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edited volumes

**CONTEMPORARY  
ISSUES AND  
PERSPECTIVES  
ON GENDER  
RESEARCH**

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EDITORS

Lilijana Čičkarić  
Zorica Mršević

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CONTEMPORARY ISSUES  
AND PERSPECTIVES  
ON GENDER RESEARCH

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Lilijana Čičkarić

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## Foreword

■ This thematic collection of papers aims to bring together two fields of inquiry: research on gender politics and policy changes, with particular attention to gender aspects of democratic institutions and research on dynamics of LGBTIQ+ population and understanding of different gender identities. This volume on contemporary challenges in gender research is conceptualized interdisciplinary and covers issues that are currently relevant to gender studies within the social sciences and humanities. The objective was to make a productive and stimulating publication with research across various fields - philosophy, sociology, economy, political science, legal studies, anthropology, cultural studies - in order to facilitate a better understanding of current challenges to gender theory and practice.

The volume also aims to move forward in research and theorizing the consequences of increased opposition and attacks to gender equality. Its focus is on analysis and understanding the relation between gender equality and processes of de-democratization, the implications of backlash for equality rights and policies and the dynamics of response of the actors that promote gender and sexuality rights. In the context of European societies, a conservative right wing ideological strike on gender equality policies and practice is happening these days. Many European countries are currently face with re-traditionalising family and gender policies and feminist knowledge production is considered threatening and

unacceptable. The fact that gender studies are endangered and suffocated at many universities across Europe (Hungary, Poland, Czech Republic, Romania, Bulgaria) indicates the high relevance of this field in theory and research and reveals the revitalization of patriarchal, authoritarian and conservative influence on norms and principles of women's rights and feminist intellectual, activist and artistic practices.

Finally, the aim of this publication is to fill the gaps between academic research and the practice of designing and implementing gender policy in the light of current political and social developments in Serbia, region and EU. Making gender research more accessible outside academia and overcoming the dualism of theory and practice in the pursuit of gender equality, are to be the main goals of contemporary gender politics. In this respect, the main intention of editors is that, through continued publication in the future, provide necessary impetus to education and knowledge production through the gains of gender analysis.

There are still considerable gaps in formal education at all levels regarding the field of gender studies; a major source of the current growth in interest for topics in the area of non-formal education and research practices. As these gaps are systemic in nature and long-lasting, we now try to fill these gaps, being however certain that interest in developing new thematic areas in the field of gender studies will also continue to grow within academia.

Gender studies everywhere, both in Serbia and abroad, have contributed to the rethinking of established methods and patterns of thought, behaviour and culture that underpin the patriarchal principles by which the habit of observation is acquired in a one-sided, traditional way. Thus, gender studies have contributed to the diversification of scientific analysis by reflecting on the social circumstances in which various forms of inequality emerge and persist, above all those of engenderment. On this basis, it has become possible to demand gender equality, to analyse its weaknesses, to theorize its necessity, to argue for directions of development, and to seek its consistent incorporation into legal, political and economic systems. All of this is nowadays – at first glance, at least – indisputable. But in practice, incorporation and acceptance of gender perspective, in fact rarely happens, as it is always the case



when it comes to challenging traditional gender relationships, role-sharing, distribution of power, interests, and privileges, what we also find out through gender analysis.

The hallmark of today's democratic age is the continued acquiescence to the neglect of the capacities of women, while, at the same time, gender equality is considered an accomplished goal that no longer needs to be engaged for. And, in parallel, across the globe, upbringing and tradition allow disproportionately much more men than women to be prepared from childhood to expect and achieve a high degree of autonomy, pride and opportunity in life. On these identity grounds, the dominance of men, and the social structures that enable this, continue to persist. This is why gender analyses of identity policies and the realization of the possibilities and dynamism of change are needed.

Current philosophical and sociological considerations (e.g. Goffman, Ericson, Halpern, Ruano-Borbalan) which likewise form a significant component of gender studies, profess the seductive notion that today everyone should make a story out of their lives; literally, invent their identities themselves. Identity-building, or, as it is called, is the staging of the "self", in this same sense, is one form of practice and individual representation.

To create that "own story", and to allow Goffman's "I" to become a system that adjusts to circumstances and even surpasses itself, learning is needed, especially in the field of gender studies. We need role models, a great deal of good, inspiring and high quality analysis, reflection, wandering, rescue from oblivion, and to deal with the not-always-pleasant fact that, unfortunately, the traits of history also include the discontinuity and forgetting of women's achievements. All of this will help contribute to a better and more egalitarian view of gender relationships within society. It would enable us to simultaneously become what we are given and what we want, what we envisioned to be, but also what we have learned. It should not be forgotten that women become equal members of society and a part of the modern elite only when (and because of the fact that) they achieve their right to education and, on that basis, professional and political emancipation.

This collection consists of two parts. First one *Re-Thinking Gender Equality* comprises five chapters devoted to problems

concerning gender policy in economic sphere, labour market, transport, natural catastrophes and disaster and political violence. The second part *Understanding Different Gender Identities* is concentrated on the gender identity politics, attitudes towards lesbian, gay, trans\* population from the feminist perspective.

Tatjana Đurić Kuzmanović in chapter *Contemporary Issues and Perspectives on Gender Research in Feminist Economics - Case of Serbia*, based on the author's individual and collaborative research, outline the main tenants of feminist economics as a school of scientific thinking, teaching and pedagogical discipline, and some of its epistemological insights and reflections in Serbia. The chapter answers questions why is feminist economics needed and who would benefit from its insights within Serbian academia, its economy and society. Nada Novaković and Marijana Maksimović in text *Labor Market and Women's Labor Force in Developed Countries of Europe: Case of Switzerland and Germany*, are concentrated on socio-economic analysis of women's position in the labor market in Switzerland and Germany, where they have investigated gender inequalities in the field of activity levels, employment, wages and opportunities for the social promotion.

Mirjana Dokmanović in text *Gender Research in Transport: Key Issues, Tools and Policy Relevance in Serbia* introduces key issues related to gender research in transport, such as economic development, health, safety, personal security, sustainable mobility, and the impact of mobility on women's professional and personal lives. The paper gives an overview of innovative tools developed for gender research in this sector and presents the best practices in engendering transport systems based on implementing findings of the policy-oriented research. Zorica Mršević i Svetlana Janković in chapter *Gender Aspects of Natural Catastrophes/Disasters* explain how the excludingly defined gender roles result in different personal and group identities and potentials, social responsibilities, behaviors, and expectations concerning natural catastrophes/disasters and climate change. Gender based differences lead to gender inequality in the field of vulnerability and disaster risk reduction, disaster management, anticipating possible damage and recovery after them.

Lilijana Čičkarić in text *Violence Against Women in Politics* addresses various aspects of emerging research area, exploring

concepts, theories, and data related to the study of violence against women in politics. It occurs within the political sphere but specifically targets women leaders who challenge patriarchy and the prevailing social expectations and norms. In many societies, such practices are marginalized, naturalized, depoliticized and remained invisible. Often normalized, these dynamics serve to maintain gender hierarchies, undermining democracy and eroding the possibilities for women's political empowerment. Vesna Nikolić Ristanović, Sanja Čopić i Ljiljana Stevković in chapter *Attitudes of Students in Serbia Towards Lesbians and Gay Men: the Research Results*, give an overview of the available so far research on the students' attitudes towards lesbians and gay men. This is followed with a brief examination of the survey methodology and findings presented and discussed. In conclusion they offer recommendations related to the necessity of raising awareness about the rights of persons of different sexual orientation in the field of higher education and the importance of sensitizing future professionals who could work in the criminal justice system.

Jelena Simić in text *Life in Legal Limbo – Trans\* Persons in Serbia* point out that in the Republic of Serbia, the 21<sup>st</sup> century brought changes that can be interpreted as significant for the position of trans\* persons. She offers an analysis the significance that those legal novelties hold for the very position of the trans\* community in Serbia, and whether and to what extent they actually contributed to the improvement of their position in everyday life. Isidora Jarić i Maja Krek in chapter *T(Trans\* vs. Terf) Trek: Feminism and the Frontier of Womanhood* problematize the relationship between feminism, particularly 'trans exclusionary radical feminism' (Terf) and trans\* community in Serbia, on the level of theoretical articulation and practical politics. The analysis focuses on theoretical and activist tensions and the differences between these two understandings of the trans\* issue and the social position of trans\* persons that are materialized in four critical questions: gender authenticity, relationship between the body, sexual orientation and the feminist identity, the right to be present/accepted and motherhood.

Dušan Maljković in text *Transgender Trouble: Women Between Sisterhood by Blood and Gender (Self)Creation* examines two basic

arguments of antitrans feminism: that the key sex difference between man and women is rooted in biology of our bodies and that social process of becoming a woman is distinctively different for females and males. The conclusion of this deconstruction of transphobia is that there are still many unanswered questions when it comes to complicated relations between trans women and women. Sofija Mojsić in chapter *The Philosophical Reflections on the Feminist Subversion of Identity* tries to reexamine from the philosophical standpoint the necessity of subversion of the traditional understanding of female sex, gender and identity. Starting from the basic ideas of some philosophers ranging from Pascal to Adorno the author shows the complexity and mansidedness of the concepts and phenomena of identity, sex and gender.

Although there is a growing amount of research on equality policy and its gendered implications, most of it is focused on the process of analysis of adopted one. This volume goes further addressing the impact of gender equality in policies and the challenges and resistances that equality policies come up against. Feminist approach that essentially involves changing social and political consciousness dominates. This multidisciplinary collection was written by consulting a large number of scientific sources: official statistics, relevant reports by international organizations on gender equality mechanisms and practice, data gained from specific empirical research. Based on all of the above, we do hope that this publication will be considered as an important tool and practical guide for further gender equality research.

Belgrade, October 10, 2019

*Lilijana Čičkarić and Zorica Mršević*



# Re-Thinking Gender Equality

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# Contemporary Issues and Perspectives on Gender Research in Feminist Economics - Case of Serbia<sup>1</sup>

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## Abstract

During the last decade the ruling politeconomic oligarchy in Serbia, in the line with the neoliberal interpretation of rationality, has been implementing privatization, deregulation and marketization in the all spheres of economic and social life, using political, economic and social power. Big capital and the national state with their combined activities have largely ignored socio-economic needs and interests of most of the Serbian population. Those politeconomical processes are accompanied by a strong intensification of gender inequalities, biases, misogyny and sexism. Many analysts confirmed the existence of gender inequalities in all domains of the Serbian economy and point to specific gender challenges facing women in both the private and public sphere. However, feminist politeconomical and development analyses of those gendered processes and nexus between the state, patriarchy and neoliberal capital during post-socialist transformation and forced neoliberalization of Serbia as a periphery of the world system, are still rare. So is critical thinking about gender, sustainable and human development alternatives. Feminist economics is missing within Serbian academia (in the Economics and Gender Studies), and is mostly present only in some alternative gender programs. It is also excluded from the processes of shaping economic policy of the country, except within few, selective policy sectors.

The chapter, based on the author's individual and collaborative research, and academic and alternative pedagogical experience in Serbia and beyond, has two purposes: first, to outline the main tenants of Feminist Economics as a school of scientific thinking, teaching and pedagogical discipline, and some of its epistemological insights and findings, and to reflect on their presence in Serbia.

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<sup>1</sup> Translated by Stefan Petrović and Dubravka Žarkov.



The second purpose of the paper is to point out the importance of Feminist Economic knowledge, research and methods using a specific field of women's entrepreneurship. Using this example the chapter answers questions why is Feminist Economics needed and who would benefit from its insights within Serbian academia, its economy the state and society.

Despite recognizing mechanisms of the misogyny of powerful political and economic actors in Serbia, who systematically undermine possibilities of achieving equal treatment of women and men while simultaneously promote selective aspects of women's empowerment, the author argues that knowledge produced within Feminist Economics can and should contribute to the development of politically, socially and economically more gender just and equal Serbian society.

*Key words:* Feminist Economics, Serbia, misogyny, (semi)peripheral neoliberalism, women's entrepreneurship

## Introduction

■ In the last few decades, gender equality has been recognized by international political elites as one of the key standards in shaping and directing contemporary economic and social processes. The results of Feminist and Gender Studies and research has contributed to the understanding of gender equality and acceptance of its significance for economic and social development. With its theoretical and intellectual grounding, Feminist Economics, as a sub-discipline of Gender Studies, contributes to the multi-perspectival understanding of economic processes and their links with social life, gender regimes and gender equality. It enriches critical analysis of gender and inequalities in politeconomic processes at both macro and micro levels. At macro levels, various Feminist Economics approaches address gender biases in conventional macroeconomic theorizing and analysis, in economic policies, or in financial politics. At micro level, Feminist Economics unwraps gender dynamics of inequalities within and outside of households, addressing sexual division of labor and resources, productive and reproductive labor and their implications for the position of women in household and national economies.

Scholarship of Feminist Economics contextualizes gender and a crucial structural characteristic of women's and men's social position and identity and links it with other social relations of power, such as class, race, ethnicity, sexuality, age and others. Feminist Economics research explains relations between strategies of economic development, political and economic mechanisms of development and position of women and men within national and global economies. While criticizing gender inequality and biases in conventional economic thoughts and practices, Feminist Economics offers different analytical frameworks and alternatives to economic policies that would lead to gender equal and sustainable development. Results of the contemporary Feminist Economics research and knowledge clearly points out significance of adopting sustainable, gender equal, human development as a global strategy, and indicates benefits both women and men would achieve thereby. And still, knowledge and critical insights produced by Feminist Economics, like by Gender Studies, are far from accepted. Rather, they are rejected, denied, or very selectively used by academic, economic and political elites in many parts of the world, as well as in Serbia.

During the last decade the ruling politeconomical oligarchy in Serbia, due to the nexus of the State and big capital, has been implementing privatization, deregulation and marketization in the all spheres of economic and social life. Relying on the concept of economic actor – *homo economics* – and *his* [sic] instrumental rationality (Đurić Kuzmanović, 2018a: 246), politeconomical oligarchy has abused political, economic and social power and ignored needs and interests of most of the Serbian population. Ever more empirical research shows strong intensification of gender inequalities and biases, misogyny and sexism (Babović, 2010; Babović, 2014; Blagojević Hjuson, 2013). However, feminist politeconomical and development analyses of those gendered processes and nexus between the State, patriarchy and neoliberal capital during post-socialist transformation and forced neoliberalization of Serbia as a (semi)periphery of the world system, are still rare. So is critical thinking about gender, sustainable and human development alternatives. Feminist Economics is missing within Serbian academia (both in the Economics and in Gender Studies), and is only sporadically present in some alternative gender programs. It is also excluded from the processes of shaping economic policy of the country,

except within selective and partial gender mainstreaming aspects of a few policy sectors.

Discussion on Feminist Economics and disciplinary approach adopted in this chapter does not have as its aim to present differences existing within various theoretical orientations and schools of thoughts in contemporary Feminist Economics. Although Feminist Economics is relatively young discipline, its body of knowledge is rich and diverse, and would not be done justice in a short text. Thus, in the following section of this paper I will address the first aim of this paper: give a general review of Feminist Economics as a school of scientific thought, and as educational/pedagogical discipline, and will point to some of its important insights and achievements.

Those references are necessary to proceed to the second aim of this text: to point to the relevance of including the rich body of knowledge produced within Feminist Economics into the gender studies and research, as well as into debates about and practices of post-socialist, transitional and (semi)peripheral economy and the future of Serbia. Using an example of female entrepreneurship I answer why is Feminist Economics needed and who would benefit from its insights within Serbian academia, its economy, the State and society.

It is important to point out that Feminist Economics as an academic discipline is at its very inception in Serbia, although some important research on women's participation in economy has been done ever since 1990s by economists as well as sociologists.<sup>2</sup> Contemporarily, there are very few feminists within Serbian academia working on Feminist Economics. Being one among this small number, I rely for this chapter on my own research on female entrepreneurship, produced both individually and in cooperation with those colleagues.

## **Feminist Economics: Research and Teaching**

The subject of Feminist Economics and even the very name of the discipline still create arguments and confusion, not only in academic and general public, but also among those who work on the issues of

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<sup>2</sup> See for example Markov and Stanković (1991), Blagojević (1991, 1995), Đurić Kuzmanović (1997), Đurić Kuzmanović and Žarkov (1999), and Stanković and Markov (2011).

gendered, human-centered, 'good economy'<sup>3</sup> (Nelson, 1995: 146, Đurić Kuzmanović, 2019b). Feminist Economics is not simply 'women's economy' – a discipline researching relation between women and economy, and/or the role of women in economy. Rather, Feminist Economics recognizes and researches limits of the mainstream economic paradigms questioning the purpose of economic thought and knowledge that do not contribute to enhancement of economic opportunities of entire population; deconstructs politeconomic relations of power, investigates their causes, modes of functioning and interconnections at different levels (from negotiation models within the household to world economy), and their economic and social effects (Đurić Kuzmanović, 2018a: 239-260).

Already 19th century economists such as John Stuart Mill (1806 —1873) and Thorstein Veblen (1857- 1929) criticized exclusion of women from certain professions, while Friedrich Engels (1820 - 1895) considered women's inferior position within the family an important shortcoming of capitalism (Mill, 2017; Veblen, 1899; Engels, 1950, 185–233, see also Đurić Kuzmanović, 2018a: 239-260). But historical development of Feminist Economics as a discipline can be traced from the end of 19<sup>th</sup> century in the works of feminists and social reformers who, like Harriet Taylor Mill (1807 — 1858), Beatrice Webb Potter (1858 – 1943) and Charlotte Perkins Gilman (1860 – 1935) researched gender inequalities in social and economic relations and argued for women's right to labor (Taylor Mill, 1998; Perkins Gilman, 1998; Webb Potter, 1891). In the second half of the 20th century Feminist Economics was shaped as a separate school of economic thought thanks to the contribution of increasing number of feminist economists who expended and deepened the body of knowledge on ever more themes, questioning conventional economic doctrines. Towards the end of the century, in 1992, the establishment of The International Association for Feminist Economics (IAFFE) contributes to the recognition of Feminist Economics as a new school of heterodox, scientific economic thought and pedagogic discipline (Đurić Kuzmanović, 2019b).

In its theoretical, methodological and analytical insights, Feminist Economics leans on traditions of various classical economic schools, such as Marxist, institutional, postkensian, capability,

<sup>3</sup> Discussions on 'good economics' and pedagogy of (feminist) economics goes beyond the scope of this paper. See however Đurić Kuzmanović, 2019c.

socio-economic and others (van Staveren, 2010: 18–48). Among the Feminist Economics' subjects of research are: 1) fundamental theories and concepts of economics and feminism; 2) comparative analysis of characteristics and relations between various schools of economics and Feminist Economics; 3) standards subjects and models of conventional economics; 4) contemporary themes and debates of political economics, activism and economic policy; 5) experiences of feminist economists and professional organizations and institutions supporting feminist theorizing of economy and women's participation in economy (Peterson & Lewis, 2004; Đurić Kuzmanović, 2018a: 239-260). Under the Feminist Economics umbrella one could find a mixture of theoreticians, activists and practitioners whose views on both economy/economics and feminism are diverse, so the points above have an objective only to highlight some of the key areas of feminist economics research, the nature of feminist critique of conventional economics and its concepts, and some of the contemporary debates within Feminist Economics, and not to give a full account of the discipline.

As a distinct school of pluralist and heterodox economic theorizing, Feminist Economics critically analyzes and reconstructs the standard themes of orthodox, neoclassical and other schools, using various methods (Wolley, 1993: 485-500) based on 'women's view' on economy 'with both eyes' (Waring, 1988). Such a gendered perspective as a foundation of feminist scientific methods gives answers to key epistemological questions, such as who defines, interprets and contextualizes facts, and who produces knowledge. Such methods recognize indivisibility of research problem from the purpose of the research, subjectivity of the researcher regarding his/her political engagement and ethics, and intersections of cultural experiences and social relations of power such as gender, class, race, age, etc (Harding, 1987: 1–7). Therefore, it is crucial for methodology of Feminist Economics to recognize 'positional objectivity' of the researcher (Sen, 2002:19-28) and socially constructed relations of power within which she operates. The application of such methodology exposes many traditional economic themes and definitions as gender biased, sexist and misogynist. A major way by which conventional economic theory is represented as gender neutral and by which values of patriarchy are incorporated and interiorized is the conceptualization of economic actor – *homo economicus* – and *his* [sic] instrumental rationality (Becker,

1994). Taking rational behavior as typical of modern subject, other modes of behavior which patriarchal culture associates with women – such as love, solidarity, care and reciprocity - are neglected. Conventional economic analyses and models implicitly assume that traditional gender hierarchies, as well as hierarchies of class, race and nationhood that privilege (upper class, white, citizen) men (Hewitson & Gillian, 1999) are universally accepted. However, Feminist Economics research shows that the so called ‘rational behavior’ i.e. freedom to maximize one’s subjective and objective interests, are no more than ‘free riding’ of those who ignore relational contribution of others who may be threat to their interests (Seguino et al., 1996: 1–21). Theoretical underpinning of assumptions about rational individual, natural reproduction, elastic and free female labor and flexible factors of production in conventional economics obscure structural inequalities and social relations of power within which individuals and social groups are situated. Unlike privileging rational, egoistic, individualistic behavior that conventional economics rests upon, Feminist Economics takes ethics of care, relational responsibility and creation of equal opportunities for good life as its main criteria for judging production of knowledge (Łapniewska, 2018: 109–133).

Berik and Rodgers (2009: 5) have offered three methods to integrate gender into economic analysis. The first method, sex disaggregation of economic variables, makes visible (among others) different patterns of male and female participation in economy or behavior in spending, investing, saving, etc. The second method, gendering the analysis, makes visible the effects of gender inequalities in various economic models, such as economic growth, export-import, and others. The third, two-domains-method, reflects on the paid and unpaid domains of human activities. Feminist economists argue that economic and social processes evolve in two tightly linked spheres of activity, private and public. Classical studies of family insisted that those two spheres are governed by different social relations of power. In the private sphere, they argue, production is aimed to satisfy household needs with dominant relations of care and gifts. In public sphere production is aimed for trade and accumulation through the market, and dominant relations are exchange, or, at the level of the state, redistribution (Đurić Kuzmanović, 2013: 23–49). Feminists have challenged this view noting that private sphere is often governed by exploitation

(of female unpaid labor) and violence (against women) as much as the public (Nicholson, 1997).

Feminist economic analyses use and combine structuralist, empiricist and political economy approaches that unpack gender biases and established relations of domination and subordination in economy and society (Harding, 1995:7-32). Gender biases in economic structures are visible in segregation of the market, sexual division of labor in private/public distinctions, feminization of professions, unequal pay, etc. Symbolically, gender bias is expressed through stereotype representation of women and men, their motivations, skills and capabilities, such as representation of 'ideal worker' as male and representation of women within domestic sphere and their 'natural' extensions in professions such as health and education (teacher, nurse, etc). Regarding gendered identities, biases can be seen in assumptions about men as 'breadwinners', representations of family business with men as 'risk-takers' and women as 'supporting actor' or involved only as a housewife. Empiricist approach identifies and measures gender inequalities by gathering and analyzing gender-sensitive data. Feminist political economy approach addresses intersections of politics, public policy and economy, and pays attention to multiple structural inequalities created through mutually constitutive relations of gender, class, race, citizenship, age and others (Manne, 2018: 6, 25; Đurić Kuzmanović, 2013: 23–49).

Analytical approaches in Feminist Economics are ever more diverse and detailed and encompass almost all domains of conventional economic thought (Peterson and Lewis, 1999; Bargawi, Cozzi and Himmelweit, 2017). Moreover, their results are becoming part of various conventional economic analyses of international economic and financial institutions such as UNDP (for example: 1995, 2018), World Bank (for example: 2002), although contributions of feminist empiricism is used much more often than contributions of feminist structuralist and politeconomic insights.

Development of Feminist Economics as educational and pedagogical discipline in the last few decades is marked by divergent trends (Đurić Kuzmanović, 2019b). It has become one of the disciplines thought under different names (Gender and Economy, Women in Economy, Feminist Development Economics, etc.) within academic and alternative studies of economics and gender, and interdisciplinary studies. It is integrated in specialized, master and doctoral programs as

mandatory or elective courses, modules and seminars. For example, it is present in the New School of Social Research in New York, Institute of Social Studies (ISS) in The Hague, London School of Economics, Yuta and Minster universities, etc.

Feminist economic pedagogy applied in Feminist Economics aims at educating and inspiring students to critically and creatively reflect on economic realities, but also, to act as responsible citizens by changing this reality towards better life for all (Laskey and McGoldrick, 1999). Pedagogy of Feminist Economics integrates analytical, critical and creative thinking and approaches to economic literature, and contributes to production and institutionalization of knowledge in both (Feminist) Economics and Gender Studies. Still, knowledge produced through research and teaching of Feminist Economics is largely absent from conventional studies of economics, and its institutionalization within universities is hampered by resistance and assumption that students have no need to gain knowledge of feminist contributions to economics.

In Serbia, Feminist Economics as a study subject is today present only within non-institutional, alternative, individual educational projects, save for one postgraduate elective course at Gender Studies at University of Novi Sad in 2004-2005 academic year, thanks to support of UNWOMEN, among others (Đurić Kuzmanović, 2019). Unlike ignorant and rejectionist attitude of academy towards Feminist Economics (as well as towards Gender Studies that face ever more hostile, conservative political surrounding, and the future of which is uncertain), a number of alternative educational programs almost regularly include Feminist Economics among their courses. This is especially true for those financed by international organizations such as UNWOMEN, UNDP, SIDA, Oxfam and others.

Sadly, university lecturers also often avoid identifying themselves and their work as feminist. This kind of 'distance' partly stems from their cultural beliefs about femininity and masculinity (Nelson, 1995: 146), but also reflects social relations of power in Serbian economy and society. Resistance facing Feminist Economics in academic and broader social environments comes mostly from contemporary political and social circumstances of Serbia, as post-socialist, (semi)peripheral economy and society, marked by global, regional and national power relations.



## Contextual Analysis: Women and Entrepreneurship in Serbia

Contextual analysis of Feminist Economics addresses how gender regimes, hierarchies and asymmetries shape economic and social institutions and structures, and create specific positions of women and men therein (Đurić Kuzmanović, 2018a:248-250;1997; 2002,2005: 29–55). It identifies power relations and unearths their structural causes and mechanisms. In such a way, contextual analysis indicates relations between production of feminist critical politeconomical knowledge and possibilities of social change. It reveals politeconomical causes of blocked possibilities of change in the direction of gender equality, with in various social, political and economic domains their and public policies (including in educational politics and policies). It helps us understand why is Feminist Economics, and knowledge produced by it, neglected in research, education and policy in Serbia.

In this section of the chapter, I will use my individual and collaborative research on micro and small entrepreneurship as an example by which to show importance of Feminist Economics and its contextual analysis for understanding gendered power relations of post-socialist, (semi)peripheral economy of Serbia. I will analyze the context by showing interconnectedness of capital, the State and the market in the genderedness of entrepreneurship. In doing so I hope to debunk still widespread opinion among conventional economists in Serbia that economic processes governing business are gender neutral, and to show presence of gender biases, sexism and misogyny in establishing, governing and practices of small family entrepreneurship – and in broader economic and social life in Serbia.<sup>4</sup> (Đurić Kuzmanović, Markov, Fišer and Mandić, 2016: 190-205; Đurić Kuzmanović, Markov, Fischer and Mandić, 2015).

Introduction of neoliberal regime into Serbia proceeded according to global model of neoliberalization at the (semi)periphery of world system (Đurić-Kuzmanović, Fischer and Mandić, 2016 (1): 32-42; Đurić Kuzmanović, 2018: 248-250; Đurić-Kuzmanović, 2019a). International and national financial and political oligarchy set the restrictions to the

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<sup>4</sup> Small entrepreneurship is categorized a smicro and small family firms, and measured against income, ownership and the number of employees (Guide on small and middle enterprises, 2015; Legislation on Accounting, 2013).

Serbian Government in regulating exchange rate of Dinar and public debts (Dokmanović and Đurić Kuzmanović, 2019: 234-246), as well as in financial, monetary, social, gender and other public policies, and thus lifting barriers to hegemonic capital (Weeks, 2018). Following standards set by international financial institutions, primarily International Monetary Fund and World Bank, the Government has adopted instruments that on the one hand limit its ability to intervene in economic, political and social sphere (Đurić Kuzmanović, Fischer and Mandić, 2016 (1): 32-42) and on the other hand allows it to escape public control. The main effect of this neoliberal re/de-regulation is to extract economic policy from public control of, anyhow, fragile democratic institutions. Using legislation and technocratic expertise and procedures in almost all spheres of social life, national oligarchy privileged capital over social protection. Simultaneously, it destroyed labour protections and used economic violence against labor force (Đurić Kuzmanović and Pa-jvančić-Cizelj, 2018). Consequence of such economic strategy is creation of thin layer of rich elite and a mass of paupered population.

Privatization, deregulation and outsourcing of production, introduction of fees in higher education, health and social and public services, and other decisions in the economic and social spheres destroyed various forms of social solidarity, and women and men – as human capital - became ‘investors’ in all aspects of life. The key mechanism of social transformation has been the market, promoted by the State in two crucial ways. Firstly, the market and its commercialized relationships are extended to all spheres of existence, including those that during socialism were not in its domain but had other purposes, principles and values (education and health), as well as emotions, sense of belonging and connectivity (Weeks, 2018). This has forced population to become ‘investors’ in their own participation in those domains, through fees (while previously these were financed by the state). Secondly, the Government excludes the public from controlling decisions on those public policies and processes thus preserving the neoliberal myth of ‘free market’ with independent, mechanical models and mechanisms. An important part of this mystification is obscuring economic deals and financial malversations (such as those linked to privatization) that help oligarchy in accumulation of capital. Even when those malversations hit the public through media, thanks to research of few brave independent researchers and organizations such as a Network for Research on

Crime and Corruption (Mreža za istraživanje kriminala i korupcije; KRIK, <https://www.krik.rs/o-nama/>), there is very seldom a legal/criminal proceeding as an outcome.

When it comes to entrepreneurship, general position of the State of Serbia is not primarily directed towards encouraging production and richer offer of goods. To the contrary, the State variates, selectively, between encouraging productive activities and innovation, and the unproductive domains such as 'rent seeking' (Đurić Kuzmanović, 2006: 2-6), racketism, and even organized crime, as noted in the report of the European Commission (2018.). Those activities and financial benefits they offer to oligarchy create captured state (Baumol, 1990:893-921). Destructive role of the nexus between big capital and the State is visible in the modes of deregulation and privatization used primarily to attract and benefit direct financial investment from abroad, and business environment is made attractive for powerful domestic and foreign tycoons and their companies (Doing Business 2018:124, Dokmanović, 2017, Đurić Kuzmanović, 2018b (1): 50-63). At the same time, 'encouraging entrepreneurship' has become a mantra promising progress and development, while bringing up empowerment of women in this context is a well-rehearsed tokenism. Research, however, shows a different picture.

Empirical analysis of benefits to women participating in 30 micro and small family enterprises in traditional sectors of family business<sup>5</sup> in the period of post-socialist transformation (from 1990s to 2015) indicates neoliberal instrumentalization of feminism in promoting entrepreneurship as emancipatory practice for women (Đurić Kuzmanović, 2018b (1): 50-63). Results of research show that there is no 'freedom of choice' for women nor empowerment in family business. To the contrary, economic, social and moral benefits for women are more than problematic. Patriarchal relations among the married couples and within extended family strongly encourage male ownership and management in the family business. Women's ownership and managerial position is marginal, subordinate to men's, while women – even when contributing to the family business – still carry the main burden

<sup>5</sup> These family businesses perform different operations: tourism, hospitality, IT and intellectual services and consulting, production and purchase of food, bread and pastry, wine, water, animal feed, plastic packages, cereals; trade of bathroom interior and tools, production and trade of concrete products.

of household and care work (Đurić Kuzmanović, Markov, Fischer and Mandić, 2015). Reflecting on their position interviewed women mostly mention endurance, adjustment, accommodation, interiorization of patriarchy and conviction that feminism is 'not part of [their] life, but rather part of life of modern women' (Đurić Kuzmanović, 2018b (1): 57). Furthermore, women's benefits are limited by the interests of big capital and the State that not only sets legislative barriers to family entrepreneurship (in terms of registration, size, financing, import-export, tax, etc.) but essentially regulate it as male business, despite all the proclamations about women's empowerment, thus reproducing women's subordination.

In such a business environment subordinate position of women to their spouses, partners and kin is not a result of their lack of capacities and potentials but primarily of gender biases in their treatment within family business and by the State (i.e. specific economic and gender politics and their intersections). A number of research projects concluded that financial and political oligarchy in Serbia perpetrates brutal social and economic violence against population (Đurić Kuzmanović and Rastoder 2017, 233–242; Lupšor and Đorđević 2017; Đurić Kuzmanović and Pajvančić-Cizelj, 2018) and uses misogyny and sexism as mechanisms of establishment and reproduction of neoliberalism (Đurić Kuzmanović, 2019a: 406-425). Misogyny is a complex structural, social, economic, political and institutional phenomenon which acts as mechanisms of strong gender repression at the level of family and family business. Analyzed micro and small enterprises reveal its operation at many business aspects: in the processes of decision making about resources and labor within the family (economy of care), managerial and other roles in the business (paid labor), in the negotiation models and styles of business (leadership). Processes and modes of negotiation between female and male members within the family may be cooperative, conflictual, and violent, among others, and they extend into the family business. Patriarchal model of family means that in the family business women's work remains mostly invisible and unrecognized often reduced to administrative and technical 'support', and that decision women make are often limited to the less important aspects of the business (Đurić Kuzmanović, Markov, Fischer and Mandić, 2015).

Intensity and visibility of misogyny may vary, but it manifests in prejudices, stereotypes, hierarchies, sexualization of women,

degrading of women's contributions to the enterprise, absence or lower remuneration of women's work and indifference towards women's household work. Those manifestations are sometimes so normalized that respondents of our interviews hardly reflect on them explicitly. They simply account them as normal part of their lives as wives, mothers and members of family business. But contextual analysis as a method of Feminist Economics allows us to unwrap them and show how nexus of big capital, patriarchy and the State regulations and interests not just undermine women's equal participation in family business (and through it in national economy), but also enables reproduction of social and economic gender inequalities.

### Final considerations

This short review of Feminist Economics and contextual analysis of women in entrepreneurship in Serbia shows significance of feminist economic knowledge and research. Feminist Economics, unlike the conventional economics that promotes profit and benefits for individual actors, approaches economic phenomena from social, political, humanist and ethical standpoints. It shows that gender inequalities stem from specific, unequal social relations of power and social roles that are established in the household, and that (with other important structural factors), shape the characteristics of economy and society at all levels. It proves links between the lack of analysis of gendered power relations and inequalities with *male* understanding of science, economy and society. Its insights into gender hierarchies and influential political-economic processes that deprive women contribute to the visibility of women's situation and possibility for change.

In this acute phase of privatization and deregulation within neoliberal capitalism experienced today throughout Serbia, the nexus of global and national financial/economic and political oligarchy is clearly visible. So is oligarchy's involvement in re-patriarchalization and misogyny and in suppressing abilities of emancipatory and sustainable social transformation by the State. By systematic destruction and abolition of labor rights and social and public services and securities, it is more and more apparent that women, all their accomplishments not with standing, are kept as the carers of human capital, and as

reserve, precarious work force. They are caught in a contradictory, misogynous relationship of necessity and rejection by the State, who, on the one hand, finds both productive and reproductive work of women necessary, but on the other hand abuses them both.

Recognition of antidemocratic and authoritarian nature of the State and aggressive destruction of existing fragile political and social institutions of democracy is, with patriarchal heritage and specific (semi)peripheral gender regimes, a key to understanding of structural sources that feed misogyny and anti-feminism, and encourage and reproduce subordination of women. Therefore, the current ignoring of potentials of Feminist Economics' knowledge in Economics and Gender Studies and its insights into politeconomical debates and decision-making is understandable, but not theoretically and socially justifiable. The same goes for the resistance by the ruling elites in academia, economy and society. This leaves the possibilities of transformation of economy and gender relations through a more just policy limited, for these transformations do not result from feminist critical discourses and do not respond to the system of structural disposition of Serbian (semi)peripheral economy and society.

Equal participation of Feminist Economics, with other heterodox economics courses, in conventional Economics and Gender Studies would improve quality of economic and wider critical knowledge at universities and fulfillment of international and national strategic and normative requests for gendering of higher education in Serbia. Systematic feminist economic knowledge would contribute to more comprehensive understanding of genderedness of economic and business managerial processes and patterns and their implications, as well as to critique of existing and shaping potentially new, effective economic and gender politics. Recognition and removal of standard mechanisms of misogynist operation of powerful actors, who simultaneously and selectively promote, but also structurally and systematically undermine the possibilities for the achievement of equal treatment of men and women, might encourage realization of more effective strategies of economic and social development, creation of strategic partnership between women and men, and shaping of new feminist and other social strategies of resistance to both neoliberalism and misogyny.

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## **Sažetak**

Tokom poslednje decenije vladajuća političko-ekonomska oligarhija u Srbiji, u skladu sa problematičnim neoliberalnim tumačenjem racionalnosti, sprovodi ubrzanu finansijalizaciju, marketizaciju i ekonomizaciju svih sfera ekonomskog i društvenog života. Krupni kapital i nacionalna država združenim delovanjem zloupotrebljavaju političku, ekonomsku i patrijarhalnu (društvenu) moć i uveliko zanemaruju društvene potrebe i interese većine žena i muškaraca. Ovi procesi praćeni su snažnim intenziviranjem rodni nejednakosti i pristrasnosti (mizoginije i seksizma) prema ženama. Sve brojnije analize pružaju mnoštvo dokaza o prisustvu rodni nejednakosti u svim domenima srpske ekonomije i o specifičnim rodni izazovima sa kojima se žene suočavaju. Ipak, još uvek su retke analize koje iz feminističke političke i razvojne perspektive osvetljavaju ove urodnjene procese i spregnutu vezu između države, patrijarhata i neoliberalnog kapitala tokom postsocijalističke transformacije i ubrane neoliberalizacije Srbije kao periferije svetkog sistema i kritički promišljaju rodno utemeljene alternative. Feministička

ekonomija nedostaje u akademiji, kako u ekonomskim, tako i u rodni studijama, sem sporadičnog prisustva u nekim alternativnim obrazovnim programima o rodu. Takođe, ona izostaje u oblikovanju ekonomske i rodne politike, osim nesistematičnog i delimičnog urođnjavanja nekoliko javni politika.

U radu se, utemeljeno na autorkinih kritičkim razmatranjima dosadašnjih istraživačkih akademskih i alternativni pedagoških iskustava u Srbiji i šire, objašnjavaju feministička ekonomija kao škola naučnog mišljenja, nastavna i pedagoška disciplina, epistemološki uvidi i nalazi kontekstualni analiza. Namera rada jeste da ukaže na značaj feministički ekonomski znanja i istraživanja i da odgovori na pitanja kome je potrebna feministička ekonomija i ko bi od nje imao koristi u akademiji, ekonomiji, državi i društvu i kakve veze ima politička i ekonomska moć (sa predhodni). Prepoznavanjem standardni mehanizama mizoginog delovanja moćni aktera, koji istovremeno delom promovišu, ali i strukturalno i sistemski podrivaju mogućnosti ostvarivanja ravnopravnog tretmana žena i muškaraca, moguće je doprineti razvijanju njihove međusobne solidarnosti i strateškog partnerstva i delotvorniji strategija ekonomske i društvene promene.

*Ključne reči:* feministička ekonomija, racionalnost aktera, mizoginija, poluperiferijalni neoliberalizam, Srbija.

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# Labor Market and Women's Labor Force in Developed Countries of Europe: Case of Switzerland and Germany<sup>1</sup>

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## Abstract

The labor market today is one of the most important markets of the developed industrial society, in addition to the financial market, the money market and the capital market. Changes in the labor market are conditioned by a number of factors, such as the place of the country in the world division of labor, its position in the flows of the globalized economy, demographic structure, and specificities of traditional culture and business ethics in a particular country. The subject of our socio-economic research is position of women in the labor market of Switzerland and Germany. Both countries are highly developed, with a high employment rates and low unemployment. Germany belongs to the EU-28 family, whilst Switzerland is outside the family. In both countries, women are a significant part of the workforce. In their labor market, there has been significant share of foreign workers, which further complicates social and industrial relations. Switzerland and Germany are demographically old, but their population and employment policies are different. In both countries, attraction of the most educated work force is existent. In the labor market of Switzerland and Germany, there are inequalities in activity levels, employment and unemployment of women, wages and opportunities for the social promotion of men and women. These economic and social inequalities are maintained over long period, the state restricts or stimulates them with their economic and social policies, as well as a flexible labor market to varying degree, and depending on needs. Are these inequalities at the expense of the female workforce?

