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# **Queer Citizenship in International Relations**

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## **Declaration**

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Thessaloniki, 19th June 2020

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## **Abstract**

This thesis aims to portray the ways in which queer subjects are assumed to constitute internal threats against the state on the premise that they challenge state sovereignty in queer-intolerant territories. Furthermore, the paper will criticize the role of the queer citizen as a symbol of modernity in countries with pro-LGBT legislation. The essay will analyse the dichotomy between Western and non-Western regarding perceptions of queerness and inclusivity of the LGBTQIA+ community. In addition to those readings, it will investigate the role pro-queer states play in LGBTQIA+ equality across the planet. Finally, the goal is to both identify and deconstruct homonationalism and state-sponsored homophobia.

**Keywords:** queer citizen, homonationalism, queer politics, political homophobia

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## **List of Abbreviations**

<b>ACP</b>	African, Caribbean and Pacific
<b>AS</b>	Asylum Seeker
<b>AS/R</b>	Asylum Seeker/ Refugee
<b>EU</b>	European Union
<b>LGBT</b>	Lesbian, Gay, Bisexual, Trans*,
<b>LGBTQIA+</b>	Lesbian, Gay, Bisexual, Trans*, Queer, Intersex, Asexual, +
<b>SOGI</b>	Sexual Orientation & Gender Identity
<b>SRS</b>	Sex Reassignment Surgery
<b>TRANS*</b>	A person whose gender identity and/ or gender expression do not fully correspond to the sex assigned to them at birth
<b>USA</b>	United States of America
<b>WHO</b>	World Health Organisation

## Chapter 1. Introduction

Until quite recently, in contemporary and progressive democracies across the globe, the *queer citizen* was condemned to inhabit forever within the suffocating toxicity of the “closet”. Anti-LGBT sentiments have persistently been propagated under the disguise and auspices of religion and politics all over the world, allowing prejudice, violence and harassment to flourish. As a result, the non-normative subject had to either lead a secret<sup>1</sup>, stigmatised as morally deviant life, or live up to societal and national expectations by engaging into fake marriages –with a view to providing children to the state to ensure its expansion. The few who dared to openly claim and hold space for themselves within traditional and family-oriented environments would arguably tempt their own fate. Today, the children of same-sex parents<sup>2</sup> confidently and proudly step on the selfsame land that only a few decades ago LGBTQIA+ community members were harassed, criminalised or even executed. After years of opposing cultural, gender and sexual misperceptions, queer subjects in the West have –at long last– emancipated themselves both as individuals and as a community, and have struggled for equal treatment, visibility and active engagement in democratic institutions. Ever since the iconic brick<sup>3</sup> thrown at the police –but in essence targeted against the official state– which triggered the 1969 Stonewall uprising, western queer activists have incessantly fought for their unconditional recognition and acceptance on equal terms to non-queer subjects. Furthermore, because of the global HIV/AIDS spread, an altogether new discourse on homosexuality emerged at the dawn of the century, which considerably advanced the gay movement. In this day and age, while the protection

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1 Many societies created a secret homosexual slang in environments where the queer citizen was criminalized. Such an example is “Kaliarnta” argot in Greece, estimated to comprise around 5000 words according to Ilias Petropoulos, who managed to compile a dictionary of 3000 Kaliarnta vocabulary items (Petropoulos, 2010).

2 Some queer activists are calling for the total deconstruction of the social convention of “marriage” (including both same-sex and opposite-sex). They view same-sex marriage as a heteronormative conservative project that could potentially do a disservice to queer politics. Under this realm, marriage –considered by default to be a by-product of religion– and the ensuing childbearing are regarded as a citizen’s life goals that clearly serve the interests of the state allow it to expand.

3 Although the brick thrown at the police officer is claimed to be an urban legend by witnesses of the Stonewall Inn bar events that night, it is symbolically used here to portray the “queer versus state” analogy. One crucial outcome of the rebellion was the emergence of the Gay Liberation Front (GLF), which played a major role in the gay rights movement. Public opinion often mistakenly supports that the global queer movement surfaced from the Stonewall events. In 1897, in Berlin, Magnus Hirschfeld established the Scientific-Humanitarian Committee along with Max Spohr, Franz Josef von Bülow, and Eduard Oberg. The Committee’s goal was to have the Anti-homosexual Act from the German Imperial Penal Code (Paragraph 175) withdrawn, which interestingly is recorded to be the first ever gay liberation movement.



of the queer citizen still remains open to debate globally, members of the LGBT community are still being ruthlessly persecuted, imprisoned or killed by various world governments in many parts of the planet. In those regions, homosexuality is misrepresented as an ideology that originates from western culture, economics and politics. Therefore, according to this line of biased misinterpretation, the queer citizen threatens the local non-western state and its various aspects: its authority, morality, tradition, religion and culture. Besides, recognising homosexuals is to a large extent regarded as a bold step towards “modernization” and “westernization”, which endanger the religious and sacred notion of “family”. Thanks to the internet and globalisation though, LGBTQIA+ movements currently prevail in all corners of the world raising public awareness, mobilising people and calling for international queer solidarity. Today, an LGBT individual with access to the web can interact with the LGBT community at large, profit from up-to-date reliable resources, and, most importantly, imagine and experience their human right to a –queer– life: a self-determined life with dignity, meaning and purpose for themselves (Altman & Symons, 2016).

## **Chapter 2. Democracy & Queer Citizenship**

### **2.1 Political Subjects in Democracy**

Democracy is praised worldwide as the ideal system which ensures that the voices of all *political subjects* are taken into account. Citizens are encouraged to carefully utilize their right to vote for governmental representatives: a fundamental principle which enables them to (in)directly partake in the law-production processes in true democratic and transparent fashion. Historically, citizens of specific social groups have notably been denied their civil right to vote. In Ancient Greece, the cradle of democracy, women, slaves and children were not deemed to be political subjects within the first democratic experiment. The patriarchal society regarded those socially disadvantaged groups as unable to engage with their political nature, which not only deprived them of their civil rights but instantly institutionally pigeonholed them as “*others*”. Consequently, despite theoretically advocating for equity among all its citizens, the Athenian Democracy was in practice a highly hierarchical and power-structured institution which solely served *the man*. Within this societal context, women, slaves and minors were restricted to remain powerless and

voiceless under the non-negotiable authority and dominance of “the man” (Kalogeropoulos, 2003).

