GENDER EQUALITY STRUGGLE IN CROATIA: POTENTIALS AND CONSTRAINTS IN DEMOCRATIZATION PROCESSES

Helena POPOVIĆ

Assistant Professor, Faculty of Political Science

University of Zagreb

e - mail: helena.popovic@fpzg.hr

Abstract

In the last few decades, the importance of civil society has been resurrected, both as a theoretical concept linked to democracy as well as a social practice. Even though civil society implies different definitions in the course of history, in contemporary sociopolitical systems of the West, it is defined as a part of the institutional framework of the democratic constitutional state. This type of institutionalized civil society started to develop in Croatia with the abrupt structural changes that occurred in the last two and a half decades in southeast Europe after the fall of socialism - a process in which feminist civil society organizations (CSOs) played an important role. They were the main actors to introduce favorable social changes for gender equality. However, a contemporary assessment of gender equality shows that institutional change and the implementation of mechanisms for gender mainstreaming have proven to be insufficient. In addition to the lack of implementation of the policies and legal framework, the traditionalization trend in Croatia has intensified in the last few years. These negative trends can be tied to broader neoliberal tendencies that have swept across the West in the last few decades: the retreat of the welfare state and cuts in the public sector, the crises of representative democracy, economic crisis and commodification of all social domains. In this context, feminist CSOs seem to be between a rock - the regressive local context, and a hard place - the neoliberal hegemony on a global scale.

Keywords: *civil society, civil society organizations, state, gender equality, Croatia*

Civil Society in Liberal Democracies

In the last few decades, the importance of civil society has been resurrected, both as a theoretical concept linked to democracy and as a social practice. The centrality of the concept is explained by historical periods of crisis. Comaroff and Comaroff (1999) draws an analogy of the historical context between the 18th century and the postmodern period at the end of the 20th century. They point out the similarities of the crises that societies were faced with in these two historical periods:

- the crises of family;
- the transformation of economy
- the crises of the legitimization of state power.

In the 18th century the "mounting repressiveness of the ancient regime…had the effect of focusing critical attention on the proper relationship between society and authority, between rulers and the rights of their subjects" (Comaroff and Comaroff, 1999, p.9). As for the postmodern time, the nation-state is, once again, changing in its essence, with the emergence of supranational entities. In the same way, the economy and the market have "outrun the functional capacities of the state" with the "newly globalized, neoliberal form of capitalism" (Comaroff and Comaroff, 1999, p. 12-13). In these processes, governments are intrusive, and no longer have control over symbols, information or ideologies. Global capitalism erodes the nation state through the diminishing of customs boundaries, the emergence of mobile markets, and the new division of labor that provokes large-scale migrations.

Lester Salamon (1994) relates the revival of the concept of civil society and the emergence of numerous civic organizations in the last few decades to social crisis. He points out the crises of the welfare state; the crises of development that is reflected in the extensive inequalities between different countries; the environmental crises and the crises of socialism in east and southeast Europe. In addition, the technological revolution which had a huge impact on network cooperation as well as the fast dissemination of information, and the revolution related to the economic growth in the 60s and the 70s that enabled an upraise of a new, urban middle class that proved to be the main actors in the civil sector are viewed as important for the understanding of the centrality of civil society.

Even though civil society has had different definitions in the course of history, in contemporary sociopolitical systems of the West, it is defined as an institutionalized part of liberal democracy. In the context of democratic theory,

Habermas (1992) defines it as a sphere enabled through the constitution, but which is not formally organized, since the function of it is "discovery and problem resolution" (Habermas, 1992, p. 451). Compared to the past, the meaning of 'civil society' has changed and no longer includes the economic sphere. Habermas points out that the "institutional core of 'civil society' is constituted by voluntary unions outside the realm of the state and the economy and ranging (…) from churches, cultural associations, and academies to independent media, sport and leisure clubs, debating societies, groups of concerned citizens, and grass-root petitioning drives, all the way to occupational associations, political parties, labor unions and 'alternative institutions'" (Habermas, 1992, p. 453-454). In the context of democratic theory, civil society is discursively constructed as something that should be assisted and positively evaluated since it is connected to signifiers constitutive for democracies such as participation, activism, grass-root organizing from below, diversity.

