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1. Introduction

Same sex partnerships are still not recognized in the legislation of Republic of Serbia, while the Constitution defines „marriage” as union between man and woman (Act 62).¹ The existing draft of the *Civil Code (Građanski zakonik)* indicates that legalization of same-sex partnerships is possible in the future, but through the separate legal document – not through the changes of existing Marriage Law.² According to the state's *Action Plan for the Implementation of the Strategy for Prevention and Protection against Discrimination 2014-2018*, Serbia was obliged to adopt this law until 2019.³ Also, there are there are two drafts of the legislation. One is proposed by Liberal-Democratic Party (LDP) in 2019,⁴ without any consultations with local LGBT organizations, while the other draft was created by local lesbian organization Labris, in 2010 (Gajin, 2012). Both of the proposed drafts define same-sex partnerships only through the set of social and economic rights that are available to heterosexual married couples related to the mutual social and economic support, joint property rights, inheritance, protection from domestic violence, etc. (see Gajin, 2012). Both of these drafts do not treat the issue of children - except in the cases when one of the partners is biological parent, which leads to the rights and obligations for the child's and parents' support.

In the draft law proposed by LDP, it is also explained why is it important for Serbia to legalize same-sex partnerships – to reduce high level of discrimination and homophobia against LGBT persons, improve their quality of life without „damaging the others” and provide access to those rights that are already available to heterosexual married couples.⁵ The overall silence about the topic in the public was shortly interrupted in 2019, when publicly out lesbian Prime Minister Ana Brnabić became a parent, with her partner giving a birth to their baby. While her colleagues congratulated, LGBT community and organizations posed a simple question: how is it that she can do it, and the rest of us cannot? Is she a legal parent to her child? According to the Serbian laws, she is not. Nevertheless, the Prime Minister herself still did not take any significant and decisive step toward final legalization of same-sex partnerships.⁶

Surely, this legislation has to be observed in the wider context of family politics in Serbia, which are extremely pro-natalist ever since the 1990s (see Drezgić, 2010). Family is discussed dominantly through the increase of birth rate and threatening “white plague”, framed in extremely nationalistic and misogynist discourses (Drezgić, 2010). Actual government in Serbia does not deviate much from this pattern, proclaiming increase of birth rate as one of its top priorities. This decision is not at all supported with development of sustainable social welfare mechanisms and economic measures that would indeed assist women and their partners in raising the children. Actual population policies are focused on providing short-term financial assistance to pregnant women and mothers, but do not tackle the problem of position of the pregnant women and mothers on the labor market and their working rights (see Reljanović, 2018; Krek and Veljić, 2019).⁷ In the same time, abortion remains legal in Serbia, legalized at the beginning of 1950s during communist Yugoslavia; new Civil Code announces decriminalization of surrogate motherhood;⁸ the process of biomedical assisted fertilization is now possible for single women, too.⁹ Thus, how is it possible to have all these contradictory measures in the field of family policies?

For that, I believe, it is also important to perceive Serbian family policies in a wider context of actual “anti-gender” movements and their narratives on importance of protecting traditional families from the dangers of “gender ideology”, imposing same-sex marriages and “unnatural” understanding of sex and gender (see see Kuhar and



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Patternote, ed. 2017; Kovats and Poim, ed. 2015; Correa, Paternotte and Kuhar, 2018, on web; Lazaridis, Campani and Benveniste, ed. 2016; Kuhar and Zobec, 2017). Although crusading against “gender ideology” still is not present so much in Serbia comparing to the other countries in CEE region,¹⁰ one cannot overlook the tendency of the actual Serbian government to develop its family policies emulating those governments (such as FIDESZ in Hungary) that adopted “anti-gender” narrative in creating strategies for strengthening middle-class, Christian, white, heterosexual *ideal* family.

Having all these aspects of family in Serbia, the aim of this paper is to analyse the imitative of LGBT organizations for legalization of same-sex partnerships, politics behind this initiative and how their vision of same-sex partnerships (and families) correlates with the dominant, pro-natalist policies and ideal of traditional family model. In that regard, it is important to have in mind that Serbia today cannot be described as mere traditional, backward society in the notorious Balkans. Just like other CEE and Balkan countries, it is transformed into neoliberal periphery, with diminished economic and social welfare inherited from socialist period; privatized economy and sharp class division (see Lazić, 2011; Horvat and Štiks, ed. 2015; Deacon and Stubbs, ed. 2007). This is the context in which we should observe not only *family policies*, i.e. states’ actions toward and for the families, but also *family politics*, “which implies a wider consideration of the place of families in the social and political life of a nation-state.” (Ginsborg, 2014: xiv). Thus, when thinking about politics behind idea of legalizing same-sex partnerships, we have to think not only about *openness* of the state to respect human rights of LGBT persons; but also whether LGBT persons and their representatives, i.e. LGBT organizations, are aware of what family is in Serbian neoliberal periphery? Moreover, are they ready to challenge the idea of traditional family with more than just a partners’ sex, but by challenging the key presumption on family in neoliberalism, as middle class entrepreneurship comprised from two persons with children, economically stable substitute for reduced public social welfare (Duggan, 2003; Cooper, 2017)?

This question is already analysed in the context of same-sex partnerships legalization campaigns in United States and Western Europe. Many authors, such as Judith Butler (2002), Lisa Duggan (2003), Jasbir Puar (2017), Melinda Cooper (2017), Michael Warner (2000), emphasize that legalization of same-sex marriages was a final drowning of LGBT activism into the neoliberal and neoconservative “politics of equality” (see Duggan, 2003). By framing the idea of same-sex partnerships solely through social and economic rights that should belong to everybody, LGBT organizations failed to challenge the idea that family should be the primary care-giver and basis for economic and social stability of the individual, not the state. What happens with the single persons? Moreover, they failed to advocate for change in the paradigm about what is family in the first place – for inclusion of various family models that do not necessarily include two persons and a child (Butler, 2002; Warner, 2000). The campaigns on legalization of same-sex partnerships indicated the rise of *homonormativity*, politics that “does not contest dominant heteronormative assumptions and institutions, but upholds and sustains them, while promising the possibility of a demobilized gay constituency and a privatized, depoliticized gay culture anchored in domesticity and consumption.” (Duggan, 2003: 50). Having in mind the overall influence of western LGBT activism on the local, post-Yugoslav scene (Lončarević in Blagojević and Dimitrijević, ed. 2014; Maljković, in Blagojević and Dimitrijević, 2014) but also the overall influence of neoconservative concepts of “civil society” in post-Yugoslav countries,¹¹ these criticisms have to be taken into account. Nevertheless, I will try to avoid simple reduction of initiative on legalization of same-sex partnerships in Serbia on its Western counterparts, primary due to the specific context in which LGBT organizations emerged, developed and function now in Serbia and post-Yugoslav space. The issue of whether we can talk about politics of normativity the Serbian way, will be touched upon briefly – hopefully, by focusing on legalization of same-sex partnerships, I will contribute more to its understanding.

1a. Methodology and structure of the paper

In trying to depict LGBT perspective on legalization of same-sex partnerships in Serbia and politics behind it, I will rely on the data gained from the interviews done with seven lesbian, gay and transgender activists from leading Serbian LGBT organizations. The sample reflects variety in LGBT identities, but also age differences - the youngest interviewer is 24 years old, while the oldest is 46. Difference in age also reflects difference in the professional experience – some of my interviewers were part of LGBT movement in the early 2000s, with strong influence of the inheritance from 1990s; some were born long after this period, or were uninterested at the time for LGBT activism. Also, diversity in age reflects different emotional/ relationship statuses and experiences, which have been important for their



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perception of the initiative for legalization of same-sex partnerships. All of the interviewed have higher education (a faculty diploma or equivalent); live either alone or with partners (not with parents) and some of them have children in their same-sex partnerships. All of them live in Belgrade, although majority (five of them) have been born outside the Serbian capital.