I argue that the exclusive and hierarchically structured Athenian Democracy has deeply affected and consistently eroded subsequent and contemporary democratic systems. Naturally, the more progressive societies become, the more groups of residents –such as women– are included in the political sphere. Nonetheless, there are still citizens to this day that belong to minoratised<sup>4</sup> communities who are denied access to political engagement – such as queer individuals, trans\* people, refugees, migrants and prisoners. The “others” are more often than not perceived and treated as an internal threat against society’s wellbeing. Even in those cases when citizens eventually manage to enter the political domain, they admittedly and unsurprisingly constitute a vast minority in society –with the exception of women–; one whose voices go unheard and whose rights get blatantly violated and unrecognised. In practice, democratic systems are defined by majoritarianism and fall into the category of “*quantity democracies*”: according to this vote-based notion, the majority is bound to always benefit at the expense of minority groups who usually go underrepresented, misrepresented or even altogether disregarded. This model undoubtedly tends to be dismissive and fails to sufficiently cater for all its citizens. By contrast, a “*quality democracy*” would consistently try to meet the needs of the population in its entirety and would refrain from neglecting or discriminating against any group. Sadly enough though, such a model remains to be seen.

## 2.2 State Power

Present-day democracies are living proof that democratic institutions are quick to proactively reframe current social contexts and adjustments by welcoming contemporary political subjects to their arsenal. It is in this way that the democratic system both holds and exercises the *power* to institutionally and structurally determine the existence of the political subject –or the citizen per se. Arguably, states that do not recognize queer citizens are highly unsafe environments for the LGBTQIA+ community as they intentionally fail to protect their vulnerable members from discrimination and assault in all aspects of their

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<sup>4</sup> I purposefully use the term “minoratised”, which encompasses the presence of systemic manipulation procedures and mechanisms, instead of the term “minority groups” because the latter downplays how prejudice, power and hierarchical structures negatively impact social majority groups, such as women.

lives. In countries with rampant anti-LGBT sentiments where sexual orientation and gender identity (SOGI) minorities are not protected by the law, leading a decent life as openly queer is dangerous and even life-threatening. When the state officially legalizes anti-queer policies and mentalities, it is in essence encouraging and condoning harassment, social prejudice, political discrimination, physical and mental abuse, violence, rapes, murders, higher suicide rates and denial of employment and/ or accommodation. Lying at the core of constitutional systems, state sovereignty has the power to prioritize specific political bodies and populations as being worthy of protection by the law. To that effect, certain bodies always retain the privilege to be guarded by the constitution at the expense of others who are doomed to remain systemically neglected and excluded from political life (Butler, 2014). Additionally, the state wields the authority to have control over the queer citizen's body and to arbitrarily classify them as "mentally ill", thus propagating the community's social stigmatisation.

In 2010, France became the first country in the world to declassify transgender citizens as mentally ill. However, French trans\* citizens still had to rely on doctors and psychiatrists to have their gender identity officially approved, and were consequently deprived of their human right to make their own decisions for their bodies. As a result, those who wished to alter their *gender marker*<sup>5</sup> had to be state-validated and state-assessed: they had to convincingly prove their trans\* identity with supporting evidence to the state, which held the exclusive power of either accepting or declining their request. The law further progressed in 2017 with a new decree which allowed French transgender citizens to legally change their gender marker without having to undergo a sex reassignment surgery or receive a medical diagnosis. In many countries, the legal requirements to have one's gender marker and name altered constitute straightforward violations of human rights. These may include forced surgery and sterilisation, forced divorce and destitution of parental rights, to mention a few. Yet, it is not only the state that holds the power to inextricably determine the lives of LGBTQIA+ individuals; international legal bodies do so as well. On the 17<sup>th</sup> of May 1990, the World Health Organisation (WHO) –which had initially classified homosexuality as a mental disorder back in 1948– formally declared that "homosexuality is not a disease, a disturbance or a perversion". For this reason, ever

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5 The legal gender that portrays a citizen's biological sex assigned at birth. It is marked as male (M) or female (F) on birth certificates, IDs, passports and other legal documents. Few countries have also introduced the option of non-binary, intersex, genderqueer, trans\* or third gender gender-classifications on their legal documents.

since 2005, the 17<sup>th</sup> of May is celebrated annually and also recognised worldwide as the International Day Against Homophobia (initially known as IDAHO<sup>6</sup>) in an attempt to commemorate and raise awareness on the momentous exclusion of homosexuality from the Classification of Diseases and Related Health Problems. More recently, following the 2018 WHO revision of the ICD-11 (International Classification of Diseases 11<sup>th</sup> Revision), transgender health issues were officially declassified by the WHO from its List of Mental Illnesses and Behavioural Disorders and at long last trans identities became scientifically fully depathologised once and for all.

### 2.3 (II)legalising Queerness

For citizens of a non-normative SOGI, the quest to be recognised as political subjects amounts to a multifactorial initiative. Different practices and laws regarding the validation of the *queer citizen* apply across the globe. LGBTQIA+ community members enjoy full or partial protection by the constitutions of most countries in West Europe, North and South America, as well as in various other states such as Australia, New Zealand, South Africa and Taiwan. Interestingly, certain countries –such as Iran– selectively recognise specific aspects of queerness to the exclusion of others. The constitutions of these countries are divisive against the community and ill-treat their queer citizens according to an illegitimate dichotomy they purposefully draw between gender and sexuality. For example, Iran legally recognises the transgender community<sup>7</sup> and allows gender reassignment surgeries whereas it arbitrarily bans non-heterosexuality. According to the

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6 “Transphobia” was added to the acronym of the campaign in 2009 and “Biphobia” in 2015. Certain parties also include “Lesbophobia” and “Intersexphobia/Interphobia”. Acronyms may vary from the initial IDAHO (International Day Against Homophobia) to IDAHOTB (International Day Against Homophobia, Transphobia & Biphobia) or IDAHOBIT (International Day Against Homophobia, Biphobia, Inter(sex)phobia & Transphobia).

