is one of the world's leaders in equality.»⁴

In Hungary, on the other hand, Katalin Novák, the Minister of State for Family and Youth Affairs (also responsible for gender equality) in the Ministry of Human Resources, said in an interview in 2014: «Certain Western European liberal states and governments are trying to hide their values in various tricky ways in documents. This means that documents of the EU and of international bodies, for example the UN Development Goals, contain passages that are extending the meaning of what constitutes a family [...] Hungary supports the generally accepted human rights norms – but let us have the liberty to define family and the relationships between women and men in the way we want.»⁵ What is meant by this is that the word «gender» (which does not exist in Hungarian – the English word is used) leads to an understanding of the family that includes gay and lesbian couples.

Although Hungary has signed several international documents on women's rights (UN CEDAW Convention, Beijing Goals, EU directives, Istanbul Convention)

2 An international conference organised by the Friedrich Ebert Stiftung Budapest in October 2014, titled *Ten Years of EU membership, Improvements and Backlashes in Gender Equality* presented a good overview, see www.youtube.com/watch?v=s5xfgKwHh-A&feature=youtu.be

3 OSCE, Office for Democratic Institutions and Human Rights, www.osce.org/odihr/78432

4 Extract from an official leaflet of the Swedish Embassy.

5 <http://orientpress.hu/130722> 13 July 2014. Translation by the author.

and produced a national gender strategy in 2010 (which was never implemented), the budget necessary to implement these goals was rarely allocated, and, since 2010, the conservative Orbán government has distanced itself more and more from such ideals.⁶ The Gender Equality Council, a tripartite consultative body consisting of civil servants, gender experts, and women NGOs was last convened in 2010, and gender policies were generally de-emphasised in favour of population and family policy. Gender issues were only addressed in the context of a work-life balance and part-time work for mothers (something practically non-existent in Hungary). Also, some family tax reforms were introduced (they only benefit middle-class families with three or more children) and a so-called «flexible maternity leave,» which provides some additional funds for mothers who return to work less than three years after giving birth (paid maternity leave can be as long as three years in Hungary). At the same time, however, welfare policies were dismantled, unemployment benefits cut from nine months to three, and other benefits were linked to compulsory work programmes – often street cleaning or agricultural work – that only pay 160 € per month (which is below the poverty line). In addition, there are plans to abolish the family benefit (a monthly sum of 38 € for parents) for families where no adult is employed. Hungary also introduced the highest VAT in Europe (27%), and some commentators call all of this a «war on the poor,» in which not all families seem to count the same.⁷ The measures have a marked anti-Roma slant, something that sits well with the growing number of right-wing voters.

Although the EU requires that structural funds can only be used with equal opportunities plans and programmes in place (a task that is generally conferred to István Türr Training and Research Institute – an organisation not known for its expertise in gender equality), government policy and these programmes often contradict one another.

The attack on gender equality structures has the same ideological background as in many East European countries – the so-called «war on gender,» as exemplified by the books of Gabriele Kuby, a German Catholic sociologist and writer. Her books⁸ are the only widely publicised books on gender in the Hungarian language, and in them Kuby advocates a rather jaundiced interpretation of gender equality as an ideology that confuses biological sex with socially constructed gender and that promotes a gender equality equivalent with free choice regarding abortion and gay

6 On the gender policies of the Orbán government see: Juhász, Borbála, *Az Orbán-kormány politikájának elemzése a társadalmi nemek szempontjából* (The gender analysis of the Orban government), Budapest, 2012 www.fesbp.hu/common/pdf/Nachrichten_aus_Ungarn_1_2012_HU.pdf

On the development of gender mechanisms in Hungary see: EIGE report Effectiveness of Institutional Mechanisms for the Advancement of Gender Equality Review of the implementation of the Beijing Platform for Action in the EU Member States (2013) <http://eige.europa.eu/content/document/effectiveness-of-institutional-mechanisms-for-the-advancement-of-gender-equality>

7 Dorottya Szikra (2013). «Austerity Policies and Gender Impacts in Hungary.» Working Paper. Friedrich Ebert Stiftung, Budapest office, 2013, www.fesbp.hu/publikationen.php

8 Gabriele Kuby (2008). *A nemek forradalma. A gender forradalma. A nevelés államosítása*. Budapest, Kairosz Kiadó, 2008. Gabrielle Kuby (2013). *Globális szexuális forradalom: A szabadság elpusztítása a szabadság nevében*, Budapest, Kairosz Kiadó, 2013.

marriage – and thus an «ideology of death.» In Kuby's view, the «hypersexualised» culture of liberal capitalism is linked with gender ideology, and sexual education means popularising pedophilia (regardless of the fact that feminists the most vehement enemies of hypersexualised popular and advertising culture and sexual child abuse). The Hungarian Catholic Church has adopted this viewpoint, and it can be heard in sermons and read in local parish newspapers. Also, in December 2013, the Slovak bishop's pastoral letter on the dangers of «gender ideology» was translated and read out in Hungarian Catholic Churches.

The Orbán government has given the ministry responsible for gender equality to the Christian Democratic Party (KDNP), and consequently their views are very influential. After 2010, the Hungarian Constitution was rewritten five times and renamed Fundamental Law. One new element is a sentence may be used to undermine the relatively liberal Hungarian abortion law: «Human dignity shall be inviolable. Every human being shall have the right to life and human dignity; the life of the foetus shall be protected from the moment of conception.» (Fundamental Law, Freedom and Responsibility, Article II).⁹ Another sentence that has been criticised by human rights activists, feminists, and LGBT activists is: «Hungary shall protect the institution of marriage as the union of a man and a woman established by voluntary decision, and the family as the basis of the survival of the nation. Family ties shall be based on marriage and/or the relationship between parents and children.» (Fundamental Law, Article L.1). Nevertheless, thus far the actual laws regulating abortion or registered partnerships for gay and lesbian couples have not been tampered with.

In 2013, the «war on gender» heated up with a concerted media attack on human rights NGOs, among them several feminist organisations who were accused of belonging to George Soros's «empire,» that was supposedly infiltrating the EEA/Norway Grants NGO Fund. An «investigative» piece in the weekly newspaper *Heti Válasz* specifically attacked the Hungarian Women's Lobby and four of its member organisations – the NANE Association (Hungary's first helpline for battered women), the Patent Association (legal help for abused women and children), the Labriz Lesbian Association, and the MONA Foundation (a feminist think tank and research institute). That many of the NGOs attacked were feminist organisations is no mere coincidence. In 2014, accusations led to a government investigation and a full-scale attack on the Norwegian Civic Fund, as well as a large number of its beneficiaries – mainly organisations active in the areas of human rights, freedom of speech, the environment, LGBT, and feminism, including HWL and three of its member organisations. The prime minister's office blacklisted 13 NGOs, and the Central Control Auditing Office (KEHI) started an investigation into 63 beneficiaries (the legality of which was disputed by the accused). Also, the consortium of the fund managers (Okotars Foundation and partners) had their tax number revoked,

9 www.kormany.hu/en/news/the-new-fundamental-law-of-hungary

their offices were raided by police, and two independent police investigations were undertaken against Okotars.¹⁰ Later, Norway also conducted independent audits.

On 15 September 15, 2014, in a speech to the Hungarian Parliament, Prime Minister Orbán addressed the Norwegian saga as follows:

All we want is a clear picture [...] unclouded by duplicity and lies. We don't like it, if someone claims they are acting in the name of freedom, yet they are nothing but mercenaries; if someone claims, they are independent, yet they are concubines; if someone claims they are a civil society organisation, yet, in reality, they are paid political activists; or if someone swaggers about the rule of law, yet, when it comes to their own finances, demands special treatment, claiming no Hungarian money is involved. Hungarian voters and citizens do not like this, and the government must point out that the laws apply to all, be they political parties, NGOs, or just plain citizens.

The life of Hungarian NGOs was made more difficult not only for those singled out for audits and accused of being traitors. By the end of May 2014, all Hungarian NGOs had to re-register with the courts according to new statutes in order not to lose their status as charities, and this registration process was deliberately made onerous as to standards regarding income, human resources, administration, and accounting. As a result, many NGOs lost their charity status. As a consequence, many Hungarians who want to state their views on women's rights or influence public opinion have turned to social media instead of working in foundations or associations. Over the past two years, many Hungarian feminist blogs and *Facebook* groups were created, proving that civil activism is all but dead.¹¹

¹⁰ www.boell.de/en/2014/09/25/police-raids-against-hungarian-ngos

¹¹ Some Hungarian feminist blogs: <http://gumiszoba.com>; <http://csakazolvassa.hu>; www.sajatszoba.hu; <http://deza.tumblr.com>; <http://iphigeniaemleklap.blogspot.hu>; <https://lathatosagimelleny.wordpress.com>; <http://noszinten.com>; <http://nokert.hu>; www.facebook.com/ujrakezdes.nyilvanos?fref=ts; <http://szabomo.blogspot.com>

Love and Fear Argumentative Strategies Against Gender Equality in Slovakia

1. From protection to restriction. Recent events in Slovakia

In 2014, the 1st of September, Slovakia's Constitution Day, had a bitter flavour as a constitutional amendment discriminating against LGBTQ people entered into force. As part of a deal between Christian Democrats and Social Democrats the National Council of the Slovak Republic approved a constitutional amendment that comprises 14 changes in two areas, judiciary and marriage. Article 41, paragraph 1, reading «Marriage, parenthood, and the family are under the protection of the law. The special protection of children and minors is guaranteed,» has been supplemented by two sentences defining marriage is a unique relationship between one man and one woman and stating that the Slovak Republic protects and promotes heterosexual marriage.

The constitutional amendment is just one – though a major – episode in the long story of attacks on gender equality and human rights in Slovakia, and in its suit came a petition for a referendum on the «protection of the family,» which has been submitted to the Constitutional Court by President Andrej Kiska.

For a long time conservative currents have been gaining strength in Slovakia, however the exact genesis of this recent movement is hard to determine.¹ The year 2013 was marked by a number of conservative campaigns. At the start of 2013 several conservative organisations, together with three Members of the National Council of the Slovak Republic, Branislav Škripek, Richard Vašečka, and Štefan Kuffa, as well as MEP Anna Záborská, submitted a petition asking Premier Robert Fico to stop financing «homosexual groups and NGOs.» They drew up a list of organisations, institutions, and individuals that, so they claim, represent a «homosexual lobby»

1 A first conservative campaign occurred in the early 1990s during efforts to ban abortion (Okrúhly stôl začiatovníčok II., 2009). An important step for the conservative agenda was also the «Basic Agreement» between Slovakia and the Vatican. In the early 2000s, feminist organisations warned about the potential dangers of this treaty, namely that the Catholic Church would have a strong say on sex and reproductive health education, could influence politics, would receive financial support from the government, and that catholic ethics would outweigh human rights (Cviková 2001; Kliment 2001).

supported by the Slovak government through different projects. One of these institutions was the Puppet Theatre on the Crossroads in Banská Bystrica (Bábkové divadlo na Rázcestí v Banskej Bystrici; BDNR), one of the very few theatres that present feminist and educational plays that challenge gender stereotypes. For the theatre, which is situated in a small town in central Slovakia, these attacks meant that some schools stopped sending their pupils to performances, and the campaign may have serious repercussions for its reputation, financing, and institutional support. Several organisations promoting or supporting gender equality, feminist issues, human rights of LGBTQ and other groups, as well as sex education were accused of trying to «homosexualise» children and society as a whole. Lists of so-called «homo lobby» organisations and individuals (some with photos and personal information) circulated on the internet, and some feminists, activists, and politicians were accused of corruption and the misuse of public funds.

In September 2013, the attacks reached a new level when conservatives protested against the National Strategy for the Protection and Promotion of Human Rights. The opponents claimed that this strategy promotes homosexuality and «gender ideology,» thus threatening the very fabric of society. Hundreds of emails were sent to, among others, the President of the Government Council for Human Rights, National Minorities and Gender Equality, Miroslav Lajčák, the Secretary of the Council, Oľga Pietruchová, as well as to mostly feminist and LGBTQ NGOs, accusing them of lobbying, corruption, and waging a culture war. The government issued a statement against this «defamation campaign,» asking those involved to desist or face legal action. Work on the National Strategy has continued, however, it has not been possible to reach compromises on some of the controversial issues and, as yet, it remains unfinished.

In the autumn of 2013 a National March for Life took place in the city Košice, organised by the Conference of Slovak Bishops and numerous conservative organisations. It was meant to be a counter-event to the LGBTQ pride parades taking place in Bratislava since 2010 and in Košice since 2013. The main goal of the march was to protect the traditional family against «genderism,» «homosexualisation,» and abortion. It took place on a Sunday and was organised as a family event with lots of children and family activities, thus attracting a considerable number of participants – according to the organisers around 70,000 people. This substantial turnout enabled the organisers to claim that they were representing the voice of «the common people.»

Subsequently, in early October 2013, there was a campaign against the ratification of the Istanbul Convention on preventing and combating violence against women and domestic violence, and a letter was sent to all MPs, claiming that the Convention propagates «gender ideology» as it defines gender² as a socially constructed category. As a result of this massive pressure it was decided at the end of 2013 to postpone the ratification of the Istanbul Convention until 2016.

2 Conservatives view gender as a natural attribute of women and men.

The next step in the campaign was an open letter demanding the removal of the Director of the Department of Gender Equality and Equal Opportunities at the Ministry of Labour, Social Affairs and Family, as well as of the Secretary of the Government Council for Human Rights, National Minorities and Gender Equality, Oľga Pietruchová. Oľga Pietruchová, a feminist and former activist, was criticised for blogging about gender equality and its opponents – among others the National March for Life. Behind this campaign were several conservative NGOs, and the letter, signed by over 13,000 people, was sent to the Minister of Labour, Social Affairs and Family, the Minister of Foreign and European Affairs, and the Prime Minister. In spite of this pressure, Oľga Pietruchová is still in office, however, the campaign against gender equality rages on.

Agitation against gender equality – which is frequently denounced as «gender ideology,» «a culture of death,» a «homo lobby,» or «genderism» – was getting ever more aggressive. The main actors behind this were conservative NGOs, individuals, and politicians, as well as the Catholic Church, namely the Conference of Slovak Bishops. On the first Sunday of Advent 2013 the bishops sent a pastoral letter to all churches in the country, accusing certain people of promoting a culture of death under the cover of human rights and spreading a «sodomist ideology» within the education system, thus provoking God's wrath. Reactions to this pastoral letter ranged from strong endorsement to harsh criticism and, once again, the Catholic Church had managed to polarise society.

These controversies also took place in parliament, and in September 2013 one MP stated that homosexuals would be better off dead³; other insults against LGBTQ people followed. Only a few MPs defended the human rights of the LGBTQ community. The opposition Christian Democratic Party (Kresťanskodemokratické hnutie, KDĽ) drafted a constitutional amendment to «protect» the traditional family, and in February 2014 the governing party Smer (Sociálna demokracia, Smer-SD), a member of the European Socialists, struck a deal with the Christian Democrats regarding an amendment, with Smer getting its way in the area of judicial reform and the Christian Democrats on the protection of the traditional family. The issue of the traditional family also came to the fore during the presidential election in March 2014, in which, among others, the leader of Smer-SD, Premier Robert Fico, and the former leader of the KDĽ, Pavol Hrušovský, ran for office.⁴ Both campaigns showed that conservative voters were considered to be very important, and conservative values dominated in both camps.

Even after the constitutional amendment was passed by parliament, conservatives wanted more. In a petition backed by 400,000 signatures they called for a referendum on the following four questions:

- 3 «It would be better, if somebody put a millstone around your neck and threw you into the water, than for you to offend these little ones with your presence.» Štefan Kuffa (Ordinary People and Independent Personalities, Obyčajní ľudia a nezávislé osobnosti, OĽaNO), 19 September 2013.
- 4 Robert Fico made it to the second round of the presidential election, in which, on 29 March 2013, Andrej Kiska was elected President of the Slovak Republic.

1. Do you agree that no other union except that between one man and one woman shall be called marriage?
2. Do you agree that a couple or a group of same-sex people shall not be able to adopt and raise children?
3. Do you agree that no union other than marriage shall have the protection, rights, and obligations, which, since 1 March 2014, are the legal standard for a marriage between husband and wife?
4. Do you agree that schools shall not require children to participate in sex education, if their parents or the children themselves disagree with the curriculum?

This marks a move from trying to defend the traditional family towards restricting the human rights of certain groups. President Andrej Kiska decided that Slovakia's Constitutional Court would have to decide whether such a referendum was possible, as the Slovak Constitution states that questions to do with human rights cannot be the subject of a referendum. Presently, we are waiting for the court's decision, something that may take several months or even years.

2. Theoretical framework

What are the argumentative strategies used by conservative groups against gender equality and the human rights of LGBTQ people? The next part of this paper is based on an analysis of arguments deployed against gender-sensitive language in the Czech Republic that I conducted in 2014.⁵ This analysis was based on the theory of communication that interprets an argument as a particular kind of interaction between two or more persons with different opinions. It focused on the processual nature of communication, including strategy, persuasion, referencing, and taking into account the audience (Willard 1989). Following the argumentative patterns identified by Douglas Walton (2007), I identified three frequently used argumentative strategies against gender-sensitive language, namely, fear mongering, ad hominem and ad populum arguments. According to Walton (2007), these types of arguments are often used in the media to persuade the public to trust somebody or do something. Persuasion is the key process here, and the purpose of an analysis is to find out how this is achieved.

5 The study «Analýza mediálnej odozvy na príručku rodovo vyváženého jazyka v Českej republike» was conducted as a part of the National Project on Gender Equality Institute (Národný projekt Inštitút rodovej rovnosti). The manual of gender-sensitive language was published by the Ministry of Education, Youth and Sports of the Czech Republic in 2010 and received extensive media coverage. Reactions were mostly hostile, and there were personal attacks against the authors, ideological attacks against gender equality as such, as well as other, often aggressive and unethical arguments that had little to do with the manual's content. As linguists, journalists, and the general public used very similar arguments, I decided to analyse the different argumentative strategies.

2.1 Appeals to fear

This type of argument consists of two parts. First, the communicator constructs an image of a threat, something the recipient is supposed to be afraid of. In the second part, an alternative scenario is presented as a way of avoiding the danger described in part one (Walton 2007). The aim of this argumentative strategy is to make the audience act in ways suggested by the communicator.

2.2 Ad hominem arguments

An ad hominem argument is a personal attack. Walton (2007) identifies five main subtypes:

- **Abusive (direct) ad hominem** argument supposes that there are two parties, the proponent and the respondent. In abusive arguments the proponent argues that the respondent is a bad person, that he or she is hypocritical or dishonest and therefore should not be believed.
- **The circumstantial ad hominem** argument alleges that the attacked party is acting in inconsistent ways, that is, that it «does not practice what it preaches.» This can be used as the basis for a direct ad hominem attack.
- **The bias ad hominem** argument also attacks an opponent's credibility. The proponent claims that the respondent is biased and therefore not credible.
- **The poisoning of the well** argument is when «the proponent alleges that the opponent is strongly committed to some position in a rigid and dogmatic way» (Walton, 2007, pp. 168). The conclusion is that she or he can never be trusted to judge an argument on its merits, that is, in an open-minded way.
- **The tu quoque** argument is a situation in which one party replies to an ad hominem argument by attacking the attacker, using another ad hominem argument. There are general problems in classifying this subtype.