*Keywords:* labor market, women, Germany, Switzerland, differences

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## Introduction

Switzerland and Germany are among the most economically developed countries in Europe. Switzerland and the EU member states conclude specific interstate and regional cooperation agreements in various fields. Germany, by population, economic strength and political influence, is almost paramount to the functioning of the European Union (EU). Each of those countries has specific employment and labor market policy. Specific cultures and policies towards women in the labor market are essential for drawing conclusions about the similarities and differences of these societies. In the paper, the analysis is focused on the labor market, women's position on the labour market, the gap in employment and unemployment, working conditions and earnings between men and women. On the sidelines of the research are inequalities in the position of domestic and foreign labor. In this respect, attention is drawn to the policies on attracting economic migrants, which differ widely between Switzerland and Germany. These differences exist even when it comes to regions where the majority of the population is of the same origin. The paper starts with the thesis that the position of women in the labor market is most determined by systemic factors. Changes in the labor market are strongly influenced by changes in production methods and technologies, and cultural and political factors in a particular society are strongly influenced by policies towards the female workforce. To the extent that the demographic structures of society are less favorable, specific policies are imposed and implemented against women and foreign workers. The gender gap in employment, earnings, reconciliation of family and workroles is at the expense of women, and is relatively larger in Switzerland than in Germany. Relevant conclusions from the researchers of these phenomena and official statistics data support these findings.

## Women's Labor Force on Swiss Labor Market

Switzerland is one of the most developed countries in Europe. It is a world leader in innovation. According to the European Commission, in 2016 the summary innovation index was 64% higher than in the EU (European Commission, 2017:7). More than 70%

of scientific research fundings work comes from the private sector. High labor productivity also contributed to economic growth (GDP growth rate was 1.9% in 2016), while the overall unemployment rate was very low (3.2% in 2016) (OECD, 2019). In the list of the richest countries in the world, Switzerland ranked ninth, with 2019 GDP per capita of purchasing power of 65707 US\$ (World's Richest Countries, 2019).

The population of Switzerland is by the most important demographic indicators aged. In 2014 the average age of the population is 42 years. With the size of the total population (8.34 million), the share of the population under 15 years is 14.7%, from 15 to 65 years is 67% and the share of the population 65 or older is 17.8%. Life expectancy at birth (in years) for men is 81.0 and for women is 85.2 (Switzerland's Population 2014, 2015:28). Young-age dependency ration is 22.2, the old-age dependency ratio is 27.0 and total-age dependency ratio is 49.2 (Hrvatska enciklopedija, 2019).

The rate of natural increase is low at 2.2 (2013), while the birth rate (10.2) and mortality (8.5) are below the world average. Fertility is the number of live births, the number of fertile women (15-49 years) is 1.54 (Swiss 14.3, Foreigners 18.7). A simple reproduction of the population requires 2.1 (Switzerland's Population 2014, 2015:7). The majority of the population are Swiss (75%) and the rest are foreign in origin. Most numerous are the French, Germans and Italians. These cultures differ in their attitudes towards women in general, especially towards their authorities in the labor market. Women in Switzerland have made slow progress in political and economic emancipation. In 1971, the Constitution guaranteed gender equality, and the last canton passed the right of recognition in 1995. The Law on Equality at Work was adopted in 1985. Restrictive policies are still being pursued in the sphere of work, particularly towards members of the lower classes and classes. Apparently, employment policies are focused on maintaining and producing the gender gap among natives. Additionally, policy towards foreign workers contributes to the gender gap.

In 2018, the share of the employment among the total working-age population (20-64) was 82.5%, which is almost 10% above the EU average (72.3%) in the same year. Out of the total male workforce in this age category, as many as 87% were employed



(79% in the EU-29), while the female employment rate was 77.9%, significantly higher than the EU average (67.4%). There are significant differences among the employed workforce in terms of age and gender. Young people (15-24) are less employed than middle-aged and older workers, additionally, in 2018, 62.6% of them worked (the EU average is 35.4%). Young men and women had the same employment level of 62.6%, but the type of employment and work they performed were different (European Commission, 2017).

Full-time employment is dominant in Switzerland. It is slightly lower than in Iceland. Weekdays are 40 hours a week, but in reality, more is often done. At the heart of this phenomena is both the work ethic of the population and the dominant cultural values (eg. commitment to work). Men are much more frequent full-time employed than women, while women work more often on part-time, less respectable and less paid jobs. As a rule, full-time mode of employment is more frequent among then domestic than the population with EU or so-called "third countries" origins. Gender inequalities are present in each of the aforementioned labor force groups. Main reasons come from the sphere of politics, tradition and culture. The employment of women's work force as a process underpins a traditional, patriarchal culture, which sees the family role as the most important role of women. Therefore, all institutions (for the care and care of preschool children, schools) are arranged according to an assumption women are more present at home and limited professional activity. The work of the institutions (shifts, vacations, snack time and lunch) and relatively modest childcare investments indirectly show concern for the preservation of the traditional role of the woman, while making their recruitment substantially difficult. Observing the main reasons behind part-time employment one can notice how much the social system maintains and deepens the gender gap.

In 2018 two-fifths of the domestic workforce (41.9%) out of all employees in Switzerland (20-64 years) worked part-time. Part-time employment was much less frequent among men (19.5%) than women (66.0%). Among foreign-born workers, this mode of employment was about ten percent less prevalent. The main causes of part-time employment are not only individual, family but also wider context social. In 2018, impossibility to find a full-time job and hence working as the part-time worker was 3-fold higher in EU

(24.8%) than in Switzerland (8.3%). To a lesser extent among men than women, the mentioned inability was recognized as the main reason for part/time employment. There were more in the EU (33.4%) than in Switzerland (10.6%). In Switzerland, the relative difference between women and men was small (10.3% for women). This also indirectly indicates that getting employment is easier in Switzerland and unemployment is lower than the EU average.

Another reason for opting for part-time is looking after children or incapacitated adults. In Table 2 (end of the paper) we observe reason was stated by slightly lesser extent among employees in Switzerland than EU average. Three times more prevalent reason is for women (21.2%) than for men (7.2%). The institutional system of family support, especially the existence of institutions for the care of young and pre-school children, is an important factor contributing to the activity level and mode of employment for women. Laura Ravazzini found among women working 20-36 hours a week, inhabited in regions investing above the national average in child-care facilities employment rate is increased by 2%. The effect was of strong significance for higher educated mothers of two, married or in cohabitation. Although inactive women did not enter the labour market, women who already work part-time have increased their presence on labour market at an overall number of hours worked. The increase was not noticed among single mothers, low educated or disabled women (Ravazzini, 2018:1). For rich families, according to research from Butler and Ruesch, it is not worth it to bring children to care facilities if a woman works more than 60% part-time. The main reason is tax policy (Ravazzini, 2018). Women without children are also employed in part-time and temporary jobs, and income from this is necessary for the family budget. Most frequent, men are full-time workers, and women are prevalent in the secondary job market. In 2018, 63% out of all women employed in Switzerland worked full-time (Table 4). The highest share of women worked part-time in the flexible labor market of the Netherlands (Figure 1).

When they are employed, women are the most numerous in the “feminized” industries. According to official statistics, the foreign labor force, both male and female, is more prevalent among less-skilled and routine occupations than domestic workers. Among

the employees with the highest non-manual occupations and the highest positions in the companies, men born in Switzerland than outnumber women, and the similar gender gap exists among the foreign professionals (Seminario, 2017: 68-75). There is especially little female work force among managers. Accordingly their professional and vertical social mobility opportunities are systematically limited. In the property sector, one third are women out of all employees with the lowest wages (less than 4000). On the contrary, women account only up to a quarter in the highest-wage category (over CHF 8,000) (Swiss Federal Statistics Office, 2018). Consequently, in 2016, the gender wage gap was at the expense of women (18%). It is slightly higher than the OECD average (16.0%) (Table 4) (PwC Women in Work Index, Closing Gender Pay Gap, 2018).

The family policy was also reflected in the length of maternity leave. In Switzerland, it is very restrictive. Length of maternity leave days is among the lowest in Europe (14 weeks) (Figure 2). Situation about the sick leave due to illness, child or other family members care is similar. Policies differ from the French ones, which by other measures (low prices, numerous childcare facilities, less household taxation) successfully encourages birth rates (Figure 2). In a particularly difficult situation are migrant women. Due to their lack of structures, knowledge of language and culture they are unable to land a job or care for their children. Women from the lower classes are repeatedly disabled in raising their children. One reason is the model of employment, but also existing gender wage gap.

Interestingly, citizens often decide on a referendum about numerous issues. In 2013, they rejected a proposal of law on limiting the ratio between annual salaries of directors and workers with the lowest salaries (12:1) (Stevanović, 2016.) A year later, a referendum on minimum income law (22\$ per hour), which would be the largest in the world, had the same outcome. Switzerland has rejected the world's greatest minimum income in the world. The most influential Swiss unions have publicly advocated the extension of the length of service required for retirement. Employers have benefited most from the extension. Conservative parties, which are emerging in Switzerland, have justified such decisions by taking care not to move capital out of the country and preventing disruption in the labor market.

In Switzerland, generational inequalities in employment are present, moreover, they are further enhanced by the flexible labor market. In 2014, about 17% of the total work force employed was members of trade unions (Bernaciak, Gumbrell-McCormick Hyman, 2014). This data contributes to fact across Europe, Switzerland has been the fewest strikes. In June 2019, women, after 28 years, massively protested throughout Switzerland “against sexism, inequality at work, leaving jobs and burning bras” (Naši u svetu, 2019).

The rich society, with a high standard of living, is something that attracts foreign labor. Besides, 2007 world economic crisis seemed not to have passed almost unnoticed Switzerland, thus unemployment remained low all the time. Switzerland has responded to the crisis not by increasing domestic employment (young people, women, older workers) but by the influx of foreign labor (Afonso, 2018:1-19). Foreigners make up a third out of the total workforce. Majority of them are citizens born in the EU Member States (68%), with Germany, Italy, and Portugal being most prevalent as origin countries (Switzerland's Population, 2014, 2015:13). Annually, quotas are set, the previously received foreigners are returned and new ones are received. The selection is tailored to the needs of the labor market, but also to address the growing demographic problems. In addition to highly educated professionals (IT sector, medicine, finance), migrant educated women are increasingly desirable. Migration has been ‘feminized’ by making educated foreigners more contributing to economic growth and narrowing the existing employment and wage gap relative to domestic women. Inequalities in job opportunities, working conditions and wages also exist among migrant women. It is easier for more educated migrant women to land a job, whilst less educated ones have been waiting for several years (Afonso, 2018:1-19). As the unemployment rate for the local population is three times lower than for the migrant population, the gap is even higher for low-income migrant women. According to some estimates, Switzerland needs 400,000 foreign workers over the next two decades. The policy of attracting foreign labor has been almost the same for years. It is following the interests of the state that a flexible labor market fosters the growth of productivity and economy.

The unemployment rate in Switzerland in 2013-2018 was declining and in 2018 it was 7%. Germany had almost during all period

its unemployment rate at the half of the EU-28 average, reducing the initial unemployment rate from 4.9% in 2013 to 2.8% in 2018.. This is the lowest unemployment rate since the unification of the two Germany (1990). Switzerland had small fluctuations in the unemployment rate which was about 5% (Table 5). In the EU-28 and both country, young workers' (19-24 years old) unemployment rate is as double as the total population's. Among the unemployed aged 20-64 in the EU-28 and Switzerland, there were more women, and among the elderly (55-64 years) it was reversed, men outnumber women. One of the reasons was the woman's quitting her job search. One can conclude from Table 3. all the time, women in Germany had a smaller unemployment rate compared to males. In short, the flexible labor market in Germany and Switzerland has largely involved women, although the gap between men and women persists across all major age groups. In both cases, the unemployment rate of the domestic population is smaller than among migration, while the labor shortage is present among the most skilled and the less-skilled workers.

### **Women's Labor Force on German Labor Market**

In terms of economic development, Germany is the “engine” of the EU-28. The growth rate after 2007 was positive and in 2016 was 1.9. It has become an attractive destination for many people from other countries, including migrants from the Far and the Middle East and Africa. The economy belongs to the so-called social-market, combining the market and protecting some of the basic social rights of workers and citizens. In recent years, regarding this, there have been changes in social policy, labor market flexibility and restrictions on the exercise of some of the previously achieved citizens' rights. One of the goals is, among other things, alignment labor market developments with the needs of the economy and alleviating the country's structural-demographic problems.

The population of Germany is, according to demographers old. Following indicators point to this fact: the average age of the population, life expectancy, age pyramid of population, aging index and dependency indices, the size of the working-age population category, natural population movement, annual population growth

and the role of migration in all this. Altogether has contributed to the changes and necessary reforms in the field of education, employment, pension system and everything related to the so-called “austerity measures”. The consequences are vast, both for the position of the employees in the fields and for all other citizens who use their services. In respect to mentioned, a brief overview of the most important directions of changes in the labor market, and especially of the position of the female workforce is being introduced.

Population decline of Germany, the most numerous EU country, has been a trend that has been around for several decades. According to some estimates, the land threatens by 2060, the population from the current 82.8 million to 71.0 million. If migration is taken into account, this process will be eased and slowed down. Thus, accepting mass migrants was a logical step towards alleviating the growing demographic problems. The median age of the population is among the highest in Europe and 2017 was 47.1 years (male 46.0, female 48 years) (Index Mundi, 2018). It contributes not only to advances treatment conditions, but also lowers the mortality rate. The death rate per 1,000 population in 2017 was 11,7. Low birth rates have been in existence in Germany for 30 years. In 2017, 8.6 children per 1000 were born. Fertility rate was 1.4, average number births of children by marriage 15-49 years is low, consequently, the population growth rate is -0.16. Additionally, the demographic population has 12.82% of children aged 0-14 years, aged 65 and over 22.06% and 65.10% aged 15-64. 6% older than 80 years. Life expectancy in the total population is about 80.8 years (males 78.5, females 83). With migration also affecting the total population, Germany is classified in societies where external migration has taken advantage of the poor demographic picture of the population. Subsequently, it is important to consider the policies towards migrants and their role in the labor market. The consequences are affecting both domestic and migrant workers in long-term.

The high employment rate of the population (20-64 years) in the period 2013-2018. years is sets Germany apart from other EU-28 members. It has been increasing since 2013 going, from 77.3 to 79.9 in 2018. The difference from the EU average has decreased from 10% to 5%. Compared to Switzerland, Germany had a lower employment rate of about 3%. In 2018 even 43.5 million people were employed.

According to Eurostat data, the employment rate of the population 70-74 in 2018 was 13% (European Commission, Eurostat, 2018). The data indirectly points to the problems of prolonging the retirement age, as well as to "active aging" policies. In 2018 the employment rate for men was 83.8 and for women 75.8. Women have been increasing their share of total employment in the last 6 years. Men were more employed (48.8) than women (45.4). The data in Table 1. show that in all age groups there was an employment gap to the detriment of women. Based on the same data sources, one concludes employment rates for both men and women natives are significantly higher than for workers who come from other EU member states. The biggest difference is the one between natives and workers coming from countries "Outside the EU." The young workforce (15-24 years old) is employed above the EU average (Germany 47.2, EU 35.4).

Inequalities in the labor market are also reflected in the prevailing mode of employment, among men it is full-time and among women is part-time. In 2018, on the flexible labor market, 24.8% was a share of part-time employers (EU average 21.2% 9). Such work was less frequent at native-born workers (26.4%) than among workers born abroad (29.8%). The gender gap in part-time employment rate is larger among the domestic workforce (male 8.7%, female 45.7%) than among foreigners (male 11.7%, female 51.3%) (European Commission, Eurostat, 2018). Most of these jobs are underpaid.

There are two main reasons for part-time employment. Data from Table 2 leads us to conclude in 2018, the problem of caring for young children and helping dependent household members dominant reason. Following cause is settling for the part-time position due to the lack of full-time employment. Women cited lack of full-time employment as the first and main reason, almost 6 times more frequently than men (male 5.5%, female 30.2%). According to OECD data, the gender pay gap is larger than in Switzerland and was 22% in 2016 (Table 4). Women in Germany gained the right to vote in 2018, and it was not until 1977 that they acquired the right to decide for themselves whether to take a job. Earlier, the decision was made by the spouse or other family members. Today, mass employment of women is considered to be one of the most important factors of economic growth. German women earn EUR 129 a day what is 16 times more than women in Serbia (EUR 8)! (B92 Vesti, 2018).

Care about women and family is reflected, among other things, in maternity leave. In Germany, a woman is entitled to 6 weeks paid leave before childbirth and 8 weeks after. This is not a sufficient measure to encourage birth rates. Additionally, both husband and wife are entitled to sick leave for up to 14 months, but receive two-thirds of their earnings. Even unemployed married couples receive some cash benefits during maternity leave. As society is of a deep demographic age, a care of the sick and the elderly has become a significant problem. In this regard, the state is particularly interested in attracting a large number of foreign workers (caregivers, medics for example). It is planned to introduce a tax on employees' wages, which would finance care for the elderly.

German migrant policy has changed dramatically with the massive intercontinental migration in 2015. That year, in Germany, entered 1.390 million migrants. In addition to contributing to the economic progress of countries, migration brings with it certain problems. Among them are extremism, terrorism and the organized criminal (Đorić, 2018: 44, 41). According to National Statistics, as many as three-quarters of migrants has not been graduated from any school. From Syria, highly educated migrants arrived very quickly, integrating more easily into cultural Germany. For this reason, the "open door" policy was intended to attract foreigners to compensate and fill in positions which need education and skills that the German labor market lacks. Germany's visa liberalization later took off. In addition, most migrants are young (up to 30 years old), which can improve the structure of the total population. All material costs invested in the process of acceptance and integration of foreign workers are multiple times pays off in the long run. Better-educated migrants, with adequate language skills and skills in short supply, easier land a job. Lower-educated migrants are prevalent. This group has a higher unemployment rate, work in insecure, demanding, and low-paying jobs. Women are in a particularly difficult position, with no greater chance of getting a job. They have been discriminated in many ways, both by the total male workforce and by domestic women workers. Therefore, migrant women are more often poor and socially excluded. Rights and social protection remain almost inaccessible to many migrant women.



## Conclusion

A comparative analysis of the position of the female work force in the labor market in the EU, Switzerland, and Germany confirmed the thesis that there is a gender gap. The gap in employment, earnings, reconciliation of family and work roles between men and women is at the expense of women, moreover, it is relatively larger in Switzerland than in Germany. Women are generally less employed, especially full-time. They are more frequently employed in part-time jobs, which automatically means lower earnings. The growth of the service sector and the feminization of the professions have led women to be more likely in less paid, less reputable and more insecure jobs. Patriarchal culture is more pronounced in Switzerland than in Germany, consequently, Swiss women are faced with numerous barriers to employment and reconciliation of family and work responsibilities. The biggest gender gap is in earnings. In Germany, the wage gap is 22%, while in Switzerland is 18% to the detriment of women. Inequalities in professional and social advancement opportunities are also portrayed in the fact the majority in top executive positions in companies (managers) are men. Low unemployment rates in Germany and Switzerland are a consequence, among other things, of policy toward attracting foreign labor. Switzerland has a restrictive policy (so-called "quota") and Germany has an "open door". Both countries offer the worst chances in the labor market of migrants, of lower education, with low language skill, having young and dependent children. Briefly, women in Switzerland, Germany and the EU are at a disadvantage in the labor market compared to men. The consequences of inequalities are reflected in earnings, professional and social promotion, which further complicates the reconciliation of family and work roles. Patriarchal culture and social institutions foster and consolidate such relationships.

**Table 1.** Employment ad activity by sex and age, annual date, 2018, 2018 (%)

	From 15 to 24 years			From 20 to 64 years			From 55 to 64 years		
	Total	Males	Females	Total	Males	Females	Total	Males	Females
EU - 28 countries	35,4	37,4	33,4	73,2	79,9	67,9	58,7	65,4	52,4
Germany	47,2	48,8	45,4	79,9	83,9	75,8	71,4	76,1	66,9
Switzerland	62,6	62,6	62,6	82,5	87,0	77,9	72,6	79,1	66,1

Izvor: Eurostat, . Employment statistics, Authors made a table,

<https://ec.europa.eu/eurostat/web/lfs/data/database>

**Table 2.** Main reason for part-time employment –Distribution by sex, 2018 (%)

	In total employment			Could not find full-time job			Looking after children or incapacitated adults		
	Total	Males	Females	Total	Males	Females	Total	Males	Females
EU - 28 countries	18,5	8,0	30,8	24,8	33,4	22,1	22,3	5,3	27,7
Germany	26,8	9,3	46,7	10,2	15,9	8,9	25,5	5,5	30,2
Switzerland	38,5	17,0	63,0	8,3	10,3	7,7	17,9	7,2	21,2

Source: Eurostat, . Employment statistics, Authors made a table,

<https://ec.europa.eu/eurostat/web/lfs/data/database>

**Table 3.** Unemployment rate by sex, age and citizenship, 2018 (%)

	15-24 godine			20-64 godine			55-64 godine		
	Total	Males	Females	Total	Males	Females	Total	Males	Females
EU - 28 countries	15,2	15,7	17	6,7	6,5	7	5,2	5,4	5,1
Germany	6,2	7,1	6	3,3	3,8	2,9	2,9	3,2	2,6
Switzerland	7,9	8,4	8	4,7	4,3	5,1	4,0	4,2	3,7

Source: Eurostat. Employment statistics, Authors made a table,

<https://ec.europa.eu/eurostat/web/lfs/data/database>

**Table 4.** Next 5 countries in the PwC WIW Index, 2016

Country	Pay gap	Labor force participation	Female unemployment	Women in full time employment
	Differences between female and male, median pay, %	% Female	%	% of total female employment
Germany	22	74	4	63
Switzerland	18	80	5	55
Estonia	24	73	6	88
Japan	25	68	3	63
Koreja	37	58	4	84
OECD	16	69	4	84

Source: OECD, Eurostat (According : PwC Women in the Work Index:

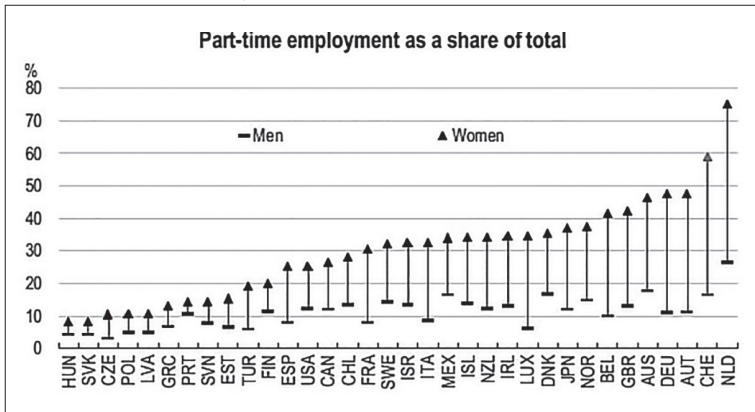
Closing the gender pay gap, [www.pwc.co.uk](http://www.pwc.co.uk), March 2018, p.37)

**Tabela 5.** Unemployment rate (20-64 years) 2018 (%)

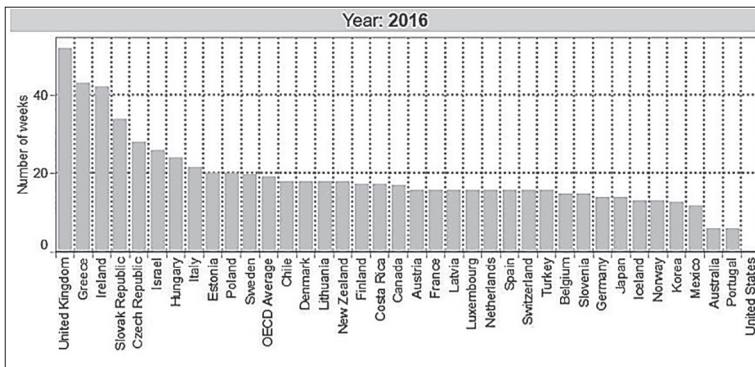
EU-28	2013	2014	2015	2016	2017	2018
	10,6	10,1	9,3	8,6	7,7	7,9
Germany	4,6	4,6	4,2	3,7	3,2	2,9
Switzerland	4,8	4,9	4,8	4,9	5,0	5,1

Source: Eurostat, Unemployment statistics, Authors made a table,

<https://ec.europa.eu/eurostat/web/lfs/data/database>

**Figure 1:** Labour market participation of part-time workers among men and women in 2017,

Source: OECD, Labour Statistics database.

**Figure 2:** Maternity leave

Source: OECD, Labour Statistics database.

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**TRŽIŠTE RADA I ŽENSKA RADNA SNAGA  
U RAZVIJENIM ZEMLJAMA EVROPE:  
PRIMER ŠVAJCARSKE I NEMAČKE**

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**Sažetak**

Tržište rada danas predstavlja jedno od najznačajnijih tržišta razvijenog industrijskog društva, pored finansijskog tržišta, tržišta novca i tržišta kapitala. Promene na tržištu rada uslovljene su brojnim faktorima, kao što su mesto zemlje u svetskoj podeli rada, način uklapanja u tokove globalizovane ekonomije, demografskoj strukturi, ali i specifičnostima tradicionalne kulture i poslovne etike u konkretnoj zemlji. Predmet ovog sociološkog-ekonomskog istraživanja je položaj žena na tržištu rada Švajcarske i Nemačke. Obe zemlje su visoko razvijene, sa visokim stepenom zaposlenosti stanovništva i niskom nezaposlenosti. Nemačka pripada porodici EU 28, dok je Švajcarska izvan te porodice evropskih

naroda. U obe zemlje, žene su značajan deo radne snage. Na tržištu rada ovih zemalja u strukturi radne snage su odavno i strani radnici, koji dodatno usložnjavaju društvene i industrijske odnose. I Švajcarska, i Nemačka su u demografskom smislu stare, ali su im populaciona politika i politika zapošljavanja različite. U obe zemlje, prisutno je privlačenje najobrazovanije radne snage. Na tržištu rada Švajcarske i Nemačke postoje nejednakosti u stepenu aktivnosti, zaposlenosti i nezaposlenosti žena, zaradama i mogućnostima za društvenu promociju muškaraca i žena. Ove ekonomske i društvene nejednakosti se dugoročno održavaju, a država ih svojom ekonomskom i socijalnom politikom, kao i fleksibilnim tržištem rada u različitoj meri, a u zavisnosti od potreba ograničava ili podstiče. Da li su pomenute nejednakosti na štetu ženske radne snage?

**Ključne reči:** tržište rada, žene, Nemačka, Švajcarska, razlike

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# Gender Research in Transport: Key Issues, Tools and Policy Relevance in Serbia<sup>1</sup>

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## Abstract

Although transport may appear as a gender-neutral sector, women's and men's experiences with transport systems and services differ, particularly with respect to accessibility, affordability, safety and personal security. The topic of this paper is introducing key issues related to gender research in transport, such as economic development, health, safety, personal security, sustainable mobility, and the impact of mobility on women's professional and personal lives. The paper gives an overview of innovative tools developed for gender research in this sector and presents the best practices in engendering transport systems based on implementing findings of the policy-oriented research. The paper points out that there is a danger to interpret differences in travel patterns of women and men by over-simplifications, that often result in stereotypes. Therefore, the approaches to gender research in transport should include concepts of intersectionality, vulnerability, and social inclusion. The paper suggests implementing interdisciplinary, transdisciplinary, participatory, evidence-based and community-based research in order to address the complex challenges of transportation.

The gender consideration is still absent in the transport policy of the Republic of Serbia. The lack of gender approach to transportation design, planning and management aggravates women's access to employment opportunities, health care, childcare, maternal care, social services and community participation, contributing to their social exclusion. The paper identifies a need to conduct and support gender research in this sector, as a first step in mainstreaming gender, enhancing economic development, and improving

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quality of everyday life of women and men in both urban and rural areas. The aim of the paper is to contribute developing gender transformative public policies in the Serbian transport sector in order to ensure that it offers services that incorporate the needs of both women and men into the design and delivery of transport operations and investments.

*Key words:* gender research, gender mobility patterns, gender mainstreaming, transport, Republic of Serbia

## Introduction

Although researchers in many countries are concerned on gender issues in transport for decades ago, gender research in this sector gained the attention of the United Nations at the beginning of 2000s. The findings have indicated that transportation policies in the countries of both the North and the South have neglected women's mobility patterns and needs, and that women are excluded from participation in decision making in this sector due to their marginalized position (Peters, 2001; Hamilton, 2001).

The UN Economic Commission for Europe (UNECE) has particularly underlined its importance. The UNECE urges governments, relevant agencies and research institutions conducting improved transport surveys and applying gender sensitive interviewing and other gender sensitive methodologies; analysing daily realities of female transport users, women's latent demands and their willingness to pay for better transport; documenting transport sharing models at local levels; and providing gender sensitive stakeholder consultation (UNECE, 2008: 5). Besides, the UNECE demands providing statistics on gender differentiated mobility, including data differentiated by length of trip rather than number of trips; by reasons to travel; car drivers vs. passengers; accounting for journeys on foot which are women's; accounting for typical times of travel (rush hours, i.e. men's travel, vs. non-rush hours, i.e. school run); providing figures on health issues, e.g. transport poverty (being marooned in rural areas links with increased use of anti-depressants). Governments are also urged to research changes in transport infrastructure with a gender perspective. The research on women's strategies to cope with transport needs should also be supported.

The priority in the EU research policy is the integration of the gender dimension into project funded and co-funded under the European Commission`s Research and Innovation Framework Programme (European Commission, 2014: 5). The Horizon 2020 underlines the need of innovative solutions in transport, to meet challenges such as reducing greenhouse emissions. Gender research in transport is, therefore, important in developing the knowledge base to support the development of a sustainable transport system responsive to the needs and constraints of a society.

The European Commission (2014: 5) has underlined that studies are needed to explore methods of translating the research findings into policy. Namely, while many of the issues related to gender mobility and travel patterns have been extensively researched, they have received limited attention in developing gender-specific policies and programmes. Therefore, the European Commission considers gender impact assessment of transport policies should be carried out regularly to monitor their contribution to gender-neutral transport system.

The topic of this paper is introducing key issues and tools related to gender research in transport, and to point out to its policy relevance for the Republic of Serbia. The first section of the paper will summarize arguments of the UN and the EU regarding promoting gender mainstreaming in transport as a policy objective. The following sections introduce key issues related to gender research in transport, innovative gender research tools in this sector, and good practices in the EU. The analysis of the gender issues in the transport sector in the Republic of Serbia is presented in the fifth section of the paper. In the conclusion the attention has been drawn to the need to addressing the complex challenges of transportation by conducting and supporting interdisciplinary, transdisciplinary, participatory, evidence-based and community-based research at both country and local community level.

The aim of the paper is to contribute developing gender transformative public policies in the Serbian transport sector in order to ensure that it offers services that incorporate the needs of both women and men into the design and delivery of transport operations and investments.

## Gender Mainstreaming in Transport as a Policy Objective at International and the EU Level

The UN pointed out this issue as a priority to be addressed in the preparatory process for the World Summit on Sustainable Development 2002. Governments have been reminded on their obligation to implement the Convention on the Elimination of All Forms of Discrimination against Women<sup>2</sup> and the Beijing Platform for Action<sup>3</sup> with due diligence in all sectoral policies, including transport. Gender mainstreaming as a concept was endorsed by the Fourth World Women's Conference in Beijing in 1995 and became a formal legally binding commitment for EU states with the entry into force of the Amsterdam Treaty on 1<sup>st</sup> May 1999.

The International Conference *Gender Perspectives for Earth Summit 2002 – Energy, Transport, Information for Decision Making* summarized recommendations to governments, donor agencies and International Financial Institutions (IFIs) aimed at mainstreaming gender in this sector (Gender Perspectives for Earth Summit, 2002). The Conference conclusions stressed that the gender perspective “need to be fully integrated into all transport related policy-making in all departments at all levels on a regular and pro-active basis” (Gender Perspectives for Earth Summit, 2002: 6). Therefore, States should implement different measures in order to reduce transport burdens and expenditures of women and men, while creating equitable access to transport systems and infrastructure, and ensuring women's increased participation in decision-making. Governments have been recommended to introduce participatory transport planning methodologies in order to be able to incorporate the gender divide of transport and travel needs.

Up to date, gender sensitive transportation policy has been adopted and integrated in the policies and programmes of the World Bank (2010), the Asian Development Bank (2013), the Organization for Economic Cooperation and Development (2011) and

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<sup>2</sup> U.N. Doc. A/34/46

<sup>3</sup> Beijing Declaration and Platform for Action, Fourth World Conference on Women, 15 September 1995, A/CONF.177/20(1995) and A/CONF.177/20/Add.1(1995)

the European Bank for Reconstruction and Development (2011). Moreover, these international institutions have developed gender toolkits for integrating gender perspective in transportation and making it working for both women and men (World Bank, 2010; World Bank, 2013; Asian Development Bank, 2013; OECD, 2011; European Bank for Reconstruction and Development, 2011).

The UNECE has issued a thematic report that pointed out key gender issues in the infrastructure and transport sectors identified by the National Development Plan 2000-2006 of the Government of Ireland (UNECE, 2008: 2-3). The UNECE underlined that „measures are necessary which reduce transport burdens and transport expenditures of women and men while creating equitable access and ensuring women’s increased opportunities and participation“ (2008: 4-5).

The study on women and transport commissioned by the European Parliament’s Committee on Transport and Tourism (2006) has showed that the European transport policy has had deep and structural gender problems. This study, the first ever recognising the issue of women and transport across the EU, showed that “normal” transport research and policies emerge to be androcentric (2006: iii). The European Economic and Social Committee (2015) has concluded that there was a need for integrating gender perspective into the transportation sector, as all its dimensions (air, sea, road, rail, inland navigation, space, logistics) are traditionally male-dominated. This is a result of the following: transport policy is male-oriented, devised by men and centred around their lifestyle; employment in the sector is primarily male and is geared to male workers; the values embedded in the industry show little support for females in the sector and lack gender-sensitivity; gender consideration is absent from EU transport policy.

Taking in account this Opinion of the European Economic and Social Committee, the European Parliament has brought the gender issue in the transport as an important policy issue. In its *Resolution of 9 September 2015 on the implementation of the 2011 White Paper on Transport*, the European Parliament has stressed that “measures are also necessary to boost women’s participation in the transport labour market, remove possible existing barriers, and ensure equal treatment of men and women by addressing existing remuneration and advancement gaps“ (para. 42).

In late 2017, the European Economic and Social Committee launched the *Women in Transport - EU Platform for Change* and adopted the *Declaration on Equal Opportunities for Women and Men in the Transport Sector*. The aim was to strengthen women's employment and equal opportunities for women and men in the transport system<sup>4</sup>. In line with this commitment, many EU member countries, as well as the EU institutions, have conducted gender research in transport and on the transport related issues. The European Commission has identified mobility, safety, security, employment and sustainability as the key issues at stake to achieve gender-neutral transport (European Commission, 2014: 5).

### Key Issues Related to Gender Research in Transport

Women's and gender issues in transport has been in the focus of scholars and researchers from 1970s. The research has been enhanced by a series of international conferences on women's issues in transportation. These events were aimed at exchanging information and research findings on emerging issues affecting women's access to mobility, safety, personal security, and travel needs and patterns. The four of these international events were held in the USA in 1978 (Washington, DC), 1996 (Baltimore), 2004 (Chicago) and 2009 (Irvine). The first one has analysed women's travel behaviour and conditions. The second conference broadened the scope from primarily research to include policy-making, planning and engineering processes (European Commission, 2014: 3). The 2009 Conference focused on personal safety and security, and the impact of extreme events, and expanded the scope to focus to gender-neutral transport rather than to focus solely on women's issues. The latest Conference was held in 2014 in Paris<sup>5</sup> and was focused on

<sup>4</sup> Up to date, the Declaration has more than 170 signatories, including the EU bodies, governments, companies, agencies and employers associations. The Declaration has been signed by the Coordination Body of Gender Equality of the Government of Serbia.

<sup>5</sup> The 6th International Conference on Women's Issues in Transportation is scheduled to be held on September 10-13, 2019. The Conference will provide update on the progress and challenges regarding women's mobility and will explore how gender equality practices in transportation

“bridging the gap” in an effort to identify and address issues specific to women’s use and involvement in the transportation system, as well as on bridging research findings and policies (Women’s Issues in Transportation, 2014). An important outcome of the Conference was the identification of research needs for future study.

The research in this field may be grouped in four key areas: (1) transportation policies and mobility, (2) health, safety and personal security, (3) sustainable mobility, and (4) the impact of mobility on women’s professional and personal lives. In this section of the paper, gender issues at stake in the each of the above listed areas will be presented, as well as the research needs for future study, as identified by the researchers (Women’s Issues in Transportation, 2014: 17-23).

### ***1. Transportation Policies and Mobility***

The studies on gender differences in transport (European Commission, 2014; European Institute of Gender Equality, 2017; European Institute of Gender Equality; Hamilton, 2001; Peters, 2001; European Parliament Committee on Transport and Tourism, 2006) set out the nature of travel differences between women and men as transport users and consumers, as well as the implications this has for planning and operations of the transport system. Transport policies have been planned and managed on the basis of men’s travel patterns considering them as “common”. However, data have shown that the asymmetry in assignment of family and care responsibilities for between women and men results in asymmetry in travelling “by different means, at different time, to different locations over different distances, and with different pressure to produce spatial-temporal-social integration” (European Parliament Committee on Transport and Tourism, 2006: v).

The EU survey in 2006 (European Parliament Committee on Transport and Tourism) highlighted that women spend less time on

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are increasing business and economic development. It will also exchange ideas on how public agencies can incorporate good gender equality policies and practices with approaches to oversee efforts and measure performance. Source: <http://www.trb.org/Calendar/Blurbs/175975.aspx>, accessed on 20 June 2019.

travel, travel less by car, and travel by slower modes than men. Women spend more time travelling bus and on foot across the EU. Men by contrast spend more time travelling by car, bicycle and by train. Although there were the variations between the member states due to the lack of the harmonised data and the different level of economic activities, the figures indicate the importance of domestic related or caring economy travel to women across the EU, and this burden falls disproportionately on women. Employed women escort children to and from childcare and escort other vulnerable family members, that increase the amount of time travelling.

The further identified research needs are, amongst others, related to document the differential impact (or not) of information communication technologies and online social networks on trip making behaviour between women and men for social trips; evaluate if women's lower use of automobiles and higher use of public transport and walking leads to unequal mobility outcomes; develop rail industry standards that afford comfortable, convenient, efficient travel perceived as safe by women; identify the relationship between mode choice and human interaction, e.g., are the social aspects of travel gender-based, age-based, or income based? (Women's Issues in Transportation, 2014: 18).

## **2. Health, Safety and Personal Security**

Transport contributes to developing quality of life enabling access to health care facilities. Well-developed transport infrastructure, and accessible and affordable public transport have been proved to be beneficial for the health of the population. In contrary, underdeveloped transportation and infrastructure, e.g. in remote and rural areas, produce constraints to the population to exercise their right to health care. Evidence suggests that in rural areas, particularly in developing countries, women's access to health care, maternal health and child care services is limited due to the mobility constraints (Women's Issues in Transportation, 2014).

Gender differences exists regarding travellers' safety, too. The research of the background and causes of road accidents indicate that women's road risks are different than comparable males,

as both pedestrians and drivers (Women's Issues in Transportation, 2014: 313-424). The EU statistics show a divergent trend in road accidents between women and men with fewer women than men involved in fatalities, though the gender gap closes with increasing age. This divergence is explained by differences in attitudes to risk taking, with biological differences such as high testosterone level in young men, accounting for the higher percentage involved in fatal car accidents (European Commission: 2014: 11). The research findings assist to develop and implement effective preventive measures aimed at increasing travellers' safety in transportation. The research have also indicated that differences in body structure and biology between women and men are a key issue with regard to vulnerability in car crashes. Up to recently, differences in ergonomics between gender have not been taken into account in design of vehicles, infrastructure and transport equipment (European Commission, 2014: 11-12; DeSantis Klinich et al. 2005; Dellinger, 2005; Beck, Shults and Colley Gilbert, 2005).

Women's perception of personal security in transport differs from men's perception. They are far more often than men exposed to harassment and sexual harassment in the transport means, on streets, bus stops, train stations, etc. By a rule, female passengers in the public transport are concerned about travelling alone at night, travelling alone with small children, or travelling through urban areas with high crime rates. They also feel unsafe in underground stations, in a multi-storey car park at night, and in crowded transport services where harassment may occur (European Commission: 2014: 15-17). The study has shown that the EU transport sector has a high incidence of all forms of violence, many of them go unreported (European Economic and Social Committee, 2015: 6).