7 In mid 1980s, Ayatollah Khomeini issued a fatwa allowing sex reassignment surgery (SRS). Even though the homosexual and trans communities within Iran were connected with each other before the revolution, but the new Iranian government constitutionally divided them by embracing trans citizens while banning non-heterosexuals (Hudson, 2015, p. 181). Today, the second highest number of SRS worldwide after Thailand is reported by the Islamic Republic. Moreover, a number of the surgery costs gets subsidised by the state through grants and loans because the Iranian government regards its transgender citizens as “mentally ill” and therefore encourages their SRS to treat their medical condition. Even if transgender Iranians are protected by the law and are not criminalised, they still consistently fall prey to social stigma and violence. Given that same-sex sexual activity is illegal in the country, when the sexual orientation of many homosexuals gets publicly disclosed, they often resort to a gender reassignment surgery to escape the death penalty and to gain heterosexual status according to the constitution, on the grounds of the sex-change surgery they have undergone. Critics and activists argue that sex-change should not be forcibly implemented as a gateway for survival.

Islamic Republic of Iran, homosexuals are deemed to be citizens living in the wrong body/gender and are therefore coerced to transition and undergo sex reassignment surgery.

Paradoxically, diverse United Nations member states still criminalise both same-sex romantic and/or sexual relationships, and the gender identity and/or expression of their transgender citizens –despite being signatories to The Charter of the United Nations and the Universal Declaration of Human Rights<sup>8</sup>, and therefore defenders of all human rights, including those of the LGBTQIA+ community. According to up-to-date data (*Map of Countries That Criminalise LGBT People*, 2020) compiled by the Human Dignity Trust, an international organisation which applies law practices to defend the human rights of LGBTQIA+ individuals:

- *73 jurisdictions criminalise private, consensual, same-sex sexual activity<sup>9</sup>. The majority of these jurisdictions explicitly criminalise sex between men via ‘sodomy’, ‘buggery’ and ‘unnatural offences’ laws. Almost half of them are Commonwealth jurisdictions.*
- *45 jurisdictions criminalise private, consensual sexual activity between women using laws against ‘lesbianism’, ‘sexual relations with a person of the same sex’ and ‘gross indecency’. Even in jurisdictions that do not explicitly criminalise women, lesbians and bisexual women have been subjected to arrest or threat of arrest.*
- *12 jurisdictions in which the death penalty is imposed or at least a possibility for private, consensual same-sex sexual activity. At least 6 of these implement the death*

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8 The Charter of the United Nations (1945) encourages all member states in Article 1, Paragraph 3: “to achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion” (Charter of the United Nations, 1945). In Article 2 of the Universal Declaration of Human Rights (1945): “Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.” (Universal Declaration of Human Rights, 1945).

9 In alphabetical order: Afghanistan, Algeria, Antigua & Barbuda, Bangladesh, Barbados, Bhutan, Brunei, Burundi, Cameroon, Chad, Comoros, Cook Islands, Dominica, Egypt, Eritrea, Eswatini, Ethiopia, Gabon, Ghana, Grenada, Guinea, Guyana, Indonesia, Iran, Iraq, Jamaica, Kenya, Kiribati, Kuwait, Lebanon, Liberia, Libya, Malawi, Malaysia, Maldives, Mauritania, Mauritius, Morocco, Myanmar, Namibia, Nigeria, Oman, Pakistan, Palestine, Papua New Guinea, Qatar, Saint Kitts And Nevis, Saint Lucia, Saint Vincent And The Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Sudan, Sri Lanka, Sudan, Syria, Tanzania, The Gambia, Togo, Tonga, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, Uzbekistan, Yemen, Zambia, Zimbabwe.

*penalty –Iran, Northern Nigeria, Saudi Arabia, Somalia, Sudan and Yemen– and the death penalty is a legal possibility in Afghanistan, Brunei, Mauritania, Pakistan, Qatar and UAE.*

- *15 jurisdictions criminalise the gender identity and/or expression of transgender people, using so-called ‘cross-dressing’, ‘impersonation’ and ‘disguise’ laws. In many more countries transgender people are targeted by a range of laws that criminalise same-sex activity and vagrancy, hooliganism and public order offences.*

## **Chapter 3. Moral Sovereignty**

### **3.1 Russia**

In order to align themselves with the principles supported by the Universal Declaration of Human Rights, certain countries have resorted to promoting a purpose-built state-sponsored *heteronormative*<sup>10</sup> agenda which enables them to (in)directly criminalise queerness. The term *moral sovereignty* was coined by Cai Wilkinson in order to describe the specific states whose priority is to first draft and then implement their own tailor-made moral and traditional codes for society, rather than conform to contemporary global norms and values (Wilkinson, 2014). By adopting the pattern of moral sovereignty, such states establish a hostile environment that dehumanizes queer citizens and as a result often coerce the latter to forever suppress their SOGI status. For instance, in Russia, in 2013, a law on “The Purpose of Protecting Children from Information Advocating for a Denial of Traditional Family Values” passed, whose critics have named it “the Anti-gay/Gay Propaganda Law”. Article 6.13.1. of this federal law illegalised all forms of promotion or awareness-raising on “*homosexuality*” among minors although that would doubtless be a preventative measure to safeguard the health, moral development and spirituality of the youth. In addressing queer rights, the ambiguous and double-standard law aimed –and eventually managed– to create a dramatic precedent due to its insufficiency: through the (in)direct criminalisation of all public support in favour of the LGBTQIA+ community,

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<sup>10</sup> A normative societal and political system which espouses heterosexuality as the default sexuality and dismisses non-heterosexuality as inappropriate and unnatural.

the law strategically muted its members from public discourse. As a result, Russian queer citizens and their rights alike were left in legal limbo and in hiding.

