RELIGIOPOLITICS THROUGH LAW: USE OF LEGAL NORMS AND INSTITUTIONS BY THE CROATIAN CONSERVATIVE SOCIAL MOVEMENT

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Submitted to
Central European University
Department of Sociology and Social Anthropology

In partial fulfilment of the requirements for the degree of Masters of Arts

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Budapest, Hungary 2015

Abstract

A political approach to social movements, which I assumed in the present thesis, asserts that movements could be studied only in connection with politics and power, and that they differ in their strategies, repertoires of contention, organizational structure, and outcomes in relation to different kinds of the political processes and opportunity structures. 'religiopolitical movement' in the present thesis refers to a social movement that acts on behalf of socially conservative majority with the goal of reducing secular influence over the legislation and government's policies. This thesis explores a connection between religion and contemporary politics in Croatia by analysing a cycle of contention in which the conservative civic initiative "In the Name of the Family" (U ime obitelji) managed to collect more than 700,000 signatures in May 2013 what served as a ground for a nation-wide referendum in November 2013 which introduced the Constitutional definition of marriage as an exclusive union of a man and a woman. This civic initiative is a segment of a broader religiopolitical movement that emerged in the course of the last decade and that seems connected globally to other conservative organizations and initiatives that advocate for decrease of secular influence on the family, oppose sexual and reproductive rights and argue in favour of religious freedoms. The religious nature of the Croatian religiopolitical movement is confirmed by an array of issues that the movement has chosen as it cultural frame: protection of a traditional family; opposition to a same-sex marriage; protection of life from an inception to a natural death; advocating the rights of parents to decide on the value-related content of their children's' education. The political nature of the movement is manifested through its attempts to scrap down the legislation and practices of both state and private institutions that are deemed contradicting the value system of the Catholic majority. The religious-political nexus of the movement is confirmed by its continuous involvement into law and policy making. The movement leaders often refer to the Constitutional and human rights norms, making this way the legal discourse a significant element of the movement's repertoire. By elaborating why the religopolitical movement has opted for referencing to legal norms and legal institutions as its main repertoire of contention, I explained the benefits of this mobilization technique.

Acknowledgements

The use of legal argumentation by members of the Croatian social movement that advocate conservative Catholic values led me to a question why law has been chosen as a repertoire of contention? This thesis explores the intersection between the law and social movement mobilization and though it has grown out of my interest in legal issues it hopefully also shows my understanding of sociological concepts.

To write as a sociologist would not be possible unless I became a master student at the Department of Sociology and Social Anthropology at Central European University (CEU). For this opportunity I also am deeply grateful to the Department of Sociology at the Faculty of Law in Zagreb who supported my absence from work in this academic year, allowing me to study sociology and to become a better lecturer in sociology. Studying at CEU has enriched me academically, culturally and socially. I feel particularly indebted to Professor Jean-Louis Fabiani, who has inspired my interest in social movements. Moreover, I am sure that Professor's erudite teaching on contemporary social theory will have influence on my future sociological writing. I am also grateful to Assistant Professor Dorit Geva who accepted to serve as my second supervisor, and whose thesis writing course helped me a lot.

I believe that as much I learnt from lecturers, articles, and books I gained from conversations and comments of my colleagues in classes and outside of them. Being part of this intelectually advanced student community was both a privilege and a benefit. I am sure there is a bunch of great anthropologists and sociologists coming out of my generation.

There is a special person to whom I am particularly grateful, as he was my loyal companion in this systematic sociological journey I undertook in the course of the past academic year: my son Marco. Thank you for being both my motivation and a motivator. Your needs helped me to focus my attention whenever I needed to study or write in order to fulfil student assignments. Both of us enjoyed the adventure of living in Budapest and are grateful for friends and acquaintances that enriched our lives while being here.

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Introduction

The referendum on the Constitutional definition of marriage as a union between a man and a woman held in December 2013 was the very first successfully conveyed national referendum upon the initiative of citizens in the history of a modern Croatia. The religiopolitical movement, that came into being following the governmental introduction of sex education and announced that the same sex partnerships will be introduced in which partners will have rights and responsibilities equal to those of married spouses, in this particular case acted through the citizens' initiative "In the Name of the Family" (U ime obitelji). This initiative instigated a referendum on the constitutionalization of a definition of marriage, arguing that the traditional values of the Croatian society will be protected through the assurance of the traditional heteronormative family. The religiopolitical movement leaders, significantly present in the public debates in the period prior to the referendum, argued they are not homophobic and their intention is not to restrict the rights of homosexuals. They, furthermore, falsely argued that the homosexuals are already endowed with an array of rights in accordance to the Croatian legislation that was regulating same-sex partnerships at that time. On the other side, the liberal part of the civil society, gathered in the initiative "Citizens vote against" (Građani glasaju protiv), was completely taken aback by the outbreak of the religiopolitical movement and its claims. Firstly, there were no indications that the government was legalizing a gay marriage. It only announced intention to amend the Same Sex Civil Union Act passed in 2003 by expanding the rights of the same-sex partners. Secondly, issues of equality and prohibition of discrimination for this, traditionally activist oriented and until recently prevalent segment of the civil society, were considered not only as enshrined in the legislation but also as widely embraced and consolidated in the hearts and minds of the citizens. The referendum, however, proved that citizens can be successfully mobilized on their social conservative value orientations since 66 per cent of those who voted at the referendum backed an initiative to change the wording of the Constitution to restrict marriage merely to heterosexual unions. The very same definition had been already existing in the text of the Family Act, but the referendum initiative claimed it was necessary to constitutionalize the definition as in this case it cannot be amended through a simple majority voting procedure but its amending, once being a part of the Constitutional text, requires a so called organic majority, i.e. two thirds of all Members of Parliament (hereinafter MPs). The Constitutional ban on same-sex marriage has not however prevented passing of a new legal framework for same-sex couples, as the centre-left ruling coalition along with several other leftist and centrist MPs passed the Same Sex Life-Partnership Act in July 2014 equating a same sex life-partnership to a heteronormative marriage in all terms of rights and obligations except the access to adoption.

Thus, by initiating the constitutional referendum the citizens' initiative "In the Name of the Family" has managed to shed a light into a sharp societal cleavage between the liberal and conservative-nationalist segments of the society, revealing not only that the Croatian society is socially conservative but also that it manifests a worrisome level of intolerance and homophobia. As the majority of citizens who voted in the referendum implicitly supported the idea that the same sex partnerships should not be equalized (nominally) to heterosexual marriage, the homophobic nature of the society was disclosed as well as profound understanding of political elites on all sides of political ideological spectrum to effectively foster equality of all citizens. Finally, the referendum initiative has established the movements and its prominent figures as new political actors, who have managed to secure a significant political capital and power.

Research Questions

In this thesis I will explain an emergence and a rapid growth of a conservative religiopolitical movement that, by advocating social conservative values, and by using referencing to legal norms as a repertoire of contention, managed to engage in contentious politics once the lowered nation-wide referendum requirements opened up a favourable opportunity structure for a successful cycle of contention that positioned the movement as a novel and influential political actor.

In this research work I will furthermore demonstrate how a social movement can successfully institutionalize values it promotes through law. By researching a case of the religiopolitical social movement's referendum initiative that resulted in the Constitutional amendment on the definition of marriage as a union of man and woman I will try to explain why legal norms and institutions were chosen as the religiopolitical movement's principal repertoire of contention. The research question I will attempt to answer is why and how social movement actors have included legal discourse into the repertoire of contention to leverage power from the government to their interest? Prior to being able to answer this question, I consider it is important to answer what changed in the social environment that created the incentives of individuals involved in a religiopolitical movement, to engage in a collective action and challenge the political context? My concern is thus to analyze the socio-political conditions under which religious and social conservative values fostered a new political opposition.

Theoretical Concepts

In order to assess when and how legal tactics alleviate and strengthen the social movement's power, I brought various sets of literature together, i.e. the literature on social movements, as well the one deling with religion and politics. The social movements literature established that an interplay of the requirements adds up to a social change: a favourable political context, the connections to authorities in power, available resources, a cohesive collective identity, ability to develop cultural frames and chose forms of contention, and ability to capture the problem that resonates with various audiences (McCarthy and Zald 1977; McAdam 1982; Amenta 2006; Tarrow 2011). In order to be able to analyze the religiopolitical movement with theoretical tools available I opted for theoretical conepts developed in the social movement literature which propose that a collective action constitutes a response to or an influence on institutional politics and that the realization of political goals is in the focus of social movements. I will therefore used analytical tools provided by the theory of contentious politics. The defining element of a contentious politics is that it "emerges in response to changes in political opportunities and threats when participants perceive and respond to a variety of incentives: material and ideological, partisan and group based, long-standing and episodic" (Tarrow 2011: 16). Since the Croatian religiopolitical social movement represents a form of resistance to state policies threatening the movement's conceptualization of desirable social identity and morals, the movement has managed successfully to politicize the theme of identity and grievances of moral majority. After consulting literature on social movements I was able to choose those concepts as they are directly connected to my research question and will help me establish how challengers seized and transformed political opportunities: how they managed to build on social networks and organizations; and how religious values and identities, as well as grievances and emotions become their cultural repertoire that become sufficiently acceptable to attract supporters.

Methodological Approaches

In order to explore the ways in which legal norms and legal institutions might be deployed as a means of achieving social change I used two research methods: the method of discourse analysis and the method of in-depth interviewing. The first method, discourse analysis, is expected to shed light on the content of the juridical reasoning voiced by the civil society organizations that form the religiopolitical movement and on official statements issued by them that justify selection of rights-based strategy of the social movement. The data for the discourse analysis were collected primarily through analysis of court decisions, newspaper articles and web site content of conservative civil society organizations who utilize legal means to enforce and strengthen their positions. In addition, I analysed the legal reasoning those associations applied in their legal claims as well as the legal reasoning voiced in the Constitutional Court's decisions.