Further research needs regarding health, safety and personal security in transportation include the mobility needs associated with lifestyle changes due to aging and other factors, identifying research methods that can be utilized to solve the puzzle of combining mobility management, traffic safety and equity, assessing the economic consequences of improving safety, security, mobility and health of female transportation users (Women's Issues in Transportation, 2014: 19).



### **3. Sustainable Mobility**

Sustainable transport embraces three key dimensions: environmental sustainability (focusing on cutting emissions), economic sustainability (green growth, decarbonisation, introduction of electric cars and high speed trains, “intelligent transport systems”) and social equity (ensuring mobility for all, including the elderly, the disabled, rural population etc.) (European Commission, 2014: 18-19). Research found that men tend to think about the impact of gasoline on pollution, but women are more likely to act. Women are more concerned about automobile safety and environmental impacts than men, but both women and men consider the vehicle’s ability to protect the occupants in a crash. Women have less budget to purchase a vehicle (Women’s Issues in Transportation, 2014: 19).

The research needs in this area include detecting the necessary conditions for women to consider plug-in electric vehicles to encourage greater use by women, especially to mature women (Women’s Issues in Transportation, 2014: 19).

### **4. Impact of Mobility on Women’s Professional and Personal Lives**

Access to transportation and mobility is very closely linked with employment. Research has shown that there are gender inequalities in access to a job market and limitations to women’s employment opportunities. Faced with the heavier burden of family responsibilities, women, particularly those with small children, tend to take jobs closer to home and within shorter commuting distances (European Commission, 2014: 21-22). Their household role has a severe impact on their mobility and mobility patterns. They tend to use public transportation on shorter distances and for multiple purposes within one journey (e.g. escorting small children to school on route to their workplace and stopping at the market) or taking “trip chaining”, outside peak hours. Their daily mobility patterns are more complex than men, combining domestic and care giving tasks with paid employment and social obligations; as a result, women often experience “time poverty” (Asian Development Bank, 2013: 2). They may turn down employment opportunities if the transport system does not enable them to harmonise their family obligations

with work responsibilities. They also tend to accept a lower-paid or informal job closer to or at home. Besides, as women in general have lower income than men, they may face financial constraint to possess a car or another type of a vehicle, or to afford public transport services. Gender sensitive transportation planning and management may contribute to increasing employment opportunities to women.

The further research needs with this regard include examining the gender impact of transportation technologies, the gender dimension in mobility planning, assessing the relationship of women's involvement in the transportation decision making to policy and planning outcomes (Women's Issues in Transportation, 2014: 20).

Official statistics should allow for the measurement of differences between women and men on various economic and social grounds, so that differences and inequalities in the situation of women and men in a transport sector would be reflected. Governments, relevant agencies and research institutions have been recommended to provide statistics on gender differentiated mobility, including data differentiated by length of trip rather than number of trips; by reasons to travel; car drivers vs. passengers; accounting for journeys on foot; accounting for typical times of travel (rush hours, i.e. men's travel, vs. non-rush hours, i.e. women's travel accompanying children to school) (Gender Perspectives for Earth Summit, 2002: 7).

### **Innovative Tools for Gender Research in Transport**

The Swedish geographer Torsten Hägerstrand (1970) has developed a "time-geography" approach that provides an analysis of the interactions between temporal and spatial constraints and experiences of individuals during their daily activities. This approach enables identification of the accessible space for an individual's activities at a given period of time, which contributes to observe daily travel behaviour differences between women and men.

The cross-analysis of specificities in women's and men's mobility helps to understand how the city moves. With this

respect, it is important to mention the “Urban Pulse” tool that has offered new perspectives for the use of travel survey data. This innovative tool has been developed by the Centre d’Étude Technique de l’Équipement (CETE) of Lyon, France in 2010. As Hurez and Richer (2014: 59-69) explain, this approach differentiates daily behaviour in terms of time and space, resulting in a gender time-geography. The research observes the pace of life of urban women and men by exploring: are some areas more feminine/masculine than others? who does what? does the area become more feminized due to the arrival of more women or due to the exodus of men? The deeper insight into the spatial-temporal dynamics of the daily mobility of women and men through the “Urban Pulse” tool in the Rhône-Alpes region provided findings that should policy makers bear in mind in planning and operating transportation, facilities and services. The daily schedule of active women is shorter than that of active men, with more time-related constraints and is therefore differently paced. Travel distances are shorter and less dependent on the car while destinations tend to be closer to the city centre than for men, due to the type of jobs and other facilities. The “Urban Pulse” tool may be also useful in providing insight into the gender time-geography in observing daily mobility of particular groups such as retirees, couples with small children, single parent families, single employees, etc.

Research focused on specific vulnerable groups of women may also be helpful in adapting the transportation system and facilities to their needs. For example, the research on the travel behaviour of working mothers with small children in Tokyo metropolitan areas has shown that child-caring mothers’ burdens remain heavy, although the women’s employment rate in Japan has improved (Ishigami *et al.* 2014). The research findings with this respect are same in the other countries, such as France (Motte-Baumvol, Bonin and Belton-Chevallier, 2014) and the Netherlands (Jorritsma and Schaap, 2014). The research methodology is based on the division of the parents’ responsibility of dropping off/picking up children among themselves, and how they combine this with their work-related mobility.

Gender budget analyses are particularly important tool to provide “information about how much women- and men-power, institutional and financial resources and research funding goes into furthering women’s vs. men’s interests regarding transport” (Gender Perspectives for Earth Summit, 2002: 6).

Knoll (2014: 133-139) warns of the importance of developing specific gender sensitive travel survey methods. He underlines that “the gender analysis shows that not only the interpretations of the data, but also the questionnaires reveal bias and simplifications, which veil crucial aspects in the behaviour concerning mobility, particularly the behaviour of caregivers in their everyday lives”.

By a rule, research indicate on differences in travel patterns of women and men interpreted that they have different values and needs. Levin and Haith-Ell (2014: 215-223) underline that these over-simplifications often result in stereotypes. Therefore, they propose using the methodology based on methods and quality requirements similar to those existing in the fields of environmental impact assessment and social impact assessment. That is: the method should be appropriate, effective, knowledge-based and open to participation and criticism. These authors prefer to take an intersectional approach in addressing gendered issues in transportation, and to include the concepts of accessibility and social inclusion. Access to transportation widens (or limits) the opportunities for all to reach employment, services, education, health care, financial independence, so besides place and space dimension, power is as crucial to planning and managing transportation.

A number of researchers argue to move from interdisciplinary approach to transdisciplinary approach. Black and Black (2009) propose transdisciplinary approach to tackle the impacts of urban development and transport on public health in Australia. Similarly, Issarayangyun *et al.* (2005) developed the transdisciplinary framework for transport research in the fuller understanding of the community and environmental health impacts of aircraft noise. Although these cited research papers lack a gender perspective, its inclusion by the gender researchers would have a value-added impact.

## Good Practices

In line with the commitment to gender equality, there is a trend of increasing number of the EU countries (the United Kingdom, France, Sweden, Germany, Ireland, Austria, Italy) that support comprehensive gender research in transportation and adapt transportation services and infrastructure to the identified gendered differences (Co-ordination for Gender Studies, 2007). The Swedish Government included gender mainstreaming in the public transport among the main transport development objectives in 2002 (EIGE). In France, the National Plan for Preventing Sexual Harassment in the Public Transport has been adopted in 2015.

In 2000, the British Department for Transport adopted and published its first Guidance and Checklist for Gender Auditing on Public Transport intended to support providers in carrying out a gender audit in their companies and of their services (EIGE). In 2004, the Transport for London (TfL), the integrated body responsible for the Capital's transport system, published a Women's Action Plan that detailed how it would improve services for women (Transport for London, 2010). In 2007, the TfL adopted the Gender Equality Scheme setting specific goals and activities for achieving gender equality and eliminating sexual harassment. the TfL conducted a comprehensive research to understand women's travel patterns and barriers to travel. The additional research has been conducted to understand the issues affecting the travel habits of women in all equality groups (older women, disabled, women in both full- and part-time employment) and to analyse trip chaining. The research findings have been used to improve accessibility, affordability, safety and security of the London public transport system, customer information, and position of women in the transport industry.

The practice of London inspired a number of other European cities such as Berlin, Vienna, Munich, Bolzano and Malmö. Berlin (Droste, 2011; Bagge and Runge) and Vienna (City of Vienna - Urban Development Municipal Department, 2013; Kail, 2011) have taken numerous measures in adapting the public transport to the needs and travel patterns of women and men, combining them with the engendered urban planning. Swedish town Malmö increased physical security in the public transport thankful to

integrating gender perspective in the transport policy from 2011 (Levin and Faith-Ell, 2011). In Bolzano, the municipality has adopted a plan of harmonising family and work responsibilities, that included measures for adapting the public transport according employed women's needs as caregivers (Comune di Bolzano, 2005).

## Gender Issues in the Transport Sector in Serbia

Gender mainstreaming in all policies and all levels is promoted as one of the strategic goals of the National Strategy on Gender Equality in the period 2016-2020 ("Official Gazette of the RS", no. 4/2016). However, this strategic goal has not been translated in the strategies related to transportation, namely in the Strategy on Traffic Safety in the Roads in the period 2015-2020 ("Official Gazette of the RS", no. 64/2015) and the Strategy of the Development of the Waterborne Transport in the period of 2015-2025 ("Official Gazette of the RS", no. 3/2014)<sup>6</sup>. Up to date, gender issues in the Serbian transportation sector has not been explored in depth. There is a lack of a comprehensive gender study that would assess the state of play in the transport sector from gender perspective. Without it, it is not possible to mainstream gender in this sector.

Majority of the official data and statistics related to travellers, traffic, and usage of transportation means are not disaggregated by sex. The available data and surveys are scarce. The Time Use Survey in the Republic of Serbia in 2010 and 2015 has shown that, in average, employed men (30-64 yrs) spend almost double amount of time travelling to/from workplace than employed women (30-64 yrs), while employed women spend much more time travelling than unemployed women (Statistical Office of the Republic of Serbia, 2016: 117-122).

Official statistics show that out of 1,91 million of employees, majority (95%) commute to work. Employed women more often than employed men use city public transport (bus, train, trolley) (45%) or commute on foot (30%) to work, while men (47%) prefer

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<sup>6</sup> The Development Strategy of Railroad, Road, Air and Intermodal Transport in the Republic of Serbia for the period 2008-2015 has expired, and the new one has not been adopted yet.

using a car to commute to work (Statistical Office of the Republic of Serbia, 2011). Male employees also prevail in daily migrations performing an occupation within the same municipality or in another municipality (Statistical Office of the Republic of Serbia, 2011a). Research of Cikic and Stojsin (2017) also show that women are less commuting than men. The researchers argue that “there are differences in: (a) gendered daily commuting practices according to the settlement type, (b) daily commuting practices of active women and female pupils/students and (c) that there is an increase of female daily commuting practice in 2011 in comparison to the previous census in 2002” (Cikic and Stojsin, 2017: 236).

As the 4th SARTRE (Social Attitudes to Road Traffic Risk in Europe) survey in 2010 shown, the percentage of female drivers in Serbia (27,2 %) is much less than in average in all countries participating in the survey (45,0%); only 4 % motorcyclists in Serbia were women (European Commission, 2014: 5-6).

As men more frequently than women drive vehicles, they are more frequently than women victims in road accidents. In 2017, males account for 75% of fatalities and 63% of the injured persons in Serbia (Table 1). Out of a total of 525 road accidents in 2017, majority of cases (67%) was caused by drivers` undertaking thoughtless actions and incorrect performance of traffic actions. The statistics also indicate that there are more fatalities when it comes to young men in relation to young women (Road Traffic Safety Agency, 2018: 65). Majority of young men died while being drivers (66%), while majority of young women died as passengers (81%). By analysing the types of elder male fatalities of 65+ of age, half of them were killed as drivers, while only 5% of elder women were killed as drivers; majority of them (65%) died as pedestrians.

**Table 1.** Gender of the fatalities and the injured in road accidents, Republic of Serbia, 2017, in percentage

	Driver		Passenger		Pedestrian	
	Fatality	Injured	Fatality	Injured	Fatality	Injured
Male	94%	79%	45%	46%	61%	43%
Female	6%	21%	55%	54%	39%	57%

*Road Traffic Safety Agency, 2018: 29-31.*

There is a lack of gender analysis of transportation accessibility and affordability. As research have indicated gender pay and gender income gap (Statistical Office of the Republic of Serbia, 2017; Dokmanovic, 2017; Vladislavljevic et al., 2013), it may be concluded that women, particularly women belonging to vulnerable groups (unemployed, single mothers, rural women, women with disabilities, elderly, etc.) have faced difficulties to access and afford transportation, including the public transport, and that majority of them use a bicycle or go by foot.

There is also a lack of available data and gender analysis of differences in accessing to and using of transport in rural areas versus urban areas. However, the available statistics on the economic active population by mode of transport to work, by sex and by areas (Statistical Office of the Republic of Serbia, 2011), and the studies on the position of women in rural areas (Blagojevic, 2010; Bogdanov et al., 2011) indicate unfavourable position of rural women and men versus urban population regarding accessing employment opportunities, health care and other social services due to underdeveloped transportation system and infrastructure. Almost 95% of trips in public transport have been done in urban communities. The urban versus rural disparities regarding public transport are huge. More than a half of the total number of the public vehicles are in Belgrade; the capital also consumes majority of investments in the transport infrastructure, equipment and vehicles (Ministry of Construction, Transportation and Infrastructure, 2017). Indeed, the crowded urban communities need special attention regarding operating efficient transport system. However, if the rural areas are neglected, 25% of the total population of Serbia would have difficulties in accessing education, health care, maternal care, and social services, as they have been concentrated in the urban areas. Underdeveloped transport infrastructures, public transportation and high prices of gasoline contribute to social exclusion of rural population, particularly of vulnerable groups such as women, children, and persons with disabilities. In rural areas women mostly use bicycles or go by foot in commuting to markets, schools or clinics, as less rural women than urban women possess a driving license. In the



Belgrade municipality 37% of persons who have a driving license are female. In the less developed municipalities, such as Jablanica, Pirot and Toplica, there are three times more men than women which have a driving license (Statistical Office of the Republic of Serbia, 2017a).

Available research indicates that women are more often than men exposed to the risk of harassment, sexual harassment and other forms of sexual violence in the public transport and the public space. A survey done in Belgrade in 2007 (Tanaskovic and Raceta) shown that almost all female respondents have had the experience of sexual harassment in the public transport.

The gender assessment of women`s safety done in Nis in 2014 provided similar findings (Centre for Girls, 2014). It was the first research of this type done in collaboration with the City Assembly, local institutions, municipalities and civil society organizations. More than 35% of respondents were exposed to harassment, 33% to verbal abuse, 17% to theft, 9% to physical violence and almost 3% to sexual violence. The research showed the lack of recognition of sexual violence as violence, and the apparent presence of feelings of shame that is imposed because of the attitude of the community, which is the reason that sexual violence in the public transport and public space is still a taboo. Fearing for their safety, respondents are limited in their activities. Although there is a lack of survey on this issue in other towns in Serbia, the increasing number of headlines in the media about the cases of sexual violence and sexual harassment in the public transport and public space (Paradjanin, 2018) indicate the need of putting more efforts in prevention.

By a rule, women feel unsafe to travel late night, walk on dark streets, stay on desert bus stops or train stations, or use lightless public parking places. The risk of sexual harassment is also increasing in the overcrowded public transportation and stations. Good practices in other countries show that research are useful to indicate unsafe public transport and spaces as the first step to take adequate measures to prevent harassment and sexual harassment (CIVITAS, 2014).

## Conclusion

The broad gender research in transport bring evidence that this sector is far from being a gender-neutral one. In contrary, gender differences are identified in all countries and all regions, regardless their level of economic development. Gender differences are related to mobility patterns, means of travel used, travel purposes, distance travelled, etc., indicating their linkage with the traditional gender roles, the gender segregation at the labour market and women's child-raising and caring responsibilities. The evidence suggests that considering and respecting women's issues in the transport policies would have multiple benefits, such as increasing women's opportunities to employment, reconciliation of family and work responsibilities, better access to health and child care, increasing personal security and safety, and increasing quality of everyday lives of both women and men. Supporting and conducting gender research in this sector is the first step in designing, planning, operating and managing adequate gender-transformative transport policy. However, the research in this field should include the concepts of intersectionality, vulnerability and social inclusion, in order to avoid over-simplifications resulting in stereotypes.

The research should also address the complex challenges of transportation issues and their interconnectedness with other sectors and issues, such as urban planning, employment, environmental protection, public health, education, rural development and gender-based violence. Therefore, innovative tools and new approaches are needed, such as transdisciplinary, participatory, evidence-based and community-based research. The economic, technical and technological development opens space for numerous new fields and perspectives to be examined in depth, such as assessing the economic consequences of improving safety, security, mobility and health of female transportation users, and the gender impact of new transportation technologies.

Although all these gender issues in transport are relevant in the Republic of Serbia as well as in other countries, its transport policy is still gender blind. Due to the lack of gender research, gender differences regarding usage of transport means, mobility, affordability, accessibility, safety and personal security still remain

unidentified. The lack of gender approach to transportation design, planning, management and investment aggravates women`s access to employment opportunities, health care, childcare, maternal care, social services and community participation, contributing to their social exclusion. In particularly difficult position are women in rural areas, women with disabilities, women with small children and other vulnerable groups of women. Conducting and supporting gender research in this sector by using transdisciplinary, participatory, evidence-based and community-based approach would provide a solid basis for designing and implementing gender-transformative policy in the Serbian transport system.

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**RODNA ISTRAŽIVANJA SEKTORA  
SAOBRAĆAJA: KLJUČNA PITANJA,  
METODI I RELEVANTNOST ZA JAVNE  
POLITIKE U SRBIJI**

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**Sažetak**

I pored prividne rodne neutralnosti sektora saobraćaja, iskustva žena i muškaraca se bitno razlikuju u korišćenju saobraćajnih sistema i usluga, naročito u pogledu njihove pristupačnosti, priuštljivosti, bezbednosti i lične sigurnosti. Zbog svoje androcentričnosti, istraživanja saobraćaja po pravilu ne detektuju rodne različitosti. Predmet ovog rada su rodna istraživanja saobraćaja i ključna pitanja koja otvara, kao što su ekonomski razvoj, zdravlje, bezbednost, lična sigurnost, održiva mobilnost i uticaj saobraćaja na profesionalni i lični život žena. Rad daje pregled inovativnih metoda rodnih istraživanja saobraćaja i dobrih praksi urodnjavanja ovog sektora na osnovu primene nalaza ovih istraživanja. Primećuje se da postoji opasnost da se rodne različitosti u pogledu obrazaca mobilnosti žena i muškaraca tumače preterano pojednostavljeno, što može da rezultira stereotipima. Stoga istraživanja u ovoj oblasti treba da uključe koncept interseksionalnosti, društvene ranjivosti i

socijalne isključenosti. S obzirom na složenost problematike saobraćajnog sektora, rad sugerise primenu interdisciplinarnih, transdisciplinarnih i participativnih istraživanja, uzorkovanje svakodnevnih iskustava i istraživanja na nivou lokalnih zajednica. U Republici Srbiji, rodna perspektiva još uvek nije uključena u politike saobraćaja. Nedostatak rodnog pristupa planiranju, koncipiranju i upravljanju u ovom sektoru ženama umanjuje mogućnosti zapošljavanja i otežava im pristup uslugama zdravstvene zaštite i brige o deci, što doprinosi njihovoj socijalnoj isključenosti. Rad identifikuje potrebu sprovođenja i podrške rodnim istraživanjima u ovom sektoru na svim nivoima, što je prvi korak ka urodnjavanju saobraćaja i javnog prevoza, podsticanju ekonomskog razvoja i poboljšanju svakodnevnog života žena i muškaraca i u urbanim i u ruralnim sredinama. Cilj ovog rada je da doprinese razvijanju rodno transformativnih politika u sektoru saobraćaja u Republici Srbiji, čime bi se obezbedilo da se usluge u ovom sektoru zasnivaju na identifikovanim potrebama i obrascima mobilnosti žena i muškaraca.

**Ključne reči:** rodna istraživanja, rodni obrasci mobilnosti, saobraćaj, urodnjavanje, Republika Srbija

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# Gender Aspects of Natural Catastrophes/Disasters<sup>1</sup>

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## Abstract

During recent decades, international humanitarian organizations and the governments of countries affected by natural catastrophes/disasters and climate change have highlighted the fact that more women lose their lives and suffer other effects of such events than men. This disparity in victim numbers is a phenomenon that is caused by – and inherently linked with – the unequal socioeconomic status of women. In alleviating disaster risks, women and men are limited to the roles and responsibilities they are afforded at home and in society. Gender roles constructed in an exclusive manner result in different personal and group identities and potentials, social responsibilities, behaviours and expectations. Thus, gender-based differentiation leads to gender inequality in all socio-economic processes, including different roles and opportunities: reductions in vulnerability and disaster risks, improved disaster management, anticipation of possible damages, and recovery from these. Due to all these differences, it is clear that women and men must participate equally in determining ways to reduce the risks of a disaster at the community level (national, regional and international) without discrimination and exclusion. The inclusion of gender experts (and aspects) in the development of gender-sensitive policies and program guidelines should be ensured. This creates a valid prerequisite for gender equality while reducing the risk of catastrophes/disasters and climate change and making community-based adaptation more effective. It is necessary to integrate gender sensitive aspects/criteria into the initiatives and processes of planning, designing, implementing, monitoring and evaluating risk reduction programs and projects. In order to adapt to climate change and mitigate the consequences

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stemming from this, but also to reduce the risk of catastrophes/disasters, parameters must be established pertaining to the needs and interests of women. These needs are a prerequisite for supporting women's independent initiatives and for the financing of environmentally-friendly technologies for the sustainable use of natural resources.

*Keywords:* natural catastrophes/disasters, climate change, gender roles, gender responsibility, prevention, recovery, building resistance.

## Introduction

■ Natural catastrophes and disasters stem from geological, meteorological, biological and technological sources. However, their results and effects also heavily call on the competences and skills of the social sciences. In developing a social perspective on catastrophes/disasters, the main factor to take into consideration is that catastrophes/disasters have significant effects upon human communities (Öcal, 2018: 51-61).

Catastrophes and disasters are frequent phenomena in certain parts of the world, ranging from devastating floods to cyclones, tornadoes, storms/tidal surges, river bank erosion, drought, salinity intrusion and expansion, arsenic contamination in ground water, and many more. There is also risk of earthquakes, as well as human induced catastrophes and disasters, and hazards such as infrastructural collapse and many more. Catastrophes/disasters, whether they be natural in origin or induced by human action, interrupt the process of social and economic development of a country. Many factors contribute to catastrophes and disasters, including geographical and topographical features; confluences of the major rivers; high monsoon rainfall; climate change; low mean sea level; rise of sea level; siltation of rivers; flood control measures; deforestation; earthquakes; use of chemical fertilizers; excessive consumption of ground water; over fishing shrimp cultivation and unplanned urbanization and industrialization (AMCDRR, 2014: 11).<sup>2</sup>

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<sup>2</sup> Asian Ministerial Conference on Disaster Risk Reduction.

Since it is not possible to escape catastrophes/disasters, it is necessary to learn to live with them and to manage their effects to as great an extent as possible. There are lots of types of hazards in the world, and around 15 of them can affect Serbia. There are approximately 15 different types of hazards in the world – which may also affect Serbia – including fires, earthquakes, chemical and radioactive hazards, epidemics and terrorism, while one of the most common occurrences is flooding. Primarily for this reason, from September 2019 a new warning system for earthquakes, floods, heavy rainfall and many other dangers will become active in the Serbian capital, Belgrade. This new system will be modelled on those of the world's major cities, such as Rome and Moscow. The Mayor of Belgrade stressed that natural catastrophes/disasters, which are becoming increasingly common in Serbia due to climate change, cannot be predicted, but preventative measures can be developed and improved. These preventative measures will significantly mitigate the effects of natural catastrophes/disasters (RTS, 2019).<sup>3</sup>

While the origins and onset of catastrophes/disasters are generally described by science, they need to also be addressed by the social sciences in terms of their consequences, social impacts and processes of social recovery and resilience building. Catastrophes/disasters have sociological, psychological, economic, legal, gender, and other aspects. There are e.g. necessity for various types of care, that needs to be handled by the related social sciences. It is impossible for any disaster management plan to be realistic without considering the social consequences of catastrophes/disasters. The approach of current social research on catastrophes/disasters should by all means be made from a primarily gender-sensitive perspective.

“Catastrophes and disasters impact different groups of people in different ways, based on their unique socio-economic and environmental contexts. Without giving voice and agency to vulnerable groups particularly hit by all catastrophes and disasters, it is difficult to determine specific impacts of hazards on such groups. The speechlessness of these groups hinders planning for disaster risk reduction's ability to address their specific vulnerabilities. Therefore, assessing and

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<sup>3</sup> The new system will be completed soon, and will significantly prevent and reduce the effects of natural disasters. Sirens are to be erected at 316 locations in the city, initially in suburban municipalities.

addressing vulnerability to hazards should be contextualised to local conditions using participatory and inclusive approaches that will facilitate vocalization by local communities of their challenges, priorities and needs, while also enhancing their agencies to act to address these challenges” (Pincha, 2019).

## Gendered Impact of Catastrophes

It is a well-known fact that catastrophes/disasters in our world have increased quantitatively, and their effects have influenced wider masses, more and more women, too. For example, during a major 2014 flood event, women were found to be particularly affected but they were weakly represented in the flood-planning response and overall decision-making processes (Cvetković, 2018: 2).

In the context of gender inequalities, women now have limited impact and control, regardless of the fact that they possess the skills and capacities for responding to crisis and recovery (Mršević & Janković, 2019: 66). Experiences of recent infamous catastrophes/disasters that caused significant human and material losses shows that women are more vulnerable to and more likely to become victims of natural catastrophes/disasters than men. Women also have to bear the main workload of rehabilitation, especially within the household and family. It is presumed that this is related to socio-cultural and socio-economic factors. Socio-cultural factors include pre-existing traditional ethical and behavioural standards that define the role and status of women in society and in the family. According to these standards, a woman should take care of the house and be responsible for serving all members of the family, especially men and seniors.

“The gender evidence base recommends that women (and men) should not be considered a homogenous group when assessing the impacts of development activities, as factors such as age, sex, race, and ethnicity intersect to influence a person’s vulnerability, which in turn influences the overall benefits of activities. Nor should all women as a whole, automatically and necessarily be considered more vulnerable than men. Full characterization of costs and benefits requires an understanding of vulnerability in a given population, and characterization of structural barriers. Gender-blind approach to risk reduction

management can further promote gender inequalities, while potentially providing economic benefits to service-providers, funders, banks, etc., so it is necessary to question the perspective from which benefits are assessed.” (Shreve, 2016: 4).

Risk of catastrophes and disasters as a separate factor, together with other social and economic factors (unemployment, social insecurity, labour migration, gender and racial inequality), has led to a decline in living conditions of the majority of the population. This decline impacts mainly women, as they have limited material, physical, mental and moral recourses to change the existing situation. In recent decades, the risk of catastrophes, together with other social-economic factors (unemployment, social vulnerability, gender and racial inequality, seasonal migration of men outside of their district, region, or even country) has brought a deterioration of living conditions to the main population of the regions, which mostly affect women. Due to gender traditions at family and community levels, women are often thought – by both themselves and others – to be unable to change the existing situation (Kasymova, 2008).

Fundamental principles and practical lessons from gender, disaster and development literature have been used to identify the primary areas for distributive concerns (i.e., heterogeneity and diversity, agency, formal and informal rights, displacement, and ‘active’ representation). Additionally, evidence on disaster impacts, disaster responses, and lessons identified for planning, which are useful in helping to prioritize women’s empowerment concerns, are highlighted. “Women are reported to have better skills in organization of essential supplies and emergency amenities, saving important documents, and dealing with the financial matters of the household” (Cvetković, 2018: 15). This should be perceived not only as an advantage, but also perhaps as a proxy for a more embedded sense of prioritizing the security of the household, which gives women greater motivation for arranging household and family concerns. This includes emphasizing their role in emergency management messaging for preparing the family for a possible hazard situation. Men appeared to be more confident in managing an emergency situation, including the perception that they were better prepared to take action, including physical preparedness and response. Additionally, women had fewer opportunities to maintain a high level of social networking in the community, which may lead to



them being less informed. This might then underpin women expressing TV programs as the main channel of flood hazard information and education (Cvetković, 2018: 16).

Based on the current quantitative research, there is an increasing need for further gender-focused mixed methods research, in order to contextualize gender discrepancies in greater depth and at a local scale. Doing so can better target and tailor disaster management planning and preparedness, response, and recovery education campaigns. Such work could result, perhaps even quite significantly, in fewer victims of events such as floods, lessening economic losses, and reducing other consequences. Thus, actions to develop strategies to empower women, educate men, and promote the synergistic cooperation of both genders in effective preparation, while also perhaps, at the same time, overcoming gender stereotypes.

## **Gendered Social Roles**

Women are still in many places throughout the world, in Serbia too, controlled by family and community, which leads to their lower physical and professional/work mobility, which in turn limits their social mobility and capacities. Socio-economic factor influencing this include the following: because of the global economic crisis, the financial contribution of men to the family budget has decreased, which has burdened women with greater responsibility (Kasymova, 2008). Gender roles during and after natural catastrophes/disasters are identified based on the traditional status and social positions of women and men at family and community levels. As a rule, men are responsible for liquidating the source of the disaster and also reducing its destructive consequences on assets, property and people. Typically in Serbia, men were engaged in military service, during which they were trained to manage emergency situations, which helps in their engagement in overcoming catastrophes/disasters. Thus men are perhaps seen within a more generalized perception of being more proactive and ready when situations call for participation.

But gender is not a merely a variable that assesses the differences between men and women in the wake of catastrophes/disasters. It is also the manifested construct of living conditions, demographic

and economic attributes, behaviours and beliefs reflecting gender power relations in this context. Research shows that, before a disaster, many individuals of both genders usually perceive their own risk as sufficiently low, reflecting an 'it will not happen to me' set of beliefs. As a result, people do not feel the need to invest voluntarily in protective measures such as strengthening their house or buying insurance (Cvetković, 2018: 3). Women claimed that technological sources (television, press, and the Internet) and family informed them of possible risks, while their male counterparts reported being more reliant on colleagues, neighbours, friends and their professional networks for their information. This might be explained by the fact that women are typically confined to the house, for their work and child rearing, making them isolated from various sources of interpersonal communication apart from other family members. (Cvetković, 2018: 14). However, it may also be the case that women are just more realistic in evaluating personal and household preparedness. Women's many household, child-rearing, and related responsibilities may lead to a focus that allows them less time to consider the additional responsibility of being prepared for a possible natural hazard event. Women were largely responsible for preparing family members, and expressed a higher knowledge of stocking provisions and getting the household ready for a potential natural hazard event (Cvetković, 2018: 2). Being more practical and more oriented towards everyday's needs, much higher percentage of women are reported to having water storage and a higher proportion of food supplies than men (Cvetković, 2018: 10-11). Significantly more women also reported that they had secured copies of important personal, financial and insurance documents in a safe place.

After catastrophes/disasters, the survival of family members – including children and seniors – is seen to be the responsibility of the women. Women are also responsible for the integrity of the house and other property. They are responsible for the majority of household restoration works in the wake of a natural disaster. They participate in preparatory and construction work, serve all members of the family, and take care of the children, seniors, and ill members of the family. These responsibilities mostly keep women inside the house, isolating them from the outside world. All questions regarding the life of the community, including the lives of women exposed to the risk of natural catastrophes/disasters, are discussed at public meetings usually without

their participation (Kasymova, 2008). Gender roles within the household and community may have direct implications for the successful prevention, mitigation, and management of hazard situations.

One point of interest is the view of anthropologists of disaster who stress a need to challenge the assumed uniformity of disaster experiences in the same manner that feminist scholars argue for an intersectional analysis of vulnerabilities as shaped by racism and sexism. There appears to be a correlation between cultures where family marginalization and lower levels of involvement in community networks and less preferential treatment for women occur, and women being exposed to greater risk. Risks are likely to increase in magnitude and complexity when combined with other developmental challenges such as growing inequality and continuing environmental degradation. It is obvious that gender dynamics in the catastrophes/disaster context should be of interest to governmental, non-governmental and international organizations and projects, and not only at the policy level. When disaster risks are not effectively managed, their impact will continue to undermine efforts to reduce poverty and achieve sustainable growth, and various types of social inequality will continue to grow. Addressing these risks will require investments that build resilience through initiatives that involve forming gender-equal partnerships within and with local communities as the cornerstone of solutions. These strategies serve to build more resilient communities and reduce the risks stemming from disasters. Policies addressing adaptation to climate change must also be aligned with the principles of good governance and gender equality, and communities should be perceived not merely as victims of climate change and catastrophes/disasters, but as actors and drivers of resilience (Huairou Commission, 2017: 4).

Once recognized, catastrophes/disasters and disaster preparedness can also be seen as opportunities to facilitate or provide openings for the empowerment of traditionally marginalized groups. Successful community-based management actions depend on public authorities' approaches to mainstreaming of the preparedness and recovery of women and men after disaster events, and how well gender-different realities are identified and dealt with. Thus, to assist public authorities in organizing gender-sensitive management plans, it is necessary to know how people prepare for and react to catastrophic events in different ways from a gender perspective. This should also be a priority

for researchers and emergency management practitioners, who need – through both research and practice – to contribute more to identifying gender differentiation in how women and men perceive, prepare for, experience, and react to natural catastrophes/disasters, also factoring in different socio-cultural and economic backgrounds. For this, it is necessary to promote gender-sensitive preparedness by using networks that appeal to and advocate for women, including those that have a long history of assessing and addressing public health issues (e.g., women’s social, educational and healthcare providers). Bearing in mind the typical risk situations in Serbia, it would be good to include flood hazard education in children’s school curricula (e.g. education on gender empowerment and cooperation in the context of creating a current and future population that has resilience and risk management knowledge and skills) with the purpose of being prepared for and overcoming problems related to risk scenarios; not just flooding, but also other natural hazards.

## **Recovery in the Make: Community Based Examples**

The protection of human rights and the promotion of gender equality must lie at the heart of reducing the risk of disasters and building a society’s resilience to them (Čović, 2015: 8). The author of the paper does not give ready answers, but promotes a mindset of encouraging non-discriminatory, creative collaboration both of and with in all social groups, including both genders in confronting catastrophes/disasters. One pathway for learning and integrating gender relationships in emergency management practices includes the promotion of success stories. For example, in Bangladesh, the introduction of improved gender-responsive disaster management is credited with a lower loss of female lives from Cyclone Sidr in 2007 when compared to catastrophes/disasters that occurred before implementation of this policy (Cvetković, 2018: 15).

Each year, the commemorations of the anniversary of the 2004 twin disaster (earthquake with tsunami) that devastated many communities in Southeast and South Asia is used to raise awareness of the necessity of improving the levels of local communities’ resilience. The catastrophe challenged and overwhelmed the capacity of governments,

non-governmental responders and communities in affected countries. However, it also provided them with a great opportunity to serve the affected population, enhance their capacities, and learn many lessons to improve their organizations' abilities to prepare for, respond to, and recover from a disaster's damaging impact (AMCDRR, 2014: 7). The international community also reacted to the catastrophe by adopting firstly the Hyogo Framework for Action 2005-2015, and subsequently the Sendai Framework for Disaster Risk Reduction 2015-2030, both documents with clear inclusion of women and men in all acting and decision-making roles. The Hyogo Framework for Action (2005-2015) Building the Resilience of Nations and Communities to Disasters (HFA) is the first plan to explain, describe and detail the work that is required from all different sectors and actors for reducing disaster losses with the goal of substantially reducing disaster losses by 2015 by building the resilience of nations and communities to disasters. Gender aspects are present in all five of its outlined priorities for action, as well as the guiding principles and practical means for achieving disaster resilience that are proposed. The Sendai Framework is a 15-year voluntary non-binding agreement which recognizes that the state bears the primary role in reducing disaster risk, but that responsibility should be shared with other stakeholders including local government, the private sector and other stakeholders. It aims for the substantial reduction of disaster risk and losses to lives, livelihoods and health and in the economic, physical, social, cultural and environmental assets of persons, businesses, communities and countries as the expected outcomes. Under the Sendai priority, Improving disaster preparedness for effective immediate disaster response mandates the need to empower women and people with disabilities to conduct public affairs. The promotion of gender equality and universally available response, recovery, rehabilitation and reconstruction stand out as its crucial elements.

In March 2011, Japan was hit by the devastating Tohoku earthquake of magnitude 9 according to the Richter Scale. In addition to the tremendous damage in the area affected by the earthquake, the Fukushima Nuclear Power Plant also suffered damage. The waves of the Pacific Ocean left the communist of Fukushima in ruins. That afternoon, a massive tsunami was triggered along the Japanese coast, killing nearly 19,000 people. The earthquake itself did not cause much damage to the power plant, but the tsunami

which followed flooded fuel depots and diesel generators intended for electricity production in the event of an accident. While Japan worked to commemorate the eighth anniversary of the catastrophe, the community of Fukushima campaigned to highlight why many considered it the best surfing spot in Japan. Surfers from other parts of Japan began appearing at the events in solidarity. A surfers' tourism campaign began in summer 2019, as a way for the heavily affected community to not only overcome the catastrophe, but to provide an optimistic recovery. Thus Fukushima is a special place, which dealt with an earthquake, tsunami and nuclear disaster at the same time, demonstrating how people's equality and diversity might be utilized as vital to organizational success. The sea in Fukushima is a part of life for both genders, and will continue to be so (Portal Novilist.hr, 2019).

The gathering and publishing of survival testimonies of women in local communities in Southeast Asia hit by Typhoon Yolanda worked as an act of resistance to the chronic crises of everyday poverty and gender based inequality (Ocampo Go, 2016). These stories showed how the destruction of Super Typhoon Yolanda that devastated the Philippines and neighbouring countries increased the level of everyday violence and poverty, but also the inequality of power holders. While it is a fact that men hold dominant positions of governance in existing political structures in the Philippines as well as all across the world, the erasure of women from positions of leadership, the neglect of their roles in community and participatory development processes, the gendered violence acted on their bodies, and their heightened vulnerabilities during catastrophes/disasters, are not a natural process. Legal provisions remain weak, and continue to overlook the role of civil society organizations and community members themselves, particularly women in both disaster preparedness and broader development efforts in the country (Oxfam International, 2014: 19-21). There is also a persisting lack of prioritization of the realities and needs of the most vulnerable segments of society, including "the elderly, women and children, persons with disabilities, indigenous peoples, informal settler families, internally displaced peoples in conflict or insurgency areas, and communities that are in small islands or geographically isolated and disadvantaged areas" (Ocampo Go, 2016: 95).

## Gendered Disaster Risk Management

A brief conclusion to this paper is that both women and men should be seen as valuable resources that are able to combine complementary strengths to maximize preparedness, response, and recovery. They both comprise so-called subjective factors of security who are responsible for achievement, preservation and development of security who are differentiated of the subjects of endangerment (Ivanović, 2018: 176-203). For this reason, greater promotion of gender-related dialogue that aims to leverage the respective strengths of women and men requires women to be increasingly empowered to take on leading roles in building disaster resilience, in the wider scope of security development. One response to this stems civil society organizations dealing with gender equality issues, which underline the necessity of understanding disaster risk, strengthening the disaster risk management system, investment in disaster risk reduction in order to strengthen resilience, improvement of readiness for effective response, and (re-)building a social gender relationship “better than it was” (Đukić and Petronijević, 2019: 7).

Resilience of a community, a country, a region and a continent starts from the so-called Disaster Risk Reduction Framework, which usually includes response, recovery and rehabilitation in the wake of a disaster. Current approaches to disaster management also include preparedness, prevention and mitigation phases. Key action points relating to planning, organizing, capacity building, systematizing communications are, along with others, neatly categorized under the phases of ‘Before Disaster’, ‘During Disaster’ and ‘After Disaster’. The concept and practice of reducing disaster risks are put through systematic efforts to analyse and manage causal factors, including through reduced exposures to hazards, decreased vulnerability of people and property, intuitive management of land and the environment, and improved preparedness for adverse events (Philippine Disaster Risk Reduction and Management Act of 2010).

To expand on this, there should be comprehensive land use plans, hazard maps, local disaster risk reduction management (DRRM) plans, training programs, and warning systems in place. All these activities are currently predominantly led by men, with little formal participation of women, or with rare recognition of their existing roles in local DRRM systems. In the absence of the establishment of clear

connections between disaster preparedness and the chronic crises of poverty, development challenges and gender equality, these drop-down checklists with insufficient capital resources for implementation do little for disaster preparedness (Ocampo Go. 2016: 96).