### 3.2 Poland

Similarly, amidst the 2019 pro-diversity and pro-equality European Union (EU) climate more than 100 Polish municipalities –which amount to a third of the country– declared themselves as “*LGBT ideology-free zones*”, as utterly queerphobic environments against LGBTQIA+ individuals. These local governments adopted declarations both to ensure zero tolerance against queer citizens and to discontinue funding for NGOs which focus on promoting equal rights (*Parliament Strongly Condemns ““LGBTI-Free Zones”” in Poland / News / European Parliament*, 2019). The governing Law and Justice (PiS) political party –which is nationalistic, conservative, Christian democratic and right-wing populist–, officially denounced LGBT rights as a foreign Western homopropaganda import that promotes the early sexualisation of children and undermines Polish and Christian culture and values. In April 2019, an anti-queer resolution adopted by the local council in Ryki (Ryki in Polish) stated:

*“In relation to the aggressive homosexual propaganda, promoted and conducted as part of the ideological war by leftist-liberal political circles and ‘LGBT’ groups, which are threatening our fundamental norms and the values of our social and national life the council adopts the declaration “Ryki district free of gender ideology and LGBT”. The purpose is to defend children, youth, families and Polish schools from sexual depravity and indoctrination, which lead to many pathologies already existing in Western countries, such as accepting pornography, abortion, sexual criminality, the crisis of the family and many others”<sup>11</sup> (Claudia, 2020).*

As a result, specific states, such as Poland and Russia, insist on not recognising or validating the existence of queer citizens, which leaves the community’s needs unfulfilled. Rather than directly or explicitly criminalising the members of the LGBTQIA+ community, this surreptitious and manipulative policy establishes a normative anti-queer

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<sup>11</sup> The original text (30.04.2019) can be found in Polish here: <https://www.ryki.powiat.pl/aktualnosci/n,70753,powiat-rycki-wolny-od-ideologii-gender-i-lgbt.html#>

environment within which queer citizens are rendered unwelcome and stigmatized. The brave residents who publicly admit their SOGI status become the “*others*” as a result of failing to meet or comply with the dictated societal expectations. Deprived of constitutional protection for their SOGI status, these citizens are deployed as unethical internal enemies of the state with the potential to corrode its mores and morals. Consequently, uncloseted queer citizens are vulnerable to be politically targeted on the pretext that they threaten traditional values. I argue that being open about one’s SOGI status in a queer-intolerant state constitutes a genuinely political action which opposes the state’s benefits. The act of self-addressing one’s SOGI status instantly politicises their – queer– body and suspends their status as a political subject and their entitlement to full protection by the law. When the state institutionally fails to recognise and protect the politicized queer citizen through its power structures, the latter is ultimately excluded from the political fabric of life (Butler, 2014, p. 68). To quote Jakub Gawron, one of the Rzeszow Pride Parade organisers in Poland:

*“For PiS, we are simply the next fuel to burn before the elections, after the refugees, the Jews, judges or teachers. Government propaganda presents us as potential paedophiles who want to teach children to masturbate in schools and PiS as the defender of children, which allows them to collect votes. Unfortunately, this affects ordinary people.” (Claudia, 2019)*

According to the EU LGBTI survey II, only 27% of queer Poles are now often or always open about being LGBT in Poland, whereas that number stands at 47% for the EU-28. In the same survey conducted by the European Union Agency for Fundamental Rights, a 39-year-old gay man confessed that:

*“The general atmosphere in Poland has changed drastically over the past years in terms of perception of LGBT and environments. State officials praise their intolerance by announcing more and more new areas of the country “free from LGBT”. I have no confidence in the police and the courts in these matters. I am more than sure that in the event of some problems with my orientation, [I would] first [be] treated with ironic disgust, humiliat[ion] and then ignored systemically.” (A Long Way to Go for LGBTI Equality, 2020, p. 13)*



On 18 December 2019, while criticising the LGBT-free zones in Poland, the European Parliament adopted a resolution (463 votes in favour, 107 against and 105 abstentions) on public discrimination and hate speech against LGBTI people. The resolution clearly stated:

*“[The European Parliament] strongly condemns any discrimination against LGBTI people and their fundamental rights by public authorities, including hate speech by public authorities and elected officials, in the context of elections, as well as the recent declarations of zones in Poland free from so-called ‘LGBT ideology’, and calls on the Commission to strongly condemn these public discriminations”.*  
(Parliament Strongly Condemns “‘LGBTI-Free Zones’” in Poland | News | European Parliament, 2019)

### **3.3 Clash of Civilizations**

Both Russia and Poland share a generic clash between their normative traditional Christian citizens and their LGBTQIA+ communities. The cisgender heterosexual national obeys the state’s cultural, traditional and religious values through an opposite-gender marriage and subsequent procreation, which largely benefits the state’s expansion. In stark contrast to the former, the queer citizen is perceived as a by-product of the moral decadence of the progressive western world that threatens the state from within; an internal enemy which jeopardizes civilization and culture at their core. In his academically famous “Clash of Civilizations”, Samuel Huntington ventures a theoretical prophecy for International Relations in the post-Cold War era between “the West” and “the non-West”, with the main focus being on religion, culture and civilization (Huntington, 1993). Huntington draws a clear-cut “we” versus “they” dichotomy between the “democratic and liberal West” and “repressive Islam”. The famously controversial text has been heavily criticized by various academics such as Roy Mottahedeh, who challenged the political scientist’s argument by means of historical evidence and claimed that Huntington unintentionally reproduced generalised stereotypes against the non-West (Mottahedeh, 2003). Alternatively though, the global debate on sexual rights may often be perceived also through the lens and perspective of a special interest “*cultural clash*”: one that emerges between western and non-western democracies (Altman & Symons, 2016, p. 13). Besides, Huntington argues that the occurrence of violence and conflict within homogenous groups or states is considerably less common. Although queer citizens are part of the state, global reports on

both pro-LGBT and anti-LGBT countries illustrate that the community undergoes institutional discrimination and its members are systemically regarded and treated as a threat to society, in Western and non-Western environments alike.