Secondly, by conducting the semi-structured in-depth interviews, with scholars, civil society activists both from the liberal and conservative spectrum of the Croatian civil society scene, as well with lawyers who are soliciting on behalf of the conservative citizens' associations, I managed to collect data on the social movement framing through the referring to legal norms and institutions. The first two interviews I conducted were unstructured ones as I was hoping they would produce the richest explanation of situation and the social phenomena that are in the focus of my research interest. Both of those unstructured interviews were conducted with Croatian sociologists, who had in their own words elucidated an aspect

of society in which they are professionally and scholarly involved and for which reason they have been chosen as informants. From those initial interviews, I developed a semi-structured interview guide that used in subsequent in-depth interviewing. To make the interview format open and natural, I used trigger questions and in this way assisted in eliciting further particular aspects of the participant's story. In addition, I was prepared that participant responses could affect how and which questions I as a researcher would be asking subsequently. The informants in twelve semi-structured interviews I conducted in the field were five researchers and scholars, four representatives of the liberal civil society organizations and three representatives of the conservative civil society organizations that form the core of the religopolitical movement.

Prior to starting my field work, I had anticipated potential problems in subject cooperation (McCarthy and McCarthy 1975: 246-249). I was aware that soliciting elite respondents might turn challenging as the social inquiry literature has acknowledged a number of challenges researchers are faced with when gathering information from elites (Moyser and Wagstaffe 1987). For example, "powerful people might wish to exercise control over which questions they wish to answer" (Cohen, Manion and Morrison 2007: 174); and "research with powerful people usually takes place on their territory, under their conditions and agendas" (Cohen, Manion and Morrison 2007: 128; Fitz and Halpin 1994: 42).

The research literature has also acknowledged that a researcher might have a "resistance and access problems in relation to [...] assumed ideological opposition" (Deem 1994: 156). Since I have publicized my opinions on the goals of the religiopolitical movement as undemocratic (Petričušić 2013), I envisaged possible challenges as the most relevant actors in the religiopolitical movement might find me inappropriate as a conversant. This, however, did not take place, as I managed to interview three representatives of the conservative civil society organizations that constitute organizational core of the religiopolitical social

movement. I found leaders and lawyers of the religiopolitical movement particularly important as interviewees as they have outlined the referendum initiative questions and filled constitutional complaints on behalf of the interest groups. The other respondents' active participation in the Croatian civil society or scholarly interest in it has legitimized them as a valuable source of information.

Research on the research methods used in interviewing elite has noted the importance of a status of the researcher vis-à-vis the respondents. According to it, the interviewing of a powerful subject will thus differ depending on the power, position and rank of the researcher, e.g. whether the researcher is a junior or senior figure in education (Cohen, Manion and Morrison 2007: 174). Due to my belonging to the Croatian academic community, it was not a problem to solicit the interests on the side of the intended respondents, particularly from the academic community and form the liberal civil society organizations. I approached powerful respondents from conservative civil society organizations firstly though formal channels, by sending them email with a description of my research interest and requesting an appointment for the interview. In those cases when the formal approach to potential informants from the conservative civil society organizations did not prove successful I attempted to approach the leaders through intermediaries who introduced me to them (McHugh 1994: 55). As a result of such an approach, only one of contacted representatives of the conservative civil society organizations did not respond to my repeated request for an interview. Finally, I had not encounter any potential ethical issues that rose out of the qualitative research I conducted during the field work as sensitively approached research participants' interests and consequently did not misuse the respondents' trust in this research work. For this reason, none of my respondents' identity is disclosed, but their answers are attributed to three groupings of respondents I consulted: either as the scholar; the representative of the conservative civil society organization or the representative of the liberal civil society organization.

Thesis Outline

Thus, in the first, theoretical, part, the thesis will present two interconnected social movement concepts: the political process theory and the theory of contentious politics. Both of those theories might be utilised in my research since recent changes in the structure of the Croatian society, predominantly the changes in the referendum regulation that lowered the threshold for the referendum success, generated a political context that was favourable to the religiopolitical movement's positioning. The movement namely managed to seize a political opportunity to advocate for more traditional social order embodied in the religious and moral values. Thus, theoretical concepts on contentious politics shall allow me to establish which political opportunities contributed to an emergence and a rise of the religiopolitical movement, as well as to explain an indigenous organizational strength of the moment, mobilizing structures and cultural framing processes the movement applied, and how the movement has developed its contentious repertoire.

In the second chapter descriptive discussion of organizations, leaders and agenda of the Croatian religiopolitical movement will attempt to place this movement into a broader organizational framework of other similar European movements that promote the social conservative values by framing their claims around three sets of ideas: promoting a traditional family, the right to life, and the religious liberty. This chapter will provide a background information on both actors and their shared repertoire of contention what is necessary for understanding of the successful cycle of contention, which spread across the entire Croatian society when the religiopolitical movement managed to act contentiously and in a short period assured significant material and ideological support for its claims.

In the third chapter I will synthesize the findings of the interviews I conducted in the field, and will interlink the findings with relevant academic literature. I will describe in detail

one of its successful cycles of contention that emerged as a response to an attempt of the government's announcement that the legislation formalizing 'life partnership', i.e. same sex unions, would be drafted and subsequently discussed in the parliamentary procedure. I will explain a successful cycle of contention of the religiopolitical movements by explaining the opening out of the political opportunity the movement utilized for its positioning; by detecting movement's networks and mobilizing structures; as well as explaining why the religiopolitical movement uses referencing to legal norms and addressing juridical institutions as it main repertoire of contention. In this chapter I will finally analyse the movement's potential for growth and increased political influence.

In the concluding chapter I will synthesize the findings of my field work and determine if a repertoire of contention that pursues institutional avenues of social change, i.e. that uses referencing to legal norms and addressing to juridical institutions, can be considered as a successful tool in contentious politics.

I am hoping the research project presented in this thesis will fill in the gap on until now very limitedly researched social mobilization in South Eastern Europe by contributing to it with the research of emerging religopolitical movement in Croatia. Secondly, by researching a social significance of legal norms for contention I will establishing if those novel mobilization resources that deploy referencing to legal norms and legal institutions have proved successful in producing the social change in Croatia. Thirdly, this research should contribute to an existing scholarly elaboration of approaches that explain different mobilization resources of the social movements through demonstration that it is possible to use law as a tool of social change.

Chapter 1 Contentious Politics and Religiopolitical Social Movements

Scholars who popularized the theories of contentions nature of social movements described social movements as "rational attempts by excluded groups to mobilize sufficient political leverage to advance collective interests through noninstitutionalized means" (McAdam 1982: 37) and as "collective challenges to existing arrangements of power and distribution by people with common purposes and solidarities, in sustained interaction with elites, opponents and authorities" (Meyer and Tarrow 1998: 4). For Tarrow (1989: 4) social movements are "collective challenges, based on common purposes and social solidarities, in sustained interaction with elites, opponents, and authorities." Tilly's definition confirms contentious nature of social movements, as to him, they consists of "a sustained challenge to power-holders in the name of a population living under the jurisdiction of those powerholders by means of repeated public displays of that population's numbers, commitment, unity, and worthiness" (Tilly 1993-94: 7). Offe asserted that social movements "seek to politicize civil society in ways that are not constrained by representative-bureaucratic political institutions [and instead they] employ practices that belong to an intermediate sphere between private pursuits and concerns and institutional, state-sanctioned modes of politics" (1987: 65). Doug McAdam and Hilary Boudet moreover argued that movement participation is motivated by "a set of unrealistic beliefs that together function as a reassuring myth of the movement's power to address the stressful state of affairs confronting adherents" (2012: 10). In order to be able to explain emergence of the Croatian religiopolitical social movement that is a matter of a present research I have opted for theoretical concepts that allow studying of the social movements in a broader economic and political context and that take into account political opportunities, mobilizing structures, framing processes, protest cycles, and contentious repertoires (Caren 2007: 3; Caren and Neal 2007; McAdam 2013).

1.1. Analytical Tools for Studying the Contentious Politics

1.1.1. The Political Process Approach

The political opportunity or political process approach, developed by Doug McAdam (1982), introduced a challenge of the political opportunity structure and the institutional political power as the context of social movements' political action. By focusing on political opportunity structure and context, the political process approach places analytic attention "to the contours and dynamics of the wider society in which the movements operate" (Williams 2000: 95). A recipe for insurgency, explained by the political process perspective, is made of following three factors: political opportunities, indigenous organizational strength, and cognitive liberation. The concept of opportunity structure can be described as the threatened interests of governments and other groups to the actions of a challenger pursuing the group's interests (Tilly 1978: 11) or as the "consistent - but not necessarily formal or permanent dimensions of the political environment that provide incentives for people to undertake collective action by affecting their expectations for success or failure" (Tarrow 1994: 85). The political opportunity structures is the basic idea of the framework as exactly this influences "the choice of protest strategies and the impact of social movements on their environment" (Kitschelt 1986: 58). Similarly, in McAdam's words (1982: 41), political opportunities result from "any event or broad social process that serves to undermine the calculations and assumptions on which the political establishment is structured." In addition to changes in the political opportunity structure, the political process theory takes into account organizational strength and insurgent consciousness as reasons for the emergence of a collective action.

Indigenous organizational strength presupposes pre-existence of political and potentially political organizations that existed among the aggrieved community. And finally, cognitive liberation among potential social movement participants emerges out of perceived illegitimacy of the current political system, convincing the participants in the social movement they are able to contribute to a meaningful social change (Tilly 1978: 135; McAdam 1982: 38).

