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Labour, LGBT* rights, and Europe. Discourses in Italy and Serbia

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PREFACE

At the time when this dissertation is being written, all three elements that are evoked in the title – emancipation and social inclusion of sexual minorities, labour and labour activism, and the idea and substance of "Europe" – are being invested by deep, long-term, and – to varied degrees – radical processes of social transformation. The meaning of words like "equality", "rights", "inclusion", and even "democracy" is as precarious and uncertain as are the lives of those European citizens who are marginalised by intersecting conditions of gender, sexuality, ethnicity, and class – in a constellation of precarities that is both unifying and fragmented (fragmenting). Conflicts are played, in hidden or explicit ways, over material processes of redistribution as well as discursive practices that revolve around these words. The concepts of "diversity" and its "management" are no less of a battleground, with no set meanings and plural possible understandings, ideologies, and agendas attached to them.

Against this backdrop, looking at LGBT* rights in the workplace, at the EU input on non-discrimination, and at the related discourses in specific contexts means working with concepts, issues, and discourses that are heterogeneous, contested, and fluid in their shifts in meanings, values, and patterns. What do workplace equality and rights mean in terms of gender and sexuality, for example, when meanings and patterns of work and labour are themselves undergoing radical crises? What to make of "European values" when discourses of Europeanisation are equally put forward to speak in favour of diversity, or peaceful coexistence, or austerity? More specifically, how matters of identity – gender and/or sexual – entwine with labour issues in material and discursive terms? And therefore, how different subjects invested in workplace matters – unions, businesses, institutions – approach formerly "private" aspects of workers' life, identity, and struggles?

While the present work considers a plurality of actors in a comparative perspective,

special attention is going to be paid to trade unions as the contexts where the language of "rights" is primarily spoken and equality is an explicit concern – therefore, as sites that are of particular interest for exploring the discursive intersections of labour and LGBT* rights.

As far as trade unions are involved, labour's traditional concerns in the Western countries had expanded to include gender equality over the 20th century. In its turn, feminist activism within unions has then created the space for other marginalised groups (including ethnic and sexual minorities) to claim space, voice, and representation – in other terms, to become transversal union constituencies. Similar initiatives have been tentatively emerging in the contexts of institutions and business associations, for instance with the creation of networks, groups, or committees devoted to sexual diversity and LGBT* rights.

Needless to say, there is great variation in the degree of the extent, awareness, and commitment to which this has happened. As there is a global divide in terms of labour's overall strength, trade unions' power, and institutional commitment to labour protection, there is a European divide as far as public engagement with LGBT*[1] workers' rights, with Southern and Eastern European countries struggling or antagonising with broaching the subject. In addition, EU anti-discrimination policies and discourses have come into play as a potential instrument for addressing sexual discrimination in the workplace. This is why this study focuses on the cases of Italy and Serbia – a member and an aspiring candidate country – in order to investigate organisations' sexual democracy discourses in their social, cultural, and political layers.

Investigating organisational response to and engagement with LGBT* rights and

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1   The LGBT acronym is used as an umbrella term for lesbian, gay, bisexual, and transgender/transsexual. The use of the asterisk has more recently appeared to reconcile concerns for inclusive language that takes account of other non-normative identities (e.g., inter-sex or queer) and their allies (i.e., heterosexual persons who support and/or take part in the struggles of sexual minorities) with writer- and reader-friendliness strained by "alphabet soups" like LGBTTIQA.

inequality concerns raised by sexual minorities – and doing this in relationship to two different European contexts – is certainly a complex task, and one that calls into question a multiplicity of issues. Transformation of labour and labour markets, discrimination in the workplace, social inclusion, union democracy – all these elements interplay when looking at the ways gender identity and sexual orientation matter in the workplace. Furthermore, LGBT* movements play their role in the process, and how they do it reflects their own harmonious or conflicting agendas as well as the ways they envision equality and inclusion in the first place. For this very reason, the study contrasts discourses produced by a plurality of actors – unions, LGBT* associations, institutions, businesses – as a way to find the specific interrelations between labour's and LGBT* equity-seeking efforts.

A possible way to start is, therefore, to pose a few questions on labour, sexuality, and equality in the workplace. Why, how, and when does sexuality matter in the workplace? How are non-heterosexual workers "different", and how are they discriminated? What is it that organisations can, "should", or want to do for both addressing sexual discrimination and promoting inclusive cultures in the workplace?

The three questions just raised are the ones that set the background for the present study. All three have both theoretical and empirical implications and all three have been – to different extents – addressed by pre-existing scholarly work. The first one (why, how, and when does sexuality matter in the workplace?) has been extensively discussed and illustrated by gender scholars engaged in the deconstruction of the public-private divide as well as of gender assumptions, stereotypes, and discrimination (West and Zimmerman, 1987; Martin, 1990; Martin, 2004; Yuval-Davis and Werbner, 2005; Martin, 2006; Risman, 2009).

The second question (how are non-heterosexual workers "different", and how are they discriminated?) is the focus of a significant body of sociological work on identity and discrimination in the workplace (Ward and Winstanley, 2003 and 2006).

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The third one (what is it that labour and business organisations can, "should", or want to do for both addressing sexual discrimination and promoting inclusive cultures in the workplace?) has been investigated more recently and to a still limited extent (Hunt, 1999; Colgan and Ledwith, 2002).

While all three questions – and the answers they have stemmed so far – are part of the dissertation's scholarly family tree and are considered through its chapters, the research question of the study is a different one. What the study asks is: "what discourses inform and are produced by organisations' engagement with LGBT* rights?". Or, in other words: how do organisations answer the three questions we started from? The lens of discourse (Foucault, 1969/2002) was chosen in order to look at and discuss values, semantics, and agendas framing and informing organisations' views and policies related to sexual diversity in the workplace. Furthermore, "while it can argued whether or not the present is actually characterized by more social difference than earlier periods, one thing is for sure: the current period is pervaded with discourses about diversity. Such discourses are especially to be found in abundant policies, programmes, campaigns and strategies in state agencies, universities, NGOs and private businesses across Western societies" (Vertovec, 2012: 287).

It is hard to imagine speaking in favour of discrimination or against equal rights. "Like motherhood and apple pie, diversity is difficult to disagree with' '(Lees, 2003: 622). In fact, "ambiguity, multivocality and banality are key characteristics of diversity discourse, but these function to strengthen, rather than weaken, the spread and acceptance of the notion" (Vertovec, 2012: 287). However, in discursive terms, what is implied by the notion of "workplace equality for sexual minorities" is far more complex than a simple discussion of discrimination would allow for, and calls into question a number of theoretical as well as political issues revolving around hetero-normativity, homo-normativity, gender, inclusion and exclusion, marginality, social equality, and labour rights. This study adopts a specific

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standpoint, i.e. one that is interested in labour rights, critical thinking, and equality *versus* non-discrimination. In this perspective, arguing for equal rights for LGBT* workers is not enough, but requires a reflection on the current status of workers' rights in order to assess the cultural impact of equity-seeking discourses. Similarly, supporting non-discrimination for a specific marginal group cannot avoid more general enquiries on how inequality and privilege are configured within social structures by intersecting axes of identity and status. As a consequence, discussions of non-discrimination and equality cannot be envisaged merely in terms of assimilation into the mainstream, but must at least ask – assimilation *ad quem*?

This standpoint is what shapes the academic and political interests framing this dissertation by acknowledging the ambiguities that inevitably surround the issues of "social progress". What many of the themes to appear in this study have in common is, indeed, a post-modern tendency to inhabit multiple spatial locations and overlapping dichotomies – public-private, marginal-central. The gendered and sexual dimensions of the individual's identity, which used to be considered irrelevant in the allegedly neutral public realm (including the workplace), are no longer unspoken and form subjects, voices, and standpoints. Labour and work, once central foundations of both individual lives and social organisation, are increasingly fragmented, residual, and subordinated to other driving interests within the economy. The first article of the Italian Constitution still reads "Italy is a democratic Republic founded on labour", while article 36 states the worker's right to a fair salary that guarantees "freedom and dignity". Yet, at the same time, welfare and labour rights are being increasingly compressed in the name of the "balanced budget", which has become a Constitutional principle itself. Against this backdrop, once again, a meaningful discussion of LGBT* workers' rights cannot be exempted from being situated within the overarching, intersectional questions of labour rights and social equality. Unsurprisingly, therefore, the theoretical framework of this study will be interdisciplinary and strongly drawing on the insights of queer, feminist, and critical theory, all the while relying on sociological tradition for the reflection on

labour and labour organisation.

Within the triangular constellation of labour rights, LGBT* rights, and Europe, this study seeks to identify and discuss discourses on labour, sexual rights, and the role of the European Union with an epistemological standpoint that plans to explore the hermeneutic potential of marginality. This overall theoretical concern informs an understanding of diversity management as focusing on the organic social context rather than the minority group itself as the object of intervention. In other words, the working assumption posits that what is there to be "managed" is not the minority disturbing the neat, orderly flowing of the social mainstream, but – conversely – the normative universe itself (Benhabib, 2002). Against this backdrop, normativity rather than diversity is addressed in an interdisciplinary framework including sociological, philosophical, and anthropological perspectives, with gender studies, queer theory, and critical theory as privileged epistemic instruments.

INTRODUCTION

The present study focuses on sexual diversity issues in labour relations by looking at three focal points (the European Union, Italy, and Serbia) in order to chart the discourses surrounding this considerably complex topic. Organisations' interest and policy with respect to issues faced by sexual minorities is not only a matter of principle. For trade unions, for example, it is also a question of survival in a time of changing composition of the workforce and crisis of representation. For institutions, it may be a matter of democracy, but also of delicate balancing of different sensitivities in the public. For businesses, a part of corporate social responsibility policies as well as a marketing tool.

One of the ideal tasks of this study is to discuss structural and cultural developments in labour relations, with focus on LGBT* rights and sexual diversity, roughly a decade after the European Union provided an input for institutional commitment to the protection of LGBT* workers' rights with the Council Directive 2000/78/EC for equality in employment (November 27th, 2000) by including sexual orientation as one of the recognised non-discrimination grounds. According to European Trade Union Confederation, however, "there is little knowledge or awareness throughout Europe – including in trade unions – that sexual orientation is one of the non-discrimination grounds recognised at EU level" (http://www.etuc.org/r/1355). Furthermore, as Italy is concerned, the reception and implementation of such directive at the national level has been termed "problematic" by European reports (Waldijk and Bonini-Baraldi, 2006) and certainly deserves close consideration, as does the same issue in the candidate countries, like Serbia, that are working towards "European" human rights standards (a concept that will not go unquestioned throughout this study). Notably, social consensus on the protection of sexual diversity is still far from universal, which calls for a discussion of the actual leverage of moral, rational, and economic incentives

(framework suggested by Werther and Chandler, 2006: 15-19). Finally, if the promotion of diversity and inclusive culture is a desirable goal, the discussion and adoption of legal provisions must be accompanied by reflection, research, and analysis of social and cultural discourse.

Thus, the research seeks to identify and reflect on semantics, values, and agendas emerging from organisations' statements on sexual diversity matters, with the overall aim of providing both scientific and practical perspectives on an under-researched topic currently lacking academic and political attention in domestic conservative contexts. In addition, the hegemonic presence of US voices in the scientific field of choice has determined a considerable research gap, given the increasing amount of attention that European unions and organisations have been paying to LGBT* rights over the last decade, though tentatively and still with limited effect (Lehtonen, 2004; Seckinelgin, 2009).

The thesis' theoretical/epistemic concern focuses on the potential of marginality as an epistemic instrument as well as a site for critique, creativity, and change. What kind of contribution to social analysis is given by studying a "marginal" topic? If we look at what goes on at the margins, what does that say about the centre and society as a whole? In this specific instance, we suggest that investigating discourses related to the creation of inclusive workplace cultures is a potential test for a number of wider social and political elements: commitment of political and institutional elites to social inclusion, persistence of gender traditionalism in political and organisational cultures, and – given Europe's extensive efforts in terms of non-discrimination directives – commitment to or popularity of European values. Furthermore, studying the transfer/translation of the European Union's non-discrimination discourse to different domestic levels provides a meaningful opportunity to look at and engage with Europeanisation processes and their theoretical and socio-political implications. However, the effort envisaged here aims at charting discourses in contexts rather than suggesting a linear development

trajectory whereby "backward" countries are gradually and homogeneously "democratised" by an unquestionably progressive force.

Labour and LGBT* rights in Europe – research background

This study is especially interested in the discourses of labour and sexual rights by trade unions, LGBT* movements, business associations, and institutions.

The interest of trade unions in sexual diversity has stemmed from the combination of a series of factors roughly starting from the nineties. Economic globalisation, though contributing to the weakening of national labour organisations, has also provided an incentive for transnational activism and the expansion of unions' agenda. The context for the inclusion of LGBT* rights into the general framework of labour protection was created by transnational political shifts related to the emergence of human rights issues into the limelight of international relations; the development of transnational networks among feminist, LGBT*, and other equity-seeking movements focusing on issues of gender, ethnicity, and sexual orientation; and the growth of transnational labour organisations such as the International Labour Organization (ILO), the International Confederation of Free Trade Unions (ICFTU), the European Trade Union Confederation (ETUC), Public Service International (PSI), and Educational International (EI), and others (Hunt and Rayside, 2005). Union networks have also cooperated with ILGA-Europe (European branch of the International Lesbian, Gay, Bisexual, Trans and Intersex Association) in projects aimed at enhancing equal opportunities in employment (2005). Activities and priorities within this framework have placed significant emphasis in the creation of an inclusive culture *within* labour organisations as well as on the issue of leadership commitment to sexual diversity. For example, unions' commitment to a successful protection of sexual diversity may be evaluated by looking at the inclusion of sexual orientation in non-discrimination policies, the existence of an official committee or caucus for LGBT* workers or unionists, the designation of an executive position for sexual minorities, and the implementation of campaigns or educational programmes devoted to sexual diversity.

In recent years, European institutions have also started to address issues of sexual discrimination in the workplace, with the 2006 EC Directive being the most notable effort to encourage member states to take steps. In their turn, corporations and business associations have learnt that efforts towards creating more open, welcoming, or "friendly" working environments can enhance performance, productivity, and – last but not least – image (Hewlett and Sumberg, 2011).

The study chooses to examine two European contexts where different labour market structures, juridical frameworks, and cultural climates shape the issue in specifically situated ways. In Italy, for example, the issue of sexual diversity has been taken up by the CGIL trade union confederation – through a specific office called "New rights" that acts in cooperation with LGBT* organisations in order to implement projects and campaigns – as well as by a specifically created business association. For Serbia, the issue seems to have been so far remained a matter of discussion between international and local LGBT* and human rights organisations, thus making an investigation on organisations' level of awareness and political will desirable.

Research question and methodological notes

The research project investigates the way trade unions, businesses, movements, and institutions position themselves and act in relationship to sexual diversity and equal rights in the workplace. The main research question envisaged for the present study is the following: what discourses inform and are produced by organisations' cultural and structural efforts towards the acknowledgement, legitimisation, and protection of sexual diversity in the workplace?

One starting level of investigation is empirical and looks at the policies and activities that organisations present and carry out as regards workplace discrimination on the

basis of gender identity and sexual orientation. Which organisations do or do not consider this issue (silence should be considered as a discourse itself in its complex, multifaceted nature; Ward and Winstanley, 2003)? What policies are put in place? Who and at what levels, within unions, is in charge of them? Which actors (employers, unions, LGBT* organisations, local institutions) cooperate with each other with in this sphere – or not?

The discursive level of analysis looks not only at what organisations do, but at what discourses they create in terms of sexual equality in the workplace. Said discourses are not merely seen in isolation, but also relationally – i.e., in interaction with allying or conflicting discourses produced by the other actors involved. Questions: who speaks for sexual equality in the workplace? On what grounds or as a matter of what – workplace democracy, workplace productivity, civil/social rights, a general invitation to non-discrimination?

In this framework, the research project looks at two case studies – Italy and Serbia – in order to investigate social, cultural, and political discourses of labour and LGBT* rights, as well as the different ways European discourse and conditionality impact domestic discourses and policies. The research design is qualitative and draws on the content and discourse analysis of in-depth, semi-structured interviews with privileged witness and relevant documents. Interviews involved trade unionists, EU organisation representatives and staff, scholars, NGO workers, labour market consultants, and institutional referents. The questions asked focused on the values connected with the topic (utilitarian/emancipatory/political), the lines of action to be pursued (legal/cultural/political), the centrality or marginality of the topic, the relationships with other actors involved, and the role and influence of Europe/the EU on the topic (as a progressive/ oppressive/ alien/ allied agent).

Gender, sexuality, and marginality – a theoretical toolbox

The study draws on some of the breakthrough concepts introduced by feminist, gender, and queer studies. Namely, its theoretical framework relies on the following key elements:

Ӊ   the overcoming of a rigid divide between the public and private sphere and the related marginalisation of gender and sexuality (Warner, 2000), with awareness of the pervasive presence of sexual dynamics in public contexts (Hearn, 1989);

Ӊ   gender as social institution or structure (Martin, 2004 and Risman, 2004) informing conceptualisation, interactions, and expectations in organisational contexts on the lines of hetero-normative gender models and the implicit, unrecognised, and yet pervasive presence of hetero-normative assumptions in workplace organisational structures, interactions, and expectations (Ward and Winstanley, 2003) informed by hegemonic masculinity and emphasised femininity (Connell, 1987 and 1995);

Ӊ   the notion of situated knowledge (Haraway, 1988) as a key to unveil mainstream understandings of reality, with the background epistemological goal of overcoming the emphasis on discrimination in order to look at marginality as a site for critique, creativity, and change (hooks, 1989 and Ledwith and Manfredi, 2000).

In addition, the theoretical conceptualisation of the topic under study aims at engaging with the European Union's potential as a progressive subjectivity against a backdrop of hegemonic Euroskepticism (Braidotti, 2011). Inevitably, such an endeavour calls into question the transfer/translation practices of LGBT* rights discourses from a (Western) transnational level to different domestic contexts and

the underlying hierarchies embedded in these processes.

Part 1

Theories

CHAPTER 1

PUBLIC/PRIVATE MATTERS.

LABOUR, SEXUALITY, AND DIVERSITY

Since the topic of the present dissertation is an example of diversity management that is situated at the intersection of labour relations and LGBT* rights, this first chapter positions the chosen topic within the evolution of labour and the sociology of labour as well as the emerging field of diversity management. First, it positions the discussion of gender and sexual identities within the field of diversity management. Secondly, it makes an *excursus* on the evolution of labour and scholarly reflection on labour. Finally, it traces the emergence of gender and sexuality in interdisciplinary reflections on work and labour, with special attention paid to trajectories of centrality and marginality.

1.1 Diversity, equality, and sexual minorities

The notion of "diversity management" is a relatively recent, complex, and promising one – this can also mean that it lends itself to a great degree of interpretations, uses, and fields of research and knowledge. A preliminary reflection is therefore in order, especially since this study focuses on a "branch" of diversity that conventionally remains marginal – i.e., gender and sexual diversity.

The concept of "diversity management" finds its roots in the United States where, in the eighties, the term "diversity" originally became popular in the organisational cultures of companies and the public sector (Johnston and Packer, 1987; Kelly and Dobbin, 1998; Thomas, 1990). However, the notion of "diversity management" has travelled to different national settings where it has been transferred and actively translated (Ahonen and Tienari, 2009: 657). It is thus apparent that diversity is

being increasingly claimed as a value by public and private organisations and institutions, but with the content and meaning attached to it varying significantly across contexts (Singh and Point, 2004, 2006), to the point that Lentin and Titley (2008: 14) have described "diversity" as an "ambiguous transnational signifier".

Such uncertainty is not only about subjects, but about purpose. "What is "diversity' actually for? The answers to this question are framed in various ways. The multiple purposes of different "diversity" initiatives roughly lie between anti-discrimination and positive acceptance. Moreover, anti-discrimination measures assumed under "diversity" are mainly intended to benefit "the diverse" (assumed minorities, either self- or other ascribed); positive acceptance measures are often promoted to benefit the organizations in which "the diverse" are found" (Vertovec, 2012: 297).

Vertovec (2012: 297-298) identifies six facets of diversity:

–   redistribution (policies aimed at helping minorities gain better access to scarce economic and societal goods – especially jobs, equitable income, housing and education);

–   recognition (measures seeking to foster dignity and esteem among minorities, promote positive images, and facilitate their fuller participation in social interaction and political processes);

–   representation (to create an institution – a company workforce, teaching faculty, student body, health service, civil service, military, police, or chamber of political representatives – that looks like the population it serves, possibly by the use of monitoring or quotas);

–   provision (identifying, developing skills around, sensitizing staff to, and responding adequately to the specific requirements of customers with reference to their group and individual differences);

–   competition (strategies to improve a company's marketing and, ultimately, market share, also meant to influence customer perceptions and avoid grievances and discrimination lawsuits);

–   organization (management policies, training programmes, structures and staff positions within corporations or other institutions undertaken with the aim of maximizing the performance of teams or workforces).

In the mainstream Anglo-American literature, diversity management has been framed as a business-oriented tool for embracing and profitably manage diversity in the workforce (Ely and Thomas, 2001; Friday and Friday, 2003; Kochan *et al*., 2003; Thomas and Ely, 1996), with markers of diversity including gender, age, ethnicity, and sexual orientation among others. The business case for diversity management emphasises that individuals with different diversity markers are bearers of different skills and competences (Chatman *et al.*, 1998; Liff, 1997) and that actively managing such differences benefits performance by enhancing innovativeness and understanding of customer needs (Cox and Blake, 1991; Ely and Thomas, 2001; Jackson et al., 2003; Thomas and Ely, 1996). This conceptualisation of diversity management, which sees difference "as an organizational commodity that has exchange value in terms of economic performance" (Roberson, 2006: 215), is thus characteristics of corporations and corporate culture (Singh and Point, 2004, 2006). Consistently with "the shift from social democratic values promoting equality of outcomes to neoliberal ones favouring equality of opportunity (Kantola and Squires, 2009: 106), it casts diversity as an individual issue that can be solved by individuals if they work on their opportunities and abilities. Indeed, the very notion of diversity management assumes the inclusion of diverse individuals into organisations, thus overlooking dynamics and consequences of exclusion (Roberson, 2006: 214).

In the European academic context, diversity management seems to have intersected with and collected the heritage of many interdisciplinary fields devoted to the study of minorities, conflicts and conflict resolution, and social organisation. In this perspective, the notions of diversity and diversity management have trespassed the boundaries of the workplace and taken on a collective, rather than

individual, character. With the notable exception of women (a group that is both non-minoritarian and non-dominant), most diversity discourses in academic and policy involve ethnic, religious, and linguistic diversity by addressing the situation of "old" and "new" minorities. Traditionally, the dichotomy between "old" and "new" minorities is based on factors of time and strength of ties with the mainstream community: so-called historical, traditional, or old minorities are thus characterised by long-established settlements with a distinct language and/or culture or religion compared to the rest of the population, whereas new minorities are those emerging from migration processes (Medda and Windischer, 2009).

On the other hand, if there is general acceptance of sexual orientation as a non-discrimination ground, the concept of "sexual minorities" is even more recent and controversial. Its appearance can probably be related to the shift of transnational LGBT* rights advocacy from a civil rights to a human rights framework, with international organisations – approximately starting from the 1990s – increasingly promoting "gay rights as human rights" in the attempt to universalise acceptance of homosexuality and raise awareness about sexual discrimination and LGBT* rights independently from political, cultural, and religious contexts. On the other hand, such an approach has been, in its turn, criticised precisely for this universalistic vision that allegedly erases international power relations between the "liberal West" and the post-colonial world and "domesticates" LGBT* subjects by turning them into victims in need of protection.

The notion of sexual minorities as a collective group with a stable identity is therefore a matter of debate within LGBT* movements themselves. Indeed, sexual minorities do obviously differ from ethnic minorities under several aspects: there are no homogeneous communities in terms of sexual orientation to start with and – unlike ethnic belonging, religion, or language – sexual orientation is not inherited or absorbed from the collective environment or group of origin. On the other hand, people with sexual orientation other than heterosexual are a minority in numerical

terms as well as objects of prejudice and discrimination – in other words, they share a non-dominant position and (though not homogeneously) a sense of solidarity or will to survive, which Medda and Windischer (2009) use as criteria for identifying target groups for minority protection.

If mainstream diversity discourses seem to rest on deterministic understandings of collective belonging, based on "objective" elements such as "ethnic, cultural, religious or linguistic characteristics" (Medda and Windischer, 2009), dealing with diversity of gender identity and sexual orientation requires to adopt a different perspective. Because few would by now contend that there is at least of degree of fluidity in gender and sexual identities, relying or insisting on fixed conceptualisations of "sexual minorities" would be a dubious exercise. If mainstream discourses of "tolerance", "diversity", and "multiculturalism" can make differences – but not inequalities – matter, what seems more appropriate in our perspective is to frame our understanding of diversity management in terms of equality and social justice – rather than, for example, multiculturalism – by addressing conditions of lack of full citizenship and social rights.

In order to do so, we would like to relate the notion of diversity to theories of citizenship (Marshall, 1950 as well as contemporary formulations) and the deconstruction of the universal, allegedly neutral subject (Braidotti, 1994).

Marshall's seminal essay "Citizenship and social class" (1950) introduced a liberal model of citizenship as a set of civil, political, and social rights. In this framework, full citizenship is achieved when all three categories of rights are enjoyed. Marshall's categorisation is still widely referred to as a relevant analytical tool to look at society in terms of equality/ inequality and inclusion/ exclusion binaries. Contemporary scholars have both critiqued and drawn on Marshall's model, tailored on male, white, middle-class English subjectivity – in order to elaborate citizenship theories that take into account factors such as gender, class, location, ethnicity, and sexuality – or, simply, diversity.

The relationship between gender, sexuality, and citizenship has been widely explored in the process of debating theorisations of citizenship. Yuval-Davis and Werbner, for instance, have influentially engaged with the relationship between citizenship and difference in an age of ethnicisation and globalisation, showing how freedom, autonomy, and the right to difference – pillars of democratic citizenship – can be subverted by traditionalist discourses of nationhood, family, and religion (2005: 1). In addition to overlooking the gendered nature of citizens' rights and duties, traditional understandings of citizenship – as well as feminist critiques – have often relied on hetero-normative assumptions (see for example Johnson, 2002). Therefore, a further development in theorisations of citizenship has focused on the positioning of sexual minorities in relation to political institutions as well as the the notion of sexual rights to be claimed on grounds of practice, identity, or relationship (Richardson, 2000: 107).

Besides the civil and the human rights framework, therefore, LGBT* rights have been studied and framed in terms of citizenship rights. However, like citizenship itself, sexual citizenship is a widely debated concept: Richardson, for example, has extensively discussed the potential limits of pursuing equal rights in an assimilationist effort that builds on and fosters normative notions of "good" homosexuality (2004: 394). On the other hand, at least at the legislation level, a sexual rights approach in a human rights framework has been effective in addressing gender and sexual orientation discrimination within the European context and presents potential for comprehensively queer negotiation of rights to diversity (see for example Beger, 2000), especially in re-traditionalised, nationalist contexts.