However, the idea of civil society is not without its critics. The critics claim that what is thought of as civil society in contemporary western political discourse is only an ideal-typical concept of the West that does not exist in reality but serves as a frame for a negative evaluation of non-western socio-political systems, whereas the same criteria are not being applied to those who introduce the concept in 'new' democracies. The problem in these societies is that their "existing institutions of governance …are evaluated...against ideal-typical universals" (Comaroff and Comaroff, 1999, p. 16) presented by western political science. These evaluations are communicated through terms such as "underdevelopment", "lack of civil society", and the "immaturity" (Commaroff and Comaroff, 1999, p. 17). They also point out that Western societies too are incoherent, but this fact is usually uncritically ignored. The formation of civil societies with historically and culturally specific modes of organizing that is not necessarily institutionalized, such as "kin – based and ethnic organizations that form public and political pressure groups", or activism of religious groups, or specific forms of exchange and production in the economic sphere, have to be evaluated from a new perspective, which is not burdened by Eurocentric particularities that pretend to be universal. This is important not only in order to be able to critically evaluate non-western societies, but also to rethink Western societies, where the theoretical, idealized concept of civil society claims to be inclusive and promise equality, but ends up in being exclusive and unequal. It also claims autonomy vis-a-vis the state, but actually, in practical life, this borderline can never be earmarked clearly. (Commaroff and Comaroff, 1999).

Another, class-based critique frames civil society organizations (NGOs) as being in the service of the neo-liberal state and global capital, while the

niches of poor, deprived and excluded groups are the target of their activities, through which they aim to "deflect the discontent away from direct attacks on corporate/banking power structures and profits and towards local micro-projects, apolitical 'grass root'" (Petras and Veltmeyer, 2001, p. 128) activities in order to move the focus away from class analysis of capitalist supremacy. Instead of dealing with the source of injustice, NGOs deal with the consequences. The NGO activists are a newly emerged class, a new petit bourgeoisie, a stratum of professionals who are well educated and well paid, and benefit from the deprived groups they supposedly represent. Petras and Veltmeyer (2001) thus argue that the concept of civil society is "useless and obfuscating" (2001, p. 130) - a notion that covers both an "anti-Marxist and anti-statist appeal with populist rhetoric…sufficiently ambiguous to cover both bases" (p. 138).

Both types of critique seem to have strengthened in the last decade, due to the deepening of structural inequalities on a global scale.

The Context of Southeast Europe

Habermas (1992) distinguishes between civil society in state socialist societies and in western democracies. In the former, civil society, organized against the state, created an "infrastructure of a new order" through voluntary associations (Habermas, 1992, p. 455). In contrast to that, in western democracies, the voluntary associations are a part of the institutional framework of the democratic constitutional state. (Habermas, 1992).

In the 1980s civil society appeared as a framework for the struggle against the authoritarian regimes in the socialist block in Eastern Europe. In socialist states, civil society groups emerged as a reaction *against* the totalitarian state that had extensive control over social institutions, which reached most segments of the society. However, in southeast Europe, the situation was a bit different, firstly because of the specificities of socialism in Yugoslavia and secondly because of the ethnic war and the nationalist authoritarian regimes that came to power in the beginning of the 1990s. In the war-effected states that emerged from the dissolution of Yugoslavia, the target of a considerable part of the CSOs was the nationalist authoritarian regime that emerged in the 1990s.