A proponent of the political process approach Sidney Tarrow (1994: 1) argued that social movements are "triggered by the incentives created by political opportunities, combining conventional and challenging forms of action and building on social networks and cultural frames." Tarrow furthermore argued (1989: 71) "that contention is more closely related to opportunities for and limited by constraints upon collective action than by the persistent social or economic factors that people experience." However, "changing opportunities must be seen alongside more stable structural elements like the strength or weakness of the state and the forms of repression it habitually employs" (Tarrow 1989:71). Tarrow thus recognized an opportunity as a crucial variable in the emergence of social protest, emphasizing moreover that social movements are both able to seize pre-existing opportunities but also envisage strategize that will allow them to create new opportunities in which they will increase their power. Tarrow claimed that along politics, i.e. political opportunities, two additional factors are crucial for explaining "[h]ow movements become the focal points for collective action and sustain it against opponents and the state" (1994: 189): mobilizing structures and cultural frames. Mobilizing structures are resource which "bring people together in the field, shape coalitions, confront opponents, and assure their own future after the exhilaration of the peak of mobilization has passed" (Tarrow 1998: 123). By cultural frames, he meant that social movements are constituted by the culture in which they operate and that "[c]ulture, as much as politics and society, structures resistance to authority" (Lichbach 1998: 407).

Hanspeter Kriesi (2004: 69-79) laid out three different elements of a general framework of the political process: the political opportunity structures, configurations of power, and interaction contexts. By political opportunity structures he considers "the degree of institutional accessibility of political systems" (Kriesi 2004:70) and "the procedures typically employed by members of the political system when they are dealing with challengers" (Kriesi 2004:71). The configuration of power has to do with the configurations of actors that are mobilizing social movement: "the protagonists, antagonists, and bystanders that is, the configuration of allies (policymakers, public authorities, political parties, interest groups, the media, related movements), the adversaries (public authorities, repressive agents, countermovements) and the not directly involved, but nevertheless attentive audience" (Kriesi 2004:73-74). The third element of political process analysis constitutes the interaction context, i.e. "the mechanisms linking structures and configurations to agency and action, and it is at this level that the strategies of the social movements and their opponents come into view" (Kriesi 2004:77).

Cognitive liberation and indigenous organizational strength, initial elements of the definition of the political process theory, have been replaced by a concept of 'framing', which is nowadays predominantly used to analyze persuasiveness of claims and grievances in a social movement (Snow et al. 1986; McAdam, Tarrow and Tilly 1996; Tarrow 1998). McAdam, McCarthy and Zald defined framing as the "conscious strategic efforts by groups of people to fashion shared understandings of the world and of themselves that legitimate and motivate collective action" (McAdam, Tarrow and Tilly 1996; 6).

1.1.2. The Contentious Politics Approach

The political process approach was expanded and consolidated by the concept of contentious politics. Sidney Tarrow (2011:16) argued that "contentious politics emerges in response to changes in political opportunities and threats when participants perceive and respond to a variety of incentives: material and ideological, partisan and group based, long-standing and episodic. Building on these opportunities, and using known repertoires of action, people with limited resources can act together contentiously - if only sporadically. When their actions are based on dense social networks and effective connective structures and draw on legitimate, action-oriented cultural frames, they can sustain these actions even in contact with powerful opponents. In such cases - and only in such cases - we are in the presence of a social movement. When such contention spreads across an entire society - as it sometimes does - we see a cycle of contention."

Mc Adam, Tarrow, and Tilly defined contentious politics as "episodic, public, collective interaction among makers of claims and their objects when (a) at least one government is a claimant, an object of claims, or a party to the claims and (b) the claims would, if realized, affect the interests of at least one of the claimants" (2001: 5). In another place, they argued "[c]ontentious politics consists of public, collective making of consequential claims by connected clusters of persons on other clusters of persons or on major political actors, when at least one government is a claimant, an object of claims, or a third party to the claims" (McAdam, Tarrow and Tilly 2007: 261). Episodes of political contention are explained by "the deliberate study of how contention occurs, who engages in it, and the events that mark its beginnings, its development, and its demobilization" (Tarrow 2012: 21). In contentious politics, a variety of interactions take place among a multitude of contenders. Consequently, the outcome of interactions among groups of challengers and between them and authorities is demonstrated through a dynamic of the cycle (Tarrow 2012: 201). The

theory of contentious politics argues that contention happens among claim making actors and governing authorities. Thus, contentious politics encompasses a broader spectrum of conflicts that presuppose presence of a government as one of the claimants and at least one newly self-identified political actor at the side of the claimants who start to act in the political context that demonstrates weakness or incapacity of the government. Challenging group, recognizing a political opportunity to push for a social change, organizes, search for followers and allies among other political contenders and seek for mobilization with sometimes fairly limited resources; frames its programme through a rhetoric that conceptualizes claims about social problems and desired change. Contesting groups actively interacts, clashes, or cooperate with an array of actors: challenging protesters, allies and adversaries. In contentious politics, a variety of interactions take place among a multitude of contenders. Therefore, it is wrong to conceptualize contention as a single parabola but rather as a cycle. Consequently, the outcome of interactions among groups of challengers and between them and authorities is demonstrated through a dynamic of the cycle (Tarrow, 2012: 201).

Whereas Charles Tilly is responsible for conceptualizing politics as contentious, Sidney Tarrow explained cycles in contentious politics. Since nature of the contentious politics is dynamic and interactive (McAdam, Tarrow and Tilly, 2001: 73) Tarrow held the best way to conceptualize it is to observe it as a processes (Tarrow, 2012: 200). Tarrow borrowed the idea on cyclical dynamics of entire systems from cultural theorists; political historians and historical economists; and social theorists who all perceive cyclical changes in their scientific area of interest (Tarrow, 1994: 143; 2012: 200). According to him, episodes of political contention might be explained by "the deliberate study of how contention occurs, who engages in it, and the events that mark its beginnings, its development, and its demobilization" (2012: 21). Consequently, a cycle of contention is "a phase of heightened conflict across the social system: with a rapid diffusion of collective action from more

mobilized to less mobilized sectors; a rapid pace of innovation in the forms of contention; the creation of new or transformed collective action frames; a combination of organized and unorganized participation; and sequences of intensified information flow and interaction between challengers and authorities" (Tarrow, 1994: 142; 2011: 199). The first phase of the cycle of contention Tarrow names the mobilization phase in his later writings it is labelled the phase of opportunity and constraint. In short, in this phase "political opportunities are opened for well-placed "early risers"; when their claims resonate with those of significant others; and when these give rise to coalitions and conflicts among disparate actors and create or reinforce instability in the elite" (Tarrow, 1994: 144; 2011: 201). The rise of cycle of contention often intersects with the opening of the political opportunity. Initially just a small group of claimants recognizes that political opportunity to articulate its claims into political message, but along the upward phase of a cycle it search for allays and consider making coalitions, at the same time inventing new repertoires and frames. This phase of the cycle presupposes organizational proliferation as well as innovations in challenging authorities. The conflict has reached its peak after it has gained national attention and created a state response (Tarrow, 1994: 160; 2011: 212). As the peak of cycle disengages, the demobilization phase follows (Tarrow, 1994: 147). Tarrow argued the path of diffusion of the cycle of contention can take several ways: exhaustion and polarization, factionalization, repression and facilitation. Exhaustion implies a decline in participation. In this stage more moderate challengers are likely to drop out, whereas those who are closer to the core of the challenge usually are in favour of a radicalization of contention, what leads to a polarization within the claimants (Tarrow, 2011: 206). Similarly, downward phase of a movement cycle might result in polarization of claimants between institutionalization and radicalization. Tarrow defined radicalization as "a shift in ideological commitments toward the extremes and/or the adoption of more disruptive and violent forms of contention" and institutionalization as "a movement away from extreme ideologies and/or the adoption of more conventional and less disruptive forms of contention" (Tarrow, 2011: 207). Finally, the relationship between contentious actors at the end of the cycle becomes more stable either through governmental repression (e.g. by use of violence or imprisonment of claimants) or thorough facilitation (i.e. governmental response to contention through reforms) (Tarrow, 2011: 208-209). It is obvious from above enumerated elements of the cycles in contentious politics, the whole dynamic of the cycle is the outcome of the interaction between claim making actors and authorities and that contentious politics (at least temporarily) shifts power from the authorities to the newly established makers of claims. In conclusion, social movements form, rise, and collapse. Movement collapse occurs when the movement achieves its goals or when conditions that originally gave rise to the movement have changed.

1.2. Religious Politics as a Driver of a Social Change

1.2.1. Explaining Religiopolitics

The contentious politics approach, which asserts that alterations in political opportunity structures as well as in contentious cycles and repertoires, reduce power discrepancies between authorities and challengers gathered in social movements, can be applied for a study of movements that promote social conservative values by challenging political opportunity structure. Aminadze and Perry (2001: 160-161) argued "[t]he central way in which religious-based political movements differ from secular ones concerns claims to an other-worldly, transcendental ontology. [...] The issue is not whether such a supernatural world actually exists. As long as people believe it does and act accordingly, invisible spirits can shape political life." Religious politics (or religiopolitics) is term that refers "to any social

interaction that relates beliefs regarding sacred objects to the interests and actions of a political community" (Chow 2012).

Social movement scholars who conducted research on religion and politics predominantly "highlighted the role of religious organizations in the mobilization of various movements and the ways in which religious resources and institutions have been appropriated by movements with secular goals" (Aminadze and Perry 2001: 158). Nikki Keddie is one of a few scholars who undertook systematic effort to establish where, when and why religiopolitics appear? Keddie (1998: 697) argued that religopolitical mass movements either argue in favour of religious nationalism (which, in literature, is often referred as communalism), or promote conservative religious politics. Whereas a mission of the first category of religopolitical movements is directed primarily against other religious communities, the second kind of the movements is directed primarily against internal enemies. The later is the case with the movement researched in this thesis, as this movement appeals to a religious tradition, which is evoked as a means of solving problems exacerbated by secular government; applies populist rhetoric in attempting to gain political power; and predominantly advocates conservative and traditional social views. A religiopolitical movement turnes into a political actor that responds to disillusionment with secular government whom they perceive as incapable of representing properly their value systems.