As we have seen, contemporary theories of citizenship claim for comparative readings of citizenship that take account of gender, class, ethnicity, and location. Accordingly, the study is based on an understanding of diversity that considers not

only difference between supposedly homogeneous groups, but also people's plural and conflicting memberships in sub-, cross-, and supra-national collectivities (sexual minorities, regional networks, queer international movements and, in perspective, the EU). For instance, when dealing with equity-seeking movements (especially in the Serbian case), the insights into the dialogical and aspirational nature of citizenship discourses (Yuval-Davis & Werbner, 2005: 3) will prove extremely helpful for the understanding of longings for queer transnational citizenships.

Furthermore, these theories highlight the problematic nature of attempting to isolate gender or sexuality from other aspects of identity and suggest the potential of an inter-sectional approach to difference and diversity that takes account of ethnicity, gender/sexuality, and class. In philosophical terms, Deleuzian feminism – namely, in Rosi Braidotti's elaboration of the nomadic subject – has theorised that through the notion of "becoming minoritarian". According to Braidotti (2002), Deleuze's becoming-woman is the starting point for the expansion and redefinition of non-normative subjectivities. In turn, this leads to a broadening of the political agenda to include non sex-specific concerns and embrace "the transformative power of all the exploited, marginalized, oppressed minorities", for "the centre is void, all the action is on the margins" (Braidotti, 2002: 83-84).

Particularly helpful in this regard will be therefore "critical" and "Foucauldian" perspectives on how diversity is envisaged and managed (Foldy, 2002). In writing about "'Managing' Diversity: Power and Identity in Organizations" (2002), Foldy highlights that:

> "Identity is a contested site. Identities shape interests, loyalties, passions; they are a prized resource. Work organizations are a central arena for this contest. Organizational groupings, from management to unions, to professional subcultures to departments, have a stake in how their members

identify. They try, implicitly and explicitly, to shape those identities".

Drawing on the notion of identity as a contested site, Foldy distinguishes between three approaches to diversity: mainstream, critical, and Foucauldian. The mainstream, corporate approach is based on the acknowledgement of the relevance of extra-organisational identities (e.g., race or gender) within organisations and the notion that such acknowledgement can lead to increase in productivity and improvements in the corporate climate. What this vision leaves out, according to Foldy, is how power is inherent and central to identity, and how identifications – with the organisation, the union, members of a marginalised group – impact the sense of belonging within an organisational context. Critical perspectives, on the other hand, focus on long-term, structural power imbalances and analyse the ways hegemonies (e.g., of management over workers) exact compliance, whilst not ruling out possibilities for resistance. Finally, Foucauldian approaches complicate the binary of hegemony and oppression by asserting the capillary, pervasive, and ubiquitous nature of power, which transcends the neat boundaries of the "dominant" group.

The theoretical model presented by Foldy integrates all three approaches in order to understand and illuminate different facets of the intersections of power and diversity. This study sets to adopt this model in order to discuss sexual diversity in the workplace in a way that is intersectional – i.e., which does not isolate gender and sexuality from other aspects of identity, discrimination, and privilege – and pays primary attention to the discursive and identity constructions produced by subjects – e.g., unions and associations – that engage with the topic. In order to capture more precisely the thematic intersection at which the study is situated, the chapter now proceeds to a reflection on labour, its evolution, and the related scholarly perspectives.

1.2 From labour to post-labour. Centrality, marginality, and identity

Traditionally, one's job has been – and largely remains – what most often defines, determines, and reflects one's social position as a set of income, educational level, status, and lifestyle. In other words, it represents the main source of social legitimacy and inclusion (Beck, 2000: 16). This is the basic reflection that stemmed the choice to look at the workplace as a crucial site of inclusion and marginalisation for LGBT* people. As a social institution, labour is a *locus* of tensions between different conventions and representations of what is fair, rational, or legitimate (Borghi and Rizza, 2006). However, labour itself – as a notion as well as an institution – has undergone plural transformations and occupied shifting positions in relationship to identity, social organisation, and individual lives. At the time when this dissertation is being written, labour as it had been traditionally understood in 20th century, post-WWII Western Europe – permanent and full-time – has been experiencing radical crises for at least two decades (Beck, 2000: 4). Such processes have generated equally important challenges to both individual lives and social organisation, as well as socio-political and philosophical reflections about labour's (formerly?) central role in shaping individuals' place in society. This study looks at LGBT* rights in the workplace, and the notion of equal opportunities has been increasingly accepted in Western societies. What makes the workplace a site of inclusion, however, cannot be reduced to matters of discrimination and equal opportunities for specific groups, but necessarily lies at the intersection of LGBT* and labour rights – it would be otherwise impossible to understand what "equal opportunities" and "non-discrimination" promise, and to whom. However, this fits into a much wider and complex picture of scholarship on work and labour.

Sociology has traditionally singled out three components of labour as a phenomenon – economic, political-administrative, and socio-cultural (Ferrarotti, 1959). Over time, such components are seen to coexist with shifting dynamics of centrality and marginality. For instance, scholars concerned with the development

of modern capitalist societies have widely debated on the division of labour and its effects. For Adam Smith (1776), it was "the wealth of nations"; for Durkheim (1893), the source of social cohesion; for Marx (1844), the cause of social inequality (this is worth mentioning because, as will be further discussed later, a part of the LGBT* movement heavily draws on Marx for its critique of existing socio-economic structures).

Scientific literature usually showcases two main streams of sociological engagement with labour – industrial sociology, of US/UK derivation, and European (French) sociology of labour. The former, starting in the early 20th century, is conventionally understood as more pragmatic, quantitative, and interested in micro-phenomena and management – its origins are usually set in 1927-1923, with the management studies carried out at Chicago's Western Electric Company (Gallino, 1962: 14-15). The latter, developing during the fifties, is broadly characterised as qualitative, theoretical, and interested in macro-phenomena, complex themes, and interdisciplinary thinking (La Rosa, 2004: 45, 87). In the awareness that dichotomies such as theory/praxis, macro/micro, total/partial, disciplinary/interdisciplinary, etc. are conventional distinctions that can never be fully composed (La Rosa, 2004: 15-16), this research project is ideally positioned within the French/European tradition of sociology of labour. Namely, it is particularly interested in what Georges Friedmann termed the social, intellectual, and moral revalorisation of labour (see Friedmann, 1950). In addition, the special attention paid to trade unions ideally draws on an element of specificity of the Italian tradition, that pays attention to and recognises unions' contribution to both social change (see Blumberg, 1972) and the production of knowledge (La Rosa, 2004: 109).

In the industrial sociology of the early decades of the 20th century, mostly US-based and tightly connected to Taylorist theories of management, economic development was regarded as the unquestionable priority in the reflection on work and work management, with the political and administrative components essentially

considered as supporting mechanisms and socio-cultural concerns being basically latent (Ferrarotti, 1959: 16-30). After the 1929 crisis, however, when quasi-religious beliefs in the market's self-regulating powers vacillated for the first time, political-administrative intervention gained legitimacy and centrality. Later again, from the sixties onward, new attention to social and cultural implications of work and the organisation of work started to emerge (La Rosa, 2004: 17). Sociology has illuminated how the social meaning of work evolved and shifted over the 20th century, touching different social dimensions. Interpreting work as one's function in society circumscribed the meaning of the individual's existence in its being part of and functional to a collective; burgeoning individualism saw work as instrumental to affording a consumerist way of life; for different social movements, work (decent work) has represented economic independence and social emancipation (La Rosa, 2004: 22-23). These developments have allowed for the values, ideologies, and discourses related to work and labour in Europe to be analysed as historically situated phenomena and social products rather than "natural" given-s of individual and collective human organisation.

This third realm is therefore where the topic of this dissertation is situated – and what is of special interest for the present study is labour's relationship to identity and power over one's life. In this regard, Ulrich Beck (2000) identified three models of relationship between labour and freedom, respectively situated in the contexts of the Greek *polis*, European "first modernity", and "second modernity". In the system of the Greek *polis*, the freedom of the few "citizens" was afforded by the absence of the need to work. Therefore, freedom equalled "freedom from labour" and labour, in turn, determined a condition of social exclusion (Beck, 2000: 18).

In the European "first modernity" (starting from the aftermath of WWII), the relationship is specular: freedom is obtained through labour and labour is, therefore, a path to social inclusion (Beck, 2000: 19). The institution of labour rested on three pillars: the clear separation between formal work and informal or care

work, the shift from individual to collective contracts and negotiation, and work as the primary instrument to access property, consumer goods, and social services (Borghi and Rizza, 2006: 34). As a source of income as well as of participation in the collective environment of production and democracy, labour is the foundation of both private and political existence and provides the material security that is necessary to create and maintain a democratic political system (Beck, 2000: 21).

In the second modernity (starting from the end of the 20th century), characterised by the erosion of nation-state sovereignty and welfare state as a mediation between capitalist economy and society (Beck, 2000: 26), trends of economic globalisation and individualisation of work patterns and conditions (Beck, 2000: 27) have determined the erosion of "traditional" labour structures and new (im)balances between local (labour) and global (capital) – i.e., between those actors that are anchored to territory (governments, parliaments, unions) and those who are not (industrial, financial, and commercial powers) (Beck, 2000: 36-40). Indeed, after a period of relative stability in the second half of the 20th century (Borghi and Rizza, 2006), labour has undergone radical forms of transformation and destabilisation, especially as far as subordinate labour is concerned, with growing instability, precarity, and de-standardisation of work relationships, contents, times, and spaces (see Accornero, 2000). This, in turn, led to a crisis in workers' collective identity and representation, since unionism had originally been envisaged to protect the prototypical male, subordinate, factory worker (Dall'Agata, 2004: 184). Fragmentation of work and workers and the unquestioned myth of flexibility have been actively used to erode workers' rights, neutralise trade unions, and de-responsibilise companies (Gallino, 2001: 3-21).

The change of the very categories of thinking about labour have led scholars to talk of a "post-labour society" (Beck, 2000: 14) characterised by neoliberal ideological hegemony (Beck, 2000: 65) and the predominance of risk against the welfare provisions that traditionally protected workers from risks connected to accidents,

unemployment, sickness, and old age. Against a backdrop of fragmenting labour markets and deteriorating working conditions, borders have been blurring between employment and unemployment, with the weakening of the link between work and citizenship (Borghi and Rizza, 2000: 14-16). If the fragmentation of labour structures created the space for potential changes in the work-life balance and the quest for creativity and autonomy in one's job (La Rosa, 2004: 22; Borghi and Rizza, 2006: 27), precarity as the lack of life security, affecting both material and psychological welfare, has become the concern of different equity-seeking movements. This "regime of risk" Beck summarises as "the political economy of insecurity, uncertainty, and absence of boundaries" (Beck, 2000: 105).

Interestingly enough, the deteriorating of European workers' rights *as workers* (in terms of contracts, salaries, and working conditions) has been paralleled by emerging discourses of workers' rights *as individuals*, i.e. their well-being in the workplace – words like *workaholism*, *burn-out*, and *mobbing* have increasingly become common vocabulary. In times of downsizing, with fewer people left to do more work, "workplace well-being" becomes a business *mantra* for increasing productivity and performance while decreasing costs. However, besides deconstructing the notion of health as a commodity, critical perspectives have argued that ideas of health and well-being in the workplace "are in fact appropriated by organisations in order to create an environment that **seems** to have a concern for well-being at work" (Kunter, 2009: 259) and that this operation functions as "a way of removing the opportunity for the critique that may have been applied to the organisation and the workplace" (Kunter, 2009: 258). Furthermore, discourses that emphasise business owners' responsibility towards workers' well-being and the related positive effects on workplace climate and performance clash with the material reality, worsening conditions, and power imbalances of recession times.

This *excursus* has highlighted radical mutations in the systems of thought, values, and priorities connected to work and labour, with the main goal of illuminating how

both "traditional" (in fact, specifically historically and geographically situated) labour structures and "flexible" work patterns are not unquestionably rational forms of organisation, but rather social models of conventional nature that reflect and respond to specific historical conditions, power (im)balances, and ideological trends. An understanding of work as a situated, institutional practice (Borghi and Rizza, 2006: 6) is therefore crucial in allowing to look for and identify the founding ideas that structure concrete regimes of action, as well as interpretative hegemonies in the public discussion that may turn specific, particular standpoints and interests into "almost unquestionable laws of nature (Borghi and Rizza, 2006: 2-3). Namely, scholars have repeatedly deconstructed the allegedly rational, universalistic nature of neoliberalism (Beck, 2000: 65) and the paradigm of flexibility, highlighting the paradoxical rigidity of the flexibility discourse, which assumes existing economic and production conditions, their logics, and their goals as universal, natural, and unchangeable data while neglecting social, cultural, cognitive, and moral factors (Borghi and Rizza, 2006: 13-14).

To some extent, the developments here outlined have spoken of blurring borders between the public and private spheres, i.e. between the activities that are regarded as central to defining and shaping a community and those that lie outside the common good – in other words, between a person's individuality and the function they perform in the workplace. This merging is an ambivalent shift, and one that calls for plural interpretations. On the one hand, for instance, philosopher Michela Marzano (2009) interprets the meshing of professional and private sphere as one of the sources of contemporary discomfort. In her critique of management theories as an ideological social practice of manipulation (Marzano, 2009: 16), Marzano describes the widespread vision of work as the path to dignity and self-fulfilment as an ideological trap that is functional to extending the domain of neoliberal manipulation from the public to the private sphere by creating a delusional picture of freedom (Marzano, 2009: 21-22). According to the Italian philosopher, this is an ideological operation that seeks to secure the consensus of workers to their own exploitation by promoting and soliciting adherence to

corporate, neoliberal values like individualism, utilitarianism, self-entrepreneurship, and so on over collective conscience and solidarity (Marzano, 2009: 29-30). Against this backdrop, workers become contested terrains between business' calls to contemporary models of homo *oeconomicus* (individualistic, utilitarian, flexible) and increasingly marginalised models of *homo reciprocans* (cooperative, solidary, and interested in the common good).

On the other hand, the blurring of the borders between public and private also represents a chance to challenge discourses of fake neutrality in the public sphere and bring up multi-faceted personal dimensions (including gender and sexuality) as legitimate grounds for analysis, discussion, and policy.

1.3 Gender, sexuality, and the public/private dichotomy

Gender theory and gender studies currently seem to enjoy unquestioned attention in the fields of the academy and the policy. However, obviously, this has not always been the case. A peculiar sort of fake neutrality or gender blindness has historically characterised the production of knowledge, especially as far as the public sphere is concerned. Academic disciplines and institutional policies alike have developed on the basis of a common assumption – that of a neutral subject. Notions like citizen, worker, or leader, only apparently gender-neutral, have actually been implicitly understood and promoted as masculine-identified ones, while women remained – sometimes explicitly, sometimes implicitly – confined to the domestic, private sphere (Yuval-Davis and Werbner, 2005). Furthermore, just as only non-dominant groups are ethnicised, only women used to be perceived as gendered: the conflation of the masculine and the neutral allowed the understanding of the man as the norm – the centre – and the woman, marked by sexual difference, as the "other" – at the margin (de Beauvoir, 1949). Therefore, "gender" has long been misidentified with "women", which only reinforced its perception as an irrelevant element in the public arena (Pateman, 1988, 1989).

However, in the last few decades, the notion of gender has travelled from the private to the public, from the margins to the centre, from the "ghetto" of gender studies as a niche discipline to the mainstream scholarship. Formerly dismissed as a private matter – and therefore a marginal one, it has increasingly been investigated as a matter of public relevance in most spheres of knowledge and politics. Parallel developments have characterised the notion of sexuality, which will be considered here in its tight intertwining with gender as two interdependent institutions (Acker, 1992 and Martin, 2004).

This section deals with the ways gender and sexuality have become elements of

analysis as well as epistemic tools in areas of knowledge that are relevant to the public sphere. In order to reflect on a notion's journey from the margins to the centre, its implications, and its potential, the paragraph attempts to trace the emergence of gender and sexuality issues in the academic field in an interdisciplinary framework, with special attention paid to sociology as one disciplinary area where the relevance of gender as a social – i.e. public – phenomenon has been engaged with strongly. Namely, among the significant amount of sociological work performed on gender, we select a few key concepts outlining the margin-centre trajectory here suggested: gender order (Connell, 1987), gender as social institution (Martin, 2004), and gender as social structure (Risman, 2004).

The notion of gender can be understood as (being or having been) marginal in more than one way. First, gender theory and gender studies are still of relatively recent appearance on the academic stage, and enjoyed little attention – not to mention legitimisation – before the sixties and seventies of the 20th century. In other words, gender was marginal in relation to subjectivity, because either a subject was implicitly masculine (i.e., masculinity was taken for granted and never addressed) or femininity erased the possibility of being a subject (i.e., femininity only existed as object or lack of masculinity). This made gender marginal in relations to knowledge as well, since it remained essentialised, unquestionable, and unquestioned.

Second, in the early onset of gender studies, the notion of gender long remained conflated with "women", and therefore granted little universal relevance in systems of knowledge based on the assumption of a gender-neutral subject. The neutrality of the subject was, however, implicitly conflated with masculinity, since the opening of the public (i.e., universal) realm to women was another recent (and partial) achievement of the 20th century. As a consequence, gender was dismissed as a particular interest, as opposed to the "universal" one. The key intuition of feminist theories was, indeed, the unveiling of such pretence of neutrality and the notion of

"situated knowledge" (Haraway, 1988), i.e. recognising that knowledge is intrinsically partial inasmuch as it is produced by corporeally, socially, historically, and geographically situated subjects with their own interests, limits, and privileges.

Finally, and consequently, gender remained confined to the realm of the private – basically, talking about individual (women's) lives in literary or cultural studies could be a legitimate, politically irrelevant academic niche, but legitimising gender perspectives in traditional disciplines like history, philosophy, or sociology was a different enterprise. Therefore, gender had to theorise its way out of the niche and into the mainstream disciplinary areas, much in the same way as the personal argued its way into the political in the feminist vindications of the sixties and seventies.

As many times noted by gender theorists, academic disciplines and the production of knowledge in general have suffered from a form of gender-blindness, i.e. constructed systems of meanings that relied on the assumption of an allegedly universal (i.e. male) subject and the virtual erasure of female subjectivity (de Beauvoir, 1949; Pateman, 1989; Yuval-Davis and Werbner, 2005). The key intuition of feminist theories was, indeed, the unveiling of such pretence of neutrality and the notion of "situated knowledge" (Haraway, 1988), i.e. recognising that knowledge is intrinsically partial inasmuch as it is produced by corporeally, socially, historically, and geographically situated subjects with their own interests, limits, and privileges. Namely, gender has been consistently recognised as a social structure informing social interactions, expectations, and the production of knowledge (Risman, 2004; Martin, 2004 and 2006).

The problematisation of the relationship between power, situated knowledge (Haraway, 1988), and gendered subjectivity is another step towards the de-marginalisation of gender, since these epistemological assumptions consistently further the notion that the ways of seeing of the disadvantaged – the marginal – may offer a better and more complete understanding of the world. Following

gender's ideal journey from the margins of private life and academic niches to the centre of public life and the academic mainstream, this section of the chapter focuses on sociological work that provided conceptual frameworks for the legitimisation of gender as an epistemic and hermeneutic tool for the understanding of the wider society. Namely, we will be looking at the notions of "gender order" (Connell, 1987), "gender as social institution" (Martin, 2004) and "gender as social structure" (Risman, 2004).

A reflection on gender's institutional character was initiated by Connell (1987) with the conceptualisation of a gender order – a notion that framed gender in its collective, institutional, and historical properties:

> In common-sense understanding gender is a property of individual people. When biological determinism is abandoned, gender is still seen in terms of socially produced individual character. It is a considerable leap to think of gender as being also a property of collectivities, institutions, and historical processes. […] There are gender phenomena of major importance which simply cannot be grasped as properties of individuals, however much properties of individuals are implicated in them. (Connell 1987:139)

Connell's emphasis on the collective and historical character of gender implies gender's susceptibility to change – in other words, it questions its naturalness and fixity. This backdrop is shared by Martin's theorisation of gender as a social institution (2004), characterised by a number of attributes including collectivity, endurance, and recurring practices. Martin's framing of gender as a social institution is aimed at uncovering gender's "profound sociality" (Martin, 2004: 1250) in order to make gender more visible and, therefore, more susceptible to critical analysis, deconstruction, and change. In an effort to make visible the subtle and seldom acknowledged aspects of gendering dynamics, Martin (2006) focuses on unreflexive practices that both communicate and constitute gender in paid work settings. By looking at the interactional processes by which gender is brought into

social relations, she observes how gendering practices are often informed by liminal awareness enacted in concert with others (Martin, 2003). For instance, using feminist standpoint theory and critical scholarship on men and masculinities, Martin (2001) concludes that men routinely act in concert to "mobilize masculinities" at work, that men routinely conflate masculinities and work dynamics, and that often men are only liminally aware of mobilizing masculinities. What makes men's masculinities mobilizing behavior possible, she notes, is precisely the gender institution.

Martin's goal is shared by Risman who prefers, though, to define gender as a social structure, because doing so "brings gender to the same analytic plane as politics and economics, where the focus has long been on political and economic structures" (Risman, 2004: 431). Furthermore, Risman's analysis (1998 and 2004) regards the gender structure as one characterised by a strong cultural component, defined as a set of interactional expectations attached to gendered roles. Most significantly for the purposes of this study, Risman concludes that "to conceptualize gender as a structure situates gender at the same level of general social significance as the economy and the polity" (Risman, 2004: 446). This statement clearly denotes the ambition to bring gender from the "margins" of the private, individual dimension to the "centre" of social phenomena.

As we have seen, therefore, gender has been consistently recognised as a social structure informing social interactions, expectations, and the production of knowledge (Risman, 2004 and Martin, 2004). We can now move to the organisational dimension to explore the ways gender has emerged as an analytical category in this context, chosen with the very aim of testing gender in a collective dimension. As suggested by the institutionalist theories taken into consideration so far, gender will be considered in its close correlation with sexuality, as two distinct, but strongly interrelated institutions (Acker, 1992 and Martin, 2004).

Starting approximately from the late seventies, gender studies – including

masculinity studies – have shed light on gendered dynamics in organisations (Kanter, 1977; Martin, 1981 and 1990; West and Zimmerman, 1987; Acker, 1990; Ferguson, 1994; Aaaltio-Marjosola and Mills, 2002). For example, Connell's (1987 and 1995) influential notions of hegemonic masculinity (stemming from Gramsci's understanding of hegemony as a cultural dynamic by which a group claims and sustains a leading position in social life) and emphasised femininity (oriented to complementarity with and subordination to male desire) have been used to decipher gendered relations of power, production, and emotional attachment in organisational contexts.

On the other hand, while it has now been long recognised that organisations are gendered, the inclusion of sexuality into the study of organisational cultures and environments is a more recent development in both the academic and management fields. Traditional, middle-class notions of respectability, indeed, have cast sexuality as an unspoken given – something embedded in male, heterosexual, bourgeois identity, but never acknowledged or problematised (Mosse, 1995). Thus, in this case, the conceptual key to uncover the relevance of sexuality in the theory and practice of organisation lied in the questioning of the legitimacy and validity of the divide between public and private spheres by showing how sexuality is present in organisational contexts as proximity (body language), emotions, ideology, language, and imagery (Hearn, 1989; Hearn and Parkin, 1995). In the last few years, as a consequence, increasing attention has been paid to awareness, recognition, and management of sexual dynamics in institutions and organisations. Along with discrimination, harassment, and attraction, sexual orientation is obviously one of the facets of sexuality that shape and influence the working environment (Kormanik, 2009). Furthermore, by describing overtly sexualised discourses in the workplace, Katila and Meriläinen (2002) go as far as suggesting that organizational sexuality does not necessarily differ in kind or in degree from 'street sexuality' or sexuality in semi-public places.

In this regard, in addition to women's and gender studies, LGBT and queer theories

have been crucial in highlighting heteronormative assumptions in organisational cultures and discussing – again – issues of power in the relationship between mainstream and marginal subjectivities (Oerton, 1996; Humphrey 1999; Warner, 2000). Nonetheless, the inclusion of sexual orientation in the definition and scope of diversity management and HR practices has yet to be universally recognised (Trau and Härtel, 2003; Davis, 2009), although there has been some investigation of the condition of sexual minorities in the workplace.

Conclusions

The chapter has set out to introduce and frame the dissertation's themes – gender/sexuality and labour – within the field of diversity management, as well as to illuminate the connections between these intersecting axes of research and reflection. In these conclusions, we would like to highlight how critical discussions of gender/sexuality and labour share a number of common elements, here summarised in the following six keywords and binaries.

Institution. The notions of both gender as institution (Martin, 2004) and labour as institution (Borghi and Rizza, 2006) illuminate the conventional nature of social organisation as well as the mutable character of social structures. Heterosexuality has also been analysed as a social institution that is central to the reproduction of gender inequality (Rubin, 1975; Rich, 1984). This is, therefore, the crucial premise for a critical discussion of any form of social organisation and policy.

False neutrality/ standpoint. Once acknowledged that forms of social organisations are conventional, it follows that they are not neutral, but functional to specific interests and characterised by hegemonies and power imbalances. As discussed through the chapter, both feminist theories and the sociology of labour have worked to deconstruct the alleged neutrality and universality of knowledge, knowledge production, and public discourse.

Discourse. In reflecting on both gender/sexuality and labour, the concept of standpoint is pivotal in order to identify hegemonic and resisting discourses, i.e. the values and ideas that shape and inform narratives and the representation of reality from a specific positioning and point of view.

Rhetoric/ practice. Although the present study focuses on discourses rather than policies, looking for the contradictions between discursive constructions (e.g., "equal opportunities" or "workplace well-being") and their material translations will be essential in order to assess the radical or cosmetic nature of non-discrimination discourses and initiatives.

Blurring boundaries. As seen throughout the chapter, lying in the background of the radical transformation processes involving ways of thinking about both labour and gender/sexuality is a blurring of multiple boundaries: between public and private, progressive and regressive, marginal and central.

Centrality/ marginality. With regard to both gender/sexual equality and labour rights, considering the trajectories of centrality and marginality of notions, values, and ideas will allow for an understanding of the complex relationship of power, conflict, and alliance between the subjects involved.

CHAPTER 2

MARGINAL ALLIANCES.

LABOUR AND LGBT* RIGHTS

The first chapter has sketched the thesis' conceptual landscape by outlining the ways labour, sexuality, diversity, and equality interrelate on the theoretical and analytical levels. This second chapter furthers these thematic intersections by looking more specifically at LGBT* issues in the workplace, with a focus on labour organisations. Consistently with the standpoint outlined in the preface to this dissertation, unions are selected here as sites of potential intersection of equality and "rights" discourses – labour and sexual.

First, the chapter discusses the pre-existing literature on sexual discrimination at work by identifying a few key issues (homophobic/heterosexist bias, identity management, awareness and visibility of sexual minorities as identity groups, and leadership commitment to sexual equality) and two core analytical concepts – heteronormativity and coming out.

Secondly, it reviews the – little – academic literature on trade unions, diversity, and LGBT* rights, with special attention paid to premises and modes of relationship and alliance between unions and equity-seeking movements.

Finally, by drawing on the insights of queer social theory, it discusses promises, ambivalences, and challenges in the potential alliance between labour and LGBT* activism.