All five subtypes of ad hominem arguments are personal attacks where one party (the proponent) attacks the second party (the respondent) in a dialogue in which they are arguing over something. The proponent attacks the credibility of the respondent in order to show that the respondent's argument is not plausible.

2.3 Argumentum ad populum

The argumentum ad populum means that the proponent wants the second party to do something or accept an opinion just because the majority accepts it. The argument is based on the presumption of a «common sense,» something that goes without saying and on the urge «not to be singled out or left out of the group» (Walton 2007, pp. 198).

3. Love and fear – argumentative strategies against gender equality

To illustrate some of the argumentative strategies against gender equality, I will focus on two NGOs that were involved in almost all of the above-mentioned events, the Alliance for Family (Aliancia za rodinu) and the Institute Leo XIII (Inštitút Leva XIII).

As this analysis cannot be exhaustive, I will focus on some recent events in the campaign against gender equality in Slovakia.

When the referendum mentioned above was submitted to the President, many asked why such a referendum was necessary – after the constitution had already been amended. The Alliance for Family posted such questions on its website – along with the proper answers. The question, «Is a referendum necessary?», is answered as follows: «The Alliance for Family has decided to demand a referendum on the «Protection of the Family» in 2014. We want the family to stay the most important value in our society. We want families to decide.»

When something needs protection the basic assumption is that there must be a danger. Here, it is claimed, the family needs protection – and as everybody has some family we all are in danger. To emphasise how serious the threat is the next paragraph answers the question «Are we in danger?» by pointing out that this is not just a national but also an international issue. The argument is that there is international pressure – and a trajectory leading from civil partnership, to gay marriage and adoptions, to a ban on opinions opposed to this. The fallacy is in the transition from civil partnership to censorship, that is, from a matter of concern to some people, to a general threat.

The next step in the strategy is to persuade the public that the cause is urgent. A paragraph titled «Today we still can...» argues that «key values» have to be defended today, as it will be too late tomorrow: «If *we* do not act today, *they* will be at an advantage. If *they* act first, *we* will lose, and in the end *we* will be punished for our opinions.» This argument is important because it not only concerns Catholics (Alliance for Family is a Catholic organisation) or religious people, it concerns everybody – and it invokes the past, particularly the years under socialism with its censorship and persecutions.

Further on, the website states, «We do not want experiments on our children.» When trying to mobilise our emotions, children are always a powerful image. The claim that certain people are conducting experiments in «social engineering» with our children will make many sit up and listen. According to the Alliance for Family every union other than the marriage of a woman and a man means social engineering and may have a negative influence on children. This, however, is not the only threat – sex education in school presents another danger. There is the notion that certain groups want to teach elementary school children how to masturbate and that they are trying to turn them into homosexuals. «We believe that parents must have the right to educate their children in accordance with their values and beliefs and that schools should not impose on them sexual behaviours or cultural-ethical agendas.»

A paragraph on «The particular threats for families in Slovakia and abroad» enumerates examples from other countries such as legislation that supposedly threatens families (for example, using the word «parents» in official documents instead of «mother» and «father»). According to the Alliance, there are currently nine looming threats in Slovakia, including the Committee on the Rights of Lesbian, Gay, Bisexual, Transgender and Intersex People (Výbor pre práva lesbiab, gejov,

bisexuálnych, transrodových a intersexuálnych osôb), an advisory body to the Government Council for Human Rights, National Minorities and Gender Equality; the Istanbul Convention; the Lanzarote Convention; and the National Strategy for the Protection and Promotion of Human Rights.

Issues related to children became a powerful tool for constructing threats. In March 2013, billboards went up showing the picture of a young child overlaid with the text: «Sex education for children between 0–4 is supposed to teach: «enjoyment and pleasure when touching one's own body, early childhood masturbation.» Parents, do we want this for our children?» (see www.pravda.sk) The source given for the quotation is *Standards for Sexuality Education in Europe*, UN, WHO.

The quotation about pleasure and masturbation is indeed from a publication of the WHO, however it is used out of context, suggesting that, under the auspices of the United Nations, teachers and possibly activists will teach children how to masturbate. Thus the notion of «dirty sex» (still held by many) is juxtaposed with the image of the «innocent child,» and the aim is to reject sex and reproductive health education as a whole. This particular example illustrates that these groups are frequently in the habit of decontextualising the ideas and statements of their opponents.⁶

The same methods have been used against gender-sensitive pedagogy and theatre. In early 2013, the Institute of Leo XIII began criticising the public financing of, what they call, the «homo lobby» and «gender ideology.» They singled out the Puppet Theatre on the Crossroads in Banská Bystrica and the feminist organisation ASPEKT for «homosexualising society» and particularly children. Later, in November 2013, in an article titled «Homo puppet theatre at homo festival. Or what is wrong with gender sensitisation?» (Homo-bábkové divadlo na homo-festivale. Alebo, čo je zlé na rodovom scitlivovaní detí?) author Tomáš Kolek writes: «On its website the theatre admits that its programme for children is based on materials published by the feminist lesbian organisation ASPEKT. For a normal parent this should be sufficient reason for protecting their children from this kind of entertainment. Let's take a closer look at the co-operation between BDNR and ASPEKT.»

Here fear mongering is combined with an argumentum ad populum when constructing the image of a «normal parent.» Nobody really knows what «normal parents» are, but not to fit into this category may mean that you are a bad parent – and nobody wants to be called that. In this way the article is clearly normative. Another thing that is taken for granted in the article is the harmfulness of ASPEKT. It is not important to explain why ASPEKT is harmful, to make it look bad it is enough to call it feminist and lesbian. To illustrate the co-operation between the two organisations the author uses a graph.

In this illustration a number of «bad words» are used to support the argument. At first Marxism, feminism, and queer theory are linked to produce gender ideology, which is represented by ASPEKT and, in particular its director Jana Cviková. In turn, it/

6 The Board for Advertising decided that the billboards were unethical and had to be removed. It is unknown who commissioned the posters. (Krbatová 2014)

she influences BDNR represented by director Iveta Škripková – and this co-operation presents a threat to children during performances and plays.

The connection drawn between feminism, queer theory, and Marxism – or even fascism and Nazism – is not rare. There are other illustrations and tables meant to show that Nazism was as deadly as Marxism and that feminism is just a new variety of such totalitarianism. The same comparisons were often also used against gender-sensitive language in the Czech Republic, there, however, not from a religious but from a neoliberal point of view. In Slovakia, the Institute of Leo XIII claims that social engineering affects families and sex education. Both arguments purport that feminism creates a public enemy (for example, linguists or Catholics opposed to such ideas) and that this leads to a totalitarian regime. The website www.sovietskypribeh.sk, operated by the Institute of Leo XIII and directed at parents and teachers, uses a slogan to expound this: «Sex and drugs and rock'n'roll = Marxism 3.0, totalitarianism, murder.»

Another strategy is to personalise so-called «gender ideology.» The images of Jana Cviková and Iveta Škripková are meant to represent gender ideology, dehumanising the two women in the process. This is consistent with the fact that lists of «homo lobby» people are circulating on the internet, including their personal information. These people are then attacked and accused of lobbying, corruption, lying, etc. Stories are made up about how they got financed by foreign organisations and that they live in wealth. Similar tactics were used in the attack on Oľga Pietručová, Director of the Department of Gender Equality and Equal Opportunities. The website lifenevns.sk, operated by the Institute of Leo XIII, contains a section on the «Scandals of Oľga Pietručová,» commenting on her professional and personal life. The aim of presenting gender equality, feminism, or LGBTQ rights in such a personalised way is to show that it is nothing but the concern of a few corrupt and immoral people – people far removed from «ordinary folks» and their lives.

What is lacking is any kind of definition of what makes a «normal» parent and family, or of «normal» sex and love. The Alliance for Family fails to explain why only the relationship between one man and one woman is right. What they focus on instead is «the enemy» and ad populum arguments.

4. Conclusion

Based on the argumentative methods identified in the debate against gender-sensitive language in the Czech Republic, I illustrated some of the argumentative strategies used by conservative groups in Slovakia. In their discourse, gender equality, feminism, and the human rights of LGBTQ are constructed as a threat that will lead to totalitarianism. Families, they claim, need to be protected against this, and they appeal to parents to refuse everything to do with gender equality. In the process, the content and agenda of the gender equality, feminist, and LGBTQ movements are distorted and misinterpreted, as well as personalised and reduced to a few individuals that receive financial support from abroad and the Slovak government. All of this is

informed by the image of the «normal family» as the only truth and as a value that, although nobody has ever encountered it, is commonly thought to exist.

Note from 28 November 2014: After this article has been written the President of Slovakia announced that the above-mentioned controversial referendum on questions 1, 2, and 4 would take place.

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- POCHOD ZA ŽIVOT (March for Life): <http://pochodzazivot.sk>

«The War on Gender» from a Transnational Perspective – Lessons for Feminist Strategising

In a Pastoral Letter of the Bishops' Conference of Poland, which was made public and read in churches in December 2013, the clergy claimed that:

Gender ideology is the product of many decades of ideological and cultural changes that are deeply rooted in the Marxism and neo-Marxism endorsed by some feminist movements, and also the sexual revolution. [...] It maintains that biological sex is not socially significant and that cultural sex, which humans can freely develop and determine irrespective of biological conditions, is most important. [...] The danger of gender ideology lies in its very destructive character both for mankind, personal contact and social life as a whole. Humans unsure of their sexual identity are not capable of discovering and fulfilling tasks that they face in their marital, family, social and professional lives.¹

This letter is but one of many initiatives of the Catholic Church and conservative politicians and groups to fight the so-called «gender ideology» in Poland. These efforts, undertaken in the name of «saving» children, family and, ultimately, our civilization include declarations, protests, media campaigns, meetings, and anti-gender training offered to those who want to engage in the holy «war on gender»². Conservative activists target feminists, LGBT organisations, sexual educators, state officials – and ultimately all groups and individuals promoting gender equality, advocating sex education in schools, and defending the rights of sexual minorities, etc. The first phase of this trend in Poland and some other countries in the region was discussed during the Second International Gender Workshop organised in 2013 in Kiev. The aim of the present essay is to take this debate further.

I propose to interpret the war on gender as a transnational rather than a local phenomenon, and hardly a recent one. While in Poland and some other countries,

- 1 http://episkopat.pl/dokumenty/listy_pasterskie/5584.1,Pastoral_letter_of_the_Bishops_Conference_of_Poland_to_be_used_on_the_Sunday_of_the_Holy_Family_2013.html
- 2 Grabowska 2013

the notion of «gender» has gained momentum only recently³, the moral panic around sex education in schools, LGBT rights, and paedophilia is not a new phenomenon and, consequently, we need to interpret it as one phase in a long-term process, rather than as something entirely new. Moreover, I argue that we need to critically review the notion of «backlash» as an explanatory framework, especially in post-socialist/post-communist countries. I will conclude with some preliminary remarks regarding the consequences that the war on gender may have for women's empowerment and feminist strategising in the region and beyond.

Beyond the local context

According to Polish sociologist Magdalena Grabowska⁴, the current controversy over «gender ideology» in Poland can be traced to the year 2012 when a well-known Polish politician, the then Minister of Justice, Jarosław Gowin, publicly announced that the Council of Europe's Convention on preventing and combating violence against women and domestic violence was highly ideological, and that it posed a threat to traditional family values because it promotes the notion of «gender,» as well as non-stereotypical gender roles that are alien to Polish culture. An avalanche of articles, public appearances, websites, and books soon followed, many authored or inspired by the Catholic Church, which has become one of the most outspoken voices in the public debate on gender.

The controversy specifically revolved around European regulations for combating all forms of gender-based discrimination and on gender equality education in kindergarten and school. Over time, the latter has become a central issue, partly because «since 1990, when religion was introduced into Polish schools, early education has been a safe and unquestioned sphere for the popularisation of Catholicism among children.»⁵ More importantly however, and as is often the case with moral panics, the figure of a child in danger – in this case in danger of sexualisation, of being turned into a homosexual, or of falling victim to the perverse paedophilic desires of homosexual men – has become a central figure in the anti-gender campaign initiated by the Church and conservative groups. «Gender» or «genderism» has been demonised as a wicked and well-prepared plan to destroy the innocence of Polish children, that is, they are to be confused about gender roles at an early age, only to become later the slaves of the homo/feminist/anti-Church lobby. As one journalist put it in the Catholic journal *Niedziela*, «gender ideology» has disastrous consequences for:

Polish families, the church and eventually the Polish nation, through the propagation of a new type of person who is endowed with the freedom to choose his/her sexual identity, regardless of biological sex. Since such

3 See Bureyczak 2013, Grabowska 2013, Graff 2014, Hankivsky and Skoryk 2014

4 Grabowska 2013

5 Ibid.

freedom is against «natural law» and God's will, this trend will inevitably result in emotional and moral confusion, eventually destroying the very foundations of our civilization.⁶

Polish children are seen as the key to the nation's future, thus the focus is on the question of who decides on their welfare, education, and ideological orientation. In a carefully orchestrated campaign, the «genderists» are presented as child-snatchers, who follow in the steps of communist indoctrinators, and at the same time embody the dangers of the EU's flagrant intervention in family relations and the private sphere.

The current controversy over gender has often been interpreted as yet another phase in the culture wars raging in Poland since 1989, and as a sign of a backlash against changes brought about by recent progressive policies stemming from EU accession and pressure from international institutions like the UN.⁷ Along this line of thinking, most commentators, scholars, and journalists interpret anti-gender mobilisation as a local phenomenon and link it to efforts to cover up paedophilia scandals in the Polish Catholic Church. A vivid example is an article by Sławomir Sierakowski, the well-known Polish intellectual and founder of a liberal think-tank *Krytyka Polityczna (Political Critique)*, in *The New York Times*. He claims that:

The reasons behind such an orchestrated action might be found in the Church's recent problems. Poles have been outraged by the large-scale financial fraud carried out by the commission tasked with the reprivatization of church property that had been seized by the Communist government. Poles also continue to be disturbed by increasingly frequent disclosures of paedophilia within the church.⁸

Sierakowski is not the only one who attributes «the war on gender» to local rather than transnational trends, and interprets it as a tactic aimed at diverting public attention away from paedophilia or financial scams plaguing the Polish Church.⁹ There is evidence, however, that the recent mobilisation against «genderisation,» «gender ideology,» or «the gender lobby» is much more than a local trend.

Similar tendencies have been observed in other countries in the region, such as Russia, Ukraine, Hungary, Slovakia, or Georgia, but also in Western countries, such as France and Germany, as well as in the US. Although the notion of «gender» has entered public discourse only recently, there is a growing number of social actors (organisations, grassroots groups, networks, and online communities, as well as

⁶ http://sunday.niedziela.pl/artukul.php?dz=spoleczenstwo&id_art=00969

⁷ See for example: www.tvn24.pl/wiadomosci-z-kraju,3/prawicowa-wojna-z-gender-ma-wytworzyc-aure-grozy,426672.html, and <http://natemat.pl/46317,ten-straszny-gender-z-kim-idzie-na-wojne-kosciol-i-czemu-z-samym-soba> (access 20.08.2014)

⁸ *The Polish Church's Gender Problem*, 26 January, 2014 www.nytimes.com/2014/01/27/opinion/sierakowski-the-polish-churchs-gender-problem.html?_r=4 (accessed 20 August, 2014)

⁹ See for example: www.eurozine.com/articles/2014-03-28-wigura-en.html

state institutions and political parties) that, in Western countries too, oppose gender equality and minority rights. A recent report by the European Parliamentary Forum on Population and Development (EPF) shows that anti-sexual and reproductive rights organisations are on the rise in Europe – currently 490 of them are active in 32 European countries, and the majority is faith-based (Catholic, traditionalist Protestant, and Orthodox).¹⁰ The report points to the growing professionalisation of these groups and shows that while many of them operate on the national level, some engage in transnational networking and EU-level advocacy. Some of these organisations and groups were established only recently, while others have been active since the 1990s. Their agendas also differ – some are nationalistic, openly homophobic and racist, others mainly stress the need to protect families and parents' rights to guide their children's upbringing. What they have in common, though, is a conservative, anti-liberal agenda and the fact that they interpret «gender ideology» as a danger not only to the welfare of children and the family, but also to society as a whole and even to Christian civilisation.

Opposition to «gender» or «gender ideology» takes different organisational forms, including:

- **international/transnational non-governmental organisations** (NGOs) specialising in litigation at the European Court for Human Rights in Strasbourg and lobbying at the EU, UN etc., with the aim to limit the recognition of LGBT and reproductive rights, especially the right to abortion. One example is the The European Centre for Law and Justice in Strasbourg. According to its website it is «*an international, Non-Governmental Organization dedicated to the promotion and protection of human rights in Europe and worldwide. The ECLJ holds special Consultative Status before the United Nations/ECOSOC since 2007.*»¹¹
- **parliamentary committees established by political parties** such as the Polish Parliamentary Committee «Stop Gender Ideology» led by representatives of right-wing opposition parties, or the Russian Duma's Committee on Family, Women and Children.
- **national/local conservative non-governmental organisations** that focus on protecting «family values,» such as *Fundacja Mamy i Taty* in Poland or the Russian Centre for National Glory and Foundation of St. Andrew the First-Called, with its Sanctity of Motherhood programme. These groups are sometimes supported by powerful people (in Russia by Vladimir I. Yakunin, the president of Russian Railways and Georgy S. Poltavchenko, the governor of St. Petersburg)¹²;
- **grassroots groups of concerned parents**, such as *La Manif Pour Tous* and *le Printemps français*, focusing on new laws allowing same-sex marriage and adoption; parents in the South and West regions of Baden-Württemberg and Cologne, Germany, who protested against the government's proposal to introduce

¹⁰ Datta 2013

¹¹ See also Datta 2013.

¹² http://istoki-foundation.org/en/management/trustee_board

a new curriculum concerning sex education; and parents' committees opposing sex and gender equality education in schools in many regions in Russia (Höjdestrand 2014), Armenia, Georgia, and Ukraine (*Materials of the Second International Gender Workshop* 2013);

■ **websites, online groups, and open platforms** disseminating information, leaflets, books and mobilising people to sign petitions, organise protests, and engage on the local and national level (generally these are linked to one specific organisation, such as www.stopgender.pl and <http://stop-seksualizacji.pl> in Poland, but there are also open platforms such as www.citizenngo.org, registered in Spain and available in eleven languages, including English, Spanish, French, Portuguese, Italian, German, Russian, and Polish). On the website the activists state: «We influence institutions, governments and organizations in 50 different countries. CitizenGO is [a] community of active citizens who work together, using online petitions and action alerts as a resource, to defend and promote life, family, and liberty. We work to ensure that those in power respect human dignity and individuals' rights.»