The purposes of a DRRM plan might be to guide national government to allocate 5% of the local government budget to DRR, to help the community access funding from national government, to strengthen local government's technical capacity in disaster management, to identify infrastructure priorities and action plans in anticipation of severe hazard events, to train local actors of both sexes in preparing for catastrophes/disasters, and to promote safe, gender equal and resilient communities. Elements included in a disaster risk reduction plan are identification of hazards, vulnerabilities and risks to be managed, disaster risk reduction and management approaches/strategies, agency roles, responsibilities and lines of authority, coordination in pre-disaster and post-disaster phases, budgetary resources. Identification of measures should include steps and actions needed to address vulnerabilities and gaps; examples of this include expansion of social security coverage, improving access to loan and credit facilities, installation of early warning devices, implementation of standard operating procedures for evacuation of communities to safe areas, roll-out of information and education campaigns, fostering institutional arrangements, partnerships, linkages and networks. Actors involved in this include civic society organisations (particularly including women's organizations), academic and research institutions, neighbouring local government units, national and regional government agencies.

"The analysis of the findings from the field has highlighted the need to create an enabling environment for women's voices and agency to emerge and expand. Creation of such an enabling environment will mean instituting dialogues in which women can participate and speak without fear and inhibition and explore multiple strategies – at times facilitated – within the constraints (or expanses) of existing socio-cultural spaces. This will help them to place their priorities and choices, needs and interests, at the centre of project activities – i.e. have their voices heard – and affect outcomes of importance to themselves and their families – i.e. exercise their agencies" (Pincha, 2019).

Many authors agree with this. "Women affected by catastrophes/disasters must be involved in preparedness decisions that affect



their lives. These women have a right to participate in the decisions that affect their lives: women have specific needs during catastrophes/disasters and including them in decisions is crucial in ensuring these needs are catered for. Women's participation in decision-making is enshrined in international human rights policies and frameworks. However, it is not enough to recruit only – or mainly – women leaders and assume they will address women's specific needs, as it is not certain they will have an understanding of the particular context. Women from local communities should be involved rather, because it is necessary to create and adhere to policies that advocate for the participation of disaster affected women in programme design" (Tanner, Markek and Komuhangi, 2018: 4).

While men appeared to be more confident in managing an emergency situation, including the perception that they were better prepared to take action, of which physical preparedness and response is a major component. Additionally, women had fewer opportunities to maintain a high level of social networking in the community, which may lead to them being less informed.

Based on the current research, there is an increasing need for more gender-focused mixed methods research to contextualize gender discrepancies in greater depth, and also with greater concentration at the local scale. Doing so can better target and tailor disaster management planning and preparedness, response, and recovery education campaigns. Such work could result, perhaps even quite significantly, in fewer victims of events such as floods, reduction of economic losses, and alleviation of other consequences. Thus, actions to develop strategies to empower women, educate men, and promote the working together of people of both genders synergistically to prepare effectively while also, perhaps, at the same time, overcoming gender stereotypes are necessary. The aim is to promote gender-sensitive preparedness by using networks that appeal to and advocate for women, including those that have a long history of assessing and addressing public health issues (e.g., women's social and healthcare providers). It is also necessary to use a range of communication channels for increasing hazard knowledge and preparedness, including gender-related scenarios or case studies that appeal to people and promote empowerment and working cooperatively together within households and communities.

The response to and prevention of catastrophes/disasters should not be diminished by existing inequalities at different levels.

Catastrophes/disasters, while causing immense damage, also have the capacity to reconcile self-interest and mutual interest. Bearing in mind the disagreement between the interests of individuals, social groups and nations on the one hand, and universal interest on the other, common efforts are necessary to confront catastrophes/disasters and to utilize this capacity. The confrontation of catastrophes/disasters should serve the common good, with the goal of making the world a safer and better place. Institutions and policies that will represent the general interest in the event of catastrophes/disasters should be recognized. When people of both sexes are involved in addressing catastrophes/disasters together, the pursuit of the common good and ways of achieving this develops.

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### Sažetak

Poslednjih decenija međunarodne humanitarne organizacije i vlasti zemalja pogođenih katastrofama/prirodnim nepogodama i klimatskim promenama, ukazuju na činjenicu da više žena u odnosu na muškarce gubi živote i trpi druge nepovoljne posledice takvih događaja. Ta disproporcija viktimizacije je pojava uzrokovana i povezana sa nejednakim socio-ekonomskim statusom žena. U smanjenju rizika od katastrofa odnosi žena i muškaraca su uslovljeni ulogama i odgovornostima koje imaju i kod kuće i u društvu. Isključujući rodno definisane uloge rezultiraju različitim ličnim i grupnim identitetima i potencijalima, društvenim odgovornostima, ponašanjima i očekivanjima. Rodno zasnovane razlike dovode do rodne neravnopravnosti u svim društveno-ekonomskim procesima, uključujući i različite uloge i mogućnosti: ranjivost i smanjenje rizika od katastrofa, upravljanja katastrofama, predviđanje moguće štete i oporavak nakon njih. Zbog svih tih razlika, jasno je da

žene i muškarci, bez diskriminacije i isključivanja, moraju ravnopravno da učestvuju u odlučivanju i smanjivanju rizika od katastrofe na nivou zajednice (nacionale, regionalne i međunarodne). Mora se obezbediti uključivanje rodni eksperata i aspekti u razvoju rodno senzitivne politike i programskih uputstava. Time se stvara validan preduslov rodne ravnopravnosti u toku smanjivanja rizika od katastrofa i klimatskih promena i vrši efikasnije prilagođavanje klimatskim promenama na nivou zajednice. Potrebno je da se integrišu rodno senzitivni aspekti/kriterijumi u inicijativu, planiranje, dizajniranje, implementaciju, nadzor i evaluaciju programa i projekata. Za prilagođavanje klimatskim promenama i ublažavanje njihovih posledica, ali i smanjivanje rizika od katastrofa/nepogoda, neophodni su parametri o potrebama i interesima žena. Te potrebe su nužan uslov za podršku ženskim nezavisnim inicijativama i radi finansiranja odgovarajućih i ekološki razumnih tehnologija u održivoj upotrebi prirodnih resursa.

**Ključne reči:** prirodne katastrofe/nepogode, klimatske promene, rodne uloge, rodne odgovornosti prevencija, oporavak, izgradnja otpornosti

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# Violence Against Women in Politics<sup>1</sup>

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## Abstract

This chapter addresses various aspects of this emerging research area, exploring concepts, theories, and data related to the study of violence against women in politics. It occurs within the political sphere but specifically targets women. It is used to reinforce traditional social and political structures by aiming women leaders who challenge patriarchy and the prevailing social expectations and norms. In many societies, such practices are marginalized, naturalized, depoliticized and remained invisible. When female politicians are attacked for their political views alone, therefore, this is not a case of violence against women in politics. Ambiguity emerges, however, due to the fact that the means for attacking female politicians often relies on gendered scripts, focusing on women's bodies and their traditional social roles, primarily as mothers and wives, to deny or undercut women's competence in the political sphere. Symbolic and semiotic violence in politics can be effective in sustaining women's oppression because it is subtle, euphemized, invisible. Even if women recognize these acts as exercises of power, they still do not name it as violence, even in societies with greater levels of gender equality. The concept of semiotic violence refers to the use of language, images and symbols as a means in purpose to marginalize and disqualify women as political actors. Often normalized, these dynamics serve to maintain gender hierarchies, undermining democracy and eroding the possibilities for women's political empowerment.

*Key Words:* Women, Politics, Semiotic Violence, Symbolic Violence, Sexism, Misogyny

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## Introduction

■ Opportunities for women to participate in politics, as voters, activists, and politicians, have been viewed as a positive development for women and for democracy. Recent gains, however, are challenged by a growing number of reports of physical attacks, intimidation, harassment, semiotic violence directed at politically active women, often with the aim of deterring their participation or rendering them less effective as political actors. This chapter will address various aspects of this emerging research area, exploring concepts, theories, and data related to the study of violence against women in politics.

Researchers recently have focused on the intersecting phenomena of political and election violence, repression of citizen's political participation, and discrimination and even violence against women in the public sphere. The resulting set of academic and policy papers have been prolific and provocative, yet characterized by numerous conceptual and methodological contradictions and gaps.

Violence against women in politics can deteriorate political selection and politician quality and the damaging impacts might be particularly relevant for women's representation (Dal Bó, Dal Bó, Tella 2006; Čičkarić, 2016). It serves to reproduce and maintain patriarchal values, hegemonic masculinity, undermine democracy and eroding the possibilities for women's full political empowerment.

The key factors that have to be involved in systematic research on violence against women in politics are:

- the context of violence against women in politics
- the nature and extent of violence against women in politics, the motive behind such violence, and the effect of this violence
- the awareness of violence against women in politics by identifying and disseminating best practices in combating it.

The worrying rise in aggression and violence against women in politics is correlated with the increased number of women engaged in political and public life. The questions are - does violence against politicians occur in response to political

empowerment and activity of women, and does more women in politics lead to a reduction in discrimination and inequality? As a misogynistic phenomenon, violence against women in politics has deep roots in the domination of hegemonic masculinity and toxic masculinity in patriarchy.

## Definition of the Concept

Violence against women in politics occurs within the political sphere but that specifically targets women. It is used to reinforce traditional social and political structures by targeting women leaders who challenge patriarchy and the prevailing social expectations and norms. Being female explains both why violence occurs and the particular forms that it takes, with violence against women being used as a mechanism to keep women out of politics and activism, to limit opportunities to learn and work, and to hamper their capabilities to organize and claim their rights. In many societies, such practices are naturalized, including through gender stereotyping, leading them to be viewed as non-political and to remain largely underreported. Yet violence against women in politics is a problem in all countries, affecting women in every socio-economic group and life stage.

In 2011 The United Nations General Assembly first called for zero tolerance for violence against female candidates and elected officials. In 2012, Bolivia became the first country in the world to criminalize political violence and harassment against women, in response to a more than decade-long campaign by locally elected women to document the numerous injuries and abuses they confronted. In 2016 and 2017, global action on this issue began to accelerate and The National Democratic Institute launched the NotTheCost campaign to stop violence against politically active women. The Inter-Parliamentary Union undertook the first global study of sexism, violence, and harassment against women parliamentarians (IPU 2016). UN Women together with the United Nations Development Programme released a programming guide on preventing violence against women in elections ( UN Women/ UNDP 2017).



Political gender equality is not guaranteed by parity in positions of power or influence over policy: equally central are the conditions under which politicians work. Being able to carry out political functions free from fear of violence and threats is a fundamental prerequisite for political representation. Researchers have raised the concern that political violence and intimidation seems to be targeting women more intensively than men, hence posing a severe yet still largely understudied obstacle to political gender equality (Krook, Restrepo Sanín 2016).

Jennifer Piscopo orients her research agenda towards greater conceptual clarity and methodological sophistication (Piscopo 2016:445). First, she argue for analytically distinguishing violence from discrimination and political and electoral violence from societal and domestic violence. Though incidents may overlap in practice, this distinction drives more effective policy interventions. Second, she intends to sharpen distinctions among violence's motivations and objectives, insisting upon differentiating between political violence that is gender-differentiated versus political violence that is gender-motivated. The former captures political violence that men and women experience differentially for reasons of gender (i.e., voter intimidation in which male citizens are physically threatened while female citizens are sexually assaulted) whereas the latter conceptualizes political violence that aims to remove certain participants from the public sphere because of their gender. Third, she use these distinctions to delineate a forward research agenda defined by conceptual precision and appropriate methodological approaches and indicators. Her conceptual schema indicates how scholars can investigate questions, such as whether violence against female politicians indicates a backlash to women's political empowerment, or a longstanding phenomenon previously overlooked by researchers' focused on male violence (Piscopo 2016).

The fast-growing literature on gender aspects of political violence has highlighted that different tactics of intimidation and forms of attacks are used against female and male politicians. Krook and Restrepo Sanín have made important theoretical contributions by conceptualising female politicians' gendered experiences of political violence (Krook, Restrepo Sanín 2016: 463). Up until now, studies have been based on self-recruited surveys and narratives from women

without comparison to men's experiences. A cross-national research project in the UK, New Zealand, Australia, and Norway found that between 80 and 95 per cent of parliamentarians had experienced some form of violence from citizens at some point, hence underlining the urgency of the issue (James et al. 2016). Measuring life-time victimization, however, does not shed light on how frequently politicians experience violence. Furthermore, these studies have not thoroughly analysed differences between women and men.

Research on the gendered nature of political institutions have connected sexist treatment of female parliamentarians, including micro aggressions and belittlement as well as sexual harassment and violence, to masculinised culture being informally institutionalised in political organisations (Collier, Raney 2018; Erikson, Josefsson 2018; Krook 2017; Čičkarić 2016). While these studies offer important insights to inequalities in politicians' immediate environments, this does not necessarily capture the majority of experiences of political violence since many perpetrators are located and act outside of these structures.

Previous research on gender aspects of violence against politicians has demonstrated that perpetrators use different forms of violence against women and men. Krook and Restrepo Sanín maintain that gendered scripts influence the way female politicians are attacked by adversaries: perpetrators focus on women's bodies and traditional roles as mothers and wives to undermine women's roles as competent politicians (Krook, Restrepo 2016). The sexualised dimension of attacks against female politicians is evident in online environments (Bardall 2011; Bjarnegård 2017). The few studies that have compared women's and men's experiences have established that sexual and psychological violence is more commonly used against female voters and candidates, whereas men experience more physical violence and property damage (Bardall 2011; Bjarnegård 2017). The existing body of research has largely focused on how, rather than how much, politicians are attacked. It relies on data that consists of convenience samples and a mixture of voters, candidates and political activists. However, the impact of politician's gender for the propensity to be targeted with political violence is not necessarily equal across different roles or hierarchical levels.

## Bias Against Women in Politics

Gender biased attitudes and beliefs have been identified as principal obstacles for women in power spheres such as politics. In essence, stereotypes about desirable leaders are inconsistent with stereotypes about women (Bohnet 2016; Brescoll, Uhlmann 2008; Rudman et al. 2012). Many studies find that women have to be more qualified and skilled than men in order to be perceived and treated as viable political candidates (Fox, Lawless 2010; Hayes, Lawless 2015). The fact that female politicians worry more than male about making mistakes seems to be related to a lower tolerance for women's mistakes and higher standards for female politicians' conduct (Erikson, Josefsson 2018; Hayes, Lawless 2015).

The finding that women who demonstrate important leadership qualities such as confidence, assertiveness and ambition are seen as unlikeable, in contrast to men who are rewarded for demonstrating the same qualities and behaviour, is well-established (Rudman et al. 2012). Similarly, women are conferred lower status if they express anger, whereas the same behaviour gives men higher status (Brescoll, Uhlmann 2008). The disadvantage of psychological gender bias for women in politics is also evident in voters' treatment of candidates: there is a general tendency to dislike leaders if they are perceived as power-hungry but only female candidates are punished for appearing to be power-seeking (Smith et al. 2006). This literature review indicates that women in politics are evaluated less favourably when displaying similar characteristics as men, and spur particularly negative feelings and reactions when they behave in ways pertaining to exercising leadership.

When female politicians are attacked for their political views alone, therefore, this is not a case of violence against women in politics. Ambiguity emerges, however, due to the fact that the means for attacking female politicians often relies on gendered scripts, focusing on women's bodies and their traditional social roles, primarily as mothers and wives, to deny or undercut women's competence in the political sphere. When adversaries rely on gendered imagery or stereotypes to attack female opponents, the act blends into a case of violence against women in politics, as it suggests that women per se do not belong in the political realm. These

actions can have a powerful impact, because they are not directed solely towards one woman. They also seek to intimidate other female politicians, deter women who might consider a political career, and even more insidiously, communicate to society as a whole that women should not participate (Krook, Resetrepo Sanin 2016:136).

In this respect, violence against women in politics shares important points of contact with hate crimes, using mechanisms of power and oppression against people with a particular identity as a means to reaffirm what are perceived to be threatened hierarchies. Like hate crimes, acts of violence against women in politics are message intended to deny equal access to rights and to create a ripple effect that heightens the sense of vulnerability among other members of the community. Yet a key challenge arises, in both cases, from the fact that victims may not experience the same sense of harm. Indeed, some female politicians may have naturalized these types of behaviors as simply the cost of doing politics, or they may deny the problem, concerned to deflect charges that they are not coping, in fear of justifying claims that women do not belong in politics.

### **Symbolic and Semiotic Violence**

Symbolic violence operates at the level of portrayal and representation, seeking to erase or nullify women's presence in political office. Such behaviors are only peripherally theorized as violence in existing NGO reports on violence against women in politics. Yet recent studies on misogyny and sexist media coverage lend support for conceptualizing certain activities as forms of aggression, harassment and outright discrimination (Mršević 2016; Sawyer 2013). These acts, we argue, cannot be reduced to healthy media criticism or rude behavior by colleagues and opponents. Negative treatment becomes violence when it entails fundamental disrespect for human dignity, like producing and distributing highly sexualized and derogatory images, using social media to incite violent acts, or not recognizing, or explicitly denying the existence of a female politician for the simple fact of being a woman.

Symbolic violence was theorized by Bourdieu as discipline used against another to confirm that individual's placement in a social hierarchy (Bourdieu, 1984). As such, symbolic violence can be more powerful than physical violence because it is culturally embedded, making these forms of violence look or feel right. Symbolic violence can be effective in sustaining women's oppression because it is subtle, euphemized, invisible, such that even when some women recognize these acts as exercises of power, they may not be believed, even in societies with greater levels of gender equality. Symbolic violence is most evident when it involves sexual objectification, like highly sexualized media and social representations. The form and content of symbolic violence vary more widely than other types, physical, economic and psychological, but it is present in all types of society. While physical violence may be most appropriately addressed through legal channels, the other three forms may require different types of interventions, alongside or separately from legislative proposals.

Furthermore, Mona Lena Krook has developed the concept of semiotic violence, arguing in favor of recognizing a fifth type of violence against women in politics and referring to the use of language, images, and other symbols as a means to marginalize and exclude women as political actors (Krook, 2017:79). Drawing on research in a variety of disciplines, she has developed the concept of semiotic violence and illustrate how it operates in practice using examples from around the world. Often normalized, these dynamics serve to maintain gender hierarchies, undermining democracy and eroding the possibilities for women's full political empowerment. Semiotic violence comprises images and language render women incompetent and/or invisible. This phenomenon is connected with taken-for-granted constructions which naturalize and rationalize violence against women in politics. There are two types of semiotic violence, everyday treths for women in public life and rendering women incompetent and invisible in politics. Silences women's vices in politics is structural (stratify opportunities by group), cultural (justify inequality, maltreatment), and symbolic (restore hierarchy of domination, acceptance/complicity of dominated) (Krook, 2017:80).

It is important to make a difference between genderd political violence and sexism in institutions. Violence is forceful act

used to disrupt regular political process – carried out with explicit intent to affect politics – targets political actors (politicians, candidates and voters). Everyday sexism enforces male dominance and perpetuates gender inequality which occurs in most arenas, not exclusive in politics, happens not just to disrupt political process and targets women, because they are women not political actors.

### **Are Sexism and Misogyny the Cost of Doing Politics?**

The first comprehensive empirical analysis of gender patterns in violence against politicians, based on three waves of survey data on 8000 local-level politicians, has showed that the most pronounced gender gap in violence exists among politicians high in the political hierarchy (Hakansson 2019). Female mayors experience far more violence than any other politician. Further, women receive a higher penalty than men for media visibility and for supporting minorities. This suggests that perpetrators of political violence are biased towards targeting women, particularly more powerful and visible women. The findings have important implications for understanding the personal price paid for holding positions of political power, and how it differs by gender.

While women experience only marginally more violence than men as politicians in general, in the group of politicians highest in the political hierarchy women experience substantially more violence than men. The risk of violence exposure increases with the level of power for both women and men, but more dramatically so for women: the higher the level of power, the greater the gender gap in violence exposure (Hakansson 2019). Much in line with these findings, furthermore visibility in media is more highly correlated with violence exposure for female politicians than male, and indications that women are penalised more than men for substantively representing minorities. This suggests that perpetrators of political violence are biased towards targeting women.

Why women are still such a threat to men in power? Is it because women may change the way politics is done? Or, is it because men have too much invested in their own dominance of the public sphere both financially and culturally? A global survey from the Inter-Parliamentary Union found that 81.8% of the responding women parliamentarians had suffered some form of psychological violence, including 44.4% who said they had received threats of death, rape, beatings or abduction during their parliamentary term (IPU 2016). Such is the phenomenon that United Nations General Assembly Resolution A/73/148 (17 December 2018) explicitly puts the bonus on legislative authorities and political parties to adopt specific measures stating zero tolerance for violence against women in politics.

Sexism and misogyny are tools to keep in check the masculine image of political leadership. The more women there are in politics, the greater the threat to his traditional understanding of decision-making. The fundamental view is that white, heterosexual, economically privileged men should make all decisions, on behalf of all people. When women also become decision-makers, this worldview is challenged. The easiest way to return things to normal is to discredit and delegitimise those women. Sexists and misogynists have made an art form of shaming women in politics.

The same Inter Parliamentary Union Report found that over 60% of those who had been subjected to sexist behaviour and/or violence believed those acts had been intended primarily to dissuade them and their female colleagues from continuing in politics. There are similar strains in the discussion on 'merit' and the under-representation of women in politics, particularly among conservative politicians. When men consciously ignore the significant barriers that exist to women's entry in the political arena, whether they are financial, cultural, or political, they are rationalising their own disproportionate power. Political violence operates involving verbal and physical challenges to create an atmosphere of fear in order to achieve political goals. It is employed in authoritarian regimes as a tool of repression, and in democratic ones, it challenges core values of the political system.

## New Research Directions

Existing research primarily examines dynamics of violence and harassment in relation to citizens, voters, and activists. Most of this work is conducted at the aggregate level, focusing on countries rather than on individual experiences, with a strong bias towards reporting on physical acts of violence taking place in the public sphere (Gillies 2011; Opitz, Fjelde, Höglund 2013). The rise of social media has also been identified as a key factor in an upsurge of abuse levelled at female politicians on platforms like Twitter and Facebook. The new area of research focuses on violence and harassment against marginalized groups in politics, with the perceived aim of depressing their political participation. Most of this literature is related to the case of women. This work first emerged from the observations of practitioners, noting a troubling rise in reports of assault, intimidation, and abuse directed at female political actors.

A 2011 report by the International Foundation for Electoral Systems found significant gender differences in experiences of electoral violence: while male victims typically experienced physical violence taking place in the public sphere, female voters most often reported intimidation and psychological abuse (Bardall 2011). Data from the IPU confirms the importance of looking beyond physical abuse as an indicator of political violence: while 25% of female MPs had experienced some form of physical violence in the course of their work as parliamentarians, more than 80% had suffered psychological violence, more than 30% had been targets of economic violence, and more than 20% had experienced some form of sexual violence (Inter-Parliamentary Union 2016). Research by Amnesty International on Twitter abuse against women MPs in the UK finds that women across the political spectrum are targets of online violence and intimidation. Female MPs of color, however, receive 30% more abuse than their white counterparts (Dhrodia 2017). Together with IPU's finding that young women in parliament are particularly targeted for harassment, these results indicate a need for both a gendered and an intersectional perspective on violence against politicians.

There is a need to develop and expand new directions in research on violence against female political actors. Institutional



responses to violence against women in politics is very important question. For example Canada and the United Kingdom, both countries have developed relatively new rules that deal explicitly with harassment in politics. In 2014, the Canadian House of Commons became one of the first legislatures in the world to do so when it introduced a new sexual harassment protection policy for parliamentary staffers of MPs. The next year, it adopted a new MP-to-MP Code of Conduct on Sexual Harassment and in 2018, the legislature passed a law extending sexual harassment protections to all federal employees (Collier, Raney 2018). In July 2018, the UK Parliament adopted an Independent Complaints and Grievance Scheme to address bullying and harassment in British politics and a few months later, a report on bullying of House of Commons staff is released. This legislative action taken on violence against women in politics varies across spaces and time particularly in its effectiveness and substantive responsiveness to women. It also reveals how pre-existing power hierarchies and gendered rules embedded within political institutions can work to undermine efforts to make legislatures safer workplaces for women across parliamentary contexts.

To answer the question how interpret, prevent and punish abuses suffered by women political actors, there is a need to disaggregate political violence into motives, forms, and impact (Bardall, Bjarnegård, Piscopo 2017). Gendered motives appear when perpetrators use violence to preserve hegemonic men's control of the political system: here, the motive is misogyny, and the targets are usually women. Yet gendered roles and beliefs can shape the forms and impact of political violence, without misogyny motivating the violence itself. Gendered forms emphasize how gender structures the means through which men and women commit and experience political violence (for instance, women are targeted sexually and men are targeted physically). Disaggregating forms, motives, and impacts offers theoretical and methodological improvements over prior approaches. It comprises the separation of the structural violence of misogyny, indignities and attacks women experience because they are women, from political violence, the abuses women suffer because perpetrators wish to disrupt politics, elections, or governance.

## Conclusion

To generate public awareness and support for change, women's organisations and groups have to create partnerships and networks to monitor, document and address violence against women in politics. Mobilizing mainstream and social media may be a powerful means for exposing and combating violence against women in politics. Social media can be an especially powerful to expose acts of violence and garner support for projects to empower women in politics. Programming funded by international organizations provides gender training for journalists and recruits female reporters to engage in political reporting as a double-pronged strategy to enhance gender-sensitivity in media coverage, including heightened attention to acts of violence against female politicians. Training programs for female candidates can also address how to decrease vulnerability and respond effectively to on-line attacks. In addition to working to secure public pledges from political elites to ensure women's safety during elections, gender equality concerns can be integrated into electoral observation missions.

Political parties can also take a number of concrete steps to tackle this problem. One is by issuing declarations of principle and revising internal party regulations to introduce a zero-tolerance policy for perpetrators of sexual violence and harassment of women in politics.

Other initiatives include rules against sexism, racism, and bullying in party meetings, as well as brochures and handbooks produced and distributed by women's party organizations that offer strategies for recognizing and counteracting techniques used against women in politics. And finally, all actors at the global, national, and local levels should take steps to prevent, treat and punish violence against women in politics.

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### Sažetak

U ovom poglavlju se govori o različitim aspektima relativno novog područja u kome se istražuju koncepti, teorije i praksa koja se odnosi na nasilja nad ženama u politici. Ova vrsta nasilja se događa unutar političke sfere i posebno je usmerena na žensku populaciju. Koristi se za jačanje tradicionalnih društvenih i političkih struktura i vrednosti i usmerena je pretežno na liderke i žene na vodećim pozicijama u upravljanju i odlučivanju. U mnogim društvima takve se prakse neutralizuju, uključujući rodnu stereotipizaciju, depolitizuju i najčešće ne prijavljuju. Kada se političarke napadaju zbog svojih političkih stavova, ne može se govoriti o nasilju nad ženama u politici. Međutim, problem nastaje kada se političarke diskvalifikuju, vređaju i omalovažavaju

korišćenjem i zloupotrebom obrazaca rodnog identiteta, ženskog tela i tradicionalne uloge majke i supruge, kako bi potkopale kompetencije i efikasnost ženskog aktivizma u političkoj sferi. Simboličko ili semiotičko nasilje vrlo uspešno reprodukuje žensku opresiju jer je suptilno, eufemizirano, nevidljivo, tako da čak i mnoge žene ne prepoznaju ovu vrstu nasilja i to u društvima sa višim stepenom rodne ravnopravnosti. Koncept semiotičkog nasilja uključuje upotrebu jezika, slika i simbola kao sredstava za marginalizaciju i diskvalifikovanje žena kao političkih aktera. Često normalizovana i opšteprihvaćena, ova dinamika nasilja služi održavanju rodne hijerarhije, potkopavajući temelje demokratskog društva i umanjujući mogućnost za političko osnaživanje žena.

**Ključne riječi:** žene, politika, simboličko nasilje, semiotičko nasilje, seksizam, mizoginija

# Understanding Different Gender Identities

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# Attitudes of Students in Serbia Towards Lesbians and Gay Men: the Research Results<sup>1</sup>

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## Abstract

In 2018 Serbia took part in the Comparative Study of Student Attitudes towards Punitiveness and Gay and Lesbian Issues that encompasses ten European and non-European countries. The data was collected with the use of the standardised questionnaire, while respondents were students who could work in the criminal justice system. In Serbia, the survey was conducted on a sample of 188 students of the third and fourth year of the undergraduate studies at three faculties in Belgrade: the Faculty of Special Education and Rehabilitation and the Faculty of Philosophy, Department of Psychology (University of Belgrade) and the Faculty of Law (University Union). The questionnaire included three scales of attitudes: towards lesbians and gay men, towards crime and towards criminal sanctions. The aim of the chapter is to present a part of the survey findings concerning students' attitudes towards lesbians and gay men. The Herek (1998) Scale of Attitudes towards Lesbians and Gay Men was used in the survey. It consisted of 20 different statements, ten about gay men and ten about lesbians, to which respondents indicated their level of agreement or disagreement on a 5-point Likert-type scale. The paper starts with an overview of the available so far research on the students' attitudes towards lesbians and gay men. This is followed with a brief overview of the survey methodology. Afterwards, the survey findings on students' attitudes towards lesbians and gay men and contributing factors are presented and discussed. In the final part, the main

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conclusions are pointed out, as well as recommendations related to the necessity of raising awareness about the rights of persons of different sexual orientation in the field of higher education and the importance of sensitizing future professionals who could work in the criminal justice system.

*Keywords:* attitudes, students, lesbians, gay men, research, Serbia.

## Introduction

■ Sexual orientation towards persons of the same sex has been stigmatized as a psychopathology, illness or deviance in many countries and cultures. While in many countries homosexual acts are legal, in others they are illegal and criminalized (Carroll, 2016), with punishments ranging from fines, forced labour and long term imprisonment to the death penalty. Even when homosexual acts are not criminalized, obstacles to enjoy fundamental rights, different treatment, discrimination in various areas of life (in education, employment, healthcare, social services) and different forms of victimization (violence, hate crime, harassment) on the grounds of sexual orientation are still evident (Carpenter 2007; Herek, Chopp and Strohl, 2007; Institute of Medicine, 2011; Isaković and Lazar, 2016; FRA, 2014).<sup>2</sup> Although evident improvements have been made globally, with endeavours of the governments, state institutions and civil society organizations to enforce the respect of human rights of persons of different sexual orientation and to advance the equality of lesbian, gay, bisexual, trans and intersex persons (Moral de la Rubia, Vale le da O, 2013; FRA, 2018), negative attitudes towards homosexuality, known as homophobia, homonegativity and sexual prejudice, are still prevalent in many cultures.

The empirical study of negative attitudes towards homosexuality began in the early 1970s, just after psychologist Weinberg introduced the concept of *homophobia* to the American public, which he defined as “the dread of being in close quarters with

<sup>2</sup> For example, in the USA gay men have lower income than heterosexual men (Carpenter 2007; Herek, Chopp and Strohl, 2007), while institutional policies create disparities in health care between heterosexuals, on one hand, and lesbian, gay, and bisexual people, on the other (Institute of Medicine, 2011).

homosexuals - and in the case of homosexuals themselves, self-loathing" (Weinberg, 1972: 4), thus, emphasizing "discomfort and fear heterosexuals can experience in the presence of lesbian and gay people" (Lingiardi, Falanga and D'Augelli, 2005: 81). However, using the term *homophobia* to describe negative attitudes towards homosexuality was criticised by the academics: negative attitudes may not always result from fear and, therefore, homophobia, except in extreme cases, does not fit clinical definitions of phobia (Rye and Meaney, 2010: 158). In 1980, Hudson and Ricketts suggested the term *homonegativity* as a more general term that describes negative cognitive, affective, and behavioural reactions to homosexuality (Roderick et al., 1998: 80). Finally, Herek suggested the term *sexual prejudice* that, in accordance with the contemporary definitions of prejudices<sup>3</sup>, includes prejudicial attitudes towards lesbians, gay, bisexual and transgender individuals, and encouraged the research on sexual prejudices within the existing literature on prejudices in general (Herek, 1984a, 2000, 2004).

Negative attitudes and prejudices towards homosexuality contribute to maintaining of intolerance towards individuals with a homosexual orientation. During the last few decades, negative attitudes towards lesbians and gay men have become an important research topic in psychology and social sciences. Early research was focused on the component of deviance of homosexuality, showing that heterosexuals would readily agree with a statement such as "homosexuality is a mental illness" (Leitner and Cado, 1982; Kite and Deaux, 1987; Kite, 1994). Moreover, heterosexuals who hold traditional gender roles have more negative attitudes towards homosexuals and homosexuality in general (Laner, M. R. and Laner, R. H, 1980), and tend to perceive individuals with a homosexual orientation as deviant (Krulowitz and Nash, 1980). Later research has shifted the focus to the factors associated with attitudes towards homosexuality, while the most evaluated correlates are demographic variables, such as gender, age, educational level, study program, etc.

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<sup>3</sup> The term "prejudice" is often simply defined as a negative attitude toward members of a particular social group (Herek, 2006; Dovidio et al., 2010; Herek and McLemore, 2013).

Attitudes of professionals who come or who are likely to come in contact with persons of same sex orientation, including those working in the criminal justice system (police, judiciary, prisons, etc.) may affect the quality of their work and impact their professional decisions (Kovčo-Vukadin, 2015). Thus, instead of protecting human rights, they may violate them and discriminate against individuals on the ground of their sexual orientation. In 2018 Serbia took part in the Comparative Study of Student Attitudes towards Punitiveness and Gay and Lesbian Issues that encompassed ten European and non-European countries. The study was conducted on a sample of 188 students of the third and fourth year of the undergraduate studies at three faculties in Belgrade, encompassing those who could work in the criminal justice system. The aim of this chapter is to present a part of the survey findings concerning students' attitudes towards lesbians and gay men. The paper starts with an overview of the so far research on the given topic. This is followed with a brief overview of the present study methodology. Afterwards, the survey findings on students' attitudes towards lesbians and gay men and contributing factors are presented and discussed. In the final part, we point out to main conclusions and recommendations.

### **Demographic Variables as Factors Associated with Attitudes Towards Homosexuality: An Overview of the Available Research Findings**

Gender is considered to be one of the important factors contributing to negative attitudes towards individuals with homosexual orientation. The results of numerous studies indicate that women are generally more tolerant towards homosexuality, while men hold more negative attitudes towards lesbians and gay men than women. Additionally, attitudes towards gay men are significantly more negative than attitudes towards lesbians (e.g. Herek, 1988, 1994; King and Black, 1999; Cardenas and Barrientos, 2008; Yu, Xiao and Xiang, 2011; Miler and Kim, 2012; Huić, Jugović and Kamenov, 2015; Etchezahar et al., 2016). Gender differences in sexual prejudices are often

explained with the cultural construct of masculinity and femininity that lead to different cultural expectations for men and women (Herek and McLemore, 2013: 221). Masculinity is often conceptualized as a status that must be achieved, so men are more likely than women to feel compelled to conform to gender role expectations and thereby avoid losing the acceptance of their same-sex heterosexual peers (Franklin 2000; Theodore and Basow 2000; Glick et al. 2007).

Many recent studies mentioned age as a predictor of negative attitudes towards persons with homosexual orientation, but the results are not unambiguous. For example, Hebl, Law and King (2010) stated that young people and older people hold more negative attitudes towards homosexuals in comparison to the middle-aged individuals, while other studies have shown that older adults have a higher prejudice level (Herek, 2000; Herek and McLemore, 2013). On the contrary, the results of the research conducted by Lyons, DeValve and Garner (2008) did not confirm statistically significant correlation between age and attitudes towards persons with homosexual orientation.

It is known that education changes person's attitudes and values (Yu, Xiao and Xiang, 2011), so it is not surprising that higher educated individuals are more tolerant towards persons with homosexual orientation than those of lower education (Herek, 1984b; Herek and Capitanio, 1996; Loftus, 2001; Grapes, 2006). Additionally, the study program impacts attitudes as well. Thus, students of the so-called criminal justice program hold more negative attitudes towards persons with homosexual orientation than other students (Olivero and Murataia, 2001; Cannon, 2005; Dantzker and Eisenman, 2007; Miller and Kim, 2012).<sup>4</sup> Similarly, a survey conducted on a sample of Canadian students has shown the differences in attitudes towards persons with homosexual orientation depending on the study program of the respondents. Namely, students studying arts and social sciences had more positive attitudes towards homosexuals than students studying economics and natural sciences (Schellenberg, Hirt and Sears, 1999). These findings have not

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<sup>4</sup> For a detailed review of the research related to the attitudes of the students of the criminal justice programs please see Kovčo-Vukadin, 2015.

been confirmed in a survey conducted on a sample of Chinese students; on the contrary, this survey has shown that students of natural sciences have more positive attitudes towards homosexuals than students of humanities (Cao, Wang and Gao, 2010).

Many studies have investigated and documented the attitudes towards lesbians and gay men of particular groups of professionals, such as psychologists and mental health professionals (e.g. Annesley and Coyle, 1995), social workers (e.g. Berkman and Zinberg, 1997; Swank and Raiz, 2010), medical trainees and professionals (e.g. Klamen, Grossman and Kopacz, 1999; Moral de la Rubia and Valle de la O, 2014), criminal justice trainees and professionals (e.g. Cannon and Dirks-Linhorst, 2006). Personal attitudes of professionals who are in professional contact with persons with homosexual orientation affect their readiness to react and quality of work, which has been confirmed in numerous research (e.g. Barrett and McWhirter, 2002; Krieglstein, 2003). For example, studies have shown that social workers who hold negative attitudes towards lesbians and gay men have difficulty in providing quality support to homosexual clients (e.g. Barrett and McWhirter, 2002; Krieglstein, 2003) and that psychologist's homophobic feelings seem to interfere with his/her effective assessments of clients and the choice of appropriate treatment goals or counselling techniques (O'Hare, Williams and Ezoviski, 1996; Berkman and Zinberg, 1997; Ryan, 2000). Likewise, negative attitudes of criminal justice professionals towards persons with homosexual orientation can influence their decisions, which violates the principles of social justice (Lions et al., 2005).

Studies also support the idea that people with homosexual relatives or friends hold more favourable attitudes towards persons with homosexual orientation (Herek, 1988; Herek and Capitanio, 1996; O'Hare, Williams and Ezoviski, 1996; Oles, Black and Cramer, 1999; Barrett and McWhirter, 2002; Newman, Dannenfelser and Benishek, 2002; Krieglstein, 2003; Snively et al., 2004; Swank and Raiz, 2010), while those without these contacts hold more prejudiced attitudes (Lingiardi, Falanga, and Augelli, 2005). Moreover, Miller and Kim found that personal contact with persons with homosexual orientation is the

strongest predictor of favourable attitudes towards them (Miller and Kim, 2012).

Certain ideological beliefs seem to be linked with hostility towards lesbians and gay men. People with a higher level of authoritarianism reverence the traditional values and condemn non-conformists. Accordingly, they perceive homosexuality as a violation of traditional gender roles (Schulte, 2002; Green, 2005) and as a threat to traditional norms and values (Duckitt and Siblei, 2010). Consequently, they hold more negative attitudes towards lesbians and gay men. Political affiliation and membership in political parties seem to be significant in predicting attitudes towards homosexuals in a way that Conservatives and Republicans show higher levels of sexual prejudice (Shackelford and Besser, 2007; Brown and Henriquez, 2008; Miller and Kim, 2012; Etchezahar et al., 2016).

Despite the variability in measurement, religiosity has been found to be a strong predictor of sexual prejudices, even when it is tested by a simple global assessment of the importance of faith in the life of an individual (Herek, 1987, 1988; Jugović and Ančić, 2013; Huić, Jugović and Kamenov, 2015). Religious individuals hold more negative attitudes than non-religious individuals, although religions differ significantly in the extent to which they systematically condemn homosexuality (Adamczyk and Pitt, 2009). In relation to that, persons to whom faith is important in life and who often attend religious services also have more negative attitudes towards lesbians and gay men (Jugović and Ančić, 2013). When it comes to college students, Christian ideology has been found to be the strongest predictor of homophobic attitudes (Snively et al., 2004). Additionally, religious fundamentalism is strongly correlated with sexual prejudice (Ryan, 2000; Krieglstein, 2003; Whitley, 2009).

According to Rye and Meaney (2010: 158), the scientific study of attitudes towards homosexuality is “the best route to the development of more positive attitudes toward homosexuality”. Therefore, empirical findings could provide an understanding of the reason why people hold negative attitudes towards homosexuality and how best to achieve a positive attitude change.

## Methodology of the Present Study

In 2018 Serbia took part in the Comparative Study of Student Attitudes towards Punitiveness and Gay and Lesbian Issues. The survey was conducted during the winter semester 2018/2019, on a convenience sample of 188 students of the third and fourth year of basic academic studies at three faculties in Belgrade: the Faculty for Special Education and Rehabilitation (FASPER)<sup>5</sup> and Faculty of Philosophy - the Department of Psychology (University of Belgrade) and the Faculty of Law (Union University). Thus, respondents were students who could be employed in the criminal justice system (as legal and non-legal professionals).