2.1 Identity, visibility, and discrimination. Sexual minorities in the workplace

The situation of sexual minorities in the workplace has been extensively investigated from a variety of disciplinary perspectives. For instance, psychological research has studied the stress of identity management and its negative impact on workers' health (McDermott, 2006). Organisation and management studies, on the other hand, have focused on the topic by emphasising issues of performance and career development in a corporate perspective. In organisational perspective, it has been widely acknowledged how discrimination negatively affects performance (e.g. Congon, 2009). Theories of job motivation, involvement, and productivity suggest that workers who are treated with respect and fairness are more likely to work in a manner that promotes and enhances their organisation, their co-workers, and themselves. In addition, diversity has been envisaged as a factor of economic development by "creative capital" theorists (Manning Thomas and Darnton, 2006).

If taking a comprehensive look at the psychological and organisational literature on sexual diversity management in the workplace, we can identify a few key issues: homophobic/heterosexist bias and its effects on working climate and career development; identity management strategies of individual LGBT* workers, ranging from silence to various degree of disclosure; awareness and visibility of sexual minorities as identity groups; leadership commitment to sexual equality.

The first issue mainly relates to discrimination mechanisms – both formal (exclusion from hiring, advancement, and retention) and informal (tolerance of abuse) – that can affect the career development and psychological welfare of LGBT* workers (Liddle *et al.*, 2004: 34). Namely, career development for LGBT* people has become a fairly popular focus of investigation, with a wide range of concerns including for example the relationship between gender stereotypes and vocational

choices (Gedro, 2009), earning differentials for sexual minorities (Van Loo and Rocco, 2009), and organisations' modes of engagement with sexual diversity such as hostility, compliance, inquiry, inclusion, and advocacy (Rocco, Landorf, and Delgado, 2009).

Several studies in the second field (e.g. Croteau, Anderson, and VanderWal, 2008) have examined, defined, and systematised identity management strategies (e.g. counterfeiting, avoidance, integration) and ranges of disclosure (e.g. passing, covering, being implicitly or explicitly out), while others have focused on the step of "coming out" and the factors – climate, timing, method – influencing acts of disclosure and their outcome (King, Reilly, and Hebl, 2008). Special attention has been paid to the peculiar aspects of managing an invisible element of one's identity (Anderson, Croteau, Chung, and Di Stefano, 2001), and namely to silence. In fact, far from discouraging attempts to address sexual minorities' issues, silence should be considered in its complex, multifaceted nature, as a product as well as an element of discourse (Ward and Winstanley, 2003).

The third thematic focus explores education and advocacy policies of organisational change towards inclusion, safety, and equity (Brooks and Edwards, 2009) as well as the development of resource/support of employee groups – established with varying degrees of formality – that deal with equal opportunities, access to domestic partner benefits and comprehensive non-discrimination policies, and transition issues in the workplace (Githens and Aragon, 2009).

The last point – leadership commitment – is one of crucial importance for the creation of a safe working environment, the implementation of diversity policies, and the management of backlash and resistance to such initiatives (Trau and Härtel, 2003: 112). Indeed, studies on the implementation of diversity programs have pointed out a variety of factors that can influence the reception of such policies, including gender, age, and cultural empathy (Cundiff, Nadler, and Swan,

2009). Active or passive resistance to inclusive policies is a common concern in many areas of diversity management and can itself be of diverse nature: emotional, cultural, social, and political. However, conservative reactions have been found to manifest themselves more blatantly when sexual orientation is concerned, given the lack of explicit, universal sanction for homophobia in the public discourse and the influence of homophobic political speech (Hill, 2009: 47). Given the widespread homophobia, the limited visibility of LGBT* workers, and the pressures to prioritise struggles for workers' rights, LGBT* rights are unlikely to emerge as a priority topic without leadership commitment. As one union leader put it, "gay rights is an issue that is not going to come from the bottom. This is an issue that's going to come from the top" (Krupat and McCreery, 1999: 63).

The psychological and organisational literatures on sexual diversity in the workplace have been grouped and reviewed here as they provide a clear picture of the ways sexual discrimination can be enacted in the workplace and its effects on workers' psychological welfare. However, given the mostly descriptive goal of these bodies of work, limiting the discussion to analyses of discrimination would bring the risk of confining sexual minorities in victimisation discourses. Furthermore, the individualistic emphasis on psychological welfare, performance, and career development leaves labour structures non-discussed and unquestioned.   It is therefore important to continue by reviewing sociological discussion of two salient concepts – heteronormativity and coming out – in relationship to the workplace.

Heteronormativity can be defined as a set of beliefs and practices that concur to support heterosexuality as an unspoken norm. The term has emerged in the early nineties of the 20th century (Warner, 1993) and has been thus used to refer to the "assumption of heterosexuality" (Cain, 1991; Whitman *et al*., 2001). Studies of heteronormativity in workplace contexts have uncovered the ways "heterosexuality is reproduced and perpetrated discursively, structurally, and symbolically in the workplace" (McDermott, 2006: 194). The main characteristic of the heteronormative

assumption is, again, its unspoken, allegedly neutral nature, based on a principle of "unexamined hetero-centrism" (Rich, 1989). The consequence is that only individuals of sexual orientation other than heterosexual are expected to deal with their sexuality, as if heterosexuality were not a specific, particular sexual orientation too (Ward and Winstanley, 2002). Hence the notion of coming out as a characteristic ritual of homosexual identity.

However, rather than the marker of another binary distinction between "in" and "out", coming out has been conceived as a continuum (Day and Schoenrade, 1997) within a fluid set of identity management strategies. For example, one's sexual orientation can be disclosed to some colleagues rather than others, to bosses rather than clients, and so on. As already suggested by Goffman's study on stigma, therefore, the potentially discrediting social information is revealed (either actively by coming out or passively by outing), but also continuously managed afterwards (Goffman, 1963). Therefore, the notion of coming out cannot be reduced to a one-time act, but is part of a process choice, acknowledgement, and management of one's identity. As a performative act, furthermore, it is reiterated over time and across social circumstances. For both of these reasons, scholars have defined coming out as a process (Ward and Winstanley, 2005).

The notions of heteronormativity and coming out in the workplace are therefore important for overcoming an individualistic emphasis on passivity and discrimination. The first (heteronormativity) characterises sexual identity as a dialogical social construction and questions societal structures, conventions, and unspoken norms. The second (coming out) emphasises individuals' potential for agency through the act of disclosure – a choice that can be made for personal, professional, or political reasons respectively related to a desire for honesty, the will to establish transparent relations within the workplace, or in order to educate the working environment to difference and diversity (Humphrey, 1999). It is also worth noting how sociological analyses of coming out narratives in the workplace have

also discovered practices of agency and resistance that configure the act of coming out and the following identity management strategies as a challenge to the heteronormative order (Gusmano, 2008).

Drawing on the notion of trade unions as the main established sites of collective solidarity for work and employment protection (Colgan and Ledwith, 2002: 1), we have chosen to focus on organised labour as the context for studying discourses and practices of non-discrimination, equality, and inclusion. The next section reviews the existing discussion of trade unions and LGBT* rights, in order to then expand on the theme of alliance between labour and LGBT* activism.

2.2   Gender, sexuality, and labour rights

There has been so far relatively little academic work specifically focusing on trade unions and sexual diversity. The pre-existing scientific literature is thus small, but nonetheless essential for outlining the background of the relationship between labour and LGBT* activisms. *Laboring for rights: unions and sexual diversity across nations* (Hunt, 1999) was the first attempt at documenting the labour movement's response to issues such as benefits for same sex partners, anti-discrimination language in collective agreements, legislative change, and education. The volume, which collects case studies on unions and sexual diversity in North America, Europe, and South Africa, looks comparatively at the engagement between more recent, identity-based activism and the older labour movement.

We can identify three main points in Hunt's work – calling attention to the topic, documenting the existing intersections of labour and LGBT* activism, and reflecting on the two as potential allies in the struggle for social justice.

First, Hunt draws attention to the fact that LGBT* activism has been increasingly

focused on the workplace, while trade unions remain in most countries an important actor in any effort to reshape the experience of work (Hunt, 1999: 1). According to him, the workplace became an important site of LGBT* activism in the eighties and nineties for two main reasons: the centrality of paid work in most people's lives and the persisting of sexual discrimination on the job in both unionised and non-union workplaces:

> "Not only is the workplace where most gay and lesbian people spend a great deal of their time and make their livelihood, it is also where they gain or lose a large measure of their self-worth and status. Being devalued and discriminated against at work can lead to serious psychological problems as well as to economic discrepancies. Employment-related issues such as hiring, firing, promotions, benefits, perks, leaves of absence, pensions, allowances, harassment,violence, and education initiatives, all can be shaped to discriminate against sexual minorities in ways that can be economically and psycho-logically harmful" (Hunt, 1999: 2)

In order to address employment and workplace discrimination, activists have challenged employers directly, fought for change in relevant legislation, initiated legal challenges, and undertaken extensive educational efforts to highlight the problem of homophobia at work (Hunt, 1999: 3).

In addition, some have also attempted to forge alliances with the labour movement. In his introduction, Hunt recalls some of the first attempts of this kind:

> "In 1974, for example, the San Francisco gay and lesbian activist community joined the trade unions in a massive boycott against the products of the Coors Brewing Company in the United States. The unions appealed to this rather unusual (for them) constituency on grounds that the company was extremely anti-union and anti-gay and as part of their hiring practices had been administering lie detector tests during which candidates were asked about such things as their sexual orientation and their attitudes to unions. In return for the gay community's support, the unions involved in the boycott promised among other things that they would help openly gay and

lesbian people get jobs in the organizations they represented and that they would publicly support openly gay candidate Harvey Milk's bid for a seat on the city's Board of Supervisors. The boycott proved enormously successful, resulting in a drop in Coors's share of the California beer market from 43 percent to 14percent. A similar alliance occurred in Britain during the height of Thatcherism: gays and lesbians formed a very influential support group for the coal miners during the strikes of 1984-1985. Subsequently, the National Union of Mine Workers became a vigorous initiator of pro-gay resolutions within the Trade Unions Congress. In South Africa, during the apartheid period of the 1980s, the mineworkers' union proved to be an important early venue for openly gay camaraderie. A more recent example can be seen in Germany in 1994, during the reconciliation of legal systems after reunification: unions provided support in striking down the notoriously anti-gay "Paragraph 175"in force in West Germany, enabling the adoption of the more liberal East German law. Another recent example is the Canadian Union of Public Employees' successful 1998 legal challenge to the heterosexual bias in the Income Tax Act. Noteworthy as well is the August 1997 recognition by the American Federation of labor -Congress of Industrial Organizations (AFL-CIO) of the gay/lesbian/bisexual caucus, "Pride at Work, "as a formal constituency group" (Hunt, 1999: 1-2)

If attempts at such alliances cannot be denied to have had their share of disappointment (Hunt, 1999: 2), there are nonetheless premises for the development of such relationships, of which the chapters in Hunt's collection explore the motivations, impediments, and outcomes.

In most countries, organised labour's political, financial, legal, and human resources make it an attractive potential partner to activists. For sexual equality activists, unions can provide support in addressing inequalities and achieving the reduction in discriminatory practices in the workplace. For example, trade unions have the capacity to ensure that sexual orientation is included as a protected category in non-discrimination clauses and use this provision to support grievances and arbitration proceedings based on such discrimination. Furthermore, unions can bargain collectively to ensure that same-sex partners are covered in all available benefit provisions and – where associated with specific political parties – they can

use their leverage to help shape party policies on sexual diversity matters (Hunt, 1999: 3).

On the other hand, in times when union membership worldwide has been declining and the potential for bargaining on economic issues has been constrained, labour can find in these alliances new constituencies and advocates. In addition, in less material terms, unions find here a powerful opportunity to affirm their core values of fair representation and equal treatment for all members, and therefore a chance to demonstrate that union membership is of benefit to all workers, including minorities. However, this may require a realignment in bargaining strategies and priorities, not to mention changes in organisational cultures, both of which may encounter internal resistance (Hunt, 1999: 3-4). In this regard, public sector unions and central confederations have been found to be more open to change (Hunt, 1999: 291). Indeed, if looking at the case studies, attention is drawn to the fact that union activism around the issue of sexual diversity has tended to originate in white-collar, public-sector unions with a generally higher level of education of workers.

Drawing on the case studies, Hunt identifies several factors – related to differences in social and political contexts – that may impact the outcomes and success of alliance initiatives. These include, for example, the degree of strength of organised labour in a given country or region and its extent of historical commitment to a social agenda, but also external conditions like the character and intensity of moral conservatism, e.g. the force of religious opposition in the overall political environment and within unions themselves (Hunt, 1999: 7).

Hunt's collection (1999) remains the core, ground-breaking piece of work on unions and LGBT* rights. In addition, relevant contributions on the topic can be found within the broader discussion on gender and diversity in labour relations. Namely, the case studies collected in *Gender, diversity and trade unions: international perspectives* (Colgan and Ledwith, 2002) provide useful conceptual lenses for

looking at diversified trade union activism and related debates in a variety of contexts across the continents, identifying trade unions' modes of relationship with minority groups as well as factors enabling the democratisation and diversification of unions.

As established when analysing the more general literature on gender, it is necessary to consider trade unions as organisations – as such, gendered, sexual, and internally characterised by dominant and marginal groups. Namely, interests and priorities of "traditional" trade union structures have tended to reflect a prototypically male, blue-collar workforce, with a unifying ideology based on the notion of class solidarity (Colgan and Ledwith, 2002: 5). The result was a "democratic deficit" for minority – gender, ethnic, sexual – groups (Colgan and Ledwith, 2002: 7).

Against this backdrop, demands for inclusive agendas devoted to strengthening diversity and equality within trade unions and in their policies have emerged starting from the sixties, and this trend has been strengthening with the crisis of traditional male, working class, blue collar unionism – unable, unwilling, or slow to recognise new workforces (Colgan and Ledwith, 2002: 1). Within Colgan and Ledwith's collection, Hunt's case study looks at the ways unions in Australia, Canada, Britain, the Netherlands, and Germany have supported LGBT* rights through collective bargaining initiatives, legal challenges, and lobbying for legislative change (Hunt, 2002). The diversification and the democratisation of trade unions have thus been pushed and supported by internal challenges by marginalised groups, but also by external ones – related to global restructuring processes and shifting power relationships – that generated a crisis of representativity for trade unions and the subsequent need to find new constituencies, strength, and legitimisation (Colgan and Ledwith, 2002: 9).

In addition to the crisis of traditional membership, Colgan and Ledwith (2002: 22) identify the following favourable conditions for the development and strengthening of democracy within unions: an increasing presence of women and educated workers, the presence of strong public sector unions, political alliances with left modernising forces, and transversal alliances with social movements. LGBT* activism's link with the feminist movement within unions has been also acknowledged by Hunt, who emphasises how sexual minorities' issues have benefited from the changes in attitudes, policies, and structures achieved by women (Hunt, 2002: 263). Indeed unions, especially those associated with blue-collar occupations in male-dominated industries, have traditionally been pervaded by masculine cultures relying on a negotiating style based on toughness, competition, and aggression (Williams, 2002: 292). On the other hand, unions with higher than average percentages of women workers and sites of feminist politics have been found to be more willing to support the rights of LGBT* workers (Hunt, 1999). Research has found that commitment to LGBT* concerns tends to be higher in unions with a majority of female members that represent white-collar workers in the public sector (Hunt and Bielski, 2007). Women's presence and claims for space can therefore be considered to have been crucial in questioning union's cultural homogeneity and thus creating a space for diversity and inclusion.

Drawing on an interdisciplinary conceptual framework – including contributions from industrial sociology, sociological, and organisational theory – in order to interpret the case studies collected, Colgan and Ledwith go on to identify a number of strategies used by unions for dealing with the need for democratisation and the challenges posed by marginalised groups: exclusion, demarcation or segregation, inclusion, usurpation, transformation, and coalition.

Exclusion is here defined as a set of "hegemonic strategies of resistance and closure to outsiders" (Colgan and Ledwith, 2002: 10) used to maintain cultural and class homogeneity by silencing any form of otherness. Demarcation or segregation

strategies, on the other hand, aim at limiting participation by setting formal or informal boundaries that prevent outsiders from interfering with the traditional order of things. Such strategies can also rely on cultural factors, e.g. the influence of hegemonic masculinity (Colgan and Ledwith, 2002: 11-12). Inclusion processes may be "contested" (if initiated and negotiated by outsiders) or "invited" (if initiated by organisations for reasons that can be material, e.g. aspiration to membership growth, and/or ideological, e.g. ideals of democracy and solidarity). Inclusion strategies may include affirmative actions such as the creation of special structures or mainstreaming efforts like the inclusion of representatives of minority groups into mainstream structures (Colgan and Ledwith, 2002: 12-13). Usurpation is defined as a successful change in the organisation's internal balances between hegemonic and marginal subjects (Colgan and Ledwith, 2002: 16-17), whereas transformation involves processes that result in structural and cultural organisational changes as well as in a reallocation of resources (Colgan and Ledwith, 2002: 18). Finally, coalition is defined as the establishing of internal as well as external links with equity-seeking associations and movements (Colgan and Ledwith, 2002: 20).

The present study is especially interested in the discourses that accompany strategies of alliance and their intersections. The next section looks at the theme of coalition and alliance between labour and LGBT* rights – an ambivalent one, as it relates differently to different parts of the movement. Indeed, the LGBT* movement (like most social movements) is far from homogeneous and its main demarcation sets a mainstream soul – that basically fights for equal rights within traditional social structures – apart from one that is most often called "queer" and is more interested in questioning the legitimacy of current norms as well as socio-economic power relationships, and to establish an alliance between marginalised subjectivities not only on the basis of gender or sexual orientation, but also in terms of ethnicity, religion, or class. In other words, there is a divide in ideals and activism between those who want to live and be considered "just like everyone else" and those who claim difference as a value and "alternative" gender identities and sexual

orientations as subversive subjectivities.

Throughout this study, we will mostly encounter mainstream LGBT* organisations and activists, since those are the ones willing to seek relationships and work with institutions, including trade unions. However, it would be hard to provide a complete picture of the issues at play if overlooking the queer position and its specific views on diversity, equality, and society. Therefore, this study adopts a theoretical perspective that, as suggested by Valocchi (2005), employs insights from queer theory to push sociological analyses of gender and sexuality in directions that deconstruct normative alignments of sex, gender, and sexuality; resist the tendency to essentialise identities; and situate the emphasis on discursive power in economic, political, and other institutional processes. Discussing the promises, ambivalences, and limitations of the alliance between trade unionism and LGBT* activism represents here a necessary step towards doing research that honours "the complexity of human agency, the instability of identity, and the importance of institutional and discursive power" (Valocchi, 2005: 768).

2.3   Queer social theory and the ambivalent alliance between labour and LGBT* rights

Queer theory and queer activism find their original roots in the United States. The start of queer activism in the US is usually associated with ACT UP, a grass-roots, informally structured organisation founded in New York in 1987, originally with the goal of advocating for effective anti-AIDS politics through actions of civil disobedience and confrontational, non-assimilationist politics. Queer theory, on the other hand, stems from the deconstruction of sexual and gender categories that took place in the US academia during the nineties. Annemarie Jagose (1996) portraits the plural, fluid influences and sources – including homophile, gay liberation, and lesbian feminist movements – contributing to the process of re-claiming and appropriation that turned the term *queer* from homophobic slang into

theoretical model. Queer theory, in its critique of normativity, emphasis on diversity, and overcoming of identity politics, is in itself a fluid paradigm that has unveiled the performative character of gender (Butler, 1990) and sexuality (Kosofsky Sedwick, 1990), questioning the essentialness of male/female and heterosexual/homosexual binaries. Over the years, queer theory, which finds in "elasticity" (Jagose, 1996: 2) one of its own core features, has become a way of interpreting reality that looks at, de-constructs, and twists – "queers" – hegemonic discourses in culture and society. For example, Halberstam (2005) has envisaged a conception of space and time that is "queer" inasmuch as it is independent of the normative influence of the heterosexual family lifestyle.

As mentioned earlier, queer theory and activism do not focus their efforts on achieving equal rights for LGBT* people (e.g., marriage or adoption) within society as it is. Their goal is rather to advance a critique of existing social structures – basically identified as capitalism and oppression (subsuming oppression of LGBT* people as well as other marginalised groups) – and work in an attempt to change them. In doing so, queer social theory heavily relies on Marx's analysis of the ways capitalist economy and ideology shape social hierarchies and power relationships. Drawing on Marx's notions of consciousness and alienation of the worker, queer social theory identifies the "sexually deviant" as another figure experiencing alienation in capitalist and homophobic societies. For example, in an essay titled "Capitalism and gay identity" (1983), John D'Emilio uses a Marxist analysis of capitalism to single out the shifts that led to the formation and emergence of identities based on sexual orientation – the free labour system, i.e. the relative autonomy to choose the course of one's life through employment opportunities; urbanisation; atomisation and the possibility to live outside the family; and separation of sex from procreation. Yet, if capitalism materially enabled gay men and lesbian women to exist independently from heterosexual marriage, D'Emilio (1983: 109) argues that homosexual identities are irreconcilable with the ideological imperative of the capitalist nuclear family based on domesticity and consumption.

In this view, fighting for marriage is responding to oppression with a step backwards rather than forward, because the "home" – the sacred, all-private haven from the perils of the work-related public sphere – is a site of reproduction of heteronormative oppression. Here, the family takes on the character of "ideological state apparatus" (Althusser, 1970), i.e. a site outside of direct economic relations reinforcing the conditions of capitalist reproduction, e.g. through discourses related to the (male) breadwinner, standard of living, and "respectable" citizenship (Reddy, 1999: 363). Therefore, according to queer Marxian theorists, same-sex family discourses and mainstream (or, as sometimes called, "bourgeois") identity politics fail to recognise the class-related and material roots of oppression. By advocating for the opportunity to be included in the capitalist mode of production, mainstream activists are seen to make themselves available for the exploitation and the commodification of their identities. Namely, the apolitical, individualistic emphasis on love and romance that characterises mainstream identity politics focused on rights both ignore and reinforce economically determined social conditions (Field, 1995).

What this overview of queer social theory sought to make clear is that the alliance between labour and LGBT* rights is a delicate one to be achieved. On the one hand, the LGBT* world is certainly a potential constituency as well as a potential genuine ally in the struggle for equality on the basis of shared values such as collective rights and social inclusion. On the other hand, the heterogeneity of LGBT* movements can make it hard for unions to find interlocutors and consensus since, in order to be willing to side with labour organisations, LGBT* groups need to be political enough to acknowledge social conflict, while remaining mainstream enough to seek or accept relationships with institutions. In short, such an alliance needs to be political and apolitical at the same time and can resent from sometimes conflicting agendas, priorities, and visions.

Conclusions

At the end of the first chapter, we found a number of common keywords and elements that could inform critical discussion of gender/sexuality and labour (institution, false neutrality/standpoint, discourse, rhetoric/practice, blurring boundaries, centrality/marginality). Namely, the notions of centrality and marginality have emerged as especially present throughout both chapters. On the one hand, we have seen marginalised subjects and standpoints (feminist, LGBT*, queer) striving to emerge from marginality and invisibility in order to contaminate the mainstream. On the other hand, the first chapter's excursus on labour and its transformations has highlighted the present marginalisation of labour, labour rights, and workers within the neoliberal economy. The question is, therefore – against this backdrop, what does the centre actually offer to subjectivities coming from the margins? Queer theory's challenges to mainstream equity-seeking activism and discourses – that we outlined – interpret precisely this tension and point to the margins as potential spaces for critical thinking, inspiration, and change. The next chapter further explores this insight with the goal of making marginality – the standpoint of the under-privileged – into a critical, potentially empowering epistemic perspective.

CHAPTER 3

MORE ON EUROPE, MARGINALITY, AND EQUALITY

Following the previous chapter's hint on marginality as a potential space for critical thinking, inspiration, and change, this chapter seeks to rethink marginality (as well as marginal topics and perspectives) as a site of emancipatory and epistemic processes that can benefit society as a whole. In doing so, it also locates the topic of the present study within the specific location of the EU and the Europeanisation processes, here considered in their multifaceted semantic trajectories as well as ambivalences and contradictions.

First, the chapter discusses Europe's and the European Union's discursive ambiguities as well as their progressive, transformative potential, in relation to the dissertation's topic and by paying attention, again, to dynamics of centrality and marginality. The second part of the chapter goes back to European theorisations of critical thinking by Kant, Gramsci, and Foucault in order to reconsider their interest in marginality as well as their contemporary relevance. Finally, the analysis draws on the insights of feminist epistemology and standpoint theory ("the privilege of partial perspectives") in order to theorise on the "privilege of marginality" and its epistemic potential for the study of the dissertation's topic.

3.1 Europeanisation, centrality, and marginality

What do terms like "Europe", the "EU", and "Europeanisation" mean in the context of this study? These terms are looked at here as discursive constructions, i.e. as sets of values, semantics, practices, and metaphors that add up to constructing systems of meanings, ideas, and representations. Here, our excursus touches on

Europe's and the EU's trajectories of centrality and marginality as well as the discursive ambiguities, pluralities, and tensions that make Europe a contested site of identities and representations.

A colonialist power, a humanist project, "Fortress Europe", "social Europe", a neoliberal subject – these are only some of the semantics associated with the European project. This section seeks to explore these tensions in order to sketch Europe's semantic trajectories of centrality and marginality whereby different subjects, according to their standpoints and interests, associate different meanings to Europe, the EU, and Europeanisation processes. Acknowledging the plurality of meanings, identities, and representations of "Europe" is therefore crucial in order to deal with the case studies in the second, empirical part of the dissertation, where the influence of the EU input and of Europeanisation processes will be considered in relationship to the promotion of labour and LGBT* rights.

After two global wars and the ethical and political bankruptcy exemplified by the Holocaust, the European Union project was grounded in anti-fascism, anti-nationalism, and anti-militarism (Spinelli and Rossi, 1998). On the other hand, the Iron Curtain divided post-war Europe into two worlds, respectively orbiting around an Eastern and a Western super-power. Two different socio-political and economic philosophies thus competed for hegemony over the European space. Between 1989 and 1991, the fall of the Berlin Wall and of socialist regimes resulted in the unification of Europe under the flag of liberal democracy, free market, and the prospect of EU membership for South-Eastern, Central, and Eastern countries. No longer the ideological battlefield of the Cold War super-powers, Europe rather became, according to some theorists (Braidotti, 2011), one of the peripheries of the one super-power left standing – a periphery with an ambitious unification project of its own, though.

The EU integration stemmed a set of processes – and the very concept – of "Europeanisation", a notion that has generated a great deal of debates and academic interest. In the light of both the accession processes and the widespread academic interest in the subject, Lendvai (2009) provides a theoretical overview of Europeanisation literatures, distinguishing institutionalist/governance and post-structuralist/governmentality approaches, with mention of neo-Gramscian, neo-Marxist, and post-colonialist critiques.

As Lendvai differentiates, the institutionalist/governance approach – in its rationalist and sociological declinations, emphasising respectively interest/allocation of resources and cognitive shifts/socialisation processes – is based on the assumption of a given, stable set of institutions and policies to be adapted and transformed: for example,

> Processes of (a) construction, (b) diffusion, and (c) institutionalization of formal and informal rules, procedures, policy paradigms, styles, 'ways of doing things', and shared beliefs and norms which are first defined and consolidated in the making of EU public policy and then incorporated in the logic of domestic discourses, identities, political structures, and public policies (Radaelli 2003: 30).