The extent to which these groups and organisations co-operate and exchange information requires further study, however, the current conservative trend seems to be a mixture of global influences and local mobilisations. Many arguments that are now being promoted in different contexts are surprisingly similar. There are also numerous books and propaganda materials which have become popular among conservative activists in different countries, such as the book «The Global Sexual Revolution: The Destruction of Freedom in the Name of Freedom» by German sociologist Gabriele Kuby. It has been translated into many languages and the author has become extremely popular in conservative circles. Ms. Kuby travels regularly all across Europe, giving speeches and interviews and popularising the idea that «the global trend of gender mainstreaming threatens the very fundamental understanding of our human nature, with dire consequences for children, families, and society as a whole.»¹³

The specific legal regulations that are being opposed in different countries also share some important similarities. In Poland, it is the Council of Europe's Convention on preventing and combating violence against women and domestic violence; in Ukraine it is the National Programme on Ensuring Equal Rights and Opportunities for Women and Men until 2016¹⁴; in Russia it is the so-called «Juvenile Justice» reform¹⁵; while in France protesters oppose the so-called «Taubira's law» that allows for same-sex marriage and adoption.¹⁶ Although these contested policies address different areas – such as same-sex marriage, the reform of juvenile detention centres, or laws protecting women and children from domestic violence – they are frequently

¹³ www.catholicworldreport.com/Item/3357/the_global_sexual_revolution_and_the_assault_on_freedom_and_family.aspx, accessed 20. September, 2014

¹⁴ Hankivsky and Skoryk 2014

¹⁵ Höjdestrand 2014

¹⁶ www.lamanifpourtous.fr/en

related to transnational treaties on gender equality, children's rights, or the non-discrimination of sexual minorities. Importantly, they are often initiated and/or sponsored by international institutions. Thus the main scapegoats for the purported «demoralisation» of society are supranational agencies such as the UN and EU, and/or foreign-sponsored NGOs promoting them at the national level. Moreover, despite the different areas they focus on, most of them concern a similar issue, namely, they legitimise state intervention in the private/domestic sphere and the protection of the rights of individual family members rather than having a focus on the family as a whole.

These similarities suggest that even though the term «gender ideology» is a recent invention, opposition against gender equality education and legislation is hardly new.¹⁷ In fact, there are striking resemblances between the claims, strategies and arguments used by opponents of gender-equality education or «gender ideology» in the USA in the 1990s and those used today in Russia, Ukraine, France, or Germany. The debate over the Polish textbook *Equality Kindergarten*, co-authored by Joanna Piotrowska, Ewa Rutkowska, and Anna Dzierzgowska in 2013¹⁸ bears a striking resemblance to the controversy over the multicultural *Children of the Rainbow* school curriculum, presenting different types of families, including families with two moms or two dads, which erupted in 1993 in New York City.¹⁹ In both cases, the main source of controversy was that the authors validated different types of families and sexual orientation. The fact that the authors presented them as an attempt to teach respect for other people's choices, and also that the textbooks were addressed to children, was especially controversial. Consequently, the opponents of gender-equality education in both Poland and the USA claimed that the main aim of the authors was to teach children how to become homosexuals, and they argued that talking about sex with children was practically the same thing as molesting them. Similar views are propagated by activists in countries such as Russia, as exemplified by the pronouncements of Anatoly Artiukh, leader of a Saint Petersburg nationalist organisation quoted by Højdestrand.²⁰ He claims that liberal groups and politicians:

*[...]take children from decent families and give them to pederasts. Or [...] they teach children masturbation instead of embroidery in school, with the help of German or Swedish cartoons.*²¹

In this respect, the Russian mobilisation against sex-education and gender ideology is comparable to moral crusades in other countries although «it differs from e.g. the American New Christian Right mainly in its Soviet nostalgia and suspicion of

17 See, for example, Butler 2004.

18 Grabowska 2013

19 Irvine 2002

20 Højdestrand 2014

21 Artiukh 2013, quoted in Højdestrand 2014

Capitalist neoliberalism».²² Also, even though conservative anti-liberal activism in the post-Soviet context and post-communist countries is fuelled by anti-Western sentiment, it is at the same time often inspired by arguments coined by Western experts and activists.

In the US, the target was sex education, while today it is «gender ideology.» Nevertheless, both are seen as long-term projects aiming to destabilise the «natural» differences between the sexes and thus causing profound chaos as to what gender roles, families, and social relations should be considered normal and acceptable. The activists from the French movement *La Manif Pour Tous*, who began their campaign against same-sex marriage in 2013, explain the problem in a fashion very similar to that of the Polish journalist cited above, writing in the Catholic newspaper *Niedziela*. They warn that:

Gender theory [...] posits the superiority of «gender,» a social construct freely accepted or refused by the subjects, over sex – fruit of an always arbitrary biology. Far from being simply a tool of analysis, gender ideology is a true system, where reality must become asexual, a system which would confine us in stable roles – determinisms – so as to make room for the freedom of choosing and recombining gender. [...] Taubira's law is steeped in this destructive theory, and the Minister has shown this clearly during debates in the National Assembly by proclaiming her goal to «rescue children from the determinism of the family.»²³

Again, the declared goal is to protect children from the perverse and unnatural ideas of the promoters of «gender ideology,» and one of the main dangers is related to homosexuality. According to French activists, all children deserve to have a family that consists of a man and a woman, a mother and father, and this right should prevail over the rights of homosexual couples to have children of their own. In contrast to many Ukrainian, Polish, or Russian groups, especially with religious roots, the members of *La Manif Pour Tous* and *le Printemps français* are careful to denounce homophobic views, while at the same time stressing that it is not «natural» or «healthy» for children's development to be raised by same-sex couples. On their website they also claim «many of the available studies were conducted in order to justify homo-parenting. Often, they are sponsored by LGBT organisations.»

In her analysis of the battle over sex education in the USA in the 1990s, Janice M. Irvine explains that «initiatives to protect children from exposure to allegedly corrupting sex-talk, whether in sex education programmes or in the media, are central to conservative cultural politics».²⁴ And although today sex-talk has been replaced by gender-talk, the central issue remains the same – it comes down to the question of who should have the right to decide over children. In other words,

²² Højdestrand 2014

²³ www.lamanifpourtous.fr/en/why/the-heart-of-the-matter

²⁴ Irvine 2002:1

although the rhetoric of the opponents of «gender ideology» is profoundly anti-feminist and the activists target women's groups, sexual educators, and all those who promote the idea of gender equality, the main issue at stake is the extent of the state's intervention into private life through schools, hospitals, courts, etc. This points to an important characteristic of the current «war on gender,» namely that it concerns the relationship between state and citizens. Even in Russia, where grassroots activism is much restricted, many conservative parents' organisations express their distrust towards the state quite openly – however, Putin is not their target. The opposition to the state is directed against the liberal model of democracy, and the activists put majority rule over the protection of individual rights. They also reject the idea that the state or transnational institutions should have a say in the upbringing of children or family relations, claiming that such an intervention is the ultimate violation of individual freedom and human rights. Thus, they oppose not only feminist views but also the very idea that individual rights should be protected by the state, and that state intervention in the private sphere can be legitimate and desirable. Instead, they promote a vision of an illiberal democracy.

Some lessons for feminist strategising

What lessons for feminist strategising and women's empowerment can be drawn from this? First of all, the examples discussed above, although incomplete, demonstrate that the local resistance towards gender equality policies, and women's and LGBT rights is interconnected and probably the result of co-operation between local, national, and transnational groups and organisations, some of which were established as early as the 1990s. Although protesters in many countries, especially in



Examples of Internet users mocking the main slogans of anti-gender campaign which are «Stop ideology of bishop-ism!» (Stop ideologii biskupizmu!). Stop felinisation of our children!» (Ideologia miaucyzmu. Stop kotyzacji naszych dzieci!).

Eastern Europe and Russia, oppose Western-inspired feminism and «genderism,» along with allegedly decadent cultural influences, and aim to protect local cultural and moral values, these mobilisations appear at the intersection of global and national influences, and local actors in different countries draw heavily on each other's agendas. Of course, they accommodate their claims and strategies to their own national socio-political contexts. In Russia it is thus possible to introduce a so-called LGBT propaganda law, while the French organisations avoid any openly homophobic statements. At the same time, the main narratives, especially the focus on the threat that «gender ideology» poses to children and the family, and ultimately to the whole of society, is very similar in different cultural and political contexts. Consequently, we need to analyse and discuss the war on gender as a long-lasting transnational phenomenon, rather than as a recent and local one. In order to fully understand these processes we need comparative analyses of the phenomenon as it has developed in different national and transnational spaces – analyses tracing the genealogy of the «war on gender» and exposing the connections and similarities between seemingly disparate and distant cases of conservative mobilisation.

Secondly, we should note that many local movements opposing «gender» have emerged around the same time and with near-identical agendas. Many of them are interconnected via larger, often American organisations²⁵ and /or via online networks, including internet forums, social media, blogs, and news websites. To some extent this convergence may result from contemporary transformations of the family – a modernisation of the gender contract, low fertility rates, or the pluralisation of family arrangements. In a changing world, gender equality, LGBT rights, abortion, children's rights, juvenile law, educational reforms, etc. are perceived as undermining the «traditional» family on which the moral order of society is based, and therefore it may be targeted by different groups independently. However, given the striking similarities between arguments and rhetorical strategies, it is reasonable to assume that at least some of the groups in different countries co-operate and share knowledge and resources, using strategies adapted to the respective local contexts. This calls for a reassessment of the current approach to the war on gender promoted by many gender scholars and feminist activists, as it is based on the notion that anti-gender mobilisation stems mostly from ignorance and can be somehow «remedied» by providing protesters with accurate information. While such a view may be valid with regard to a lay audience, I suggest that conservative activists deliberately use misinformation and emotionally laden, hyperbolic language in order to mobilise people. As in the US debate on sex education, contemporary critics of «gender ideology» consciously play on cultural fears, using «evocative vocabularies,» including «pornography,» «masturbation,» «sex-change,» and «paedophilia.» Obviously they assume, and rightly so, that in order to win an audience, their language has to be persuasive rather than accurate. Thus, feminist and progressive

25 For some examples see: www.motherjones.com/politics/2014/02/world-congress-families-russia-gay-rights and www.alternet.org/story/151286/russia%27s_anti-choice_movement_begins_to_mimic_america%27s

groups need to come up with new strategies for opposing strongly polemical language that relies heavily on biased or falsified information, hyperbole, and «urban myths» about the disastrous effects of gender education and equality.

Thirdly, we should re-think the concept of «backlash,» which is currently used to describe this phenomenon in different contexts. While in some countries, such as the US, resistance against gender equality education may be interpreted as a reaction against cultural and political changes brought about by the women's movement, in countries such as Poland, Ukraine, and Russia the process of women's empowerment and the emancipation of the LGBT community has been uneven, fragile, and far from revolutionary. Moreover, protesters in Eastern Europe often attack legislation that has not yet been introduced, let alone enforced. Thus, «backlash» understood as an adverse reaction to something that has gained popularity, prominence, or influence does not seem to be a very productive model. Rather, the current mobilisation against «gender» reminds us that the fight for gender equality is far from over. Even if the equal rights of women and other minorities have been accepted by some transnational and national institutions and local governments, and even when such ideas are supported by a large section of society, this does not mean that opposition forces have been defeated. Consequently, I would suggest that the war on gender should be interpreted as evidence of an unfinished (feminist) revolution, rather than as a backlash against something we have already achieved.²⁶

Finally, the turnout of parents, often on a mass scale, in these conservative mobilisations, may inspire us to re-think feminist positions on motherhood, fatherhood, and child welfare. In countries such as Poland, the feminist movement has focused mostly on reproductive rights, political representation, and domestic violence. Only recently have issues concerning motherhood and care been widely discussed and, even though some feminist groups have supported grassroots mothers' and parents' mobilisations (for example, defending the Alimony Fund or demanding help for families with disabled children), much more remains to be done. We need to address the dismantling of the welfare state, the crisis of care, and the precarisation of working and living conditions that disproportionately affect families with children and especially single mothers. Arguably, there is a need for some new form of political maternalism as part of future feminist strategies, and also for a community-based approach to promoting gender-equality education and LGBT rights.

26 See Grabowska 2012.

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Cultural War or Business as Usual?

Recent Instances and the Historical Origins of the Backlash Against Women's Rights and Sexual Rights in Poland

Introduction

In her 2003 article «Lost between the Waves? The Paradoxes of Feminist Chronology and Activism in Contemporary Poland,» Agnieszka Graff offered one of the first interpretations of the Polish backlash against women's rights and sexual rights. She argued that, «if we were to apply American chronology to this particular moment, we would probably have to call it a third wave form with a second wave content in a backlash context».¹ However, she also observed that such a paradoxical moment for Polish feminism is «precisely what calls for a new analytical framework, one tuned into local specificity and political context, as well as the dynamics of cultural borrowing».² It has been a long-standing tradition to assess the social processes that take place in Eastern Europe and post-socialist states from the perspective of Western historical narratives. Social transformations and the development of civic movements in the region are often seen as reflections of global and transnational process and trends. Yet what is often missing or understated in such assessments is the local context that shapes the modes and the intensity of both conservative and feminist rhetoric and practices. This article focuses on the ways in which the current backlash against women's rights and sexual rights in Poland can be traced to two historical moments, the post-1953 «thaw» and the 1989 systemic transformation. The most recent instances of a backlash, the «Chazan case» and the proposal to introduce a «conscience clause» for teachers, are sometimes interpreted as instances of a religious or culture war. While these cases point to a dominant, or in the opinion of some experts, expanding role of the Catholic Church, they are certainly not the first signs of a backlash against women's rights and sexual rights in Poland. Nor are these processes particular to Poland. However, while they certainly have to be considered part of a transnational backlash against women's rights and sexual rights, they can also be traced back to the historical moments that secured the unique

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- 1 Agnieszka Graff (2003). «Lost between the Waves? The Paradoxes of Feminist Chronology and Activism in Contemporary Poland,» in *Journal of International Women's Studies*, vol 4 #2 April 2003, p 102.
 - 2 Ibid., p. 103.

position of the Catholic Church in Poland – one that allows its representatives to express their opinions and views from a position of power and to claim their indispensability to Polish culture, society, and politics.

The «Chazan case»

In July 2014, 36 year-old Agnieszka X reported Professor Bogdan Chazan to the media – he was a director of Warsaw's Holy Mother Hospital – as he had refused to legally terminate her 22-week pregnancy. The woman claimed that while she was informed that her foetus was severely damaged – it did not have a skull and lacked most of its brain – she was denied a legal abortion. Professor Chazan refused to perform the abortion, referring to a «conscience clause» that allowed him to refuse to perform services not in accordance with his beliefs.

While the doctor had a legal right to refuse to provide an abortion, this decision was communicated to the patient too late and, as a consequence, she was unable to undergo the procedure at another hospital. Moreover, the doctor did not provide her with information about how to access the service elsewhere – something he was obliged to do according to the 1996 Polish law on the medical profession. In addition, the doctor aimed to convince the woman that she should give birth; he claimed that the damage to the foetus was not fatal and argued that the child could live for a long time and undergo several medical procedures. He also said that the baby would suffer less, if it were born «naturally» rather than being aborted. Finally, he suggested that the child could be adopted, and he provided the patient and her husband with information about child hospices.³

Following the woman's claims, the National Health Fund initiated an inspection of the hospital led by Professor Chazan and punished his unit with a 70,000 zloty fine (about 15,000€). In addition, the doctor faced a prison sentence as Poland's Penal Code states in Article 160 (2) that, should someone with the obligation to care for a person in danger expose her/him to the direct threat of losing life or health, the guilty party has to be sentenced to between three months and five years in prison. Finally, a couple of weeks later, the mayor of Warsaw, a long-time sympathiser and supporter of Professor Chazan, dismissed him from his position as director of the hospital.⁴ After the announcement of the inspection's results, Professor Chazan claimed that his right to a defence had been violated. He also argued that his actions could be seen as civil disobedience.

As an immediate response to the Chazan case, some feminists groups, including the Feminoteka Foundation, *Codziennik feministyczny* [Feminist Daily], and the 8th March Women's Association, organised a protest in front of the Polish Parliament in Warsaw under the slogan «Medical care, not Vatican care.» The activists'

3 http://wyborcza.pl/1,75968,16299596,Chazan_zwolniony___problem_zostaje.html#ixzz3AZYrxORQ

4 http://wyborcza.pl/1,75968,16299596,Chazan_zwolniony___problem_zostaje.html#ixzz3AZYQb3Zx

argument was that the Minister of Health, Bartosz Arłukowicz, is responsible for a situation in which women have only limited access to healthcare. On *Facebook*, 4,700 people declared they would participate in this event.⁵

The «conscience clause» and the «Declaration of Faith» in healthcare and education – the Polish context

During the debate over the Chazan case in the summer of 2014, it was no surprise that the professor was one of over 3,000 doctors to have signed the «Declaration of Faith,» which emphasises the «priority of God's law over human law» and demands action against the «anti-humanitarian ideologies of contemporary civilisation.» He is also one of the doctors who, in their work, repeatedly invoked the law on conscientious objection.

In Poland, the conscience clause is a form of conscientious objection and was introduced in 1996 by way of the Law on the Medical Profession. The law granted doctors and dentists a limited right to refuse certain services based on their conscience, beliefs, and values.⁶ The services in question include performing an abortion for medical reasons, in-vitro fertilisation, and prescribing contraceptives. For a doctor to be able to invoke this clause several conditions must be met. First, the clause cannot be invoked in case of an emergency, when a patient's life or health is in serious danger. In these instances a doctor, regardless of his or her beliefs, has to provide assistance. Second, a doctor who refuses to provide certain services has to provide information about the «possibilities» of accessing these services, that is, he or she has to direct the patient to another doctor or clinic. And finally, a doctor has to provide an explanation for his/her decision, and the case has to be documented. If a doctor is employed on a permanent contract, they also have to inform their superiors of their actions.

Detailed regulations of the conscience clause are to be found in the Code of Medical Ethics.⁷ The code states that a doctor has to be able to balance his/her beliefs with modern medical knowledge. While the Medical Law refers to the «refusal of services,» the code allows a doctor to cease «treating a patient,» and there are some uncertainties as to the level of a doctor's autonomy in the case of the conscience clause. For instance, a doctor cannot refuse to prescribe contraceptives based on the code, but he/she can do so based on the Medical Law. Some lawyers also point to the fact that the idea of a conscience clause contradicts other laws and the Polish Constitution.

5 http://wyborcza.pl/1,75478,16150046,_Opieka_medyczna__a_nie_watykanska___Manifestacja.html#ixzz3AY37PQad

6 Ustawa z dnia 5 grudnia 1996 r. o zawodach lekarza i lekarza dentystry (Dz.U. z 2011 nr 277 poz. 1634).

7 Kodeks Etyki Lekarskiej – uchwała Nadzwyczajnego II Krajowego Zjazdu Lekarzy z 14 grudnia 1991 z późniejszymi zmianami.

The clause also applies to nurses and midwives. Nurses can invoke it and midwives can refuse to follow a doctor's orders based on their beliefs.⁸ When this happens they have to inform their superiors immediately and give their reasons. Some pharmacists have recently also demanded a conscience clause, which would allow them to refuse to sell prescribed contraceptives. Proponents of the clause have pointed to the resolution of the Council of Europe, adopted on 7 October 2010 («The right to conscientious objection in lawful medical care»), arguing that the lack of a conscientious objection clause contradicts paragraph 3 of the Pharmacists' Ethical Code, which states that a pharmacist has to protect life and health and prevent illness, and also paragraph 4, which states that a pharmacist's conduct should be governed by his/her conscience.