## Objective, Research Questions and Hypothesis

The general objective of the present study is two-fold: first, to determine the contribution of certain demographic variables, including sex, age, study program, sexual orientation, contacts with persons of homosexual orientation, political affiliations, the significance of religion and attendance at religious services, to students' attitudes towards lesbians and gay men, and second, to determine the difference in attitudes towards lesbians and gay men between law students, on the one hand, and students of prevention and treatment of behavioural disorders (PTBD) and psychology (the so called "auxiliary professions"), on the other.

Given the objectives, there are two hypothesis and, consequently, two main research questions:

1. Which of the examined variables contribute to more negative attitudes of students towards lesbians and gay men? Bearing in mind findings from previous studies, the contribution of sex, age, sexual orientation, contacts with

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<sup>5</sup> A sub-sample from FASPER included students studying the Special education and rehabilitation study program, module Prevention and Treatment of Behavioural Disorders (PTBD).

homosexuals, political and religious affiliations and attendance at religious ceremonies was expected.

2. There are differences in attitudes towards lesbians and gay men among law students on the one hand, and PTBD and psychology students, on the other.

## Sample

The survey was conducted on a convenience sample of 188 students of the third and fourth year of basic academic studies at three faculties in Belgrade (Table 1). There was slightly more students of psychology (37.2%) and PTBD (35.1%) than law students (27.7%) in the sample, with 78.2% (147) of female and 21.8% (41) of male students. Such gender structure of the sample is in accordance with the gender structure of the student population studying at these three faculties. The value of the mean for the age was 22 years, with most of the participants aged between 20 and 25 years, which is expected with regards to the year of study. Students identifying themselves as heterosexuals comprised the majority of the sample (92%), with 5.9% identifying themselves as bisexual and 2.1% as persons with fluid sexuality. Slightly more than half of the participants have homosexuals for friends<sup>6</sup> or know persons with homosexual orientation.

As for the political affiliation, half of the respondents opted for liberal or moderately liberal, while 10.6% of them identified themselves as a worshipper of a moderately conservative or conservative political option. Most of the participants reported their religious affiliation as Orthodox (71.3%), while more than a quarter of them defined themselves as atheists. In this regard, slightly more than a half of the respondents almost never attended religious ceremonies (52.7%), which is not surprising given that 68.8% of the respondents stated that the religion is not important for them.

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<sup>6</sup> More precisely, they know they have friends who identify themselves as homosexuals. This is important to note, given the fact that 15.4% of students from the sample do not know if any of their friends is of homosexual orientation.



**Table 1.** *The sample characteristics*

	n	Per cent
<b>Sex</b>	Male	21.8
	Female	78.2
<b>Age</b> M=22.25 SD=4.28	20-25	91.5
	26-30	4.8
	31-35	3.7
<b>Study program</b>	Law	27.7
	PTBD	35.1
	Psychology	37.2
	Heterosexual	92.0
<b>Sexual orientation</b>	Bisexual	5.9
	Other - fluid sexuality	2.1
<b>Homosexual friends/acquaintances</b>	Yes	53.7
	No	30.9
	I don't know	15.4
	Extreme liberal	2.1

<b>Political affiliation</b>	Liberal	56	29.8
	Moderately liberal	39	20.7
	Moderately	50	26.6
	Moderately conservative	14	7.4
	Conservative	6	3.2
<b>Religion</b>	Other - apolitical	19	10.2
	Orthodox	134	71.3
	Catholic	1	0.5
	Muslim	1	0.5
	Atheist	52	27.7
	Not religious	37	19.7
	Almost never	99	52.7
<b>Religious Services</b>	Once a month	27	14.4
	Two, three times a month	8	4.3
	Once a week	2	1.1
	More often than once a week	1	0.5
	Other - two times a year	14	7.3

## Instrument

The data was collected with the use of the standardised questionnaire. The questionnaire used in the present study included a socio-demographic questionnaire and three scales of attitudes: towards lesbians and gay men, towards crime and towards criminal sanctions.

A thirteen-item demographic questionnaire was used to collect information concerning sex, age, faculty/study program, nationality/ethnicity, sexual orientation, personal contact with homosexuals (homosexual friends/acquaintances), political affiliations and religiousness (importance of religion and attendance at religious ceremonies). The data on the sex, age, sexual orientation, contacts with homosexuals, political affiliations and religiousness were analysed as independent variables in the present study.

In order to evaluate students' attitudes towards lesbians and gay men, the Herek's *Attitudes towards lesbians and gay men scale* (ATLG) was used: it is a 20-item scale designed to capture negative attitudes towards lesbians and gay men (Herek, 1984b; Herek, and Glunt, 1993; Herek and Capitanio, 1996). It was originally developed from the 64 items, but only 20 items (statements) with the highest item-total correlations were included in the ATLG scale (Kyes and Tumbelaka, 1994; Stoeber and Morera, 2007). The original ATLG scale consists of two subscales: the *Attitudes towards lesbians* - ATL with 10 statements that evaluate attitudes towards lesbians (items L1 to L10), and the *Attitudes towards gay men* - ATG with 10 statements that evaluate attitudes towards homosexual men - (items G1 to G10) (Herek, 1988, 1994). Each statement on the ATLG is rated on the 5-point Likert-type scale, where the respondents show their level of agreement or disagreement (from "strongly disagree" to "strongly agree"). Herek's ATLG scale is intended to capture the attitudinal aspect of homonegativity (Herek, 1984b; Rye and Meaney, 2010). The result is counted for each sub-scale and for the scale in total (results for each sub-scale are added and then divided with a number of items). A higher score indicates greater prejudice towards homosexuals, while a lower score indicates favourable attitudes towards homosexuals. Results on subscales are not directly

comparable. In the Serbian translation, we used the term “homosexual women” to refer to lesbians and “homosexual men” to refer to gay men. Seven items (four from the ATG subscale and three from the ATL subscale) are coded reversely.

In the original study, the ATLG scale reveals high internal consistency, with Cronbach alpha .90 (for the ATL subscale  $\alpha = .77$  and for the ATG subscale  $\alpha = .89$ ) (Herek, 1988). Additionally, a good external validity of the ATLG was confirmed, with convergent validity with the Index of Homophobia and the Modern Homonegativity<sup>7</sup> (Rye and Meaney, 2010). High reliability of the ATLG scale was confirmed in the present study as well. The reliability with levels obtained for the overall ATLG scale was .91, for the subscale measuring attitudes towards lesbians (ATL)  $\alpha = .88$  and for the subscale measuring attitudes towards gay men (ATG)  $\alpha = .96$ . The ATLG scale has been translated and adapted into Dutch (Van de Meerendonk, Eisinga and Felling, 2003), Turkish (Gelbal and Duyan, 2006), Spanish (Bauermeister et al., 2007) and Chinese (Yu, Xiao and Xiang, 2011). To our knowledge, the ATLG scale has not been used in Serbia yet. For the purpose of this study, the original ATLG scale was translated into Croatian and then adapted into Serbian.

## Data Collection

The data was collected using a paper-and-pencil method. After getting approval from the deans of the given faculties and professors teaching particular courses, having clearly explained the objectives of this research to the professors and participants, and having obtained the informed consent of the participants, the ATLG scale was applied in the classrooms. The anonymity of respondents was assured. Furthermore, participants were informed that the data derived from this research would be only used for scientific purposes.

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<sup>7</sup> For more information about the forms of homonegativity known as *oldfashioned homonegativity* and *modern homonegativity* please see: Morrison, M.A. and Morrison, T.G., 2002.

## Data Analysis

The data was processed in SPSS 20. First, descriptive statistics for every item were calculated, followed by the analyses of the scale's reliability. Additionally, an independent-samples t-test, correlation, analysis of variance (one-way ANOVA) and linear regression were used for data analyses.<sup>8</sup> The adjustment to the normality of the ATL and the ATG score and analyzed predictors was contrasted through the Kolmogorov-Smirnov test (K-S Z).

## Research Results

### *Demographic Variables as Factors Associated with Respondents' Attitudes Towards Lesbians and Gay Men*

The research suggested that female students ( $n=147$ ,  $M=2.49$ ,  $SD=.743$ ) reported lower prejudice levels towards lesbians than male students ( $n=41$ ,  $M=2.64$ ,  $SD=.632$ ,  $t_{(188)} = -1.13$ ). Additionally, female students ( $M=2.61$ ,  $SD=.667$ ) reported lower prejudice levels towards gay men than male students ( $M=2.78$ ,  $SD=.453$ ,  $t_{(188)} = -1.53$ ). Despite established differences regarding prejudice levels towards lesbians and gay men between female and male students, those differences were not significant ( $p>.05$ ).

In order to examine the impact of other demographic characteristics on respondents' attitudes towards lesbians and gay men, an analysis of variance was performed. The differences of means for ATL and ATG sub-scales were statistically significant related to the study program, between respondents of heterosexual orientation and those who defined themselves as non-heterosexuals (bisexuals and fluid sexual orientation), and between those who have homosexual friends and those who have not (Table 2). Additionally, the differences of means for ATL and ATG sub-scales were statistically significant between respondents of conservative political affiliation and those with more liberal political orientation, and between students who attend religious services often (once or more times a week or month) and those who do not (almost never) (Table 2).

<sup>8</sup> In regression, five-point responses were transformed into three-point responses, with 1=agree (answers "totally agree" and "mostly agree"), 2=neither agree nor disagree and 3=disagree (answers "totally disagree" and "mostly disagree").

**Table 2.** Comparison of means by One-way ANOVA - demographic variables  
(total sample)

	ATL (N=188)			ATG (N=188)		
	M	SD	F (eta squared)	M	SD	F (eta squared)
<b>Age</b>			.797			.552
20-25	2.50	.729	(<.01)	2.64	.645	(<.01)
26-30	2.78	.655		2.73	.444	
>30	2.69	.604		2.77	.377	
<b>Study program</b>			16.011***			11.242***
Law	2.91	.917	(.04)	2.97	.989	(.03)
PTBD	2.55	.595		2.60	.397	
Psychology	2.22	.497		2.46	.291	
<b>Sexual orientation</b>			6.699***			19.702***
Heterosexual	2.53	.697	(.02)	2.62	.431	(.03)
Bisexual	2.06	.266		2.48	.183	
Fluid sexuality	2.20	.290		2.60	.443	
<b>Homosexual friends</b>			4.311*			3.774*
Yes	2.38	.590	(.01)	2.55	.333	(.01)
No	2.68	.831		2.72	.508	
I don't know	2.70	.819		2.88	.972	
<b>Political affiliation</b>			8.608***			3.114**
Extreme liberal	1.93	.150	(.02)	2.42	.350	(.01)
Liberal	2.27	.493		2.53	.366	
Moderately liberal	2.33	.584		2.55	.370	
Moderately	2.62	.759		2.68	.483	
Moderately conservative	2.93	.706		2.82	.317	
Conservative	3.30	.642		3.10	.632	
Apolitical	2.40	.630		2.48	.319	
<b>Religion</b>			.771			.622
Orthodox	2.63	.746	(<.01)	2.69	.706	(<.01)
Atheist	2.22	.592		2.58	.377	
Catholic, Muslim	2.40	.531		2.60	.325	
<b>Religious services</b>			5.381***			2.299*
Almost never	2.35	.527	(.02)	2.57	.363	(.01)
Monthly	2.76	.707		2.71	.475	
Weekly	3.11	.679		3.08	.404	
Two times a year	3.25	1.262		3.14	1.824	

\*\*\* p<.001 \*\* p<.01 \*p<.05

The results presented in Table 2 show that heterosexuals, students studying at the Law school and respondents who do not have homosexual friends or acquaintances show lower acceptance of lesbians and gay men, with higher prejudice levels towards gay men than towards lesbians. Conservatives and more religious respondents show lower acceptance of lesbians and gay men, too, but with a bit higher prejudice levels towards lesbians than towards gay men. However, despite the significance, the real differences between means of attitudes towards lesbians and gay men are small, which is confirmed with eta-squared. The effect size varies between .01 and 0.4<sup>9</sup> (Table 2).

#### *Differences in Attitudes Towards Lesbians and Gay Men Between Law Students and PTBD and Psychology Students*

Since available studies suggest that study program impacts attitudes on lesbians and gay men, we wanted to see if there are some differences between law students, who could work as legal professionals in the criminal justice system, on one side, and PTBD and psychology students, who could be involved in the criminal justice system as non-legal professionals (“auxiliary professions”), on the other. In doing so, t-test for independent samples was applied on average results on the sub-scales and the ATLG scale in total. For the ATL sub-scale, the results ranged between 1 and 4.70, and for the ATG sub-scale from 1 to 5. As suggested by data in Table 3, significant differences in attitudes towards lesbians and gay men between law students and PTBD and psychology students were established.

Mean scores for the ATLG scale in total, as well as for the ATL and ATG sub-scales, show relatively low prejudice level among students of all three faculties (Table 3). However, law students have significantly more negative attitudes towards lesbians than PTBD and psychology students ( $t_{(188)}=3.92$ ,  $p<.001$ , 95% CI [.26-.80]). In addition, law students have significantly more negative attitudes towards gay men than PTBD and psychology students ( $t_{(188)}=3.16$ ,

<sup>9</sup> For more information about the effect size for ANOVA please see in: Cohen, 1988, Fan, 2001 and Grissom and Kim, 2005

$p < .01$ , 95% CI [.16-.72]). The effect size of the difference, both in terms of the scale in total and sub-scales, expressed by Cohen's  $d$  ( $d = .07$ ), indicates a medium effect (Cohen, 1988).

**Table 3.** Differences in attitudes towards lesbians (ATL) and gay men (ATG) between law students and students of PTBD and psychology

Scale	Law school			PTBD and Psychology			t-test
	n	M	SD	n	M	SD	
<b>ATLG</b>	52	2.94	.841	136	2.45	.383	4.02***
<b>ATL</b>	52	2.91	.917	136	2.38	.569	3.92***
<b>ATG</b>	52	2.97	.989	136	2.53	.353	3.16**

\*\*\* $p < .001$ , \*\* $p < .01$

Significant differences in attitudes between law students and PTBD and psychology students were found on most of the analysed statements in sub-scales (Table 4 and 5), meaning that law students have higher prejudices than PTBD and psychology students. Namely, law students were significantly more likely than PTBD and psychology students to endorse seven statements that indicate rejection towards lesbians: four items that indicate open rejection (L3, L5, L9 and L10), and three items that indicate subtle rejection<sup>10</sup> (items L2, L6, L8) (Table 4).

Law students were also significantly more likely than PTBD and psychology students to endorse nine statements against gay men: all five that indicate open rejection towards homosexual men (items G2, G3, G4, G6, and G10), and four out of five that indicate subtle rejection towards homosexual men (items G1, G5, G8, and G9) (Table 5).

<sup>10</sup> For more information about items of the ATLG scale that indicate open and subtle rejection towards lesbians and gay men please see: Moral de la Rubia and Valle de la O, 2013.



Table 4. Differences in attitudes towards lesbians - comparison of means for claims from ATL

Statements	Study Program	n
L1: Lesbians just can't fit into our society.	Law PTBD+Psy	52 136
L2: A woman's homosexuality should not be a cause for job discrimination in any situation. <sup>1</sup>	Law PTBD+Psy	52 136
L3: Female homosexuality is bad for society because it breaks down the natural divisions between the sexes.	Law PTBD+Psy	52 136
L4: State laws against private sexual behaviour between consenting adult women should be abolished. <sup>1</sup>	Law PTBD+Psy	52 136
L5: Female homosexuality is a sin.	Law PTBD+Psy	52 136
L6: The growing number of lesbians indicates a decline in Serbian morals.	Law PTBD+Psy	52 136
L7: Female homosexuality in itself is no problem unless society makes it a problem. <sup>1</sup>	Law PTBD+Psy	52 136
L8: Female homosexuality is a threat to many of our basic social institutions.	Law PTBD+Psy	52 136
L9: Female homosexuality is an inferior form of sexuality.	Law PTBD+Psy	52 136
L10: Lesbians are sick.	Law PTBD+Psy	52 136

<sup>1</sup> Reverse scored

Law - law students, PTBD - students of Prevention and Treatment of Behavioural Disorders module, Psy - students of psychology

Attitudes towards lesbians Per cent of responses					M	SD	SE	t-test
1	2	3	4	5				
38.5	28.8	23.1	5.8	3.8	2.08	1.100	.153	t=1.61
64.3	25.7	2.9	7.1	0.0	1.53	.863	.103	
5.8	1.9	19.2	15.4	57.7	4.17	1.167	.162	t=-3.32**
0.0	1.4	2.9	5.7	90.0	4.84	.528	.063	
28.8	19.2	11.5	25.0	15.4	2.79	1.486	.206	t=3.56***
65.7	20.0	2.9	7.1	4.3	1.64	1.117	.133	
15.4	13.5	36.5	13.5	5.8	3.73	2.498	.346	t=.89
8.6	1.4	61.4	8.6	17.1	3.41	1.419	.170	
42.3	17.3	13.5	11.5	11.5	2.56	1.924	.267	t=3.69***
85.7	4.3	4.3	1.4	4.3	1.34	.961	.115	
42.3	15.4	17.3	13.5	7.7	2.52	1.873	.260	t=3.01**
80.0	11.4	4.3	1.4	2.9	1.36	.869	.104	
1.9	5.8	25.0	38.5	25.0	4.02	1.379	.191	t=1.42
2.9	1.4	22.9	55.7	17.1	3.83	.834	.100	
38.5	17.3	19.2	15.4	5.8	2.56	1.830	.254	t=2.94**
68.6	18.6	7.1	4.3	1.4	1.51	.913	.109	
44.2	17.3	23.1	9.6	0.0	2.38	1.952	.271	t=2.55*
82.9	5.7	7.1	1.4	2.9	1.36	.901	.108	
51.9	13.5	15.4	7.7	7.7	2.29	1.882	.261	t=4.06***
85.7	4.3	2.9	4.3	2.9	1.34	.946	.113	

\*\*\*p<.001, \*\*p<.01

**Table 5.** Differences in attitudes towards gay - comparison of means for claims from ATG

Statements	Study Program	n
G1: Male homosexual couples should be allowed to adopt children the same as heterosexual couples. <sup>1</sup>	Law PTBD+Psy	52 136
G2: I think male homosexuals are disgusting.	Law PTBD+Psy	52 136
G3: Male homosexuals should not be allowed to teach school.	Law PTBD+Psy	52 136
G4: Male homosexuality is a perversion.	Law PTBD+Psy	52 136
G5: Male homosexuality is a natural expression of sexuality in men. <sup>1</sup>	Law PTBD+Psy	52 136
G6: If a man has homosexual feelings, he should do everything he can to overcome them.	Law PTBD+Psy	52 136
G7: I would not be too upset if I learned that my son was a homosexual. <sup>1</sup>	Law PTBD+Psy	52 136
G8: Sex between two men is just plain wrong.	Law PTBD+Psy	52 136
G9: The idea of male homosexual marriages seems ridiculous to me.	Law PTBD+Psy	52 136
G10: Male homosexuality is merely a different kind of lifestyle that should not be condemned. <sup>1</sup>	Law PTBD+Psy	52 136

<sup>1</sup> Reverse scored

Law - law students, PTBD - students of Prevention and

Treatment of Behavioural Disorders module, Psy - students of psychology

Attitudes towards gay men Per cent of responses					M	SD	SE	t-test
1	2	3	4	5				
42.3 8.6	13.5 5.7	23.1 14.3	11.3 1.4	5.8 40.0	2.48 3.89	1.831 1.246	.254 .149	t=-3.22**
21.2 70.0	9.6 21.4	25.0 4.3	19.2 0.0	23.1 4.3	3.25 1.47	1.655 .928	.230 .111	t=6.21***
42.3 90.0	19.2 5.7	17.3 2.9	7.7 0.0	9.6 1.4	2.46 1.17	1.873 .619	.260 .073	t=3.62***
28.8 71.4	9.6 10.0	32.7 10.0	9.6 2.9	13.5 5.7	3.04 1.61	2.009 1.146	.279 .137	t=4.75***
15.4 2.9	19.2 7.1	23.1 21.4	23.1 21.4	17.3 47.1	3.19 4.03	1.560 1.116	.216 .133	t=-2.42**
26.9 77.1	15.4 10.0	32.7 7.1	11.5 2.9	7.7 2.9	2.92 1.44	1.949 .958	.270 .114	t=4.20***
30.8 8.6	23.1 7.1	25.0 30.0	5.8 27.1	11.5 27.1	2.67 3.57	1.823 1.211	.253 .145	t=-1.91
21.2 75.7	17.3 11.4	32.7 4.3	3.8 2.9	23.1 5.7	3.02 1.51	1.651 1.100	.229 .131	t=5.49***
15.4 65.7	21.2 21.4	17.3 8.6	19.2 0.0	25.0 4.3	3.29 1.56	1.637 .973	.227 .116	t=5.01***
17.3 2.9	11.5 2.9	25.0 12.9	15.4 21.4	28.8 60.0	3.38 4.33	1.647 1.003	.228 .120	t=- 3.06**

\*\*\*p<.001, \*\*p<.01

In order to find out if there are differences in the two sub-samples of students related to the correlation of certain predictors (demographic variables) and respondents' attitudes towards lesbians and gay men additional analysis was performed.<sup>11</sup> The data suggested that in the sub-sample of law students, there is no correlation between sex, age, sexual orientation and contact with homosexual friends, as predictors, and attitudes towards lesbians, as the dependent variable. Additionally, there is no correlation between sex, age, contact with homosexual friends and the importance of religion, on one hand, and attitudes towards gay men, on the other (Table 6). Correlation between other predictors and attitudes towards lesbians and gay men is weak, with the exception of the correlation between sexual orientation and attitudes towards gay men, which is moderate ( $r=.54$ ).<sup>12</sup>

Similarly to law students, in the sub-sample of PTBD and psychology students there is no correlation between sex, age, sexual orientation, contact with homosexual friends and religion, on one hand, and attitudes towards lesbians, on the other. As for the attitudes towards gay men, there is no correlation with sex, age, contact with homosexual friends, political affiliation, religion and religious services. Correlation between other predictors and attitudes towards lesbians and gay men is very weak or weak (Table 6). Predictors that do not correlate with dependent variables are not included in regression analyses in both sub-samples.

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<sup>11</sup> The regression analysis was preceded by a check of the normal distribution of predictor variables and average values of the scores on both sub-scales, as well as Pearson's correlations between predictors and dependent variables. The values of skewness, kurtosis and Kolmogorov-Smirnov test for all predictors indicate a statistically significant deviation from the normal distribution (positioning the participants on the positive part of the scale). Additionally, results of the Kolmogorov-Smirnov test show that distribution of a mean score for the ATL sub-scale ( $K-S Z=1.90$ ,  $p<.01$ ) and the ATG sub-scale ( $K-S Z=2.34$ ,  $p<.001$ ), likewise, significantly deviates from a normal distribution. However, according to Tabachnick and Fidell (2012) disturbed normality of distribution does not have to be an obstacle for the regression analyses if asymmetry distribution is in one direction.

<sup>12</sup> For more information about the strength of relationship in Pearson correlation please see: Moore, Notz and Flinger, 2013.

**Table 6.** *Pearson's correlation between predictors and dependent variables on a sub-sample of law students (above the diagonal) and sub-sample of PTBD and psychology students (below the diagonal)*

	1.	2.	3.	4.	5.	6.	7.	8.	9.
<b>ATL</b>	-	.56***	-.17	-.07	.23	-.01	.36***	.28*	.41**
<b>ATG</b>	.42***	-	-.01	-.09	.54***	.18	.36**	-.09	.40**
<b>Sex</b>	.13	.08	-	.14	.14	.01	.08	.16	-.27
<b>Age</b>	-.07	-.01	.21*	-	-.15	.15	-.07	.04	-.08
<b>Sexual orientation</b>	.07	.17*	-.05	-.02	-	.06	.20	.05	.30*
<b>Homosex. friends</b>	-.05	-.10	-.11	-.12	.19*	-	-.04	.16	.08
<b>Political affiliation</b>	.46***	.14	-.03	-.07	.09	.07	-	-.16	.31*
<b>Religion</b>	.15	.10	.07	-.06	.09	.08	.08	-	-.18
<b>Religious ceremonies</b>	.33***	-.01	-.03	-.02	.01	-.05	.10	-.29***	-

\*\*\* $p < .001$ , \*\* $p < .01$ , \* $p < .05$

Results of the linear regression (Tables 7 and 8) show that two sub-scales highly correlate in both sub-samples, even more than in some of the previous research (e.g. Rye and Meaney, 2010), and that analyzed predictor variables significantly contribute to the explanation of variance of dependent variables (attitudes towards lesbians and gay men). In relation to the attitudes towards lesbians, selected predictor variables explain 28.6% of the variance in the sub-sample of law students and 39.5% of the variance in the sub-sample of PTBD and psychology students. However, none of the analyzed predictor variables does not predict more negative attitudes towards lesbians in the sub-sample of law students (Table 7). On the other hand, more conservative political affiliation and more frequent attendance at religious ceremonies are predictors of more negative attitudes towards lesbians in the sub-sample of PTBD and psychology students, with a significant independent contribution to the explanation of variance for this dependent variable (Table 7).

**Table 7.** Linear regression for ATL on a sub-sample of law students and a sub-sample of PTBD and psychology students

Predictors	Students of Law school (n=52)			Students of PTBD and Psychology (n=136)		
	B	$\beta$	t	B	$\beta$	t
<b>Political orientation</b>	.118	.244	1.87	1.229	.424	5.70***
<b>Religion</b>	.217	.168	1.18			
<b>Religious ceremonies</b>	.116	.230	1.59	1.006	.270	3.50***
MODEL SUMMARY						
<b>R</b>	.535			.539		
<b>R<sup>2</sup></b>	.286**			.395***		

\*\* $p < .01$ , \*\*\* $p < .001$ , B - unstandardized coefficient,  $\beta$  - standardized coefficient, R - coefficient of multiple regression, R<sup>2</sup> - coefficient of determination

**Table 8.** Linear regression for ATG on a sub-sample of law students and a sub-sample of PTBD and psychology students

Predictors	Students of Law school (n=52)			Students of PTBD and Psychology (n=136)		
	B	$\beta$	t	B	$\beta$	t
<b>Sexual orientation</b>	.267	.435	3.66***	.726	.176	2.05*
<b>Political orientation</b>	.107	.205	1.72			
<b>Religious ceremonies</b>	.123	.207	1.69			
MODEL SUMMARY						
<b>R</b>	.625			.344		
<b>R<sup>2</sup></b>	.391***			.159*		

\*\*\* $p < .001$ , \* $p < .05$ , B - unstandardized coefficient,  $\beta$  - standardized coefficient, R - coefficient of multiple regression, R<sup>2</sup> - coefficient of determination

In relation to the attitudes towards gay men, selected predictor variables explain 39.1% of the variance in the sub-sample of law students and 15.9% in the sub-sample of PTBD and psychology students. Among three predictor variables that were included in the regression model, only heterosexual orientation is a significant predictor of more negative attitudes towards gay men in both sub-samples, with a significant independent contribution to the explanation of variance for this dependent variable (Table 8).

## Discussion and Conclusions

From the presented results it can be concluded that the first hypothesis was confirmed partially, while the second one was confirmed in the present study. In line with the previous studies (Berkman and Zinberg, 1997; Schellenberg, Hirt and Sears, 1999; Roper and Halloran, 2007) the findings of the present study showed that respondents hold significantly more negative attitudes towards gay men than towards lesbians, which can be explained by the greater social stigmatization for male homosexuality than for lesbianism (Moral de la Rubia and Valle de la O, 2013). The contribution of sex, age, sexual orientation, contacts with homosexuals, political and religious affiliations and more frequent attendance at religious services was expected. Many studies have reported that people are significantly more likely to hold prejudices towards homosexuals if they are males (D'Augelli, 1989; Chng and Moore, 1991; Seltzer, 1992; Donnelly et al., 1997; Klamen, Grossman, and Kopacz, 1999; Schellenberg, Hirt and Sears, 1999; Kozjak Mikić and Petković, 2015; Etchezahar et al., 2016). Recent studies also found that having few lesbian or gay friends or acquaintances is a strong predictor of positive attitudes towards homosexuals (Herek and Glunt, 1993; Herek and Capitanio, 1996; Lyons, et al. 2005; Brown and Henriquez, 2008; Swank and Raiz, 2010; Miller and Kim, 2012; Kovčo-Vukadin, 2015). Some of these findings were confirmed in the present study.

Although gender differences in attitudes towards lesbians and gay men are not significant, the research suggested that females seem to be more tolerant towards homosexuals. The ATL



and ATG sub-scales did not have correlation with age, which could be the result of a limited age range of the present sample (20 to 35), similarly as in the study conducted by Moral de la Rubia and Valle de la O (2013). Other studies, based on the broader age range of the sample have shown that older adults have a higher prejudice level, which could be a result of their more conservative perspective on the social life (Herek, 2000; Herek and McLemore, 2013). Contacts with homosexuals, measured through having homosexuals for friends or acquaintances proved to be a predictor of more favourable attitudes towards lesbians and gay men.

Study program is one of the main predictors of holding more negative attitudes towards lesbians and gay men: law students have significantly higher prejudice levels towards lesbians and gay men than PTBD and psychology students. This could be the result of differences in curriculums used at these faculties. The PTBD and psychology students study for the so-called "auxiliary professions", and due to the curriculum they are more sensitive to differences, including differences grounded on sexual orientation.<sup>13</sup> The present study also showed that for an explanation of more negative attitudes towards lesbians conservative political affiliation and more frequent attendance at religious ceremonies are significant predictors. This was proved for the total sample and the sub-sample of PTBD and psychology students. The finding that conservative political ideology contributes to more negative attitudes towards lesbians is consistent with recent studies that point out political ideology and affiliation to the parties as important predictors of attitudes towards homosexuals in a way that Conservatives and Republicans show higher prejudice levels (Yang, 1998; Shackelford and Besser, 2007; Brown and Henriquez, 2008; Miller and Kim, 2012; Etchezahar et al., 2016), as well as people with a higher level of authoritarianism, and those of the right-wing political orientation (Altemeyer, 1998). Additionally, the finding about religiousness (expressed through the higher frequency of attendance at religious ceremonies) as a predictor for higher prejudice levels towards lesbians (both on the total sample and the

<sup>13</sup> For example, students of the fourth year of basic academic studies at the PTBD module received a lecture about the specifics of the position of homosexuals in prisons, from renowned national expert in this field.

sub-sample of of PTBD and psychology students) is in line with many studies that point out religiousness as a strong predictor of negative attitudes towards individuals with homosexual orientation (Seltzer, 1992; Herek, 1994; Herek and Capitanio, 1996; Berkman and Zinberg, 1997; Basset et al., 2005; Shackelford and Besser, 2007; Cardenas and Barrientos, 2008; Brown and Henriquez, 2008; Swank and Raiz, 2010; Etchezahar et al., 2016).

Finally, the results showed that, in both sub-samples, only heterosexual orientation is a significant predictor of more negative attitudes towards gay men, which is in line with other studies and the original concept of the ATLG scale (Herek, 1984b, 1988, 2000; Moral de la Rubia and Valle de la O, 2013). According to Herek, negative attitudes towards homosexuality have a psychological and socio-cultural basis, which contribute to the fact that heterosexual individuals project feelings towards sexual minorities in the form of negative attitudes that constitute sexual prejudices (Herek, 2009; Etchezahar, et al., 2016).

The present study has some limitations. First, the study recruited a convenience sample of undergraduate students from only three faculties. For that reason, it is not possible to make generalized conclusions. Second, the use of self-report measures is a shortcoming because people significantly differ in their ability to be aware of their own internal states. Additionally, the topic of the research is the so-called sensitive topic, so, although participants were told that the survey is anonymous, there is still a risk of giving socially desirable answers. Participants may not be willing to show their attitudes publicly due to their apprehension under evaluation circumstances (Cardenas and Barrientos, 2008; Delgado and Castro, 2012).

However, the empirical study of attitudes towards homosexuality is a way to understand the reason for the prevalence of such attitudes and how to change them (Moreno et al. 2015). Therefore, it is necessary to further develop the present research and expand the diversity of participants, focusing on students at other faculties that educate students who could work in the criminal justice system (e.g. police studies) and professionals in the criminal justice system as well. Larger sample sizes (e.g. general population) and the use of objective measures of homonegativity (e.g. behavioral

indicators) may increase the reliability of the findings. Development of attitude change interventions is encouraged in order to prevent discrimination and victimization of persons with homosexual orientation due to the negative attitudes towards lesbians and gay men in many contexts. Therefore, it seems relevant to first explore the content of different study programs in terms of focusing on the position, rights and treatment of persons with different sexual orientation, and second, to introduce themes related to human rights of persons of different sexual orientation and adequate relationship towards them that will promote acceptance of sexual diversity in students, particularly those that could work in the criminal justice system, but in other systems as well (social welfare system, healthcare system, education, etc.). Keeping in mind the present study and the results of other studies that having lesbian or gay friends or acquaintances is a strong predictor of positive attitudes towards homosexuals, we may argue that Allport's *contact hypothesis* theory seems to be a relevant framework for reducing prejudice towards lesbians and gay men (Allport, 1954; Herek, 1997), and it should serve as a basis for developing and implementing awareness raising interventions.

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## STAVOVI STUDENATA U SRBIJI O LEZBEJKAMA I GEJ MUŠKARCIMA: REZULTATI ISTRAŽIVANJA

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### Sažetak

Srbija je 2018. godine uključena u Komparativnu studiju o stavovima studenata prema kažnjavanju i prema lezbejkama i gej muškarcima, koja je uključila deset evropskih i van evropskih država. Podaci su prikupljeni putem ankete, primenom standardizovanog upitnika na uzorku studenata koji se školuju za rad u krivičnom pravnom sistemu. Istraživanje je sprovedeno na uzorku od 188 studenata i studentkinja treće i četvrtre godine tri fakulteta u Beogradu: Fakulteta za specijalnu edukaciju i rehabilitaciju, Filozofskog fakulteta, Odeljenja za psihologiju (Univerzitet u Beogradu) i Pravnom fakultetu (Univerzitet Union). Upitnik je obuhvatio tri skale za ispitivanje stavova: prema lezbejkama i gej muškarcima, prema kriminalitetu i prema kažnjavanju. Cilj ovog poglavlja je prikaz i analiza dela nalaza

istraživanja koji se odnose na stavove ispitanih studenata prema lezbejkama i gej muškarcima. U istraživanju je korišćena Herekova (1998) skala stavova prema lezbejkama i gej muškarcima. Ona je obuhvatila 20 različitih tvdnji, deset o gej muškarcima i deset o lezbejkama, za koje su ispitanici zamoljeni da navedu stepen slaganja na petostepenoj skali Likertovog tipa. U radu se polazi od pregleda nalaza dosadašnjih istraživanja na ovu temu. Nakon toga je dat prikaz metodološkog okvira istraživanja, a potom prikaz i analiza rezultata istraživanja, pri čemu je poseban fokus na faktorima koji doprinose predrasudama ispitanika prema lezbejkama i gej muškarcima. U završnom delu su izneti glavni zaključci, kao i preporuke usmerene na neophodnost rada na podizanju svesti o pravima osoba drugačije seksualne orijentacije u oblasti visokog obrazovanja i značaju senzibilizacije budućih stručnjaka koji mogu da rade u krivičnom pravnom sistemu.

**Ključne reči:** stavovi, studenti, lezbejke, gej muškarci, istraživanje, Srbija

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# Life in Legal Limbo – Trans\* Persons in Serbia

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## Abstract

In the 21st century, the rights of trans\* persons to personal development and physical and moral security, fully enjoyed by other members of the society, cannot be observed as controversial or something that requires a certain amount of time in order to clearly observe their related issues. New policies specifically formed for that purpose throughout the world primarily rely on constitutional provisions regarding the dignity of the human personality and the prohibition of discrimination, on the decisions of the European Court of Human Rights (ECHR) and the authentic experiences of trans\* persons. In the Republic of Serbia, the 21<sup>st</sup> century brought changes that can be interpreted as significant for the position of trans\* persons. Thereby, the Health Insurance Act provides insured persons at least 65% of the health service price from the compulsory health insurance fund for medically induced sex reassignment; the Ministry of Health of the Republic of Serbia formed a Commission for Transgender Conditions; the Public Registry Act introduced an option to change sex in the birth register book, and a work group of the Ministry of State Administration and Local Self-Government and the Ministry of Health of the Republic of Serbia passed a Rulebook on the manner of issuing and the form of the certificate issued by a competent healthcare institution concerning sex reassignment. This paper analyses the significance that these legal novelties hold for the very position of the trans\* community in Serbia, and whether and to what extent they actually contributed to the improvement of their position in everyday life. *Keywords:* trans\* persons, discrimination, sex change in birth register book, public registry.

## Introductory notes

■ In the past 30 years, more and more countries have shown a tendency to offer full legal recognition to trans\* persons.<sup>1</sup> Significant advancements in terms of their status have been largely achieved through European Courts' jurisprudence. Therefore, for example, the question of the status of transgender persons has been placed before the European Court of Human Rights several times since 1979, and until 2002 the Court found that the issue fell within the jurisdiction of each country individually (Simić, 2012: 313). Then, in 2002, the Grand Chamber of the European Court of Human Rights changed the direction of decision-making in terms of legal recognition of transgender persons' new sex in a precedent verdict in *Goodwin vs. The United Kingdom*, when it was unanimously concluded that Art. 8 (right to respect of private and family life) and Art. 12 (right to marriage) had been violated in the case (*Christine Goodwin v. The United Kingdom*, ECHR, App. No. 28957/95 from 11.07.2002). This decision was passed based on the growing European and international consensus regarding the legal recognition of transgender persons' new sex. Such a trend continues to date. Namely, at its 72<sup>nd</sup> session in end-May 2019, the World Health Organization voted out the 11<sup>th</sup> version of the International Classification of Diseases (ICD-11), removing transgender-related categories from the Chapter on Mental and Behavioural Disorders, which indicates that trans\* identities have been formally depsychopathologized (World Health Assembly Update, New release, 2019).<sup>2</sup> New transgender-related categories have been added to Chapter 17 on Conditions Related to Sexual Health, which is one of the five new chapters in ICD-11. New transgender-related categories are: Gender Incongruence in Adolescence and Adulthood; and Gender Incongruence in Childhood (*Joint Statement on ICD-11 process for*

<sup>1</sup> In March 2010, 47 member countries of the Council of Europe agreed to take an array of measures to fight discrimination based on sexual orientation and gender identity. These measures have been listed in a Council of Europe Recommendation, which represents the first comprehensive intergovernmental agreement on the rights of LGBT persons.

<sup>2</sup> World Health Assembly Update, 25 May 2019, New release available here: <https://www.who.int/news-room/detail/25-05-2019-world-health-assembly-update> , (30/05/2019.)

*trans & gender diverse people, 2019*).<sup>3</sup> Before ICD-11 formally enters into force, there will be a period of implementation until Jan. 1, 2022, when the new classification of diseases will officially come into effect, which actually means the United Nations member countries will be responsible for the implementation of the new version at the national level.<sup>4</sup> *Such a solution was passed by the World Health Organization at the moment when the society, medicine and law increasingly acknowledge that gender is a socially-developed category, and that it is not necessarily fixed and stable.*

During that time, in Serbia, out of a very heterogeneous group of trans\* identities, the healthcare system acknowledges only transsexuality as grounds for the recognition of change of legal status. In the ICD-10 system for the classification of mental and behavioural disorders used in Serbia, code F64 contains a group of gender identity disorders, and the F64.0 diagnose refers to transsexualism, i.e. “a person’s wish to live and be accepted as a person of the opposite sex, which is usually accompanied by a sense of discomfort and inadequacy in relation to one’s own anatomical sex, and a desire to undergo a hormonal treatment and surgery in order to bring the body as close as possible to the preferred sex” (International Statistical Classification of Diseases and Related Health Problems, Version 10, 2013:139, 7, 8).<sup>5</sup> Such a connection of trans\* identity to mental disorders frequently leads to strong stigmatization and denial of numerous civil rights to these persons (inability to get employment;

<sup>3</sup> See the entire info *Joint Statement on ICD-11 process for trans & gender diverse people* on the “Gate” website: <https://transactivists.org/icd-11-trans-process/> (30/05/2019)

<sup>4</sup> ICD -11 was released on June 18, 2018. See the ICD-11: The 11th Revision of the International Classification of Diseases, available here: <https://ec.europa.eu/cefdigital/wiki/display/EHSEMANTIC/ICD-11%3A+The+11th+Revision+of+the+International+Classification+of+Diseases> (30/05/2019.)