Ronald Aminzade and Elizabeth Perry (2001: 158) distinguished between religious-based and secular contentious political claims making, arguing that the former one includes "the unusual institutional legitimacy of religious-based organizations, which creates distinctive threat and opportunity structures, and the ability of religious movements to appeal to an other-worldly, transcendental ontology, which has implications for commitment processes, challenges to authority, and logics of action." Religiopolitical movements, like any other social movements, tend to result in a social change that re-distributes the power

(McCarthy and Zald 1977: 1217-18; Tarrow 1998: 4-6; Meyer and Tarrow 1998: 4) and, obviously, the nature of a collective claim making that defines their contention challenge might also be political. Consequently, along ideological ones, religiopolitical movement also convey political messages.

1.2.2. Religiopolitical Collective Action and its Relation to Grievances

The political process approach however does not give a significant importance to the collective grievances that emerge as a response to social or economic conditions. Elaborating on this, Tarrow (1994: 81) asserted that "[e]ven a cursory look at modern history shows that outbreaks of collective action cannot be derived from the level of deprivation that people suffer or from the disorganization of their societies; for these preconditions are more constant than the movements they supposedly cause. What varies widely from time to time, and from place to place, are political opportunities, and social movements are more closely related to the incentives they provide for collective action than to underlying social or economic structures." Political opportunity approach thus places emphasis on how the political context increases social movement mobilization. Indeed, the Croatian citizens became mobilized by the religiopolitical movement when government's announcements of a new policy which were articulated by the religiopolitical movement as threatening to the values of the majority.

However, to argue that grievances do not play role in mobilization of support would be false. Recognizing political potential of new religious movements, Kniss and Burns (2003: 699) argued they "offer participants a chance to construct new contextualized identities that address contemporary social problems. These identities may be syncretic, but they also are new constructions, often combining a holistic view of spirituality and ethics with a focus on

individual empowerment and freedom. Thus they may be inherently political, exercising power to address social problems in public (though noninstitutional) ways." Rhys Williams similarly claimed that "religious communities and organizations have been fertile breeding grounds for social movements aimed at political reform" and they "succeed in reaching people in part because they articulate grievances people have with existing society" (Williams 2000: 2-3). Williams (2003: 108) moreover argued that "religious language can be used directly as a way of articulating movement goals and justifying collective action. [...] And, of course, religious communities form valuable organizational bases for organizing and mobilizing protest."

Chapter 2 Social Conservative Actors and Framing of Their Activities

Groups and initiatives that advocate socially conservative and religious values have been on rise both in Europe and in Croatia. They act in response to legislative amendments that threatened traditional family values by legalizing same sex marriage, recognizing the right to adoption to homosexual partners, or introduce educational curricula that are deemed contrary to parental value systems. This chapter will establish following: In which way the social conservative organizations pursue religiopolitics in Europe? Why and how the Croatian religiopolitical movement came into being? Who the main actors behind it are? What the goals of the Croatian religiopolitical movement are?

2.1. From the American Religious Right to the Rise of Religiopolitics in Europe

Idea of religious right mobilization originally emerged in the United States, in response to the emergence of laws that recognized the right to abortion and same-sex marriage, and has spread in the course of the last two and a half decades across the globe (Chow 2012: 1471; Wilcox, and Robinson 2010; Shields 2009). As a response to the secularization process that has infiltrated not only the Western European, but also the majority of Central and Eastern European countries (Ančić and Zrinščak 2012: 22; Pickel and Sammet 2012), the social conservative organizations from both Western and Eastern Europe have started demanding their share of political power by reaffirming Christian values in legislation and social policies of European institutions and national governments. A rising number of national and Brussels-based conservative civil society organizations (e.g. the "Federation of

Catholic Family Associations in Europe", the "ONE OF US European Federation for Life and Human Dignity", the "European Christian Political Movement") lobby the European politicians to promote the Christian values and voices, framing their claims around three sets of ideas: on necessity to preserve a traditional family, on the right to life, primarily objecting abortion and euthanasia, and on the religious liberty which is at large interpreted through a right to conscious objection and on the right to display religious symbols." According to J. Lester Feder (2014) the social conservatives in Europe "have made themselves a force to be reckoned with in Brussels by learning key lessons from American conservatives, such as how to organize online and use initiative drives. Indeed, two mobilization methods they purse are noticeable. The first one is achieved through internet activism which tries to condemn efforts of the European Parliament which are labelled as promoting 'gender ideology'. This method is has deployed on-line petitioning and sending protest emails to the Members of the European Parliament (MEP). The petitioning was also used for expressing opposition to same-sex marriage, abortion and euthanasia, and assisted reproductive technologies. The second, organizationally much more challenging mobilization method is collection of citizens' signatures calling for national referenda that legalize or even constitutionalize prohibition of homosexual marriage. Some of those activities will be described to shed a light on shareed and coordinated strategies of the social conservative organizations.

The first forms of political activism is manifested through the massive civic mobilization against the European Parliament reports that strengthen gender equality, women's rights, sexual and reproductive health and rights, and introduction of sexual education in schools. The social conservative organizations have undertaken coordinated and intensive online advocacy to convince central-rightist MEPs to withdraw their support for passing four of such reports (named after their MEPs rapporteurs Estrela, Lunacek, Zuber, and Noichl Reports). The very first of such initiatives was undertaken in 2013 when through

online petition platform "CitizenGO" a part of the MEPs was convinced not to back the Estrela Report. The never before encountered intensive internet advocacy included "50,000 e-mail messages sent to parliamentary representatives, and additional 40 000 sent to members of the Committee for Women's Rights and Gender Equality, in which they were misinformed that their vote for the Estrela report would mean disregarding "national legislation in member states", as well as disrespect for "family and parental rights" (Hodžić and Bijelić 2015: 18). The second level of internet activism is undertaken through online campaign sites (e.g. "Hazte Oir" or "CitizenGo"). Both established by Spaniard Ignacio Arsuaga, those internet platforms conduct campaigns against pro-choice legislation, gender ideology, or same sex marriages.

The second layer of activism is achieved through a channel of direct democracy, as results of such activities gain legitimacy through popular support. When in 2009 the thet time leftist Spanish government passed the introduced a bill that would legalize abortion, the antiabortion movement "Cada Vida Importa" (Each Life Matters) conveyed a massive protest on the streets of Madrid (BBC 2009). This movement likely inspired subsequent pro-life activism across European countries with substantive Catholic believers. In March 2012 a referendum was held in Slovenia on the new Family Act that expanded rights of same-sex registered partnerships to rights of married couples, except adoption. The referendum was initiated by the conservative association "Civil Initiative for the Family and the Rights of Children" (Civilna iniciativa za družino in pravice otrok) that present itself as an association of 'concerned parents' not formally associated with the Catholic Church. The Family Act was rejected at the referendum by 54.55% of voters who casted their vote. The voter turnout was 30.31%. Another citizens' initiative "It's for the children!" (Za Otroke gre!) is currently challenging before the Constitutional Court the Parliament's legal veto of the citizens' initiative on referendum that would prevent legalization of same-sex marriage arguing that fundamental rights should not be decided in the referenda. In February 2015 a referendum a referendum on same-sex unions was held in Slovakia after the conservative intiative "Alliance for the Family" (*Aliancia za rodinu*) had gathered more than 400,000 supporting signatures on a petition calling for a national referendum in which same-sex marriage and adoptions would be banned and schools would be prevented delivering education on sexual behaviour or euthanasia whithout parental consent. This Alliance also claimed to be a grassroots initiative of the civil society, not backed by the Catholic Church. The Slovak referendum failed because only 21.4% of those eligible voted, whereas the majority of registered voters are required for the ballot to be valid (BBC 2014). The French conservative initative "The Protest for Everyone" (*La Manif Pour Tous*) organized masive protests in March and May 2013 against legislation that allow same-sex marriage and adoption of children by homosexual partners. The movement as well opposed a program to teach gender equality in schools and a package of family law reforms they see as threatening traditional family values (Stille 2014).

It is noticeable that organizations that are forming the European social conservative movement have emerged outside the political structure of the mainstream political parties forming civil society organizations. Apart from organizing online advocacy actions, they are building tactical alliances both with social conservative organizations and political parties, but are also open to building alliances across religious boundaries. They are having pro-Christian intellectuals and professionals at their forefront, and argue that believers need to take an activist stance in the political process. Finally, they claim to represent a silent moral majority that is not being properly represented in the political process and mobilize their supporters by evoking instruments of a direct democracy (by organizing petitions and referenda). Their organizationally demanding activities are organized merely in those countries in which high percentage of citizens identify as Catholics (Croatia, Slovakia, Slovenia, and Spain). Moreover, the activities of European social conservative organizations indicate that a comparison with American counterparts is not only possible, but also useful in trying to

understand which elements of American religiopolitical mobilization are generalizable to European context.

2.2. Actors that Form the Croatian Religiopolitical Movement

Civil society organizations that promote the agenda of life protection from an inception to a natural death, advocate for a traditional family and insist in religious freedoms are a relative novelty in the Croatian civil society scene that has been dominated by liberal actors since its inception in early 1990s. This novel form of civic activism emerged among relatively privileged actors who were not subjected to state repression, had access to organizational resources and had the resources to publicize their messages through conventional channels. A number of civil society associations allow mobilization of resources from both private and public financial sources, the political organizations, such as political parties, would not be eligible for. The leaders of the religiopolitical movement are mid-life people, urban, well educated, and have sound careers. The social conservative activism they are engaged in differ profoundly from a perception the civil society the citizens are used to, the one of professional activist, who undertake advocacy not merely out of own convictions, but for salary.