The abrupt structural changes that occurred in the last two and a half decades in southeast Europe created a peculiar setting in which elements of the former socialist system and elements of the early stage of liberal democracy were additionally complicated with war and the authoritarian regimes. The

collectivist ideology of both the socialist and nationalist authoritarian regimes, as well as the extensive state, affected the sense of 'self' in these societies that resulted in the suppression of forms of agency – at least as defined and understood in liberal democratic theory. During the period in which Croatia formed part of Socialist Federate Republic of Yugoslavia the secular socialist political system nurtured the cohabitation of diverse ethnic and religious groups in the respective Republics and Autonomous Counties that formed part of the state.

However, in the late 1980s and the beginning of the 1990s, as a consequence of political, cultural and economic fragmentation of Yugoslavia, civil turmoil spread across the state. At this time, tension between Croatia and Serbia grew, which ultimately led to the Croatian War of Independence (1991-1995) characterized by intra-ethnic and inter-ethnic controversies that are 'interpreted in contradictory ways by different communities'. (Bjelajac and Žunec, 2010, p. 236). Franjo Tudjman, who was elected president of Croatia in 1990 was partially responsible for the exacerbation of the crisis (Ramet, 2005.). His authoritarian style of governance' had a negative impact on the political climate in Croatia during and after the war. The nationalist movement led by Tudjman and his political party HDZ (Croatian Democratic Community) had broad acceptance among the citizens due to the 'external enemy threats' discursively produced in time of war. In the second half of the 1990s, after the war, the nationalist authoritarian regime operating in an ethnically 'cleaned' Croatia, began the processes of identity construction on all institutional levels. In this respect, Catholicism as the dominant religion became an important identity trait in order to distinguish Croatia from the neighboring Other: orthodox Serbia and the predominantly Islamic Bosnia and Herzegovina. The demand for linguistic 'purism' in public discourse emerged, even though the language in the newly established states was the same, or to be precise: the emerged states share a "polycentric standard language" (Kordić, 2010, p. 47).[1] The reconstruction of national identity was encompassed by political conservatism, defamation of the previous secular socialist regime, and the rewriting of history. Needless to say, the unification of the national body, hardly allowed for alternative voices to be heard. At the time, civil society organizations in Croatia, that were not operating in accordance with state politics were viewed as dangerous. A framework of control was established with restrictive legislation: the registration process of CSOs remained in the

1'Polycentrism means that one language is spoken in more than one state, and that all the states have their national variances, that have a few codified norms that are different from the norms in the other variants (Clyne/Fernandez/Muhr, 2003, p. 95 in Kordić, 2010, p. 47).

domain of the Ministry of Public Affairs, taxation policies were discouraging, subsidies and state budget financing of the civil society sector were not present. The information channels mainly controlled by the state were not interested in promoting the activities that occurred in the sphere of civil society. These "oppositional" CSOs, financed by international donations, (like Open Society or the Croatian Helsinki Committee) were obstructed, and proclaimed as enemies of the state by the state controlled media (Bežovan, 2003). This type of repression was ongoing during the 1990s, and it aimed at marginalizing the actors that were engaged in civil society activities outside of institutional politics and in opposition towards the nationalist authoritarian government. Finally, under the pressure of international actors, the Croatian government established the Office for Cooperation with NGOs in 1998, which marked the beginning of dialogue between the state and CSOs that were not an extension of state politics. This was also the beginning of a more transparent and better-organized state subsidy support that reached a larger number of CSOs. However, the crucial change occurred after the death of the president Franjo Tuđman in 1999 and the first democratic elections in 2000. The left coalition came to power, and this marked the period in which the relation between state and civil society in Croatia started to change. A new Association Act was introduced in 2001, that ensured a simple registration process, as well as a more favorable tax system related to CSOs (Bežovan, 2003b).