<sup>5</sup> Classification of diseases represents a system of categories awarded to certain diseases according to defined criteria. The 10<sup>th</sup> revision of the International Statistical Classification of Diseases and Related Health Problems, was released in 1992 and has been in use to this day. ICD-10 now offers five diagnoses for Gender Identity Disorders (F64): Transsexualism (F64.0); Dual-Role Transvestism (F64.1); Gender Identity Disorder in Childhood (F64.2); Other Gender Identity Disorders (F64.8); Gender Identity Disorder, Unspecified (F64.9).

denial of rights to plan a family and adopt children; narrowing the range of the right to access to healthcare, etc.).

That is precisely why the new classification of diseases for trans\* persons in Serbia represents hope for a major change affirmed by the World Health Organization itself through its decision that being a trans\* or gender-different person does not mean the person suffers from a mental disorder. That is why in light of this decision by the World Health Organization it is important to point to the status of this specific group of persons who do not fit into any of the two existing binary categories of gender and sex – what is the legal position of trans\* persons in Serbia? When referring to trans\* persons in this paper (trans with asterisk), that implies a roof term that covers all the persons with a difference between sex at birth and their own perception of gender identity, and it includes transsexual, transgender, gender-queer and gender-fluid persons, transvestites/cross-dressers, bigender and agender persons, etc.

## The Notion of Trans\* Persons

*Who are trans\* persons?* Unlike gay men, lesbians and bisexuals, whose sexual orientation differs from heterosexual, the keywords for trans\* persons are gender identity and gender expression. Trans\* persons are characterized by a disharmony between the intrinsic feeling of belonging to a certain gender identity, and the biological sex at birth and the stereotypical gender role expected from that sex. All the subgroups that fall into the category of trans\* population (transsexual, transgender, gender-queer and gender-fluid persons, transvestites/cross-dressers, bigender and agender persons, etc.) are not treated equally by the justice system in Serbia; i.e. of all these trans\* identities, Serbia legally recognizes only transsexual persons.

Transsexual persons are those whose gender identity differs from the sex at birth and who have an explicit need to bring their body as closely to the desired gender using hormonal therapy or surgery, i.e. to undergo “sex change”. Such a medical intervention, aiming at adapting the external sex characteristics to a person’s psychological gender “adaptation – sex reassignment” brings

significant legal consequences. After a transsexual person is done with the surgery, successfully adapting their body to the desired sex and gender, it is necessary to adjust the actual state with the legal state of matters, i.e. it is necessary to change all the personal data indicating their biological sex at birth and adjust them to the actual state of matters. Of course, this issue arises even before the surgeries, at the stage of hormonal therapy treatment. The body already undergoes intense changes at that stage, so the person finds themselves in some sort of a legal vacuum – their personal ID contains data referring to their primary sex, sex at birth, while their physical appearance significantly differs from it, which makes the person's daily functioning difficult, exposing them to various types of discrimination and violence.

A legal recognition of the desired gender identity in Serbia, i.e. the recognition of the change of a legal status, depends on a number of medical procedures, such as undergoing different medical examinations and processes (psychiatric, endocrinological, surgical, etc.), all of which begins when a person is diagnosed with a mental disorder, diagnose F64.0 which refers to transsexualism, and transgenderism (ICD-10, 2013:193).<sup>6</sup> In Serbia, persons who fall under all the remaining subgroups from the range of trans\* identities cannot have their legal status changed if they do not want to undergo medical treatments or if they only want to achieve partial modification of their body through hormonal therapy.<sup>7</sup>

<sup>6</sup> In ICD-10, a system for the classification of mental and behavioural disorders used in Serbia, code F64 contains a group of sexual identity disorders, while diagnosis F64.0 refers to transsexualism.

<sup>7</sup> Based on their approach to solving the issue of recognition of change of transsexual persons' legal status, the EU member states can be split into three groups. The first one contains countries in which a hormonal therapy or surgery is not required to obtain a legal recognition of a new sex: Malta, Denmark, Spain, Hungary, Finland, the UK and Portugal. The second group consists of the countries which require hormonal therapy and/or surgery to legally recognize a new sex: Belgium, Bulgaria, the Czech Republic, Estonia, France, Italy, the Netherlands, Austria and Poland. The third group involves member states which have no provisions regarding this matter. The Danish Parliament in 2014 adopted a law which enables a full recognition of gender identity to trans\* persons without any psychological evaluation and/or psychiatric diagnosis. See how certain countries regulated the process of legal recognition of gender in: Agius (et.al). 2011. Human Rights and Gender Identity, Best Practice Catalogue, pp.19-22.



An interesting piece of information is that the Belgrade Team for Sexual Identity was informally founded in Belgrade in 1989, and that so-called sex-reassignment surgeries have been performed in Belgrade ever since (Vujović, 2009: 1018–1023). Today, 30 years later, Serbia has four centres specializing in this type of surgeries, it is globally known as one of the centres for education of professionals engaging in sex-reassignment surgeries, and numerous foreign citizens visit Serbia precisely for this kind of medical interventions. Unfortunately, 30-years' experience in work with transsexual persons did not lead to a significant improvement of their position or the position of persons from any of the subgroups from the range of trans\* identities, both from the legal aspect or within the healthcare system. The position of trans\* persons in Serbia is extremely bad, insufficiently legally regulated, and featuring numerous serious unresolved issues within the healthcare system.

## Trans\* Persons and Serbia's Healthcare System

In Serbia, the 2011 changes and amendments of the Law on Health Insurance introduced a legally recognized possibility that „when realising rights to healthcare based on compulsory health insurance, insured persons shall receive at least 65% of the price of a medical service from the compulsory health insurance fund for the purpose of sex reassignment for medical reasons“<sup>8</sup>. This way, Serbia has enabled the right to sex adjustment partly at the state's expense. Practice indicates that the state finances 65% while the remaining 35% is to be provided by the patient. Then, the *Republic Expert Commission for Treatment of Transgender Disorders in Serbia* was formed in March 2012. The very name of this Commission was not adequate because it accentuated the existence of a *disorder* in transgender persons despite the fact that gender disharmony is a

<sup>8</sup> Art45, par. 4 of the Law on Health Insurance, “Official Gazette of the Republic of Serbia” no. 107/2005, 109/2005 – corr., 57/2011, 110/2012 – Constitutional Court decision, 119/2012, 99/2014, 123/2014, 126/2014 – Constitutional Court decision, 106/2015 and 10/2016 – st. law. See also Art. 131. par. 1, point 4, indent 3 of the new Law on Health Insurance, “Official Gazette of the Republic of Serbia” no.25/2019.

phenomenon of human diversity which must not be condemned as something pathological or negative. Contrary to the attitude of our Commission, more and more European and other countries completely depathologizes persons with trans\* identity, enabling them to live freely and express their gender identities, including the selection of marking in personal documents without any medical prerequisites (Simić, 2012:303). In September 2017, after years of advocacy by Gayten LGBT NGO which deals with the rights of trans\* persons in Serbia, and with the help of the Ombudsman, this commission changed its name to the *Republic Commission for Transgender Conditions* (in further text: Commission).<sup>9</sup> The members of the Commission changed on that occasion and the minister ordered to pass a Rules of Procedure for the Commission.

The Rules of Procedure regulate the Commission's work and decision-making processes, setting the following tasks for it: (1) to establish professional-methodological and doctrine stands in relation to transgender disorders in order to harmonize expert suggestions and positions of reference healthcare institutions, expert i.e. professional associations, higher education institutions, as well as renowned experts in terms of the provision of healthcare in the domain of transgender disorders; (2) to monitor and analyse the work of medical institutions that provide healthcare in the domain of transgender disorders and to suggest measures to improve the work of medical institutions, i.e. healthcare professionals and associates; (3) to suggest good practice guidelines in the process of healthcare provision in the domain of transgender disorders; (4) to establish standards for healthcare provided from the compulsory health insurance funds for a sex reassignment procedure which is considered medically necessary; (5) to suggest professional training of healthcare professionals and associates to appropriate higher education institutions in the domain of transgender disorders; (6) to monitor the development of science in the domain of transgender disorders and cooperate with reference international institutions in this domain; and other affairs of significance for

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<sup>9</sup> For more info visit website Transserbia: <https://www.transserbia.org/vesti/1304-obelesen-dan-akcije-za-depatologizaciju-trans-osoba-republicka-komisija-za-transrodne-poremecaje-najzad-promenila-ime> (30/05/2019).

treatment of transgender disorders.<sup>10</sup> As is notable in the quoted provisions of the Commission's Rules of Procedure, the term "transgender disorders" is still in use in the text instead of "transgender conditions", which can be considered as a serious amateurism in the Commission members' work.

One of the Commission's most important tasks is to provide an expert opinion on the fulfilment of conditions for the inclusion of an insured person into the process of sex reassignment for medical reasons. The Rulebook on the way and procedure of realizing rights from compulsory health insurance describes that procedure.<sup>11</sup> The Commission forms an expert opinion based on an insured person's medical documentation, and it is valid throughout six months since the decision date. The Commission determines whether the criteria and standards for sex reassignment for medical reasons have been met based on an insured person's medical documentation. If the Commission's decision is positive, the selected doctor sends the insured person to an appropriate tertiary medical institution for sex reassignment for medical reasons.<sup>12</sup> If an insured person is sent to a medical institution outside their "parent" healthcare system subsidiary for sex reassignment for medical reasons, a first-instance medical commission provides an opinion about sending the insured person to treatment outside their "parent" healthcare system subsidiary.

The conditions and documentation necessary for sex reassignment for medical reasons include:<sup>13</sup>

<sup>10</sup> A decision on the formation of the Republic Expert Commission for Transgender Conditions of the Ministry of Health of the Republic of Serbia, no. 119-01-482/2017-02 dated Sept 1, 2017.

<sup>11</sup> Art. 42a. of the Rulebook on the way and procedure of realizing rights from compulsory health insurance, "Official Gazette of the Republic of Serbia", no. 10/2010, 18/2010 -corr., 46/2010, 52/2010 -corr., 80/2010, 60/2011 –a decision by the Constitutional Court, 1/2013 and 108/2017.

<sup>12</sup> Art 42b. of the Rulebook on the way and procedure of realizing rights from compulsory health insurance

<sup>13</sup> A brochure of the Republic Fund for Health Insurance, Sex Reassignment for Medical Reasons, available here: <https://rfzo.rs/download/brosura/Brosura-promena%20pola.pdf> (30/05/ 2019). See also: The Status and Position of Trans Persons in the Republic of Serbia, Gayten LGBT, Belgrade, 2012, p.11. Available here: <https://transserbia.org/images/2015/dokumenti/Trans%20osobe%20u%20Srbiji%20-%20analiza%20poloaja%20i%20predlog%20pravnog%20reenja.pdf> (30/05/ 2019).

1. that a person over 18 submitted an application with personal information and a copy of their healthcare ID card;
2. two letters of recommendation, not older than a year, from psychiatrists who treat gender identity disorders;
3. a written confirmation, not older than a year, from an endocrinologist who treats this specific group of patients about conducting the recommended hormonal therapy, its results and check-ups;
4. if a confirmation from an endocrinologist does not contain this, laboratory analyses are required, as well as karyotype and hormonal analyses;<sup>14</sup>
5. HbsAg, HCV, HIV serological analysis;
6. for “woman to man” persons, a full gynaecological examination and mammography if necessary, not older than six months;
7. for “man to woman” persons, a full urological examination, not older than six months;
8. for persons who have already initiated a surgical transformation of genitals – insight into complete medical documentation for previous surgical treatments and additional previously mentioned analyses that are either missing or whose results are older than six months.

According to the Commission data, in the period between 1988 and 2006, 147 persons underwent the so-called sex-adjustment procedure,<sup>15</sup> while certain sources state that over 300 persons from Serbia and former Yugoslavia underwent this process precisely in Belgrade.<sup>16</sup>

In agreement with the patients, the Commission should make a plan and program of surgical procedures, and approve

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<sup>14</sup> For a specific list of laboratory and hormonal analyses, see the same document, point 4.

<sup>15</sup> Politika daily newspaper from May 13, 2013. Available here: <http://www.politika.rs/scc/clanak/257642/Nijedna-promena-pola-nije-uradena-o-trosku-drzave> (30/05/ 2019).

<sup>16</sup> Politika daily newspaper from May 18, 2017. Available here: <http://www.politika.rs/scc/clanak/380905/U-Srbiji-se-niko-nije-pokajao-zbog-operacije-promene-pola> (30/05/ 2019).

surgical treatment for eight to ten patients from the waiting list every year. However, things are different in practice. Previous practice indicates that the Commission engages solely in providing expert opinion about the fulfilment of the conditions for the inclusion of a person into the process of sex adjustment for medical reasons. It is impossible to find any official reports of the Commission about its previous work, there is no dedicated page on the Ministry of Health website where the Commission's work could be followed, there are no published acts on which the Commission bases its decisions, the waiting lists are not published, there are no recommended good practice guidelines, there is no information about any professional training programs for healthcare professionals and associates in the domain of transgender conditions. In short, it can be concluded that the work of the Commission is neither transparent nor coordinated with Serbia's trans\* community. Even after seven years of existence, the Commission fails to provide answers to extremely important questions concerning transsexual persons' access to healthcare. Some of them are: the fact that not the entire triad therapy is covered by the regular health insurance; the question what triad therapy includes (endocrinological treatment, voice training, permanent epilation and similar procedures that are often an essential part of the adjustment process for trans\* persons) and which part of it is covered by health insurance; the question of compulsory sterilization; the beginning of a therapy for underage transsexual persons; the issue of lack of information, attitudes and treatment of trans\* persons by healthcare professionals; the inability to get a second opinion when it comes to hormonal therapy, extremely expensive consultations with endocrinologists in private practice and the inability to reach them during their regular working hours in state-owned medical institutions (for example, only one endocrinologist in Serbia works with transsexual persons and only once a week), very frequently unethical behaviour of certain doctors, especially endocrinologists; constant shortages of hormones used by trans women, which are covered by health insurance, etc.

Another extremely important aspect is present in the discourse of Serbian medical experts for transgender conditions. Despite specialized centres and decades of practice in developing and

perfecting these extremely complicated medical treatments of transsexual persons, domestic medical expert suggest and practice surgical anatomic correction as the only option for an individual who exceeds the dichotomous categories of sex and gender, turning a blind eye to the problems of those trans\* persons who do not seek surgical sex reassignment and who would like to be socially accepted and culturally categorized precisely in their permanent intermediary status. In addition to undoubtedly important, often fascinating insights and results of modern medicine, parallel to them, medical discourse on transsexuality, intersexuality and sexuality in general often hides layers of unquestionable and self-understanding assumptions, as well as cultural-historical stereotypes masked as scientific “principles” (Šarčević, 2015:21). However, with all the flaws of the existing system of access to healthcare, it is evident that the Republic of Serbia has provided a coverage of a part of necessary costs for one part of the medical treatment for transsexual citizens from the health insurance fund. That, however, is not enough. The process of recognition transsexual persons’ legal subjectivity ends only after new personal ID documents are issued.

### **Importance of Change of Documents**

Relevant international documents require establishing fast, transparent and clear procedures for legal recognition of gender identity.<sup>17</sup> The lack of clear procedures in this domain in Serbia places trans\* persons into a legal and life vacuum, directly jeopardizing their socio-economic stability. Due to a disharmony between visible sex markings of a transsexual person who has entered the process

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<sup>17</sup> Out of international documents focusing on gender identity and trans\* persons, the most important in the author’s opinion are: the Yogyakarta principles, the UN Declaration on Sexual Orientation and Gender Identity, recommendations of the Council of Europe Commissioner for Human Rights, and recommendations of the Council of Europe Ministerial Committee. The Yogyakarta principles plus 10 (YP+10) include nine new principles and 112 additional obligations for the states, in terms of development in the international human rights law and changes in the society in relation to sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC). For more information visit: [http://www.yogyakartaprinciples.org/principles-en/yp10/\(30/05/2019\)](http://www.yogyakartaprinciples.org/principles-en/yp10/(30/05/2019)).

of transition and personal data in their documents, the possibility to realize rights in the domain of work and employment, education, social protection and healthcare, as well as various activities – being in a public area, socialization, travelling – is either seriously threatened or completely disabled until the end of a long, complicated and legally insufficiently regulated process of change of the information.

The existence of procedures and the possibility to change personal ID documents and other documents (personal ID, passports, driver's license, birth/marriage certificates, diplomas on acquired education, work booklets, etc.) hold vital importance for transsexual persons so they can live in line with the desired sex and gender. A decade-long fight to prescribe by law the procedures for change of sex marking in birth certificates finally became effective in June 20, 2018, when the Serbian Assembly passed the Law on Changes and Amendments of the Law on Civil Records.<sup>18</sup>

### **1. Law on Civil Records**

By passing the Law on Changes and Amendments of the Law on Civil Records (in further text LCR), Serbia has enabled recording sex reassignment in birth registers. According to Art 45b of the amended LCR, recording a change requires a decision of municipal or city administration, i.e. the City Administration of Belgrade, which are in charge of running civil records and decision-making concerning civil records in first-instance administrative procedures.<sup>19</sup> The Law prescribes passing a decision about registry based on a prescribed certificate from a competent medical institution, which needs to report sex reassignment to a responsible administration within 15 days from the date of sex reassignment procedure. The certificate is to be submitted electronically, and via post without delay. Art. 45b, par. 4 prescribes the content of the certificate and the necessary information it needs to include. The law establishes an obligation of the competent minister and the minister

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<sup>18</sup> Law on Changes and Amendments of the Law on Civil Records "Official Gazette of the Republic of Serbia", no. 47/2018 (in further text LCR)

<sup>19</sup> Art. 6 of the LCR

of health affairs to agree and prescribe the manner of issuing and the form of sex reassignment certificate from a medical institution.

## ***2. Rulebook on Way of Issuing and Form of Sex Reassignment Certificate From Competent Medical Institution***

The Rulebook on the way of issuing and the form of sex reassignment certificate from a competent medical institution which entered into force only after Jan 1, 2019, prescribes the way of issuing and the form of sex reassignment certificate from a competent medical institution.<sup>20</sup> Sex reassignment certificate is issued by a medical institution after 1) conducting an at least 1-year-long hormonal therapy with indication and monitoring of a psychiatry specialist and an endocrinology specialist or 2) after a sex-reassignment surgery.<sup>21</sup> A medical institution shall issue a sex reassignment certificate for a sex-reassignment procedure conducted abroad based on the medical documentation issued by the foreign medical institution which conducted the sex reassignment procedure and which possesses the evidence of the fact that sex reassignment has been conducted in one of the two previously stated ways envisaged by this Law.<sup>22</sup> As per request of the person undergoing sex reassignment, the certificate shall be signed by a psychiatry specialist and an endocrinology specialist in cases when the certificate is issued after conducting an at least 1-year-long hormonal therapy with indication and monitoring of a psychiatry specialist and an endocrinology specialist. In case of a sex reassignment surgery, a surgery specialist signs a sex reassignment certificate.<sup>23</sup> Sex reassignment certificate is a public document based on which a municipal or city administration, i.e. the City Administration of Belgrade (as a competent body) passes a decision that will approve recording the sex reassignment information into the birth register of the person

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<sup>20</sup> Art. 1 of the Rulebook on the way of issuing and the form of sex reassignment certificate from a competent medical institution, "Official Gazette of the Republic of Serbia ", no.103 dated Dec.26, 2018

<sup>21</sup> Art. 3 of the Rulebook

<sup>22</sup> Art. 3, par. 2 of the Rulebook

<sup>23</sup> Art. 3, par. 3 of the Rulebook



who underwent sex reassignment.<sup>24</sup> Sex reassignment certificate registers: name and surname, date, place and municipality/city of birth, unique citizens identity number, parents' name and surname, the person who underwent sex reassignment, information about sex reassignment for the person, the name and surname of the doctor who issues the certificate and his/her signature. When recording information into a sex reassignment certificate, the identity of the person who underwent sex reassignment is identified based on personal ID or passport, while other information is collected from the birth register.<sup>25</sup>

A competent medical institution then submits the sex reassignment certificate to a competent body in charge of the birth register of the person who underwent sex reassignment: after the sex reassignment procedure and at the request of the person who underwent sex reassignment, or in case of a sex reassignment surgery within 15 days since the date of conclusion of the sex reassignment procedure.<sup>26</sup> Since Jan. 1, 2020 it will be possible for medical institutions to submit sex reassignment certificates to competent bodies electronically.<sup>27</sup>

*a. Decision by Constitutional Court*

It is important to point out a crucial decision by the Constitutional Court of Serbia which served as the only legal grounds for recording change of information regarding sex in birth registers prior to the aforementioned changes of the Law on Civil Records. Namely, the Constitutional Court of Serbia on March 8, 2012 passed a decision no. UŽ - 3238/2011 in which, among other things, it states that:

“Considering the lack of an explicit legal regulation that concerns recording change of information regarding sex in birth registers, the Constitutional Court finds that the provisions of the Law on Civil Records should be interpreted in such a way that recording changes of information regarding sex can be conducted by analogue

<sup>24</sup> Art. 2 of the Rulebook

<sup>25</sup> Art. 6, par. 2 of the Rulebook

<sup>26</sup> Art. 5 of the Rulebook

<sup>27</sup> Art. 4, par. 1 and Art. 8 of the Rulebook

implementation of the legal provisions that regulate recording birth and all other types of information, including sex, which is recorded in the register for a person born in a medical institution.

The Constitutional Court assessed in case of the Municipal Administration of the Z. municipality that, failing to engage in meritorious decision-making about the request of the submitter of the constitutional appeal and, should they possess relevant documentation from a competent medical institution, to record the change of information regarding sex into the birth register, it also failed to comply with its “positive obligation” which would harmonize the legal with the factual state and thus enable the submitter of the constitutional appeal to realize the rights guaranteed by the Constitution of the Republic of Serbia and the European Convention after undergoing a surgical sex reassignment procedure. This, according to the Constitutional Court, breached the right of the submitter of the constitutional appeal to dignity and free development of their personality as guaranteed by Art. 23 of the Constitution, and the right to personal life, guaranteed by Art. 8 of the European Convention, which led to the Constitutional Court’s acceptance of the constitutional appeal.” (Už - 3238/2011 dated March 8, 2012).

However, despite this decision, practice saw cases when after fulfilling medical requirements, transsexual persons were not able to record the change of their sex in birth registers. Arbitrary actions of competent municipal bodies are much more notable in inner Serbian towns and cities. For example, there is a case when a trans woman was sent to an expert witness for a genital examination, even though she had all the necessary medical documentation from a psychiatrist, an endocrinologist and a surgeon, which clearly states that she has undergone sex reassignment, which a surgeon explicitly stated in a patient discharge list (Pavlović, 2012:61). Then, there was also a case when a registrar refused to issue a sex reassignment certificate for several months, until a trans woman agreed to pay the service to a lawyer who is related to the registrar (Pavlović, 2012:62).

This is why it was necessary to regulate by law the entire process of changing the legal status of transsexual persons – and not only them, but persons of other trans\* identities, which the Serbian legislator, unfortunately, failed to do in the changes of the Law on Civil Records.

## Conclusions

Bearing all this in mind, a difficult job lies ahead for the Serbian legislator. Even though it seems like they are half way through, they are still at the beginning. The last changes to the Law on Civil Records made a major step in improving the position of trans\* persons, however, it remains to be seen what the implementation of the adopted legal solutions will look like in practice. A major issue lies in the work of the Commission for Transgender Conditions, which right now presents a major obstacle to a more comprehensive legal regulation of the position of trans\* persons because it firmly holds on to the pathologizing approach to trans\* identities, which is largely outdated in European and global frameworks.

There is no doubt that the question of the legal position of trans\* persons is extremely complex. Precisely that complexity puts an obligation on the responsible bodies in the Republic of Serbia to legally regulate the position of trans\* persons by passing a law that would bring a comprehensive solution to the problems of trans\* persons.<sup>28</sup> This law should cover persons of all trans\* identities and guarantee their safety against discrimination, prompt, transparent and clear procedure for change of information in documents and realization of rights in the domain of healthcare, labour and employment, insurance and marital and family life. On the other hand, this does not imply that legal framework represents the source of all problems and solutions. What is necessary is a multi-disciplinary approach and active participation – professional and ethically responsible, of all parties, the trans\* community, healthcare professionals and lawyers, so as to avoid the situation that, even when there are “good intentions” to solve a problem, we find (as usual) the absence of a systematic approach to the solution with appalling personal and professional amateurism. In line with the obligations Serbia took upon itself when it inked the Stabilization and Association Agreement and the priorities to acquire European partnership, the Serbian legislator must also bear in mind the

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<sup>28</sup> In 2013, Gayten-LGBT designed the Model Law on Gender Identity, which regulates and protects the rights of trans\* persons. For more information, visit: <https://www.transserbia.org/trans/transeksualnost/543-model-zakona-o-rodnom-identitetu> (May 30, 2019)

European Court of Justice case law, especially in matters of employment, equal wages and social security rights. Last, but not the least, it is crucial that state institutions and civil sector work together to continuously raise awareness among citizens and understanding of the problems that trans\* persons face, in order to reduce violence and discrimination these persons are exposed to.

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**Sažetak**

U 21. veku pravo trans\* osoba na lični razvoj i fizičku i moralnu sigurnost, kakvu u punom smislu uživaju ostali članovi društva, ne može se posmatrati kao nešto što je kontroverzno ili što iziskuje određeni protok vremena da bi pitanja s tim u vezi mogla da se sagledaju u jasnijem svetlu. Nove politike koje se tim povodom formiraju u svetu oslanjaju se primarno na ustavne odredbe o dostojanstvu ličnosti i zabrani diskriminacije, na odluke Evropskog suda za ljudska prava i autentično iskustvo trans\* osoba. U Republici Srbiji, 21. vek doneo je promena koje se mogu tumačiti kao značajane za položaj trans\* osoba. Tako je Zakonom o zdravstvenom osiguranju obezbeđeno,

osiguranim licima, najmanje 65% od cene zdravstvene usluge iz sredstava obaveznog zdravstvenog osiguranja za promenu pola iz medicinskih razloga; formirana je Komisija za transrodna stanja pri Ministarstvu zdravlja Republike Srbije; Zakon o matičnim knjigama uveo je mogućnost promene oznake pola u matičnoj knjizi rođenih a radna grupa Ministarstva za državnu upravu i lokalnu samoupravu i Ministarstva zdravlja Republike Srbije donela je Pravilnik o načinu izdavanja i obrascu potvrde nadležne zdravstvene ustanove o promeni pola. U ovom radu, analizira se, u kojoj meri su ove zakonske novine značajne za sam položaj trans\* zajednice u Srbiji i da li su i u kojoj meri zaista doprinele unapređivanju njihovog položaja u svakodnevnom životu.

**Ključne reči:** trans\* osobe, diskriminacija, promena oznake pola, matične knjige.

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# T (Trans\* vs. TERF) Trek: Feminism and the Frontier of Womanhood<sup>1</sup>

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## Abstract

The paper examines the perspectives of feminism, particularly 'trans exclusionary radical feminism' (TERF) towards trans\* community in Serbia, on the level of theoretical articulation and practical politics. The analysis will be focused on theoretical and activist tensions regarding trans\* issue and the social position of trans\* persons that are materialized in four critical questions:(a) the issue of *gender authenticity* that appears within the TERF discourse as a motive/believe that sex and gender are fix identities that cannot be changed/adjusted. This view denies/endanger the idea of the flexibility of gender identities and, consequently, the possibility of gender self-determination for trans woman, trans men and gender non-binary people; (b) the issue of the relationship between *the body, sexual orientation and the feminist identity*, which appears within the TERF discourse as an epistemic privilege of those born with bodies of a particular form that enabled them to pass through the specific gender experience to self-determine themselves as women, lesbians and feminists; (c) the issue of *the right to be present/accepted* in certain (physical and/or symbolic) spaces and (d) the issue of reaffirmation of the *motherhood* as an exclusively female status. Critical discourse analysis will be conducted on several different types of empirical data: (a) data published on official websites of feminist, LGBTIQA organizations, (b) data collected from various social media where discussions are held on this topic, and (c) theoretical discussions among gender scholars and feminists.

**Key words:** feminism, TERF, transgender, women

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Over the past few years, certain subcultural circles of left and feminist-oriented communities within the Serbian society have been shaken by in many ways unexpected attack by the representatives of “trans exclusionary radical feminism (in further text TERF)” on trans\*<sup>2</sup>community. Like many other political actions that are manifested in attempts to establish symbolic and real-existed frontiers that regulate, control and (re-establish) power over certain (physical and symbolic) spaces, this is not exclusive product of Serbian context but rather something that has flowed into local feminist reality from the landscapes of the global feminist context and a five decades long political conflict within feminist movement over the stance on transgender issue.

One of the most frequently quoted authors from the 1970s who advocated the political position that we now identify as TERF within the feminist movement is Janice Raymond. In her book *The Transsexual Empire: The Making of the She-Male*, she claims that “gender is an expression of biological sex, the latter of which is chromosomally dependent. Moreover, she stresses the impossibility of changing chromosomal sex. From this premise, gender and sex are locked into each other and secured at birth” (Hines, 2019: 2). In that sense, Raymond argues that the adjustment of sex in the

<sup>2</sup> Although we are aware that within this term, authors often imply different combinations of gender identities that do not fit into a hegemonic gender binary matrix, in this text we consciously opt to use the term trans\* to avoid the necessary exclusion of certain identities when closing the definition of the term and leaving it in a form that is most inclusive. For example, Aleksa Milanovic states the following definition: “Transgender people live in the gender they chose and which was not attributed to them at birth and usually do not have the desire and need to modify their body or gender characteristics, the agender people do not have a gender identity, or refuse to define/declare their gender in any way, polygender, androgynous and genderqueer persons are gender fluid, which implies a combination of masculine and feminine characteristics and a blurred boundaries between gender identity and gender expression, transvestites and cross-dressers occasionally, in particular circumstances, wear a wardrobe intended for a gender that wasn’t assigned to them at birth, while the intensity of identification with that gender in those occasions may vary. The group of identities / types of gender expression covered by the term *trans* does not include intersex persons since their divergence from the binary norm refers to biological sex characteristics that diverge from the standardized sex characteristics, which means that they have sex and / or reproductive organs which cannot be defined as exclusively female or male” (Milanović, 2015: 33).

case of transsexuals could be only of a “cosmetic nature” (Raymond, 1994: 4), because it stays always only “a superficial, artificial, and socially and surgically constructed change” rather than “a deep intrinsic change that encourages existential development” (Raymond, 1994: 3). On the basis of this, she states that when the process of sex adjustment is by “hormones and surgery ... administered” then the result can only be “the feminization of a man or the masculinization of a woman” (Raymond, 1994: 3).

Since the publication of this book (1979) until the current moment, this radically excluding and thwarting position toward trans\* persons has not changed during this conflict, yet over time the arguments have been additionally elaborated. At the moment, the best overview of the current situation is offered in the text of the *Declaration on Women’s Sex-Based Rights* (in further text *Declaration*), which was made by the group of international TERF activists and presented in New York on March 16, 2019. On this occasion, the prominent TERFeminists, Sheila Jeffreys, Heather Brunskell-Evans and Maureen O’Hara, talked about the importance of protecting women’s<sup>3</sup> human rights. The authors and signatories of this document advocate “the re-affirmation of women’s sex-based rights, including women’s rights to physical and reproductive integrity, and the elimination of all forms of discrimination against women and girls that result from the replacement of the category of sex with that of ‘gender identity’, and from ‘surrogate’ motherhood and related practices.” (Declaration, 2019: 1) In the following text we will limit our analysis only to the contemplations about the adult women.

The authors of the *Declaration* are worried about “recent changes replacing references to the category of sex, which is biological, with the language of ‘gender’, which refers to stereotyped sex roles, in United Nations documents, strategies, and actions”. According to them this has “led to confusion which ultimately risks undermining the protection of women’s human rights” (Declaration, 2019: 2). Surprisingly it seems that the authors of this document intend to erase the theoretical contributions and practical policy achievements of the second wave feminism and redirect

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<sup>3</sup> In particular TERF meaning of this notion.

historical course toward essentialist understanding of sex. This is especially evident in the position expressed in the text of the *Declaration* that says: "States should maintain the centrality of the category of sex, and not 'gender identity', in relation to women's ... right to be free from discrimination" (Declaration, 2019: 13). However, this position opens/suggest the possibility of discrimination against those who, according to the *Declaration*, should/do not belong to these particular categories of "women" according to the classification based on birth-sex. The authors of the Declaration are particularly concerned about the rights of the three categories of female birth-sex persons - women, lesbians and mothers – from which trans\* persons who self-identify themselves as women, lesbians and/or mothers are excluded.

In this paper we will examine the attitude of feminism, particularly 'trans exclusionary radical feminism' (TERF), towards trans\* community, with particular reference to Serbian articulation of this relationship, on the level of theoretical articulation and practical politics. The analysis is focused on global and local (Serbian) theoretical and activist tensions and the social position of trans\* persons that are materialized in four fundamental questions: (a) the issue of *gender authenticity* that appears within the TERF discourse as a motive/belief that sex and gender are fix identities that cannot be "changed"/adjusted. This view denies/ endangers the idea of the flexibility of gender identities and, consequently, the possibility of gender self-determination for trans\* woman, trans\* men and gender non-binary people; (b) the issue of the relationship between *the body and the sexual orientation and its relation to feminist identity*, which appears within the TERF discourse as an epistemological privilege of those born with bodies of a particular form that enabled them to pass through the specific gender experience to self-determine themselves as feminists or lesbians; (c) the issue of *the right to be present/accepted* in certain (physical and/or symbolic) spaces; and (d) the issue of reaffirmation of the *motherhood* as "an exclusively female status" (Declaration, 2019: Article 2).

Critical discourse analysis is conducted on several different types of empirical data related to attitude of TERF community towards trans\* persons: (a) data published on official websites of

feminist and LGBTIQA organizations, (b) data collected from various social media where discussions are held on this topic during the last eleven months (from the September 2018 till July 2019) and (c) theoretical discussions among gender scholars and feminists. We followed the most active TERF participants in the debate, that belong to different groups, or are active in feminist scene as individuals.

In the following text, we will look at one issue at a time in order to point out the places of tension in which the TERF discourse moves away, on the one hand from the mainstream feminist discourse and its theoretical assumptions, and more specifically, from the discourse of radical feminism - constituting, at least when talking about the attitude towards the trans\* question, a new anti-feminist and not radical but right-wing extremist discourse.

## Sex-Based Authenticity

The issue of authenticity that is materialized in the request for “reaffirmation of the women’s sex-based<sup>4</sup> rights” from the point of view of gender theory is rather controversial. “Sex is sex”, writes Gayle Rubin, “but what counts as sex is... culturally determined and obtained” (Rubin 1975: 165). *Sex* difference in human societies is always a product of social and cultural determination (Milić, 2007: 498). Sex difference is universally present in all human societies, but the forms, significance and types of *gender* relations are always specifically historically, culturally and socially conditioned.

In spite of the fact that the category of gender is “a much contested concept, as slippery as it is indispensable, but a site of unease rather than of agreement” (Glover and Kaplan, 2000: IX) it is the only concept that could explain the infinite historical variability of (gender) differentiation in the human species that appears within the universal sex structure.

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<sup>4</sup> Which are understood in the Declaration as rights that can be consumed only by female birth-sex women, as well as the rights that should not apply to male birth-sex persons who identify themselves as women.

"...there are many genders. So various are the different conceptions of masculinity and femininity that emerge from the miscellany of sites and settings in modern societies, that we can justifiably refer to them in the plural as masculinities and femininities." (Glover, Kaplan, 2000: 28)

Gender is seen as a notion that relates to the practice and public actions of body as a biological category, but it could not be reduced only to the body as it is. „The debate between constructivism and essentialism thus misses the point of deconstruction altogether, for the point has never been that ‘everything is discursively constructed’“ (Butler, 1993:8) our notion of sex included.

In that sense we could say that between practice of labeling and biological reality (sex) exist a certain discordance. This discordance points to the fact that sex could not be understood directly as objective category<sup>5</sup>, but rather indirectly, through cultural practices, because our understanding of sex is always mediated by different cultural layers/meanings that we interiorized throughout the process of (gender) socialization: „Crucially, then, construction is neither a single act nor a causal process initiated by subject and culminating in a set of fixed effects. Construction not only takes place *in* time, but is itself a temporal process which operates through the reiteration of norms; sex is both produced and destabilized in the course of this reiteration“ (Butler, 1993:10) which is always in relation with historical, social and cultural dynamic of particular societal context. In that sense any discussion of sex-based authenticity and the epistemological privilege (Bat-Ami, 1993) derived from it is from theoretical point of view objectless and in relation to practical politics just a new tool of oppression against the marginalized ones, in particular case trans\* persons.

“Although the claim to epistemic privilege as a tool may seem to be a claim of the oppressed, due to some of its history, it nonetheless reveals itself also as a master’s tool.” (Bat-Ami, 1993: 97)

<sup>5</sup> Which points to the theoretical groundlessness of the underlying claim of the Declaration – reaffirmation of the biological category of sex instead of the culturally constructed category of *gender identity*.

This oppressive intention in rhetorical organisation of narrative flow is especially visible in *Declaration's* Article 4 - Reaffirming women's rights to freedom of opinion and freedom of expression (underlined by authors) and its paragraphs (c) and (d):

"States should uphold the right of everyone to describe others on the basis of their sex rather than their 'gender identity' (underlined by authors), in all contexts. States should recognize that attempts by state agencies, public bodies and private organizations to compel individuals to use terms related to 'gender identity' rather than sex are a form of discrimination against women, and shall take measures to eliminate this form of discrimination." (Declaration, 2019: 16)

"States should prohibit any form of sanctioning, prosecution or punishment of persons who reject attempts to compel them to identify others on the basis of 'gender identity' rather than sex (underlined by authors)." (Declaration, 2019: 16)

One of the most common ways to reject identifying people on the basis of their gender identity and imposing birth-sex identification takes the form of intentionally misgendering people in everyday online or face-to-face communication. *Misgendering* is considered a sign of transphobia, disrespect or bullying of trans\* persons within trans\* community. Particularly for that reason, it is important to look at the practices regarding the use of an individual's preferred gender pronouns in communication with trans\* persons. Thus, some TERF activists think it is okay to use preferred pronouns, while others consider the following:

"I can't force myself to gendering. I think a couple of gray brain cells would die out in me each time. So I try to use neutral pronouns when addressing trans people. A little mental gymnastics, but at least a calm conscience." (KK, FB, 21st July 2019)

Significant difference in communication strategy is visible between TERF activists with no ambition in developing political career and members of the political organization that have long-term plans on transforming into a political party and participating in

parliamentary elections. This seems to be motivating tool for practicing more “polite” communication strategies. This trend has not gone unnoticed by some prominent TERF internet activists:

“That is why I LOST IT because of leftists in Serbia who want to ‘deconstruct gender ideologies’ and work on it, but at the same time they want to indulge all those special sweethearts who go around calling women CIS and complaining to the people of Facebook about oppression of MISGENDERING.

You can’t have both MISGENDERING and RADICAL FEMINISM. None of the trans people who approached radical feminism and understood it’s political analysis did not remain ‘trans persons’. There they are, the Internet is full of them and they are mostly young girls.

And this group I am in conflict with literally wanted me to give up on my political analysis and be a little more polite, that is, to call individuals who behave this way their ‘preferred pronouns’, so I can “work with the young and lost trans persons.” (SV, FB, 21st July 2019)

There are two types of TERF attitudes in the discussions that are intertwined but will be separated for analytical purposes - first one concerns biological sex and second one concerns socially constructed gender.

The first refers to the thesis of sex as an immutable biological fact, that is, the material reality of every person that cannot be changed by changing certain sex characteristics, and, ultimately, we can never change the “sex” of cells, or chromosomes. Thus, the participants of social network discussions make the following statements:

“So, sex is not a discourse, although there are discourses on sexuality, but it is a material reality on the basis of which women are oppressed in society” (FB, October 20, 2018 JL); speaking of trans woman - “More on what men with makeup do” (FB, June 25, 2019 JR); “This rubbish these pro-transovets are poisoning with can only be described as a daily dose of idiocy. Women struggle so hard to defend men who have a fetish on women’s wardrobe !!!!!” (FB, June 19, 2019 JR); “Radical feminists do not exclude trans men from their communities, and this has been the case for the last 40 years. Why, because radical feminists believe that the oppression of

women begins at the fact of sex, so, a woman is oppressed because she is of female sex, and not because she is feminized, or (...) why, because radical feminism is also materialistic, it deals with literally what exists (...) sex is a category based on reality." (SV, Talk show: *Ozbiljne priče*, 9th June 2019)

The second refers to thesis that precisely because of this material reality and the immutability of biological fact, a person of certain sex characteristics must fulfill a set of *social* roles that relate to his / her identity, appearance, behavior, life, aspirations and expectations. In this sense, TERFs argued that one should not indulge those (self) identifications of trans\* persons who speak of an "internal sense" of being male or female, regarding that they have not experienced the burden of specific socially imposed gender roles derived from birth-sex.