## **Chapter 4. Queer Dichotomy**

### **4.1 Modernity vs Tradition**

When it comes to LGBTQIA+ rights, there is a clear dichotomy between, on the one hand, states that are pro-queer and also often advocate post-modernity and liberal Western democracy and, on the other hand, states that institutionally and structurally discriminate against the queer citizen, which usually favour anti-West sentiments, traditional mores and morals. The West has been actively requesting that the human rights of local LGBT communities be protected by anti-queer states, but the latter regard these as a side-effect of west-driven “globalisation” and, therefore, violate them. Likewise, powerful elites also promote this western desire for the decriminalisation of the queer citizen as a neo-colonial tactic that seeks to establish new –queer– norms. For example, in southern Africa, political leaders such as Mugabe –the second President in Zimbabwe–, Nujoma –the first President of Namibia– and Chiluba –the second President in Zambia–, take a fierce public stance against homosexuality, as a result of which a new radical wave of homophobia has emerged: one which differs starkly from that imposed by colonialists. Paradoxically, although the LGBT community is largely perceived as a Western internal enemy and its recognition as a neo-colonial strategy, the legalisation of queer citizens in ex-colonial countries in essence amounts to the abolition of the homosexuality ban enforced during the colonial era. Besides, within the divided Europe (West versus East, North versus South), there exists a pressing need to become “European”; or rather “Western-European”. As the EU promotes an LGBTQIA+ positive agenda<sup>12</sup> and calls for the inclusion and protection of the queer citizen, member states (especially in Eastern Europe) feel the urge to “catch up”. By contrast, non-member states enjoy the freedom and independence to self-determine their own politics regardless of the European “civil” module. For instance, Russia-friendly and until recently EU-sceptic<sup>13</sup> Serbia blatantly ignores western European

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<sup>12</sup> The protection of rights of sexual and gender minorities are interlinked with the vision for a European identity. For instance, Malta claimed to be more European once it adopted queer positive policies in 2014 (Altman & Symons, 2016).

<sup>13</sup> Serbia is now committed to joining the European Union.

proposals and guidance to embrace and further protect the LGBTQIA+ community. The 2013 Russian Anti-Gay Propaganda Law, according to which public support for LGBTQIA+ rights were pronounced illegal, inspired eastern European and central Asian countries alike to follow suit and consequently propose respective anti-queer policies. Interestingly, in most cases, the introduction of anti-gay measures and laws eventually failed to be institutionalized. However, the West-versus-East political dichotomy has resulted in a prevalent anti-West pro-tradition tendency, which clearly suggests that in such environments the queer citizen is likely to undergo further marginalization (Altman & Symons, 2016, pp. 133–143).

The global queer debate remains divided. The advancement of policies is to be traced mostly in Western Europe, North and South America, Australasia, whereas the gay-rights movement is progressing slowly (even when that means legal neutrality rather than equality) and in numerous cases deteriorating in certain regions of the world. The key players in the international discourse have been the UN, western European states and the USA, all of whom urge other countries –and especially their allies– to protect SOGI minorities. For the West, protecting the LGBTQIA+ community is closely and directly linked with international relations development. Ironically though, it was the western world that until very recently used to criminalise homosexuals and view them as a threat against the state; the same western world that is currently fully embracing the community in respect of post-modern democratic values.

## 4.2 Israel & Homonationalism

Contrary to the pervasive anti-LGBT laws and sentiments that exist in the Middle East, Israel claims that its pro-queer policies not only promote human rights but are also living proof of its deeply-rooted democratic values, which are in sharp contrast to those of the Arab world. Israel's queer-positive stance has been heavily criticized as a strategic "*pinkwashing*<sup>14</sup>" tactic to distract global attention from the occupation of Palestine (Altman & Symons, 2016). Besides, together with Palestinians who can readily detect,

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<sup>14</sup> The term is a portmanteau word that derives from combining "pink" with "whitewashing". The pink color originates from the pink triangle which was the camp badge in Nazi concentration camps worn by those accused of being homosexual / bisexual males or transgender women. After the Nazi-era, several homosexual men were re-imprisoned by the occupying forces and the anti-gay Nazi laws (paragraph 175 of the Criminal Code) were only lifted in West Germany in 1969 (Altman & Symons, 2016). Today, the pink triangle has been reclaimed by the LGBTQIA+ community as a positivity symbol against homophobia.

identify and deconstruct how oppression and human rights violations function, certain queer activists condemn Israel's gay-friendly profile as outrageous propaganda. Investing in gay tourism is one of the ways Israel is effectively marketing itself as a "gay haven" within the region<sup>15</sup>. Through its international outreach advocacy campaign for sexual rights, Israel is strengthening its national branding; at the same time, it is also consistently undermining the status of Palestine within the international relations arena by (re)attacking it for its own explicit anti-gay policies. In Sarah Schulman's famous New York Times OP-ED named "Israel and Pinkwashing", Israel is in essence presented to be politically exploiting the LGBTQIA+ community in a strategic attempt to (re)introduce itself to the West as a contemporary post-modern democracy: one whose policies are in stark opposition to the prevalent homophobia across the Middle East (Schulman, 2011). In a similar vein, Israel's fame as "the first vegan nation" is also harshly criticized for *veganwashing* by Alloun Esther. According to the author, the reason behind the consistent promotion of animal welfare and veganism by Israel is dual: rebranding itself as ethical, progressive and modern, parallel to diverting international attention away from the Israeli-Palestinian conflict (Alloun, 2020).

Coined by Jasbir Puar, the term *homonationalism* describes the political practice which emerged within the United States of America<sup>16</sup> in the aftermath of the 9/11 terror attack (Puar, 2007). Puar argues that the West promotes LGBT positive sentiments to disseminate a democratic, liberal and pro-human rights agenda, and to accuse Islam as being uncivilized and homophobic. This contemporary political tactic creates a false binary: on the one hand, it enables queer bodies to enjoy their human rights exclusively in the West while, on the other, it condemns them to dehumanization and persecution in countries where Islam prevails. This fallacious binary is far from the truth though on both ends: queerphobia is still rampant in the West and queer Muslims militantly fight for LGBT recognition in the Middle East. Jason Ritchie argues that the actual realities and lived experiences of queer citizens in Israel and Palestine are not depicted through Israeli homonationalism, which exclusively and selectively projects a pro-gay Israel and an anti-gay Palestine (Ritchie, 2015, p. 622). Ritchie uses the notion of checkpoints as a metaphor to underline the movement of the –queer– body through (hetero)normative spaces, and

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<sup>15</sup> Israel is mostly promoting a male gay scene.