On the other hand, post-structuralist/governmentality approaches, emphasising the production of identities and subjectivities, understand – or rather, perceive – Europeanisation as a complex, experiential interplay of interrogation, balance, and in-betweenness, a fluid encounter "embedding the national in the European and the European in the national" (Laffan et al. 2000: 191). Finally, neo-Gramscian and neo-Marxist perspectives critique the EU project as one of "disciplinary neo-liberalism" (Gill, 2001) that subordinates social considerations to growth and competitiveness, while post-colonialist approaches interpret integration as an encounter between coloniser and colonised.

All these approaches hold relevance and interest to our topic. Institutionalist and

governance perspectives, for example, may help us understand the ways the notion of non-discrimination is established as a paradigm through directives and conditionality, for member states and candidate countries respectively. In turn, post-structuralist approaches focused on the production of identities can help us grasp the logic of institutional EU discourses that present "tolerance" and inclusion as "European values" and therefore measure, praise, or critique the degree of European-ness of countries, political leaders, and laws. On the other hand, neo-Gramscian, neo-Marxist, and post-colonialist perspectives help us make sense of the resistances the Europeanisation processes, including the promotion of non-discrimination discourses, encounter – by leftist forces because of the EU's neoliberal economic orientation, by moral and religious conservatives because of the commitment (be it formal or substantial) to values that are perceived as alien and "unnatural".

Against this backdrop, the European Union emerges as an interesting as well as ambiguous actor. On the one hand, its directives have contributed to the main-streaming of anti-discrimination issues, mainly in the very workplace. On the other hand, it is a major force and player within the enforcement of neo-liberal ideologies in member and (potential) candidate countries – which cannot but inform both its labour policies and their reception by equity-seeking organisations. The project of political unification, together with the aspiration to a European constitution, has been struggling over the years and seems now dormant. Indeed, several thinkers pointed out the lack of a specific EU public sphere and debate (Habermas, 1992), of emotional attachment to the European dimension (Passerini, 1998 and 2003), and of imagination and visionary force by European institutions themselves (Meny, 2000). New priorities are set forth by means of economic considerations and the economic crisis, despite calls for the construction of Europe as a strong, multi-level "civil power" (Laschi and Telò, 2007). The envisaging of a European public sphere is run by tensions between EU-initiated and society-initiated processes – in other words, between the top-down Europeanisation of national public spheres and the trans-European encounter of existing publics and public spaces with the

opportunities for communication, interaction, and collective action they create.

Despite the widespread Euro-skepticism, the idea of "social Europe" embodies progressive longings for an alternative social space and thus emerges as a potentially transformative project that, we suggest, can pass through the intersectional deconstruction of normative understandings of Europe and Europeanisation – in other words, by using the lenses of marginal perspectives in order to question the assumptions that shape the European "ways of doing things".

As highlighted so far, Europe's identity, as the product of multiple processes, is characterised by fluid relationships between its different components, as well as a tension between continuity and rupture (Rossi, 2007). There is no one "core" of European identity, but rather choices made in the present (Rossi, 2007) to lay the foundations of a common project and a unitary pact. One of the most promising choices, according to Rossi, is the one that interprets Europe as heiress of the Enlightenment and the revolutions it inspired, directly or indirectly, in order to develop the heritage of modern culture in the perspective of the emancipation of the individual.

In this framework, marginality offers an opportunity to reconsider Europe and the EU in ways that open up spaces for a critical thinking of diversity, and namely of marginality as both an epistemic key and an indicator for the study of society as a whole. In order to do so, we now go back to three European thinkers who show, in different ways, an interest in marginality – Kant, Gramsci, and Foucault. Their reflection on the category of critical thinking and its positioning in society is our chosen lens to bring out themes of marginality and human rights.

3.2 Critical thinking, equality, and marginality

European philosophy has widely dealt with the category of the intellectual and its positioning. Namely, Kant, Gramsci, and Foucault have theorised models of critical thinking that posit different locations for the intellectual in society.

The Kantian model, where critical thinking finds its roots, is a universalist one that envisages the intellectual as a thinker responsible for the well-being of humanity as a whole. The intellectual is thus connected to humanity as an entity, in the name of the universal values called for in the seminal essay, and cosmopolitan manifesto for human rights, "Perpetual peace" (Kant, 1795) – reason, justice, and peaceful coexistence. At a quick glance, Kant's ethical universalism may not be fashionable in these times of diversity and multi-culturalism. On the other hand, contemporary concerns for human rights, whether sincere or instrumental, quickly reveal a preoccupation for everyone to have what Arendt called "the right to have rights" (Arendt, 1951) – an apparent conflict that can be solved by decoupling universality and uniformity.

Gramsci and Foucault, on the other hand, theorised non-universalistic models that attributed very specific positions to intellectuals in relationship to society and power, but also shared an interest in marginality.

In the early 20th century, Gramsci's organic intellectual became explicitly integrated to the political and ethical struggles of specific social groups – minorities. Here, minorities are understood as oppressed groups that may be marginalised in a particular context, but may nonetheless carry the political and ethical truth of equality and justice (e.g. Gandhi or the suffragettes). Organic intellectuals, on the other hand, acknowledge their location within the dominant ideology and choose to use it in order to support marginalised groups in developing their own political

consciousness and create counter-hegemonic ideologies. Later examples of this type of intellectual can be considered Sartre and De Beauvoir, both characterised by concerns for equality, democracy, and justice in a perspective of cosmopolitan solidarity (see for instance De Beauvoir's universalistic take on feminism that addresses women as a collective, generic category).

Foucault's intellectual is defined as a "specific" one – situated, grounded, accountable for a determined historical, geographical, and social position. As Foucault says in his conversation with Deleuze on intellectuals and power, "theory is local and regional […] not totalising" (Foucault and Deleuze, 1977). The task Foucault sets for critical thinkers is therefore to do micro-political analysis, to look at what is close to them, and account for their involvement. In the context of advanced capitalism, according to the post-structuralist philosopher, theory is a practice of micro-political resistance that provides anti-bodies to the "pensée unique" by exposing macro- and micro-instances of power imbalances in social relations and empowering alternatives. In this view, very much informed by the spread of social movements in the seventies, different and specific political struggles by women, homosexuals, and prisoners link to class struggles in a multiple resistance to oppression and exploitation in their different forms. The system of power envisaged by Foucault is one – one that takes several forms and ramifications to serve itself, whereas resistance can never be one. There can only be multiple sites of resistance against power, linking among themselves without identifying in a monolithic entity.

If sketching an imaginary cartography based on the three models of critical thinking, we would see intellectuals taking different shapes and locations: one embracing the whole (Kant's), one organically embedded in a part (Gramsci's), and many scattered and loosely connected (Foucault's). If the first, universalistic model emphasises unity and cohesion, the organic and specific models share an interest in marginality and peripherality. Gramsci's intellectual takes on the reasons of the

minority in the name of an organic political project. On the other hand, post-structuralism foregoes representation – "the indignity of speaking for others", according to Deleuze (1977) to call for plural constellations of marginalised groups, each entitled to speak for itself, addressing power mechanisms and oppression at different levels in society. As expressed in Foucault's and Deleuze's conversation on intellectuals and power (1977),

> "against a global policy of power, we initiate localised counter-responses, skirmishes, active and occasionally preventive defences. We have no need to totalise that which is invariably totalised on the side of power; if we were to move in this direction, it would mean restoring the representative forms of centralism and a hierarchical structure".

This element is also crucial in other streams of thought that have reflected a great deal on marginality and intersectionality: feminist, standpoint, and queer theory. In the next section, we will look at their theoretical insights in order to elaborate on the "privilege of marginality" and its epistemic, philosophical, and political potential.

3.3 The privilege of marginality

Thales, while he was studying the stars and looking upwards, he fell into a pit, and a neat, witty Thracian servant girl jeered at him, because he was so eager to know the things in the sky that he could not see what was before him at his very feet (Plato, Theaethetus, 174a)

The classic Platonic anecdote about the philosopher and the servant girl has consistently shaped the binaries of Western thought, and namely the dichotomy between theory and practice. Here, the theory is the realm of the philosopher gazing upward, whereas the practice is the domain of the servant girl, confined in the practicality of prosaic matters. Theory and practice, however, are not only separated, but also hierarchised, in parallel with the dichotomy mind-body that sees the latter, gendered and sexual, at the margins. The difference in status between the two characters in the story unquestionably implies the devaluation of the experience and sensory knowledge represented by the servant girl – inferior in age, sex, social class, and ethnic belonging (she is an enslaved foreigner). Her laughter has been interpreted as obtuseness – the scorning of something one does not understand. Yet, she is also mocking this precise devaluation – her laughter is thus a symbol of resistance of the marginalised (Gherardi, 2010).

Marginality has been a crucial element in feminist and gender theory. If the key insight of this stream of thought was to expose the fake neutrality of the "universal" (male) subject, it also served to shed light on the relationship between centre and margin in ways that informed the reflection on ethnicity and class as well. For example, de Beauvoir highlighted how only women tend to be perceived as gendered, since the conflation of the masculine and the neutral allows the understanding of man as the norm – the centre – and the woman, marked by sexual difference, as the margin (de Beauvoir, 1949; Pateman, 1989; Yuval-Davis

and Werbner, 2005). This is mirrored in the ways only non-dominant groups are ethnicised, while whiteness is hardly perceived as a marker of ethnicity.

Epistemology has been one of the spheres feminist and gender theory have engaged with in crucial ways. A classic distinction proposed by Harding (1987 and 1998) showcases three streams of feminist epistemology: feminist empiricism, feminist standpoint theory, and feminist post-modernism. For the purposes of this chapter, all of the three present elements of interest. Feminist empiricism stands on the idea that knowledge is produced by embodied subjects whose particular location shapes their observation and understanding of the world, while standpoint epistemology emphasises the potential of knowledge "from below" as reflecting – and therefore, uncovering – embodied experience under specific historical and material conditions. Feminist post-modernism, on the other hand, highlighted knowledge's inextricable relationship to power, its historically and culturally specific nature as a product of a specific discourse, and – most importantly – the socially constructed character of the very categories of sex and gender, thus rejecting the notion of a universal "woman's" perspective (Butler, 1992).

The key intuition of feminist thought has been, therefore, the questioning of the positivist notion of "objective" knowledge and the advancing of the notion of "situated knowledge" (Haraway, 1988), i.e. the recognition that knowledge is intrinsically partial inasmuch as it is produced by corporeally, socially, historically, and geographically situated subjects with their own interests, limits, and privileges. Furthermore, by theorising "the privileges of partial perspectives" (Haraway, 1988), feminist epistemology advanced the notion that the ways of seeing of the disadvantaged – the marginal – may offer a better and more complete understanding of the world from the position of those excluded and/or devalued by traditional epistemology – the margins. Looking at the margin inevitably implies looking at the centre, since the two categories cannot but be engaged with dialectically. The centre, indeed, cannot exist without continually polishing and

containing itself within its normative borders, excluding and othering what challenges them. As observed by Deleuze and Guattari (1972 and 1980), no dominant notion has a positive definition: its prerogative implies a definition that is only oppositional and casts marginalisation outwards, on the Other.

Marginality has thus been embraced and explored as a site for critique, creativity, and change – not only by classic feminism, but also by gender studies, black feminism, post-colonial theory, and queer thought as well as by studies on poverty and social exclusion. Within this framework, intersectionality comes back as a notion that links different theoretical and political concerns in a way that strongly reminds Foucault's networks of specific intellectuals – with an important difference, though. If post-structuralist Foucault and Deleuze envisaged the resistance of women, homosexuals, and socially oppressed groups as micro-political agendas allied with the principal struggle of the working class (1977), post-modern subjects inhabiting a world where class has become an evasive notion see themselves as non-hierarchically allied against different forms of power.

In an essay titled "Choosing the margin as a space for radical openness", bell hooks argues for a "definite distinction between the marginality which is imposed by oppressive structure and that marginality one chooses as site of resistance, as location of radical openness and possibility" (hooks, 1990). She goes on to define the margin not as a space one seeks to escape from, but rather as an empowering location for critical thinking:

> "it was this marginality that I was naming as a central location for the production of a counter-hegemonic discourse that is not just found in words but in habits of being and the ways one lives. […] It offers the possibility of radical perspectives from which to see and create, to imagine alternatives, new worlds" (hooks, 1990).

The margin thus emerges as a privileged location as well as a unit of reference. The intellectual logic of constructing marginality as a privilege reverses cognitive hierarchies by exposing the structural ignorance of the centre, that can only know itself. As Deleuze puts it, there is no potential for "becoming" outside the margin (Deleuze and Guattari, 1980). The margins on the other hand, if only for survival, become fluent in multiple social codes. Furthermore, the margin becomes a unit of reference if considered as an indicator for a society's degree of consciousness, progress, and cultural development.

Conclusions

This chapter has sought to reflect on marginality in some of its possible multiple conceptualisations. In addition to stressing marginality not as an intrinsic attribute, but rather as a dialectic outcome of power relations, balances, and imbalances, we have tried to explore marginality as a site for creativity and change, drawing on Haraway's reflection on the "privilege of partial perspectives" in order to construct a "privilege of marginality" – an epistemic perspective that could help us look at anti-discrimination issues in critical ways that go beyond victimisation and protection discourses.

The attention to marginality that emerges from the models of intellectuality we examined, as well as the privilege of marginality we discussed following the insights of feminist and queer thought, can stem a commitment to produce knowledge claims reflecting the experiences and perspectives of marginal subjects. Combined with this insight, an intersectional deconstruction of "Europe" can, on the other hand, advance a progressive vision of the European Union through the envisioning of a social agenda that acknowledges complexities at both the micro- and macro-levels of the constitution of subjectivity, across genders, ethnicities, class, and age. Going back to Proust's pair of glasses ("treat my book as a pair of glasses directed

to the outside; if they don't suit you, find another pair", as quoted in Deleuze and Foucault, 1977), therefore, theorising marginality as a privilege can provide lenses for envisaging a European progressive social imaginary – one that does not seek to "manage" essentialised diversities as problems, but rather to create less normative frameworks for social inclusion.

Thus, the theoretical goals of the dissertation include reasoning on the ways a very specific – or marginal – theme reflects on social reality as a whole. The emphasis on marginality means that, by looking at the margins, we will actually be looking at the problems of the centre, which brings us to the question – how does this marginal theme reflect on, and therefore helps understand, the wider social reality?

As emerges from scholarship on sexual minorities in the workplace, leadership commitment is a crucial element in a process of inclusion or de-marginalisation, especially when "sensitive" factors such as gender and sexuality are involved. Investigating the interest, involvement, determination, and commitment of organisations and institutions to the protection of sexual minorities from discrimination in the workplace may illuminate, on the one hand, how much the general social context invests on the notions of inclusion and equality. On the other hand, it may also reflect, in times of changing labour markets and labour relations, dominant, resistant, and conflicting ideas about work and the workplace itself as mere dependent variables in a process of profit production – where individuality (thus including gender and sexuality) is irrelevant, or as constitutive elements of both one's identity and life development, closely and necessarily linked to income and quality of life as well as to social inclusion and social relations, which includes relations between majority and minority, mainstream and alternative, centre and margin in terms of gender identity and sexual orientation.

Furthermore, given the tight connection between normative gender models and the

expectations about one's sexual identity, orientation, and practices, looking at attitudes about sexuality in the contexts under investigation will also tell us something about the endurance of the gender institution, to use Martin's words (2004). Indeed, in organisations and institutions that preserve patriarchal characteristics and are predominantly male, breaching the subject of sexual diversity undoubtedly fosters resistance by uncomfortably disturbing the established hegemonic masculinity.

Finally, given European institutions' encouragement towards pursuing gender equality and non-discrimination in the workplace (including on the grounds of sexual orientation), looking at the actual transfer, implementation, and outcome of such principle may highlight dynamics and relationships of conflict and resistance between European and local levels negotiating on the abstract, yet socially and politically crucial grounds of "values".

These elements add up to a conceptualisation of a "marginal" topic as actually one of general social interest, on the grounds of an inclusion agenda envisaged as a priority for society as a whole rather than as mere "protection" of a minority group. This is the premise that will inform the discussion of the case studies about labour and LGBT* rights in the EU anti-discrimination discourse, in Italy, and in Serbia.

Part 2

Case studies

INTRODUCTION TO THE CASE STUDIES

The second part of the dissertation looks at discourses produced by organisations dealing with labour and LGBT* rights at the European level, in Italy, and in Serbia. For each context (the trans-European level, Italy, and Serbia), the empirical research explored the ways trade unions, institutions, business associations, and LGBT* movements approach the theme of labour and LGBT* rights – if they do. On the basis of the discursive constructions emerged from the analysis of the empirical material related to the case studies, the section's conclusions seek to bring together the threads of the research findings in a comparative perspective that reflects on the themes of marginality, assimilation, and equality.

Case study research

Qualitative research, i.e. the collection and analysis of non-numeric, field-based data, has proved itself a productive, engaging research methodology for social scientists addressing broad, complex areas of inquiry (Yin, 2011: 7). Given the complex, multifaceted, and rich in ambiguities nature of this dissertation's research topic, qualitative research was chosen as the fittest method in order to bring out the richness of discursive constructions bound to emerge from the array of empirical materials produced by organisations dealing with labour and LGBT* rights.

According to Yin's conceptualisation, the distinctive features of qualitative research can be summarised as: studying the meaning of people's lives in real-world conditions; representing the views and perspectives of the participants in a study; covering the contextual conditions of the object of study; contributing insights into existing and emerging concepts; and using multiple sources of evidence (Yin, 2011: 7-8). This picture fits the topic of this dissertation, which discusses the ways different organisations, through their practices and statements, position themselves in respect to the topic.

Among the different approaches available for qualitative research, this dissertation was based on the methodology of case study research. Case study research has been defined as an empirical inquiry that investigates a contemporary phenomenon within its real-life context; when the boundaries between phenomenon and context are not clearly evident; and in which multiple sources of evidence are used (Yin, 1984: 23). Based on a small number of cases, it emphasises detailed contextual analysis of a limited number of events or conditions and their relationships (Soy, 1997). Possible research objects in a case study often include a programme, an entity, a person, or a group of people, while each object is likely to be intricately connected to political, social, historical, and personal issues (Soy, 1997).

Precisely this tight connection to political, social, historical, and personal issues is what makes self-reflexivity a crucial concern in a qualitative research enterprise. Far from being a detached observer, the researcher can be considered a research instrument themselves – the unavoidable presence of the researcher's background and standpoint becomes therefore explicit and acknowledged rather than covered (Yin, 2011: 20). As explained in the preface, this dissertation seeks to contribute an insight into the plural, ambiguous, and politically charged nature of a seemingly innocuous concept such as non-discrimination. This goal is one that is consistent with another key element characterising qualitative research according to Yin – the interpretation of research findings in a way that challenges conventional assumptions and social stereotypes (Yin, 2011: 10).

The research process

Given the diversity of the contexts chosen for the cases, a flexible research design (Yin, 2011: 10) was adopted to capture and bring out the most significant elements for each case. After a preliminary investigation, the most significant cases in terms of organisations' explicit and relevant commitment to the topic were chosen for in-depth analysis and discussion in a comparative perspective. All three cases were approached through qualitative research methods typical of case study research,

i.e. interviewing key stakeholders and reviewing official documents (Yin, 2011: 4) – namely, semi-structured interviews with stakeholders and privileged witnesses (for a total of 19) and discourse analysis of relevant written material.

Interviews revolved around the following points: the interviewee's personal history and profile; the interviewee's personal involvement in the topic (sexual diversity/LGBT* rights and work/trade unionism); the interviewee's view on the topic, its importance, and motives for involvement (utilitarian/emancipatory/political); the values underlying the engagement (of a person, association, or trade union) with the topic; the concrete activities carried out in the field and the different lines of action (legal/cultural/political); the profile of unionists/activists involved in the field (formulations varied according to circumstances); the profile of workers who ask for help or are addressed by good practices; the specific cases of knowledge (how many, in which working sectors, factors determining success or failure in the intervention/development of the situation); the impact of gender (formulations vary according to contexts – e.g. is there a difference in the way men and women deal with sexual diversity in the workplace/are open to working with the topic within their organisations/experience discrimination in the workplace?); the centrality or marginality of the topic within one's area of work/activism; the relationship with local/ national/international institutions/groups/organisations; the perception of Europe/the EU's role and influence on the topic (as a progressive/ oppressive/ alien/ allied agent); the critical aspects, significant factors, potential, possible instruments/actions on the topic; the expectations for the future.

The cases

At the transnational European level, the analysis focused on an association of European trade unions (European Trade Union Confederation) and an entrepreneurial/professional association (European Gay and Lesbian Managers Association) – both partners in projects with ILGA Europe (the European branch of the International Lesbian and Gay Association and the main NGO active in the field

of LGBT* rights in Europe). In addition, in the light of the European Union's emphasis on non-discrimination and the significance of the EC Directive on non-discrimination in the workplace as the sole legal provision explicitly covering discrimination on the basis of sexual orientation available in the countries where national legislation does not address the topic (such as, for example, Italy), the chapter discusses the Directive and its discursive implications. The empirical material for these cases comprised a series of written documents and statements produced by ETUC and EGMA (including those contained in their respective websites) as well as the Directive itself. The analysis of the written material was supported and accompanied by insights from the oral interviews (including one specific interview with a jurist working in a EU organisation) as well as the participation in two relevant conference events: the ETUC conference in Rome (June 2011) and EGMA's International GLBT Business Leader Forum (June 2011).

The second part of the case studies section engages with the Italian context by looking at the main trade union federation (CGIL), at the first (and so far only) business association devoted to the promotion of a diversity culture in the workplace, with specific focus on sexual orientation (Parks), and at the mainstream LGBT* movement in its three main branches (Arcigay, Arcilesbica, and MIT – a gay and lesbian, lesbian, and transgender association respectively). The empirical material for this chapter includes 12 interviews with unionists, activists, members of Parks, and institutions representatives. In addition to the relevant written materials collected on the organisations' websites, the analysis focused on Arcigay's project "Io sono, io lavoro" ("I work, therefore I am"), co-financed by the Italian ministry for Labour and Equal Opportunities and specifically devoted to workplace discrimination of LGBT* individuals.

Finally, the last chapter looks at the Serbian case, where examples of organisations visibly and explicitly committed to sexual equality in the workplace were much harder to find. This posed specific difficulties in researching the topic in question,

since, as Moran (2009) wrote about "researching the irrelevant and the invisible":

> "How do you research and make sense of sexuality as a difference that key informants assert is absent or seek to make invisible and irrelevant? How do you research the operation and effects of that which is not to be spoken about? How do you research the sexual norm when its existence and operation is denied?" (Moran, 2009: 281)

Therefore, the chapter devoted to Serbia is structured in a slightly different fashion than the previous two – first, it introduces the specificities of LGBT* and queer activism in Serbia in order to provide the reader with the main elements that characterise it; secondly, it discusses the levels of awareness of and commitment to the topic to be found in trade unions, institutions, and activist groups. Finally, given the crucial – as well as contested – role of the European Union in broaching and shaping the non-discrimination discourse in Serbia as a candidate country, the last section of the chapter is devoted to the discussion of the influence of "Europe" on the ways institutions and activists deal with the topic of labour and LGBT* rights. Interviews for this section involved 6 among Serbian and international activists, unionists, and NGO workers, complemented by the analysis of relevant written material.

CHAPTER 4

EUROPEAN DISCOURSES ON LABOUR, LGBT*, AND HUMAN RIGHTS

This chapter addresses European discourses on labour, LGBT*, and human rights by looking at the EU input as it emerges from the relevant Directive as well as at the discourses created by transnational European union, activist, and business networks.

To begin with, the chapter maps issues and concepts emerging from the material produced by transnational union, business, and LGBT* activist networks, in a comparative perspective that seeks to bring out the different underlying visions and agendas on labour, work, and LGBT* rights. Following, it discusses the European Union's non-discrimination discourse and the Directive for non-discrimination in the workplace, which has been so far the main input by the EU on the subject, and namely it contrasts its multiple-discrimination focus (adding different axes of identity and discrimination operating separately) to critical intersectional approaches considering the interaction of gender, ethnicity, and class as constructed, rather than natural identities.

4.1 European trade union networks and the human rights discourse

Starting from the nineties, international labour organisations have issued a number of documents and statements on LGBT* workers' rights. In 1999, for example, Education International[2] and Public Services International[3] jointly published a manual ("Trade unionists together for LGBT rights!", revised and updated in 2007) designed to assist affiliates to address key workplace issues for LGBT* workers and

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2 Education International (EI) is a federation of trade unions representing over 30 million teachers and other education workers, through 348 member organisations in 169 countries and territories.

3 Public Services International (PSI) is a federation of over 650 public sector trade unions in over 160 countries, with 20 million members.

give practical ideas for union action, model policies, and collective bargaining clauses. The manual stresses the importance for unions to recruit and retain LGBT* workers in order to increase their size, negotiating strength, and representative capacity:

> "the more diverse and less monolithic a union shows itself to be, the more effectively it will be able to recruit from a broad range of equity seeking communities" (p. 10).

Visibility is presented as a crucial element in this process of opening and diversification: indeed, the manual suggests that union publicise their LGBT policies, publish relevant features in their journals, produce leaflets and training materials on LGBT issues, attend and help organise LGBT Pride marches, and ensure there is named officer support for LGBT members (p. 16).

A core statement of the manual (p. 5) is the following:

> **"lesbian, gay, bisexual and transgender (LGBT) workers' rights are trade union rights and trade union rights are human rights"**.

Presenting LGBT* rights (as well as union rights) as human rights signifies two clear discursive strategies – universalisation and normalisation. By assimilating the particular categories of both "worker" and "LGBT*" into the universal category of "human", this statement presents the protection of the rights of LGBT* workers as something as general, neutral, and non-controversial as possible. As we are about to see, this strategy is shared by transnational union networks at the European level, where a clear commitment to LGBT* rights was taken by the European Trade Union Confederation (ETUC) at its congress in Seville in May 2007, with the adoption of a 4 year Action Programme. As a consequence, the "Extending

equality" project was launched in partnership with ILGA Europe with the goal of mapping situations at national level, exchanging best practices, and facilitating networking among trade unionists and with NGOs dealing with LGBT* issues across Europe.

Within this framework, the first Europe-wide trade union conference on LGBT* rights was held in Brussels in January 2008 and attended by around 80 participants. The conference's opening speech by John Monks, ETUC General Secretary, stated:

> "Equality is central to the trade union agenda. The union as a whole suffers if there is inequality and combating discrimination is as important as other areas of trade union work" (Pillinger, 2008: 9).

In the conclusion of this event, ETUC issued a series of recommendations that share the same keywords, key concepts, and discursive strategies found in the manual by EI and PSI. The text starts by stressing ETUC's commitment to defend

"human rights, trade union rights and equality for all workers",

including LGBT ones (p. 1). In "a Europe of 27 or more member states", it goes on,

> "it is increasingly important to recognise and respect diversity as a positive characteristic of European societies. Rather than seeing equality and diversity as mutually exclusive concepts, ETUC sees equality and diversity as complementary and strives for equal rights and opportunities while respecting and valuing diversity" (p. 1).