"The criticism of the whole 'TERF' narrative comes down to the assumption that 'terf' feminists are essentializing feminism, which again, for the most part, translates into biologization. Cunts, wombs and so on. I really don't think so. However, just as I do not think that pussy, uterus, tits and other biological things define women who are born with them, I also do not think that by getting all these things surgically and by whichever means, a person who is not born as a woman can become one. (...) gender is not just a matter of biology and it's not just a matter of socialization, it's always a matter of both. (...) it's the [difference] of weather you have in your experience (underlined by the authors) the menstruation that hits you so hard in your second grade in high school that you faint in the tram, and when you grab the fucking edges of the lawn in front of Hayat you fall asleep there at 8 in the morning, stray dogs have to defend you from the shithheads that want to touch you - or not. fuck you, but unless you live after that with the anxiety that your body will turn against you again - not to mention serious health issues - but if you live with the fear that once a month your body will completely betray you and that you will live through pain that is, haha, equal to a heart attack, then as far as I'm concerned you can eat shit. (...) Trans women are trans women, but they are not women. End of story." (SA, FB, 10th September 2018)

One of the parallel streams of argument concerns gender expression, as in the following example of answering the question



by VG on weather zealots of feminism are refusing the right to womanhood to transgender persons DP responds:

“Yes, trans women are not women. Trans women are trans women. And there are differences between trans women. For example, some are not misogynists, but many are. For some trans women, ‘woman’ is a costume that you wear as make-up or dress up.

For some, ‘being a woman’ means being a porn trope. They are different. In general, none of them is a woman.” (DP, Twitter, 3rd July 2019)

As the social network user noted - there are differences among trans\* women. However, it is not clear how the argument would continue if we applied the same claim to cis women - are some of them misogynists, do some of them think that “being a woman” means being a “porn trop”. Assuming that we could find such examples in the cis female population, it remains unclear how the existence of these phenomena in the trans\* female population leads to their exclusion from the category of women.

If the question of “being a woman” is left aside for a moment, the second line of argument goes from trying to prove that trans\* women exhibit masculine gender behaviors, to actually saying they are men, as in the following examples:

“I don’t even know if trans women are engaged in feminism. What I am reading is that various radical feminists have been beaten by trans women, which in character could be referred to as male principle or male violence against women.” (BM, Twitter, June 19, 2019); “Never seen any of them threatening such virulent HATE attacks which are mostly done to WOMEN. The misogyny in trans people like X16 is showing their true masculine personality. Threatening women with acid attacks in Serbia?!? Misogynist prick!” (CW, Twitter, 25th June 2019).

The individual behavior of certain trans\* women who are portrayed as violent, therefore, points to their actually masculine identity. In the next comment, we can also see a slightly more elaborate version of the same argument:

<sup>6</sup> Note: The name of mentioned trans\* person has been removed by authors of the text in order to protect her privacy.

“You call lesbians who do not want to conform your ‘trans women are women’ ‘TRANSPHOBIC’ and you get in their face in public. What more evidence of the ideology of TRANSGRESSION of the borderline of female sexuality do you need, other than X27 who declares herself a lesbian even though she is a typical AGP transsexual<sup>8</sup>?” (DD, Twitter, 31st July 2019)

So, part of the feminists is referring to Blanchard and shifting from the field of gender to the field of sexuality while trying to answer questions regarding the existence of trans\* women.

As one can see from all the above, the arguments regarding sex changeability are identical to those presented by Janice Raymond in her book *The Transsexual Empire: The Making of the She-Male*. Sex is therefore an immutable biological fact, the material reality of every person, and by changing certain bodily characteristics we can never actually change sex. However, things get complicated when we move from the subject of biology to the terrain of gender and gender roles. As we have seen, the phenomenon most commonly cited as the meeting place of sex and gender, from which the concept of the experience of “being a woman” also follows, is menstruation. In this sense, trans\* women, even if they have some life experiences comparable to those of cis women, will never have a menstrual experience, both physiologically and socially. Of course, this argument is difficult to consider given that it does not explain the existence of cis women without menstruation in the category of women.

Going back to the previous empirical evidence, we can see the attitudes that lead to the conclusion that what makes a woman, essentially, is, in fact, that part of the biological characteristics relating to chromosomes on the one hand and the experience of “being a woman” in a patriarchal society on the other.

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<sup>7</sup> Note: The name of mentioned trans\* person has been removed by authors of the text in order to protect her privacy.

<sup>8</sup> “AGP transsexual” is actually one of the categories put forward in his typology of “transsexualism” by Ray Blanchard. He claims that “major types of nonhomosexual gender dysphoria constitute variant forms of one underlying disorder, which may be characterized as autogynephilic gender dysphoria.” (Blanchard 1989: 616)

In this regard, let's look at how attitudes towards transgender women and transgender men differ:

"(G)ender is not a binary category that equals women and men, it is also a category that points to a hierarchical division of power in society. (...) when it comes to trans activism, in some ways it implies that gender identity carries more weight for our sex than the physical reality of our sex. I do not agree with this deeply and that is why radical feminists include trans men in their movement and deal with them, solely because trans men were born as women, (...) the biological reality of sex does not disappear, whether it be trans identified male or trans identified female or any of the variations after all." (SV, Talk show: *Ozbiljne priče*, 9th June 2019)

The last example, if we look at it together with some of the examples above, gives us some clue as to what it means from a TERF perspective, to be a man and to be a woman in society. For TERF activists, according to biological (sex) characteristics, trans\* women (MTF<sup>9</sup>) are men and as such they are "aggressive" because violence is the masculine principle. They are the ones who attack "women's spaces and hardly won women's rights". On the other hand, for TERFs, trans\* men (FTM<sup>10</sup>) are actually (confused) women and as such they can remain involved in the radical feminist movement. The TERF categorization, however, involves a reverse process: trans\* men are called trans\* identified females, while trans women are called trans\* identified males. In this manner, TERFs are practising specific kind of oppression by denying trans\* persons the right to self-express and name their own gender identity.

When debating with authors or activists who approach sex and gender in a different way, it is characteristic for the TERF activists to present rival theories by the method of a straw man argument and to resort to labeling of the opposite side as "postmodern" and non-scientific. Related to this is the juxtaposition of biological reality with the concept of gender identity when defining categories of men and women. The opposing concepts are thus also presented as the difference between objective, material

<sup>9</sup> Persons to transition from male to female.

<sup>10</sup> Persons to transition from female to male.

reality, and the scientific principle, and subjective experiences, that is, the non-scientific principle.

“This is a very good text on how the poorly learned postmodern theory is used to challenge and vilify feminists/socialists (...) the task of the left is to understand and practice that the historical role of the women’s movement is the liberation of women, and that men can contribute to this movement by organising other men to learn lessons from this movement. Not by appropriating someone else’s struggle and yet living in the leisurely ignorance that being a feminist is a compliment.” (JL, FB, 24th July 2019)

The above example also addresses the issues of who gets to be a feminist, and this is a topic we will cover in the next subsection.

## **New-Old Front in Feminist Sex Wars**

During the 1970s and 1980s feminist community was involved into series of internal collective debates regarding a number of issues broadly relating to issues of sexuality. Differences of opinions expressed in those debates deeply polarized the feminist movement, particularly leading feminist thinkers, in the late 1970s and early 1980s<sup>11</sup>. In the current moment we attend the continuation of one of these debates that began in the late 1970s related to the affirmation of the idea of exclusion of particular persons from the women’s (and feminist’s) assemblies and associations based on their birth-sex and/or sexual orientation.

“Article 5: Reaffirming women’s right to freedom of peaceful assembly and association

States should uphold women’s rights to peaceful assembly and freedom of association with others. (ICCPR, Articles 21 and 22). This should include the right of women and girls to assemble and associate as women or girls based upon their sex, and the rights of lesbians to assemble and associate on the basis of their common sexual orientation, without

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<sup>11</sup> See more about this in Pamuković and Urošević, 2019: 107-175.

including men who claim to have female ‘gender identities’ (underlined by authors).” (Declaration, 2019: 17)

This is a deeply wrong and oppressive way of thinking which additionally marginalized all social actors involved in this malignant (inter)group dynamic. According to Julia Serano: “this is where second-wave feminism came to a grinding halt: When we got caught up in the myth that women are special because of our biology. Because when we take pride in how fundamentally different we are from men, we unknowingly engage in a dangerous game of opposites” (Serano, 2013: 38), that injure feminist body and the idea.

In contemporary Serbian TERF debates this topic is painfully present with one dominant argument related to the tacit coerce that is exerted on lesbians to have sexual relations with trans women, who are, by their definition, heterosexual men, which is the fictional reason for a protest reaction:

“Homosexuals exclude the possibility of having sexual experiences with persons of the opposite sex. So homosexuality is by definition as exclusive as heterosexuality. In that context, ... these various policies that go with the definition of some woman or lesbian, some feminists as TERF, and then imposing various attitudes that the trans community invents without any basis, namely that lesbians are obliged today to include in their sexual choices some people who are trans, who are actually heterosexual but transgender, meaning ... the reason why last year there was also a protest at the London Pride.” (SV, Talk show: *Ozbiljne priče*, 9th June 2019)

Which changes a little in the basic tone of TERF discussants:

“I think that a lesbian is a biological woman who is sexually attracted to women. I think democracy is impossible if men speak on behalf of women, even when identifying themselves as trans women. I think that the *Law of Gender Identity*, which talks about people who “do not fit into binary roles”, instead of talking about the rights of people in the process of gender adjustment is half creepy, and the very idea that people voluntarily fit into some binary roles is the opposite not just to the idea of equality but literally what is written in the unfortunate Kostunica’s

Constitution - that equality between men and women is guaranteed.”  
(JL, FB, 17th June 2019)

It is rather upsetting to have such discussions within feminist and left-wing circles that make it impossible to create a common front against the growing right-wing populist political forces. As Butler says: “We form ourselves within the vocabularies that we did not choose, and sometimes we have to reject those vocabularies, or actively develop new ones. For instance, gender assignment is a ‘construction’ and yet many genderqueer and trans people refuse those assignments in part or in full. That refusal opens the way for a more radical form of self-determination, one that happens in solidarity with others who are undergoing a similar struggle” (Butler, 2014), and it depends on our ability and openness to recognize the elements of that similar struggle that we will win or lose in the future.

### **Exclusive Spaces: Womyn-Born Womyn’s All-Exclusive**

The idea of exclusive women’s (or womyn’s<sup>12</sup>) spaces is not a new one. The term gained its popularity during the second wave feminist movement. In 1978, the *Lesbian Organization of Toronto* adopted a **womyn-born womyn-only policy** in response to a request for admittance by a transgender woman who identified as lesbian. Womyn-born womyn policies focused on the unique nature of the feminine experience over the course of a lifetime, and that could only be experienced by someone who experienced life presenting as a woman. The intention was to create a space only for women, who were to be defined not by identity but experience. The result was the exclusion of transgender women. There were many feminist organizations and events that adopted this womyn-born womyn-only policies bar access and among them the most famous was Michigan Womyn’s Music Festival (known also as Mich-fest), feminist women’s music festival held annually from 1976 to 2015 in Oceana County, Michigan.

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<sup>12</sup> This is a deliberately alternative spelling that challenges the centering of male as norm.

However, even this long-term existing festival which promote womyn-born womyn-only policy since its foundation had to confront with the consequences of consistent promotion of the policy of exclusion when LGBT advocacy group Equality Michigan led organized boycott of the event in 2014. It was also criticised by the Human Rights Campaign, GLAAD, the National Center for Lesbian Rights, and the National LGBTQ Task Force. The festival held its final event in August 2015.

In spite of recent historical examples that shows political consequences of the implementation and promotion of the politics of exclusion the authors of the *Declaration* reanimate the womyn-born womyn-only space segregation. In the Article 8 - Reaffirming the need for the elimination of violence against women, the *Declaration* suggests “the provision of single-sex services and physical spaces for women and girls to provide them with safety, privacy, and dignity. Whether provided by public or private entities, such single sex provisions should be allocated on the basis of sex and not ‘gender identity’, and should be staffed by women on the basis of their sex and not ‘gender identity’ (underlined by authors) ... These facilities should not include men who claim to have female ‘gender identities’.” (Declaration, 2019: 18-19)

One of the most common claims in current discussions is related to the presence of trans\* women in women’s spaces, such as women’s toilets, changing rooms, or women’s safe houses, but the justification of this claim is often strained:

“Policy bar access into women’s locker rooms is quite legitimate. I had the opportunity to see gender neutral toilets next to men’s in several places. Where are the women’s restrooms? ... again the same story, transgender people are more oppressed than women, and when we defend our rights and our space we commit violence. And then, these same men (pardon “trans women”) call for violence against us. Wow sounds familiar. Same old story, only packed for the 21st Century” (NM, FB, 25th June.2019)

Rather frequently participants in these discussions share real or imagined “obvious” examples of abuse of trans\* identities

for the purpose of committing crimes and /or (socially) unacceptable behavior in order to justify the importance of setting boundaries related to the limitation of access for trans\* women to exclusively (cis)women's spaces. It is important to note that these participants refer to isolated cases that they generalize in order to support hostile arguments against trans\* women:

“Women’s prison is deliberately separated from men’s prison solely because if that were not the case, those women would be vilified and abused in those prisons much worse ... And then we have a lot of cases that came up where some trans women got there and were imprisoned with women and raped those women.” (SV, Talk show: *Ozbiljne priče*, 9th June 2019)

In terms of representation, it is argued that trans\* women pose a threat to women through the use of their quotas in sports, politics or job openings:

“Would it be OK for me to apply for a job for trans people and to sue them for discrimination when they refuse me? No. Because the empowerment of one group cannot be at the expense of the rights of another group.” (JL, Twitter, 3rd July 2019)

“In that sense, no one in the political arena, especially in the mainstream, no political party deals with this issue or with women’s rights. This is not only the case in Serbia but in Britain, where women massively emerge from Jeremy Corbin’s Labor Party and formed their own parties, so to speak, their own organizations. One of them is, Women’s Place UK, which is the most massive and actually brings together the mass of trade union organizers who have previously worked with Labor Party. They just found themselves in a situation where their rights were being erased. One woman was fired from the organization where she was dealing with women’s and lesbian’s rights because she was a lesbian herself. She was thrown out of her place to bring in a gender dysphoric young man who did not even enter the transition, who grounded his/her trans identity on that (s)he feels like a woman. Such an insult is made against women, political representation is jeopardized in this way because it is considered that ‘it is OK to feel like a woman’, which means



that it can also occupy those quotas that have been won in politics as a kind of anti-discrimination, that is, fighting against the oppression and pro political participation of women " (SV, Talk show: *Ozbiljne priče*, 9th June 2019)

## The Mental Geographies of Motherhood

The experience of motherhood is, in cultural and symbolic sense, one of the most significant markers of femininity in all societies. As a social construct it implies a specific set of social relations that position mother(s) in the specific social position among other social actors. That position which is highly appreciated inside the patriarchal gender order is a place in which different power relations intersect and (re)shape the lives of mothers and their relations with others. This particular position brings in the personal lives of women many practical difficulties but also symbolic benefits that provide access and trespass of the symbolic frontiers of womanhood. It is for this reason why the authors of the *Declaration* dedicated special attention to exclusively define the "category of mother" and limit the possibility for those who were not assigned female at birth to realize the privilege to be a Mother.

"Article 1

This should include the retention in law, policies and practice of ... the category of mother to mean a female parent; and the exclusion of men who claim to have a female 'gender identity' from this category." (Declaration, 2019: 13-14)

This materialization of the "*cissexism*"<sup>13</sup>—forms of sexism that construe trans people's gender identities and expressions as less legitimate than those of cis people (those who are not trans)"

<sup>13</sup> "...some examples of cissexism are quite trans-specific, others have strong parallels with what women face in a male-centric society. For instance, trans people and women are routinely objectified and deemed incompetent to make informed decisions about our own bodies, and our perspectives and lived experiences are often not taken seriously by cis people and men, respectively." (Serano, 2013: 45)

(Serano, 2013: 45) is particularly interesting because TERFeminists identify themselves as a wing of radical feminist submovement who are protecting women's, lesbian's and mother's rights, but the promotion of this kind of ideological discourse do not contribute to any of these categories because it produces a new frontiers of newly invented birth-sex mental geographies that perpetuate additional gender trouble:

"Being a woman is contradiction enough without being both a transsexual and a dyke like myself. I often feel like the monkey in the middle: On one side of me are older lesbians who insist that I am still a man, as if being born male was some awful disease that has infected my blood and my bones permanently. On the other side of me are younger dykes who are infatuated with trans men and tranny bois, yet secretly confess to friends that they are disturbed by trans women because we act so 'effeminate'." (Serano,2013: 38)

## Construction of the Trans Fear

A threatening companion to these discussions is the tacit and hostile discourse of fear against trans\* persons:

"It is scary how many on the left are ignoring the fact that the trans community is attacking women who claim that trans women are not women, but trans women. Lashing out at Chimamando Ngoci, when she said she thought the experiences of trans women were different from the experiences of women, almost two years ago, was an event that in my mind marks the beginning of this witch hunt." (JL, FB, 20th October 2018)

"... there are evidence that trans activists targeted safe houses, for example, safe houses for women victims of violence, seeking entry into places where the women who are already traumatized are staying and who are in fact hiding from male violence." (DD, FB, 13th June 2019)  
"I don't know how many women have yet to be de-platformed or physically assaulted to realize that 'TERF' is an insult that is used solely and exclusively to harass feminists." (JL, FB, 6th July 2019)

The solution for this constructed problem that is legitimized through misuse of individual, sometimes fictional cases, is seen in creation of violence (including online violence) free zone. It is suggested to focus on creating women's/lesbian's separatist movements. However, the logic of this solution is not clear. The separatist movements that have emerged in the recent past, such as *Get the L Out* direct their actions to remove the letter L from the acronym LGBT. The activists perform a series of interventions carried out on behalf of the lesbian community and radical feminism on different Prides, believing that existing Pride Parades or mainstream LGBT events do not represent lesbians (in an adequate manner). Moreover, they allegedly also contribute to further endangering of the rights of women, lesbians and contribute to their erasure. This is rather paradoxical because the *Get the L Out* activists are the ones who demand erasure of the acronym L that represents lesbians.

## Conclusion

The recent TERFeminist war against trans\* persons regarding the (final) frontier of womanhood shows the ideological downfall of TERF discourse that significantly digress on trans\* issue from mainstream feminist and radical feminist discourse (Williams, 2016, Stoltenberg, 2014). The examples from the discussions among TERF activists about trans\* issue shows that they particularly target trans\* women and lesbians with trans\* experience whom they additionally marginalize and oppress. Some authors would claim that because of that multiple socially challenged position trans\* persons as "subjects located at the social margins have an epistemic privilege over those located in the social center" (Bat-Ami, 1993: 85) in particular case female birth-sex feminists who do not need to justify their imagined womanhood. Without pretension to measure the size of epistemic privilege that different social actors hold, we could at least partially agree with Bat-Ami concerning the potential of multiply marginalized trans\* community to create "space of radical possibility" for "production of a counter-hegemonic discourse" (Bat-Ami, 1993:87). In this interpretative key

it is possible to read the following words of a gender scholar and trans activist:

“Instead of pretending that all women share the same experience, that we are one and the same, let’s make the word ‘woman’ a perpetual agent of change. Instead of repeating history by chaining ourselves to one specific definition or concept, let’s make the word ‘woman’ a celebration of each of our uniqueness.” (Serano, 2013: 39)

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## T (TRANS\* VS. TERF) TREK: FEMINIZAM I GRANICE ŽENSKOSTI

### Sažetak

Rad razmatra odnos feminizma, posebno 'trans isključujućeg radikalnog feminizma/ trans exclusionary radical feminism' (TERF), spram trans\* zajednice unutar društva Srbije, na nivou teorijske artikulacije i praktične politike. Posebna pažnja u radu biće posvećena mestima teorijskih i aktivističkih tenzija u pogledu trans\* pitanja i društvenog položaja trans\* osoba, koje se materijalizuju u četiri fundamentalna pitanja: (a) pitanju *rodne autentičnosti* koje se unutar TERF diskursa pojavljuje kao motiv/verovanje da su pol i rod nepromenljive identitetske odredice, koje nije moguće promeniti/prilagoditi. Ovaj stav poriče/dovodi u pitanje ideju fleksibilnosti rodnih identiteta i posledično mogućnost rodnog samoodređenja za trans žene, trans muškarce i rodno nebinarne ljude; (b)

pitanju odnosa između *tela, seksualne orijentacije i feminističkog identiteta*, koje se unutar TERF diskursa pojavljuje kao epistemološka privilegija onih koji su rođeni sa telima određenog oblika koji im je omogućio da iskuse specifično žensko rodno iskustvo i da sebe samoodređuju kao žene, lezbejke i feministkinje; (c) pitanju *prava na prisutnost* u određenim (fizičkim i/ili simboličkim) prostorima i (d) pitanje potvrđivanja majčinstva kao ekskluzivno ženskog statusa. Diskurzivna analiza će biti sprovedena na nekoliko različitih vrsta empirijskih podataka: (a) podacima sa zvaničnih website-ova feminističkih, LGBTIQ organizacija, (b) podacima sa različitih socijalnih medija na kojima se vode diskusije na ovu temu, i (c) teorijskim diskusijama između različitih teoretičarki rodosti i feministkinja.

**Ključne reči:** feminizam, TERF, transrodnost, žene

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# Transgender Trouble: Women Between Sisterhood by Blood and Gender (Self)Creation

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## Abstract

This article attempts to examine two basic arguments of antitrans “feminism”: that the key sex difference between man and women is rooted in biology of our bodies and that social process of becoming a woman is distinctively different for females and males. This is being done in the theoretical framework of social construction theories, ranging from Simone de Beauvoir and Michel Foucault to Judith Butler. Finally, the conclusion of this “deconstruction of transphobia” is that there are still many unanswered questions when it comes to complicated relations between trans women and women. The new definition of sex is emerging before our eyes and can be hardly labelled as “destruction of the idea of women” – rather the case is that it is being broadened to include trans women. *Key words:* transphobia, women, men, sex difference, gender, becoming (a woman)

## Spectre of Transphobia

■ The spectre is roaming the transatlantic region, the spectre of transphobia. What used to be an overheated debate mostly taking place in the United States of America in the past few years – creating a new, unpopular acronym TERF (meaning ‘trans exclusionary radical feminist’) – became almost violent polemics in Serbia. Prevalent in the space of social media, this discussion mainly addresses the issue of whether trans women are women. I would like to disregard the mainstream current of this debate and go beyond it – or perhaps below? – in order to raise the question that seems more fundamental to me: what is a woman (and a man), what is the sex difference in itself and how the unfortunate hatred towards both sexes creates two superficially similar yet essentially different *phenomena*: the TERF misandry and gay men misogyny.



## Becoming the First and the Second Sex

The separation between sexes wasn't always perceived as it is nowadays: males and females used to be fused in the sense that both have been understood as two variants of one essential sex, having basically the same reproductive organs: while men have them outside of the body, women possess them inside (Laqueur, 1990). On the other hand, the difference between sex and gender still seems to be a relatively new one and not yet accepted. This is visible, for example, on the level of language: these two words generally seem to be used interchangeably.

With the rise of women studies in the 1950s, the distinction between biologically based sex and socially induced gender became more visible. The first has been thought to be some kind of a given, non-changeable essence resulting in irreducible bodily differences between men and women. The second was perceived as 'superstructure' built on the basis of biological sex, influenced by our culture, which is actually cultures, different in geographical locations, history and rules of gender i.e. how one expresses his or her sex in the sense of behaviour, language, values. It is a role that we play to satisfy our ever changing cultural expectations of what man or woman seem to designate and mean.

For example, there is no biological reason why girls should be wearing pink and boys blue, but it still exists as a widely accepted norm. Interestingly, that norm has a history of its own revealing a drastic change in the perception of colours in The United States of America in the 1930s: pink was perceived as a "rough" colour, while blue was viewed as "more gentle", both fitting better the nature of boys and girls (Zaharijević, 2010). One should notice that in this particular case, the idea of the strong nature of men and weak nature of women hasn't changed, and this difference has its basis in the philosophical discourse of Ancient Greece. This is notably visible in Aristotle's *Πολιτικά*, who's idea of women has been challenged by Plato in *Πολιτεία* but seems to be widely – but not entirely – accepted through the course of Western philosophy.

Although this particular stance has been disputed – namely by the XVII century Cartesian philosopher François Poullain de la Barre, who held "that everything about women should be considered

questionable because it was written by men”, followed by other female authors such as the first modern feminist-philosopher Mary Wollstonecraft and her pioneering work *A Vindication of the Rights of Woman*, written in XVIII century – the first most comprehensive modern text trying to understand what a woman is appeared under the title *The Second Sex*, written by the French existentialist philosopher Simone de Beauvoir in 1949.

Her main thesis is that women are the second sex when compared to men who occupy the first and privileged position within the framework of patriarchal society. “And she is nothing other than what man decides; she is thus called ‘the sex’, meaning that the male sees her essentially as a sexed being; for him she is sex, so she is it in the absolute. She is determined and differentiated in relation to man, while he is not in relation to her; she is the inessential in front of the essential. He is the Subject; he is the Absolute. She is the Other.” (De Beauvoir, 2011: 26)

Therefore, a woman is considered an incomplete being who needs a man to be wholesome. Men, on the contrary, are the ones who are “complete”. Otherness is not a position of a valueless difference, but it involves the idea that men are more worthy, beautiful, intelligent, etc. than women. (The same can be said for other Others: black people, gays and lesbians etc.) This is a misogynistic point of view, nowadays broadly dismissed at least as a political stance in public and in the vast space of academic discourse – the appearance and work of women’s movement has been mostly responsible for this change. However, seeing women as less valuable than men is still widespread, resulting in “genocide against women” i.e. *femicide*. Given the situation, women have yet to reach equality on all levels of society. There is still (too) much work to be done.

The second famous idea coined by Simone de Beauvoir was that “one is not born, but rather becomes, woman. No biological, psychic, or economic destiny defines the figure that the human female takes on in society; it is civilization as a whole that elaborates this intermediary product between the male and the eunuch that is called feminine. Only the mediation of another can constitute an individual as an Other.” (De Beauvoir, 2011: 330)

It is important to notice two things. Firstly, the author of *The Second Sex* is not in favour of the idea that women can be reduced to

their biology, that the discourse of psychoanalysis is sufficient to explain womanhood, and that Marxism too fails to determine what a woman is. Secondly, there is a cultural process that creates a woman who exists only in relation to other individuals of both sexes – woman-being is the process of becoming a woman induced and regulated by civilization taken as a whole. In the text that follows, Simone de Beauvoir explains how the sex difference is “embodied” in the different treatment of girls and boys throughout their lives. So a woman is never a finished project – men neither – but rather a constant “transformational incarnation” where different expectations of her role are constantly enforced and performed: she has to be a “proper” girl, mother, wife, grandmother etc.

We can conclude that *The Second Sex* makes a distinction between sex and gender, almost negating – or rather putting aside, but not denying – the relevance of biology: Simone de Beauvoir is distancing herself from the famous Freud’s idea that “anatomy is destiny” – and highlights how gender is created within various social interactions. From the standard existentialist point of view – the essence of men and women does not exist in classical philosophical sense – we are structured through the courses of our current historical circumstances, but we have an instrument of free will and freedom to (re)create ourselves. Consequently, subjects are not just subjected, but also have the power to change their subjugation – that is how feminism can create actual changes for women. There are no everlasting reasons – only historical and political – why the second sex could not become equal to the first.

To continue this line of reasoning, we can revert to the work of the French philosopher Michael Foucault and his widely praised historical approach to various discourses of humanistic disciplines, previously seen as “stable” and more or less permanently set in unbreakable stone. For example, in *Madness and Civilisation: A History of Insanity in the Age of Reason*, he claims that the label of mental disease has been relatively recently adopted by the institution of psychiatry rising in the Western Europe in the XVIII century, as well as the new specific treatment of the “mad”.

“In the Renaissance, madness was present everywhere and mingled with every experience by its images or its dangers. During the classical period, madness was shown, but on the other side of bars; if

present, it was at a distance, under the eyes of a reason that no longer felt any relation to it and that would not compromise itself by too close a resemblance. Madness had become a thing to look at: no longer a monster inside oneself, but an animal with strange mechanisms, a bestiality from which man had long since been suppressed" (Foucault, 1998: 70).

This led to the separation of the "mad" from the rest of the population, conducting tests and experiments on them, giving them various diagnoses and stripping them off their civil liberties – psychiatric clinic becomes a sort of a prison, an artificial laboratory aimed to study something "natural". If madness has a history and cannot be naturalized, i.e. reduced to the medical dysfunction universal to all humans – because what is considered mad in one cultural or historical context can be seen as normal in the other – there must be a certain cultural precondition that separates sanity from insanity, which can be addressed as a hidden epistemological *a priori*.

From this point of view, we can also question the idea of sex as a strictly natural *phenomenon*. If we can only approach nature by moderation of culture, we always-already perceive sex through the optics of gender. The latter comes "before" sex in terms of our individual bodies – we are born in the cultural world that sees our sex organs using the lances of predefined gender concepts developed in the medical discourse, which has its own history extending into ancient time and lasting much longer than the history of our individual life. The history of madness resembles the history of sex: the very perception of bodily organs that determine sex difference is constantly shifting, and what is considered "abnormal" can be accepted as regular in a given social context.

Judith Butler in her famous – or notorious, depends on your preferences – work *Gender Trouble: Feminism and the Subversion of Identity* takes the previous stance even further, into the wuthering heights of radical theory: not that the gender is just the epistemological precondition for the emergence of sex, but rather that gender is influencing the formation of sex. We can reasonably articulate sex only in the context of gender, which is constantly being inscribed into sex. One of these inscription that can even "overcome" sex is gender performance – for example, drag queens can become more "feminine" (in the widespread sense of that word) than "biological" women. However, the real

point is that we are all constantly performing our own genders, even if being on the opposite side of drag queens: masculinity of Wesley Snipes is just as performative as femininity of Divine is (this performativity can lead to alterations of the structure of a body, hormones, muscular mass etc.).

"*Female Trouble* is also the title of the John Waters film that features Divine, (...) whose impersonation of women implicitly suggests that gender is a kind of persistent impersonation that passes as the real. Her/his performance destabilizes the very distinctions between the natural and the artificial (...) through which discourse about genders almost always operates. Is drag the imitation of gender, or does it dramatize the signifying gestures through which gender itself is established? Does being female constitute a 'natural fact' or a cultural performance, or is 'naturalness' constituted through discursively constrained performative acts that produce the body through and within the categories of sex?" (Butler, 1999: xxviii)

This "inscription of gender into sex" can start at the very beginning of life: direct interventions are being done upon new-born bodies to fit the predefined gender expectations. Babies are designated as either male or female upon birth based on what medicine defines as a sex difference at the current moment. Nonetheless, we can intelligibly question those definitions and try to change them through entwining political and scientific work. For example: How big should a penis be before it is considered a clitoris? Why do we use surgical interventions on intersex bodies to adjust them into one or another sex if there are only two sexes? Etc.

We can conclude that not only gender, but sex is in trouble, too. This means that we are faced with a debate that has been going on for centuries in the discourse of Western philosophy. Nowadays it has emerged again in the very modern form. What Plato and Aristotle discussed about when it comes to men and women is still a subject of critical examination, meaning that we lack the definite answers (and these "solutions" seem to differ from one epoch to another). The history of feminism from the very beginning sought to redefine what a woman is – not a mere being of passivity but an agent of social development. Simone de Beauvoir made an essential contribution to the understanding of women focusing on her "universal biography", starting as a girl and ending as an old woman: the second sex exists in a constant

dialectical shift between enforcing social norms of gender onto a woman throughout her life, and freedom of a female subject to create and recreate herself.

In a similar way, Judith Butler – more a symbol of a thought twist she has proposed concerning gender, not herself personally, in flesh and blood – and the trans/intersex movement continue the interconnected tradition of what is popularly called French theory and political organizations for freedom of women, black people, gays and lesbians (even the most recent “movement of the users of psychiatric services” organizing the Mad Pride). They are once again redefining what a woman is – she is not born, but rather becoming, even having a possibility of freedom to change her body from male into a female.

This radical emergence of trans women is not, however, negating but rather widening the spectrum of what a woman is, not erasing this very domain, but politically demanding the inclusion into the sphere of womanhood. What follows is the examination of some objections to these political demands, articulated in the context of Serbian radical feminism, especially focusing on some issues that have divided the local scene into trans inclusive actors and so called TERFs (the debate whether this is a slur or the proper acronym is an ongoing one as well).

### **Trans Women or Men?**

In March 2018, the Facebook profile of the feminist organization ‘Ženski prostor’ from Niš witnessed the appearance of two notes – originally written in English but translated into Serbo-Croatian – regarding trans women. The first was authored by Iama Wake titled “Why I Believe All Women Are Sisters and No Men Are” (Wake, 2018), and the second was delivered by Miranda Yardley entitled “Transgender Ideology Does Not Support Women” (Yardley, 2018). I would not go into details of both, but would rather provide a general answer to some of the arguments that appear in the discussions of this kind. It is easy to determine that there are two major arguments why trans women are not women (and can never be women). Firstly, the anatomy of women is different from that of men, and is universal for all women. Secondly, the socialisation of women travels a different path

than men's: essentially, men and women are separated into two different sexes in terms of their bodies and gender roles prescribed by society they live in.

Iama Wake claims that biology connects *all* females into a sisterhood of a sort. However, her line of reasoning starts with two indicative sentences: "Nearly every healthy girl has had her first period," and "Nearly every healthy girl has dealt with her growing bosoms" (Wake, 2018). One should immediately notice two things: first, the use of the phrase "nearly all" and a word "healthy." Iama Wake is aware that menstruation and significant development of "secondary sex characteristics" is not the experience of all women – so why are all women members of the sisterhood, and why doesn't it exclude those who do not participate in it? Furthermore, what are those beings if not women? And what becomes of those "unhealthy" ones?

I do not think Iama Wake regards them as less women, nor that she implies some kind of differentiation between true and false women based on their health status. She rather encounters the problem of definition that includes *all women*: our intuition would still suggest that women who do not experience menstruation or breast growth are for some reason still women, that the category of women includes not only them, but also those women labelled as "unhealthy". Faced with this kind of critique, the proposed direction of thinking must be abandoned in favour of something for "most women", but every time we revert to a bodily property shared by all women – like the vagina or the womb – there are women who don't have it (because of vaginectomy or hysterectomy), or it is dysfunctional in a "proper medical sense," etc. It must be admitted that the search for universality of women must be taken somewhere else.

That brings us to another level of her argument. Iama Wake writes, "I only know my own experience growing up white, privileged, liberal and female. I cannot speak for all women because I don't know the realities of all women," and she adds, "I have nothing, NOTHING in common with Ann Coulter, but, she and I are sisters because she and I both know what it's like to grow up and live in our society while being female" (Wake, 2018). This obviously posits a contradiction. If Wake knows only her experience with growing up as a female – that is rooted in her white privileged status – how can she compare her knowledge with other women, not just Ann Coulter, but for example women from

Namibia or Bangladesh? What if they do not have much – or even nothing – in common?

She must resort once again to biology: “Women share a bond that is born from blood and biology” (Wake, 2018). But how do we know if biology creates any kind of bond and if all women feel that kind of connection, having in mind different experiences (especially the experience of our own bodies, how we perceive them or feel about their specificities) depending on our class position, living in a small or a big city etc. There are too many particulars that define every individual’s position in the world and comparisons are, in general, very hard to make, especially if we try to use the biographical approach. What we know from that genre is that every life is more-less unique, so this is not the line of argumentation that is particularly fruitful.

We can now ask the question: How is it that our intuition suggests that there is a category of women at all? Why do we feel that even in spite of all individual differences we can still talk about women? Iama Wake addresses it in the following passage: “I was born female. I was not assigned female. The doctors saw my genitalia and marked the ‘Female’ box on my birth certificate” (Wake, 2018). That is how most people start “living” their gender – they are assigned their sex at birth. At the very beginning it is an empty signifier, just a marked box on a birth certificate, or the letters M and F. Afterwards, all the social institutions – family foremost, not to neglect school, inner and outer circle of friends, media, etc. – are attempting to enforce gender expression compatible with the assigned sex. Boys and girls are being raised differently in order to fulfil this task of becoming “true” males and females.

However, this process is not entirely successful – some boys feel like girls and *vice versa*. Not all men or women behave in the same way, or dress as they should, so there is a proliferation of gender performances amongst the population. There are similarities because the process of sex cultivation is successful to a point, especially when it comes to self-identity – most people still accept themselves as one or the other sex. What we are currently witnessing is the rise of gender-benders, non-binary people and many variations of transsex and transgender people who do not feel like men or women and cannot be placed in the binary sex regime.

Therefore, the conclusion is that “sex universality” for men and women is the first designation after birth, the preliminary ideological



marking by gender. Everything that ensues travels a different path for each individual, who is constantly pushed to perform the assigned sex/gender according to currently prevalent social expectations.

The second universality that we can think of is that women are being discriminated for being women in various ways. But then again, not all of them are subjected to equal form of discrimination. The pressure to have children generally goes along the lines of traditional female identity: a woman is her womb, a being made to procreate and give birth to new members of *Homo sapiens* species in order to preserve the human population. However, some women – e. g. Roma women in Serbia – are forced to have more children for various reasons, while fairly rich and educated women can deny this social request and remain *relatively* undisturbed. As a result, discrimination is always-already differently performed depending on other personal properties, such as race or class.

This generally means that we can unify the signifier of women much more analysing their situation within a particular culture in a specific time and space: other cultures may have other ideas of what a woman is, and even if faced with discrimination, it can be in another form etc. This raises the question of whether patriarchal society is universal, and even if it is, its particular implementations are different, meaning that sisterhood is rather a possible political project of connecting women's movements around the globe. It is a process and a goal to be achieved rather than some kind of biological archetype, similar to the idea of "one world" or "universal brotherhood of men" or "international proletarian solidarity", projects with noble intention, but hard to achieve and with questionable results so far.

The second text is written by Miranda Yardley entitled "Transgender Ideology Does Not Support Women" (Yardley, 2018). I will briefly analyse her seventh point, because most of the other claims go along the lines of what I have already examined. Yardley states that "[t]o recognise that trans lives are different to the lives of women and that women are entitled to their own spaces, which should always be respected; it is not acceptable to attack women's institutions that exist to support vulnerable women in the name of transactivism" (Yardley, 2018). This implies that achievements of feminism – like safe houses for women – are being attacked and dissolved by trans women who are basically seen as biological men: trans activism is really targeting

women's rights. Yet again, how do we know that trans lives are different and in what way compared to lives of women in the sense that we can claim that trans women are not women at all? How are they socialized? What is their experience? What we are talking about is the inclusion of trans women into "womanhood" which means broadening the concept of women, not destroying it. Particular questions – like the presence of trans women in women's toilets – are just particular questions and nothing more. They should be discussed, not used as arguments that attempt to obfuscate the process of recognition of "Other women" as women.

So what creates this kind of reaction on the brink of an irrational fear that women will be erased? In an interview for the weekly NIN in 2015, Judith Butler claims:

"Sex 'anchors' the idea that there are only two genders, that you should only become something of the two genders, but it also 'anchors' the idea of family, heterosexuality, marriage as heterosexual institutions, creating a bond between women and motherhood, so it looks like that women who do not want to be mothers do not fulfil their 'natural task'. Women and men who do not associate their sexuality with reproduction, who do not aim to have children, also deviate from the norm (...). There are a variety of 'issues' such as kinship, marriage, sexual freedom, even the right to reproductive technologies that are related to the idea of gender, and many people are scared of what that it can bring about and think they can stop these trends by returning to the idea of gender as something natural." (Butler, 2015: 52–53)

According to Butler, the consequence of creating the strong link between the idea of a woman and her biology leads to "anchoring" gender in nature, making giving birth, to name one example, a sort of a natural law for women that they should all obey. This is the core of the justification of the right wing policy towards women: that it is in women's nature to behave in a certain manner and thus fulfil their biological purpose, and sadly, it is also the consequence of ideology of transphobic feminism. On the other side of this logic stands the idea of freedom – very similar to the De Beauvoir's idea of *becoming* a woman – to choose or not to choose marriage, creating a family, having children, even choosing gender and sex. The latter is provided by the development of medicine and new technologies that eventually allows the transition from one sex to another, which represents the possibility to

overcome the basic social difference – binary sex difference – one of the core social institutions.