<sup>16</sup> Anti-sodomy laws were lifted in the USA in 2003 by the US Supreme Court. Even today though, many states fail to protect the queer citizens from being discriminated against due to their SOGI.

supports that queer Palestinians undergo a “checkpoint control” every time they enter queer venues, such as gay bars, across gay-positive Israel. Interestingly enough though, most queer Palestinians claim that their queerness may lead to further abuse during such checkpoint controls. Overall, homonationalism is dismantled as a policy of blatant favouritism that privileges specific queer bodies on the basis of race, ethnicity, nationality, class and religion, and hugely fails to protect all queer citizens on equal terms (Ritchie, 2015).

### **4.3 Colonisation and Homophobia**

Today, states with queerphobic policies are harshly criticised by Western European and North American countries. In many non-Western states, the queer citizen was not excluded from political and social bodies until the era of colonization, during which new rules were imposed in alignment with the corresponding European norms and values of the day dictated by Christianity. Historically, gender and sexual identities, which oppose the “cisgender” and “heterosexual” western module, have always existed in non-Western realities. Depending on local understandings of gender and sexuality, such identities and behaviours have flourished over the last decades. Diverse cultures have long celebrated gender identities and expressions that are understood as non-normative through the Western lens: that of the male-female binary. The West lacks the vocabulary to identify and appreciate realities such as *the Hijras* in south Asia, *the Ashtimes* in Ethiopia, *the Fa'fanines* in Polynesia or *the Berdaches* to be found among Native Americans (Altman & Symons, 2016, pp. 27–28). Admittedly, the global promotion of pigeonholed West-like LGBTQIA+ identities often undermines various local attempts to salvage the ways in which trans\* identities and homosexuality were fully embraced within pre-colonial cultures and traditions; as a result, the latter are doomed to lapse into oblivion (Altman & Symons, 2016, p. 208). In the European colonies where Christian missionaries exercised the power to politically influence provinces, harsh bans against homosexuality were enforced to “civilize” the population. “Sexual morality” and Christian sexual norms were imposed across the colonised territories, according to which exclusively monogamous heterosexual marriages were allowed and blessed. Those newly-established impositions often countered local cultural realities and ideas on sexuality and gender, which were in sharp contrast to their equivalent European traditions. This imported western anti-homosexual ideology is still prevalent today in various Commonwealth countries.

Ironically enough, Britain has over the last years, been urging –if not altogether threatening– such states to at long last decriminalize homosexuality once and for all. (Altman & Symons, 2016, pp. 34–35). In 2011, the British Prime Minister, David Cameron, threatened to discontinue funding African countries unless they decreased their criminal penalties for same-sex acts and lifted their colonial anti-homosexual bans. Ghana, Liberia, Nigeria, Uganda and Kenya refused to amend their policies and eventually provoked Britain to terminate its bilateral funding (Kaoma, 2017, p. 132). Similarly, in 2010, the Cotonou Agreement was signed: this promoted trade and political ties between the EU and seventy-nine African, Caribbean and Pacific (ACP) nations, all of which had exhibited state-supported violence against members of the LGBT community within their territory. The then European Commissioner, Andris Piebalgs, was ordered by the European Parliament to include in the agreement’s revised terms non-discrimination policies regarding SOGI and HIV/AIDS status. However, all the ACP counties rejected the proposal and pleaded the EU to refrain from imposing its pro-LGBT values (Altman & Symons, 2016, pp. 177–178).

#### **4.4 The Hijra Community**

In a number of British former colonies which retain anti-sodomy laws until now, the queer citizen is still perceived as a Western import and a neo-colonial interference that threatens traditional norms, cultural values, religion and the entire society. The Hijra<sup>17</sup> people are Indian’s ancient trans community who have historically been bearing cultural, political and spiritual significance. The minority dates back to more than 4,000 years and, according to historic sacred Hindu scriptures, possesses special powers capable of assigning luck and fertility. In 1865, certain British colonial officials in North India, denounced the Hijra population as a danger to “public morals” and a threat against colonial rule (Hinchy, 2019). Having started already from the 1850s, these officials kept demeaning the Hijra

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<sup>17</sup> The term is used by members of the trans\* community in Bangladesh, India, Nepal and Pakistan. It includes people whose gender identity does not correspond to the binary and most usually describes transgender women. Hijra was wrongfully translated in English as “eunuch” or “hermaphrodite”, although trans activists managed to replace the term with “transgender”. Hijras have been described as spiritual figures with a special social role as they are often invited to offer their blessing and perform at births, weddings and other ceremonial occasions. Hijras preserve a sense of spirituality which is closely associated with religion. Moreover, those hijras that have been disowned or rejected by their biological family, as well as those experiencing poverty, tend to lead their lives strictly within only-hijra communes. These well-organised communities follow a strict hierarchy and structure between the guru (or mother) and the chela (or daughter). Today, there are few employment opportunities for hijras as a result of long-seated discrimination and societal rejection, which leads many members of the community to resort to sex work or beggary.