According to data from the Ministry of Health, in 2013 only two doctors (in over 300 Polish hospitals) invoked the conscience clause. However, this minute number does not represent the number of times that doctors actually refuse to provide an abortion. Professor Jarosław Kalina, head of the gynaecology unit at the regional hospital I in Łódź, argues: «In conversations with patients, doctors do not cite the conscience clause. Rather, they suggest that it is too late for an abortion, or just say, «We are not going to perform an abortion.» Full stop.»⁹

While conscientious objection is firmly established in Polish law, the mechanism for refusing to provide certain services was only introduced in 2014. In the spring of 2014, during the 90th Polish doctors pilgrimage to Częstochowa, three thousand doctors came together in Jasna Góra Monastery, united by the idea that the Catholic faith is more important than the desires of patients, particularly those patients who do not share Catholic values. During the event the Declaration of Faith was disseminated – a document initiated by Wanda Póltawska, a medical doctor best known for her long friendship with Karol Wojtyła (Pope John Paul II).

The declaration is based on the commitment that «the human body and human life, which are a gift from God, are sacred and untouchable from conception to natural death.» In practice, signing the declaration means that a doctor puts his/her faith above a patient's well-being wherever the law contradicts Catholic dogma – including abortion, contraception, and other «morally controversial» services. The head of the National Board of Doctors, Maciej Hamnakiewicz, has argued that the medical authorities will not take an official stand on the Declaration of Faith, and they will not issue a statement on whether or not the declaration goes against the Code of Medical Ethics.

In the meantime, the idea of the Declaration of Faith was taken up by another professional group, teachers. In 2014, the project «Declaration of Faith and Conscience of Polish Teachers» was created by blogger Janusz Górzeński, who describes himself as a «Catholic-Nationalist Polish Monarchist.» The declaration, geared towards «Catholic teachers» and pedagogy students, reads:

8 Ustawa z dnia 15 lipca 2011 r. o zawodach pielęgniarki i położnej (Dz.U.2011.174.1039).

9 http://wiadomosci.gazeta.pl/wiadomosci/1,114871,16303631,Klauzula_sumienia_w_bardzo_watplivej_praktyce___Pacjentka.html.

I, a teacher of the Polish Republic, pledge to fulfil my duty as a teacher and educator. I will commit myself to the full development and improvement of myself and my students in the spirit of patriotism and the Gospel, taking into account the common good and the salvation of myself and my pupils. I commit to educate and teach young Poles in the spirit of truth and above all the love of the truth of God – because Jesus our Lord said of himself that he is the truth greater than ego sum veritas.¹⁰

The third point of the declaration states that a teacher should recognise the priority of God's law over human law, and that «atheist civilization» may lead to renewed «totalitarian genocide.» Such statements link the declaration to last year's debate on «gender ideology,» in which gender equality programmes in Polish preschools, primary and secondary schools, introduced following a recommendation by the EU, were called «ideological» and compared to the authoritarian and totalitarian practices of communist regimes.

The idea of a Declaration of Faith for teachers was supported by Polish MP Marzena Wróbel, herself a Polish language teacher. She argued that the declaration is not in conflict with «natural sciences» but that «it is impossible to bring up a child in isolation from any value system – a person has to believe in something, be guided by some ideals.»

The Minister of Education, Joanna Kluzik-Rostkowska, on the other hand, has strongly opposed the idea, saying it could lead to «culture wars» in Poland and that she would fight for secular education. Similarly, government spokeswoman Małgorzata Kidawa-Błońska said that the declaration is unlawful. She emphasised that public schools have to remain neutral and that teachers employed in such institutions had to commit to this. «I hope,» she added, «that this document will remain a «project» and that it will not become the beginning of a «religious war» in Polish schools.»¹¹

Magdalena Kuszmalas, press secretary of the Polish Teachers' Association, argued that teachers are obliged to follow a curriculum with evolution as a key component. She suggested that documents such as the Declaration of Faith could amount to an illegal attempt to replace an existing syllabus based on Darwinism with one based on creationism. She emphasised that public schools will remain non-religious. «If someone feels the need to turn to their faith, they can do so in a private Catholic school, although, even in these schools, a certain «educational canon» remains intact.»¹²

10 http://wyborcza.pl/1,75478,16395954,Kluzik_Rostkowska__Kluczula_sumienia_dla_nauczycieli.html#ixzz3AAJf7mD

11 http://wyborcza.pl/1,75478,16397460,Deklaracja_wiary_i_sumienia_nauczycieli__Ucze__myslac.html#ixzz3A4nzsdpU

12 http://wyborcza.pl/1,75478,16397460,Deklaracja_wiary_i_sumienia_nauczycieli__Ucze__myslac.html#ixzz3A4nzsdpU

The broader context – culture war or business as usual?

The «Chazan case» and the idea of introducing a Declaration of Faith into the Polish education system are often interpreted as symptoms of an impending culture or religious war in Poland. However, as many feminist intellectuals and activists have pointed out, these are not isolated instances of radical right-wing politics in an otherwise liberal and secular Polish state (as suggested by Polish government representatives). Rather, these cases should be seen as instances of a new right-wing strategy, one that is employed to achieve historically long-standing goals. As such, it is a continuation rather than the beginning of «ideological wars» in Poland. While both cases are examples of a worldwide backlash against gender and sexual rights, they also have roots in Poland's past, namely, the thaw period after Stalin's death and the transformation of 1989.

In response to the Declaration of Faith, Wanda Nowicka, Vice Speaker of the Polish Sejm and former director of the Federation on Women and Family Planning, asked: «Who is next? This is a signal that Poland is becoming a «religious state,» one in which religion – the Roman Catholic religion – will decide which law is primary in Poland. In the case of schools in particular, this will have an important impact on how we educate our children. This is not just about the statement of belief of some teachers, this is about much more.»¹³ Nowicka has argued that it is only a matter of time before people in other professions will be demanding a similar clause. According to Nowicka, the Declaration of Faith for teachers is a dangerous precedent, as it allows teachers to ignore the science of evolution. Even if they decide to teach according to scientific principles, they could apply a certain kind of self-censorship, and distance themselves from such science. In Nowicka's view the declaration is the next step in the process of «ideologising Polish schools.» She added that doctors and teachers should focus on their mission – helping patients and educating young people – and not on themselves and their beliefs.

Nowicka certainly had reason to be wary of the growing influence of the Catholic Church, particularly in the medical and educational sector. As a feminist activist, she observed the demise of the secular Polish state during the abortion debate of 1989–1993 and the process leading to the ratification of the concordat in 1993. As someone who has lived through Poland's transformation, she experienced the radical ban on abortion and the introduction of Catholic religious education in kindergarten, elementary and secondary school.

Other observers and activists also regard the current backlash as a new way of achieving long-standing goals of the Polish right. Commenting on the Chazan case and the doctors who signed the Declaration of Faith, Agnieszka Graff, a feminist activist and academic, stated boldly: «They are not doctors, they are missionaries.» According to Graff, recent moves of right-wing activists mark a change in the political strategies used by conservatives. Initially, as in the past, they were trying

¹³ <http://wiadomosci.onet.pl/tylko-w-onecie/wanda-nowicka-deklaracja-wiary-nauczycieli-mnie-przeraza/14ts9>

to change an already very restrictive abortion law; now, however, the aim is to change the system by using legal ruses such as the conscience clause. A similar instance occurred in Wołomin, where the local government approved the mission statement of the hospital, which it supervises – a document stating that the hospital's work is «governed by the unconditional obligation to protect human life.» Such a statement guarantees that, even though the hospital will be receiving funds from the National Health Fund, it will be impossible to fine it for not performing legal abortion procedures.¹⁴ According to Graff, in a second step, conservatives are aiming to instrumentalise state officials on behalf of conservative values, as was the case with Michal Królikowski, a member of the Codification Commission, who publicly advocated to further restrict abortions in Poland.

As Graff rightly observed, these new practices combine ultra-conservative «values» with the promotion of a neoliberal order – the same odd combination that was characteristic of the Polish transformation in 1989. This blend can be observed in religious fundamentalists like Jarosław Gowin, former Minister of Justice in the Civic Platform government (a government that supposedly represents the «progressive face of Poland»). Gowin supported capitalist reforms of the Polish state, was opposed to in-vitro fertilisation, and, in 2013, thwarted Poland's ratification of the Council of Europe's Convention of Violence Against Women.

These new strategies, however, do not represent a turn to the right on part of the Polish public. In fact, they illustrate how public discourse can be manipulated to depict the Polish public in a certain way. A recent survey from CBOS showed that 52 % of Poles are against the Declaration of Faith and support the statement that doctors should primarily be devoted to a patient's well-being; 73 % agreed that a doctor has no right to deny access to a prenatal examination; and 62 % supported the statement that a doctor should not have the right to refuse to advise a patient on how to get a medically legal abortion; finally, 59 % of the respondents agreed that a doctor cannot deny a patient in-vitro fertilisation. While Poles declare that they support a secular state, data from 2013 shows that women of 35 and younger are less likely to terminate a pregnancy (13 %) than older women (36 %). The recent actions of the radical right can be interpreted as a strategy to fight the changing attitude of the Polish public and as an effort to retain hegemony in Polish public discourse. In this light, the public discourse produced by the Polish media and right-wing politicians aims to blur the diversity and ambivalence of Poles' attitudes towards the Catholic Church by representing them as a homogenous group – one that supports Catholic values. On the other hand, the recent success of the ultra-conservative right-wing party of Janusz Korwin-Mikke and the losses of openly anti-church parties such as Janusz Palikot's *Twój Ruch* and the Greens, suggest that right-wing politics prevail in Poland, and that the public's changing attitude towards the church does not translate into voting patterns. As such, the recent backlash should be seen as a way of securing the already powerful position of the Catholic Church (not called

¹⁴ http://wyborcza.pl/1,75968,16299596,Chazan_zwolniony___problem_zostaje.html#ixzz3AZYUtS0

into question by any major political force in Poland), a legacy of historical processes and past political decisions.

Local or transnational? The historical roots of the recent Polish backlash

The Polish backlash against women's rights and sexual rights is a part of a transnational trend. This includes a backlash against workers' rights and minorities, as witnessed by recent cuts in social services that were justified as a response to the global economic crisis. Another part of the picture is the stagnation in the area of human and minority rights at the United Nations and in the European Union. Also, feminist ideas are being co-opted by neoliberal discourse (Fraser 2013), feminist NGO activism is in crisis, and radical (and) feminist activism is unable to influence global and transnational politics on reproductive rights, violence against women, and LGBTQI rights.

In the context of Eastern Europe and the post-socialist states, the backlash also has to be analysed in light of the historical trajectories in the region: the re-traditionalisation of socialist emancipation politics after 1953, and the re-emergence of a neo-conservative and fundamentalist discourse after 1989. The dominant position of the Catholic Church in Poland has never been challenged or questioned, neither by the socialist state after 1945, nor by the democratic authorities after 1989. Accordingly, the Polish backlash can be traced back both to the period of thaw during which the Catholic Church's dominant position in the area of women rights was re-confirmed by the state, and to the period of transformation after 1989 that stabilised the position of the Church as a major political force in Poland.

In her book «Women, Communism, and Industrialization in Postwar Poland,» Małgorzata Fidelis suggests that both the process of adjusting the communist project of «gender equality» to Polish culture during the «De-Stalinisation era,» as well as the 1989 transformation can be seen as examples of the same process – a decline of women's rights in Poland. While in both instances the result was greater political freedom in general, women's rights were sacrificed for the sake of an alliance with the Catholic Church. After World War II, «radical» socialist solutions were introduced only for a brief period, and the idea of making some of the «private» issues public never took hold. The project of women's emancipation had a different trajectory in Poland, partly because Polish socialism took a different path after the death of Stalin. The «thaw» that took place after 1953 had ambivalent consequences for the situation of women in Poland.¹⁵ «On the one hand,» Fidelis argues, «women did not have to work as much as in the early post-war era. The space for claims for the respect of workers' rights had opened and they could voice their opinions on various topics, including discrimination in the workplace. Some women, who wished to do so, could stop working and devote themselves to their households. The state

15 Małgorzata Fidelis (2010). *Women, Communism, and Industrialization in Postwar Poland*. New York: Cambridge University Press, 2010, p. 170.

liberalised the abortion law, making the procedure available and free of charge».¹⁶ On the other hand, however, the reforms introduced after 1953 aimed to reconstitute the pre-war gender contract, and in particular the gender division of labour, that is, unpaid domestic work done by women.¹⁷ The idea of the «Polish road to socialism,» conceived by First Secretary Władysław Gomułka, was based on the reconciliation of several seemingly contradictory legacies – those of Catholicism, nationalism, and socialism. The «humane socialism» proposed after 1956 aimed to build a new order with old forces, and the socialist state was seen as based on a traditional family, to which the idea of «Polish motherhood» remained crucial. In this context, the new abortion law of 1956 was not about a woman's right to choose, but rather a way of supporting traditional families by controlling the number of children being born¹⁸. The 1956 abortion law applied only to married women with children, and it required a woman to get permission from a doctor and a counsellor. Thus, the 1956 law did not give women the power to decide – this only came about when the law was amended in 1960.

Developments after 1989 were similar. While the term «self-limiting revolution» in the title of Jadwiga Staniszkis's famous book first published in 1982¹⁹ is still widely used to describe Solidarność's political philosophy during the 1980s, the question of how this affected feminism before, during, and after Poland's peaceful transformation remains unanswered. In one sense, Solidarność, and particularly the so-called «Second Solidarność» of 1985–89, was inclusive of women, both as members and as feminists. As Shana Penn and others have shown, women were the backbone of Solidarność's success. As leaders of local branches and the post-1981 underground press they contributed significantly to the overthrow of the communist government.²⁰ However, after the revolution was over, the union's male leaders emphasised compromise and reform and, as a consequence, the paradigm of self-limitation began to work against women and undermined the commitment to social change. While the paths of Solidarność and feminism crossed in the 1980s, they separated after 1989 when the patriotic «festival of freedom» suddenly ended with the seemingly urgent need to compromise with the Catholic Church. The compromise worked out by successive post-transformation governments, including left wing and socialist ones, persists. As a result, after the fall of the regime, women's issues became subject to ideological manipulation, and feminists were cast as the enemies of the newly independent state.

Partially in reaction to masculinist policies and the expansion of the Catholic Church²¹, as well as Solidarność's abandonment of the ideals of the peaceful

16 Ibid.

17 Ibid., p. 172.

18 Ibid. p.173

19 Jadwiga Staniszkis (2011). Samoograniczająca się rewolucja, Europejskie Centrum Solidarności.

20 Shana Penn (2005). Solidarity's Secret. The Women Who Defeated Communism in Poland, Konradowicz, Ann Arbor: University of Michigan Press, 2005.

21 Peggy Watson (1993). «(Anti)Feminism after Communism.» In *Who's Afraid of Feminism: Seeing through the Backlash*, ed. Ann Oakley and Juliet Mitchell, New York: New Press, pp. 144–62.

revolution, feminists began to use identity politics based in liberalism. In order to fight the emerging nationalism and religious fundamentalism, many activists, including those formerly devoted to Solidarność's ideals of social justice, turned to seemingly secular and liberal identities. For many activists, the strategy of identifying with the West, used mostly by women of the urban Polish intelligentsia, was a form of strategic essentialism, that is, a necessary response to Solidarność's unfinished revolution rather than a simple desire to transplant Western-style feminism to Eastern Europe.

The turn to «Western feminism,» of course, did not just express the desire to establish a social movement resembling second-wave liberal feminism in the West, it also was a strategy which activists, notably the scholar Sławomira Walczewska, explained as follows: «On the one hand there was a need to articulate oneself, on the other we had to separate ourselves from the representation of feminism as a re-growing head of the Hydra of Marxism.» As a result, accounts from the 1990s of life under socialism mostly represented women as passive witnesses caught up between the authoritarian socialist state – the «double burden» of professional work and household chores – and the lack of sincere political representation. Feminists frequently view state socialism as a system that did very little to challenge existing gender regimes and argue that in the socialist state the foundations of male domination were «transformed but never eliminated.»²² Socialism is thus conceptualised as «state patriarchy,» meaning the power of the state over all women replaced the power of one man over one woman.²³

The uncritical acceptance of Western-style liberalism backfired and can now itself be interpreted as part of the backlash. While the dismantling of communism meant the rejection everything related to the old system, the right to legal abortion, maternity provisions, extended childcare, and the mass presence of women in the labour market – all phenomena, in which the socialist states preceded the West – were not viewed as «successes» of the women's movement.²⁴ Rather, as exemplified by Sławomira Walczewska, previous organisations are seen as responsible for «the current passivity of women, and their inability to organise and defend their collective interests.»²⁵ Such a narrative, however, does not allow to interpret the transformation after 1989 as part of a backlash against women, as the free markets

22 Eva Fodor (2002). «Smiling Women and Fighting Men: The Gender of the Communist Subjecting State Socialist Hungary» *Gender & Society* 16:2 (April 2002): p. 236.

23 Olga Voronina (1997). «Soviet Patriarchy: Past and Present» *Hypatia* 8:4 (Fall 1997): p. 112. Katherine Verdery (1994). «From Parent-State to Family Patriarchs: Gender and Nation in Contemporary Eastern Europe» *East European Politics and Societies*. 8:1 (March 1994): p. 225.

24 Susan Gal and Gail Kligman (2000). *Reproducing Gender: Politics, Publics, and Everyday Life After Socialism*, Princeton: Princeton University Press, 2000. Peggy Watson (2000). «Rethinking Transition: Globalism, Gender and Class», *International Feminist Journal of Politics*, 2:2 (Summer 2000): p. 185. Barbara Einhorn and Charlotte Sever (2003). «Gender and Civil Society in Central and Eastern Europe» *International Feminist Journal of Politics* 5 (July 2003): p. 163.

25 Sławomira Walczewska (1993). «Liga Kobiet: Jedyna organizacja kobieca w PRL», *Pełnym Glosem*, 1(1993), p. 4.

that came with liberal democracy also did away with many of the economic and social rights guaranteed by the old system.

Conclusions

In her article *«War on Gender» from a Transnational Perspective – Some Lessons for Feminist Strategising* Polish sociologist Elżbieta Korolczuk discusses the supranational origins of the current backlash against women's rights and sexual rights in Eastern Europe and the Caucasus. The «war on gender,» she argues, is not just a local phenomenon, and current right-wing strategies have to be understood as, on the one hand, transnationally «designed» rhetorical and political tools against progress in the area of LGBTQI and women's rights, and, on the other, as efforts to control the fear and frustration caused by the global economic crisis and diminishing levels of social security. Right-wing politics is indeed transnational, however, as I have argued in this paper, its actual reception depends very much on local context and historical legacies. For example, the processes of political thaw and transformation described in this article are without doubt global phenomena. They constitute crucial moments in transforming transnational politics and mark a key shift in the political dynamics between East and West, as well as global attitudes towards LGBTQI and women's rights. As such they do not only apply to the «region,» they are also relevant in the discussion about international LGBTQI and women's movements and about the current backlash. When viewing these phenomena from a local perspective and analysing institutional and cultural tools that vary depending on the location (including differences between countries in the same «region,» that is, countries within and outside the European Union), it is crucial to formulate appropriate strategies on the ground. To paraphrase American activist and feminist Charlotte Bunch, when struggling with the current backlash we should «think globally and act locally.»

TAMARA ZLOBINA

The Grey Emancipation Zone

What I call the «grey emancipation zone» describes a number of tactics invented by women in patriarchal societies in order to escape patriarchal pressures. As a feminist philosopher and art theorist from a post-Soviet country (Ukraine), I would like to present these special tactics. Usually, activists and experts with a mostly Western academic background on feminism are looking for a conscious opposition or rebellion against patriarchy. Frequently, however, this does not exist in our societies.