Woman's Activism in Croatia

The development of CSOs in Croatia, as a part of the institutional framework of the democratic constitutional state started in the beginning of the nineties, however citizens' organizing was not unknown in socialist Yugoslavia. In this respect women played an important role. During WWll the Women Antifascist Front was active and in 1944 women were granted the right to vote. Đurđa Knežević identifies the first phase of feminism in Croatia as occurring toward the end of the 1960s and beginning of the 1970s. The first formally registered feminist group, Women and Society, emerged in the end of the 1970s, within the Sociological Association in Croatia (Knežević, 2004, in Broz, 2013). While this group was theoretically oriented, the Women's Group Trešnjevka, founded in 1986 was an activist organization offering concrete help to victims of violence via SOS telephones. In mid 1980s Svarun emerged (with a focus on ecology, peace and women's spiritual life), and in the end of the 1980s the first lesbian initiative *Lila* was established (Barilar et al., 2001). In this period the main civil society actors were women, youth and the urban population, delinked from the centers of power, playing a key role in the

formation of CSOs in Croatia after it gained independence in the beginning of the 1990s (Stubbs, 2001).

The first CSO founded in the 1990s was the Autonomous Women's House Zagreb that campaigned against violence, and the Green Action, a CSO engaged in environmental protection. In the beginning of the Croatian War of Independence (1991-1995) the -Antiwar Campaign Croatia was established that advocated for peace and nonviolence. It was first organized as a network of individuals and later as a network of organizations. This was followed by an explosion of CSOs during the war, mainly oriented towards humanitarian aid, refugee protection and human rights. Naturally the war determined the issues that were on the agenda.

A considerable part of the women's CSOs were largely founded as a reaction to the socio-political changes in the country that were unfavorable for women. These changes included a retraditionalization of society, orchestrated by the authoritarian nationalist state regime and supported by the conservative Catholic Church. Since the independence of Croatia, the Catholic Church is not only an important social institution, but also an important political actor that pushes forward a very regressive agenda. In accordance - along with feminist CSOs that were dissidents and viewed as 'traitors' by the regime - CSOs that served as an extension of conservative state politics also started to emerged, advocating for patriotism and nationalism, prioritizing national identity to gender identity (Stubbs, 2001).

The postwar period was characterized by war trauma, destroyed families, poverty, refugees and brain-drain. In this period, the financial support from international donors ensured the stability of CSOs, since the state obstructed CSOs that challenged the political and economic power structures, or attempted to change the dominant order. This outside funding was naturally welcomed in an economically unstable environment in which the unemployment rate was high. The positive outcome was that it provided a space for public engagement and initiatives of women, and supported a different type of organization that attempted to be inclusive and horizontally structured (without a firm hierarchy) as different from other sectors. However, the downside of this was that civil society was to a certain extent created from "above" by 'external' actors, meaning that donors guided and defined the 'priorities' in CSO engagement and imposed project-oriented practices.

The development of institutional mechanisms for gender equality in Croatia started in 1996. The first state institution founded exclusively for the enhancement of women's status in society that had an advisory role was the Croatian Government Committee for Equality Issues, which emerged as a part

of the governments' obligations after the UN Fourth World Conference on Women and the Beijing Declaration in 1995 (Zore, 2013). This was also a time when the first National Policy for the Promotion of Equality *(*1997-2000*)* was designed.

In 2000, when the left coalition came to power, the relation between state and civil society in Croatia started to change. In terms of institutional development important for feminist activism, the Office for Equality of the Government of the Republic of Croatia (2000) was renamed as the Office for Gender Equality of the Government of the Republic of Croatia and linked to human rights in 2001. (Bijelić, 2006)

The legislative framework was enhanced to support gender equality: the first Gender Equality Act (2003), and its second improved version in 2008. In 2001, the Committee on Gender Equality of the Croatian Parliament, was established, in 2003 the Ombudsman for Gender Equality Office, while the Office for Gender Equality of the Government of the Republic of Croatia was established in 2004 (Zore, 2013). However, this was also a period in which the international donor support started to disappear, and the position of feminist organizations and CSOs in general had to reorganize in order to secure financial sustainability. In this respect the state started to play a more important role.