The structure of the interview was semi-opened, meaning that interviewers were given the space to take active part in the conversation, discussing not only their personal and activist' perception of the same-sex partnership legalization in Serbia, but also other topics that are relevant for the modern LGBT organizations in Serbia: importance of the 1990s legacy for today's LGBT activism in Serbia; perception on the professionalization of LGBT organizations and civil society sector in general; LGBT community, and its relation with LGBT organizations. Data gained from the interviews were used both as primary source information (especially in relation to the activities that are being taken in advocacy and lobbying for legalization of same-sex partnerships) and for interpretation in the line with discourse analysis method, allowing deeper insight into the formation of various perceptions and discourses on same-sex partnerships, family in general and LGBT politics in that regard, from the standing point of LGBT activists themselves. Secondary sources included following documents: drafts of legislation documents; legislative documents; policy analysis; strategies relevant for family, marriage, reproductive rights in Serbia and other relevant countries, produced by LGBT organizations and relevant organizations/ institutions. It also included official statements and media appearances of above mentioned entities, related to the topic.

The following chapter will present in more details the initiative on legalization of same-sex partnerships in Serbia and perspectives of interviewed representatives of LGBT organizations, also in the context of pro-natalist policies of actual Serbian government. Also, it will give insight into the development of LGBT organizations in Serbia from the early 1990s until today, presenting also key issues and challenges, relying on the conducted interviews but also existing literature on the topic (Bilić, ed. 2016; Bilić and Kajinić, ed. 2017; Bilić and Radoman, ed. 2019; Blagojević and Dimitrijević, 2014). The third chapter will present relation between actual pro-natalist politics and wider "anti-gender" strategies in CEE, focusing more on the context of Serbia and relation of LGBT organizations with governments pro-natalist measures. Conclusion in the fourth chapter summarizes and discusses the key aspects of the initiative for legalization of same-sex partnerships, its politics (or policies) and potential of LGBT organizations to offer radically alternative vision of family politics in modern Serbian society.

2. From Decriminalization of Homosexuality to Legalization of Same-sex Partnerships: LGBT organizations in Serbia and same-sex partnerships

One of the common misperceptions regarding civil society in post-Yugoslav region and CEE is that it emerged with the downfall of socialism. This "methodological nationalism" (Gordy in Bilić, 2015:12) ignores the fact that many civic initiatives existed during socialist Yugoslavia, even the ones promoting gay and lesbian rights.¹²

First lesbian and gay organizations appear in Slovenia and Croatia, and first gay and lesbian film festival in Yugoslavia and Europe is organized in 1984, in Ljubljana (see Kajinić in Bilić, ed. 2016; Kuhar, in Spahić and Gavrić, ed. 2012; Jurčić in Spahić and Gavrić, ed. 2012). In Serbia, the first organization – Arkadia- was founded much later, in 1991, emerging at the beginning of a series of bloody conflicts in Yugoslavia and long era of Serbian "blocked transformation" (Lazić, 2011) marked with economic downfall, social devaluation and poverty, raise in class differences, and overall dominance of nationalism and traditional values (Lazić, 2011 and 2005; Dinkić, 1995). On the top of all that, homosexuality was still treated in Serbia as criminal offence, up until 1994 (Vasić, in Gavrić and Spahić, ed. 2012:103).¹³ Generations of these early lesbian and gay activists emphasize the importance of informal networking that was established between these early initiatives in Croatia, Serbia and Slovenia, and was continued in spite the devastating social and political contexts in which they acted (Savić, in Gavrić, Savić and Huremović, 2011; Živković, ed. 2015). Based in the idea of solidarity and Yugoslav heritage, but also personal involvement of some of these early activists in anti-war and feminist initiatives, even today serves as an argument that early lesbian and gay initiatives in Serbia (and in other post-Yugoslav countries) have grown from this "leftist" legacy, presenting unequivocal opposition to the dominant nationalism in these countries.¹⁴

This perception of the leftist, anti-nationalistic and solidarity roots of LGBT movement¹⁵ in post-Yugoslav countries has to be taken with precaution (see Bilić, 2015 and Miškovska- Kajevska, 2017) especially having in mind that there was



an intense split between anti-war and anti-nationalistic personal engagements and values, and what was perceived as important among the rest of the lesbian and gay community in that period. Not all members of Arkadia were supportive of anti-nationalistic, inclusive narrative of its founders, Dejan Nebrigić and Lepa Mladenović. As Lepa Mladenović recalls, *“some people started to laugh, and we heard sentences such as: “I don’t want to be in the group with Gypsies” and “I don’t want to be with Šiptari”* (in Gočanin, in Blagojević and Dimitrijević, ed. 2014:339). Finally, a decision was made (by Mladenović and Nebrigić) that the group will function with *“less members, since at that moment they did not had the strength to fight against chauvinism inside itself”* (Ibid).¹⁶ Faced also with the lack of support from other civil society organizations,¹⁷ Arkadia continued to exist until 1995, focusing their activities on creation of safe spaces for lesbians and gays, dealing with issues of visibility, acceptance, even discussing the possibility of legalization of same-sex marriages (Ibid.). Nevertheless, most of these activities remained invisible in the public, due to the general hostility of Serbian society in that period, toward all kinds of differences.

The breaking point in development of LGBT activism in Serbia happened in 2001, when a group of activists from Labris and Geten attempted to organize first Pride Parade in Belgrade. Believing that the overthrown of Milošević in 2000¹⁸ and establishment of new democratic regime also means a new era for LGBT community, they tried to organize a walk in the Belgrade city centre. It never happened and the event is being remembered as one of the bloodiest on the streets of Belgrade, due to the severe violence committed by organized groups of hooligans and minimum police protection.¹⁹ Nevertheless, this violence boosted LGBT scene in Serbia, increasing the visibility of the community and pointing out that homophobia, discrimination and violence against LGBT persons are real in Serbian society. Thus, during 2000s other organizations working on LGBT rights, even outside Belgrade, were founded and developed with the assistance of international donors (see Savić, in Gavrić, Savić and Huremović, 2011).

These, *post-Pride* LGBT organizations should be understood in the larger context of civil society in Serbia, especially after 2000 and change of the Milošević’s regime. Almost all of the identified trends and problems in the development of civil society in that period are applicable to the LGBT organizations, too (see Lazić, 2005; Bilić, ed. 2016; Bilić and Kajinić, ed. 2017; Blagojević and Dimitrijević, 2014). The overall “ngoization” of the civil society sphere (Bagić, in Butterfield, in Bilić, ed. 2016) indicated professionalization of these organizations and their severe dependence on the international donors’ funds and agendas. The focus of their work shifted to the advocacy and lobbying activities, cooperation with the institutions, and overall lack of civic initiative: *“interests coming from the outside, identified and articulated by experts and NGOs as service providers, where members of the communities whose needs are addressed are seen as “clients”*” (Lazić, 2005:80, see also Sejfija, in Ficher, ed. 2006; Stubbs, in Rill, Šmidling, Bitoljanu, ed. 2007; Vlaisavljević, 2006; O’Brennan, in Bojičić-Dželilović, Ker-Lindsay, Kostovicova, ed. 2013; Bilić, ed. 2016, 2015). Completely dived into the human rights narrative and politics of representation (see Fraser, 1997; Merkel, 2014: 126; Moyn, 2017; Kennedy, 2002) CSOs adopted the aura of “emancipatory” actor, leading Serbia toward modernization, democratization, EU integration, protection of human rights and diversity (Bilić, ed. 2016; Lončarević, in Blagojević and Dimitrijević, 2014; see also Listhaug, Ramet and Dulić, ed. 2011; Bojičić-Dželilović, Ker-Lindsay, Kostovicova, ed. 2013).