community by calling them “eunuchs” and accusing them of being “criminals addicted to sodomy, working as prostitutes and kidnapping and forcibly castrating children” (Hinchy, 2017). Under the British authority, the community faced criminalisation following a colonial governmental law passed in 1871 which aimed to extinguish its vulnerable members. Although the community has survived and managed to preserve their spiritual and cultural traditions up to now, the aforementioned British colonial law has sadly ignited strong anti-hijra sentiments. While a significant number of Indians still seek to traditionally receive blessings from the hijras on special ceremonies, many disregard them and cruelly discriminate against them in everyday life (Salbi, 2016). In 2014, the Supreme Court in India ruled that hijras, transgender people, “eunuchs” and intersex people are officially recognized as a “third gender” by law. Additionally, Pakistan was the first country among Bangladesh, India and Nepal to recognize the hijra community in 2012. Despite the institutional recognition being a milestone for the hijras, widespread prejudice and violence remain prevalent within the Indian society and often threaten the lives of the hijra community. The latter is ironically perceived to this day as a threat against cultural and traditional norms and values that society has been complying with for over forty centuries. The British-promoted colonial policy to outlaw the hijras in essence constituted an erasure of India’s long cultural legacy and history. Likewise, British colonials in 1861 also introduced “Section 377” on the Indian Penal Code, which criminalized sexual activities “against the order of nature”; namely, homosexual sex, bestiality, non-consensual sex and sexual activities with minors. Since September 2018, the Supreme Court of India ruled that the colonial-era ban no longer applies to consensual homosexual sex between adults, whereas it still applies for the other three categories. For many queer movements in the West, legal state protection was offered initially towards sexual minorities, with gender minorities following suit. In India, the “third gender” recognition is closely related with Hindu traditions and culture while a ban on the colonial anti-homosexual British law was dismissed as a neo-colonial Western initiative (Altman & Symons, 2016).

## **Chapter 5. Queerness for All?**

### **5. 1 The European Far-Right**

According to Eleftheriadis, in financially-struggling Greece –a pro-LGBT member of the EU– the emergence of conservatism and fascism coupled with the rise of the far-right Golden Dawn party promoted a new national identity: that of the white cisgender heterosexual Orthodox Christian Greek (Eleftheriadis, 2015). Greek queers became the “others” and by extension the “shame” of the nation. In a similar way, (far) right parties in Europe vehemently oppose sexual and gender diversity and persistently promote traditional Christian values. In specific Western European countries however, the far-right has been accused of “pinkwashing” through its claims that “homophobic Islam” poses a threat to the white European queer citizen. Thus, conservative homonormative ideologies create an “either Muslim or gay” binary: one that stems from the “Islam versus homosexuality” narrative (Puar, 2007, p. 88). Such parties regularly participate in pride parades<sup>18</sup> and events only to provocatively expose their anti-immigrant and anti-refugee agenda, and therefore exploit the queer citizen. Sexual liberation in Europe is treated as the supporting evidence that the continent is a democratic region that advocates freedom and modernity. European Muslim citizens along with Muslim migrants and refugees are consistently referred to as callously primitive and anti-LGBT by the far right within the EU and assumed to threaten the European democratic stability altogether (Mepschen et al., 2010). In France, controversy among “traditional” and “modern” voters was stirred by the president of the far-right Front National party, Marine le Pen, and her contradictory stance: on the one hand, she opposes same-sex marriage and adoption by same-sex parents while, on the other, she stresses the need to protect the LGBT community from “radical Islam” and “homophobic Arabs”. According to polls, this stance of hers has earned her many gay French supporters. Clearly, this is a personal win for Marine le Pen, who tries to differentiate herself from her father’s and the party’s long homophobic legacy. In the same double-edged, hate-speech and xenophobic vein, le Pen altogether condemns anti-Semitism while she also unashamedly calls for the protection of French Jews, claiming that their lives are supposedly endangered –this time– by Muslims (Mayer, 2013, p. 163). As for the Netherlands, the societal and political acceptance and “normalization” of the queer citizen has been linked with a step towards “modernity” over “tradition” since the 1980s. Dutch conservatives feel that the Dutch queer citizen, who is symbolic of the country’s democracy and modernity, is currently threatened by the non-modern Muslim. In accordance with various other West European far-right parties, Dutch conservative

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<sup>18</sup> Some of those queer venues are intentionally organised in predominantly Muslim neighbourhoods to stir and provoke local residents.



politicians promote their anti-Muslim agenda by drawing attention to the prevalent homophobic sentiments within “barbaric” Islamic societies. In conclusion, while pro-LGBT states and societies are usually perceived as enabling safe spaces in which all queer bodies may unconditionally enjoy their human rights, in essence this sadly remains to this day a privilege solely for the few –rather than an entitlement for all. Therefore, analysing the intersectionality of one’s identities is crucial: observing the mechanisms through which one’s multiple identities may complement (national queer) or contradict (refugee queer) each other and, likewise, may allow one to enter the political arena, or may disown one. One may have fled their country of origin because they were persecuted there due to their SOGI status, only to be othered anew once they have settled in the supposedly progressive West. In the next sub-chapter, attention is drawn to those queer bodies which choose to find a persecution-free land.

## 5.2 Queer Refugees

According to the UNHCR (United Nations High Commissioner for Refugees) 1951 Convention for Refugees, a “refugee” is recognized as a person who has a:

*“well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.”<sup>19</sup>*

The lack of clarity when mentioning or excluding individuals who flee the persecution they suffer in their homelands due to their SOGI status has sparked off a heated international debate. Some support that SOGI asylum seekers/ refugees (AS/R) are included under the “membership of a particular social group” category. In 2008, the United Nations High Commissioner for Refugees adopted a “guidance note on refugee claims

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<sup>19</sup> UN General Assembly, Convention Relating to the Status of Refugees, July 18th, 1951, United Nations, Treaty Series, vol. 189, <http://www.refworld.org/docid/3be01b964.html>, Article 1A2.

relating to sexual orientation and gender identity”<sup>20</sup>. Additionally, during the ongoing discussion in 2011, an EU directive<sup>21</sup> particularly recognized SOGI individuals who suffer from fear of persecution as refugees and finally ended the debate as follows:

*It is equally necessary to introduce a common concept of the persecution ground ‘membership of a particular social group’. For the purposes of defining a particular social group, issues arising from an applicant’s gender, including gender identity and sexual orientation, which may be related to certain legal traditions and customs, resulting in for example genital mutilation, forced sterilisation or forced abortion, should be given due consideration in so far as they are related to the applicant’s well-founded fear of persecution.*