However, certain form of pro-life civic activism had surreptitiously existed in the former socialist system, being closely attached to the Catholic Church. Prominent and rare activist of this kind (e.g. Marijo Živković, a long-time president of the civil society organization "Family Centre" (*Obiteljski centar*) and a father of Željka Markić, who is considered a leader of the religiopolitical movement) were either priests or engaged lay persons, both back then financed solely by the Catholic Church. The democratic transition

that strengthen the Church's role in the society empowered such civil society organizations, assuring besides religious also state financing for their activities that mostly promoted numerous families or undertook pro-life advocacy. In 1990s, don Anto Baković, a priest that was jailed under the Communist system, was the most publicly pronounced figure of an idea that Croatian nation needed a demographic recovery. The civil society organization "One Child More" (Jedno djete više) and several other associations he presided were receiving state donations in a decade when the nominally central-rightist but in reality conservativenationalist Croatian Democratic Union was ruling Croatia ever since the country's independence from Yugoslavia in 1991. Don Baković and his associations lost both financial support as well as the opportunity to present their activism in mainstream media once the change of political establishment took place in 2000 (Dujmović 2014). Although in thematic sense those actors can be considered as predecessors of the today's religiopolitical movement, in a following decade social conservative civil society organizations were not noticeable in the Croatian public sphere. Almost monopolistic position of the liberal civil society organization throughout the last two and a half decades was an outcome of the fact that many engaged intellectuals found a refuge in the civil society sector in 1990s, during the authoritarian rule of the first Croatian President Tudman and the conservative-nationalist party he lead. One of the religiopolitical movement's prominent leaders, Vice John Batarelo argued that "left liberal NGOs had the feeling they have an exclusivity of speaking on behalf of the civil society and that only they represent civil society, which is very dangerous" (Ćurić, 2013). The leaders of the conservative civil society organizations who form the movement often frame their arguments under the danger of prolonged totalitarian mentality that is, according to the still existing, and even dominant in Croatia, particularly labelling their opponents from the liberal civil society organizations for imposing totalitarian attitudes. Indeed, being forty five years in socialist Yugoslavia communist rule, the role of civil society had been substituted by various organizations organized and supervised by the League of Communist. The later fact serves as a justification of conservative mobilization and repertoire, as they serve to act on behalf of the moral majority that had been silenced in the Communist times and had not been acquainted with a power and importance of a civic activism.

According to the information I collected in the field, a core of the Croatian religiopolitical movement is formed by a dozen of conservative civil society organizations that came into being in the course of the last decade. They promote traditional or Catholic values, advocate for active citizen participation in the society and in the politics, pursue prolife activism and oppose abortion; assert that a right to marry and found a family should be solely entrusted to man and woman, but now to same-sex relationships; and negating the autonomy of the state to prescribe educational curricula that are touching upon sensitive issues such as contraception, education on gender roles, etc. All those conservative civil society organizations joined the citizens' initiative "In the Name of the Family", that appeared once the current leftist-central coalition announced its intention to legislatively arrange the rights and responsibilities of the same-sex partners (e.g. such as social and health insurance rights and inheritance rights). The initiative "In the Name of the Family" was presented by its informal leader Željka Markić as an initiative that "brings together individuals, families and numerous civic organizations aimed at promoting marriage between man and woman as the fundamental values of the social order and the guarantee of a permanent legal protection of children, marriage and family" (Stanić 2013).

The first manifestation of a conservative mobilization can be traced back in 2006, when the association "The Voice of Parents for Children" (*Glas roditelja za djecu –GROZD*) openly objected the introduction of a curriculum for sexual education program in schools. "GROZD" was established in 2006 to advocate an abstinence-based program, built on the

foundation of Catholic view on family, sexuality, and gender roles. Besides "GROZD", two other asociations, the "Association for a Comprehensive Sex Education Teen Star" (Udruga za cjeloviti spolni odgoj Teen star) and "Reform - Association for the Promotion of Ethics, Morality, Family Values and Human Rights" (Reforma - udruga za promicanje etike, morala, obiteljskih vrijednosti i ljudskih prava) are havng Ladislav Ilčić as a connecting promintnet figure. Teen Star promotes a specific programme on resposnible sexual behavior that is offered to teenagers in schools or in parishes aiming at maintainence of virginity of its participants or discontinuation of sexual activity of previously sexually active participants. The "Refrom" opposes the introduction of sex education in school curricula. The Association for a Comprehensive Sex Education Teen Star" is a member of an international association "TeenSTAR International" that is associated to Natural Family Planning Center in Washington D.C. The associations "Reform" and "GROZD" requests a constitutional review of the governmental decision that introduced sex education, arguing that argue parents have a right to decide on the value-related content of their children's education. According to Hodžić and Bijelić (2015: 24) such reasoning for an alternative curriculum on sex education rests "on the issue of parental rights to educate children in accordance with the 'Croatian value system', thus confining issues regarding sexuality into the frame of traditional hetero-cultural values."

The "GROZD" facilitated collection of signatures in 2008 for a European wide petition on through the initiative "I was an Embrio Too" (*I ja sam bio embrij*) which was a part of a wider European campaign coordinated by the European Forum for Human Rights and the Family. The initiators of the campaign argued that many of the human rights enshrined by the UN Universal Declaration of Human Rights are threatened in Croatia, particularly due to the Anti-Discrimination Act, which, in their opinion, is directed against traditional marriage and family. They managed to collect supporting signatures of 202,409 Croatian citizens. In order to assure support for their goals the "GROZD" secured a support of

major religious communities. Providing a proof of a wide support for their claim, in one of its documents addressed to the Minister of Social Policy the "GROZD" provided statements of the leaders of the Catholic Church, the Islamic Community, and Reformed Christian (Calvinist) Church in Croatia. They, inter alia, quoted the chief imam of Zagreb Aziz efendi Hasanović who said that "upbringing and family constitute a foundation of a healthy and progressive society, and mutual support of all the major religious communities in Croatia, indicate these values are good for every human being regardless of his religious or any other affiliation."

The association "Vigilare" (Latin expression for 'awaken') is registered as an association that "promotes citizens' participation in the civil and political sectors of society and the preservation of dignity and rights of the individual, family and values of life". Its head is Vice John Batarelo, a diaspora returnee who describes himself as a new conservative, promoting the idea that traditional values and liberal capitalism can go hand in hand. The "Vigilare" is mostly pursuing internet activism, by calling its supporters to send emails to politicians and heads of institutions (e.g. the Croatian Radio Television, Zagreb based theathre, a telecomunication company, etc.) when they believe a violation of traditional values took place. Indeed, the "Vigilare" introduced a form of civic activism the Croatian citizens and institutions were not used to. For example, the "Vigilare" mobilized its supporters to send a protest email to the Head of the Zagreb theatre requesting removal of a poster announcing a theatre performance about the lesbian couple. The mayor of Zagreb, outside of the legal procedure, backed their request and ordered the removal of the poster from the theatre founded (predominantly) from the city budget. The "Vigilare" accused in December 2013 a foreign-own telecommunication company that operates in Croatia for a blasphemy, as it advertised its product by showing the black sheep singing the Christmas carol. In its open letter to the managing board of the telecommunication company "the Vigilare" stated the commercial shall be withdrawn as it offends a dignity of believers and all citizens. In December 2014 the "Vigilare" and the "Center for the Renewal of Culture" undertook another Catholic value driven protest activity. They condemned the use of 'Happy holidays' on Christmas cards and in the public space, encouraging instead companies and their market experts to respect the cultural values of the society in which they make revenues and do business.

The citizens' association "Center for the Renewal of Culture" (*Centar za obnovu kulture - COK*) is established with a goal to educate and train future conservative leaders, guided "by the belief that if the culture can be renewed then the political landscape can be healed" (Bartulica, 2013: 22). The association is led by Stjepan Bartulica, another diaspora returnee, and its premises are shared with the association "Vigilare", led by Vice Batarelo. The Center for the Renewal of Culture's mission resembles the one of the "Center for European Renewal", a pan-European conservative association that describes itself as "an independent, non-profit, non-partisan, educational and cultural organisation dedicated to promoting and protecting the Western ideal of a civilised, humane, and free society." artulica, for example, presented the activities of the "Center for Cultural Rvival" in the journal the "Center for European Renewal" is publishing (Bartulica, 2013: 21-22).

A Catholic attitude on sociology, articulated in the theology of the body of the late Pope John Paul II, has been promoted in preaching of the student chaplain don Damir Stojić, yet another diaspora returnee. These three publicly exposed leaders of the religiopolitical movement demonstrate that civic activism can be imported through civic activation of diaspora returnees, who managed to successfully introduce mobilization techniques neither citizens nor civil society organizations were previously used to.

The mission of those associations is often multiple, as some of them, e.g. "GROZD", "Vigilare", the "Center for Natural Family Planning", present themselves also as pro-life advocates. Several other pro-life associations established an umbrella "Croatian Alliance For Life 'CRO VITA'" (*Hrvatski savez za život 'CRO-VITA'*), that "brings together associations, initiatives, movements, projects and individual members with an idea and implementation of a primary goal: the protection of endangered or unprotected human life and human dignity from conception to natural death." The "Croatian Alliance For Life 'CRO VITA' served as a local expository of a European-wide campaign that the European citizens' initiative "One of Us", organized and coordinated by the non-profit "European Federation for Life and Human Dignity".

Apart from advocates of Catholic values, particularly in the education, and pro-life activists, there is a group of conservative civil society organizations that place a protection of marriage and a traditional family as the core of their activism. Those are the "Association for promoting family values 'Blessed Alojzije Stepinac'" (*Udruga za promicanje obiteljskih vrijednosti 'Blaženi Alojzije Stepinac'*); the "Center for Natural Family Planning" (*Centar za prirodno planiranje obitelji*); the "Family Enrichmnet" (*Obiteljsko obogaćivanje*); and the "Reform - Association for the Promotion of Ethics, Morality, Family Values and Human Rights" (*Reforma - udruga za promicanje etike, morala, obiteljskih vrijednosti i ljudskih prava*). The "Croatian Marriage and Family Alliance CRO-BIOS" (*Hrvatski bračni i obiteljski savez CRO-BIOS*) presents itself as an alliance of Catholic family associations from Croatia, including those presented above.