Very similar pattern occurred in the LGBT civil scene, with organizations focusing on advocating and lobbying for legislative improvements and LGBT human rights. Cooperation with the institutions, i.e. sensitizing police, judiciary, social workers, medical professionals, became prerogative, especially for those organizations who provide support to LGBT persons in situation of violence. *“Activism is not on the street anymore, it is in the courtroom that is the main frontline. When I was attacked, I realized that I cannot do anything (...) because there is no system. Today, activism means pushing for your basic human rights. It is a privilege to live outside the system, and I do not have that privilege.”* (D.B, 36) Nevertheless, this focus on the issue of violence, human rights protection and importance of cooperation with the institutions poses several issues for LGBT organizations today (see also Buterfield, in Bilić, ed.2016).

Firstly, it narrows the perception of LGBT community as a homogenous group, constantly in the situation of violence and in need for protection, i.e. a constant victim of the society’s homo/bi/transphobia and exclusion (see Rexhepi, in Bilić, ed. 2016). This poses important question: what is this “community” that LGBT organizations are actually representing and advocating for? For D.B. (36), *“the community is the people who share certain experience of oppression.”* According to other interlocutor, *“we are getting 0,001% of the community, usually the ones that are in problem, emotional, legal, psychological, etc. We are not doing anything on mobilizing the rest of the population, for example reaching out to the lesbians in business sector.”* (J.V. 42) Without trying to minimize the level of



homo/bi/transphobia in Serbian society (see Stojčić and Petrović, 2016) this insistence on victimization of LGBT persons and importance for cooperation with institutions implies that LGBT organizations largely adopted the role of “care givers”, i.e. services for those “clients” among LGBT persons who are in specific state of needs – concrete case of violence or discrimination. Thus, needs and problems of LGBT individuals (citizens) that are shared with the general population – unemployment, economic and social security and rights, free health protection, etc. seem to be out of scope for local LGBT organizations (see in Dioli, in Bilić and Kajinić, ed. 2017). What is missing is a frontal, joint approach of civil society sector toward structural social problems, regardless of the identity they represent: *“That is the question for the whole civil society sector, where 100 organizations are working on the same problem – the identities change, but that kind of front does not exist anywhere in the world.”* (A.Č. 29)²⁰

Secondly, by focusing on human rights and institutional change, LGBT organizations are implying that institutions are *neutral* from the wider political and social context, *non-political* counterparts of civil society organizations, both operating solely on policy level. This technocratic vision of state and civil society is crucial for neoliberal politics, embedded in the “politics of equality” (Duggan, 2003). Based in the idea of “third way” suppressing the extremes of left and right, *“presented not as a particular set of interests and political interventions, but as a kind of non-politics— a way of being reasonable, and of promoting universally desirable forms of economic expansion and democratic government around the globe.”* (Duggan, 2003: 10) This approach is dominant among LGBT organizations in Serbia, seen as *“purely practical”* (A.Č. 29), allowing them to focus more on the concrete problems of LGBT community in Serbia. Nevertheless, this insistence on providing concrete solutions for concrete problems seems to prevent their involvement in dealing with issues that are structural and sensitive for the ruling political establishment in Serbia, including legacy of the 1990s, both in terms of nationalistic narratives and derogation of social and economic rights.

“Our society is divided, and whatever you say, you will create an enemy. The sole fact that you are protecting LGBT rights is enough, without mentioning war crimes, 1990s, etc. For marketing and pragmatic sake, we should stop ourselves on LGBT issues” (P.A., 42)

“(Our organization) deals with hate speech, and (...) we should fight against hate speech based on nationality, but not in the sense that we are reporting it, but to raise capacities for the others who are specifically dealing with it” (D.B. 36)

“The war was done by politicians, right? Let them do that. We are the ones getting bitten up, lets deal with that first. (...) why would we deal with something that only raises the anger of the majority against us? (...) Let me deal with the basic existential issues, and we will easily politicize everything later.” (H.V., 46)

“We have to cooperate with anyone who is elected in the government – finally, we do not cooperate with the person, but with the system and institution that this person represents. We can ignore the system, continue to hide, or we can say, OK, you are here, whoever you are, whatever you did, and you have to serve me now, in 2020. Yes, we have to be aware of what happened during 1990s, but we also deal with generations who were born after, and have no memory on that period.” (A.Č. 29)

Certainly, this hesitation in dealing with the neoliberal politics of distribution established after 2000, destruction of public property, and increase in economic and social inequalities, is not eminent to LGBT organizations – it is a failure of the civil society sector in general (see O’Brennan, in Bojičić-Dželilović, Ker-Lindsay, Kostovicova, ed. 2013: 37). Nevertheless, these issues are important for understanding the context in which initiative for legalization of same-sex partnerships is happening - narratives of nationhood, reduced economic and social rights and welfare are framing discourses of actual pro-natalist politics. In the next subchapter, I will present in detail the perspectives of LGBT activists on the legalization of same-sex partnerships, and its potential to challenge the existing family politics in Serbia.

2a. “Light at the end of the tunnel”: perception of same-sex partnerships among LGBT activists in Serbia

J.K. (24 years old) is the youngest activist I have interviewed for the purpose of this paper. He currently lives in Belgrade, working in a local NGO. He is out to his family and friends, even publicly, and decided to get “more involved” in LGBT activism after he volunteered in the organization where he is employed today. He thinks that LGBT activist scene is conflicted and unnecessarily divided, and that there are organizations whose work and results are not transparent or visible – this contributed to the increase of mistrust among LGBT community toward the organizations. But, Pride Parades that were organized during previous years significantly change this situation: *“There were these*



older people, who were out like hundred years ago, but now we have younger ones, who are following and supporting these organizations.” As a young gay man, he sees legalization of same-sex partnerships as something that would prove him that he is “no lesser than a straight man, bellow straight couples, just because of who I am. When someone is born with a higher economic status than you, it’s different, but this is an issue about rights.” If he ever decides to “get married” the wedding wouldn’t be “nothing fancy”, but it would provide him insurance in various situations – “when one of us is in hospital, or prison, or any other difficultly...And when you signed something, it puts some kind of pressure on you, you have to be better.”

Wider LGBT community also wants same-sex partnerships to be legalized, and that is why legalization was one of key demands of Belgrade Pride Parades in 2018 and 2019. *“People see this as the light at the end of a tunnel, although I believe that there are other important things to be done. For me, it is much more important for trans persons to have rights to documents. And when you open that one tunnel, you see that there are 50 other tunnels that you have to go through...”* Other activists I have interviewed also emphasized that legalization of same-sex partnerships is based in the need that was recognized inside the community. For majority of them personally, this issue is not important, since they do not intend to get married or have kids. Some of them also see it as *“fitting into the existing patriarchal social values”* (D.B., 36); or as an initiative that *“no one is dealing with, since gay men are not interested – the issue is pushed by lesbians, who are completely invisible in the political or activist scene.”* (J.V. 42) P.A. (42) one of the prominent gay activists in Serbia stated: *“I am only afraid that we will get the law, and in a year from then media will publish that only three couples registered. And then we are fucked, because everyone will say how small and insignificant you are, and whatever else we demand it will be ignored because of that. Kids are tricky. But I can’t deal with that, I don’t like kids, don’t have them, and that should be presented by someone who does, as a personal story. On the level of organization, we would never initiate that issue, I expect Labris to do that with the women who have children. We can support it through media.”*

In spite these hesitations and doubts on personal level, and overall reluctance on organizational level in getting more actively involved in the advocacy for legalization of same-sex partnerships, all LGBT organizations in Serbia supported Labris’ initiative and draft of the legislation that was done in 2009. A.G. (40), Labris’ activist was involved in the process almost from the beginning. *“We expected that, after the adoption of Anti-discrimination Law²¹, this is the next, logical step, but it wasn’t. The hardest part was to find political party that would present the draft in the Parliament and push for its adoption.”* In 2012, Democratic Party lost its majority in the Parliament, and Serbian Progressive Party takes over the power. In 2013, when the draft was finally supposed to be presented, a scandalous media campaign started, announcing that Democrats want to allow gays and lesbians to get married and have kids. *“They hesitated from the beginning, but after that media attack they got scared and withdrawn. It is a topic that is always used, beside Kosovo, as an argument for defamation of the opponents – the traitors who allowed gays and lesbian to get married and betrayed Kosovo. After 2012, we have drama of absurd: a prime minister who is a lesbian, living with a partner and they have a kid. She is also without any rights, or maybe she has some that we are not aware of. For the first time we have politician on the position of power that can do something for this law, but nothing is happening.”* (A.G. 29)²²