As stated by European Parliament Member Michael Cashman, grounding the social inclusion agenda in the wider European project:

> "we must remember that the European Union grew out of the ashes of the second world war and out of people's lives and dreams so that no one group would be persecuted. We must ensure that human rights are at the top of the agenda and not threatened" (Pillinger, 2008: 10).

As a European confederation, ETUC also stresses that sexual orientation is one of the non discrimination grounds protected under EU law, and that LGBT* rights must therefore be explicitly addressed in the framework of trade unions' agenda, with the commitment from the senior levels and specific policies on LGBT workplace rights.

Visibility is, again, presented as a key factor in this process – all the more so, in order to legitimate trade unions as "channels of social dialogue" (Pillinger, 2008: 22) and increase their strength at a time of declining membership in some countries and sectors of the economy:

> "trade unions must be visible and recognized as the workplace actors when it comes to equality" (ETUC, 2008: 5).

Thus, the report invites unions to ensure that LGBT issues are "explicit and visible" within their equality policies, increase the visibility and participation of LGBT members at all levels, and mainstream LGBT equality issues into all areas of their work (ETUC, 2008: 6). For instance, one recommendation of the conference was for the ETUC to take part in the Euro-pride marches and in seminars on LGBT* rights and trade union rights organised during the Euro-pride events (ETUC, 2008: 4).

The report (p. 3) goes on to argument why LGBT* rights need to be a part of unions' activities and priorities (emphases in the original text):

"LGBT rights are trade union rights because…

3. LGBT rights are HUMAN RIGHTS and these are central to trade union activities; it is impossible today for trade unions to ignore these issues;

4. Recruiting and organising LGBT workers helps to make UNIONS STRONG and representative of all of their members and workers;

5. Discrimination against LGBT workers is NOT DIFFERENT from discrimination against other groups (on grounds of age, race, handicap, sex, religion);

6. All workers have the right to be PROTECTED against discrimination;

7. LGBT people are often invisible in the workplace and their rights may be denied them. Unions have a role to play to SUPPORT these workers.

If points 2 and 5 go back to positioning the topic as one of relevance and interest to unions, and one that can strengthen their own role and relevance, points 1, 3, and 4 are of particular interest for our discussion of discursive strategies, since they adamantly locate the struggle for LGBT* rights within the general, universalistic context of human rights. Phrases like "impossible to ignore", "not different", and "all workers" convey the idea that LGBT* workers are like all other workers and deserve protection from discrimination for the very reason that they are not that different. For example, according to a statement by UK public service union UNISON at the 2008 ETUC conference, "organising LGBT workers is just like organising all disadvantaged workers" (Pillinger, 2008: 27).

The ETUC's efforts towards a common strategy for European unions on LGBT* rights is an example of transnational trade union solidarity rhetoric. Such rhetoric is

rooted in a traditional Marxist vision, where "class tran-scends national boundaries and workers of the world unite" (Stirling, 2010: 107). Though often divided by ideologies and national identities, trade unions look beyond national boundaries for strategies of renewal, and what we have seen in the official documents examined points to finding in LGBT* rights a common field of struggle. This effort translates into a discursive strategy that rests on two pillars: visibility and human rights.

The emphasis on visibility of trade unions' commitment to LGBT* rights offers an interesting parallel with the politics of Western LGBT* movements, of which visibility is, again, a pillar. Both the pivotal notion of "coming out" and the paradigmatic form of activism that takes the shape of the Pride parade, indeed, are based on the notion of visibility, i.e. of making oneself a symbol by making the existence and presence of sexual diversity explicit in order to raise awareness in one's environment and in the public. Visibility is often considered a necessary pre-condition for the establishing of equal rights, as forced invisibility, a form of self-protection against prejudice and its consequences, can have a negative impact on the individual's self-respect and confidence, thus frustrating human dignity, i.e. one of the values related to the notion of equality (Bonini-Baraldi, 2004: 10).

Visibility, a classic form of identity politics, comes here into a complex relationship with the human rights discourse which is, on the contrary, a non-identitarian strategy of universalisation and normalisation. This is consistent with the turn taken by Western LGBT* movements in recent years, i.e. with the attempts to gain power through assimilation – a form of assimilation, however, that is different from the early assimilationist strategies that fought for acceptance as a distinct, legitimate minority group (Cohen, 1999: 113). Indeed, Patricia Prendiville from ILGA Europe has stressed that many of ILGA's original founding members came from a trade union background and thus explained the consonance between the two organisations (ETUC and ILGA):

"We want a world based on equality for all, not just sexual orientation and gender equality, but based on a framework of indivisible human rights for all. Today this equality agenda is based on multiple identities and multiple discrimination; this strengthens our approach in arguing for equality for all" (Pillinger, 2008: 42).

However, as argued by ILGA Europe in one of its reports, promoting diversity makes economic sense as well:

"Building a diverse workforce is not only an ethical issue (i.e. it is the right thing to do) and a matter of regulation (i.e. to comply with legislation); the potential for economic benefits from investment in people is becoming an increasingly influential motivator. Indeed, sound business arguments have been developed and promoted as to how cultivating a workplace where employees are valued, respected and treated equally can result in better economic performance" (Quinn and Paradis, 2007: 52).

4.2 The European Gay and Lesbian Managers Association

Our second European case is an LGBT* business association – the European Gay and Lesbian Manager Association (EGMA). After existing as an informal network for a couple of years, EGMA was founded in 2005 by the associations Austrian Gay Professionals (Austria), l'Autre Cercle (France), Völklinger Kreis (Germany), Wirtschaftsweiber (Germany), PrIMO (Italy), and NETWORK (Switzerland). Now an umbrella organisation of national LGBT* associations representing around 2,500 managers, professionals, and entrepreneurs, EGMA partners with ILGA Europe and the International Gay and Lesbian Chamber of Commerce. On the other hand, the

official presentation makes a point of stating that EGMA is not affiliated with any political party.

In its mission statement, EGMA commits to "representing the various interests of LGBT-owned business professionals, corporations and allies", taking "an active role in European politics", and organising "events and projects relating to discrimination at the workplace and diversity management" (www.egma.eu).

For instance, in October 2007, EGMA organised the 1st Pan European Gay and Lesbian Business Forum in Zurich, Switzerland. The event, sponsored by IBM, focused on Diversity and Inclusion activities by major corporations. In 2011, EGMA organised the 4th International GLBT Business Leaders Forum in Rome – Inspiring the Italian GLBT Community. The event presentation invited potential participants to attend the forum to "gain multiple advantages", including information about "trends in workplace equality", "professional perspectives on diversity and inclusion", and "leaders of workplace diversity and corporate social responsibility" (www.egma.eu). The goals of the conference included discussing strategies to address the needs of LGBT* employees, identify new business opportunities, and target diverse customer segments.

If the union discourse examined in the previous section was framed primarily in terms of rights (labour, LGBT*, human), what immediately emerges from the material produced by the LGBT* business association is a discourse of interests and leadership. Although mentioning the notions of workplace discrimination and equality, the association clearly presents diversity in a business framework that focuses on trends, gains, and advantages. As a consequence, the emphasis is not on a situation of inequality to be overcome, but rather on new opportunities to be caught in order to improve business and networking. Consistently with business and entrepreneurship "pro-activity" discourses, the implication is that diversity is an

opportunity and a tool for enhancing productivity and relations – it is up to the good "diversity leader", therefore, to make the most of it:

> "In the war for talent, being able to attract and retain the best has positive cost implications in terms of avoiding constant recruitment or training of new staff" (Quinn and Paradis, 2007: 53).

Employees are present in this line of reasoning, though not as subjects entitled to rights, but rather as human resources. As a British Petroleum Chief Executive put it:

> "The people we have form our human capital. To me that is a more important corporate asset than all of the plant and equipment, all of the oil fields and pipelines. If we can get a disproportionate share of the most talented people in the world, we have a chance of holding a competitive edge. That is the simple strategic logic behind our commitment to diversity and to the inclusion of individuals - men and women regardless of background, religion, ethnic origin, nationality or sexual orientation" (European Commission, 2003: 53).

Another insight into the different visions of diversity might come from looking at the images transnational union and business networks respectively choose to present themselves. Let us compare, for example, the cover of the EI-PSI publication "Trade unionists together for LGBT rights" and the homepage of the EGMA website.
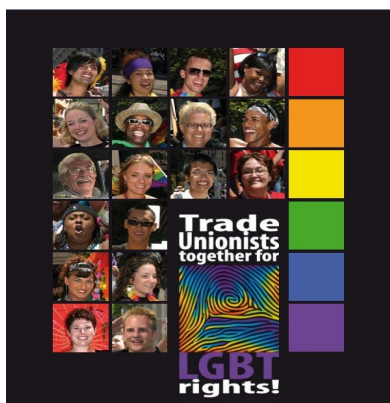
Both images are didascalic in representing their target groups. If the first one makes a point of including a diverse set of faces in ethnic, gender, and generational terms, the second one is strikingly homogenising despite the 50-50 gender balance – even leaving out the understandable class element, the four individuals are perfectly interchangeable in their age, ethnicity, size, and even facial expressions.

The impressions drawn so far are confirmed by the materials related to another conference supported by EGMA, which took place in Amsterdam in 2011 and 2012. Here, the target is represented by women – or, as per the conference title, "L-Women at Work" (http://l-womenatwork.eu/). The event, devoted to "advancing careers of lesbians, bisexual and transgender women in business", is advertised as a "very inspiring" one – a notion we had found in the other EGMA conference as well. As the conference presentation goes on:

> "There are millions of L-women across Europe, most of them are an active part of the labour market, as employees, managers, or business owners. The purchasing power of L-women is immense. […] Imagine what might happen if these L-women came together and created a platform to maximise the value they get from and bring to the business world".

The first highlight of this brief text can be found in the "L-Women" formulation, arguably lighter and more "hip" than "lesbian" or "LGBT" – a phrase that creates a collective identification, but closer to a commercial brand than to a political statement. The next elements emphasised in the text are women's active role in the labour market and their purchasing power – again, their financial value in the

universe of reference, i.e. capitalist economy. Likewise, the EGMA's conference programme also made explicit mention of the purchasing power of the LGBT* community, its "enormous market potential", and the opportunity to invest in "pink businesses". The logical conclusion is an invitation for women to come together in order to "maximise the value" they give and they get to the business world.

Again, the discourse emerging here is not one of rights and equality, but of interests and opportunities. The 2012 conference, titled "Showing leadership at work and in society (Leading by Example)", sets out to "inspire, motivate and empower L-women at work and in society". Not, however, as in the human rights discourse purported by trade unions, by unveiling discrimination practices and arguing for collective forms of protection, but rather by providing input from successful individuals who made a career despite – or making wise use of – their gender and/or sexuality. In other words, "coming from a positive angle, showing strength and vigor". For instance, the panel titles never refer to discrimination, but rather to a neutral "L-Factor":

"The L-Factor; how much has the L-factor influenced your career? Career women share their stories".

In fact, one panel even suggests that "L-Women" might use their minority status to gain strategic advantage in furthering their careers:

"Boardroom Quota's and L-women, do L-women have an advantage in advancing their careers?"

If trade unions' human rights discourse argued for protection for all, regardless of their personal qualities, the idea emerging from the ways business associations and

events approach the topic is that it is not about equality for everyone, but opportunities for those who deserve and can afford them. It can also be noted how entrance to the ETUC conference was free, whereas fees for the EGMA conference ranged from 60 to 250 Euros and the L-Women event required an "investment" of 75 Euros. On the other hand, one commonality between the two discourses lies in the envisioning of LGBT* individuals as capital – for trade unions, potential members to be recruited in order to strengthen unions' role and representativeness; for businesses, as potential targets of equal opportunities policies as well as market segments.

4.3 The EU anti-discrimination discourse. An intersectional critique

Diversity, inclusion, equality, and non-discrimination are all key concepts in the European values discourse promoted by EU institutions through statements, documents, programmes, and directives. "United in diversity" is, indeed, the European Union's official motto, in use since the year 2000. In its original conceptualisation, "diversity" referred to collective, nation-based expressions ("cultures, traditions and languages", as per the official website of the EU) rather than individual, transversal ones like disability, gender identity, or sexual orientation. However, the European anti-discrimination vision has then expanded into a more comprehensive discourse including individual traits like sex, age, disability, and sexual orientation. This process has opened the space for discussing and reflecting the ways discrimination – as well as privilege – on different levels interact with each other. In EU documents and directives, this has been translated into the concept of "multiple discrimination".

Non-discrimination has been one of the EU's core agendas, encompassing both hard law (i.e., equal opportunity directives) and soft policy, e.g. gender mainstreaming (Ghodsee, Stan, and Weiner, 2010: 1). It is also useful to note that, contrary to USA, Canada, Australia, and South Africa, where non-discrimination policies have mostly focused on race and ethnic origin, EU anti-discrimination law had its starting point in gender discrimination (Kantola and Nousianinen, 2009: 463), with focus on workplace discrimination. The first provision related to gender equality – the one that states the principle of equal pay – is to be found in the founding treaty of the European Community (the Treaty of Rome, 1957).

Sexual orientation has been taken into consideration by discrimination law in relatively recent times: the factors contributing to such a development have included the secularisation process, the emancipation of women, the politicisation

of sexuality, and the emergence of the LGBT* movement (Bonini-Baraldi, 2004). First, art.13 of the Treaty of Amsterdam gave the EU the competence to take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, within and outside the work place. In addition, two Directives are already binding in all EU Member States: the Framework Directive on Equal Treatment in Employment and Occupation (2000/78/EC) – which covers the ground of sexual orientation – and the Directive on the principle of equal treatment of men and women in employment (2006/54/EC) which prohibits discrimination against people who have undergone gender reassignment.

In 1997, Article 13 of the Treaty of Amsterdam established multiple grounds for non-discrimination in sex, race and ethnicity, religion and belief, age, disability, and sexual orientation (Bell, 2000: 157). In November 2000, on the basis of this article, the Council of the European Communities adopted "Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation". The Directive required member states to address discrimination in employment and occupation on grounds of religion or belief, disability, age, or sexual orientation. The formulation used – "on the grounds of sexual orientation" – is crucially generic in nature: it implies that, for discrimination to be acknowledged, the characteristic subject to protection needs to be at the basis (or a reason), but not necessarily the direct and only cause of the discriminating behaviour (Bonini-Baraldi, 2004).

The Directive's material scope includes direct and indirect discrimination in recruitment, training, and working conditions. It allows exceptions based on legitimate objectives related to the nature of particular occupational activities or the context they are carried out in (an example could be a theatre company seeking people of a determined skin colour for the role of Othello), but also points out that a particular sexual orientation would hardly be found as a legitimate requisite for a job

(Bonini-Baraldi 2004: 10).

Before the adoption of the Directive, most member states (Ireland, Spain, France, Luxemburg, the Netherlands, Denmark, Sweden, and Finland) already had provisions in place against discrimination on grounds of sexual orientation. Therefore, the most significant effects were expected in those who did not (Germany, Austria, Greece, Italy, Portugal, the UK, and Belgium). However, according to a 2008 report by the European Commission, very few discrimination cases were taken to court, which can be explained with the victims' reluctance to make their orientation public in contexts of endemic discrimination (EC, 2008: 3).

The concept of "multiple discrimination" has been used since the establishment of the Directive to account for the plurality of discrimination phenomena and of possible anti-discrimination policies. For example, a 2007 report defines multiple discrimination as:

"a situation where discrimination takes places on the basis of several grounds operating separately. For instance an ethnic minority woman may experience discrimination on the basis of her gender in one situation and because of her ethnic origin in another" (European Commission 2007: 16).

With the goal of more effectively tackling inequalities, European policies have thus shifted towards grouping multiple issues under the common denominator of non-discrimination, with many member states consequently aiming at the unification of provisions on discrimination on such grounds as sex, race and ethnicity, religion and belief, age, disability and sexuality, which had previously fallen under separate pieces of legislation (Kantola and Nousianinen, 2009: 460).

However, the EU multiple-discrimination framework has been critiqued for both theoretical and empirical shortcomings.

In empirical terms, scholars have questioned the actual impact of anti-discrimination provisions in a situation where socio-economic inequalities are dramatically increasing. If anti-discrimination law should be considered alongside policies tackling poverty, European social policies have however concentrated on discrimination because of the limited competences that the member states have been willing to delegate to the Union in this field. Therefore, in the absence of effective social policies to contrast poverty, critiques have argued, anti-discrimination legislation has represented for the EU a way to enhance its social legitimacy by other means (Kantola and Nousianinen, 2009: 468).

In theoretical terms, the multiple-discrimination discourse has been critiqued for its additive approach to inequalities, and namely in comparison to intersectional approaches. Intersectionality originates as a feminist method of analysis that explores the ways gender intersects with other categories of identity and experience (e.g. race, ethnicity, class, or sexuality) in order to identify the ways such categories function in specific social and cultural contexts (for example, the ways emphasis on one category can serve to obscure the role played by another).

The term "intersectionality" was first coined by Afro-American feminist scholar Kimberlé Crenshaw (1989, 1991) to indicate a method of analysis that would intersect the axes of difference and discrimination (gender, race, ethnicity, class, and sexual orientation). According to intersectional perspectives, any theory taking into account one of these axes only fails to grasp the inter-connectedness of systems of power, privilege, and discrimination. For example, argued Crenshaw, black women's experience is the product of intersecting racism and sexism – and therefore tends to be erased by both feminist and anti-racist mainstream discourses.

EU efforts towards a comprehensive approach to discrimination (which produced,

for example, the creation of "single equality bodies" in Britain and Norway) resemble and may seem to parallel the development of the intersectional perspective in theoretical and activism-related debates in the field of gender and sexuality. However, gender scholars have argued that the EU's focusing on "multiple discrimination" rather than "intersectionality", with an emphasis on anti-discrimination policies, may somehow narrow the debate (Kantola and Nousianinen, 2009). The main points critics have taken issue with involve: the additive analytical approach, the inadequate treatment of the different categories, and the lack of a structural approach to inequality.

As noted earlier, "multiple discrimination" refers to "a situation where discrimination takes places on the basis of several grounds operating **separately** [my emphasis]" (European Commission 2007: 16). In contrast to multiple approaches, intersectionality looks at forms of inequality that are "routed through one another and which cannot be untangled to reveal a single cause" and explores the ways in which domination, subordination, and subjects are constructed in particular locations and contexts (Grabham *et al.*, 2009: 1-2). By merely juxtaposing inequalities rather than intersecting them, the EU legal framework is therefore critiqued for leaving the inter-connectedness of inequalities unquestioned (Lombardo and Verloo, 2009: 478). In addition, a multiple approach implies that categories matter equally in a predetermined relationship to each other (Hancock, 2007: 64), whereas in an intersectional approach "the relationship between the categories is an open empirical question and the categories themselves are conceptualized as resulting from dynamic interaction between the individual and institutional factors" (Kantola and Nousianinen, 2009: 468). For example, Crenshaw (1991) argued that mainstream discussions of gender and sexism were constructed on the experience of white, middle-class women, whereas analyses on ethnicity and racism were based on the experience of black men – thus erasing class and ethnic diversity among women and black women's specific position respectively.

Furthermore, despite the Commission's interest in multiple discrimination and the seemingly broad list of inequalities covered in the EU legal framework – that includes six axes (sex, ethnicity, age, disability, religion, and sexual orientation) – the EU approach has been critiqued for not giving equal importance to the different inequalities and framing them in an insufficiently critical way. For example, referring to "sex" rather than gender fails to account for the socially constructed character of identity categories (Lombardo and Verloo, 2009: 490). As observed by the 2009 annual report of the Fundamental Rights Agency, discrimination on grounds of race and ethnic origin is prohibited in a wider number of fields (including education, housing, goods and services, social protection) than discrimination on grounds of sexual orientation, religion, disability and age (which enjoy mandatory protection from discrimination only in the field of employment). Furthermore, only the Racial Equality Directive provides for a mandatory equality body in each Member State to engage in the fight against ethnic discrimination, whereas such a body is not mandatory for all the other discrimination grounds. Thus, "the legislation adopted by the EU seemingly established a hierarchy of discrimination grounds, which did not seem to correspond to the general principle of non-discrimination heralded in the Charter of Fundamental Rights of the European Union" (FRA, 2009: 80).

In addition, scholars have observed that the categories of inequality differ, for example, in the dimension of choice, visibility, and change (Verloo, 2006: 221). For instance, religion can be chosen, but age cannot; a person can hide their sexual orientation, but (usually) not their sex; age and disability alter over time, but most people will not change their sex. Furthermore, institutions, national law, and provisions regarding group-based rights to self-determination provide different treatment and guarantees in relationship to the different categories. Institutional regulations of marriage, parenting, and inheritance tie up with religious beliefs and gendered practices in ways that are relevant to concerns over discrimination based on religion, gender, and sexual orientation, with dominant religious communities deeply influencing the formation of social structures and demanding in some countries the

right to intervention and hegemony (Verloo, 2006: 221).

Finally, the EU multiple-discrimination framework has been criticised for its implications in relation to the economy and economic inequality. On the one hand, to this day, anti-discrimination directives largely focus on the labour market (Lombardo and Verloo, 2009: 480). The centrality of economic and employment considerations is therefore evident, with the labour market being regarded as the sector where multiple discrimination occurs most often and EU policies of non-discrimination seen as a measure to create economic growth through a rise in the labour market participation (European Commission 2007:5). On the other hand, scholars have critiqued the omission of class as a criterion for making distinctions based on prejudice, and therefore as a ground for discrimination (Kantola and Nousianinen, 2009). Such omission has been interpreted as a way to avoid focusing on structural, economic roots of inequality in a time when social and economic exclusion in Europe has been increasing, while critically-oriented scholars would advocate for the EU to extend its competence in social policy and give consideration to politics of redistribution, deemed to be much needed in times of global financial crisis and welfare retrenchment. In this perspective, a strong focus on anti-discrimination risks to emphasise the role of the individual by stressing the concept of "equal opportunities", while neglecting structural issues and strategies.

The EU anti-discrimination discourse appears to be consistent with an individualistic, meritocratic vision of diversity management. Indeed, the hegemony of the business case argument for diversity management has been similarly criticised for turning diversity into a matter of managerial discretion while neglecting the analysis of established power relations and systemic sources of disadvantage (Litvin, 2006; Foldy, 2002; Janssens and Zanoni, 2005; Kelly and Dobbin, 1998; Sinclair, 2000; Zanoni and Janssens, 2007; Calás and Smircich, 1993; Sinclair, 2000). Furthermore, it implies and confirms that white, heterosexual, able-bodied men are the norm and casts "others" as the targets of diversity management

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initiatives (Prasad and Mills, 1997).

As mentioned in the beginning of this chapter, the EU discourse on "diversity" started from collective, nation-based dimensions and later developed into including individual traits like gender, ability/disability, and sexuality in an anti-discrimination perspective. We can thus see two kinds of efforts emerging there – one (related to cultures, traditions, and language coexisting on equal levels) is celebratory and presents difference as something valuable, while the other (based on gender, physical ability, and sexual orientation) is essentially defensive and protects difference (here, difference from the norm embodied by the male, heterosexual, able-bodied citizen) from being discriminated against. Therefore, even though anti-discrimination directives list the six grounds for discrimination on an equal level, in discursive terms the same value is not attached to collective and individual characteristics and conditions.

Diversity in cultural, national, and religious forms is celebrated as a positive, rightful expression of identity that enriches the global collectivity (i.e., here, the European Union). On the other hand, diversity of individual characteristics such as gender identity, physical ability, and sexual orientation is marked as difference as in "deviation from a norm" and is envisaged as deserving protection from discrimination, but not as bearing specific positive meaning or identity value. It is, indeed, puzzling to note how a European Commission report (European Commission, 2010: 30) on trade unions and diversity policies groups LGBT* and disability issues in a single case study ("Case study 7: Working on LGB and disability issues"). The first discourse, therefore, explicitly presents diversity as something positive, whereas the second tends to see diversity management as the absence of discrimination, while acknowledging and justifying the existence of a norm. This is why it could be suggested that critical, intersectional perspectives could benefit the EU discourse in producing an understanding of diversity that questions the notions of difference, discrimination, and equality in more radical ways, i.e. in ways that look at identity and normativity as sites for the reproduction of power relations and possibly offer

opportunities for resistance and change.

Multiple approaches stand on the assumption of fixed, essentialised identity categories (McCall 2005; Weldon 2008; Conaghan 2009), which carries the risk of reinforcing monolithic understandings of identity and collectivities, for instance by privileging ethnic or national belonging and neglecting power imbalances and hierarchies (gender, class) within allegedly homogeneous communities. Contrary to this approach, what intersectionality refers to is the conjuncture of social structures – Foucauldian analyses also highlight that identity groups do not exist prior to inequalities, but are constituted in them and are the effects of power relations (Cooper 2004: 49–51).

Therefore, in an intersectional perspective, identity politics that tend to present differences among groups as natural and permanent end up interpreting social groups as homogeneous and monolithic and erasing internal differences and hierarchies, thereby contributing to amplify tensions between groups by encouraging competition rather than cooperation among marginal groups (Hancock, 2007: 68; Lombardo and Verloo, 2009: 490). On the other hand, intersectional perspectives that consider the interaction of gender, ethnicity, and class represent an opportunity for building potential alliances between marginalised subjects from different cultures and contexts.

Conclusions

This chapter has mapped three discourses on labour and LGBT* rights at the transnational European level, respectively related to the European Trade Union Confederation, the European Gay and Lesbian Managers Association, and the European anti-discrimination directive. As shown throughout the chapter, under the seemingly common denominator of equality in the workplace lie profoundly different visions, agendas, and objectives. If the ETUC frames the issue in the collective

terms of human rights and protection from discrimination for all workers, the EGMA focuses on the individualistic, meritocratic notion of equal opportunities as a way to enhance productivity and performance. Consistently, trade unions stress the centrality of collective bargaining in ensuring equality for LGBT workers (EI-PSI, 2007: 21; Pillinger, 2008: 35), whereas business associations like the EGMA focus on networking and career development for individuals.

As a jurist working in EU institutions told us in an interview, the EU Directive against discrimination in the workplace has had a ground-breaking on the European juridical culture, promoting a culture of rights and respect in a time when Europe was (and is) threatened by xenophobic currents. Furthermore, the explicit acknowledgement of sexual orientation as a ground for non-discrimination policies has allowed the inclusion of LGBT* rights in the non-discrimination chapters of the progress reports for candidate countries. However, an intersectional critique of the EU multiple discrimination approach may suggest that:

a) the EU approach is consistent with an individualistic, business-oriented conceptualisation of diversity and diversity management that leaves socio-economic structures, hierarchies, and inequalities unquestioned and unaddressed;

b) the EU anti-discrimination discourse would benefit from giving consideration to critical and intersectional approaches with the goal of making its social vision and impact less cosmetic and more radical.

CHAPTER 5
LABOUR AND LGBT* RIGHTS. DISCOURSES IN ITALY

At a first glance, equality in the workplace is not at the centre of the public debate on LGBT* rights in Italy. Over the last few years, the attention of media and politics has focused most vocally about – *pro* or *contra* – the right to marriage or civil partnership for same-sex couples. This has become, though not uncontroversially, the flagship theme of mainstream LGBT* activism in the country. As observed by several of our interviewees, the issue of formal acknowledgement of same-sex relationships has obscured labour rights issues both in the public debate and in the movements' agendas.