Today, the queer citizen is criminalized in seventy-three (73) countries and even punished by death penalty in certain of them. In such states, for the members of the community, survival amounts to a daily struggle in all aspects of their lives as they get persecuted at the same time by the government and society alike. Under this asphyxiating umbrella of queerphobic practices, there have been diverse reports of physical violence, death threats, kidnapping, murders, hate crimes, rapes, forced marriages, imprisonment, torture, public humiliation and harassment. Shockingly, these incidents are reported to have occurred within the nuclear families of victims. Feeling threatened, defenceless and deprived of any support, LGBTQIA+ citizens choose to flee brutalisation and immigrate in the hope of finding a safe shelter. Little do they know that they are likely to fall prey to more violations of their human rights and are actually embarking on a new tragedy: that of their life as queer citizens abroad. A common problem that community members face is that they get invariably ill-treated and humiliated by local aid workers, who in most cases lack formal specialized training focusing on SOGI AS/R. Asylum staff interviewers systematically require that asylum seekers (AS) prove with supporting evidence their sexuality and their lived experiences of persecution in their home countries. As a result, the asylum seeker is coerced to often validate their SOGI status in compliance with the Western and

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20 UN High Commissioner for Refugees (UNHCR), UNHCR Guidance Note on Refugee Claims Relating to Sexual Orientation and Gender Identity, 21 November 2008, available at: <https://www.refworld.org/docid/48abd5660.html>

21 DIRECTIVE 2011/95/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL, 13 December 2011, on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast).

stereotypical concepts of sexuality and gender (Dawson, 2018). To that effect, AS may oftentimes unsurprisingly resort to feigning and adjusting their ways of moving, acting, speaking, presenting or dressing themselves respectively, in an attempt to convincingly masquerade as western-like queer versions of themselves.

## Conclusions

Unarguably, one of the main goals of the political state is to preserve its growth. Ever since the Athenian Democracy until today, states have historically been male-dominated heteronormative environments, wielding the power to either include or exclude their citizens from their democratic processes. Rather than being political subjects, women have traditionally been deployed as reproductive machines, responsible for offering *men* to the state to ensure its continuation. By contrast, homosexuals have been regarded as a supposed menace against the state because of their inability to biologically procreate within their romantic and/ or sexual relationships. Criminalizing same-sex relationships and gender diversity encourages queer subjects to never escape the shelter of the closet and to even resort to drastic actions, such as forced marriage or procreation, only to be officially and socially granted the status and privilege of heterosexuality. In contemporary western societies, sharply declining demographics unfortunately pose an additional threat. As a result, specific states, such as Russia, promote queerphobic discourse and policies as a tool to demonise homosexuality as a threat to its shrinking demographics, in contrast to others, such as the Netherlands, which actively and structurally empower queer families through their political institutions. The ultimate goal of procreation and families though remains uniform in both the heteronormative and homonormative model: more importantly, the goal of childbearing benefits the state on a large scale as it secures its longevity and survival.

The political state-sponsored homophobia or homonormativity should be examined through historical, religious and political lenses rather than on the basis of state productivity. The majority of countries that still criminalise the queer citizen are essentially perpetuating a colonial anti-sodomy legislation legacy. Due to local anti-western and anti-colonial resentment, ex-colonial states now refuse to conform to the call of the West for protection of the LGBTQIA+ community fearing that this step would amount to verging

towards modernity, globalisation, neo-colonialism and westernisation. The rise of western LGBT multifactorial inclusion has considerably alarmed queer-intolerant states and ignited their self-defense reflexes; so much so that they currently vehemently oppose the new cultural “threats” with unprecedented anti-queer policies. This trend predominantly flourishes in the non-West but also in the West: namely, Hungary<sup>22</sup> and Poland: two specific EU member states with far-right governments. Within the global queer discourse, a stark irony is observed regarding the West: it first spread queerphobia internationally by imposing Christian values during the colonial-era, whereas today it champions and advocates pro-LGBT social change across the globe in the name of liberal democracy. The states which adopt a pro-queer agenda and legislation are regarded as progressive in the international arena, which enables them to gain massive *soft power* to their own advantage.

Until very recently, the queer citizen used to be harshly persecuted in contemporary pro-LGBT democracies. Due to multiple factors, such as the global HIV/AIDS discourse or western anti-Muslim sentiments, the western queer citizen has now gained official recognition and unconditional protection by the state. Although the gay rights movement has drastically progressed over the last two decades in the West, LGBT individuals still face daily challenges stemming from deeply-seated social prejudice –compared to their cisgender heterosexual counterparts. This takes a toll on the community: high suicide rates, mental health challenges such as depression, stress, anxiety, fear, anger, and substance abuse and addiction like tobacco, alcohol and drugs. Today, western activists are preoccupied with same-sex rights advocacy, which mostly focus on marriage-equality and same-sex adoption; consequently, the trans\* activist and gender diversity movements have become secondary priorities. At the same time, in anti-queer states, the struggles through the sexual and gender diversity activist discourse are centred around the rights to live, to be legalized, and to not be executed or imprisoned. Even though human rights protection laws have in theory been constitutionally adopted, they fail to be practically implemented and to protect the queer citizen, who is left uncatered for at the margins of society and the state. Many, whose lives are at high risk due to their SOGI status, choose to flee their country of origin for the supposedly pro-queer West. Newcomers may however face new challenges and threats due to local, and even national, anti-refugee and anti-migrant

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22 On 19 May 2020, the Hungarian Parliament approved the alteration of Article 33 to replace the category of “sex” with “sex assigned at birth” on Civil Registry Certificates and other legal documents. As a result, trans\* and intersex Hungarian citizens are no longer allowed to change their gender marker according to their gender identity.

sentiments. Additionally, because the global queer movement is western-led, it fails to acknowledge the multitude and spectre of sexual and gender identities existing in other parts of the world. Sadly enough, this lack of perspective in International Relations further reinforces the fallacious portrayal of the queer citizen as a western innovation and the widely held ubiquitous queer dichotomy: pro-LGBT versus anti-LGBT states.

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