Biljana Bijelić identifies two phases of feminist activism since Croatian' independence: 1. the Nationalist Phase – characterized by retraditionalization, activism initiated by war and social insecurity and peace initiatives against nationalism and violence. In this phase, feminist activism occurred outside institutional frames, and civil society building was an emancipatory space for articulation. 2. The Integrative Phase – characterized by EU accession processes, the Stabilization and Accession Agreement as a part of EU accession, beginning of democratization of society, and the beginning of neoliberal politics including infringement of workers' rights and social rights, individualism as a hegemonic discourse instead of community and social responsibilities (Bijelić, 2006).

In the evaluation of the past decade (since the mid 2000's) and the institutional mechanisms implemented in order to enhance gender equality, there is an agreement among feminist theorists and activists that the results are insufficient. Vesna Kesić (2007) claims that feminist activism has changed: from oppositional activism against the state, towards advocacy activism that marks cooperation with state institutions – this form of activism has been dominant in the last ten years. There is a shared opinion that implementation of legal provisions regarding gender equality is lacking, that funding is insufficient and hinders the capacities for real changes, that the system is

bureaucratized, and feminist groups are in competitive relations to each other. They are specialized, highly professional, and there is a tendency to personalized leadership (as opposed to horizontally structured organization) in the groups, that further disturb cooperation and unity. (Kesić, 2007).

These findings are complemented with national indicators on the status of women in Croatia – they show a negative trend in regards to employment, violence and women's participation in politics, while there is some progress in the media coverage on gender issues, and connected to that, the rising awareness of gender inequalities among the general population in Croatia (Kesić, 2007).

Gender mainstreaming, as a strategy to implement gendered perspectives on all levels in public policies, which implies a closer cooperation between feminist CSOs and the government, have led to a form of activism that is depoliticized. Regardless of the proclaimed positive intention of gender mainstreaming, it has, as Biljana Kašić (2011) points out, generated several adverse-effects:…"hypernormativization and hyperinstitutionalization that emerges around politics of gender equality … without connections to the real content of substantial equality or the idea of social change; on the other hand, depolitization and neutralization of several problems that touches upon women and/or gender issues" (Kašić, 2011, p. 170). Gender mainstreaming is evaluated as a process that has regardless of the initial aim, produced "degendering" (Jalušić, 2009, p. 60 in Kašić, 2011, p. 171).

In the evaluation of the current state in the domain of political participation, Paula Zore (2013) points out that voices on gender equality in the public sphere are silenced - in political party programs, women are mainly linked to the context of family, social politics and health, which indicates a very traditional view of the role of women in society (Zore, 2013). While there have been some positive steps in the domain of political participation of women, they are not nearly sufficient (Broz, 2013). Research shows that gender stereotypes in election campaigns are present both in media reporting as well as in the discourse strategies of the female candidates (Popović and Šipić, 2013).

The financial aspect is also unfavorable. The withdrawal of donations from international organizations has been supplemented by subsidies mainly given by the state or the public National Foundation for Civil Society Development. Additionally, EU funding is available; however, it demands a high expertise possessed only by a small educated professional minority. The dependencies of CSOs on these few sources and difficulty in creating a sustainable environment, has negative consequences: as Sanja Potkonjak et al. (2008) points out, it creates a market of the CSO sector which has a negative

impact on cooperation and solidarity. It also creates project driven strategies where the activities are guided solely by what is financed.

Conclusion

Regardless of the quite pessimistic evaluations of the current state of gender equality, the importance of feminist activist groups in the course of Croatian history is vivid: they enhanced the position of women in a very androcentric and patriarchal environment. Feminist activist groups managed to introduce topics on the public agenda that were previously completely marginalized in the public debate, such as inequalities in the sphere of production and employment, political representation, reproductive rights, violence, to name just a few.