Legalization of same-sex partnerships was, from the beginning, presented in a manner that doesn’t provoke directly the ideal of traditional, patriarchal family. It never used the term “marriage” - according to the Constitution it is a unity between man and a woman. In public presentations of the idea, they focused more on the rights that should belong to everybody, like inheritance, joined property, social protection, etc.²³ *“Traditional, patriarchal family is a wasted and empty concept, but it is not ours to attack it directly. We are picking at it, question it somehow, but I just can’t imagine that this kind of revolution and change of system is headed by LGBT organizations, LGBT or any other minority group. It takes someone who is in the privileged position, ready to put his/hers privileges at stake, so that some revolution might happen.”*

This prudence of LGBT organizations when it comes to challenging dominant (patriarchal) family politics becomes especially visible in the relation to children. The original draft of the legislation, as well as the one submitted by LDP in 2019, mentions children only in the context of already existing ones and their rights and obligations. This decision was a reflection of the public resistance to the idea that same-sex couples can have children,²⁴ but it reflected fear that



existed inside the LGBT community, which wasn't ready to even think about children, no less to ask for the right to have them. Right to adopt children, or have ones of their own, is perhaps the most challenging aspect of advocating for legalization of same-sex partnerships. This certainly does not mean that children do not exist in these units, so we can speak of same-sex families as "new forms of family" (Radoman, 2019: 38). In legal terms, position of children in the same-sex partnerships is regulated through various forms of adoption: joint adoption, step-parent adoption, full joint adoption, or adoption by a single LGBT person (Ibid: 39). Also, same-sex couples can have a right to various forms of biomedical assisted fertilization methods, such as *In Vitro*, or surrogate motherhood (Ibid: 41).

This issue got a radical turn in 2017, with new legislation on biomedical assisted fertilization which allowed single women to be users of this fertility method (Article 25).²⁵ Also, in 2019, media announced that the new *Civil Code* in Serbia will decriminalize surrogate motherhood, recognizing single persons as possible users of this fertility method.²⁶ Also, it is a reality fact that more and more LGBT persons and couples wants to, or already has children, "*and that has to be recognized in the law.*" (A.G. 29, see also Radoman, 2019). How are these possibilities perceived by LGBT activists, and what these measures mean for pro-natalist policies in Serbia, will be discussed in the following subchapter.

3. Negotiating a Family in Populist Times: LGBT organizations and pro-natalist policies of Serbian government

So called "anti-gender" movements include various organizations, initiatives, political parties, and academics, for whom "gender ideology" is an agenda of academic and activists circles related to gender and sexuality, implying destruction of traditional family and "normal" understanding of sex as biological, natural dichotomy between men and women (see Jongen, 2017; also Correa, Paternotte and Kuhar, 2018, on web). Proponents of "gender ideology" advocate separation between gender and sex, and right to self-determination and self-identification of one own sexual and/or gender identity, as well as legalization of same sex families (Ibid.) The fact that these agendas are being presented to the citizens as "promotion of gender equality", makes it even more tacit, as stated in a Pastoral letter issued by Slovak Bishop Conference, in December 2013: "(they) ... *want to convince the public, that none of us has been created as a man, or a woman; and therefore, they aim at taking away the man's identity as a man, and the woman's identity as a women, and the family's identity as a family, so that a man does not feel like a man, a woman does not feel like a woman and marriage is no longer that god-blessed partnership possible exclusively between a man and a women. On the contrary, promoters of gender equality want the partnership of two men and women to be equal to a marriage between two people of different gender*" (Durinova, in Kovats and Poim, ed. 2015: 111, 112).

The opposition to "anti-gender" movements are so called "progressive" forces, recognized among various human rights organizations, especially ones dealing with women' and LGBT rights, academics with the background in social sciences and especially gender studies, feminists, leftists, considered to be the "progressives" or "new left" (see Kovats and Poim, ed. 2015). Some authors (see Kuhar and Patternote, ed. 2017; Correa, Paternotte and Kuhar, 2018, on web; Lazaridis, Campani and Benveniste, ed. 2016; Kuhar and Zobec, 2017) see "anti-gender" movements as articulation of attempts to restrict or completely diminish achievements in the fields of women's and LGBT rights, especially in regards to reproduction and same-sex marriages. Kovats and Poim (2015, see also Kovats, 2018) see the conflict over "gender ideology" as more than a mere clash between human rights based progressiveness, and back warded traditional populist forces (see Kovats, 2018). "Anti-gender" narrative is using gender as "symbolic glue" for articulating various fears and oppositions to the negative outcomes of (neo) liberal transition in Central and Eastern Europe, and some of these do not necessarily have anything to do with "mainstream" gender politics (Kovats and Poim, 2015; Kovats, 2019, on web; Kovats, 2017/2018).

For Kovats (2018,2019, 2017/2018) one of the key causes of "anti-gender" movements' success in CEE countries is de-contextualization of gender politics that are uncritically "copy-pasted" from the West into the post-socialist contexts, ignoring legacies of local feminist struggles and experiences (Kovats, 2019, on web; Kovats, 2017/2018). Having in mind the fact that not even the word "gender" is properly translated into the local languages (Kovats, 2019, on web) it is not so hard to understand the success of "anti-gender" interpretation of "gender egalitarianism" as "*twentieth-century totalitarianisms and global terrorism, or even the deadly Ebola virus*" (Korolczuk and Graff 2018: 797; see also Kayta, 2018; Correa, Paternotte and Kuhar, 2018, on web). Another problem, which can also be traced in the modern gender policies, is their submergence in "identity politics" and ignorance of issues related to social and economic rights and inequalities (Kovats, 2017/2018:9). What seems to be the focus of gender politics today is promotion of *gender*



identity and “ultra-individualism (...) based on the idea that gender is freely chosen, not constrained by norms, nature, and biological sex” (Kovats, 2018: 6). “Anti-gender” narrative offers simple answer to this criticism of “normal” and “natural”: “They offer a liveable, and viable alternative to this by centering issues on family nation, religious values and freedom of speech which is attractive because it rests on positive identification, promising safe and secure community as a remedy to individualism and atomization.” (Kovats, 2017/2018: 10) Thus, “progressive forces” have to turn their attention from politics of identity to the politics of distribution, in order to articulate more comprehensive response to these “anti-gender” strategies (Kovats, 2017/2018; also Meszaaros, in Kovats, ed. 2017).

There is also another important, but so far it seems neglected aspect of anti-gender narrative, indicated in the work of Korolczuk and Graff (2018). Dominant understanding of “anti-gender” movements relates them with right-wing populism, especially in the context of Europe, both being based on the “politics of fear” (Wodak, 2015), rising “anxieties of people about the future of their family, and particularly their children” (Kuhar and Zobec, 2017:35). Nevertheless, there is a strong relation between “anti-gender” initiatives in Europe, especially CEE and Balkan countries and neo-conservatives that emerged during 1980’s and 1990’s as “cultural program” of neoliberalism²⁷, promoting its main values: private property and personal responsibility, supported by “shifting costs from state agencies to individuals and households” (Duggan, 2003:12-14, see also Korolczuk, 2019). For neo-conservatives (and neoliberals) promotion and protection of stable family and family responsibility against sexual liberties, single parenthood or reproductive rights, became crucial in securing transfer of social welfare from the public, into the personal realms (see Cooper, 2017; Duggan, 2003; Mulholland, 2012:278). The neoconservatives’ insistence on family stability, priority and responsibility, was a narrative that was in the line with neoliberal vision of society, comprised of “...smaller, more efficient governments operating on business management principles, and (...)“civil society” (or “the voluntary sector”) and “the family” to take up significant roles in the provision of social safety nets.” (Duggan, 2003: 10; see also Cooper, 2017).