The "Association for Promoting Family Values 'Blessed Alojzije Stepinac'" promotes traditional family, supports the idea children should be raised in an intact family, and is prolife oriented. It is lead by Krešimir Miletić, who was active advocate of the initiative "In the Name of the Family". The citizen association "Center for Natural Family Planning" was

established in 2003 with a goal of "promotion and education on the Billings Ovulation Method of Natural Family Planning; to develop a positive attitude to the public and each individual towards human sexuality and fertility; to encourage a perception of own's fertility with respect and in accordance with the laws of nature; and to enhance and promoe relationship between spouses, in this way helping to create healthy relationships within the family and society." The president of this association is Marija Curlin, and its executive director is Kristina Pavlović, a sister of Ladisalv Ilčić, who was a former president of the "GROZD" association. The citizen association "Family Enrichment" was established as a civil society organization in 2010 by a group of parents who aimed to invest more in their families, either by deepen their marriage relationship or by providing a better education for their children. In pursuing their goals they rely on the Family Enrichment Program, launched by the international non-profit non-governmental organization "International Federation for Family Development". The association offers advice and support for families and married couples through workshops and gatherings of members. The president of the association is Jozefina Skelin, whereas the vice president is Vice Batarelo, also active in the association "Vigilare".

The civil society organization Mary's Meals Croatia (*Marijini obroci*) is a branch of the international charity organization Mary's Meals "that aims at providing a proper meal to the children in the world's poorest country every school day." It is presided by Renata Planinić, a spouse of Krešimir Planinić, who acts as a legal councillor of the initiative "In the Name of the Family". The association "Observer" (*Promatrač*) was established in advance to the referendum on the Constitutional definition of marriage, in order to recruit and train election observers who observed the conduct of the referendum on the definition of marriage as a union between a man and a woman held in December 2013.

Finally, it is impossible not to acknowledge that all prominent actors of the Croatian religiopolitical movement (Ladislav Ilčić, Željka Markić, Krešimir Miletić) had been or are still active in the party "Hrvatski rast - Movement for a successful Croatia" (Hrvatski rast, HRAST) was registered as a political party in Croatia in 2011, being founding by several conservative Catholic NGOs, joined by several marginal existing conservative parties and politicians and public intellectuals. In spite of being a political actor, the party advocates itself as "a Croatian political movement that brings together political parties, civic organizations and individuals that are traditionally conservative." On its web-site HRAST is described as "the people's and the Christian movement in Croatian politics which introduces new people, new ideas and new strategies. These new people are mostly unknown to the general public, but have long been recognized in their communities as respected and honest person, experts in their fields, loyal to universal human values, the Croatian people and the Croatian state. Most of them had not previously been involved in politics, but felt an urge to appear on the political scene, which is filled with old and proven incapable professional politicians, whose action and inaction has resulted in a spiritual and material devastation and has produced political, economic and moral crisis." The party is aligned with the European Christian Political Movement. HRAST run in the 2013 European Parliament election, receiving 2.55% of the total vote. The intention of a part of the religiopolitical movement to utilize the political power has become more obvious after the current leader of the party HRAST Ladislav Ilčić signed an agreement on pre- and post-election coalition with Croatian Democratic Union, currently the strongest opposition party in Croatia, likely to form the subsequent government. Being dissatisfied with this act, and denying the legitimacy of Ilěić's way of leading the party, several local branches of the party stepped out. Those former HRAST party members who left the party appear aligned to the citizens' initiative "In the Name of the Family" and might have differing political strategies for the forthcoming parliamentary elections expected at the end of 2015.

2.3. Activities of the Croatian Religiopolitical Movement: Conservative Response to Legal Liberalism

Christine Mahoney and Frank R. Baumgartner (2005) showed that several large social movements transformed the policy agenda of the national government. However, political social movements do not necessarily endeavour to create new policies, but rather are insisting in altering existing unfavourable policies or defend favourable ones (Mahoney and Baumgartner 2005; Amenta et al. 2010: 302). The same might be argued for religiopolitical movements who influence the political process in several ways: through public protests, by creating durable interest groups; or by supporting particular political candidates and through electoral activity (Amenta et al. 2010: 297; Keddie 1998: 716-717). Public protests are especially influential in helping to set policy agendas (Amenta et al. 2010: 301) but are usually seen as merely one form of resistance within larger cycles of contention (Tarrow 1998; Della Porta and Diani 2006: 165).

One explanation for emergence of social movements is that they emerge as "a reaction to the state's attempts to control the civic sphere" (Pichardo 1977: 420). Quite the contrary, the case of the Croatian religiopolitical movement shows that a social movement might emerge as a response to state's intervention into a private sphere, particularly identity and values. Collective identity and its role in emergence and strategies of the movement are placed centrally by new social movement scholars (Williams 2000: 92; Castells 2010) who, *inter alia*, argued that the collective identity represents an internal movement building dimension (Della Porta and Diani 2006). Williams explained that "the cultural component of new social movement theory had to do with the content of movement ideology, the concerns

motivating activists, and the arena in which collective action was focused – that is, cultural understandings, norms, and identities rather than material interests and economic distribution" (Williams 2000: 92).

When a public decision is considered as unjust or threatening, the way is going to be opposed through a specific repertoire of contention. Tilly (1995: 41) defined a repertoire of contention as "the ways that people act together in pursuit of shared interests." According to him, the repertoire of contention includes the "whole set of means [a group] has for different types on different individuals" (Tilly 1986: 2). This implies that the styles of protests and the means by which people protest are shaped by a nature of the conflict. Indeed, Arthur L. Stinchcombe (1987: 1248) argued that "[t]he elements of the repertoire are ... simultaneously the skills of the population members and the cultural forms of the population."

Apart from deploying internet activism, both by skilful use of web platforms and online social networks to connect with their sympathizers and supporters, and by organizing petition signing and sending of protest emails; the leaders of religiopolitical movement are endowed with proficient media communication techniques. In order to spread their ideas to the public and reach the widest circle of supporters, they are approachable to journalist, and gladly occupy media sphere by strategically choosing topics and creating events that are interesting to media. The novelty in the repertoire of the Croatian religopolitical social movement is that it demands a valorisation of the values it considers affirmative in legal and constitutional discourse. Namely, governments frame their policies through (new) legislation and norms. Those legal norms, that are manifestation of both power, and (preferably) also reflection of dominant societal values, might cause and determine actions on the side of non-state actors. Legal norms and policies that are perceived as legitimate reflect genuinely shared consent. Citizens might chose turning to social movements when high levels of contention in response to proposed legislative and policy changes that resonate contrary to their value

systems occur. More often than owing a genuine repulsion for the legal norms and state policies, citizens became mobilized by the social movement leadership to start perceiving the governmental legislative amendments and announcements of new policies as threatening to their values. In such circumstances, social movements become fora for citizens to voice their concerns, criticism, or outfight resistance to the government's policy. Law, thus, becomes, in the words of Austin Turk, "a weapon in a social conflict" (1976), but also a strategic resource employed for the desired outcome of a social change.

Croatian conservatives aligned in the religiopolitical movement have managed to shape the Croatian politics in the course of the past three years, predominantly by building their claims on rhetoric on the protection of the family and traditional values and by demanding a valorisation of the conservative-Catholic values in legal and constitutional texts. The religopolitical movement's framing process has set the protection of the values of the (Catholic) majority and the domination of the Catholic identity in the Croatian society through preserving a traditional family as its master frame. Up to now, the neo-conservative agenda in Croatia tackled three issues: the protection of the traditional family, the resistance to introduction of the sex education, the prohibition of abortion. Such a thematic cluster demonstrates their alignment with a wider European neo-conservative agenda.

The first goal of a protection of a traditional family was successfully articulated through the citizens' initiative "In the Name of the Family" that managed to include the definition of marriage into the text of the Croatian constitution as a union between a man and a woman. In this way a constitutional prohibition of same-sex marriage and any impossibility of marriage equality for homosexuals were legalized and very likely cemented as unamendable. Namely, amending of the legislation requires simple majority of votes in the Parliament, whereas the amending of the Constitutions seeks three quarter of all Parliamentary votes. However, in spite of their referendum success the citizen initiative "In

the Name of the Family", the conservative civil society organizations pursue opposing to the recently passed Civil Partnership Act, arguing it the Act is unconstitutional, because it recognizes the same right to the institution of civil partnership to the one that is enshrined in the institution of marriage (Radelj 2014). Thus, the ideological battles over the marriage and the traditional family seem far from being finished.

Secondly, the religiopolitical movement objects the introduction of health and civic education programmes in school curricula on the grounds that learning about sexuality in elementary and high schools is contrary to parental rights and interest to educate their children in accordance with the own value systems. They argue that the introduction of, what they call, 'sex education', is contrary to the attitudes and beliefs of the Catholic parents, who should have freedom to bring up their children in line with their values. The "GROZD" argues that accordingly to the right of parents to choose if their children shall be attending religious education in state-run schools, a parental right to opt for a variant of health education that is in line to parental value system should be accordingly applied in Croatian schooling system.

Apart from submitting open letters to ministers of social policy or education, associations the "GROZD" and "Reform" submitted in December 2013 a proposal for a constitutional review of the governmental "Decision on the introduction, monitoring and evaluation of curriculum implementation of health education in elementary and high schools". After the Constitutional Court ruled down the provision on introduction of health education in elementary and high school curriculum since the procedural requirements were not met a representative of the "GROZD" argued that "the [Constitutional] court recognized what parents, conservative NGO groups, the Catholic Church, initiative "In the name and other major religions in Croatia, had been saying all along – that the Minister of Education had forcibly and undemocratically introduced the sex-education program which was a beachhead for importing gender ideology and indoctrinating Croatian children against the will of their

parents and against article 63 of the Croatian Constitution and other European directives and laws which state that parents have the sole responsibility and freedom to bring up their children in line with their values" (LifeSite, 2013). Although the Constitutional Court had not based its decision on the grounds evoked by the social movement organizations, but merely on inadequate procedural requirements, the movement presented the Constitutional Court decision as its victory. The initiative "In the Name of the Family" used the legal mobilization by submitting a request for a constitutional review of the Family Act after a comprehensive reform of family law was passed in 2014. Interestingly, the constitutionality of the Family Act was challenged by a number of organizations and individuals both from liberal and conservative spectrum, and was eventually suspended by the Constitutional Court.