The very act of comparing the situation in the West with our post-socialist /Soviet reality lets us perceive of the latter as a failure and causes frustration and despair. To avoid this, I would like to offer a perspective that empathically puts the living conditions of the average Ukrainian woman back, front, and centre. If one evaluates certain phenomena within their context – and not against the background of some theoretical precept – one is able to discover how even small deviations (that otherwise will remain invisible) can be imbued with an empowering potential. In Ukraine it is still quite radical for a young woman not to be married, or to opt for a civil marriage, or to have no children, or to sport short hair. Here, in Berlin, all of this must be fairly normal; in Ukraine however even a simple short haircut can be the result of (an invisible) struggle.

To me the way in which bold rebellion often becomes an object of fetishism seems suspicious. Revolution, protests, revolts, uprisings, etc. are all highly visible actions. The very narrative of history is usually constructed along a linear set of wars, uprisings, and upheavals. These actions, usually undertaken by strong and powerful individuals (usually men) have their place in history, and violence is often the foundation upon which a heroic tradition is constructed. Still, these modes of acting and behaving are not the only ways to effect change. There always are other inventions, insights, gestures, deceptions, and minute acts of resistance and personal empowerment that are rarely visible and that, as the result of a long process, can also lead to great changes.

Here, I would like to focus not on the very visible feminist interventions (in Ukraine, for example, the Feminist Offensive or Femen) but instead analyse small identity shifts *within* the patriarchal idea of femininity. What I am looking for is the grassroots emancipation of women who are not activists and do not ally themselves with feminism (in Ukraine feminism is widely marginalised and even demonised). This «grey» emancipation is not conscious and outspoken; it does not deny patriarchy directly. Grey is a colour somewhere between black and white, and, accordingly, «grey emancipation» is meant to denote something between patriarchy and

feminism. As such, it is a good metaphor for a type of change that does not result in an ideal situation, yet leads to considerable improvements. In the context of a patriarchal backlash typical for post-Soviet countries it is crucial to develop a sensitivity towards this «grey zone,» that is, to acknowledge its existence and to probe possible links between the feminist community and women seeking unconsciously for emancipation.

To investigate this «grey zone» I will be discussing artwork by women who do not identify with feminism but, nevertheless, express a quest for emancipation – namely a photo project by Olena Vorobiova and Elmira Sidiyak as well as paintings by Masha Shubina. My investigation is informed by Luce Irigaray's ideas on productive mimesis and masquerade as possible scenarios for inventing female subjectivity. Hilary Robinson has noted that Irigaray uses a somewhat repetitive cluster of terms – mime, masquerade, mask, mimicry, hysterical mimeticism, mimesis, reproduction, representation – when discussing the creation of the female gender.¹ Such repetition / reproduction is crucial for adapting to society's normative demands. It is, however, ambivalent – mimesis and masquerade imply the structural impossibility of an individual identity based on free choice – yet, at the same time, this creates the possibility to deflect patriarchal pressures and create a space of personal autonomy.

Luce Irigaray captures this ambivalence in her description of two types of mimesis: «[...] there is the *mimesis* as production, which would lie more in the realm of music, and there is the *mimesis* that would already be caught up in a process of *imitation, specularization, adequation, and reproduction.*»² Irigaray describes the second process as privileged throughout the history of philosophy and sees among its consequences the suffering and paralysis of desire. This type of mimesis supports a given cultural system, producing female identities assimilated to a patriarchal society. Irigaray's first type of productive mimesis, on the other hand, can result in creativity and resistance. The comparison with music helps to understand the potential of productive mimesis as well as its limits: Musicians simultaneously read the piece of music they are playing and give their own interpretation of it. The necessity for re-interpreting the script provides the possibility of turning away from it. In some cases this can create a wide gap between patriarchal demands and actual feminine performance. Irigaray's theoretical stance enables us to recognise hidden personal agendas («a grey emancipation zone») behind activities that, at first glance, look as if they conform to patriarchal demands.

What precisely are the demands on Ukrainian women? After the end of Soviet Union the contract between state and working mothers was terminated³ and two

- 1 Hilary Robinson (2006). *Reading Art, Reading Irigaray: the Politics of Art by Women*. London: I.B.Tauris & Co Ltd., p. 17.
- 2 Luce Irigaray (1985). *This Sex Which Is Not One*. Cornell: Cornell University Press, p. 131.
- 3 The reconfiguration of gender ideology in 1990s and 2000s was analysed in detail in T. Zhurzhenko (2008), *Gendered Markets of Ukraine: Political Economy of Nation Building*, (in Russian) (Т. Журженко (2008), *Гендерные рынки Украины: политическая экономия национального строительства*, ЕГУ, Вильнюс). Accessed at: www.ehu.lt/uploads/files/book/docs/GenderRynkiUkraine_52de75e965777.pdf

new gender models introduced. On the one hand, there was the discourse of national traditions, spirituality, and morality – most compellingly portrayed in the Berehynia⁴ paradigm and inscribed in nationalist state ideology (Berehynia's sexuality was reduced to her reproductive and protective functions). On the other hand, there was the ongoing commercialisation and exploitation of women's bodies and sexuality against the backdrop of market reforms (the Barbie paradigm). The basis of both was to serve men and attend to their needs by performing an array of services such as reproduction, nurture, upbringing, and sex. Both varieties, as described by Oksana Kis',⁵ are currently present in public discourse, and this constitutes a double standard for the socialisation of young women. In Ukraine, to be a woman means to unite somehow these conflicting models and take on a «superwoman» identity – as a mother, the guardian of the family hearth, a beauty, and as a provider – with the latter role being the most important, as very few Ukrainian women can afford to be just housewives supported by a husband (although symbolically this is often the case).

There is no alternative gender model for women as self-sufficient beings. The most prominent female public figures display variations of the Berehynia and Barbie models with their corresponding rhetoric and appearance. Former Prime Minister Yulia Tymoshenko, until now Ukraine's most prominent female political leader, consciously uses both roles. She is often seen wearing a traditional Ukrainian hairstyle with a plait as well as ethnic costumes; on the other hand, she is well-known for her expensive designer clothes. In 2007, she even made the cover of *Elle*.⁶ However, young women in Ukraine are conditioned to consider a man/husband as the pinnacle of their lives. A successful professional career is seen as undesirable for women and financial independence as unwomanly. The male is also depicted as a defender against other men (the level of violence and sexual harassment is extremely high), while society stigmatises sexually active women as promiscuous. The only way for a woman to achieve ontological self-actualisation is to become a wife and mother.

Today there are young Ukrainian women, who were socialised in an independent country and against the background of reconfigured gender roles, that is, they grew up with Berehynia and Barbie. There is no widely known feminist alternative to this. However, does this mean Ukrainian women are generally happy about the current state of affairs?

4 In Slavic mythology, Berehynia is a female spirit associated with hearth and home. Since Ukraine became independent, the figure has undergone a nationalistic transformation and today is often presented as guardian of hearth and home – and, by symbolic extension, as guardian of the Ukrainian nation.

5 O. Kis (2005). Choosing Without Choice: Dominant Models of Femininity in Contemporary Ukraine. In *Gender Transitions in Russia and Eastern Europe*. eds. Madeleine Hurd, Helen Carlback and Sara Rastback, Gondolin Publishers, Stockholm, p. 105–136. Accessed at: www.academia.edu/1397854/Choosing_Without_Choice_Dominant_Models_of_Femininity_in_Contemporary_Ukraine

6 www.cbsnews.com/pictures/ukrainian-opposition-leader-yulia-tymoshenko/8

In December 2012, the exhibition *Model Kits for Assembling a Woman* (gallery Ch/B.5×5, Lviv), with photos by Elmira Sidiyak and texts by Olena Vorobiova, documented the private lives of Ukrainian women born in the 1980s, and hence with little or no experience of life under the Soviets. For the photos, the women posed in domestic settings wearing only underwear; short texts explained their lives, dreams, and desires. The photos were torn up and reassembled as a collage, leaving wide gaps between main parts of the image. These gaps, showing the white background, are a structural part of the work, conveying that there is something beyond the surface of a typical woman's life centred on marriage, beauty, domestic work, and children. This unknowable something was so powerful in its veracity and transcendence that it annihilated customary reality. At stake is the unsatisfying, hypocritical, and destructive cultural construct of «femininity» women are obliged to replicate instead investigating their own goals and discovering their independent personal creativity.

A subtle, yet noticeable rise in women's consciousness can be observed as they are becoming increasingly disappointed and disillusioned with the feminine role they are supposed to play. This unconscious confusion is underlined by the

Model Kits for Assembling a Woman



Construction No. 8 (Text on the left)

31 years old and achieved everything. She has what her heart desires: apartment, new refrigerator, husband, wardrobe, TV in the kitchen, two daughters and modern plastic window frames. In addition, a dream: can drive a car and be admired.

Construction No. 10 (Text on the right)

She is now 29 years old and married: rarely meets her girlfriends, guards the house, just as devotedly as before the shoes she looks for the next recipe for dinner for her husband. At 29, she 's finally wife, and everything else has no meaning.

combination of text and images. The actual female body is virtually absent from these photos – or only present in its naked form, often in close-up and contrasted with domestic surroundings (such as kitchen cabinets), which makes it virtually impossible to distinguish it from the adjoining objects. The faces are shadowed (partly for reasons of privacy), and the eyes (subjectivity) are unrepresented. White lacunae in the shape of a vagina put a persistent emphasis on subjectivity, suggesting that this project is about the impossibility of discussing the femininity hidden underneath the symbolic patriarchal order.

The project by Olena Vorobiova and Elmira Sidyak shows that Ukrainian women are dissatisfied with the Berehynia and Barbie role models – and the lack of alternatives. Masha Shubina's painting, on the other hand, present possible tactics for resistance and an unconscious search for alternatives.

Although Shubina does not claim to be a feminist, nor professes interest in gender issues, women's self-invention permeates her oeuvre. Since 2005, her projects have been based on self-portraits.⁷ In *Self-Portrait* (2005), *My Dear Curator* (2006), *Fancies. From Dreams* (2007), and *Digital Narcissism* (2007) she used almost the same material – self-portraits based on photos, then digitised and displayed on online dating sites. Shubina declared that she was using these sites in search of a curator to help her career. In the exhibitions, conversations with visitors of the websites were displayed alongside the paintings.

Creating portraits of herself as a glamorous beauty, Shubina mimes social expectations, yet simultaneously enacts an identification with the male gaze, thus becoming her own object of desire. The liberating potential of this unconscious guerrilla masquerade is limited. Shubina does not look strategically for ways to invent female subjectivity and dismantle the patriarchal symbolic order, by producing countless self-portraits, however, she appropriates the subject position of both producer and consumer of images. Shubina identifies with the masculine gaze, and through this identification across gender boundaries she bravely seizes masculine desire and attempts to enjoy it. Her masquerade generates distance – femininity is something worn, so, theoretically, it can be removed (although this means leaving behind the patriarchal economy of desire). Such a masquerade «constitutes transgressive doubleness, an inscription of alternative wishes, a critical distance from the mythemes of femininity (passivity, responsiveness, deference, flattery).»⁸ It carries a hidden threat to patriarchy, disarticulating male systems of viewing; it can also be used successfully to conceal an inner refusal to obey and serve.

One of Shubina's most interesting paintings is *Girl's Game* (2006). Here, the artist represents a *femme fatale* character, and a football produces an association with pregnancy (physical and cultural reproduction). The protagonist, wearing high heels, displays her «belly» under a nighty, as she defiantly stares at the viewer. This goes far beyond the limits of prescribed feminine behaviour; the girl is not affectionate,

⁷ See the artist's website at: www.shubinamasha.com

⁸ John Fletcher (1988). «Versions of Masquerade,» *Melodrama and Transgression, Screen*. Vol.29, no. 3, 43–71, p. 55.



Masha Shubina, Digital Narcissism

she is not fulfilling her natural «mission» – she is a blackmailer. Mastering the football, a symbol of one of the most masculine of sports, she declares herself participant, not prize. The furniture (a chair, a floor lamp) is featureless. Nothing suggests domestic comfort, happiness, or fulfilment in maternity. The female figure refuses to serve either man or nation through reproduction, nor feel joy in such a process. In other words, she may look like Berehynia and Barbie – but she definitely refuses to perform these gender roles. Instead, she demands to be rewarded. Rather than «waiting to be cared for,» she demands and takes.

The figure in Shubina's painting personifies Sterva (a post-Soviet variation on the *femme fatal* or *bitch theme*) – an ambivalent gender model created by women in the context of the patriarchal backlash. The internet forum <http://matriarchat.ru> (and various others) features a variety of advice for women on how to behave in order to get as much as possible out of men (attention, romantic dinners, vacations, expensive presents), yet without serving them emotionally or through domestic work. Visitors to the site share techniques of how to disguise demands for gifts and pragmatically discuss their relations with different partners. The Sterva model allows women to have goals and the means of achieving them that are different from the passivity and servitude commonly prescribed. The popularity of the Sterva model (despite the very negative connotations the word has in Ukrainian and Russian) shows how dissatisfied women are with current gender models and expresses their search for a femininity different from the Berehynia and Barbie models.

From a feminist point of view, the Sterva model is generally perceived as another way of oppression as it does not oppose patriarchal ideas of femininity directly. However, this model has some features that put it in the «grey emancipation zone.» First, this is a model created by women for women (and not by men, nationalism, and capitalism). Second, it negates the patriarchal view of women as obedient and servile. Sterva may pretend that she fulfils these demands, yet only to hide her own agenda behind such masquerade. Hence, the Sterva model offers women the possibility to use the very tools of oppression as a protective shield.

The positive results of such tactics can be seen in Shubina's prize-winning installation *Maria. I Am My Own Religion* (Kyiv, Pinchuk Art Centre, 2009). It consists of a cross constructed from a neon light frame to which twenty-two of her self-portraits, in different outfits and hairstyles, are attached. The cross is supplemented by a TV showing a video of lighted church candles. Using the «hysterical» logic of exaggeration, and overfulfilling the demands put on her as a woman, Shubina constructs a small autonomous space within the patriarchal symbolic order. From this position she can then attack even the most powerful of patriarchal institutions, such as religion, replacing the one masculine god by multiple incarnations of herself. Thus, instead of serving the Man-God with her reproductive and sexual capacities (à la Berehynia and Barbie), she asserts her own agency and compels men to serve her.

A new generation of women, born in the late 1980s and early 1990s, is currently entering Ukraine's public sphere. Young Ukrainian women are socialised simultaneously with an acceptance and a refusal of sexist stereotypes – because they lack the resources to construct their own identities as well as positive examples of alternative female role models. They are thus facing a choice between consenting to the repressive rules of a patriarchal neoliberal economy, a conservative state, and a

From left to right: Girl's Game (2006); Maria. I Am My Own Religion (2009)



simulated democracy, or of creating – through continual experimentation – an entirely new range of grassroots policies in the private and public spheres. Often, such policies are not clearly feminist – but, as the Sterva model shows, they are not clearly patriarchal either.

Luce Irigaray stated it well when she declared that establishing female subjectivity requires constant emancipation, experimentation, and creativity for all women of the world. For this, she refused to provide specific scenarios – as would I. As a feminist activist, I often notice how small acts of resistance and personal empowerment are disregarded and direct forms of rebellion privileged. As I tried to show in this analysis, revolt and an outspoken refusal of patriarchy is not the only form on emancipation. Women's art is an example of how effective small deflections, deviations, and deceptions can be. Close and context-specific readings of women's art projects, as well as feminine gender performances, can reveal a sizeable «grey zone» between patriarchal oppression and women's liberation – something feminists should acknowledge without prejudice. In the context of a global patriarchal backlash, this «grey emancipation zone» can be considered a field of communication and collaboration between women with different personal agendas.

Gender Issues in Ukraine: Were the EuroMaidan Protests Patriarchal or Egalitarian?

The EuroMaidan protests that took place in Ukraine in 2013–2014 have greatly influenced public opinion, media, and politics. Women actively participated in these events – not just as «supporters» but also as «makers» of revolution. Still, the position of women in Ukrainian society is all but clear. Are there institutional mechanisms for gender equality that allow women to be publicly «visible» – as decision-makers and activists? How has the participation of women in the EuroMaidan protests been viewed? Are revolutions with nationalist themes necessarily patriarchal – or is it possible for women to participate on an equal footing?

Women in public discourse in Ukraine

The participation of women in EuroMaidan and how the media viewed it reflects the social position of women in Ukraine. The following is a brief overview of the current situation on women's right and gender equality in Ukraine (as of 2014).

Major achievements and obstacles regarding the promotion of gender equality and the empowerment of women in Ukraine were discussed in the National Review of Implementation of the Beijing Declaration and Platform for Action (1995), during the 23rd Special Session of the General Assembly (2000), and, in the context of the 20th anniversary of the adoption of the Beijing Declaration (2015), in a report drafted by UN Women in April 2014.¹ Here, three major achievements are mentioned – the legislative framework on gender equality, non-governmental organisations (NGOs) active on gender equality and women's empowerment, and gender education. However, at the same time, there are unsolved problems such as the low level of women's representation in social and public life, the low level

1 Ukraine (2014). National review of Implementation of the Beijing Declaration and Platform for Action (1995) and the outcomes of the twenty-third special session of the General Assembly (2000) in the context of the twentieth anniversary of the Fourth World Conference on Women and the adoption of the Beijing Declaration and Platform for Action (2015) / With the support of UN Women in Ukraine and Office of Friedrich Ebert Foundation in Ukraine, April 2014. Accessed on 18 September, 2014: www.unece.org/fileadmin/DAM/Gender/publication/NV111.07_att1_att2_att3_merged.pdf

of awareness of gender discrimination, and a lack of comprehensive strategies to promote the advancement of women. It is especially important that vulnerable women (who suffer double or triple discrimination, for example, Roma women, lesbian women, transgender women, women with disabilities, HIV-positive women, women in prison, and women drug users) are supported² in the fight against discrimination, as such marginalised women are mostly absent from the public discourse on women's rights.

An international comparison of the degree to which gender equality has been achieved in different countries is provided by the annual *Global Gender Gap Report* published by the World Economic Forum.³ Although Ukraine is above average when it comes to women in education, healthcare, and the labour market, the country is lagging far behind in women's political representation.⁴ According to the Inter-Parliamentary Union database on *Women in Parliaments*, Ukraine's ranks 127th of 190 countries regarding the number of women MPs.⁵ During its over twenty years of independence, women have never constituted more than 10% percent of MPs in the Verkhovna Rada (Ukraine's parliament).

Gender segregation (both vertical and horizontal) is a serious problem in Ukrainian politics and on the labour market. Women have less money and less extensive social networks, and the notion of politics as a dirty business further strengthens patriarchal notions of keeping them out of this sphere.⁶ Moreover, Ukrainian women are supposed to fulfil mainly two roles – «to be beautiful and to be mothers.»⁷ In this situation, it is hard to take on other roles – and even more so in times of trouble and conflict.

Gender, nation and revolution: some theoretical issues

In the process of nation-building there is a dilemma of how to reconcile national and gender identities – or feminism and nationalism. On this, there are a number of ongoing debates among feminist scholars and activists.

Gender roles are frequently defined along a scale stretching between the opposites of «private» and «public» – with the former traditionally viewed as the realm

2 Ibid., p. 43.

3 The Global Gender Gap Index was developed in 2006 partially to measure gender equality and a country's progress over time. Gender-based gaps in four fundamental categories (economic participation and opportunity, educational attainment, health and survival, and political empowerment) are recorded for 136 countries.