After the downfall of communism and transformation into neoliberal peripheries²⁸ (Berendt, 2001; Jakupec, 2018; Horvat and Štiks, ed. 2015; Suvin, 2014) SEE and Balkan countries significantly reduced social welfare and social rights on the idea of “social inclusion”, and “social protection”, strictly separated from the economy (Lendvai, in Deacon and Stubbs, ed. 2007: 31). Publicly owned social security system and health protection were mostly privatized or left to the “alternative forms of social care”, with NGOs becoming key institutional partners in this regard (Maglajlić Holiček and Rašidagić, in Deacon and Stubbs, ed. 2007). These profound economic and social changes, inevitably, have had enormous impact on the family. During socialism, women were able to have full time employment and achieve economic independence. This was mainly possible due to the state funded social services, such as kindergartens, day cares, public canteens, etc. which removed numerous housekeeping responsibilities from the women, but also due to the strict legal protection of maternity rights (Burcar, in Kostanić, ed. 2014:122, Vilenica, ed. 2013, Drezgić, 2011; Čakardić, in Horvat and Štiks, ed. 2015). Nevertheless, in neoliberal model of family women work in low-income economies with little or no rights protected, additionally taking over the role of family care-givers, replacing the social welfare responsibilities of the state (see Vilenica, ed. 2013; Cooper, 2017; Fraser, 1997; Burcar in Kostanić, ed. 2014).

Ironically, these negative trends of destruction of social welfare system have been presented as inevitable consequences of democratization processes, and necessary step in the final „purification“ socialist collective system, which did not allow individual freedoms and private entrepreneurship (see Berendt, 2001; Roth, 2012).²⁹ This new system urged the ideal of heterosexual, nationally pure and patriotic, middle-class family as its pillar. Therefore, I would suggest that „anti-gender“ narratives shouldn't be analysed solely in relation to illiberal tendencies and attack on human rights of women and LGBT persons, but in the context of neoliberal transformation of CEE and Balkan societies, as new/old discourse on family and its role as key replacement for lost social welfare in post-socialist, neoliberal peripheries.

3a. The strange case of surrogate motherhood: pro-natalism and LGBT organizations in Serbia

The thing that connects current governmental politics of “Law and Justice” Party (PiS) in Poland, “Hungarian Civil Alliance” (FIDESZ) in Hungary and “Serbian Progressive Party” in Serbia, is not their “illiberal populist” character as much as their passionate devotion to the strengthening of family and consequently, development of effective pro-natal strategies. In April 2016, Poland launched its “Family 500+” program, with the aim to “improve financial situation of families and increase fertility rate” in the country, by securing tax-free benefits for families with children.³⁰ Hungarian government introduced its own family strategy, announcing interest-free, all-purpose loan would be



granted to every married woman between the ages of 18 and 40 years and employed for a minimum of three years, and annulled in the case that she has a third child; subsidies for purchasing a home for families with two or more children; exemption from personal income tax for mothers of four or more children; or non-repayable grant for purchasing a car for families with three or more children.³¹ Aleksandar Vučić, President of Serbia and ruling Serbian Progressive Party, also in 2019 proclaimed increase of the birth rate is a top-priority for the current government, which is to be achieved by set of action measures including financial aid to the families with three or more children and other social benefits. The existing population policies (*mere populacione politike*) provide financial assistance, in accordance with the number of children in the family; one-time financial assistance for the gaining of baby equipment; compensation for maternity leave and allowing the bio-medical fertility assistance on the state's expense for the couples without children.³²

Governments and officials of Hungary, Serbia and Poland also exchanged their experiences and ideas on strategies for increasing birth rate on international conferences.³³ Apparently, they are united in the final aim of these initiatives - increase the number of our nation (white, Christian, Hungarian, Polish, Serbian) against the enemy (immigrants, Roma, Muslims, Albanians). Also, their joint approach is not based in policies of family planning, whose focus is on the improvement of the overall social and economic conditions that would encourage the couples to decide having children. Instead, they are pushing pro-natalist politics, which imply direct influence of the state on this decision through taking restrictive (or even punishable) measures (see Drezgić, 2011). For example, three years after its launching, “Family 500+” in Poland has proved to be a failure: it did not increase fertility rate or improved financial situation of the poor families, but it did contributed to the withdrawal of thousands of women with low-income jobs from the market, and imposed additional expenses on the public budget. Also, none of these strategies seriously challenges the issue of labor rights and legal financial compensation for pregnant women and mothers, which directly targets business sector. Basically, the proposed measures indicate that having children is not a matter of individual choice, but of personal and national responsibility, which is conveniently in the line with neoliberal family values, as envisioned during the second half of 20th century.

In the Serbian context, the government’s concern for the survival of family went even further, with the announcements that surrogate motherhood will be decriminalized in Serbia. It is one of the most controversial methods of biomedical assisted fertilization, implying that the third person (women) is carrying pregnancy for the couple. It can be in the form of “genetic surrogacy” where genetic material of one parent is being used; or “gestational surrogacy”, which implies genetic materials from both parents, carried out by surrogate mother (van der Akker, 2017). Both forms are allowed in the Serbian draft law, as long as child has genetic materials of, at least, one “intended” parent. In the public, surrogacy was framed by mainstream media as a method that will help childless, heterosexual, well-off Serbian couples to finally “gain descendants” (see Dekić, 2019; Vilenica, 2019). The opposite voices came from feminist circles, and representatives of women CSOs, for whom legalization of surrogacy presents legalization of trafficking in women and children, opening up possibilities for severe abuse and misuse (Macanović, 2019; Dekić, 2019).

The voices, though, that remained completely absent from the public debate are the ones for whom surrogacy might bring the most benefits – LGBT persons. By using this method, gay couples can have a child that will bear genetic material of one of the parents; lesbian couples can also use this method, with one partner carrying pregnancy, and the other donating egg cell. For transgender persons who wish to become parents, surrogacy is even more important, having in mind that medical transition implies forced sterilization. In spite the fact that current draft law on surrogacy in Serbia does not mention LGBT persons as possible users of this method, it leaves place for various interpretation of the Act 2277, which states that single man or woman can use surrogacy, if they can prove “especially justified reasons” for their wish to become single parents.

Moreover, surrogacy essentially deconstructs the idea of traditional family, founded in blood relations and “nature”. There is nothing *natural* or *traditional* in surrogacy – it changes the idea of motherhood (and parenthood) by strictly separating its biological aspect from the social one. The act of reproduction is also twisted, not based on heterosexual sex, resulting in pregnancy and birth of the new members of the family and, consequently, the nation (van den Akker, 2017:6, also Dekić, 2019).

In spite of this, I would argue, remarkable chance to challenge the traditional family perspective, most of the LGBT organizations in Serbia remained silent on the issue, and lesbians, gays and transgender persons were not even



mentioned as possible users of surrogate motherhood. For my interlocutors, that was a wise thing to do, since it would only initiate a backlash in the public if gays and lesbians start to advocate for surrogate motherhood and talk about children: *“I am OK with that as long as there is no misuse or abuse of any kind. But, we are not the ones who should be talk about it (...) there are other, more burning issues to be taken care of”* (A.Č. 29) Labris also remained silent, partially because of the fact that values or the organization are based in radical feminism which harshly opposes to the idea of surrogacy, but also because they estimated that their voice on the debate would not contribute to the debate: *“It would only cause pointless backlash, with right-wing voices over ours, we will get scared and withdrawn from the public again. And yes, that is terrible because all these important processes are happening in half-light, some men in some working groups, deciding about something without taking into account all aspects of the problem. But, that is our experience – it’s the best if you can avoid public discussion and do everything “under the table””*. (A.G. 40)

A.G. also points out that even these positive legislative changes, present possibility for those LGBT persons and couples who are well off financially, and who can *“pay the sperm bank, in vitro process or surrogacy. Not anyone can afford that.”* She, herself, is a biological mother of three, living with her female partner, which remains completely invisible in terms of her family and partnership rights. *“She was not allowed to see babies in the maternity hospital, she cannot take them anywhere without me, because she is not “legal” parent. But, she is their mother, and if something happens to two of us, I want her rights to be insured and secured”*, A.G. said. For her, it is equally important to have same sex partnerships legalized, as well as to have state’s assistance and secured economic and social rights as a mother: *“Legally, I am recognized as single mother. Based on that position, I have received financial help from the state that was minimal, securing only partially basic necessities for the babies. I can’t afford babysitter, so they are going to the public kindergarten, in which one educator is taking care of 30 children. But, I am not a single mother. I have support from my family, my partner. And that is why I want that my family becomes recognized for what it is, to have that security,”* says A.G.