Third topic the religiopolitical movement is pursuing is a protection of life from its inception until the natural death. One of the first arenas in which the religiopolitical claims became articulated was the legal regulation on assisted human reproduction. For example, representatives of the civil initiative "I Was an Embryo Too" formed by the civil society organizations "Vigilare" and the "Fertilitiy Care", presented in the Croatian Parliament in February 2012 a legislation proposal that would contribute to solution of problems of couples with infertility by advocating natural conception and opposing the freezing of embryos for the purpose of artificial insemination. Liberalization of the assisted human reproduction legislation was voted in July 2013 and was not backed by the by canter-right parties. The Croatian Bishops' Conference labelled the law "profoundly immoral and inhumane, because it will dissolve the fundamental values of family and marriage" (Glas Koncila 2012). Christian Croatian bishops said freezing embryos "does not guarantee life to people conceived in this way, but rather sentences them to death" (Glas Koncila 2012). Damir Jelić, vice president of the Croatian Democratic Union, the biggest opposition party, compared the new law to "the human tragedies of the Holocaust and the crimes of the Communist regime" (Glas

Koncila 2012). Already in July 2012, citizens' initiative "I Was an Embryo Too" and civil society organization "Vigilare" issued a joint statement in which a retreat to the constitutional referendum was mentioned for the first time: "We are left with no other option but to take advantage of the rights enshrined by the Croatian Constitution that endow citizens with the possibility to call a referendum to bring down this law. This will certainly be possible because we are no longer a 'silent majority'. The constitutional complaint and the referendum are the last line of defence left to the citizens, but our efforts do not end in breach of this bad law" (Glas Koncila 2012).

Recently social conservative and Catholic associations have undertaken a number of activities that oppose sexual and reproductive rights that are being legalised since 1970s in Croatia. Interestingly, the same period witnesses a decrease of the number of medical socialist who deliver abortions due to expression of conscientious objection. For example, in spring 2014 and 2015 during a Lent, preparatory forty days long period of fasting and prayer in advance to Easter, the prayer vigils were organized in front of the public hospitals across the country that performs abortions. The prayer vigils constitute a novelty in a repertoire of civic activism, and are likely inspired by and imported from American and Western European prolife initatives. The prayer vigils in Croatia are coordinated by the "International Ecumenic Prayer Initative for Unborn Life" (Međunarodna ekumenska molitvena inicijativa za nerođeni život) what confirms international support to a development of the protest repertoire. After in January 2015 the European Commission directive that authorized the prescription-free sale of the morning-after pill became effective, its selling became possible without a prescription in Croatia. This urged one of the association of the medical professionals, the Croatian Pharmaceutical Chamber (*Hrvatska ljekarnička komora*), to complicate the availability of the pill over the counter by suggesting to the Minister of Health to issue a Regulation which requires that a pharmacist to interrogate on the buyer's sexual behaviour and to inform the buyer's medical doctor on a purchase of the pill. The Regulation was criticized as illegal and unnecessary by another medical association, the Croatian Pharmaceutical Association (*Hrvatsko farmaceutsko društvo*) and by the Ombudswoman for the Gender Equality. The opening up of pro-life agenda by the organizations belonging to the religiopolitical movement can be explained merely as an import of the foreign repertoires, since the legislator has not announced any intention to promote abortion as a contraceptive means, and there were no prior announcements from the side of government to amend any of the reproductive rights. Thus, the movement, similarly to its organization of the Constitutional referendum on the definition of marriage, acts pre-emptively, not trying to prevent further liberalization of the reproductive rights, but to restrict it. This particular issue might become one of the future movement's attempts to transform the legal system, since Krešimir Miletić, one of the leaders of the religiopolitical movement, stated that "discussion on all relevant issues in society shall be opened, including the one on the law on abortion that was passed during the Communist rule" (Ćurić 2013).

Interestingly, in pursuing all thise topics, the conservatives use consistently human rights discourse for legitimization of their claims. However, by promoting the individual human rights that are serving the interests of the majority they do not resort from denying other's their rights. The use of human rights discourse, referencing to pluralism and democratic principles and values has been used as an repertoire of contention by conservative organizations and movements widely in the Western world. In her research of the Christian Right, Jennifer S. Butler (2006) noted for example that the Christian right social movement uses liberal procedures and rights, supported by human rights treaties and declarations, to advance conservative and restrictive policies. Cynthia Burack (2008) demonstrated that the Christian right uses the notion of pluralism, that diversity is a social good which prevents dominance of one particular idea, for its own political purposes against the lesbian, gay, bi-

sexual and transgender (LGBT) community. The Croatian religiopolitical movement primarily uses interpretation of the human rights legal norms in favour of the own value system. By selectively emphasizing traditional, Catholic values, in their norm interpretation, they assume a cultural relativist, not universalistic, position. Secondly, they are wisely claiming a concept of human rights for the own reasoning discourse. For example, they manipulate the legal discourse and interpret the right of the parents to decide on the way how sexuality and gender equality will be taught to their children, the right to marriage equality, the right to free and autonomous decisions regarding one's reproductive life; and the freedom of religious conviction to fit the Catholic teaching and values. Moreover, in the country that has a significant share of self-declared Catholic believers (almost 80% accordance with the latest 2011 Census of population) the religiopolitical movement claims the legitimacy of a representative of the moral Catholic majority. Hodžić and Bijelić (2015: 22) noted that unuyuall for civil society organizations, "parallel with the rise and multiplication of their ideologies through actions of civil initiatives and organizations of civil society, neoconservative agents try to achieve their influence through formal political processes and systems."Indeed, in pursuing their goals, the movement's organizations either lobby on social issues that are set as the movement's priorities or require the restructuring of the social policies (e.g. educational one, anti-discrimination one or the one dealing with the sexual and reproductive rights) and the transformation of legislative norms when those are interpreted as being contrary to socially conservative values.

Chapter 3 Analysis of the Cycle of Contention: the Religiopolitical Success in Croatia through Anti-Gay Referendum

In this chapter I am seeking firstly to establish which societal trends favoured emergence of religiopolitics in Croatia? I therefore draw upon political opportunity approach that argues that causal significance of political opportunities is prevalent for a social movement to emerge, and that the collective action needs to be studied by the systematic cataloguing and analysis of contentious events (Tilly 1978: 41-85; 1995; McAdam 1982). I am furthermore interested in establishing what the motivation behind choosing legal mobilization as a means of pursing movement's goals is? In this chapter I will therefore explain why law was and legal norms, particularly human rights ones, were deployed by the social movement as the movement's repertoire of contention. In this way, I will show that legal norms might play an important role not only in the inception of the social movement, but also in its recruitment and building of its organizational resources; as well as in mobilization and demobilization of constituents.

3.1. The Expansion of the Political Opportunity Structure through Lowered Referendum Requirements

Tarrow (2011: 28-29) claimed that "people engage in contentious politics when patterns of political opportunities and constraints change, and then by strategically employing a repertoire of collective action, creating new opportunities, which are used by others in widening cycles of contention. When their struggles revolve around broad cleavages in society; when they bring people together around inherited cultural symbols; and when they

can build on – or construct – dense social networks and connective structures, these episodes of contention result in sustained interactions with opponents in social movements." Therefore, a successful cycle of contention of the Croatian religiopolitical movements will be explained through four elements of the contentious politics: (i) the expansion of the political opportunity structure; (ii) the repertoire of contention; (iii) networks and mobilizing structures; and (iv) the construction of contention.

Changes to the opportunity structure had obviously raised religiopolitical movement's activities (McAdam 1999: 40-41). Namely, the movement used existing opportunity structures, particularly lowered requirement for conveying a national wide-referendum. The 2012 Croatian EU accession referendum held on was the first referendum held in the history of Croatia as an independent sovereign state. The first one, the independence referendum was held in 1991, while Croatia was formally still part of the former Yugoslavia. The Croatian Constitution was amendment in advance to Croatia's accession to the European Union that took place on 22 January 2012. Namely, the Constitution requires that a binding referendum be held on any political union reducing national sovereignty or on proposing an amendment to the Constitution. Originally, the Constitution required that more than half of all registered voters vote in favour of the referendum question. Political elites, being realistic that in a climate of significant voter apathy, the turnout would not satisfy the requirements for a successful referendum on the EU accession, abolished the threshold for a national-wide referendum. Moreover, the Constitution contains a provision that the Parliament needs to call referendum on proposals to amend the Constitution when ten percent of the total electorate of the country request so and decisions made at referenda are binding.

Interviews with the initiative's informal leader Željka Markić at the early stage of the cycle of contention disclose that the initiative's appearance was motivated by the French movement "The Protest for Everyone" (*La Manif Pour Tous*), who organized a massive

march in Paris against same-sex marriage in November 2012. Markić argued: "Having learned from the events in France, where millions of people have come out to the streets to send a message to the President Holland they do not want equation of the same-sex relationships and marriage, we think that is good to resolve such an important issue peacefully, through the democratic process open to all Croatian citizens" (Ciglenečki 2013). My interviews with representatives of the religiopolitical movement confirmed my assumption they recognized the change in the referendum legislation as the opportunity structure. One of my respondents from this group said that a local referendum, held in the city of Dubrovnik, served as an inspiration for the leaders to seek constitutonlaization of the definition of a marriage. Namely, the civic initiative "Srđ is Ours" (Srđ je naš) mobilized the residents of Dubrovnik to oppose a construction of the golf resort on the plateau Srd above Dubrovnik, by calling for a local referendum. Though the initiative managed to collect sufficient number of supporting signatures to call for the referendum, the referendum failed, since less than 50 percent of voters in Dubrovnik voted. Namely, only 31.5% of voters showed up at polling stations on when the referendum was held, whereas the Law on Referendum set a threshold of more than a half of a total number of the registered voters.