4 Ricardo Hausman et al. (2013). *Global Gender Gap Report* (Geneva: World Economic Forum).

5 Inter-Parliamentary Union (2014), «Women in National Parliaments (as of 1st August 2014)». last modified September 21, 2014. www.ipu.org/wmn-e/world.htm

6 Tamara Martsenyuk (2012). «Ukraine's Other Half», *Post-Soviet Post*, online Stanford University journal, 27 March, accessed 21 September, 2014. <http://postsovietpost.stanford.edu/discussion/ukraines-other-half>

7 Kis, Oksana (2005) «Choosing Without Choice: Predominant Models of Femininity in Contemporary Ukraine» in I. A. Morell, H. Carlback at el. (eds.). *Gender Transitions in Russia and Eastern Europe*, Stockholm: Gondolin Publishers.

of women and the latter as that of men. In the so-called «grand narrative,» history is constructed as «his story» – that is major events connected with violence and battles – and revolutions are portrayed as glorified violence, excluding women and extolling brave men, willing to die for their nation, as the norm. The role of women in regard to the nation is thus mainly connected with reproduction, while men are perceived as protectors. Such gender roles are, what I call, *patriarchal* or *sexist* (that is, they are excluding most women and also certain groups of men).

Allaine Cerwonka, in her article «Traveling Feminist Thought: Difference and Transculturation in Central and Eastern European Feminism,»⁸ writes about the problem of transferring Western theories to a different cultural environment such as Eastern Europe. The underlying assumption that Eastern Europe still differs from Western Europe, is explained by Cerwonka with the different political systems and experiences. Cerwonka describes Western feminist theory as hegemonic and powerful and contrasts it with Eastern feminism, which she views as marginalised. Nevertheless, Cerwonka discovers *agency* in the subordinated group's ability to choose from a set of theories and methods those that best suit their needs.

I would like to argue that the same agency may be found in women's activism during revolutions or in times of conflict, when there is a possibility to act out and discuss ideas that, previously, had been off limits. Such situations, I think, present openings for women to enter masculine space and, further down, we will discuss some examples. Feminism, I believe, is first of all about *inclusivity* – thus we shouldn't be discussing this in terms of «true» and «false» protests. During the Orange Revolution women were seen as «helpers» of men who were driving the revolution; during EuroMaidan, however, women (and men) were both in the driver's seat. Such inclusivity and the chance for women to chose their roles I call *egalitarian* or *emancipatory*.

Before we continue, one caveat – my definition is referring to an ideal type, which, in reality and on the ground, may prove difficult to find.

Women and the EuroMaidan protests: patriarchal notions

According to a survey conducted when the protests began (7–8 December, 2013),⁹ almost half of all protesters were women (44%). Later, when EuroMaidan became paramilitary (with barricades and protesters divided into squadrons), the number of women living in the square decreased to as low as 12% (according to a survey conducted in early February 2014).¹⁰

8 Allaine Cerwonka (2008). «Traveling Feminist Thought: Difference and Transculturation in Central and Eastern European Feminism.» *Signs: Journal of Women in Culture and Society* 33 (4): p. 809–832.

9 Maidan 2013: Who is standing, why and for what? accessed 21 September, 2014. <http://kiis.com.ua/?lang=ukr&cat=reports&id=216&page=7>

10 From Maidan-Camp to Maidan-Sich: What did change? accessed 21 September, 2014. <http://kiis.com.ua/?lang=ukr&cat=reports&id=226&page=6>

The patriotism on EuroMaidan contained aspects of gender segregation. Olesya Khromeychuk writes in her study «Gender and Nationalism on the Maidan»¹¹:

A major city square became a space for public revolutionary activity, patriotism, and heroism. There, the actors often performed differently, depending on their gender, and public perception of the protesters was informed by traditional notions of gender.

One poster read, «[t]he nation exists as long as there are men ready to fight for it.» This is fairly typical for the mainstream perception of EuroMaidan – barricades, Molotov cocktails, fights, burning tires, and the death of heroes, or, in other words, the revolution as a glorification of violence.

Patriarchal discourse views women's role in EuroMaidan as *mothers* (cares and helpers) or *beautiful objects* (to inspire heroism). Some prominent female politicians or public figures may be perceived as a version of the «Mother of the Nation» (Ruslana, Dr. Olga Bogomolets). There are clear examples that women were *invisible* (or less visible) in public discourse. Olesya Khromeychuk, in her essay «Where are the Women of Ukraine?», mentions that «the news that Michelle Obama gave Ruslana Lyzhychko, a Ukrainian pop singer and the icon of the Maidan protests, the Women of Courage award received almost no publicity.»¹²

Women were among those who, first of all, provided so-called reproductive labour – cleaning, caring and cooking. As women receive little recognition for their work in the private sphere, they also received scant recognition for what they did in Maidan. This is also enshrined in language. The popular EuroMaidan greetings «Glory to Ukraine» (*Slava Ukraini*) and its response «Glory to Heroes» (*Geroyam Slava*) refer to male heroes only, ignoring women's contribution. During the violent period of EuroMaidan, it was very difficult for women to enter the barricades and important buildings around them. In patriarchal discourse this means women are not allowed to «die on the barricades.»

Militarism and the danger of violence resulted in women's exclusion. When the protests became violent, men turned women away from the barricades «for their own safety.» On the one hand, this was «concern for women,» on the other, women were perceived as being unable to make their own decisions and choices.¹³

11 Olesya Khromeychuk (2014). «Gender and Nationalism on the Maidan» in David Marples (ed), *EuroMaidan*, Stuttgart: Ibidem Verlag; New York: Columbia University Press, forthcoming.

12 Olesya Khromeychuk (2014). «Where are the Women of Ukraine?» in *Current Politics in Ukraine*. accessed 21 September, 2014. <http://ukraineanalysis.wordpress.com/2014/03/07/where-are-the-women-of-ukraine>

13 Anastasiya Melnychenko (2014). Why does Ukraine need a Female Squadron? [in Ukrainian] 25 March, 2014, accessed 21 September, 2014. <http://ua.boell.org/uk/2014/03/25/navishcho-ukrayini-zhinocha-sotnya>

Maria Mayerchyk, a researcher on gender and queer issues, wrote on her blog: «Maidan has been turned into a parade of masculinity and everyday misogyny,»¹⁴ and she gave some examples:

It peaked in the sandwich kitchens, in the jokes about women on the Maidan's stage, in the widespread ridicule and the rhetoric of «real Cossacks who do not stay at home like women,» and in announcements such as: «Wanted: Young women to create a positive atmosphere for the EuroMaidan Cossacks.»

Another clear example of patriarchal attitudes were notices put up in the kitchens such as «Dear women, if you see garbage – clean it up, [the male] revolutionary will be pleased.» This and other examples of sexism were heavily criticised by female activists on EuroMaidan.

A number of posters about the difficult relationship between Ukraine and Russia used female imagery. For example, the Ukrainian nation was portrayed as a *female victim* with slogans such as «Russia, hands of Ukraine» or «Leave me alone, big country.» Other posters show crying (or even bleeding) women suffering for their nation.

Ukrainian women active on Maidan were called «muses of the revolution,» and in a number of contexts their beauty was emphasised as the most important aspect of femininity. An article about the involvement of women in EuroMaidan was titled «The Very Beautiful Girls of Maidan Bolster the Spirit of the Revolution.»¹⁵ A female participant of EuroMaidan who was interviewed for named article said:

*Women have a better sense for risks and tend to oppose aggression and violence. Thanks to the ladies the atmosphere on Maidan is festive. Women are like «muses» lending the events a sense of joy and release.»*¹⁶

Women were beautifying Maidan by painting barricades in bright colours and dancing ballet on the barricades. There are pictures taken during violent clashes, showing women wearing pink or other bright clothes and carrying wreaths and flowers to make the revolution more loving and peaceful. A so-called «Angel Squadron» [Angel's'ka Sotnya] tried to transform violent confrontation into communication. Some women were seen holding posters addressed to the police with the slogan «protect me,» and a young girl held up a banner saying «I will marry the policeman who will come over to the side of the people.» At the same time, there

14 Maria Mayerchyk (2014). Seizing the Logic / A World Without Women in *Krytyka*, accessed 21 September, 2014. <http://krytyka.com/ua/community/blogs/zakhoplennya-lohik-svit-bez-zhinok>

15 The original Ukrainian title is «Найкрасивіші дівчата Євромайдану запалюють дух революції», accessed 21 September, 2014. http://gazeta.ua/articles/politics/_najkrasivishi-divchata-evromajdanu-zapalyuyut-duh-revoluciyi/533352

16 Ibid.

were debates whether such actions by women were patriarchal or egalitarian in character. Possibly they represent a bit of both, as non-violent action is an alternative to patriarchal militarism and exclusion.

Women and EuroMaidan protests: egalitarian notions

I would like to argue that EuroMaidan was not a homogenous phenomenon. During different periods very diverse grass-root initiatives were involved, proving that revolution does not only take place on the barricades (as patriarchal discourse would have). EuroMaidan was a «Revolution of Dignity» and it created the space for citizens to articulate their rights.

Besides cooking, cleaning, and entertaining, women were fighting on the barricades, they were involved in negotiations and peacekeeping, they provided medical support, information, logistics, and education for protesters. Women also tried to make their contribution more visible – especially compared to the Orange Revolution, where women's active involvement is not remembered. To a large extent this became possible via social networks (particularly *Facebook*) and online media. Today one can find a plethora of empirical material about EuroMaidan including blogs, pictures, video, posters, and speeches online.

Women involved in EuroMaidan tried not just to criticise sexist tendencies, they also proposed alternatives by way of their own activism. Many female volunteers supported other protesters under very dangerous conditions. One well-known example is 21-year-old Olesya Zhukovska, who was hit in the neck by a bullet and tweeted, «I am dying.»¹⁷ Olesya survived and became known for the dangers she had braved.

Women and men were building the barricades together, with women providing many scarce resources such as used tyres and wood, which, in some cases, they brought to Maidan by metro (continuing the Soviet legacy of being able to get hold of scarce resources). Also, women like the 76-year-old Hanna Gogol from Ivano-Frankivsk imbued the protesters in the square with their presence and optimism.

One example for *emancipatory practices* – although, this too, is a matter of debate – may be the creation of squadrons consisting mainly of women as an alternative to purely military squadrons. *Elle* published an article titled «Women Stand at the Frontlines of the Euromaidan Protest in Kiev» (February 2014), illustrated with pictures of women fighters and explaining:

17 Peter Beaumont (2014). «I am dying,» young volunteer medic tweets after being shot in Kiev,» accessed 21 September, 2014. www.theguardian.com/world/2014/feb/20/i-am-dying-volunteer-tweet-shot-kiev-ukraine

*In the increasingly violent Euromaidan protest between anti-government advocates and riot police, women are donning gas masks and padded vests to fight alongside men.*¹⁸

Among the initiatives organised by women were the 1st Women's Squadron (officially the 39th Squadron of EuroMaidan Self-Defence),¹⁹ the women's platoon [*Zhinocha Chota*] of the 16th Squadron, the Women's Squadron of Zaporizhzhya,²⁰ the Sisterhood Squadron,²¹ and the Olga Kobylianska Women's Squadron.²²

The Women's Squadrons attracted the attention of the media, as did self-defence classes for women (there was a publication, «EuroMaidan women warriors eager to fight injustice, sex discrimination»²³). It is interesting that this title contains, on the one hand, military patriarchal rhetoric («warriors») and, on the other, feminist terminology («injustice,» «sex discrimination»).

There have been different responses to such women's initiatives. For example, Maidan commandant Andriy Parubiy said that women should support the defence of Maidan:

*[...] they provide first aid, help the defence volunteers, and some are even part of the self-defence units. We will never send these platoons to the front lines, where there is fighting, but they will find other ways to help the defence of the Maidan movement.*²⁴

EuroMaidan saw a number of feminist projects. For example, in her project «women's voices» feminist journalist and human rights activist Olha Vesnianka told the stories of different female activists. In an Open University, feminist blogger Maria Dmytrieva gave lectures on the history of the women's movement worldwide and in Ukraine. There was also the Facebook group «Half of Maidan: Women's Voice of Protest» (*Polovyna Maidanu: Zhinochy Golos Protestu*),²⁵ the Night of Women's Solidarity, during which women marched through Maidan playing rhythm instruments and chanting «Freedom, Equality, Women's Solidarity!», and the Olga

18 Rebecca Moss (2014). «Women Stand at the Frontlines of the Euromaidan Protest in Kiev» in *Elle*, 21 February, 2014. accessed 21 September, 2014. www.elle.com/news/culture/womens-opposition-euromaidan-protest-kiev

19 Facebook page, accessed 21 September, 2014. www.facebook.com/39sotnya

20 City in the Southern part of Ukraine.

21 In Dnipropetrovsk. Facebook page, accessed 21 September, 2014. www.facebook.com/groups/sestrynska.sotnya

22 Facebook page, accessed 21 September, 2014. www.facebook.com/zhinocha.sotnya

23 Nataliya Trach (2014). «EuroMaidan women warriors eager to fight injustice, sex discrimination», 12 February, 2014, accessed 21 September, 2014. www.kyivpost.com/guide/people/euromaidan-women-warriors-eager-to-fight-injustice-sex-discrimination-336806.html

24 A female squadron forms for EuroMaidan, *EuroMaidan Press*, accessed 21 September, 2014. <http://euromaidanpr.wordpress.com/2014/02/05/a-female-squadron-forms-for-euromaidan>

25 Facebook page, accessed 21 September, 2014. www.facebook.com/groups/255422234633303

Kobylianska Women's Squadron, a group of EuroMaidan activists promoting human rights, human dignity, freedom, equality, and non-discrimination.²⁶

The Olga Kobylianska Women's Squadron has a non-hierarchical structure, with every participant having the right to speak on its behalf. It supports education (for example with the photo exhibition «Women of Maidan»), non-violent resistance, and self-defence (through self-defence classes for women).

Researchers and activists have widely differing attitudes towards this women's squadron. US researcher Sarah Phillips wrote:

*Their creative responses to the challenges of the protests have potentially paved the way for broadening the base of Ukrainian feminism, introducing women's rights principles to segments of the population previously reluctant to embrace feminism.*²⁷

Mariya Mayerchyk, on the other hand, criticised the Olga Kobylianska Squadron for employing militaristic discourse:

*Inspired by the ideas of justice and equality, these activists wanted to show that women are of equal importance at the Maidan. However, according to the rules of the genre, their actions took a turn towards right-wing discursive logic. The Women's Company used in its very name military language, announced its right to fight on the barricades, and began teaching self-defence classes. The organisation's Facebook page is generously «garnished» with images of women in military gear.*²⁸

As a feminist scholar and activist and someone who participated in the protests, I wrote a reply to Maria's blog post.²⁹ Feminist activist and women in general cannot ignore the overall political and social developments. I think there is more than one way to fight for women's rights and against patriarchy and, in times of global militarism and war, we cannot completely distance ourselves from patriarchal methods of geopolitics. It is important to criticise certain discourses, often however practice and reality differ substantially from theory. In order to change this reality, one has to fight long and hard – one step at a time. With different «frontlines» and with solidarity between them, the struggle will become much easier.

26 The Squadron was named after Olga Kobylianska (1863–1942), a Ukrainian modernist writer and feminist.

27 Sarah D. Phillips (2014). «The Women's Squad in Ukraine's protests: Feminism, nationalism, and militarism on the Maidan» in *American Ethnologist*, Vol. 41, No. 3, pp. 414–426.

28 Maria Mayerchyk (2014). On the Occasion of March 8th /Recasting of Meanings, accessed 21 September, 2014. <http://krytyka.com/ua/community/blogs/do-8-bereznya-pro-pereplavku-smysliv>

29 Tamara Martsenyuk (2014). On occasion of March 8th /The Women's Squadron, or the Right to Meanings (A Response to Mariya Mayerchyk's Article), accessed 21 September, 2014. <http://krytyka.com/ua/community/blogs/do-8-bereznya-zhinocha-sotnya-abo-pravona-smysly-vidpovid-na-stattju-mariyi>

I agree with feminist scholar and activist Oksana Kis, who wrote that we should «use dominant discourses in the way we consider necessary, possible, and appropriate in the given circumstances, and to fill the old concepts with new meanings through common practice of solidarity.» Feminist activism does not mean choosing only the «proper» strategies and forms of struggle. It means «Liberty. Equality. Women's solidarity!»

In this context, I would like to mention some grassroots EuroMaidan initiatives lead by women or with their substantial participation: «Hospitals guard» [Varta v likarni],³⁰ «Safety transportation» or «Initiative E +»,³¹ EuroMaidan SOS or EuroMaidan SOS Europe and other hotlines, AutoMaidan,³² the education project «Free University,» the student centre, the civic sector of Maidan, Єлюди – maidaners (stories about people from Maidan),³³ and others.

Conclusions

EuroMaidan was a heterogeneous space comprising many initiatives and a complicated mix of national and gender discourses (exclusive and inclusive spaces). As Ukrainian society is dominated by patriarchal views on the role of women – as mothers and beautiful objects – and as women lack access to decision-making processes, it is difficult for Ukrainian women to break out of traditional gender roles. However, women are not «helpers» but «makers» of revolution.

The actual practices and discourses during EuroMaidan were a mixture of patriarchal (excluding women through militarisation and nationalistic hero worship) and egalitarian (inclusive) ones, and the latter gave women the possibility to question militarism, deconstruct traditional perception of protests, and participate in the movement on different levels.

30 Support for people injured during EuroMaidan. *Facebook* group, accessed 21 September, 2014. www.facebook.com/groups/599765216758120

31 This group was founded on 21 January 2014 to assist the sick and wounded. See *Facebook*, accessed 21 September, 2014. www.facebook.com/helpEplus

32 A movement demanding the resignation of President Viktor Yanukovich. It consisted mainly of motorists who protected the protest camps and blockades, accessed 21 September, 2014. <http://en.wikipedia.org/wiki/AutoMaidan>

33 *Facebook* page, accessed 21 September, 2014. www.facebook.com/maidaners

Limitations of Research into Gender Inequalities in Belarus

Over a relatively short period in 2014 two major gender-oriented research projects were conducted and published, «Belarus: Country Gender Profile»¹ by the World Bank and «Which Actors in the Republic of Belarus Deal With Gender-Equality Issues? An Analysis»² by the Office for European Expertise and Communication.

The World Bank's study focuses mainly on economic issues and presents data that provides general information about the living conditions in Belarus and some comparison about the differences between women and men.

The study about the gender sector in Belarus, on the other hand, was conducted by Belarusian scientists and focuses on the activities of gender-related actors in Belarus (mostly women's, men's, and gender NGOs, as well as international organisations and academic institutions).

Both studies address a number of gender issues, and while there are many similarities, there are also some important differences. The studies present a lot of data, still they are far from comprehensive – and there are some significant «blind spots» in both.

The World Bank on gender equality in Belarus

The study conducted by the World Bank claims that Belarusian legislation is «gender blind,» that is, it treats women and men much the same. At the same time, some important gaps in the legislation are noted, such as the lack of laws addressing domestic violence or gender-based discrimination.