Feminist activists also played an important role in the development of civil society in Croatia. Along with international organizations, feminist CSOs were the main actors that initiated institutional changes favorable for gender equality. The EU accession processes included a stronger 'external' pressure on the Croatian government during the period of negotiation related to human rights and antidiscrimination politics. However, the implementation of mechanisms for gender mainstreaming have proven to be insufficient - substantial change is still lacking. The backlash of the seemingly finished institutional frame for gender equality is that there is a false notion that the battle is over and the aims accomplished. Feminist CSOs that form part of the institutionalized civil society are predominantly pacified and depoliticized: the main activities are limited to project-driven counseling, workshops, and education. In the wider social context, there is an overall lack of implementation of policies and the legal framework, inadequate work of institutions and the government, encompassed by a fragmented civil society scene characterized by lack of solidarity between activists. All of which makes the argument of Petras and Veltmeyer (2001) - claiming that CSOs are in the service of the neo-liberal state and global capital – more and more convincing.

What is more worrying is that the trend of retraditionalization of the Croatian society has not stopped. If anything it has intensified: in contemporary Croatia militant discourses are loud, war veterans are mobilized in protest by conservative nationalist fractions; CSOs with regressive and conservative ideas have strengthened their position. They successfully appropriate the human

rights discourse and apply it to their own agenda, with damaging consequences;[2]

These negative trends could partially be tied to the sociocultural peculiarities of southeast Europe, and the destructive war in the region in the 1990s, but also the contemporary crises in western societies: in terms of the transformation of economy (Comaroff and Comaroff 1999): it includes the financial crisis, commodification and concentration of power in the corporate sector; in terms of the crises of the legitimization of state power (Comaroff and Comaroff 1999) it includes the crises of representative democracy and the lack of political participation as well as the retreat of the welfare state and cuts in the public sector.

Thus, in the attempt to explain the relatively unfavorable situation of the current state, we need to situate CSOs it in a wider sociopolitical context. In this respect there is a need to distinguish between uninstitutionalized civil society as "local self-organizing of citizens from 'below', with an aim to initiate social change" (Popović, 1998, p. 171) and institutional civil society that forms a part of the liberal constitutional state. The latter should be critically assessed because this institutionalized domain works (latent or manifestly) to sustain the current order:

- the institutional civil society (ICS), that forms a part of the liberal democratic constitutional state, involves but pacifies and depoliticizes different actors that could potentially challenge the system;
- ICS facilitates activities of fragmented groups that are financially weak and often unsustainable and dependent on different power structures;
- ICS creates fragmentation of different social groups that are mobilized around specific identity politics, in particular ethnicity, race, sexuality *and gender*, that moves the attention away from broader

[2] One example is the civil society initiative In the Name of the Family that initiated a referendum with an aim to change the Constitution so that marriage is defined solely as cohabitation between man and women (excluding gay marriages). They succeeded with it. Another one is the active role they played in the public debate on the ratification of the Council of Europe's Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). In a synchronized manner, the Catholic Church, a part of the political establishment, conservative media and CSOs such as Vigilare and In the Name of the Family, claimed that the Istanbul convention is a danger, since it promotes "gender ideology", and should, thus, be rejected.

issues such as class and economic inequalities – a constellation that hinders solidarity and alliances among these groups;

- ICS is the 'outsourced state' - in this way it facilitates negative trends such as the withdrawal of the welfare state and the diminishing of social rights of citizens.

Yet, the activities and impact of civil society organizations cannot be unequivocally assessed: they necessarily fluctuate between affirmative and negative evaluations, depending on the level of analysis. In the case of feminist CSOs, a micro-level analysis will, without doubt, show that their actions and impacts are valuable in enhancing gender equality in Croatia - they have continuously challenged the dominant patriarchal, conservative and regressive order. However, a macro-analysis of the structural determinants that guide their actions, in which CSOs are institutionalized within the liberal democratic state, show worrying results, as indicated in the evaluation of feminist CSOs in Croatia (Kesić, 2007; Potkonjak, 2008; Kašić, 2011). Hence, in such a context, feminist CSOs seem to be between a rock - the regressive local context, and a hard place - the neoliberal hegemony on a global scale.

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