At the moment, the advocacy campaign for legalization of same sex partnerships in Serbia includes three strategic litigations on discrimination. Based on the example of Italy,³⁴ three same sex couples have filed a complaint on discrimination in regards to marriage rights, on the basis of sexual orientation, heading toward European Court for Human Rights in Strasbourg. *“If we manage to avoid any kind of possible crazy situations over Kosovo, the legislation will happen. It is only the question whether we will manage to add amendments on children or not”* A.G. concludes.

4. Conclusion

The idea that two men or two women can be joined in marriage and have children seemed impossible until the end of 20th century. Also, idea that *“children have no right to the property of their parents, or parents to the property of their children”* (Ginsborg, 2014: 31) prompted in Family Code in post-revolutionary Russia in 1918, seems impossible, even unnatural, in 21st century. However radical these visions of family and family relations might seem, they were both mitigated in the contact with reality. Russian government adopted amendments to the Code which allowed inheritance of smaller properties (Ibid.), while legalization of same-sex marriages did not even question the issues related to property, inheritance and social welfare that were reduced on family in neoliberalism – it just slid into the ideal of *normal, well-off* family model, disregarding its injustices and limitations. Thus, when discussing the final success of advocacy campaign for legalization of same – sex marriages in United States, it is worth of noting Melinda Cooper’s (2017) insight that two neoliberal theoreticians, Richard A. Posner and Tomas J. Philipson were a pioneers of advocating “gay marriage” as effective exit strategy for the state from providing social and health care to the persons infected with HIV and AIDS (2017:173). In this way, the care about infected members of gay and lesbian community was transferred from the state and public sphere into the sphere of family responsibility and privacy (Ibid: 210). Family – regardless of its members’ sex and gender identity – became the central point of social welfare, and pillar of social and economical sustainability of the individual. Therefore, it is not surprising that legalization of same-sex partnerships was primary articulated through the need of gay and lesbian community to gain access to the property and inheritance rights, as well as social and health care (Puar, 2017: 29).

Another aspect of „gay marriage“ that has to be taken into account, especially in relation to the rise of right-wing ideologies in Europe, is its presentation as „*ideal of European values*“ (Puar, 2017:20) of tolerance, diversity, liberal freedoms that have to be protected against regressive and violent *others* (see Brown, 2006; also Rexhepi, in Bilić, ed.



2016). Defining it as “homonationalism”, Jasbir Puar (2017) also sees this trend as part of normalization process of gay and lesbian identities, due to which “homosexuality” becomes a legitimate part of nationhood, of *us*. In this way, Western democracies provided themselves with the aura of the “liberty fortresses”, “defenders of civilization and tolerance” (Puar, 2017:21) against the backward, conservative, and fanatical other— Muslims, Arabs, Asians, the East, everyone who does not belong to the white, Christian entity. Moreover, these perceptions seem to be accepted by LGBT mainstream organizations (as well as LGBT voters in these countries) eager to protect LGBT human rights in “intolerant” and “repressive” others, but remain silent when human rights of “others” are being violated by the same system that respects rights of sexual minorities (see also Bruster, in Kovats and Poim, ed.2015: 23).³⁵

It can be stated that the key role of the family in Serbia is to replace public social welfare and sustain the neoliberal ideal of private property and personal responsibility. Unfortunately, in this regard, the sharp contrast that seems to exist between “anti-gender” and “progressive” forces is blurred, since none of these actually proposes strategies that would seriously challenge these values and offer radically alternative vision of family politics. Just a glance look at the drafts of the law on legalization of same-sex partnerships in Serbia, might induce us that the similar patterns are happening as in the Western democracies. Legalization of same-sex partnerships will secure social and economic rights and benefits for the gays and lesbians, making them equal with heterosexual partnerships, contributing to the reduction of homophobia in Serbian society and, finally, Serbia’s EU integration processes. Social and economic rights and benefits for those who live outside the registered partnership (single persons, single parents, “chosen families”, etc.) remain out of the scope of same-sex partnership paradigm.

Current initiative of Serbian LGBT organizations on legalization of same-sex partnerships does not present a real alternative to the government’s pro-natalist policies, primary because they do not perceive themselves as carriers of this kind of revolution in family politics. Fear from violence and “backlash” were indicated by several of my interviewees, emphasizing the negative consequences of such move – withdrawal and marginalization in public sphere, which might bring into question all other aspects of their work. Also, as Dušan Maljković (in Bilić and Kajinić, ed., 2017:321) rightfully claims, there is a significant shift in Serbian right-wing paradigm on LGBT rights - the new border that cannot be exceeded are not Pride parades, but legalization of same-sex partnerships and adoption of children. LGBT organizations in Serbia seem to be reluctant in opening this frontline, arguing that family rights should be advocated “under the table”. Having in mind overall homo/bi/transphobia in Serbian society and public reluctance on the idea of same-sex families, this might seem as rational decision.

Nevertheless, this narrow approach prevents LGBT organizations to tackle more structural issues concerning family policies in Serbia, such as lack of adequate and sufficient social and economic support for families with children, protection of maternal rights, as well as working rights of mothers. Once we realize that there are gay and lesbian families with children, these issues are extremely important. Although interviewees are aware of this reality, the way in which same-sex partnerships are portrayed at the moment, indicates that they are economically well-off, secured in terms of their social rights, and that state’s assistance for raising a family is not needed. The remark of one of my interviewees, representative of Labris, that creating a family with biomedically assisted fertilization processes is extremely expensive and unreachable for majority of LGBT persons, is extremely important. Thus, hesitation of LGBT organizations to get involved in the debates over these issues is even more surprising. Another aspect of pro-natalist policies in Serbia is the one related to the protection of the nation, which can be defined as legacy of 1990s (see Drezgić, 2011; Krek and Veljanović, 2019). Initiative on legalization of same-sex partnerships ignores this issue, too. This leaves us with the question: if current government accepts the same-sex families and legalizes their existence, does that mean that children brought up in these families are equally valuable in defending Kosovo, or not? Is that acceptable option for same-sex parents, or not?³⁶

Having all these aspects of initiative on legalization of same-sex partnerships in Serbia, we might conclude that LGBT organizations failed in providing radical alternative vision of family politics. As a matter of fact, we cannot even speak about *politics* in this regard, since they are not offering a different vision of the family and its place in Serbian society, but a set of policy measures (such as draft law, advocacy campaigns, public campaigns) that are more applicable to the overall context in which these organizations operate – highly technocratic and neoconservative vision of state and civil society, focused solely on the needs of *our* group. Creation of family politics would comprehend, for example, inclusion of various interest groups and their family rights or pressures on the state to shift from pro-natalist policies based in nationhood, misogyny and restrictive social and economic measures toward mothers to the more inclusive



and sustainable politics of family planning. It would also have to include topics that are already addressed by LGBT organizations, such as family violence against LGBT members, violence in same-sex partnerships, or protection of older (LGBT) members of the family.

Nevertheless, this comprehensive approach to the family is not happening, at least not at the moment. Although LGBT activists I have talked with are aware of all shortcomings and negative aspects of traditional family model, as well as pro-natalist policies that are pushing for it, they somehow believe that this model will eventually fall apart, by itself, and that their work will at least contribute to its abbreviation.