This does not, however, reflect a lack of interest in workplace equality and discrimination by equity-seeking bodies such as trade unions and (mainstream) LGBT* organisations. Although, as mentioned, marriage seems to be the issue that most vocally appears in the public debate, the theme of workplace discrimination has gained increasing attention over the last few years. Namely, specific attention to the issue has been paid by mainstream LGBT organisation Arcigay, that launched a research project in 2011, with the aim of filling a gap in data and statistics on discrimination in the workplace. This is particularly important as the EC/2000/78 Directive establishes that statistics can be used as evidence to support trials on discrimination.

CGIL, one of Italy's three trade union confederations, has added LGBT* rights to its agenda since the early nineties within its branch denominated "New Rights", originally conceived to make the union's agenda more inclusive of sectors of the workforce that were not part of the union's traditional constituencies (also including, for example, migrant or precarious workers). The two other trade union confederations (CISL and UIL), of catholic and liberal background respectively,

have not taken up the issue.

However, marriage is seen as the key to full social inclusion even by the trade union activists we interviewed – without the recognition of both same-sex marriage and civil partnership for same-sex as well as heterosexual couples, they argue, equality between workers of different sexual orientations cannot be fully achieved, since equality in the workplace implies extending the benefits available to married couples.

However, these debates remain confined within the realm of LGBT* and trade union activism, since national political institutions have not yet taken steps towards the promotion of workplace or marriage equality either. After a few unsuccessful attempts by individual members of Parliament to pass equality laws, LGBT* issues have been left out of political parties' agendas – as noted by both academics and activists among our interviewees, "for lack of electoral convenience" and given the highly controversial nature of the matter in the country. If some steps, at least formal, have been taken in the field of gender equality, issues of equality and discrimination related to sexual orientation have not been considered by political authorities, exception made for the necessary transposition of the EU Directive against discrimination, which introduced the prohibition of discrimination based on sexual orientation in the Italian law (Epifani, 2005:11).

Unlike other member states (Ireland, Spain, France, Luxembourg, the Netherlands, Denmark, Sweden, and Finland), Italy had no legislation prohibiting discrimination of sexual orientation in employment in place before the Directive was issued and case law on sexual discrimination orientation in the workplace was totally absent. The adoption of the first law explicitly mentioning sexual orientation was thus a significant step, and yet a very controversial one. In 2003, The Framework Directive was implemented by a legislative decree, drafted by the Ministry of Equal Opportunities and the Ministry of Welfare (n. 216 of July 9th, 2003), that left many

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dissatisfied and frustrated (Fabeni and Toniollo, 2005).

According to the report by the European Group of Experts on Combating Sexual Orientation Discrimination, the Directive's personal and material scope was, overall, correctly transposed into the Decree. However, some of the exceptions provided for were found "suspect or clearly non compatible with the Directive" (Fabeni, 2004: 62). In general, the Decree has been found to be restrictive and allow for extensive use of exceptions in too generic terms. Other shortcomings included the reversal of the burden of proof (originally falling on the employer, but placed on the worker in the Italian transposition), ambiguous formulations that may confuse between homosexuality and paedophilia, and the exclusion of legal standing for interest groups other than national trade unions, e.g. LGBT* associations (Fabeni, 2004: 63-65).

This element is especially important for our discussion, since it introduces trade unions as crucial actors in this process of social inclusion. Indeed, the one trade union confederation who did take up the issue (CGIL) committed strongly to act on the EU input, at least in symbolic terms. On the basis of interviews and relevant textual materials, this chapter starts with the analysis of two discourses informing and produced by the encounter between labour and LGBT* rights within the specific trade union context of CGIL. Then, for comparative purposes, we discuss two other types of organisations, working on the topic from different perspectives: the mainstream LGBT* associations (Arcigay, Arcilesbica, and MIT) and Parks, a business organisation created to promote a culture of diversity in business, with special focus on sexual orientation.

5.1 Between emancipation and social work. CGIL and LGBT* rights

CGIL is the oldest and largest trade union confederation in Italy – founded in 1906, it counts six million members. Traditionally close to the Italian Communist Party and then to its social-democratic successors, it has been so far Italy's only trade union confederation (out of three) to include LGBT* rights in its agenda through the creation of a specific office, called "New Rights", which is founding partner of the Center for Research and Comparative Legal Studies on Sexual Orientation and Gender Identity, takes part in ILGA Europe conferences, and has worked with the European Commission on seminars and anti-discrimination campaigns.

In the narrative of G.T., initiator and current head of CGIL New Rights, the story begun in the early nineties, with a talk-show:

> "I learned from Gad Lerner's programme about the case of M.M., a bank clerk form Milan who had been discriminated because of his sexual orientation and went to CGIL for assistance".

G.T. first initiated personal contacts with M.M. and built upon this case to raise the issue within CGIL, first at the national level and then at the local one. At the national level, the initiative was met with favour by the general secretariat of CGIL and the leaders of the social-democratic party. G.T. recalls the press conference and the resonance generated by the trade union's move as an unprecedented event, with the conference room filled with over 80 journalists, the presence of the Reuters press agency, and the event making it to the front-pages of national newspapers. According to G.T., reactions within the union varied: some unionists and workers were pleasantly surprised of the political step taken on a topic neglected until then, others remained sceptic ("but they soon learned to drop the homophobic jokes"), and others reacted "out of their heart, connecting to what it would be like to have a

son or a daughter like that and being sympathetic".

It is worth noting how G.T. had a different background than most CGIL unionists. If the trade union as a whole has a social-democratic background as well as an egalitarian, gender-blind tradition (Beccalli and Meardi, 2002: 129), she had been a member of the Radical party, very active on civil rights issues such as divorce and abortion rights in the seventies and eighties. On the other hand, she relates some of the conservatism she encountered within the union to two traditional elements of old-school Communist party mentality – puritanism and the conviction that "particular" struggles are subordinated to the general interests of the working class and "will be magically solved once the socialist heaven is in place".

In this framework of scepticism or resistance, the role played by gender must be highlighted – the union is indeed no exception to the general masculine, conservative nature of large, traditional political organisations. G.T., as well as other interviewees, found in women unionists a greater openness and willingness to engage with a topic that, on the other hand, remains potentially unsettling to conservative masculinities.

In "Doing, Undoing, or Redoing Gender?: Learning from the Workplace Experiences of Transpeople", Connell wrote:

> "by performing hybridity and insisting on "trans parency," many challenge the gender binary in their daily work lives. In this way, transgendered workers can influence how others experience and interpret their own gender. Transpeople bring the capacity to significantly contribute to the project of undoing or redoing gender in workplaces, thus furthering the feminist cause of gender equality" (Connell, 2010: 53).

Not commonly, the union's initiative was inclusive of transgender and transsexual issues from the very start. G.T. recalls how her office in Rome started to host informal gatherings of transsexual women, how their "exuberant femininity" used to stir perplexity and curiosity among unionists and employees, and how she made a point to always bring the group to the common canteen for lunch, so that they could be seen by as many people as possible and thus "educate" the union environment to diversity and acceptance. She smiles when remembering how concierges had a crush on a trans-woman who was an intern in her office.

If analysing the interviewee's reconstruction, a first recurrent element that emerges in the narrative relates to secularism and secularisation. In this framework, the struggle for LGBT* rights takes place within a general picture of efforts directed to emancipate Italian society from the powerful influence of the Catholic church.

> "We realised that many of our battles shared a common principle and that they could be grouped under the umbrella of secularisation and equal rights, dignity, and a decent life for all".

This is confirmed by the "mission statement" of the New Rights office, which is described as devoted to:

> "supporting the autonomous and secular character of institutions, individual rights, and freedom – a non-conventional political reflection on the discrimination of gay, lesbian, and trans workers"[4].

A second note can be made on how the union's engagement with the topic is

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4   http://www.cgil.it/Organizzazione/Dipartimenti/NuoviDiritti.aspx

envisaged as a top-down process and one that is not particularistic, but of general interest. It is therefore presented as central and centralised rather than minoritarian and grass-roots:

> "I have always wanted for this to be something that the central secretariat advanced and supported, and not something a minority or a small group would ask as a favour".

If the trade union commits to the rights of LGBT* workers, therefore, it is not only for the sake of a small minority, but also because this is consistent with the organisation's identity as a promoter of equality for all – therefore, sexual orientation is mentioned in the first article of the CGIL Statute as one of the grounds of protection from discrimination:

> "This is a central issue and not a marginal one. This is why it was added in the first article of the Statute. Sure, these are words, but the Statute is the Statute and it means something".

Protection of LGBT* rights is therefore envisaged as a responsibility of CGIL as an organisation, not necessarily depending on the presence, willingness, or involvement of gay or lesbian unionists. In fact, in the interviewee's view, "detachment" from the issue (i.e., heterosexuality) is a privileged position for addressing LGBT* issues in a balanced way:

> "I do not see it as absolutely necessary that gay and lesbian unionists get involved. In fact, I see myself as in a privileged position, because as someone who is not directly touched by the issue I can listen to others and collect experiences and views for the general interest".

Our second privileged witness is F.V, the reference person for the New Rights office in the Emilia Romagna region. Based on his experience of raising awareness on LGBT* rights within the union, he points out the gap between the centrality of the topic in the organisation's political discourse and the marginalisation and tokenism in the general practice of those who think: "well, that's settled and we can get on with our jobs".

Like the first interviewee, he has observed more empathy in women within the union and more resistance in the men, "trapped in their conservative masculinity". On the other hand, he depicts the alliance between labour and LGBT* rights as a central one in political terms, i.e. as an "alliance of subjects in transition". The curious parallel is drawn between unions and sexual minorities as subjects that are going through radical transformations – more literally, trans-people from one sex to another, LGBT* people in general through a process of emancipation, and unions through a phase of restructuring and re-thinking of their own role, power, and meaning in a stage of deep change in labour markets.

The recurring keywords in F.V.'s interview are "visibility", "equality", and "collectivism". If the emphasis on the notions of visibility and equality is consistent with mainstream discourses on LGBT* rights (Richardson, 2004), the recurring appearance of the concept of collectivism marks a specificity of a social-democratic trade union's discourse. The same can be said for the interviewee's stressing of the value of "solidarity among equals" – in his view, an idea that is currently out of fashion, but also one that photographs the core values of unionist struggles. The interviewee's vision links to the notion that, as argued by French sociologist Robert Castel (2003), social protection is not a residual hand-out to the most in need, but rather a mutual gesture of solidarity within a society of equals.

The third privileged witness within the union is D.Z., referent of CGIL New Rights in Bologna, where the post is part of the juridical office. In this regards, consistently with what emerged from other interviews, she highlights how, in her experience and knowledge, nobody has so far chosen to sue for discrimination for a number of reasons – the fear of blackmail, the unwillingness to engage in a demanding process, or the wish to move on from an unsettling experience.

The interviewee has been working in this area for 5 years and mostly with transsexual people (the union has had an agreement with the Movement for Transsexual Identity/MIT for 12-13 years). She defines her work as "helping people to learn about their rights" as regards general protection from discrimination, healthcare, housing, and workplace issues. In her description, working with trans-women "is like being a social worker" rather than a political activity – the priority is on the person's basic needs rather than on making a political statement. As she recounts, her charges need to be helped in getting out of prostitution, finding an occupation – often, the first one ("it is harder for them to find work, so they are more willing to adapt"), and experience psychological issues related to difficult relationships with their family. Consistently, when asked about her own experience of taking up working with a group of people she had not been previously familiar with, she answers that it was interesting on a human level, but also:

> "oh well, it wasn't so new for me actually, I had already done a lot of volunteering with drug addicts".

If compared to the narratives of the first two interviewees, D.Z.'s account is closer to the everyday reality of "social work" than to a political principle. In the interviewee's narrative, the association of trans-people with drug addicts is not to be related to a judgement towards trans-people's behaviours, but rather to the pressing reality of social marginalisation and practical issues that surround the existence of trans-people in Italy.

This is a specificity that will come back in the interview with a transgender activist from MIT later in this chapter, and indeed D.Z. defines the union's relationship with MIT as excellent, saying that the union has become a steady interlocutor for trans-people side by side with MIT. On the other hand, she says, lesbian and gay workers, tend to turn to LGBT* organisations rather than unions. Therefore, she has no direct access to knowledge about cases of discrimination and this is, in her knowledge, the situation in other offices.

The issue emerging here is one of representation and representativeness – many LGBT* workers do not trust the union, because many workers do not trust the union in the first place. In turn, few LGBT* workers are actually involved in the union section for LGBT* rights – for instance, all the three privileged witnesses interviewed so far are heterosexual. Indeed, according to E.M., a worker and lesbian activist within FIOM (CGIL section for mechanical workers) in Bologna, the initiative of CGIL has been top-down and mostly remained formal. In her view, the topic is still considered as a marginal one, and priority goes to the problems that affect everyone – "i.e., straight men". What G.T. describes as a "privileged position" of impartiality, she sees as a lack of direct understanding and involvement of LGBT* workers – a committee of LGBT* activists within the union, she suggests, could serve to create more internal visibility as well as more connection with the territory through associations and a bottom-up approach.

Workers, she says, "do not come on their own", i.e. the trade union needs to present itself as a credible, prepared, and "friendly" interlocutor – not only at the central level, but also on the territory. If a union or unionist is not perceived as "friendly", workers will rather rely on personal, friendship, and political networks for support. Rather than relying on formal instruments like the anti-discrimination Directive, unions should focus on training and raising awareness within themselves in an effort to "find the right attitude" and be credible interlocutors for LGBT*

workers – potentially, this could be a way for the union to grow in consent and representativeness. In fact, discrimination – she says – is a complex, multi-faceted phenomenon, hard to understand and label. Sexual orientation can be a cause for discrimination, but also a pretext; furthermore, lack of awareness, different priorities, and embarrassment often prevent from denouncing discrimination. According to E.M., juridical efforts such as discrimination trials, individual rather than collective, have a limited impact in terms of creating cultural change. In her view, causes like equal marriage would be more effective in achieving LGBT* equality, but the failure of struggles for civil rights caused activists to focus on juridical rather than cultural and political instruments.

What we have seen in this section is how trade union discourses on LGBT* rights in Italy emerging from the interviews with CGIL representatives appear as largely politicised. This is especially apparent in comparison with the way the European Trade Union Confederation presents the same struggle in as neutral terms as possible by locating it within the framework of human rights protection. The political nature of the CGIL official discourse on labour and LGBT* rights is highlighted by the key words and concepts used by respondents when describing their activity and its purpose: secularism, equality, and collectivism. All these are consistent with the union's specific social-democratic background and position the union in contrast with other, adversarial political actors, like the Catholic Church and the centre-right, both dominant forces in Italy's political landscape.

In chapter 1, we had introduced a classification of six possible forms of unions' relationship with minority groups' instances: exclusion, demarcation/segregation, inclusion, usurpation, transformation, and coalition (Colgan and Ledwith, 2002). On the basis of what emerged from our interviews, CGIL's strategy may be summarised as mixing elements of inclusion and coalition.

CGIL's inclusion strategies have so far produced affirmative actions such as the creation of special structures (CGIL New Rights), though not mainstreaming efforts like the inclusion of representatives of minority groups into mainstream structures. As highlighted by G.T.'s words on the centrality of the topic and the non-necessary involvement of LGBT* representatives in the work of CGIL New Rights, the inclusion process appears therefore as of the "invited" rather than "contested" kind (Colgan and Ledwith, 2002) – i.e. initiated by the trade union organisation for ideological reasons (the secularist discourse). Nevertheless, as voiced by most of our respondents, internal resistance shaped by cultural factors like the influence of hegemonic masculinity contributes to the preservation of "informal boundaries that prevent outsiders from interfering with the traditional order of things" (Colgan and Ledwith, 2002: 11-12).

CGIL's inclusion efforts are accompanied by coalition strategies implemented through the establishing of links and partnerships with equity-seeking associations and movements. Namely, this has involved mainstream LGBT* associations, as "queer" or "antagonistic" ones traditionally reject cooperation with institutions. The next section explores precisely these relationships as well as the LGBT* movement's views on labour and LGBT* rights.

5.2 Class-less and conflict-less. LGBT* organisations and labour rights

Our second case is a study of discourses produced by the three mainstream LGBT* organisations – Arcigay, Arcilesbica, and MIT (Transsexual Identity Movement). Our privileged witnesses from the world of mainstream LGBT* associations in Italy include Arcigay's legal consultant, Arcilesbica's president at the national level, and the president of transsexual/transgender association MIT.

C.L.T. was responsible for Arcigay's first national legal help-desk between 2005 and 2008. As she recounts, the service received 1,500 to 3,000 requests every year, to

a large extent related to homophobic attitudes and behaviours in the workplace. The most typical profile, she says, was represented by skilled male workers in managerial roles. However, only in three cases a lawsuit was filed (one against a pharmaceutical multinational corporation, one against a hotel chain, and one against a communication agency) – in all other instances, fear of being outed or of other negative consequences prevented workers from proceeding. C.L.T. observes that widespread homophobia, including internalised homophobia, makes workers excessively "tolerant" of harassment and reluctant to raise concerns about discrimination, unless they have already resigned or have already been fired and have no desire to return to their old job.

Even though few cases turned into lawsuits, the number of requests received by Arcigay's service is still striking when compared to the lack of workers' response registered by CGIL trade unionists. So we asked C.L.T., why did not these workers turn to trade unions? The answers she gave mentioned a number of factors, including: a general crisis of trade unions' strength and representativeness; decline in membership; the high presence of LGBT* people in creative jobs and contexts that are little unionised; unions' limited competence on the topic and presence at grass-roots levels. Meaningfully, she stated that people prefer to turn to LGBT* associations because there "they feel at home". This is because the LGBT* communities need "allies, not social workers".

If such alliance is present, in principle, in the discourse created by CGIL at the leadership level, as well exemplified by our interview with the head of CGIL New Rights, its credibility in the perception of the LGBT* world is uncertain, as confirmed by another interview with P.B., president of national lesbian association ArciLesbica.

P.B. frames the association's relationship with CGIL within a syntony that is political, symbolical, and of values. Visibility, for example, is a common keyword, and the

notion of alliance between marginalised subjects emerges in her interview as well, and so does the perception of women as more sensitive and emphatic towards LGBT* issues. In her concrete experience, however, she found LGBT* rights not to be a priority within unions, as well as overt and covert homophobia.

In addition to a consonance in terms of values and political goals of emancipation, P.B. pointed out an element of dissonance and occasional incomprehension between unions and LGBT* associations. In her view, trade unions, traditionally characterised by a strong commitment to unity – although such tenet has been weakening over the last few years – can sometimes find it difficult to deal with plurality of formations, positions, and specific identities that characterise instead the LGBT* movement. Indeed, the head of CGIL New Rights had pointed out how "divisions" and "rows" between associations make it harder to relate and cooperate with them, and had recounted how a phase of political as well as human closeness was followed by critical moments, contrasts, and tensions.

Furthermore, P.B., among many others, highlights how the increasingly widespread condition of precarity in the Italian labour market and structures makes it difficult to effectively address discrimination, and can make it seem pointless for workers to engage in filing a lawsuit.

The third key interview took place with P.M., president of national transgender association MIT, based in Bologna. Officially created in 1997 on the basis of pre-existing informal, non-structured networks, the association provides the transgender and transsexual population with social services, including those related to housing, healthcare, and legal assistance, as well as cultural projects and festivals targeted to the general population as well.

Much of such effort, says P.M., is directed towards work-related issues – access to

work, workplace discrimination, support to disadvantaged workers (e.g. migrants and the elderly). Although there are no official statistics, she recounts, the association has so far supported around 700 transmen and transwomen – teachers, factory workers, and workers in the tertiary sector across the country. Namely, she identifies access to work and discrimination as the main and most problematic issue transpeople face – respectively, when seeking employment after the change of sex or when transitioning in the workplace. This is one of the elements that explain MIT's strong relationship with CGIL at the national as well as local level – a relationship that she defines as "dynamic, creative, and productive" at the political as well as human level.

On the one hand, P.M. highlights a consonance of political values and positioning between MIT and CGIL, both devoted to the construction and protection of "equal rights" for marginalised categories and allies in a process of social emancipation collocated on the left end of the political spectrum. On the other hand, she frames the association's work and its relationship with CGIL in the human rights perspective of protecting individuals and their needs from prejudice and discrimination. In her view, the association's priority is not to make a political statement, but rather to act on individual, concrete cases in a way that is based on the person's needs. Individuals and their emotional well-being, she says, should not become material for a political manifesto.

This is reflected by the recurring keywords in the interview – "needs", "pain", "empathy", "closeness". According to P.M., the proximity (also physical) between MIT and CGIL allowed to create a continuous exchange that created not only cooperation, but friendship. The strong personal relationships between trans activists and trade unionists made it possible for the latter to go beyond prejudice and superficial knowledge to truly "take trans issues to heart". Given the emphasis shown by P.M. on emotions, intimacy, and empathy, it is not surprising that she, like other interviewees before her, found in women a greater sensitivity and ability to

connect with marginalised subjects. In her view, women's greater "openness" towards transgender issues stems from a shared history of oppression and emancipation in a misogynist society as well as in male-dominated organisations such as political parties and trade unions.

As we have seen, the three LGBT* associations considered here show plural, non-monolithic perspectives on the issue of labour, LGBT* rights, and relationships with trade unions. Arcigay and Arcilesbica appear as both more disillusioned with trade unions' role as a potential ally and more willing to maintain a neutral position on the political spectrum, i.e. to avoid openly supporting a political party or a political part. Transgender association MIT, on the other hand, seems to be more convinced in its engagement with CGIL, on the basis of a stronger relationship in both human and political terms as well as of the closeness generated by the joint grass-roots work on material, concrete issues of people's everyday lives (as emerged from our interviews with D.Z. and P.M.).

What can be observed, though, is that even when a common positioning on the political spectrum is made explicit, it does not go as far as to include class perspectives. The political conflict emerging from both CGIL's and MIT's discourse is between left and right – social conflict, however, is somehow absent from the picture, i.e. it remains separate from the political conflict on LGBT* rights. The trade union has made the LGBT* struggle its own, but the opposite has not happened – LGBT* activism has not adopted a class perspective. The two have thus found a "common enemy" in right-wing Italian politics (with varying degree of commitment by LGBT* associations), but have not become allies in a comprehensive or intersectional struggle for workers' emancipation from, for instance, growing precarity.

A further confirmation of this tendency comes from a look at Arcigay's research

progress "Io sono, io lavoro" ("I am, I work"), which aimed at contrasting homophobia and promoting non-discrimination in the workplace as a way to social inclusion through the gathering of quantitative and qualitative data on workplace discrimination of LGBT* people, training of mediators able to recognise and address the phenomenon, and developing methodologies for the observation of prejudice and discrimination phenomena. By mapping existing good practices, furthermore, the project planned to develop and transfer competencies to public and private organisations that operate in contact with possible discrimination phenomena. The project collected online surveys all over Italy, interviews with stakeholders (representatives of institutions, labour organisations, business, and academia) in the cities of Genoa, Florence, and Catania (in the country's north, centre, and south respectively), and life histories of LGBT* people from the whole country.

Besides being a useful source of information, the project and its presentation of findings are an interesting piece of empirical material that can illuminate the association's views on the topic of labour and LGBT* rights. The project title – "Io sono, io lavoro" ("I am, I work") – is already a telling statement and one that speaks of the centrality of work in an individual's life and identity. As stated in the project presentation, "work is a fundamental dimension of the life and identity of all of us" (Lelleri, 2011: IV). What is emphasised throughout the project reports by Arcigay is a call for cooperation between LGBT* associations, unions, business, and institutions (Lelleri, 2001; Giarratano and Giuriato, 2011). Yet, the understandable aspiration to the joining of resources and sensitivities for the common goal of equal rights risks to erase the different interests and agendas carried by these subjects and convey the notion of an unproblematic alliance in the name of equality. As the next case shows, however, the word "equality", a recurring keyword in trade union discourses, can carry very different meanings when it is used by a business association, even though with the very same goal of promoting diversity and equal rights in the workplace.

5.3 Parks – equality for business performance

Our last Italian case focuses on Parks, a business organisation whose members are Italian companies or Italian branches of international companies. Parks provides member companies with services that include: training courses on diversity issues; consultancy on human resources management and policies (e.g. compensation and benefit strategies for LGBT* employees and strategies to "limit potential legal risks related to the developing European anti-discrimination legislation"); communication campaigns and press relations management in order to position companies "as employers of choice in the Italian labour market, with a focus on the GLBT community"; branding and recruiting with focus on diversity.

Parks presents itself as a business-to-business association devoted to the promotion of diversity management, with special focus on sexual orientation. However, the name for the association was chosen as a homage to Rosa Parks, a racial equality icon[5]:

> "For us at Parks, Rosa Louise Parks is a symbol of how discrimination
> can be opposed just by protecting one's dignity and self-respect in day-
> to-day life. Going to work is as ordinary a gesture of life as catching a
> bus, and Parks' small gesture is a testimony to all of us that the world
> can be changed just by saying a peaceful but firm "no" to
> discrimination" (http://www.parksdiversity.eu/).

The choice of Rosa Parks as a symbol, as well as its explanation, are telling of the association's ideology: individualistic, apolitical, and non-conflictual. The world can be changed, it tells, "just by protecting one's dignity" in everyday life. Change is, therefore, in the hands of individuals – if they stand up for themselves, with a

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5   African-American civil rights activist, famous for defying bus segregation by refusing to leave her seat to a white passenger in 1955 in Montgomery, Alabama.

"peaceful, but firm" *no* to discrimination, they can "make it right" (for themselves). As optimistic as this sounds, it also implies that individuals are on their own – their fate is in their hands, and they have nothing to blame if they do not use the opportunity to protect their own dignity and self-respect.

By emphasising the "ordinary" nature of gestures like catching a bus or going to work, the paragraph quoted above also characterises struggles against discrimination as apolitical. Indeed, not only does Parks, like EGMA, state its independence from any political party, but its president (who is also active in a centre-left political party) emphasised to us during the interview how he sees the association's mission as strictly business-like, completely detached from any political content or meaning, and not directly aimed at social change.

Parks' main goal is, in fact, to "support member companies in the process of fully understanding and appreciating the business opportunities related to having in place a comprehensive Diversity strategy", in order to "have a happier and better performing GLBT community in workplaces and therefore increase the productivity of companies operating in Italy, and, ultimately, of the Country's economy itself". As seen with EGMA in the previous chapter, the emphasis is on diversity as a business opportunity and productivity, rather than equality, as the ultimate goal.

> "Building an inclusive and respectful work environment and a true meritocracy – a place where everyone's success is only based on performance, regardless of gender, national origin, ethnicity, age, abilities or disabilities, marital or parental status, sexual orientation or gender identity – provides any business with a significant competitive advantage".

As far as workers are concerned, what is of interest here is not their equality or the

fairness of their working conditions and environment, but their happiness and better performance. The focus on happiness is an interesting element, since happiness is a subjective state, not necessarily determined by structural, material conditions. It is not relevant, therefore, whether workers are actually equal, as long as they feel they are and are, thus, happy about their workplace and their company.