This means that we also create a possibility to stop somewhere in between on the sex spectrum. It is nowadays much more accepted that people transfer from one sex to another if transition means they have fully switched into traditionally perceived gender. For example, the Slovenian band Sisters – including three male cross dressers – have been welcomed in Serbia because their gender performance and appearance was very women-normative, but the image of Austrian pop singer Conchita Wurst, a “female with a beard”, was quite unacceptable because she was “neither a man nor a woman”, even though she became famous years after Sisters appeared on the public scene.

This possibility of “gender mixing” thus generates one of the fears concerning trans recognition – that the very fabric of our society will fall apart, which is not true. Slow introduction of the idea of third sex/gender and following carefully considered political changes will perhaps create more bathrooms, but will not end their existence (maybe it will just reduce them in numbers if we opt for gender neutral toilets). It is already happening and the world hasn’t ruptured. Similar ideas of social Armageddon always appear when a global social change is about to emerge, but only through changes our society becomes more advanced and the very engine of social development is a constant revolution, in this case revolution of our understanding of sex and sex difference.

## Afterthoughts and Conclusion

With every wave of feminism, the question of what a woman is emerges as a crucial problem. The first wave, starting in XIX century, brought upon the question of the old idea of women as passive, less valuable beings than men, which persisted for more than two millennia in Western philosophy and political life. Although Plato in his *Πολιτεία* claimed ontological equality of men and women – their *tripartite soul* is equal – this has been far from the dominant stance. Women have been reduced to the Other, the second sex. Even nowadays we can notice that claiming the existence of unsurpassable abyss of biological difference between the sexes – as stated by the part of the feminist

movement – implies that “human beings” are not created equal, especially when this point of view proclaims our carnal manifestation – specifically sex organs and characteristics – dictate the very basis of our essence and/or existence.

Starting roughly from 1990s, the third wave of feminism – hand in hand with transfeminism – once again raised the question of the meaning of sex difference, presenting different answers, mostly marked with intersectional approach. Today, the debate whether trans women are women is reaching its peak in Serbia, involving activists, academia and public figures. What we can notice in the polemic is that transphobic argument always relies on the idea of strict ontological separation between men and women, and that men are being generally perceived as violent and brutal – almost as we came to reversion of the prevailing patriarchal stance towards sexes. We can detect a sort of a “misandry” in this stance, especially when trans women are constantly “pushed back” into their “manhood”, as if they are contaminating the female sisterhood, representing a constant threat of rape and sexual disturbance. A recently published article by Nada Sekulić, “On the ‘Nature’ of One Political Feud: Heteronormativity, Transgender and Endangering the Rights of Women” (Sekulić, 2019), clearly shows that those positions are far from being scientifically based.

Naturally, this kind of “misandry” should not be compared to misogyny which is a widespread social regime of women’s subordination that most gay men unfortunately internalize and perpetuate, exceptionally visible on dating sites, where “no fems” is one of the most common phrases. Unlike men hating, which is only to be found in personal sentiment, there is no institutionalized discrimination of men, as there is no heterophobia or racism against white people.

To conclude, there are many open questions and unsolved problems when it comes to the complex relation of trans women and women – and what it means to be of one or another sex. I have tried to deconstruct some of the arguments emerging in this debate in Serbia, but my current ambition does not really go beyond that: I am not pretending I have all the answers, nor do I think anybody has. There is still a lot left to discuss, but mostly to be researched in the sense of genetics, medicine, anthropology, sociology and philosophy.

For example, magazine *Scientific American* published in 2017 a series of articles entitled *The New Science of Sex and Gender* described

sex as both a process and a spectrum that starts within a womb from the day of conception until the period after puberty, ultimately forming more than ten sex variants (Fine, 2017). Gilbert Herdt, anthropologist, has found that autochthonous Dominican and New Guinean cultures have a triad sex system, thus denying universality of binary sex division (Herdt, 1994). We are dwelling in a shadowy field that has many “known unknowns” and perhaps some “unknown unknowns”, so we should tread carefully – paying our full attention to Gertrude Stein’s advice: *Think well and think again!* – trying to uninterruptedly listen to all sides of ongoing polemics, attempting not to be deafened by our own shouting or allowing affective reactions to disturb our clear lines of deductive thinking.

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### NEVOLJE S TRANSRODOM: ŽENE IZMEĐU SESTRINSTVA PO KRVI I RODNOG (SAMO)STVARANJA

#### Sažetak

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Ovaj članak istražuje neke aspekte dva osnovna argumenta antitrans „feminizma“ – da je ključna razlika između muškaraca i žena ukorenjena u biologiji naših tela i da se društveni proces postajanja žene izrazito razlikuje kod žena i muškaraca. Ovu analizu ispostavljam u okviru teorija društvene konstrukcije, u rasponu

od Simon de Bovoar (Simone de Beauvoir) i Mišela Fukoa (Michel Foucault) do Džudit Batler (Judith Butler). Konačno, zaključak ponuđene „dekonstrukcije transfobije“ jeste da još uvek postoji mnogo nerešenih pitanja kada je reč o odnosu trans žena i žena. Nova definicija pola nezadrživo se pojavljuje pred našim očima i ne može se razumeti kao „uništavanje pojma žene“, već pre kao njegovo proširenje u smislu uključivanja trans žena.

**Ključne reči:** transfobija, žene, muškarc, polna razlika, rod, postajanje (ženom).

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# The Philosophical Reflections on the Feminist Subversion of Identity

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## Abstract

This paper reexamines and tries to found from the philosophical standpoint the fundamental effort and thesis of Judith Butler, advanced in her influential book *Gender Trouble. Feminism and the Subversion of Identity*, about the necessity of subversion of the traditional understanding of female sex, gender and identity. Starting from the basic ideas of some philosophers ranging from Pascal to Adorno the author of the paper shows the complexity and mansidedness of the concepts and phenomena of identity, sex and gender. Her basic thesis is that it is necessary to cancel and overcome the traditional rigid and monolithic concept of identity understood as compulsory, naturalized heterosexuality, but also to preserve the necessity of the flexible understanding of identity and its coherence and basic continuity. The author supports the fundamental thesis of the radical feminism that woman should become and not simply be born. The author is convinced that biology and anatomy should not and must not be treated as unchangeable and relentless fate and she advocates the changes in the predominant types of upbringing, education and socialization when and where needed as well. It is necessary to understand that many usual views of (female) sex and gender are historical and social constructs which can be changed and revised and which are not so-called natural and evident data, facts. It is especially necessary to struggle against any type of violence and discrimination of sexual minorities. Yet it is pleaded here that it is necessary to understand that identity is being constructed in the complex field of interactions of nature and culture, biological determinism and free will, necessary coherence but also of the psychic and socio-historical changes. The author supports new and higher type of universality which would comprise the specific traits of women, gay and lesbian persons and the dialog between tradition and innovation. It is also underlined the importance of personal



bearing witness to and specific primacy of the practical reason in the context of struggle for truth and justice, yet which are not understood as completely optional and arbitrary.

*Key words:* feminism, identity, change, continuity, gender.

## The Fundamental Critical Task and Method of Philosophy

■ The very essence of philosophy from its very beginning and especially from Socrates and his quite self-conscious and principled project of reflection and self-reflection, which established the measure and paradigm of philosophical thinking and acting until now, is reexamination of things which are considered as “natural”, “self-evident”, so-called “facts” which should not be reconsidered but taken for granted and especially not brought into question. In that sense the effort and project of Judith Butler realized in her influential book *Gender Trouble. Feminism and the Subversion of Identity* belong to the crucial mainstream and realizes the very principle of philosophy. Her aim is reexamination, bringing into question and refoundation of usual understandings of sex, gender and gender identity. This, of course, as in case of Socrates and his pathognomonic fate, provokes many reactions, discussions and polemics which belong to the essence of philosophy and vocation of philosopher and his activity which cancels self-evidence and invites to critical dialogue.

The work of Butler is especially in accordance with the essence of modern age and modern philosophy which bring and articulate new principle of freedom, not only social but individual, too, and human rights which emphatically enable the articulation, expression and respecting of many individual idiosyncrasies which naturally comprise both the phenomena and specific traits of his sexual and gender identity and their realization in society. Especially important part, principle and innovation of the modern philosophy is both reexamination and deconstruction of inherited concepts and traditional entities which were created in human history and got the status of so-called “facts” and “nature” whose subjective production and historical and

human origin were “forgotten” and whence considered as “eternal”, God given or autochthonous. It has also been considered for a long time that some “self-evidences” of man both as an individual and society are simply given, not produced, not become, i.e. became by “nature” and without influence and let alone creative participation of man and his culture. Whence the basic aim of Butler is demonstration of cultural impregnation and historical and cultural becoming, production of the phenomena of sex and gender from which the former is considered as so-called “nature” which is simply “given” and completely “self-evident”.

Butler’s work is especially politically and personally committed, what is the consequence both of her quite personal, particular experience and her life history and modern and unstoppable social and historical trend and struggle at first of women and later of LGBT persons for equality and tolerance in contemporary society which I consider as wholly legitimate. I think that beside objective, theoretical statement of a principle, it is very important to be both personally truth witness in the sense that we should in reality, in our concrete life behave in accordance, struggle and personally advocate a true conviction because the basic personal honesty, consistence, seriousness, sincerity and integrity demand it. Necessity to be truth witness does not advocate only existential philosopher Kierkegaard in his late works because it is expected from such a philosopher (cf. Kierkegaard, 1998: 10, 11, 291). The contemporary philosophical anthropologist Helmuth Plessner also advocates the struggle for dignity, freedom, humaneness, seriousness and honesty and shows that it is also a matter of special moral decision, choice, primacy of practical reason without which the dignity and earnestness of man would be imperiled (Plessner, 1953: 19, 20).

The basic aim of Judith Butler is to de-center the institutions of falogocentrism and compulsory heterosexuality and to show that they are produced by specific historical epoch and culture and created by work of numerous institutions, practices and discourses and not only their self-evident origins and causes (Batler, 2016: 32, 33).

## The Interdependence of Sex and Gender, Nature and Culture

The clear result of her analyses is that distinction between concept of sex and gender should be maintained. Sex is much more than gender “naturally given” (although not completely: i.e. both sex is being produced), whereas gender is almost completely cultural, social and personal psychological product, experience and attitude which does not come from the sex directly and unequivocally. There is a radical discontinuity between the sex and gender of body. From the natural sex of person only one predetermined gender does not come directly and unambiguously. The understanding of sex as completely “natural” is socially and historically produced and culturally constructed, which is most often not kept in mind.

The essential difference between sex and gender is the consequence of cultural and historical fact that there are different possibilities of personal determination and psychological experience of sex which whence can produce different genders. The specifically modern understanding of man and his identity allows generally the possibility of different psychological and social experiences and cultural constructions of gender from the same body sex and constructions and destructions of various personal identities, that is, their changes during lifetime. The “coherence” and “continuity” of “personality” are not simply “given”, “natural”, “self-evident” but they are products, effects both of personal biological, psychological and social development and of the social and historical epoch and particular cultural situation.

The key modern philosopher who brought to consciousness, founded and explained the unity, continuity and coherence of consciousness, self-consciousness and personality is Kant who did it at first in his *The Critique of pure Reason*. In the process which he called the transcendental deduction of categories he constituted both the unity, self-consciousness, coherence and continuity of human subject and the unity and constitution, at least gnoseological, of so-called “objective” world. In that part of his work he develops specific phenomenology of becoming of every knowledge, which also presupposes the unity, continuity and coherence of human subject, human consciousness. I would dare say that it is for the

first time that from the transcendental philosophical standpoint the whole process of constitution and bringing to consciousness not only of particular definite knowledge but also of united, self-conscious and coherent human subject and its personality is set forth. Kant puts forward multiple syntheses of representations which begin and develop upward (in the first edition of *The Critique of pure Reason*), that is, they develop from the perceptions through the productive imagination to understanding while in the second edition of the work the crucial position and power of understanding which intervenes in the perceptions and the productive imagination are stressed. In this context the main and the epochal Kant's insight and his founding philosophical transcendental explanation is his awareness that human subject has to be and remain united, continuous and coherent in order to achieve the knowledge of world at all. Here is the key role of the transcendental imagination which produces the internal temporal consciousness which is manifested as the internal historicity of the self and which also demands its linguistic competence. The self-conscious human being is the one which can make distanced step to itself in order to comprehend the present phase of its consciousness as the only one stage in the temporal stream which presupposes past behind and future ahead (Kant, 1976: 536; Mojsić, 2009: 42, 43). So Kant made essential contribution to the modern process of the temporalisation of consciousness and to the understanding that the meaning of time can be addressed primarily from the standpoint of its content and events which constitute it (Mojsić, 2009: 46).

The sense and function of the transcendental imagination consist from, on the one hand, the important attempt of close connection of understanding and senses, mind and body, man and the spatial and temporal world and, on the other, through its medium the incessant two-way communication between sensory content, nature, world and human understandings, convictions, theses and hypotheses, theories. This enables their constant contact, mutual enrichment but also their mutual correction. It is necessary to be constantly open toward the world and, of course, to its own inwardness and carefully listen to their signals because it is the only way to provide human capacity of critical reflection with its authentic origins and so to keep it fresh, flexible and vital. It at least in

principle enables the changes in what we nowadays call personal identity in changed historical and cultural world situations.

But Kant also demonstrates a typical bourgeois inclination to “forget” the temporal and historical genesis and becoming of forms which determine the prevailing way of thought and that often makes superfluous the recollection that they are in fact produced in close connection with the personal and spatial and temporal and social and historical world. The epochally and historically predominant forms of thought now petrify in eternal, necessary, changeless and universal ones (cf. Mojsić, 2009: 49, 50).

The transcendental apperception and its representation “I think” is connected with this because it supplies the primary unity of consciousness. It means that it projects the domain in which the representations become *mine* (Mojsić, 2009: 51). The transcendental apperception or self-consciousness is the characteristic feature of the modern subject which constitutes its I. It is the historical product of the modernity where the rational, adult I who has insight and controls its mental content is created (Mojsić, 2009: 51). The personal and historical importance of the transcendental unified consciousness which can recognize and identify its states and representations as *its own* and integrate them in coherently organized experience is huge. It can be understood best if we compare such situation in which the self-conscious human subject exists with the historical epochs when it was absent (at least in its modern form) as, for example, in the Middle Ages when whole parts, processes and states of the human being and its consciousness were considered to be under somebody else’s control (God’s or Satan’s) but absolutely not his or with the situation of the schizophrenic whose integrating and self-conscious functions of I are massively impaired or completely destroyed (Mojsić, 2009: 51). Kant also had insight in the necessity of mediation of inward and outward experience, that is, the inseparableness of the personal human experience from the general world’s one (Kant, 1976: 179; Mojsić, 2009: 52).

I think that the feminist premise that biology is not, and I would add that it must not and should not be, relentless and changeless fate is true and deeply obligatory (Butler, 2016: 82). I also accept and consider as deeply true the thesis that we are not

born as women but we become that, especially in psychological and social sense. The modern philosophical tenet, that one should become what it is, is obligatory for every entity; in Hegelian terms, from the starting undeveloped, abstract, unconscious being in itself we should become developed, wholly realized and self-conscious being in itself and for itself. It is valid for the members of all genders, i.e. sexes, not only female.

However, the fact that the gender is constructed does not mean that it is sheer illusion or completely artificial (Batler, 2016: 86). This only means that woman is becoming, she is process without definitive beginning or end and it is practice which is generally open both for new and different interventions and resignifications (Batler, 2016: 86). The gender is not given closed totality but task which is being incessantly realized by human agency (Sartre, 1983: 132, 133). Therefore, Batler is right when she rethinks the possibility of the subversion of the concept of gender and identity which had become naturalized and reified and which, at least to my mind, can indeed in some social and historical constellations, but according to the feminists in all, be used exclusively to support the hegemony of masculine and heterosexual absolute and intolerant power (Batler, 2016: 87).

The feminist claim that nothing, including sex, gender, identity, desire, is absolutely and completely natural, immediate, unmediated, original but it is from its very beginning influenced by a culture is in accordance with Hegel's contention that nothing is immediately given as such but everything is dialectically mediated and produced and that immediacy manifests itself only as the effect and result of often very complex and multiple mediations. In that sense the feminists stress and show that original formative relation between child and parent is not heterosexual and Oedipal erotic relation between child and the parent of the opposite sex but homosexual relation – especially the lesbian relation between mother and daughter – which is later repressed and whence the becoming of gender is very hard, difficult process of the naturalization of something which is originally opposite (Batler, 2016: 139, 143, 148). It is in accordance with Hegel's determination of the formation of wholly developed, socialized, mature individual as "the path of despair" (Hegel, 1979: 48) and "violence" (Hegel, 1979: 15).

This is connected with very interesting, perceptive and profound observations of Keats about the path of formation of man's definite personal identity: "Do you not see how much the World of Sufferings and Troubles is necessary to train Reason and turn it into soul?" that is, in I or self which is "*destined to have the sense of Identity*" (Triling, 1990: 214).

The feminists are right when they reexamine the frequent general philosophical claim about self-founding original subject, cogito. Gayatri Spivak, for instance, criticizes "the self-presence of knowing unhistorical self" as epistemic imperialism of the philosophical *cogito* (Batler, 2016: 58). It is another affirmation of the claim that subject does not found absolutely originally immediately itself but, on the contrary, it becomes thanks to, according to the radical feminists, ban and repression of the primal homosexuality, especially the lesbian relation between mother and daughter, and it is becoming, suffering and despairing on that path which is often not even noticed and made conscious, let alone criticized.

Another important feminist Gayle Rubin critically read some crucial claims of the structural anthropology of Lévy-Strauss in her paper "The traffic in women: some notes on the "political economy" of sex" and showed a truth which is so often unjustly left unnoticed and avoided: even sex itself and desire for bearing children, maternity are in no way self-evident primal, wholly natural fact but is the result of social practices, culture which need it for its own reproduction (Batler, 2016: 167, 170). She is right when she stresses that the whole system of sex and gender is a set of social arrangements which transform the biological sex in the product of human agency (Papić, Sklevicky (ed.), 1983: 93). The phenomenon and practice of the traffic in women refer to existence of a kinship system in which men are given rights to their kinswoman while women have no rights even to themselves or to their kinsmen (Papić, Sklevicky (ed.), 1983: 114). She considers the primal exploitation of women in patriarchy as crucial and primary while economic exploitation is derived and secondary (Papić, Sklevicky (ed.), 1983: 114). Whence she defines the aim of the feminist and gay rebellion as the throwing down of the system of obligatory sex (Papić, Sklevicky (ed.), 1983: 122).

Although I am not going into details of the classic psychoanalytic and Lacan's doctrine of biological, psychological and social maturation and development of children for what I have no competence, I shall point out that generally the feminists understand the Oedipus complex as an instrument of production of the sexually determined personality, i.e. heterosexual, sexually and gender clearly differentiated adult from the original bisexual androgyne infants (Papić, Sklevicky (ed.), 1983: 122, 127). Karen Horney also determined as the special feature of Freud's basic psychoanalytic understanding and method the fact that he did not see the desire for child bearing, maternity as inborn, wholly natural formation but as something which can be psychologically reduced to its ontogenetic constituents and its energy derives originally from homosexual or phallic instinctive elements (Papić, Sklevicky (ed.), 1983: 135). Whence the explicit derived insight that making of "womanhood" during the socialization is an act of psychic brutality. According to the feminist reading of Freud's psychoanalysis, his discussion and analysis of the phenomenon of womanhood clearly refer to the description that a human group from its very childhood is being prepared to live with its own oppression (Papić, Sklevicky (ed.), 1983: 136). Helene Deutsch is explicit: the first libidinal relation of girl to her father is masochistic and her message is clear: "I wish my father castrated me", (Papić, Sklevicky (ed.), 1983: 136). However, I of some women can rebel against such masochism and while defending their self-respect, they flee from the whole situation because they do not want to tread this whole path of pain and humiliation and do not want to reconcile with their "fate" which consists of masochism, self-hatred and passivity (Papić, Sklevicky (ed.), 1983: 136, 142).

Gayle Rubin is right when she asserts the general fundamental claim that the sexual life of men will always be subject to conventions and human intervention and that it can never be completely "natural" because of simple reason that our species is social and cultural (Papić, Sklevicky (ed.), 1983: 139). In this context the lesbian relation is not primarily seen as a problem which should be treated but as resistance to a bad situation (Papić, Sklevicky (ed.), 1983: 142). According to Gayle Rubin, woman who does not rebel against the status of object admitted that she was defeated as an independent personality (Papić, Sklevicky (ed.), 1983: 142). She



defines the essence and the basic aim of the feminist revolution not only as liberation of women but also as liberation of the forms of sexual expression and integral human personality from the bond of gender and realization of androgyne society without gender, although not asexual, where the sexual anatomy is irrelevant for what a person is, what it does and with whom it makes love (Papić, Sklevicky (ed.), 1983: 139, 144), what I can understand, especially when it is about need to struggle against exaggerated importance of sexual and gender identity. I especially completely agree with the contention that systems of sex/gender are not ahistorical emanations of human reason but are the products of the historical human agency (Papić, Sklevicky (ed.), 1983: 145). System of sex/gender is neutral term which shows that oppression is not inevitable in this domain, but is the product of social relations which organize our sexual and gender identity in that way (Reiter (ed.), 1975: 168). Woman is certainly not "pure" "genuine" "passive" "nature" and man exclusively a being of "culture", "spirit", "action", "endlessness". These are absolutely false distortions of the complex process of being not only a man but also a woman. Here we can see how much the tradition did the female sex and gender wrong, was false and oppressive to her and how much it established the gender hierarchy on whose top is man. The feminists are completely right to try to revalue and abolish it.

The assertion of the feminists that every sex and gender is socially and culturally mediated and produced can be connected with the fundamental claim of the philosophical anthropologist Arnold Gehlen who developed his whole philosophical understanding of man on the tenet that man is by nature a cultural being and by culture a natural being (cf. Gehlen, 1990).

However, I would like to emphasize how much it is, both speaking as a human being and professionally, irresponsible, not compassionate and inhuman to insist and praise the fragmentation, conflicts, splitting, incoherence and disintegration or completely nonexistent I, soul and body. I do appreciate the honesty and veracity of Judith Butler when she admits that Foucault romanticizes the world of the alleged pleasure of the hermaphrodite Herculine Barbin from 19. century as "happy limbo of nonidentity" (Butler, 2016: 172). Foucault is enthusiastic about the life of the

hermaphrodite seeing in it the world which surpasses the categories of sex and identity, but it also should be told that aforementioned hermaphrodite ended its life by suicide. For me it is more than telling and tragic enough sign that it was huge, unsupportable human suffering and unhappiness which can be avoided or even ignored only in an act of great inhumanity, irresponsibility and cynicism. Whence the necessity to have the coherent, integrated identity, being, self, personality and my conviction that everything else leads not just abstract humanity or gender but concrete individuals from flesh and blood to disaster and huge, often unsupportable suffering which ranges from the confusion of identity to total psychosis movingly confirmed and described by many classical studies and books (cf. Erikson, 1976: 119-177; Fairbairn, 1982; Laing, 1977; Reich, 1982: 341-432).

It is necessary to have praiseworthy philosophical and historical sensitivity, delicacy and good theoretical competence as Foucault possesses, whom Judith Butler quotes and is inspired by, and who asserts that sex is not determined and given from the very beginning as completely natural, original, genuine, biological. It is also produced in discourse and receives its meaning in the context of power (that is, it is socially, psychologically and historically mediated) and whence the logical and consequent conclusion that even sexuality itself is historically specific organization of power (Batler, 2016: 169).

Yet I have to notice a contradiction, lack of logic and paradox in the attitude of many radical feminists who point out that not only binary opposition between man and woman but also every indication of sex and gender should be surpassed. The radical feminist author Monique Wittig completely discards every reference to sex outside the context of gender and for her that means outside (the patriarchal, repressive) culture because she considers such division to be enforced by economic and political needs of heterosexuality (Batler, 2016: 195). The feminists think that the lesbian woman transcends the binary opposition between man and woman, that she is neither woman nor man, that she has no sex because she is beyond any category of sex. Their aim is to show the whole contingency of cultural establishment of these categories and to discard obligatory supposition of the compulsory heterosexuality. That is to say, one does not need to become

either man or woman (Batler, 2016: 195). However, I must ask and wonder why they put so much effort into whole this problem and phenomenon when they consider it in fact irrelevant, even essentially nonexistent? I can agree with them that this whole situation and discourse where the relevance of sex and gender are overrated should be surpassed, especially when they are considered as essential, the most important property of men, but I cannot agree at all that the whole concept of sex is only discursive product of (political) system of signification, among other things, in order to oppress the women, gay and lesbian persons. It seems to me as an unjustified conspiracy theory and a sort of paranoia. Not only that it is much more realistic but also it is better and more human and comprehensive to accept and apply the dialectical understanding of multiple determinations, mediations which comprise as one of many different and important determinations the determinations of sex and gender, too.

Afore mentioned Monique Wittig thinks that only lesbianism is logically and politically necessary consequence of feminism. However, this is unacceptable because a lot of people who are not women and who are not in lesbian relations also can honestly, truthfully and with dedication struggle against many unjust, false contentions and effects of patriarchal cultural tradition and long history of oppression of women. In that sense I shall mention a congenial example of Pascal, the unique genial thinker, philosopher, writer, scientist, obviously male who stressed the moments which are usually traditionally considered to be women's characteristics: the logic of heart, sensibility and perspicacious spirit, intuition. The essential meaning and important consequence of this is that both men and women should integrate, connect their understanding, senses, sensibility, drives and reason and here should not be followed the irrational logic of choice either-or but both-and.

Pascal is a relevant philosopher in this context in another sense: he stresses the paradoxical character of human nature for which it is not appropriate the golden mean, equilibrium but most sharpened and conflicted extreme passions which are juxtaposed and always colliding and so hold the incessant internal dynamics of human subject. This motive is taken over and elaborated further by Kierkegaard in 19 century in his conception of the paradoxical dialectic and he also in the same way understands the specific

woman's nature which he considers to be paradoxical after having established that woman and her nature are incommensurable with the rational concept and irreducible on only one category<sup>1</sup> which I see as compliment and advantage of women (cf. Kjerkegor, 1994).

Adriana Zaharijević explicitly speaks about and stresses the paradoxical nature of women and feminism in her book *Becoming woman* (Zaharijević, 2010: 197). So the conflicting, problematic, paradoxical character of human personality, self, identity is confirmed, what is also underlined by feminists. However, I agree with Judith Butler that the extreme untenable attitude of Monique Wittig is the consequence of radical dependency on (obligatory) heterosexuality and that it completely unnecessarily and irrationally severs the solidarity with heterosexual women since Wittig claims really untenably, extremely that it is impossible to choose heterosexuality freely and voluntary (Batler, 2016: 215, 216).

She (sc. Butler) applies also for me acceptable attitude and method which is in the dialectical philosophical culture called the definite negation and surpassing, abolishing but also preserving on the higher level of the most valued elements of the issue. Judith Butler suggests as more "shrewd and efficient" strategy thorough appropriation and displacing of the very same categories of identity not only to challenge the sex but also to articulate crossings of multiple sexual discourses in the point of "identity" in order to make this category problematic forever (Batler, 2016: 216). This reminds me of Kierkegaard who in greater part of his life and intellectual endeavor applied the comparative shrewd indirect communication in order to approach existing man of flesh and blood and to meet him on his present level and so to uplift him in higher religious stage more efficiently and easily (cf. Kjerkegor, 1985).

Butler's commitment for strategic action reminds me of the Marxist doctrine of the privileged communist and proletarian ideology and its authors and champions in the sense of partial and privileged approach to what they consider the truth. I can understand it

<sup>1</sup> Kierkegaard's specific relation to women, which ranges from understanding and stressing of their equality with men (although he does not understand and does not support the movement for women's liberation) to emphasized misogyny, is quite another and great issue which surpasses the limits of this paper.

and maybe support it psychologically but even then only if the real and objective truth is championed, which I consider to be absolutely necessary and breakthrough both short-term and long-term. Here we should also pay attention to Plessner's defining of modern philosophy as ideology which means primarily as program for action and particular social, historical and temporal function of thought, which is absolutely not derogatory, and not a form of so-called eternal, pure, contemplative theory which is its own purpose and which is considered to be unhistorical and atemporal (Plessner, 2005: 228).

Butler's claims that the essence or identity is artificial, mediated, produced creation; that it is effect and function of public and social discourse; that it is the only way to establish the "integrity" of the subject; that gender is construction which conceals its own genesis; that gender is an act (Butler, 2016: 227, 228, 232) can be founded in the fundamental Hegel's assertion that so-called "being" is being produced, created, put by action, history, human agency, what Adorno aptly calls "dismantling of being" (Adorno, 1972: 35). This is the fundamental, essential, world-historical epochal meaning, relevance and attitude of whole Hegel's philosophy.

Judith Butler points out that the claim that gender is determined by performances means that it has no previous ontological status independently from acts which constitute it and establish its actuality (Butler, 2016: 227). Its essence lies in the fact that our inwardness and so-called "integrity" of subject is not given, inborn or "eternal", "atemporal" but is the effect and function of public and social discourse (Butler, 2016: 227). The gender is also the product and the effect of radical will which Butler calls project which strongly reminds and refers to Sartre's philosophy. Both gender and identity are not quite stable, constant, changeless but are fragile products, effects of stylized repetition of acts, they represent the social temporality because of which they do not fit in the classic substantial model of identity (Butler, 2016: 233).

The consequences of her claim that acts which constitute gender do not have internal continuity refer to Kant's moral philosophy where he, especially in the beginning of his construction of philosophy of moral life, presents our moral personality as a series of disconnected acts which can always interrupt the continuity

which has been made and start quite new, radically free and independent stream of events (cf. Mojsić, 2009: 72).

Judith Butler accepts and applies Nietzsche's radical contention that there is no agent behind acts because agent is being constructed by act and through act (Butler, 2016: 235). The real meaning of the claim that identity is effect is that it is neither relentlessly determined nor quite artificial and arbitrary and whence we should get rid of unnecessary binarism of free will and determinism (Butler, 2016: 241). Butler builds new feminist policy on the ruins of the old one. Her task is not praising of every new possibility but innovative description of such possibilities which already exist (Butler, 2016: 243). The basic feminist aim is to thwart the binarism itself and to show its artificial nature, that is, to show its social and historical production (Butler, 2016: 243).

I would express especially my agreement with somewhat more modified, complex, "moderate" claims of Butler's in the Preface to her book from 1999. I would point out that she (self)critically warns against idealization of some forms of expression of gender which could make new forms of hierarchy and exclusivity. She does not have the aim to prescribe new engendered forms of life as a paragon which should be obediently complied with. She wants to enlarge the possible field for gender and not to bid which gender should be realized (Butler, 2016: 8). It is important to oppose the compulsory heterosexuality and traditional patriarchal gender hierarchy. Now she sees the possibility of new universality, what I strongly support, and which can be achieved by cultural translations pointed to the future which may invite the reality which has not been yet and which may enable new crossings of cultural horizons which have not yet met. In this sense Vittorio Hösle speaks about the possibility that the unique individual proclaims a quite new and different morality which, however, has to be realized as a rational project in a new and different, let us hope better human community in the future (Hösle, 1996: 233).

The feminist destruction and change of both language and grammar because they limit not only thought but also thinking subject itself refer to Nietzsche's radical project which is elaborated by Mihailo Đurić in the way of dismantling and destroying of old I and grammar and every other subject (Đurić, 1997: 19-155).

Butler's whole work on "denaturalization" of gender comes from the strong wish to fight against normative and every other

violence and discrimination against persons who are not in accordance with the morphological norm. She has been doing it from great wish to live, from wish to make life possible and to think this possibility afresh and differently because people who are not in accordance with norm should not and must not be destined to death while they are still alive (Batler, 2016: 21, 22). The naturalized knowledge about gender preventively and violently narrows the reality and destroys the irreducible complexity of sexuality. I am deeply convinced that this and such struggle against violence, discrimination, injustice and for tolerance of the different people should be supported.

The fact itself that it is possible to misuse identity as an instrument of power is not the reason that we should not make and use identity at all (Batler, 2016: 28). Her book is just a part of cultural life of the collective struggle which has so far succeeded to enlarge the possibility of livable life for those who live in the sexual margins.

As especially relevant and important philosophers for the problem of identity I mention Hegel and Adorno again. In this context I shall focus on two major Hegel's topics and theses: eternal human and philosophical problem of relation between one and other, many and the relation between identity and non-identity. Hegel is one of the first modern philosophers who extraordinarily clearly, explicitly, sophisticatedly and articulately elaborated the fundamental thesis and topic that the individual must from the very beginning be addressed only in the context of society, community and that the character, nature of man as an individual is unimaginable and inseparable from society in which he lives.

The idea of irreconcilable difference, otherness, brokenness of personality was already elaborated by early German romanticists who, when compared with contemporary postmodernists and their negation of the personal identity as repressive category, can be called their predecessors and kindred spirits. Hegel especially addressed this phenomenon in his *Aesthetics* and developed a view which is still nowadays topical and stimulating, at least to my mind. He discussed the concept of romantic irony and showed how much it must be taken care of one basic fundamental unity of the artistic character and real man, what we today would call basic identity and consistently and strongly defended the principle which we nowadays could in the simplest way formulate as unity in manifoldness, in

other, in its negation which, however, must be surpassed. He especially criticized German romanticists who, in his opinion, wrongly proceeded in their art because they constructed their characters as unconnected multitude of many characteristics which were mutually extremely heterogeneous, disparate, without unity and continuity, what Hegel judged to be deeply erroneous and superficial. Therefore, we can rightly say that Hegel already then felt the spirit of time and its pulse as disintegration of internal unity not only of the artistic characters but also of actual personality and its lack of any coherence, consistency, unity, continuity. Already then he advocated the surpassing of such galimatias, accretion and chaos and both implicitly and explicitly supported the necessity of existence of basic coherence, unity and continuity of personality (Hegel, 1975: 64-70, 178, 220, 221, 238, 294, 295). I, too, consider such his stance even today relevant and topical and not primarily in art but first of all in real life with real people made of flesh and blood.

However, Hegel is relevant in another sense. Already at the very beginning of his philosophical endeavor he clearly supported the synthesis of the identical and non-identical and defined mind, spirit as unity of identity and non-identity, understanding and senses and feelings (Hegel, 1983: 19). That means that he already then had clear insight in many essential problems of the concept of identity and insisted that in the system of spirit, idea, reason both our biological and emotional part have to be internally connected, integrated, but he also stressed the power of spirit, reason which brings the necessary element of unity and integrity.

Adorno, too, made deconstruction of and criticized the idea of identity and pleaded for the other, non-identical which he in his *Aesthetical theory* identified with mimesis and nature explicitly showing the unacceptable and exaggerated extremes and negativity of the modern concept and method of constructivism (Adorno, 1979: 201-206). The modern world so underrated the importance and power of nature and subjugated it so that German thinker at the end had to advocate the rehabilitation of the mimetic, natural, immediate, expressive, other in its relation to the predominant modern instrumental understanding, which not only created but also destroyed and devastated the world both as social and historical creation and as the planet Earth and its nature.



## The Common Struggle of Men and Women Against the Injustices of Capitalism

Beside my stating the specific characteristics and differences between men and women, at the end I would like to send as a sort of conclusion and message an appeal to vital cooperation and common struggle both of women and men against quite concrete social and historical evils, exploitation and injustice of capitalism and modern civil society. In that sense I shall quote very interesting research and claims of Christopher Lasch made in his book *Women and common Life*. His concrete social and historical analyses show clearly that common and widespread idea of the modern feminism that women traditionally were doomed to take care only of home and family, without opportunity to fight for their professional and human status and affirmation, holds true only for the life in suburbs which represent very specific ambiance in America after the Second World War. The economic situation of men and their salaries were enough to support family without paid work of their wives (Lasch, 1997: 93-96). In many periods in previous history of the American society the life of women was absolutely not limited to care about home and family but they developed very sophisticated forms of social commitment and voluntary work which was not paid with wage and salary. It was especially true for the period between 1890-1920. In the second half of 20 century when the social phenomenon of suburbs appeared in America women devoted themselves exclusively to their home and children, especially sons whom they did not help in creating mature serious men who will have versatile commitments but made them aimless, indifferent, empty and dependent young people who have no comprehensive aims in their lives, who terribly hated their mothers because of that and so many of them became homosexuals (Lasch, 1997: 107). The great problem of the American way of life after the Second World War was that huge number of those children were not really adult and did not develop their capabilities because nobody demanded from them anything that would stimulate their intelligence and strength of character. The strong protest of young hippies and beatniks who faced the absurd growing up and even more absurd and futile later life and work in America after the World War Two manifested itself with apathy, disappointment and cynicism. One of the fundamental problems of the modern capitalist

postindustrial society and economy is that it does not offer any opportunity for meaningful useful work except necessity to produce absurd goods which nobody needed and with built-in obsolescence (Lasch, 1997: 109). Good meaningful useful work means work which demands complete dedication of all human capacities, what life in suburbs after War did not provide and whose meaning is not measured with salary, wages. The young both men and women grow up without model of adults having meaningful useful work.

Modern liberal philosophy and ideology interpret the duties only as limitation of personal freedom and do not see them as opportunities for fulfillment and meaningful commitment and their proponents are especially dissatisfied with the fact that all of us are dependent and owe much one another in social life. The modern capitalism regulated this so that it paid professionals for all favors and help all people need in life and so made modern nuclear family isolated and almost completely dependant on services of paid experts who incessantly make them feel completely unable and incompetent to manage their life by themselves (Lasch, 1997: 167, 168).

One of the causes and one of the truths of the movement which was both then and nowadays regarded as notorious populism was the (self)consciousness, conviction and struggle of both men and women that they themselves as adults organize their lives and oppose the attempts of the state to control, dilute and pacify potential social revolutionary movements and forces (Lasch, 1997: 168). My opinion and my attitude are that both men and women should unite and fight not only against the injustices of gender policy but also against injustice of contemporary capitalism, its exploitation and the absurd modern mass production of goods and endless consumerism which should exhaust the whole content and meaning of life of modern people. Finally I would suggest to think over the possibility, without reviving old subjugation of women in patriarchy, if they can together with men really to realize in practice their difference, otherness and to oppose modern neoliberal theories which equate maturity only with narrowly understood individuation and isolation and separation and affirm inclination to mutual connectedness and relations without which nobody can live and which would not be regarded only as a symptom of incomplete and even pathological disturbed personal development (Lasch, 1997: 122).

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## FILOZOFSKA RAZMIŠLJANJA O FEMINISTIČKOJ SUBVERZIJI IDENTITETA

### Sažetak

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U ovom radu se iz filozofskog ugla preispituje i pokušava utemeljiti fundamentalni napor i teza Džudit Batler (Judith Butler) izložena u njenoj uticajnoj knjizi *Nevolja s rodom. Feminizam i subverzija identiteta* o nužnosti subverzije tradicionalnog shvatanja ženskog pola, roda i identiteta. Polazeći od osnovnih ideja nekih filozofa u rasponu od Paskala (Pascal) do Adorna (Adorno) autorka ovog teksta pokazuje svu složenost i mnogostruke aspekte i funkcije pojmova i fenomena identiteta, pola i roda. Njena osnovna teza je da je neophodno izvršiti ukidanje i prevazilaženje tradicionalnog krutog i monolitnog pojma identiteta u vidu prinudne, naturalizovane heteroseksualnosti, ali i sačuvati neophodnost fleksibilnog shvatanja identiteta i njegove koherentnosti i bazičnog kontinuiteta. Autorka podržava osnovnu tezu radikalnog feminizma da se žena postaje a ne rađa. Ovde se zastupa uverenje da biologija i anatomija zaista ne treba i ne

smeju da budu nepromenljiva i neumitna sudbina i isto tako se autorka zalaže za promene i u dominantnim vidovima vaspitanja i socijalizacije u segmentima gde je to neophodno. To zahteva uviđanje da su mnoga uobičajena shvatanja o (ženskom) polu i rodu istorijski i društveni konstrukti koji podležu promeni i reviziji, a ne takozvane prirodne i očigledne datosti, činjenice. Naročito se uviđa neophodnost borbe protiv svakog vida nasilja i diskriminacije seksualnih manjina. Ipak, ovde se zagovara potreba da se shvati da se identitet izgrađuje u složenom polju interakcija prirode i kulture, biološkog determinizma i slobodne volje, neophodne koherentnosti ali i psihološke i društveno-istorijske promene. Autorka se zalaže za novi, viši tip univerzalnosti koji će obuhvatiti i specifičnosti žena, gej osoba i lezbejki i za dijalog između tradicije i inovacije. Takođe se ističe značaj ličnog svedočenja i svojevrsnog primata praktičkog uma u kontekstu borbe za istinu i pravdu koji se, ipak, ne shvataju kao potpuno neobavezni i proizvoljni.

**Ključne reči:** feminizam, identitet, promena, kontinuitet, rod

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