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Endnotes

- ¹ Available at: <http://www.ustavni.sud.rs/page/view/sr-Latn-CS/70-100028/ustav-republike-srbije>
- ² Article 2214, page 558, Draft of the Civil Code, available at: <https://www.mpravde.gov.rs/files/NACRT.pdf>
- ³ Available at: https://ljudskaprava.gov.rs/sites/default/files/dokument_file/ad_action_plan_eng_pdf.pdf
- ⁴ “Predlog zakona o registrovanim istospolnim zajednicama”. Available at: <https://otvoreniparlament.rs/akt/3932>
- ⁵ Ibid., page 16
- ⁶ See Ilić Dejan: „Kratki osvrt na Igora“. Published at: pescanik.net, 22.02.2019. Available at: <https://pescanik.net/kratki-osvrt-na-igora/>. Radoman Marija: “Istospolne porodice – društvena realnost i izazovi”. Published at: masina.rs, 21.02.2019. Available at: <https://www.masina.rs/?p=8691>. See also: “Pismo premijerki- otvoreno pismo Ani Brnabić, premijerki Srbije”, Labris. Published at: labris.org.rs, 10.12.2019. Available at: <http://www.labris.org.rs/sr/pismo-premijerki>
- ⁷ See also: „Od populacione politike do podrške porodicama“. Faculty of Philosophy, video debate. Published at: pescanik.net, 04.06.2019. Available at: <https://pescanik.net/od-populacione-politike-do-podrške-porodicama/>
- ⁸ Zakon o rađanju za drugog, Article 2272, page 568, Draft of the Civil Code, available at: <https://www.mpravde.gov.rs/files/NACRT.pdf>
- ⁹ Zakon o biomedicinskoj potpomognutoj oplodnji, Article 25, Available at: www.paragraf.rs/propisi/zakon_o_biomedicinski_potpomognutoj_oplodnji.html
- ¹⁰ The term was used in disputing the draft of the Law on Gender Equality in Serbia. See in: Ignjatović Tanja: “Gde su tu muškarci?”. Published at: pescanik.net, 24.08.2018. Available at: <https://pescanik.net/gde-su-tu-muskarci/>
- ¹¹ According to Darko Suvin (2014), the term “civil society” was taken over at the end of 1980s as part of bourgeois democracy propaganda, “in order to emphasize lack of freedom in officially communist countries (...) with the aim to extort return of opposition parties and private ownership over the public means of production” (2014: 151). Also, I would like to add Mulholland’s remark (2012) on neoconservative influence on the shaping of civil society in United States and post-communist countries. For Western neoliberals, fight against communism was one of the top priorities (Mulholland, 2012: 279), and in the post-1989 era US administration provided significant funds for support of “free elections, independent media, the rule of law and civil society NGOs”, seen as priority issues that will secure blooming of neoliberal vision of society, as stated in US government’s 1996 statement of foreign policy: “Democracies create free markets that offer economic opportunity, make for more reliable trading partners and are far less likely to wage war on each other. . . The more that democracy and political and economic liberalization take hold in the world, particularly in countries of strategic importance to us, the safer our nation is likely to be and the more our people are likely to prosper” (Ibid, 280).
- ¹² What is important is that these issues were not interpreted by activists in an “anti-socialist” manner, in terms that none of them actually advocated change of socialist system – more its improvement and majority of these issues were treated more on theoretical, not practical level (Lazić, 2005:69, also Bilić, 2015).
- ¹³ Male homosexuality was punishable in Socialist Federative Republic of Yugoslavia by the Criminal Code (Article 186) with the prison of one year (Jurčić, in Gavrić and Spahić, 2012:89). But, after the constitutional change in 1974, Socialist Republic of Slovenia decriminalized homosexuality, followed by Socialist Republic of Croatia (1977), Montenegro and Vojvodina Province (Ibid: 90). For more information on life of gay men under this prohibition during socialism, see Franko Dota, 2012 and 2008.
- ¹⁴ The example of this is documentary “Crveni vez // Red Embroidery” which presents history of LGBT movement in the post-Yugoslav countries, on the basis of “personal testimonials and political accounts of 12 feminist, anti-war and LGBTI*QA pioneer activists, who have shared their stories on solidarity and their contribution to feminist, anti-war and LGBT*IQA movement in these countries.” The documentary is opened with scenes of war in Bosnia and scenes of violence at Parades in Belgrade and Split, as well as during QSF in 2008, indicating connection between war violence and post-war violence that occurred against LGBT victims of the post conflict society. Available at: <https://www.youtube.com/watch?v=5EatvM0UIQs>
- ¹⁵ At that point, most of these initiatives did not exist as organized non-governmental organizations with strong financial support or structure. Also, they dealt primary with gay and lesbian issues, while bisexual or transgender persons remained out of scope, until 2000s.
- ¹⁶ According to Lepa Mladenović, it was hard for her to work in the same time with women victims of war violence and lesbians, who did not wanted to know anything about the war. See „Crveni vez“, documentary, available at: <https://www.youtube.com/watch?v=5EatvM0UIQs>
- ¹⁷ In 1994 Arkadia was forced to leave its working space from Center for Women Studies in Belgrade. The office was shared with another project related to the refugee assistance, whose team claimed that it is not “compatible” with Arkadia’s activities. The project’s claim was supported by international donor, and board of the Center decided to cancel the hospitality to Arkadia members. Relation of first lesbian and gay initiatives with feminist movement is also often mentioned as crucial, but without precise information on how this relation really looked like. Mojca Drobnikar, activist and founder of the feminist group Lilit, out of which will later on emerge lesbian group Skuc LL, recalls that it was hard for lesbian activists to “find themselves” on the existing feminist agenda, since it included topics such as parenthood, pregnancy, or abortion. Although feminists were open for lesbians, they were not “sensitized” for topics that were important for them (Gočanin, in Blagojević and Dimitrijević, ed. 2014: 337).
- ¹⁸ Regime of Slobodan Milošević was established in 1989, followed by disintegration of Socialist Federative Republic of Yugoslavia through the line of bloody conflicts. During his regime, Serbia was held under international sanctions, actively involved in conflicts and war crimes committed in Croatia, Bosnia and Heregovina and Kosovo. Economy was destructed, poverty reached its pick. The regime was overthrown at the elections held in 2000, and in 5th of October 2000, with massive demonstrations on the streets of Belgrade, Milošević was finally