The emphasis on happiness and performance also hints at the US derivation of Parks' philosophy, explicitly mentioned elsewhere in the website:

"Over the last few years in a number of countries, particularly in the US and the UK, it has become apparent and commonly understood that a diverse and inclusive workforce represents a huge opportunity for any business and workplace. For businesses operating in Italy, where the diversity agenda is well behind other countries, accepting this challenge means raising the bar in a material way, changing the business environment dramatically and moving ahead from competitors".

The interview with Parks' president confirmed the US roots of the Parks project. In his narrative, the idea of diversity management stems from the efforts by US corporations to turn "a problem into a opportunity", i.e. the legal imposition of equal opportunities through affirmative actions into a good business practice, "a way for companies to protect themselves from legal troubles by adopting inclusive policies".

As a HR professional, I.S. has worked in the US, Russia, and Italy. He sees diversity management as a way to encourage dishomogeneity and thinking "out of the box" in order to make business more innovative and dynamic. In his view, the diversity vision and policies originated in the US context are positive, much needed innovations in the European context as well. "As a HR professional and a gay man,

I can see the positive impact of these policies from both sides", he says. Namely, the policies he refers to are tailored benefit packages, healthcare insurance packages for workers and their families, and the recognition of same-sex partners in the formal and informal aspects of company life – i.e., in financial benefit agreements as well as social occasions. It can be noted, however, that the emphasis on "benefits", provisions which are very specific to certain types of contracts, severely limits the relevance of the policies under discussion to workers employed in the managerial ranks of the private sector, since public sector workers and lower-level staff, not to mention occasional or precarious workers, have contracts (when they do) that typically do not include benefits, and are therefore left out of the picture.

According to I.S., the recognition of sexual diversity through said contract policies can have a positive impact on workplace culture in general, giving LGBT* workers equal dignity, encouraging respectful, inclusive language and communication, and a creating a mix of "openness, tolerance, and talent" that favours the harmonious and prosperous coexistence of dominant and sub-cultures. Here, again, the discourse is restricted to the category of "talented" workers, those who are valuable for companies in the first place. Inclusion is not presented, therefore, as something that is for all workers or should be taken for granted, but as something that only the best and the talented deserve.

On the other hand, the interview with Parks' president confirmed our earlier note on the individualistic and non-conflictual nature of the association's vision. Voicing a common liberal criticism of the Italian labour system, he notes that Italian law tends to protect the job post rather than workers as individuals with their diverse characteristics, in a way that he sees as consistent with a relative homogeneity of Italian society. I.S. observes that the Italian labour law provides collective and generic forms of protection (e.g., against "unfair termination of employment"), rather than individual protections against discrimination – therefore, it is rare and unlikely

that workers file a lawsuit on discrimination grounds. In his view, this model of protection makes the labour market insufficiently dynamic by preserving the status of those workers who hold permanent posts.

Another sign of the backwardness of the Italian system, he goes on, lies in the role of trade unions, "less modern" than those in the Anglo-Saxon world and anchored to a "conflictual, rather than cooperative" relationship with companies. Unions see themselves as guardians and are conservative, he says, where they should be co-managers. Again, this statement reveals the assumption that the liberal, individualistic, and meritocratic agenda promoted by business owners and managers should be unquestionably embraced by workers and unions as well, as if each of these subjects did not carry specific interests to protect and advance. In this narrative, companies and corporations are modernising subjects, while unions and – in part – institutions are backward subjects clinging to conservative, 20th century visions of labour and workers' rights. This notion of companies as playing a modernising role in comparison with unions and institutions is shared by V.d.B., IKEA external relations manager, who sees LGBT* rights as a chance for companies to take back on a social role they had formerly abdicated.

As hinted by the image chosen for the "who we are" section of the website, and consistently with the male-dominated nature of the Italian business, Parks' philosophy appears focused on white, male, middle-class, managerial gay subjectivity. For example, Parks' official claim is "liberi e uguali" ("free and equal"): in Italian, "uguali" is a plural for both genders, but "liberi" is masculine only. Gender difference is therefore assimilated under "neutral" masculinity. During our interview, when asked about the role played by gender in workplace discrimination phenomena, Parks' president defined it as "not especially relevant" and rather

spoke of a form of jealousy manifested – in his perception – by business women at raising the topic of sexual equality, as if that could take the spotlight away from gender equality. Furthermore, the "news" section of the Parks website gives significant visibility to research that states that only skilled, gay (male) workers suffer from discrimination in the recruiting process, while sexual orientation would have no impact on the recruiting of lesbian or low-skilled workers[6].

From what has emerged in this section, Parks' equality discourse appears therefore as centred on a specific subjectivity, a gay version of Connell's "transnational business masculinity" – a kind of entrepreneurialism that, "increasingly detached from local gender orders, does not valorize the family or the husband/father position for men" (Connell, 1995: 256). In this evolution of older hegemonic masculinities centred on the patriarchal family and gendered service relations such as boss-secretary or manager-housewife, "women are becoming more marginal, more transient in the lives of managers" (Connell, 1995: 257). The gay manager, single or partnered, epitomises this contemporary form of hegemonic masculinity – dynamic, internationally mobile, not burdened by women and children, performance-oriented, and happy.

Therefore, despite the call for a meritocracy based on performance independent of gender, ethnicity, and social background, Parks' discourse seems to celebrate a particular, hegemonic subjectivity – gay, male, managerial. In an intersectional perspective, however, what could be questioned is how gender, ethnicity, and social background do impact what we call "performance", nor how the very concept of performance is constructed around a particular system of values and aesthetics that are selected by the privileged subjectivity and how this creates a bias that is bound to maintain such privilege. In this case, therefore, the interest in equal rights for a specific group remains within the boundaries of existing power structures.

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6   http://www.parksdiversity.eu/dicono-di-noi/eticanews-il-gay-fa-piu-paura-se-e-high-skilled/

Conclusions

This chapter has mapped discourses on labour and LGBT* rights in three types of Italian organisations – federative trade union CGIL, business association Parks, and LGBT* associations Arcigay, Arcilesbica, and MIT.

On the basis of the interviews made and the material taken into consideration, CGIL's discourse emerged as largely focused on social emancipation and secularisation, with "new rights" seen as an opportunity for "meaningfully extending citizenship rights" (Epifani, 2005: 13). Unlike the human rights discourse privileged by the European Trade Union Confederation, such narrative creates an explicit confrontation with political adversaries such as right-wing political formations and the Catholic church and consistently with the organisation's overall positioning in the country's political arena. The commitment to LGBT* rights performs therefore a specific function in the organisation's construction of identity – according to several accounts, however, it has so far remained formal and top-down.

On the other hand, Parks' discourse on diversity as an economic opportunity for companies is largely parallel with the one informing the presentation and activities of the European Gay and Lesbian Managers Association. Both networks, regardless of their European collocation, appear as closer to Anglo-Saxon culture and make no specific reference to the notion of a European community – unlike, for example, the ETUC trade union network, which explicitly collocated itself within the history and project of the European Union.

All three mainstream LGBT* associations – Arcigay, Arcilesbica, and MIT – do acknowledge workplace rights and discrimination as a central topic for LGBT* activism. However, they have not so far gone as far as to elaborate an intersectional perspective that would take into account LGBT* rights in the

workplace in the context of the wider erosion of workers' rights in the Italian labour market, and possibly make the LGBT*/labour rights discourse more powerful and more promising.

In the introduction to this chapter, we mentioned the problematic transposition of the EU non-discrimination directive in the Italian context. As a closing note, we go back to the European input on non-discrimination and its reception, this time on the basis of our respondents' views. On the one hand, the EU directive is acknowledged as the only formal instrument available to engage in anti-discrimination actions. On the other hand, even in juridical terms, several respondents observed how the norm has not produced actual results in terms of lawsuits filed or juridical pronouncements, for the well-known issues related to visibility. Furthermore, what emerges from our interviews is a call for a stronger European communality in social and cultural terms, something that could make Europe "a progressive agent" and "an antidote to isolation" for LGBT* individuals.

CHAPTER 6.

LABOUR, LGBT* RIGHTS, AND EUROPE. PERSPECTIVES FROM SERBIA

Sexual minorities' struggles in Serbia are characterised by both domestic and transnational issues and conflicts. On the one hand, international pressure towards inclusion and non-discrimination of marginalised groups, including LGBT* individuals, have led to positive steps on the formal and juridical planes, such as the approval of a law against discrimination that includes sexual orientation. The other visible issue in the public debate has been, for a few years now, the organisation of the Pride parade in Belgrade – a debated, controversial event within the very LGBT* movement, and one characterised by alternate fortunes, oscillating between half-hearted expressions of support by local authorities and threats of violence by right-wing and religious extremist groups that, more often than not, have forced organisers to cancel the parade.

This chapter looks at debates and perspectives on labour, LGBT* rights, and Europeanisation in Serbia. The first section is a general introduction to LGBT* and queer activism in Serbia, that sketches its development as well as the main divisions within the movement and the conflicts with the domestic and international context. The second section focuses on awareness levels and perspectives on labour and LGBT* rights in institutions, unions, and different activist groups. In conclusion, the third section discusses debates and perspectives on the ways the Europeanisation process impacts the perception of sexual equality and discrimination issues.

6.1 Between the State and the EU. An introduction to LGBT* activism in Serbia

Sexual rights activism in Serbia remained long hidden because of the criminalisation of male homosexuality in Yugoslavia – female homosexuality was not mentioned in the law (Hosi-Wien, 1984; IGHLRC, 1995). During the first half of the seventies, the power over penal legislation was devolved from the Federal Republic to the states and provinces. In the late seventies, decriminalisation bills were passed in Slovenia, Croatia, Vojvodina, and Montenegro, whereas a second wave of decriminalisation involved Serbia, Bosnia and Herzegovina, Kosovo, and Macedonia in the mid and late nineties.

In those countries where decriminalisation of homosexuality was a more recent event connected to post-communist transition, the legislative change was most often prompted by international pressure. Being neither the outcome of grass-roots action nor the result of broad consensus on human rights, the exclusion of homosexuality from the penal code did not end everyday discrimination and harassment. In fact, although decriminalisation provided more space for visibility and free expression, enhanced visibility did, in turn, stir stronger reactions by the more conservative strata of society, as exemplified by the attacks to pride parades and queer festivals in Belgrade and Sarajevo – most often in the indifference of the respective governments. The same can be applied to the recent anti-discrimination laws approved or discussed in former Yugoslav countries – developments that speak more of the elites' desire to meet international (EU) expectations than of widespread cultural change (see for example Mercer, 2004: 24-26 on the introduction of the anti-discrimination law in Bosnia and Herzegovina).

Research on the attitude of Serbian society towards homosexuality was carried out in 2010 by Serbian LGBT organisation Gay Straight Alliance in cooperation with NGO Centre for Free Elections and Democracy. According to its findings, 67% of the respondents regarded homosexuality as an illness, while 53% believed the

Government should take measures against it. Furthermore, 56% of respondents saw homosexuality as a danger to society, while 64% agreed with the Church in its condemnation of LGBT people. 15% of respondents saw LGBT people in Serbia as a vulnerable group, and 12% thought of Pride Parades as legitimate means for advancing the rights of sexual minorities (GSA, 2010).

Since the early nineties, the intensification of nationalist trends following the disintegration of Yugoslavia, together with economic crisis and social uncertainty, triggered a re-traditionalisation process in culture and society (see for example Naumović, 1999 and Bringa, 2004). Against a backdrop of economic crisis and destabilisation, the adoption of traditional conservative values – an instrument for regaining security in a precarious social and economic environment – affected with particular intensity the sphere of family and gender relations, with re-patriarchalisation of social structures and revival of nationalist ideologies acting coherently as factors of rigid codification of gender roles (see Iveković, 1996 and 2002).

A look at the relationship between gender, sexuality, and nationalism will be crucial to illuminate the struggles of LGBT and queer activism within a nationalist context. In the formulation by philosopher Rada Iveković (1996), nationalistic ideologies stand on two core assumptions: the existence of ontological binary categorisations and a natural, unquestionable hierarchic relationship between them. In this framework, the gender binary serves as an ideological foundation that allows for the establishment of other hierarchies based on, for example, ethnicity and class. Indeed, the conventional opposition of domination/submission and activity/passivity attributed to the male/female binary are metaphorically translated to every relationship between a normative Self and a marginalised, debased, or annihilated Other. As Iveković highlights, there are analogies in the treatment of women and ethnic minorities in Balkan patriarchal regimes, excluding non-dominant subjectivities from full citizenship and full participation in the public sphere (e.g., by ways of economic discrimination and limitation of rights of movement and

expression). Furthermore, the strongly gendered violence of ethnic wars is a classic reminder of how sexual imageries of potency and invasion shape political and military violence and propaganda. In the former Yugoslav context, the rise of nationalist trends after the demise of Yugoslavia and the ethnically framed wars of the nineties violently brought normative gender enforcement to the surface of public discourse.

As a consequence, sexual minorities remained excluded from the canons of national identity: as Ramet (1999) reminds us, if men are cast as macho warriors and women as means to achieve the nation's continuity and homogeneity, homosexuals are left as traitors to the nation. Indeed, especially during the nineties, homosexuality was labelled as a foreign import: with the beginning of LGBT activism, often supported by Western European organisations, nationalists were able to use discomfort with non-standard sexuality to amplify hostility to national and ethnic others, according to the other-phobic *topos* of a "pure" national character corrupted by the contact with the West, a constant within the national political discourse (Čolović, 2002):

> To show how the new Serbian male identity is pure, the Regime shows the other side of Serbian society and uses it for comparison. On the other side are people with different national identities than Serbian, non-orthodox, people from subcultures, and persons with different sexual orientation than heterosexual. […] To be gay, during the nineties, meant to be a traitor, social garbage, responsible for all evil in the country (Stojanović, 2007: 9).

Empirically, the relationship between gender, sexuality, and nationalism becomes apparent if looking at some episodes occurred in the former Yugoslav area during and after the wars, in which Western enemies were branded as homosexuals – in in turn, and by association, homosexuals were labelled as Western agents. A TV news anchor, for example, talked about "the gay government of Tony Blair" and called Blair's wife and Hillary Clinton "lesbians" (Friess, 1999: 20). Graffiti sprayed on the American centre in Belgrade read "Clinton faggot" and "Madelein Albright,

we don't practice sodomy" (Booth, 2000: 123). During the early nineties, TV stations denounced homosexuality as an alien perversion, accusing gays of subverting national defence and caricaturing homosexuality as a foreign disease. When one of the founders of Arkadija (the first gay and lesbian organisation in Serbia) was killed, investigators referred to the organisation's "seditious activities" and the conduction of "a special war against our country".

This manipulation of homophobic sentiments for propaganda purposes led to a sharp rise in homophobic violence and police harassment in the following years, explaining the violent reactions against LGBT activism exemplified by the attacks to public LGBT events. For example, at Belgrade Pride 2001, now commonly referred as "massacre parade", participants and NGO representatives were attacked and beaten by nationalist and religious groups. Their slogans, like "We do not want gays in Serbia" or "Serbia for the Serbs and not for the gays", explicitly showed the connection between nationalism and gender traditionalism, as emerges by an activist's oral account:

> Fascists and nationalists came to beat people. They all looked like men, like what traditional men look like. They were all referring to their national identity, and they were all referring to God. These are the three things that mostly stand together. They were shouting "Go to Croatia!" and "ustaše!" When I went to gay pride in Croatia, nationalists were shouting: "Go to Serbia!" and "četnik", which is the same thing but there (2005, Party & Politics round-table, Belgrade: Queer Beograd Collective).

In turn, sexual minorities gave a strong contribution to the anti-war movement (Mladjenović, 2001; Stojanović, 2007):

> "during the War, the strong resistance toward all kind of hatred, violence, crimes, militarism, nationalism, racism, and hate speech came from queer people. Queer people used the experience of being oppressed to show their solidarity to new victims, mostly discriminated for their national and religious identity" (Stojanović, 2007: 10).

Such conflict between national identity and non-normative sexualities contributed to sexual equality activism in Serbia taking a distinct anti-nationalist direction, as exemplified by some quotes from participants in a festival round-table in 2005:

> "I don't identify nationally, and that's why I like to remind that not all people belong to any ethnicity or even nationality" (2005, Party & Politics round-table, Belgrade: Queer Beograd Collective).

This first quote, in its emphasis on self-determination and self-identification, clearly questions the alleged naturalness of ethnic categories of belonging. In this framework, a non-normative sexual identity becomes a challenge to a homophobic national identity:

> "[Being gay] is challenging the national ideal" […] Serbia is totally homophobic society and lesbian and gay identities have power of disrupting this" (2005, Party & Politics round-table, Belgrade: Queer Beograd Collective).

In a context of domestic isolation and lack of support, the relationship with international actors became crucial for the survival of the LGBT and queer movements, which benefited from a number of factors, including international funding and globalised attention to sexual orientation issues in human rights activism (Greif, 2004: 234). On the other hand, as globalisation makes transnational politics possible, but brings along the risk of hegemonic developments, international cooperation brought new opportunities as well as conflicts of their own.

The introduction of Western discourses of visibility, coming out, and collective identification has been regarded as a potentially colonialist move, universalising sexual identity categories that are historically and geographically specific as well as socially constructed – in other words, "a movement of containment" (Woodcock,

2004: 11). Concerns for neo-colonialist attitudes have thus invested the realm of international cooperation between Western and South-Eastern European LGBT organisations, often based on the same conditionality principles framing the European enlargement process: i.e., the providing of fund and/or assistance is conditioned to the adoption of a certain set of standard, models, or practices, with local actors envisaged by international ones as "implementers" rather than "partners", and thus expected to comply with guidelines or policy frameworks designed for them (Kerkez, 2004: 270).

A situation of double marginalisation characterised therefore the struggles of LGBT* people in Serbia – on the one hand, in a domestic context of homophobia strengthened by nationalist ideologies; on the other hand, because of the power imbalances at the transnational level. Different components of the LGBT* movement have reacted in different ways to such configurations of social and political elements – as happens in many other European contexts, we can find a "mainstream" strand, that seeks inclusion into the existing social structures on the basis of identity politics, and a "queer" one, that questions such structures and includes issues of social and economic justice in its agenda, together with sexual equality.

If, as is well known, queer theory and queer activism find their original roots in the United States and stem from the deconstruction of sexual and gender categories that took place in the US academia during the nineties (Jagose, 1996), its translation into the Serbian context presents its own distinctive elements – first of all, its anti-nationalist core and its emphasis on intersectionality. These features emerge with clarity if looking at the manifestos of the Queer Beograd festivals that took place between 2004 and 2006. In the first one, for example, queer activism is defined as a radical rejection of tradition and social norms in their multiple forms of oppression:

"Because the state and citizens are still ignorant toward problems of LGBT

population and all the others who are different. […] In this context to be queer means to refuse social rules and to constantly re-question supposed norms of patriarchal tradition. […] To present a radical politics that sees the interconnectedness of all forms of oppression" (from the manifesto of the first Queer Beograd festival, "Encounters").

In the second one, a line of separation is explicitly marked between queer and LGBT activism:

"We use the word queer for a reason, for us it means more than the right to freedom of sexual expression. As a radical queer collective, we differ from the mainstream LGBT organisations in that we work on all kinds of politics. […] We wanted to present a politicised vision of queer, to provide a platform to explore and educate on important issues such as racism, capitalism, gender, fascism and nationalism" (from the manifesto of the second Queer Beograd festival, "Party & Politics").

In the third manifesto, contrary to what happens in most cases where queer theory is transferred (Mizielińska, 2006; Rosenberg, 2008: 5; Mertz, 2008: 20), queer discourse is actively appropriated through a Serbian translation that parallels the originally derogatory character of the word "queer", and therefore its meaning of re-appropriation:

"In Serbian there is no word that means queer, no way to say what we mean about queer being more than LGBT equality. […] So our new festival is called 'Kvar', a technical term literally translating to mean 'a malfunction in a machine', because in this world of capitalism, nationalism, racism, militarism, sexism and homophobia, we want to celebrate ourselves as a malfunction in this machine (from the manifesto of the third Queer Beograd festival, "Kvar – the malfunction").

If, as we have seen, queer activism positions itself in explicit conflict with the "traditional values" of Serbian society and its institutions (e.g., the Queer Beograd

collective does not take part in the Pride Parade and refuses to ask for police protection and institutional support), mainstream LGBT organisations seek said institutions' cooperation in order to improve the situation of LGBT people – for instance, the demands of the organisers of the Belgrade Pride include the appointment of a contact person in every police administration and the approval of a law against hate crimes, "in accordance with European standards" (www.belgradepride.info). Another example of the different stances of the two strands of the movement can be found in their position on the military. The queer movement is explicitly anti-militarist. On the contrary, in 2010, when the Serbian Army declared that openly gay men could join the professional army, the Serbian LGBT groups transmitted the news to the community and encouraged applying.

According to Stakić (2011), starting from 2009, the Serbian government adopted a series of legislative and policy measures aimed at the process of European integration. Yet, at the same time, an anti-European block comprising nationalist parties, the Church, right-wing groupings, some scholars, and some media was growing stronger and gaining new supporters.

Indeed, external political pressures have been intensifying with the EU accession process and led to increased accountability of local government before the international community. Nevertheless, despite the support statements by both local and international institutions, the Pride Parade has a troubled history – after the "massacre parade" of 2001, it was announced and then cancelled in 2004 and 2009. In 2010, the parade took place seemingly smoothly, while massively surrounded by the police which had to deal with 6,000 anti-parade protesters. In 2012, organised under the biblical auspices of the slogan "Love, Faith, Hope", the Pride was again cancelled due to threat of violence by religious extremists.

Stakić's analysis of the discourses of Serbian politicians, the Church, and the media has suggested that:

"(i) the LGBT minority is still depicted through stereotypes that represent homosexuality as moral and/or physical degeneration constituting a threat to the normal societal order and the Serbian nationhood;

(ii) the stereotyping of the LGBT minority is strongly supported by the national myths;

(iii) as the above stereotypes are characteristic of right-wing ideologies and regimes, it is not surprising that homophobia is primarily (although not exclusively) a feature of the discourse of the pro-nationalist Serbian parties and the media with a right-wing political alignment;

(iv) hatred against LGBT people in Serbian society has a pronounced religious dimension, which is enhanced by the fact that the Church has, over the course of the last two decades, gained a considerable political power and influence; and

(v) after the cancellation of the 2009 Parade, the discourses on homosexuality and LGBT rights have changed towards more tolerance and more respect for the rights of sexual minorities, which is primarily a consequence of the political pressure from the EU and the international community in general" (Stakić, 2011: 60).

Against this backdrop, workplace equality for LGBT* individuals is certainly not in the spotlight of public debate. For this research project, we have sought, not without difficulty, to investigate views and perspectives of relevant stakeholders – unionists, public officials, activists – in this regard, and the next section presents our findings.

6.2 Labour, sexuality, and discrimination. Awareness and perspectives

As work is a central dimension of individuals' lives, issues of identity, visibility, and discrimination are bound to be transferred into the workplace dimension, with a range of consequences related to both visibility and invisibility. As writes a columnist on the Gay Echo website on December 26th, 2012,

> "LGBT people have to work for a living and function in the workplace, which most often, in Serbia, isn't more tolerant than the street environment […] We are probably still years away from the working environment in which diversity is seen as an advantage, and where employers are competing in the offer of benefits to rainbow employees. It is much more accurate to state that LGBT employees in Serbia are more interested not to suffer damage or lose their jobs if the staff and superiors learn what they are"[7].

One of our interviewees, for example, recalls being outed in the workplace – and subsequently fired – as the most negative experience in her life:

> My main problem was getting fired because of my sexual orientation. What happened was that some fellow activists believe that if they reveal sexual orientation, without one's consent, it will propel activist goals. So they did it and I got fired because of it (K.B.).

K.B. was fired before 2005, when a change in the Labour Law banned discrimination based on sexual orientation in employment. However, there are no public records of prosecutions being made after such legislative change.

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7 http://www.gayecho.com/mudrost.aspx?id=16456&grid=5560&page=1, last accessed on December 29th, 2012

The Gay Echo column we started from goes on to argue, in a mild polemic towards parade-type activism, for a politics of visibility in the workplace as a path to tolerance and inclusion:

> Here's one positive "bias" - imagine thousands of LGBT people in their jobs every day that, with professionalism, hard work, knowledge, and sometimes understated decency win over the support and recognition by their peers in their jobs, working responsibly, hoping for the best, sometimes fearing the worst. This small army of visible gay, lesbian, and bisexual employees and few trans people are slowly conquering the space for themselves and others, pushing the limits of tolerance and releasing work from fear and exclusion. The process is time consuming and almost invisible, but the changes are gradual and certainly more tangible than any walk around the town and holding hands can make.

The column advances a discourse of professionalism, decency, and everyday-life visibility that is close to the meritocracy vision we found in Parks in the previous chapter – here, however, tolerance is not a right, but rather something to be earned, "won over", and "conquered" by showing that LGBT people are decent, responsible, and – in other words – normal. The previous reference to "diversity as an advantage" and employers competing in winning over rainbow employees with specific benefits also speaks of the influence of the Anglo-American diversity management culture.

At the moment, as implied by the Gay Echo columnist, labour rights and workplace discrimination do not seem to be a priority within the Serbian LGBT* movement. At the time of writing, workplace issues do not appear on the list of specific demands by the associations organising the Belgrade Pride, nor in the websites of the main LGBT associations – lesbian organisation Labris, LGBT association Queeria, NGO Gayten-LGBT, and Gay-Straight Alliance. In the online forum of the Gay Serbia

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website (www.gay-serbia.com), there is a section on "work, school, and university", but (at the time of writing) there are no threads on discrimination, visibility, or coming out in the workplace.

For the purposes of this research project, we contacted representatives of the four aforementioned mainstream LGBT organisations – of these, two did not reply and two did but, in the end, did not agree to have a conversation about labour rights and LGBT* issues. Obviously, there are many possible reasons for potential respondents not to accept interview proposals, so the conclusions we can draw are necessarily very limited. However, we could see this reluctance as something that contributes to reinforce the impression that workplace discrimination is not a priority for mainstream LGBT organisations. Anecdotal evidence also suggests that mainstream LGBT* associations have showed reluctance in establishing an alliance with labour struggles. For example, on the occasion of the Belgrade Pride Parade due to take place in October 2011, LGBT* groups turned down support from raspberry pickers on strike who had offered to join the parade in solidarity.

The Queer Beograd Collective, that adopts an intersectional approach to activism emphasising social justice, has showed a consistent interest in class and has been organising initiatives, debates, and round-tables on the intersections of sexuality and class since 2004. However, since this is a non-mainstream activist formation that is not interested in cooperation with formal institutions, structured protection of labour rights is outside the scope of its work.

On the other hand, given the availability of legal instruments such as Article 18 of the Labour Law, banning discrimination on the basis of sexual orientation, trade unions would be – in principle – in the position to act in this direction. In addition to national law, furthermore, they would be able to find possible instruments in EU documents and directives, since the EU non-discrimination discourse shows a

focus on labour markets and the workplace (Hoskyns, 1996; Young, 2006). However, our investigation of awareness levels in unions proved to be an extremely difficult one. For this research project, we contacted representatives of *Nezavisnost*, a Serbian trade union confederation with an explicit social agenda, as well as of the Friedrich Ebert Stiftung foundation, a Deutsch organisation which has an appointed person for liaising with trade unions. Of 5 potential respondents contacted, only one was available for an exchange on the topic of LGBT* rights in the workplace, but only to say that the topic is non-existent for Serbian trade unions.