In Belarusian society there exist numerous disparities between women and men. For instance, Belarusian women are better educated than men, yet they earn less. The reason may be that women mostly choose careers in social professions or in teaching, etc. and are less likely to hold blue-collar jobs or to start their own businesses. This divergence can be explained by traditional views on what jobs are «appropriate» for men and women, and the fact that women prefer to work flexible

1 Belarus: Country Gender Profile. <http://documents.worldbank.org/curated/en/2014/03/19399576/belarus-country-gender-profile>

2 S. Вурога, О. Янчук. Анализ сектора Республики Беларусь, субъекты которого занимаются вопросами гендерного равенства. <http://oec.by/sites/default/files/Full-Text-2014-09-02.pdf>

hours in order to be able to reconcile workplace and family responsibilities – all of which may point to some discriminatory practices in politics and the economy.

Another example is the high level of male mortality. In spite of a positive trend over the last decade, mortality of men in working age is 4.3 times higher than mortality of women.³ A high number of men succumb to cardiovascular diseases, non-communicable diseases, and injuries (including traffic accidents, alcohol poisoning, suicide, homicide, and external causes).

According to the latest data, domestic violence is still a big problem in Belarus, with 75 % of women reporting that they had to deal with such incidents. There also is a high social tolerance towards domestic violence, as most people consider it a private issue and not something to be reported to the police. The most vulnerable group is poor and uneducated women with children.

Due to a number of reasons, women's poverty is also a problem, especially among single and retired women. The current retirement age in Belarus is 55 for women and 60 for men. Combined, the high level of male mortality and their own low salaries make elderly women very vulnerable to poverty.

The report on the gender-equality sector in Belarus

Belarusian law states that the sexes are equal, however there are no mechanisms that address the violation of rights. State institutions have no gender development strategy, and there are no systematic policies in place that provide judicial protection from gender-based discrimination.

Also, Belarus doesn't have gender education and, as a consequence, people have little grasp of gender equality and its advantages. Gender issues are not addressed by state institutions or the academic community – or they are viewed as purely women's issues. This narrow view of gender equality means there is a lack of information concerning gender equality for other groups.

What is the problem?

Actually, the studies ignore certain problems that are important in Belarus. In order to understand those blind spots, one has to recall Michel Foucault's discussion of how power and knowledge are produced. Foucault describes knowledge as a combination of power relations and information seeking. He states, «it is not possible for power to be exercised without knowledge, it is impossible for knowledge not to engender power.»⁴ Consequently, one has to conclude that both studies select and describe certain realities in ways that reflect the views, aims, and experiences of the people and organisations that have conducted the research – allowing them to manage the knowledge of the issue.

- 3 T. Kalinina (2012). Gender dimensions of mortality among the population of the Republic of Belarus. Questions of Healthcare Organization and Information Support 2 (in Russian). http://minzdrav.gov.by/dadvfiles/000723_427042_Probl_1_N2_12.pdf
- 4 M. Foucault (1980). Power/Knowledge: Selected Interviews and Other Writings. 1980, p. 52.

In case of the World Bank study, its strengths and weaknesses can be explained by the specific economic focus of the organisation and its powerful liberal bias. This informs the interpretation of the data about gender disparities.

The study on the gender sector in Belarus was undertaken by Belarusian sociologists with some experience of the Belarusian women's movement. Many perceive this as a guarantee that the needs and problems of all actors in the gender field, which are usually absent in other gender-related studies, will be looked into and presented. Unfortunately, however, this is not the case, and the final version of the report falls short of such expectations. It is likely that the findings have been influenced by the very fact that the authors have been working for years in women's organisations addressing issues to do with domestic violence. There are at least two main reasons why the findings fall short:

1. *The focus on gender policy*

Instead of researching a wide variety of actors and their experiences, activities, and practices, the subjects were selected for having a clear focus on gender policy. As a consequence, all those without an obvious and stated connection to gender / family policy and governmental institutions were disregarded.

2. *The binary approach (focus on men and women only)*

The study presents only information regarding either men or women. This exclusive focus on two sexes makes LGBTQ* people invisible and ignores their rights, realities, achievements, and challenges.

What about reproductive rights?

Surprisingly, sexual and reproductive rights were also not considered – despite the fact that they are central to a number of gender-related problems. In 2014, pro-life organisations and the church have been very active in Belarus, promoting the campaign «Together for saving lives» (*Vmeste v zaschity zhizni*).⁵ One example was an «abortion-free week» in several regions of Belarus (supported by the Ministry of Health). The stated aim was not only to reduce the number of abortions but also to develop positive attitudes towards pregnancy and parenting.

The «abortion-free week» was timed to coincide with Mother's Day and supported by, among others, Miss Belarus 2014. All events were organised by the Health Department of the Gomel Oblast, the organisation Saving Children, the Orthodox Centre Ladushki (for the protection of motherhood and childhood), and the Roman Catholic parish.⁶ Activities included a conference, consultations, the declaration by several hospitals not to perform abortions, and the distribution of materials on the streets of Gomel.

5 «Each region of Belarus will be abortion-free for one week,» see www.belta.by/ru/all_news/society/Na-nedelju-ot-abortov-otkazhutsja-v-kazhdom-regione-Belarusi_i_669172.html

6 There were rallies in Gomel as part of the «abortion-free week,» see http://belapan.by/archive/2014/10/14/media_antiaabort

Conservative ideas are also spread in Belarus by the international charity Family – Unity – Fatherland.⁷ The declared aim of this organisation is to reverse negative demographic trends, contribute to the revival of spiritual traditions, and help rebuild large families. Projects include a «parenthood school», a school for orthodoxy psychology,⁸ a festival of modern Christian culture, campaigns in defence of life and family, and a centre for crisis psychology and rehabilitation.

Many funders and organisers of these anti-abortion and anti-gender organisations have close links to the Belarusian Orthodox Church, helping them to gain state support and access to hospitals, schools, universities, etc. for their activities. Indeed, church and government are in favour of large families and a higher birth rate. In order to keep current population levels, the birth rate in Belarus would have to increase from 1.515 (in 2011) to at least 2.15.⁹

In August 2014, President Lukashenko announced a programme that provides 10,000 US-\$ for the birth of a third or subsequent child.¹⁰ The money will be deposited in foreign currency and annually adjusted for inflation. The duration of the project is five years, and the funds can only be accessed on the child's 18th birthday and can be used only for improving living conditions of a family, on the child's education, health services or for an additional pension to a mother. Also, in December 2014, the government announced that it will lower the rates for home loans to 5% for families with two young children.¹¹

These policies indicate that the Belarusian government has a strong interest in pro-life activities and explains why they tend to be prioritised over gender-equality measures. While anti-gender activities are not directly sponsored by the state or governmental actors, they certainly are favoured by the state – as seen by the access pro-life campaigners are granted to clinics, schools, and other facilities.

7 Family – Unity – Fatherland, homepage: <http://edinenie.by>

8 In general, orthodoxy psychology is a psychological theory of practicing which is relevant to orthodox doctrine and recognized by the Church. In other words, orthodoxy psychology paradigm is a paradigm of (traditional Christian) morality and values which are given and established by God, while secular psychology paradigm is considered as paradigm of personal and sinful needs.

9 UNFPA report on population and development, <http://unfpa.by/en/directions/demografia>

10 «Lukashenko approves the the project «Big Family,»» www.belta.by/ru/all_news/president/Lukashenko-odobril-realizatsiju-v-Belarusi-proekta-Bolshaja-semja_i_678190.html

11 «Rates on subsidised loans will drop to 5% for families with two children,» <http://news.tut.by/realty/426738.html>

We Can Do It!

Empowering Women, Challenging Conservative Backlash, and Combating Gender Stereotypes in the Czech Republic

1. Gender (in)equality in the Czech Republic – the status quo

According to the latest *Global Gender Gap Report*,¹ mapping four fundamental categories – economic participation and opportunity, educational attainment, health and survival, and political empowerment – the Czech Republic ranks 83rd among 136 countries. Over the last few years it has constantly occupied a middle rank – in 2012, for example, it held 73rd place. This shows, in the monitored categories progress is faster in other countries than in the Czech Republic. In the following part of the paper we will present data for two main areas – political empowerment and the situation of women in the labour market.

The underrepresentation of women in decision-making seems to be the crucial issue, having a direct negative impact on women's rights and opportunities in general. According to the Czech constitution, women and men have equal rights. However, inequalities in public and economic life persist.

1.1. Political participation of women

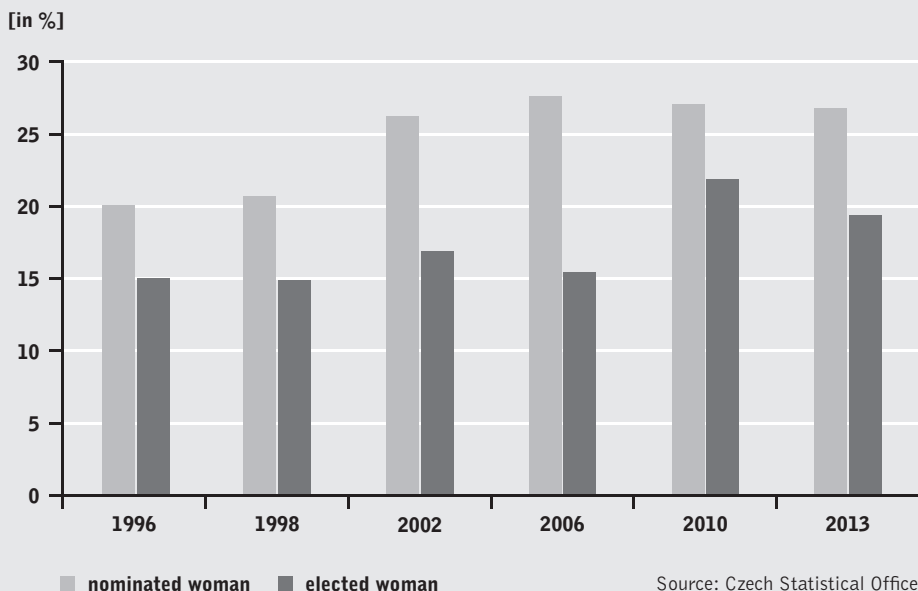
Regarding the representation of women globally and particularly in Europe, the Czech Republic is below average. In some respects the situation is paradoxical – for example, in 2010, the highest number ever of women MPs was elected (22%), the government, however, consisted only of men. The first woman (in a non-ministerial position) was only appointed one year after the government took office.

Since the 2013 elections, there are 19.5% women in the Chamber of Deputies (Lower House), while the proportion in the Senate (Upper House) is lower at 17.3%. As indicated in Chart 2, during the period monitored fewer women have been in the Senate than in the Chamber of Deputies due to the first-past-the-post system. Furthermore, in both houses the development is not linear.

Lately, the representation of women in government has varied because of frequent reshuffles. The government of Prime Minister Petr Nečas exemplifies this: In July 2010, an exclusively male cabinet was appointed; three years later, however, almost 19% of government posts were held by women.

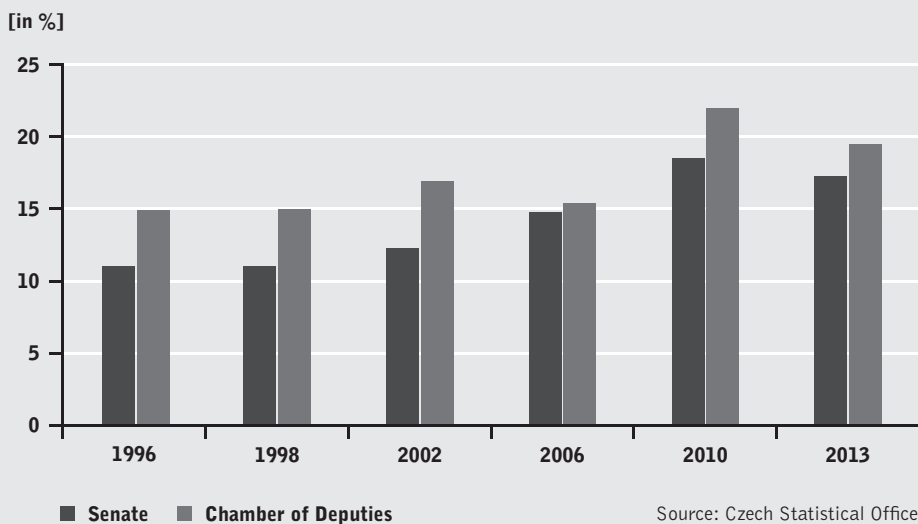
1 Global Gender Gap Report 2013, www3.weforum.org/docs/WEF_GenderGap_Report_2013.pdf

Chart 1: Representation of woman amongst nominated and elected candidates to the Chamber of Deputies (1996–2013)

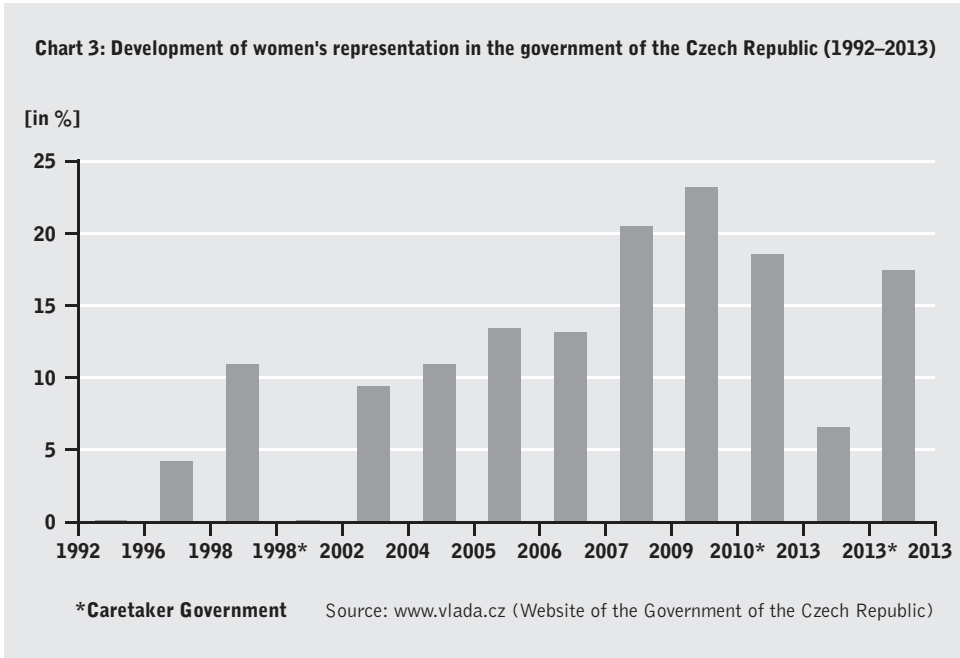


The presence of women in government positions resembles, to some extent, the general, often chaotic political situation in the Czech Republic. The development

Chart 2: Elected female candidates to the Chamber of Deputies and the Senate (1996–2013)



of women's representation in government has not been linear (see Chart 3), and there is *no evident correlation between the representation of women and the type of government, that is, either elected or caretaker* (there have been three caretaker governments since 1992).



In regional and local government women's representation is slightly higher. However, even there, the percentage never reaches the critical benchmark of 30%.

Women are facing numerous barriers that obstruct their entry into and success in politics. There are *individual barriers* (lack of self-confidence, family duties) and *structural barriers* (patriarchal family, gender stereotypes). The political parties have a considerable number of women members, still they are excluded from the leadership (glass ceiling). Only one Czech political party (the Green Party) applies quotas when filling positions. Women thus have little opportunity to shape crucial decisions such as political programmes.

1.2. Women in the labour market

Gender inequalities also persist in the labour market. Although the majority of university graduates are women (61%), their economic opportunities fall behind those for men. A look at decision-making positions demonstrates how powerful the glass ceiling still is. According to McKinsey,² women fill only 8% of positions

2 www.mckinsey.com/~/media/McKinsey%20Offices/Spain/PDFs/Women_matter_mar2012_english.ashx

on executive committees and company boards, with no sign of any development (positive or negative); a study by Deloitte shows that among the 100 biggest companies in the Czech Republic only 7.6 % of board members are female.³

Besides a vertical gender segregation there is also a horizontal segregation of the labour market. «Feminised» branches such as social work, healthcare, or primary and secondary education pay less than sectors dominated by men (engineering, industry, finance). And even though the majority of university graduates are women, gender inequalities persist in tertiary education and academia, too.

At 24.1 % the Czech gender pay gap is greater than the EU average,⁴ and in many careers traditional gender stereotypes still prevail. One of the biggest issues in this area is the work-life balance.

For years, the Czech government has had neither a strategy nor did it support programmes to improve the situation. The situation was well described by former Prime Minister Mirek Topolánek, who said «a woman can freely choose not to have children, and then, I am sure, she has the same job opportunities as a man.»⁵ Working mother's with children under the age of three do suffer because of insufficient public childcare.

The last two right-wing and conservative governments (in office between 2006 and 2013) blocked all efforts for positive change. The current coalition government of Socialists, Christian Democrats, and ANO 2011 that took office in January 2014 says it is willing to better the situation of women and pursue policies that improve their work-life balance; however, no overall strategy has been presented thus far. One positive shift has to be mentioned: The Czech government's attitude towards the European Commission's directive for women on company boards has changed completely – while rejected by the previous government, the present government embraces this policy.

2. What are the biggest issues regarding gender equality?

As mentioned above, the underrepresentation of women in decision-making positions both in politics and business is a serious problem, and there are no systematic approaches to improve the situation. Many politicians and opinion leaders denounce positive measures as «limiting free competition,» yet they fail to propose alternatives. Further critical issues are women's reproductive rights and violence against women. Underlying all of this are persisting gender stereotypes and the unequal distribution of power.

Although the «traditional» family model is not all that common, women are still mostly perceived as caretakers and men as breadwinners. Single mothers are one of the social groups most threatened by poverty (another one is single elderly

3 www.deloitte.com/view/cs_CZ/cz/press/press-releases/dad6da709b7d4310VgnVCM1000001a-56f00aRCRD.htm

4 [www.czso.cz/csu/2013edicniplan.nsf/t/6E00276680/\\$File/1413134441.pdf](http://www.czso.cz/csu/2013edicniplan.nsf/t/6E00276680/$File/1413134441.pdf)

5 In a speech marking the beginning of the European year of equal opportunities

women).⁶ Women are usually responsible for household and childcare. Austerity measures and other reforms implemented by the previous government (especially between 2010 and 2013) have aggravated existing gender inequalities and undermined gender equality programmes and institutional safeguards.

In the Czech Republic, a woman's right to freely choose the place of childbirth is limited, and relevant decisions by the European Court of Human Rights have been ignored. The Ministry of Health is disregarding scientific findings about safe childbirth, and expectant mothers have to undergo many redundant medical examinations.

Midwives assisting with home childbirths are prosecuted. In a famous case, midwife Ivana Königsmarková was charged with being responsible for the death of a baby born at home (the baby died in a hospital a few days later, and the accusation came from the hospital, not the parents). Königsmarková was found guilty, fined 2,000,000 Czech crowns, and banned from practising her profession. Compared to similar incidents in hospitals, the court's verdict was very harsh. Moreover, the court did not follow standard procedures and ignored expert evidence in support of the midwife. In the end, the Constitutional Court overturned the verdict.