- overthrown. He died at the International Tribunal for War Crimes in Hague, in 2006. His legacy though, remains pretty much alive in modern Serbia. See more: Lazić, 2011; Dinkić, 1995.
- 19 See more in Kajinić, in Bilić and Radoman, 2019. Also, archive video on first Pride Parade in Belgrade is available at: <https://www.youtube.com/watch?v=jdoPQwB9erg>
- 20 One of the interviewer, A.Č. (29) also points out to the lack of will to cooperate with LGBT organizations among other CSOs: “LGBT organizations are much more opened for cooperation”.
- 21 Anti-discrimination Law in Serbia was adopted in 2009, after long and furious debates in the Parliament, due to the opposition of some political parties on inclusion of sexual orientation as forbidden ground of discrimination. Nevertheless, the Law includes sexual orientation, gender identity and sex as forbidden grounds of discrimination. “Zakon o zabrani diskriminacije”, available at: https://www.paragraf.rs/propisi/zakon_o_zabrani_diskriminacije.html
- 22 In January 2020, representatives of several local LGBT organizations held a meeting with Minister for Labor, Employment and Social Rights – one of the conclusions was that this Ministry will intensify its activities on „developing draft of the legislation for legalization of same-sex partnerships“, in cooperation with local LGBT organizations. J.T.: “Ministar za rad održao sastanak sa aktivistima/kinjama LGBTIQ organizacija”. Published at: [transserbia.org](https://www.transserbia.org), 01.02.2020. Available at: <https://www.transserbia.org/vesti/1653-ministar-za-rad-odrzao-sastanak-s-aktivistima-kinjama-lgbtiq-organizacija>
- 23 In 2015, USA based organization, National Democratic Institute (NDI) conducted a poll on acceptance of LGBTI community and their rights in 6 Western Balkans countries (B&H, Kosovo, Macedonia, Serbia, Montenegro, Albania). In regards to „same-sex marriage“, for 73% of respondents same-sex marriages are completely unacceptable. Nevertheless, the opposition to idea is mitigated once the participants were asked about specific rights. 39% of them thinks that LGBTI persons should have the right to visit their partners in hospital or prison; 32% agrees with the right for LGBTI persons to have health insurance based on their partner's insurance. See more at the following web pages: https://www.ndi.org/LGBTI_Balkans_poll and <https://www.slideshare.net/NDIdemocracy/ndi-public-opinion-poll-in-the-balkans-on-lgbti-communities>
- 24 NDI research on LGBTI rights in Western Balkans indicated that only 10% of respondents agree with the right for LGBT persons to adopt children. See more at the following web pages: https://www.ndi.org/LGBTI_Balkans_poll and <https://www.slideshare.net/NDIdemocracy/ndi-public-opinion-poll-in-the-balkans-on-lgbti-communities>
- 25 Single women have the right to biomedical assisted fertilization, according to the Law: “Zakon o biomedicinskoj potpomognutoj oplodnji”. Available at: https://www.paragraf.rs/propisi/zakon_o_biomedicinskoj_potpomognutoj_oplodnji.html. Also, the Law anticipated creation of a sperm bank, which significantly reduces the costs of IVF processes. Nevertheless, in March 2019, Ministry of Health adopted the changes in regards to the selection criteria of the sperm and egg cell donors- Article 4. States those persons who have “history of homosexual relations in the past 5 years” are not allowed to be donors. In spite the reaction from LGBT organizations and Ombudsman for Human Rights, this criteria hasn't be removed, and Ministry of Health didn't had any official statements on the matter. The criteria are available on the following link: <http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/ministarstva/pravilnik/2019/27/8/reg>
- 26 Article 2277, „Zakon o rađanju za drugog“. Available at: <https://arhiva.mpravde.gov.rs/lt/articles/zakonodavna-aktivnost/gradjanski-zakonik/>
- 27 Dominance of neoliberalism as economic system began at the end of 70's during 20th century, not only due to the economic crisis during the 70s, but also due to the demands for more firm state intervention in the economy, which posed a threat to the capitalist elites (Harvey, 2005: 15). As a theory, neoliberalism insists on establishment of global free market, protected from the state, seen as key guarantee for protection of human dignity and individual freedom that can only be achieved through “*liberating individual entrepreneurial freedoms and skills*” (2005:2). In practice, though, neoliberal freedom is restricted to the “*private property owners, businesses, multinational corporations and financial capital*” (2005: 7) and it can be defined as “*political project to re-establish the conditions for capital accumulation and to restore the power of economic elites*” (Ibid: 19). This new elite arose from the “*new class of entrepreneurs*” (2005: 31), such as CEO's, managers, financiers, and other leaders of financial economy and 4th industrial revolution (see also Lazić, 2011; Dumenil and Levy 2011). Of particular importance for the new system in all countries where it was established, was annihilation of a social welfare system, since any kind of state's assistance or interference in the market (through legislative regulations of labor, for example) was seen as an obstacle for achieving full individual potential (see Harvey, 2005; Mulholland, 2012; Duggan, 2017; Cooper, 2017).
- 28 At the moment when transition from socialism to “liberal democracy” begun – 1989 – the model of Keynesian liberal capitalism, with strong social welfare component, was greatly replaced with its neoliberal version, based on the idea of unfettered enlargement of private property and personal responsibility for taking care about oneself – instead of the state. For post-socialist countries this meant complete deconstruction of the known social protection system, labor rights, health protection, caused partially due to the strict loan conditions posed by international financial organizations, partially due to the senseless embracement of the new economic philosophy, and eagerness to remove state control from all aspects of public life
- 29 In one of the rare empirical researches on populism and young people, conducted in Croatia (Derado, Dergić and Međugorac, 2015) young participants in the research – born long after the period of Yugoslavia and its dissolution – expressed “*nostalgia for a more egalitarian economic system, or at least support for its fundamental elements, such as full employment, social housing, minimal social inequalities and overreaching economic and work security. In addition, most of our interviewees spoke negatively of the current economic situation and about the rising economic inequalities and poverty, which some perceive as the result of Croatia's transition to a market economy and its accession to the European Union.*” (2015:156)
- 30 See in: „Evaluating 500+ Program in Poland“. Published at: 4liberty.eu, 27.06.2019. Available at: <http://4liberty.eu/evaluating-500-program-in-poland/>
- 31 See in: „All you need to know about the latest in Hungary's pro-family policy“. Published at: fidesz-eu.hu, 19.02.2019. Available at: <https://fidesz-eu.hu/en/all-you-need-to-know-about-the-latest-in-hungarys-pro-family-policy/>
- 32 See in: „Mere populacione politike“. Published at: [mdpp.gov.rs](http://www.mdpp.gov.rs). Available at: <http://www.mdpp.gov.rs/latinica/populaciona-politika-mere.php>



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- ³³ I am referring to the Third Demographic Summit held in Budapest in September 2019, where high representatives of Hungarian, Bulgarian, Serbian, Czech and Slovak governments took participation. See more in: TANJUG: "Vučić sa Orbanom u Budimpešti". Published at rts.rs, 4.9.2019. Available at: <http://www.rts.rs/page/stories/sr/story/9/politika/3649119/vucic-sa-orbanom-u-budimpesti.html>. Also, "Demographic Summit to be held in Budapest for the third time". Published by Ministry of Human Capacities, Hungary, 2.9.2019. Available at: <https://www.kormany.hu/en/ministry-of-human-resources/news/demographics-summit-to-be-held-in-budapest-for-the-third-time>
- ³⁴ The litigation is based on the case of Orlandi and others vs. Italy: „The applicants alleged that the authorities’ refusal to register their marriages contracted abroad, and more generally the impossibility of obtaining legal recognition of their relationship, in so far as the Italian legal framework did not allow for marriage between persons of the same sex nor did it provide for any other type of union which could give them legal recognition, breached their rights under Articles 8, 12 and 14.” Full information on the case is available on the following link: <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-179547%22%5D%7D>
- ³⁵ In regard to the ambiguous relationship between right wing parties and LGBTIQ persons, it is important to remind ourselves that the former leader of the Alternative for Germany (AfD), a right-wing party, is Alice Weidel, a publicly out lesbian, who has very "controversial" attitudes toward immigration, but also on introduction of sex education in schools. See more at: <https://www.diggitmagazine.com/articles/alice-weidel-lesbian-against-gay-rights> Also, in Serbia, since 2017, Ana Brnabic, also a publicly out lesbian is prime-minister, closely attached to the ruling Serbian Progressive Party, who has highly controversial attitudes toward the Serbian role in the wars during the breakup of SFRY in the 90s. Brnabic herself stated that there was no genocide in Srebrenica, but a "terrible" war crime (see at: <https://www.diggitmagazine.com/articles/alice-weidel-lesbian-against-gay-rights>). She also does not see Serbia as a "homophobic country" (see at: <https://www.bbc.com/news/world-europe-40297480>). This statement has been in the public focus since the 21st of February 2019, because her partner gave birth to their son; the media and LGBTIQ organizations are asking the question: can she be a legal parent to the child, bearing in mind that Serbia does not recognize same-sex partnerships or adoption rights for gay and lesbian couples? See more at: <https://www.bbc.com/news/world-europe-47312826>
- ³⁶ I am referring to the speech of Aleksandar Vučić, in which he presented his vision of demography in Serbia in which he stated that Serbia will certainly lose Kosovo, if there are no Serbs who can live in it, comparing the natality rate in some of the Serbian municipalities, with the ones in Kosovo, inhabited dominantly with Albanians: "Vučić: Nizak natalitet ključni problem Srbije". Published on 17.03.2018. Available at: <https://www.youtube.com/watch?v=py5FyvU3dLs>