This tends to confirm the findings of previous literature suggesting that "trade unions in post-socialist countries are generally not dedicated to improving gender equality in the labour market and are thus quite unable to exert significant pressure on employers" (Sloat 2004), and that the issue of equality in general is perceived as "a rather marginal matter for a narrow interest group, which does not have a more extensive relationship with the other work of trade unions" (Koldinská, 2009: 556).

On the other hand, a surprise came with the strong interest in LGBT* rights shown by ASI[8] ("Anarho-sindikalistička Inicijativa", "Anarchist-unionist initiative), an anarchist group that acts as a trade union. In 2001, acting on the principle that "homophobia is one of the consequences of the capitalist economic system" (http://inicijativa.org/tiki/tiki-read_article.php?articleId=2582), ASI was the only trade union organisation that supported the parade – which, at the time, did not have the State's support. In a way, ASI also uses an intersectional discourse to further its anarchist, anti-capitalistic vision – in this perspective, homophobia is one of the negative social effects of the capitalist way of life:

> "The position of homosexuals in Serbia is very bad. [...] Most people still wrongly believe that homosexuality is a disease. [...] The capitalist system is killing humanity in us, turning us against each other, creating and spreading

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8 http://inicijativa.org/tiki/tiki-index.php?page=Mejling+liste

hatred based on irrelevant differences such as skin colour, ethnic origin or sexual orientation. Because we are dissatisfied and essentially have no control over our lives, we take it out on the weak and defenceless, instead of the bosses and the government that produce misery. […] We see a necessity to connect the struggle for LGBT rights with the struggles of other oppressed, and we emphasize that only through such a common struggle we can achieve a general emancipation". (http://inicijativa.org/tiki/tiki-read_article.php?articleId=2582).

In October 2010, however, ASI took a radically critical stance on what it defined as the "police Pride". In a document published on October 5th, 2010, and titled "Smrt homofobiji, državi i kapitalizmu!" ("Death to homophobia, the State, and capitalism!"), ASI argued that "the police Pride is not the LGBT pride!" ("Policijski ponos nije LGBT ponos!"). A pride parade made possible by the "protection" of the State's repressive apparatus, i.e. the same apparatus that marginalises and oppresses LGBT people in the first place – the document stated – could only serve to alienate the rest of the population, who would see LGBT* people defended by

"those who prepared the day before and fought wars against other nations, and those who are still prepared; those who steal, privatize and fire, and those who serve the exploiters and criminals from the United States, the European Union and NATO, which are responsible for the suffering of billions people and destroying the planet we live on".

In other words, ASI regarded the Pride parade, organised as it was in 2010, as a show put on by politicians to please the European Union as well as a celebration of the state and its power. The excerpts presented here also highlight the controversial perception of the European Union as an agent of progress in the field of LGBT* rights, something that we will go on to discuss in more depth in the last section of this chapter.

Summing up the findings of our enquiry, though necessarily limited by access problems, we may say that both mainstream trade unions and mainstream LGBT organisations showed reluctance to engage with LGBT* rights and labour rights respectively – the former probably in avoidance of a socially and politically sensitive topic, the latter in order to be as transversal as possible in the search for political consensus. On the other hand, the "alternative" and "antagonistic" formations we encountered – both in the field of LGBT* and labour rights – explicitly envision intersections and allegiances in the respective fields of action, under the common goal of social emancipation and justice.

6.3 Debates on discrimination, equality, and Europe

Since the post-conflict period, the Western Balkan region has been the theatre of conflicting transnational influences, characterised by the presence of competing, often contradictory demands and agendas by different international institutions and the emergence of multi-level governance (Lendvai, 2007). Over the last few years, the European Union has gradually intensified its role through the application of conditionality to the development of the accession process. And if social issues are generally marginal in the beginning of a country's negotiations, they also come to enjoy greater significance and attention as the integration stage progresses (see Deacon and Stubbs, 2007).

In the realm of sexual rights activism, this process has translated into a shift of reference: if US-based models of activism were hegemonic in the immediate post-conflict period (Woodcock, 2004), the current interface of local NGOs is represented by EU institutions. As a consequence, sexual rights advocacy has been involved in a process of Europeanization. Both local and international LGBT NGOs turn to EU institutions in a lobbying action aimed at raising the awareness of European policy-makers on sexual rights issues. As a consequence, international support to local NGOs mostly takes the form of capacity-building and advocacy

training, in order to improve the partners' organizational development and capacity to do effective EU-level advocacy. In their turn, EU institutions are expected to exercise conditionality pressure related to the accession process and visa liberalization over candidate and potential candidate countries, mainly in order to achieve legislative changes.

For example, here L.P., one of our interviewees, employed by an international LGBT organisation working with Western Balkan countries, describes her job:

> "our work entails monitoring accession countries' action plans and the implementation of accession/partnership agreements, specifically in reference to the adoption of comprehensive anti-discrimination laws. Other activities include lobbying the European Commission, the European Parliament, and the Council for favorable legal changes in those countries. […] We strive to raise the awareness of European policy-makers on the rights of LGBT people and lobby for the inclusion of *sogi* [sexual orientation and gender identity] discrimination in SEE country reports".

Indeed, the EC report on Serbia's progress in European integration in 2010 and 2011 included the circumstances related to the Pride Parade as indicators of the degree of respect for human rights. Europe's potential role becomes all the more powerful if considering the issues encountered by equity-seeking activists in raising awareness about and promoting LGBT* rights in Serbia, as highlighted by S.D., an activist in a local LGBT NGO:

> "The government is, in fact, your obstacle, which is not the case, for example, in the UK or France, where the government itself is pushing the change. […] European integration – or the prospect of it – makes things easier, inasmuch as it provides some basic democratic criteria the government needs to go by. Anti-discrimination laws are also being pushed by international pressures,

and the moment there are legal obligations, the government becomes at least more accountable".

Europe has become therefore identified, to a large extent, as a carrier and promoter of equality values. For example, writes LGBT organisation Gay-Straight Alliance:

"our main criterion for cooperating with institutions and political parties is whether they are pro-European, and whether they themselves cooperate and are recognized by the institutions of the European Union" (http://en.gsa.org.rs/2012/09/regarding-the-statement-of-a-member-of-organizing-committee-of-the-pride-parade/#more).

As pointed out by K.B., a disillusioned activist, even conservative political authorities can be driven by self-interest to support some progress in the field of LGBT* rights:

"If you remember earlier on I was mentioning greed among some of the LGBT activists and its role in LGBT activism underachievement. But there is a good side of greed as well. The political elite in Serbia, as a whole, will not become more sensitive because of the EU stand on LGBT issues, but as well as activists, they know where the money comes from and this is where greed plays a positive role".

The directives emanated by EU bodies and soft conditionality in the form of statements and political pressure have indeed led political authorities to take some progressive steps, at least on a formal plane. Issues of gender and sexual diversity have certainly not been in the spotlight of the integration process, nor they seemed to place among the core concerns of European institutions and local governments in the Balkans. Yet, developments have suggested that combined pressures from local civil societies and EU institutions may be leading governments to take at least symbolic steps towards equality, as explains L.P.:

"The adoption of comprehensive anti-discrimination laws is a precondition for both EU accession and visa liberalisation, and we work together with our member organisations (the local LGBT organisations) to ensure that those laws include protection from *sogi* discrimination. In fact, both in Serbia and Croatia, the inclusion of protection from *sogi* [sexual orientation and gender identity] discrimination was a result of advocacy done by ILGA-Europe and its member organisations in the countries".

The EU accession process and the related dynamics have shaped sexual rights activism into a non-identity, human-rights framework. The conflicting relationship with an hostile domestic context is one of the reasons regional activism has adopted a human-rights framework. In most Western European countries, less permeable to international law, LGBT* activism is most often framed in a civil rights context (Mertus, 2007: 1063), i.e. one that focuses on granting same-sex couples the same rights as heterosexual ones, such as legal acknowledgement and the set of social and economic rights that go with it (in healthcare, pensions, housing, and so on). In South-Eastern Europe, on the other hand, the key to the key to equality and inclusion seems to be a lobbying action that is understood in a human rights framework, i.e. centred on the individual's basic rights to non-discrimination and physical integrity. Undoubtedly, advocating for LGBT* rights in a human rights framework has helped to weaken resistance from conservative governments and obtain progressive legislation:

"The human rights platform gives more leverage in our relationship with the institutions because even the government has to be accountable in terms of human rights, while not necessarily so in terms of, let's say, sexual diversity or feminism – which are problematic concepts in a traditionalist context (S.D.).

As Mertus (2007: 1037) observes, "human rights framings open doors for

advocates, at both national and international levels, to institutions with common interests in human dignity, and enhance advocates' abilities to exercise influence on norm-violating states". Here, for example Gay-Straight Alliance writes:

> "Given that the policy and work field of our organization are related only to human, i.e. LGBT rights, we hold that consensus is needed and possible, at least when it comes to those basic rights" (http://en.gsa.org.rs/2012/09/regarding-the-statement-of-a-member-of-organizing-committee-of-the-pride-parade/#more).

Indeed, the approach of lobbying on human rights grounds has certainly led to positive results on the legislative level, with the discussion and adoption of comprehensive anti-discrimination laws and increased accountability of governments before international institutions. It is therefore unquestionable that the anti-discrimination discourse benefited the LGBT* agenda by promoting its inclusion in anti-discrimination policies on equal terms with less controversial topics. This has allowed for LGBT* rights to be part of anti-discrimination directives and, as regards candidate and potential candidate countries, to be included in progress reports as part of human rights monitoring. For example, international attention and statements of support to LGBT* rights have been conducive to some formal progress in the way former Yugoslav governments, including Serbia's, relate to the issues faced by sexual minorities. In March 2009, the Serbian government approved a comprehensive anti-discrimination law, something that is still lacking in some member countries, including Italy. However, the perception of the cosmetic nature of such changes is widespread:

> Although internalisation and EU accession are great contributors to change, especially in a legislative sense, sensibility change among politicians are exclusively cosmetic in nature. In comparison to previous years a lot less politicians will allow themselves to make some explicit homophobic remark in public, but most will not support any legislative change that would allow us to lead normal life, nor will they pay any attention to LGBT violence (B.K.).

As suggested by our respondents and widely confirmed by Europeanisation literature, the EU is exerting increasing influence in the field of equality politics by spreading its standards and norms to member and (aspiring) candidate states. For example, EU directives have triggered and fundamentally shaped the ways that national legislation has been formulated in most member and candidate states in the field of anti-discrimination (Bustelo 2009; Kantola and Nousiainen 2009; Koldinská 2009; Squires 2009).

Even though the EU anti-discrimination discourse has provided valuable legitimisation for LGBT* rights advocacy by emphasising the right to diversity and promoting equal opportunities for all individuals – something very hard to argue against even for the most conservative political forces, recommendations and actions by EU institutions are easily perceived as top-down and subsequently little appealing to national governments and societies at large as well as to grass-roots activists.

On the one hand, therefore, we have resistance from conservative political elites translating into a compliance gap that parallels the one found in many post-socialist states with regard to the EU gender equality policy. In the candidacy phase, countries tend to pay "lip service" to the equality agenda. Yet, a variety of political, ideological, institutional, and religious factors are at work in the animation of this compliance gap (Ghodsee, Stan, and Weiner, 2010: 1-2). Many duty bearers, for example, interpret equality as an undesirable breach of a natural social and economic order (Weiner, 2010). As the European Union failed to impose a unique set of criteria regarding the optimal interaction between religion and politics as accession criterion in 2004 and 2007, mostly because the EU older states embrace different models of church –state relations, the persisting influence of religious authorities such as the Orthodox Church is another important driver of resistance (Stan, 2010).

On the other side, as showed in the previous section, the more radically oriented sections of the LGBT* movements are wary of Europe as a neo-liberal subject and therefore little or not at all inclined to envision progressive allegiances in this specific sphere either. Europe is therefore widely perceived as a promoter of equal rights and non-discrimination, but also exposed to harsh critique from both "conservative" and "progressive" sides.

Conclusions

Our excursus on labour and LGBT* rights in Serbia has highlighted how the Serbian LGBT* movement is far from monolithic – in fact, as happens in most European contexts, it presents a multiplicity of different, sometimes conflicting visions and agendas. On one side, we find a mainstream LGBT movement that largely promotes an approach to sexual equality under the principles of universal human rights protection and European integration. On the other, a queer strand of activism that adopts an intersectional approach under the common denominator of social inclusion and justice and is critical of the European Union's input and influence.

Serbia has provided itself with specific legislative instruments to address discrimination on the basis of sexual orientation, including in the workplace. Yet, the strong resistance posed by a traditionally patriarchal nationalist and religious culture has so far prevented such change to go beyond the formal level and impact the social and cultural environment (Stakić, 2011). This is consistent with trade unions' response to our inquiry, which indicated how LGBT* rights are at the moment outside the labour rights agenda and, together with the conclusions drawn by previous literature, points to a persisting traditional culture within unions, where sexuality remains a private issue that has no connection with workplace struggles.

A strong role in this picture has been played by EU institutions and the EU anti-discrimination discourse. The efforts of EU institutions to promote a culture of non-discrimination have certainly contributed to the formal progress made in the field of LGBT* rights – as a consequence, Europe is identified and perceived as the carrier of a certain set of values and politics of equality. On the other hand, the widespread perception of Europe – both within conservative and radical areas of the population – as an "imperialist" subject as well as the enforcer of "disciplinary neoliberalism" makes its impact ambivalent, contested, and possibly divisive rather than unifying.

CONCLUSIONS. DECONSTRUCTING EQUALITY

This study stemmed from an intersectional interest in equality, i.e. from the conviction that discussion about non-discrimination of LGBT* people in the workplace should be accompanied by reflection on the rights of workers in order to understand what kind of "equality" is at stake. In particular, this project started with the goal of identifying and unpacking discourses on labour and LGBT* rights produced by different organisations – and namely trade union, businesses, and LGBT* movements – in order to clarify what they promise when they promise "equality". As Lees noted about diversity, its multivocality translates into its uptake by a variety of constituents: ''Janus-like, it promises different things to different people'' (Lees, 2003: 622).

As Melucci writes on reflexive sociology (my translation):

> "There is no sociological knowledge that does not come through language – through situated language. Language that is always culturalised, gendered, ethnicised, always linked to specific times and places" (Melucci, 1998: 22)

An overarching theme in this dissertation was the deconstruction of allegedly neutral discourses through the "naming" of their roots, backgrounds, and positioning. We regard this as a crucial operation, since the unspoken identification of a discourse of general interest with a particular social subject (by class, gender, ethnicity, or profession) confines the other subjects in a state of inferiority and dependence (Touraine, 1997: 43). In line with sociology's ongoing interest in values, both in the form of individual bias and collective ideology (Sztompka, 2009: 40), we believe that understanding what different subjects and actors mean when they talk

about equality and discrimination, thereby uncovering their different values, visions, and agendas, can be of help in order to understand why a "labour and LGBT* rights" agenda is not an uncontroversial policy matter, despite nominal consensus on non-discrimination, the availability of relevant policy instruments, and the efforts against workplace discrimination carried out both by domestic and transnational actors like the EU.

This is especially true for the Italian context, where a plurality of organisations has explicitly taken up the protection of LGBT* rights in the workplace and different discourses are visibly advanced on the topic. In Serbia, on the other hand, the specific topic is less visible, since the public debate is predominantly focused on general issues like visibility, discrimination, and the Pride parade. However, according to the literature as well as in the perceptions of our interviewees, the two countries share a set of elements that contribute to making discussion of LGBT* rights a sensitive, controversial topic – gender (and power) imbalance in institutions, a traditionalist political class, and the strong influence of the (Catholic and Orthodox) Church.

Our case studies uncovered three main discourses on labour and LGBT* rights, that can be respectively related to human rights, social emancipation, and business performance. Obviously, these discourses cannot be exclusively identified with one and only organisation, nor are they monolithic themselves. However, they do show clearly identifiable models of thinking about labour and LGBT* rights, each characterised by its background and values.

	ACTORS	BACKGROUND	VALUES	QUOTES
HUMAN RIGHTS	Transnational union networks (ETUC, EI, PSI)	Apolitical Individualistic	Universal human rights Protection of rights Equal opportunities for all "Freedom from"	"LGBT rights are human rights" "Discrimination against LGBT workers is not different from discrimination against other groups" "All workers have the right to be protected against discrimination"
SOCIAL EMANCIPATION	CGIL, ASI	Political (leftist) Collectivist	Secularism Solidarity "Freedom to"	"Emancipation for all marginalised groups" "A matter of secularism" "Solidarity among equals"
BUSINESS PERFORMANCE	LGBT business networks (EGMA, Parks)	Apolitical Individualistic	Representation of interests Meritocracy/ competition/ opportunities for "the best" Profit/productivity Performance "Standing out" "Freedom to"	"Diversity profits companies" "Making the most out of individuals" "Encouraging individuality and thinking out of the box"

As emerges clearly from this comparative look, each subject has incorporated LGBT* rights into its own discourse, each time in a way that is functional to the construction and/or confirmation of its organisational identity

Ĥ transnational union networks, by presenting LGBT* rights as a natural, neutral commitment within the framework of universal human rights protection;

Ĥ left-wing organisations (CGIL, ASI), by collocating activism for LGBT* rights within a wider project of social emancipation that is for all the marginalised, yet is not neutral, but attached to specific values and opposed to specific political adversaries (the right-wing, the nationalists);

Ĥ LGBT business networks (EGMA, Parks), by acknowledging diversity as a path to better performance and profits, thus encouraging inclusion and non-discrimination of "deserving" LGBT* workers.

Therefore, it can be of interest to look at commitment to LGBT* rights in the

workplace – or lack thereof – and its discursive framework not only as an isolated item, but also as an indicator of wider social attitudes. Indeed, at the beginning of this study, we suggested that studying a marginal topic could stem fruitful critique for the analysis and innovation of society at large. Namely, we presented the investigation of discourses related to the creation of inclusive workplaces as a potential test for a number of wider social and political elements: commitment of political and institutional elites to social inclusion, gender balance in political and organisational cultures, and commitment to or popularity of "European" values.

The connection between LGBT* rights and Europeanisation discourses is particularly strong, which appears to strongly shape debates both in Italy and Serbia. Several of our interviews, both in Italy and Serbia, contained a call for a stronger European communality in social and cultural terms, something that could make Europe "a progressive agent" and "an antidote to isolation" for LGBT* persons.

LGBT* rights and Europe – conflicts and ambiguities

One of the ideal tasks of this study was to discuss structural and cultural developments pertaining to labour and LGBT* rights roughly a decade after the European Union provided an input for institutional commitment to the protection of LGBT* workers' rights with the Council Directive 2000/78/EC for equality in employment (November 27th, 2000) by including sexual orientation as one of the recognised non-discrimination grounds.

As discussed in chapter 4 on European discourses on labour and LGBT* rights, EU institutions have made non-discrimination a core element in their policy and statements. This includes efforts against discrimination on several grounds, including sexual orientation and gender identity, that aim to characterise "Europe" as a place of inclusion. In turn, European trade union networks, when arguing for non-discrimination of LGBT* workers, explicitly connect their efforts to the inclusive

nature of the EU project, by describing diversity as a positive characteristic of European societies and stressing how the EU, grown out of the ashes of WWII and its horrors, needs to place universal human rights protection at the top of its agenda, without excluding any group. In the discourse of European trade union networks, therefore, "Europe" has a semantic load specifically connected to the EU and its foundation values, while for EGMA (European Gay and Lesbian Managers Association) it seems more of a geographical notion, without specific references to a peculiarly European social and cultural context, the frame of reference being rather the global business world.

The main input on workplace equality for LGBT* persons has been provided by EU institutions to member states in the form of EC Directive 2000/78, banning workplace discrimination on several grounds, including sexual orientation and gender identity. In the case of Italy, however, according to several accounts, the implementation of the Directive was struggled and controversial. As mentioned by several stakeholders in trade unions and LGBT* associations, Italian political institutions have avoided taking an explicit stance in support of LGBT* rights – in fact, persisting gender traditionalism and machismo inform an attitude of hostility and avoidance by most right-wing political forces, while potentially more "friendly" attitudes in the centre-left are stifled by the strong influence of the Catholic Church.

Consistently, trade union efforts for LGBT* rights in Italy are limited to social-democratic CGIL and explicitly linked to the wider struggle for secularisation and the political conflict with the right-wing and the Catholic Church. However, this has configured such efforts, mostly carried out by (straight) executives, as top-down and symbolical, and this is reflected in perceptions that they have remained formal, separated by grass-roots union activism involving LGBT* persons and groups, and therefore of limited, abstract impact. Again, as acknowledged by CGIL cadres responsible for LGBT* policies, gender traditionalism is still very much present in the organisation as a factor of resistance – particularly in the form of conservative

masculinity, as hinted by the interviewees' widespread perception that mostly women have been willing to engage with the topic. Such internal resistance limits the perception of the trade union as a credible interlocutor for LGBT* workers who, as stated by several activists, "do not feel at home". Parallel to what we had found at the European level, CGIL's progressive discourse explicitly collocates itself within the context of the European Union as a carrier of inclusive values, while business network Parks appears as closer to Anglo-Saxon culture and makes no specific reference to the notion of a European community.

The European Union has been providing input on LGBT* rights not only to member states, but to aspiring countries as well, including Serbia, in the form of soft conditionality. This has led the EU to being identified, to a large extent, as a carrier and promoter of equality values, thereby driving political authorities to take at least symbolic steps towards equality, with the discussion and adoption of comprehensive anti-discrimination laws.

However, according to our findings, this identification has proved to be a double-edged sword in the (not so positive) perception of Europe's role in Serbian society and of LGBT* issues. Namely, on the one hand, Europe's commitment to LGBT* rights strengthens the perception of the EU as an alien force "contaminating" traditional Serbian societies by the most traditionalist sectors of the population and the political leadership. On the other hand, given that the EU is sometimes perceived as a neo-liberal subject and an "imperialist" power in economic terms, grass-roots social activists, including sections of the LGBT* movements, are wary of and hostile to "Europe" despite its positioning as a promoter of equal rights and non-discrimination. Thus, it would seem that Europe's efforts for non-discrimination are hampered by the widespread perception of decreasing social protection, which brings us back to the argument for an intersectional approach to social inequalities.

Marginality, equal opportunities, and inequalities

Non-discrimination is an increasingly relevant area of welfare policy related to the public interest in employment protection (Ferrera, 2006: 113). If the study of policy looks at how, why, and with what effects institutions take measures to address issues of collective interest, this research project has focused on the "why" by looking at the discourses produced by several organisations on labour and LGBT* rights. Furthermore, as observed by Ferrera (2006), deliberate inaction on a problem is a form of policy itself – therefore, the absence or reluctance of some of the actors in this field is not a neutral datum or a sign of irrelevance, but rather the indicator of a gap in public policy itself. As many times pointed out by feminist critiques, avoiding to address gender and sexual orientation discrimination on the basis of public/private dichotomies end up making invisible – and, therefore, reinforcing – structural power relations (Steans, 2004: 26).

As shown throughout the chapters, we have interpreted our case study findings by identifying three main discourses on labour and LGBT* rights, respectively related to human rights, social emancipation, and business performance. Despite all their differences, these three discourses also have a significant element of commonality – they all present LGBT* workers as worthy of respect and non-discrimination because, regardless of their specific gender or sexual identity, they are part of a general (normal) collectivity, respectively represented by humanity, the working class, and the business class. Once LGBT* workers are integrated into the mainstream, however, comes the next question – what does such integration achieve?

As discussed in the theoretical part of this dissertation, contemporary diversity management discourses and policies favour equality of opportunity over equality of outcomes (Kantola and Squires, 2009: 106). Indeed, the inclusion discourses that have emerged from our analysis point at just that – providing LGBT* workers with

the same opportunities enjoyed by workers in general (this, in different ways according to the specific discourse examined).

In a cultural/identity politics perspective, our analysis could probably stop at the point where, at least in discursive terms, equality is granted. In an intersectional perspective that seeks to work at the cross-roads of LGBT* and labour rights, however, our discussion is bound to question the meaning of equal opportunities within the context of Beck's "regime of risk" made of "insecurity, uncertainty, and absence of boundaries" (Beck, 2000: 105). In this context of fragmentation, individualisation, and precarisation of labour, security depends on such a number and variety of conditions that advancing equality for a group – in this case, LGBT* people – solely on the basis of gender/sexual identity unfortunately seems at risk of irrelevance.

What makes the workplace a site of inclusion, however, cannot be reduced to matters of discrimination and equal opportunities for specific groups, but necessarily lies at the intersection of LGBT* and labour rights. The meritorious efforts of all the organisations that, from their different perspectives, address workplace discrimination of LGBT* persons, may become severely limited in their impact by the fact that the mainstream they seek to include LGBT* workers into is one of extreme precarity in the first place.

Recognition and redistribution – combining cultural and socio-economic trajectories

The opposition between identity and difference has never been neutral – on the contrary, it has always been framed in a hierarchy creating exclusions and legitimising power, privileges, and exploitation (Colombo, 2000: 91). At the same time, in any society and culture, according to Alain Touraine, the subject is a driver of emancipation – emancipation that, however, can only be achieved through the recognition and respect of the Other (Touraine, 1997: 87). In this framework, the subject is inextricably linked to collective action, as the subject's desire for freedom both mobilises and is pursued through collective resistance and action (*ibid*., p. 89). Particularly, feminist and LGBT movements have advanced the subject as a force of liberation (*ibid.*, p. 201), making difference, rather than identity, the platform of social equality (Colombo, 2000: 87).

This research project has chosen to look for insights in collective perspectives from the revealing perspectives of the marginalised (Sztompka, 2009: 42) and, at least on the basis of the discursive constructions that emerged from the findings, concluded that specific, cultural politics of recognition cannot create full emancipation for LGBT* persons in absence of general politics of redistribution. Obviously, LGBT* persons do not exist as a homogeneous group, separate from the wider social context – the LGBT* "collectivity", in its turn, is internally characterised by socio-economic disparities that play as much a determining role as variables of gender identity and sexual orientation, including discrimination. As a consequence, social policy needs to take the form of a combination of cultural and socio-economic trajectories.

As argued by Castel (2003), contemporary lives are haunted and dominated by a sense of insecurity that is strengthened by that fact that protection systems are eroded by the decline of the welfare state as well as by a neoliberal ideology that

charges individuals with the sole responsibility for their faith. Such insecurity is influenced and determined by a complex, shifting net of material and identity conditions that can hardly be addressed by mono-thematic policies. When focusing specifically on LGBT* equality in workplaces, a strategy integrating specific LGBT* perspectives and subjectivities with wider awareness of socio-economic trends would therefore seem advisable in order to make engagement with the topic less cosmetic and of greater impact in terms of social equality and security. If the creation of such policy is arguably outside the scope and capacity of the organisations that we encountered (trade unions, business networks, LGBT* associations), this reflection cannot but highlight the absence and/or weakness of state institutions and remark the necessity for the State to take part in the process of devising, creating, and implementing large-scale policies for equality that can address the growing sentiments and conditions of insecurity.

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