State policies still do not sufficiently account for gender-based violence, and generally the term «domestic violence» is used (encompassing violence against women, children, and men). The term *violence against women*, on the other hand, clarifies the gender context no matter whether violence is sexual or occurs in the home.⁷ Although 86% of the victims of sexual abuse are women and 38% of women experienced some form of violence from their partners in 2010,⁸ the Nečas government refused to sign the Council of Europe's Istanbul Convention on violence against women. Fortunately, the present government has changed course and is planning to ratify the convention.

3. What has been done so far?

3.1. *The role of the state and political parties*

The current government seems to be viewing gender policies with greater sympathy than previous conservative cabinets. Between 2006 and 2013 Czech governments mostly sidelined equal opportunity policy, and the Ministry for Human Rights (responsible for this issue) was abolished in 2010. The recovery was slow

6 See European Women's Lobby report *The price of austerity – The impact on women's rights and gender quality in Europe*; www.womenlobby.org/spip.php?action=acceder_document&arg=2053&cle=71883f01c9eac4e73e839bb512c87e564b5dc735&file=pdf%2Fthe_price_of_austerity_-_web_edition.pdf

7 On average, 95% of victims of relationship violence are women. For a long time Czech policies have dealt with domestic violence as a phenomenon independent of gender, in spite of scientific findings proving the opposite.

8 Institute of Sociology of the Academy of Sciences of the Czech Republic: *The International Research of Domestic Violence Against Women CZ/2003*, <http://studie.soc.cas.cz/index.php3?lang=cze&shw=246>

but finally, in January 2014, the post of Minister for Human Rights and Equal Opportunities was created, and in spring 2014, the responsibility for gender equality reverted from the Ministry of Labour and Social Affairs to the Office of the Government.

For a long time, the Czech government did not pursue gender equality policies and did little or nothing to promote gender issues. On the contrary, many NGOs and experts spent much time and energy in opposing government decisions and reminding politicians of international commitments. The only areas where some progress was made – mainly due to EU funding – were work-life balance and domestic violence. Only in 2013 was the state fund for financing activities in the field of gender equality restored.

Each year the Czech NGO Forum 50% evaluates the positions of the political parties represented in the Chamber of Deputies and chooses a «Women-Friendly Party.» For a long time now, the Green Party has been winning this competition. Generally speaking, conservative or right-wing parties are not very open towards gender issues, as they claim that men and women already have equal opportunities. The only issue they tend to take up is that of work-life balance (for example, the Civic Democratic Party promotes company nurseries or small home nurseries).

Generally, parties on the left of the political spectrum are more gender sensitive and emphasise the role of the state in achieving equality between women and men. Between 2006 and 2013, none of the parties on the left was represented in government and the gender agenda abandoned. This has changed under the present government, and the biggest progress so far was the restoration of institutional structures for gender equality. At the same time, the Ministry of the Interior has proposed a bill introducing a legislative gender quota for assembling ballots. The initiative came from the Minister for Human Rights and Equal Opportunities, Jiří Dienstbier, who very much favours quotas. It went through an inter-ministerial consultation process and will now be discussed in cabinet. However, the leader of Christian Democrats (one of the coalition partners) stated that his party will not support this proposal, and the chances that the bill will be approved by parliament are slim. Still, it presents a major step, creating the opportunity to put the issue of gender equality back on the political agenda.

3.2. The role of NGOs

Over the last years, NGOs have played a major role in the area of gender equality, as this was the only sector where a methodology and concepts for gender equality were being developed. Regarding work-life balance, NGOs managed to implement programmes in co-operation with the business community (usually without any or with only minimal support from the state).

The present government considers gender equality an important issue. However, it is still too early to assess how successful programmes will be and to what extent they will reflect the recommendations of the Government Council for Equal Opportunities, experts, and NGOs.

Due to the long-term nature of the government's grant policies, many organisations focused their activities on work-life balance and did not have the human or financial capacity to pursue their original goals. However, in addition to the government there is a very active non-profit sector and, in many cases, gender and women's NGOs make up for the deficits of state institutions. Most of these NGOs form an umbrella organisation, the Czech Women's Lobby (CWL), with currently 28 members.⁹ The main focus areas of CWL are sexuality and the reproductive rights of women; prostitution and human trafficking; violence against women; raising the number of women in decision-making positions; women in the labour market; and gender roles and stereotypes. CWL is a member of the European Women's Lobby, the largest umbrella organisation of women NGOs in Europe.

In 2012, a new initiative was founded, the *Women's Congress*. It was inspired by the Polish Women's Congress and is meant to be a grassroots organisation. One of its main aims is to connect various sectors (academia, NGOs, media, companies, etc.), in order to undertake a thoroughgoing analysis of the status quo and develop possible solutions. The first major meeting took place on 15 June 2013 with almost 1,000 participants and focusing on the issue of women in the labour market. A second conference focusing on women and/in the media is planned for 20 June 2015.

Another coalition active in the area of gender inequality is *Social Watch*. According to its mission statement «[i]t is an international network of citizens' organizations in the struggle to eradicate poverty and the causes of poverty, to end all forms of discrimination and racism, to ensure an equitable distribution of wealth and the realization of human rights. We are committed to peace, social, economic, environment and gender justice, and we emphasize the right of all people not to be poor. Social Watch holds governments, the UN system and international organizations accountable for the fulfilment of national, regional and international commitments to eradicate poverty and gender inequalities.»¹⁰ Each year Social Watch publishes a report on the state of human rights and gender inequalities, *The Social Watch Report*.¹¹

Summary

In recent years, Czech politics has seen much turbulence. The governments in power between 2006 and 2014 pursued a neoliberal agenda with conservative values. Hence, during the last decade, the conditions were not favourable for promoting gender equality. On top of that, austerity measures and other reforms in reaction to the global economic crises affected women significantly more than men.

The present government has made gender equality a priority. Among its most important activities so far were the reconstitution of the Ministry for Human Rights and Equal Opportunities, the renewed assignment of gender equality policy to the

⁹ www.czlobby.cz/en/home

¹⁰ www.socialwatch.org

¹¹ www.socialwatch.cz/?cat=71

Office of the Government, and a draft bill for gender quotas. Still, NGOs continue to play a crucial role, partly because of their expertise, partly because their activities are less influenced by political vagaries.

Feminist Practices in Contemporary Serbia

New feminist history – the case of Serbia

Although it may seem that today our essential rights are secure (suffrage, choice of workplace, right to education, abortion, and divorce), the patriarchal system is trying, again and again, to reconquer lost territory, thus manifesting its capacity to regenerate itself. «Creating space means creating an area that will help people to find out where they are and who they are».¹ Consequently, an awareness of the continuity of action and the constant review of positions lost and gained is one possible form of resistance against the seizure of free spaces. From its very beginnings, feminist politics has produced various strategies in the process and struggle for the emancipation of women. Moreover, it has established a political model of social solidarity with others who are also exposed to systemic oppression.

In Yugoslavia the first Serbian feminist initiatives emerged in the late 1970s. The international conference *Drug-ca žena-žensko pitanje*, held in 1978 at the Student Cultural Centre in Belgrade, is considered to be the decisive event for feminism in Serbia. It was here that «for the first time, there was a public inquiry into women's issues, and when a space for feminism was provided in the media» (Papić 1989). The conference was important for the development of the feminist movement in all parts of Yugoslavia. In Zagreb, «Woman and Society,» the Women's Section of the Sociological Association, was formed, and with support from Zagreb a feminist group bearing the same name was founded in Belgrade in 1981. In 1987, the first feminist congress with representatives from all over Yugoslavia took place in Ljubljana, marking «the existence of an alternative political activity of women and authentic women's activism in this area».²

The Serbian feminist movement began with a relatively small number of enthusiastic women from different professions and with a strong background in feminist theory. The introduction of a multi-party system led to more feminist groups, which, in the early 1990s, opposed the regime, its wars, and the growing patriarchal tendencies in society.

1 Ellin 2002, p. 66

2 Kolin/Čičkarić 2010, p. 122

In Serbia, the war situation caused a real explosion of feminism. Without losing contacts with women from other regions – except when they had been rejected, the feminists from Serbia were willing to talk about their responsibility for the war, as part of the collective responsibility of Serbia. The real power was gained in the period of intensive mobilization of 1992–93, when they were able to move freely, and thus to hide, guide or transfer Serbian deserters across the border.³

In addition to traditionalization, instrumentalization and naturalization that women suffered in our society [and this happened throughout the former Yugoslavia and in the new states], the war in Serbia actually opened up a new free space owing to the crack in the system. In fact, the state was not able to control or monitor the social and humanitarian moments caused by the war, because it was busy with war. Therefore, the women took advantage of the abandoned space to meet the daily demands, but doing it in their own different way they had changed not only their mind but the society in which they operated as well.⁴

Feminist groups attempted to normalise and democratise a broken social system in times of war and transition, initiating a number of alternative political structures that played a major role in the development of civil society in Serbia.⁵ However, regardless of the active participation *in the realm of politics*, the work of feminist groups, female opposition politicians, and women reformers was continually shunned. The patriarchal strategy of producing *manipulable* women was thus replaced by the strategy of producing *invisible* women. The question of who is excluded and who is not – and the *different levels of inclusion and exclusion* – can help to understand the workings of an oppressive system.⁶ Although there is some continuity in Serbian power structures, there also is continuity in feminist activism – an activism that, more or less, helped change the system. «Feminism is political, and in these countries this *must* mean not only the old «personal is political» but also that feminism is anti-militarist and anti-nationalist.»⁷

3 www.yurope.com/zines/republika/arhiva/96/145/145-16.html, accessed 15 June 2013

4 http://rwfund.org/sites/default/files/Zen_u_crn_Beog.pdf, accessed 28 June 2014

5 During this period, an «alternative cultural space» (N. Žunić) was created, in which different groups sprang up – such as the SOS Helpline for Women and Children Victims of Violence, the Autonomous Women's Center, the Women's Safe House, the Incest Trauma Center, as well as anti-war and civil society groups such as the Women in Black, the Women's Lobby, the Women's Parliament and, in 1992, the Center for Women's Studies and Research plus the first female publisher, Feminist 94.

6 Višnjić/Lončarević 2011, p. 22

7 www.h-alter.org/vijesti/ljudska-prava/zenski-stomak-i-zenska-prava, accessed 17 December 2014

This article is an attempt to document a piece of the history of feminism in the region – a feminism that *intervened in the area of the political*. The research is based on documents from the archives of the Women's INDOK Center.⁸

Methods of feminist resistance

In order to create a democratic society it is necessary to have and uphold a political culture that fosters the active participation of women and men. However, the re-traditionalisation during the 1990s rehabilitated traditional patriarchal stereotypes about the roles and responsibilities of women. During this time, one group of women, which resisted the war as well as male and «structural state violence»⁹, created new political spaces – and a different *women's politics*.

On 9 December 1990, the first multi-party elections were held in Serbia. During this period, several feminist groups formed with the goal to defend women's human rights, among them the Women's party ŽEST (ŽEST stands for women, ethics, solidarity, and tolerance) and the Belgrade Women's Lobby. ŽEST, the feminist group Woman and Society, and the Women's Lobby created the «Women's Parliament,» which monitored the work of the *male parliament*. The Belgrade Women's Lobby networked among women in political parties, organised events in the run-up to the elections, and lobbied for women's rights and interests. Between September 1993 and July 1997, the Women's Lobby held 59 public events, defending women's rights and reproductive rights, as well as protesting against male violence. Considerable efforts also went into anti-war activities.¹⁰ The impact these actions had cannot be measured, nevertheless they certainly opened up new and different political spaces. At the time, many political parties had female functionaries, yet there were very few women MPs. Overall, there was much discrimination of women in all areas of society, turning a «sex difference» into a «political difference and the basis for excluding women from the domain of political power» (Pateman 2000).

In the 1990s, a militant nationalism led to a re-traditionalisation, viewing women's bodies, above all, as tools for reproduction and thus for strengthening the nation. In 1990, the draft Law on Population Policy, as well as other repressive legislation, and the Serbian Orthodox Church's aggressive anti-abortion stance led to a series of protests that were organised by feminist groups, and a large number of women in Serbia signed a petition in protest.

The first anti-war demonstrations took place in front of the National Assembly of Serbia. The organisers were three women's organisations – Women's Parliament, the Belgrade Women's Lobby, and the Women's Party. These women thus laid the

8 This archive of the women's movement collects documents, materials, and photographs related to women and women's groups in the region and around the world. The archive possesses materials from the mid-1970s, as well as documents from earlier periods. A special section of the archive are manuscripts and documents submitted to INDOK by Neda Božinović.

9 Čičkarić 2010, p. 124

10 Even before the first conflict in Slovenia, a member of the Belgrade Women's Lobby and female members of the SDP Slovenia issued a joint appeal, «Women for Peace.»

foundations of the Serbian anti-war movement. One activity was *a candle-lighting ceremony* for those who had died in the war, and this took place in front of the National Assembly every night between 8 October 1991 and 8 February 1992. The initiators were two women, Nataša Kandić and Biljana Jovanović, and most participants were women, too. This period also saw the beginnings of Women in Black and the Women's Center for War Victims (which focused on women and children). «Women in Black, as a pacifist and feminist group, was actually a response to the break-up of the former Yugoslavia, which was supported by the nationalist parties present in all republics.»¹¹ The first *vigil* of the Women in Black took place on 9th October 1991 in front of the Student Cultural Center, and ever since they have been actively promoting peace and non-violence.

The overthrow of Slobodan Milosevic's regime was the result of a continuous action by the opposition and an active civil resistance movement, with women's groups heavily involved. Part of the resistance were civic and student protests throughout Serbia from November 1996 to February 1997,¹² and after the rigged local elections, the opposition coalition *Zajedno* («Together») organised daily mass protests in major Serbian cities. The Autonomous Women's Center, SOS, Feminist 94, and the Belgrade Women's Lobby launched a campaign, *Women, whistle!*, explaining in an open letter: «*when I whistle, I can hear myself, when I whistle, others can hear me, by whistling I protect myself, when I whistle, I am stronger!*»

In 1997, the feminist group Women and Society was registered under the name «The Association for Women's Initiatives» (Ažin). Its basic tenet was «*improving the quality of life of women – strengthening women's activism.*» Another group, Voice of Difference, was founded in 1999 to bring together activists from different NGOs and promote the political participation of women. In May and June 2000, the network Women Can Do It (founded by Ažin and the Working Group for Gender Equality at the Stability Pact for South-Eastern Europe) organised the programme «Knowledge for Democracy» in forty-three cities in Vojvodina and Serbia, in order to train female members of political parties, NGO activists, and trade union members. That same year, the conference «Women's Political Perspective» demanded that women have equal representation in the political sphere, and Voice of Difference campaigned with the slogan *Your voice, the voice of difference*, targeting women voters. After the election victory of the DOS coalition (Democratic Opposition of Serbia) in September 2000, which the regime of Slobodan Milosevic refused to acknowledge, mass demonstrations were held on 5 October in front of the Federal Assembly of Yugoslavia in Belgrade. During this period many women were constantly politically active, yet in the elections of September 2000 this did not translate into parliamentary power, with women winning only 8 out of 178 seats and no women ministers.

¹¹ http://rwfund.org/sites/default/files/Zen_u_crn_Beog.pdf, accessed 28 June 2013

¹² «Approximately, half of the organizers of the student protests in 1996/1997 were women.» (Blagojević 1998, p. 359)

Subsequently women's groups focussed on new campaigns such as the one against gender-based violence that ran from 2001 until 2010. Its aims were to inform women about their rights and to lobby decision-makers in favour of legal reforms. In 2003, during the run-up to parliamentary and presidential elections in Serbia, Voice of Difference worked with women's organisations from thirty-nine cities and towns across Serbia on a campaign titled *Come out and outvote*.

Other notable women's initiatives during this period included *Not on our behalf* (2004) against the law on the rights of the accused at the International Criminal Court (18,200 signatures were collected); the *Initiative for a boycott of the referendum on the new constitution* (2006); the *Declaration on Srebrenica* (2005); and, based on UN Resolution 1325, the *Declaration women, peace, and security* (2006). Also in 2005 and 2006, Women in Black launched several campaigns, for example on the abolition of conscription; against growing anti-Semitism in Serbia; for the punishment of war crimes and co-operation with the Hague Tribunal; for the implementation of UN Resolution 1325; for the adoption of the resolution 'Women, peace and security'; and against the Law on Churches and Religious Communities.

Frequent political changes, uncertainty, and a deeply divided public presented women's groups with a difficult terrain and made the improvement of the situation of women very challenging. Women's groups had an impact on national politics, producing, for example, guidelines for the implementation of gender mainstreaming. Still, to the present day, many institutions in Serbia continue to be characterised by traditional gender roles.

Institutionalisation of feminist politics – pitfalls and misconceptions

After the September 2000 elections, first steps were taken to establish institutional mechanisms for gender equality and transform women's political participation. The method used was *gender mainstreaming*, which was combined with equal opportunity policies and positive discrimination. The primary function of *mainstreaming* is to build institutions that will implement gender policies at all levels.

At the national level, the Republic of Serbia established the following mechanisms for gender equality: The Gender Equality Committee of the Parliament (2003), the Gender Equality Council of the Government (2003 and 2004), the Deputy Ombudsman for Gender Equality (2008), and the Directorate for Gender Equality (2008). In the Autonomous Province of Vojvodina the institutions included the Gender Equality Committee of the Assembly (2003), the Provincial Gender Equality Institute (2004), the Provincial Deputy Ombudsman for Gender Equality (2006), and the Commissioner for the Protection of Equality (2010). By 2005, as part of an OSCE project, fifty municipalities had set up gender equality committees, however no information is available about how effective they were or whether they still exist. In the last ten years, the government of the Republic of Serbia passed a number of laws and action plans, in which the role of women was purely nominal, while an overhaul of fundamental values and policies is still nowhere in sight.



Women in Black protest in central Belgrade, March 2012.

Serbia's institutions for gender equality do not have a mandate to make binding decisions, and consequently their role in the decision-making process is marginal, often making them nothing but a «cosmetic addition to the inefficient state.»¹³ On the other hand, «the tendency of marginalising and ignoring independent women's NGO»¹⁴ is all too obvious.

Feminist politics has to review constantly its gains and losses, while also trying to act with some degree of continuity. One of the basic principles of feminist theory and politics is to constantly review and reflect reality and to criticise established patterns of thinking, including feminist ones. Similarly, institutions will have to learn while «integrating part of the feminist demands into their structures and making them state policy».¹⁵

In contemporary Serbian society, the legal framework and the existence of mechanisms for gender equality have failed to provide actual equality between women and men. However, feminist political action is very visible, and feminists will frequently make public appearances, advocating legal and policy reform, promoting civic courage, and discussing sensitive social issues such as poverty, dealing with the past, war crimes, corruption, homophobia, etc.

13 www.zamirzine.net/spip.php?article3135, accessed 3 July 2013

14 www.womenngo.org.rs/images/CEDAW/srbija_alternativni_izvestaj-kombinovano.pdf, accessed 4 July 2014

15 Kesić 2007, p. 14

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The concept of «gender backlash» encompasses too activities pursued by a multitude of different local initiatives all over Central and Eastern Europe, which strongly promote tradition over equality. In many cases these groups appear to be backed and inspired both by influential US-American «pro life» organisations as well as

the Kremlin's «Gayrope» propaganda, which aims to discredit the European Union as a place of moral decline. The contributors to this publication express grave concern about the current situation of gender equality and LGBTI rights in Central and Eastern Europe but give reason for hope too.

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