Realizing that the local referendum requirements are set much harsher than those for the national one, the religiopolitical actors decided to seize the opportunity, knowing the success in referendum both legitimizes their claims and makes them legally binding. The movement moreover relied on the referendum, as a model of participatory democracy, knowing that citizens would recognize it as a response to diminished opportunities to participate in the Croatian politics and policy making processes. The movement thus recognized the niche of political dissatisfaction of the voters, who are demonstrating their distrust into mainstream political institutions by prevalently boycotting the voting at various elections. For example, the voter turnout at the local elections held in May 2013 was merely

13.55% in average (State Electoral Commission of the Republic of Croatia 2013). The voter turnout at the European Parliament elections held in May 2014 was 25.24% (State Electoral Commission of the Republic of Croatia 2014a). The last presidential elections held in December 2014, however, witness an increase of participation, as the turnout was 47.12% in the first round and 59.05% in the second round (State Electoral Commission of the Republic of Croatia 2014b). This provided another opportunity for a success of their referendum initiative, as they needed to mobilize just certain share of persons willing to cast their vote. Surprisingly, the procedure allows validity of the referendum even if merely three persons would voted.

The citizen initiative "In the Name of the Family" managed to collect 749,316 signatures in two week period in May 2013 demanding a referendum on the constitutional definition of marriage. The initiative was supported by conservative political both parliamentarian and non-parliamentarian parties, the Catholic Church and by majority of other religious communities. The ruling left-wing coalition opposed the amendment along with numerous liberal human rights organizations and the majority of the Croatian media. The Constitutional Court did not discuss the Constitutionality of the referendum question, because the Croatian Parliament did not request that from the court. The third constitutional referendum was held on 1 December 2013. 37.9% of eligible voters voted. After processing all of the ballots, the State Election Commission announced that 65.87% voted yes, 33.51% no and 0.57% of ballots were disregarded as invalid. The referendum disclosed a significantly high rate of those who restrained from casting their vote at the referendum as the turnout in the vote was merely 37.9%, implying more than sixty per cent of citizens with the voting right decided to abstain.

However, this was not the only one referendum initiative by the citizens' initiative "In the Name of the Family". Its political nature has been confirmed once the initiative started to

collect signatures in late September and early October 2014 with an aim to initiate a second referendum in which citizens would decide on the change of the electoral system. Under the slogan "Let Us Elect Deputies by Name" (*Birajmo zastupnike imenom i prezimenom*) referendum aimed at changing both Constitution and subsequently electoral legislation. Namely, the aim of this referendum initiative was to alter the way MPs are elected by introducing a preferential voting system where voters, not party leaders have prevalent influence on the candidates elected. The petition was signed by 380,649 voters, almost a half of the number of the supporting votes the initiative gathered for the first referendum. Lower number of citizens supporting this initiative can be explained by the fact that a support of all political parties, including the oppositional Croatian Democratic Union, who was openly supportive towards the first referendum initiative, failed. The Constitutional Court found in December 2014 the initiative had not managed to collect a sufficient number of signatures to initiate the second referendum, as the Court established that in order to call for a referendum 404.252 signatures were required.

A shortly before successfully conducted referendum on the Constitutional definition of marriage as a union between a man and a woman inspired a referendum initiative of the war veterans concerning the introduction of the Cyrillic script in Vukovar. After the Census results established in December 2012 that the Serbs make 34.87 % of population in the city of Vukovar, the government became bound to introduce bilingual signs with the Serbian Cyrillic script on the state institutions in this city that suffered devastation by the Yugoslav Army and Serbian paramilitary forces in 1991 and is a symbol of the Croatian wartime resistance. The Croatian war veterans backed by the central-rightist and rightist political parties even violently opposed introduction of the Serbian Cyrillic script into the public discourse in Vukovar, and in late December 2013 campaigned for a referendum aiming to limit minority rights. If the referendum question was not declared unconstitutional by the Constitutional

Court in August 2014 it would not only prevent the use of the Serbian Cyrillic script in the city of Vukovar, but would also eliminate use of minority languages and scripts in close to all other Croatian towns and municipalities. This referendum initiative, which openly undermines principles of the liberal democracy, managed nevertheless to collect 680,000 supporting signatures of the Croatian citizens.

Besides the war veterans and socially conservative attempts to institutionalize their claims in the Constitution by calling a nation-wide referendum, a third referendum initiative "We will not give up our highways!" (*Ne damo naše autoceste*) also collected signatures in October 2014 for a referendum against the monetisation of the Croatian motorways what was planned as an anti-austerity measure by the centre-left ruling coalition. Such an abundance of referendum initiatives, that managed to mobilize significant support from the citizens, speak in favour of the argument that the centre-left ruling coalition is facing a number of diverse opponents in social movements who managed to recognize and use the emerged political opportunity in the requirements for conveying a national referendum. All those movement resorted to differing forms of contentious politics by exploiting a given political opportunity what eventually resulted in changing degree of power inequality between the challenging groups and the government.

Other opportunity structures the religiopolitical movement recognized are a high dissatisfaction with a mainstream politics and the worsened economic situation. In a country that has widespread corruption and substantial distrust in the political institutions people turned to new forms of political activity who appears uncompromised and who argues in favour of traditional (allegedly endangered) values. Namely, the data of the 2013 Global Corruption Barometer, a public opinion survey on views and experiences of corruption, revealed that 72% of respondents in Croatia felt that political parties were corrupt or extremely corrupt, whereas 63% of respondents held that parliament was corrupt or extremely corrupt

(Transparency International: 2013). Similarly, political parties, parliament and the government are the least trusted institutions (Budak and Rajh 2012). Lack of trust in political institutions puts at risk the willingness of citizens to back new public policies (in Croatian context those were the centre-left government's Minister of Public Admnistration announcements on alignment of same-sex couples' rights and responsibilities to those of any other married couple, and introduction of health and civic education in school curricula). In addition, an on-going economic crisis, which in the case of Croatia lasts more than six years, and the austerity measures, contribute to unpopularity of the government and has resulted in significant uncertainty in the social fabric of the country. In the time of *anomie*, intolerance towards societal minorities (e.g. homosexuals, immigrants, or national minorities) easily mobilizes people.

In a climate of prolonged economic crisis and significant distrust in mainstream political institutions, the religiopolitical movement stood out as a forum for citizens to voice their concerns, criticism, or outfight resistance to the government's policy. By positioning itself "as 'people', as opposed to the political elites, which they accuse of passing laws and policies that endanger 'traditional family' and/or 'national interests'" (Hodžić and Bijelić 2015: 22) the movement has, by defying the government's intention to legalize the same-sex marriage, succeeded in redirecting the society towards new values.

3.2. The Construction of Contention: Framing the Endangered Family and Endangered Rights

Tarrow (2011: 120) argued argued that the social movements "do not invent forms of contention out of whole cloth but instead innovate within and around culturally embedded

repertoires." The religiopolitical movement had indeed managed to gain support for its gol of the constitutionalization of a definition of a marriage by deploying the concept of family, not a heterosexual marriage as his central frame. The literatue on social movements suggests emotions might play a key role in mobilization processes (Aminzade and McAdam 2001; Goodwin, Jasper, and Polletta 2001; Summers-Effler 2010). Indeed, citizens who expressed their support for the initative were mobilized emotionally, as the initiative systematically framed endangered family and endangered values as being a goal of their activism. From choosing the initiative's name ("In the Name of the Family"), over repeatedly articulated arguments that the family is the best place for raising children, to claiming that children who live in families with one biological parent or with homosexual parents are necessarily sexually, emotionally and physically abused ones. At the outset of the initiative's activities its informal leader, Željka Markić stated that the referendum has been chosen as means of action "in order to ensure that something so fundamental for a society as marriage is, and thus the family and all the rights arising from the marriage, such as the adoption of children, can not be changed just by changing the Family Act or any other law" (Stanić 2013). Moreover, Markić repeatedly stated that referendum has been chosen as the initiative's activity since the organizers expected "the referendum to ensure constitutional protection of marriage as a union between a woman and a man and explain to politicians, to the present and subsequent other Government, what stands of the majority of Croatian society on such important issues as marriage, family and child adoption are" (Ciglečki 2013).

The part of the public was most likely deceived by the alleged scientific data the movement had provided. One of such attempts, that happened in advance to the organization of the civic referendum as a part of anti sex education advocacy, was the organization of public lectures by Judith Reisman in February 2013. Reisman is an American academic and social conservative activist who denounces the work of American sexual sociologist Alfred

Kinsey. In her lectures delivered at the Faculty of Political Science, the Faculty of Philosophy in Zagreb, as well as in the Croatian Parliament, Riesman attacked sex education and gay rights as being anti-family and paedophile-friendly agenda. Željka Markić, the informal leader of the religiopolitical movement, often asserted in advance to the constitutional referendum, during her appearance in media, that so called Texas Research proved that the children living with the homosexual parents are on "average at a significant disadvantage when compared to children raised by the intact family of their married, biological mother and father" (Regnerus 2012). The later research has been denounced by the "Croatia Sociological Association", that stated this academic research was incorrect and biased (Croatian Sociological Association 2013). Vice John Batarelo, for example, stated in one of a few interviews he gave that "it has been empirically proven that where you have a happy marriage and a happy family - there children were more successful, happier, more ambitious" (Hudelist 2013).

Moreover, the initiative wisely used emotions, either in the pubic addresses and appearances of its leaders as well as in its campaign (e.g. by using a silhouette of a family with mother and father holding hands with their children as the central logo of the referendum campaign, or by picturing a happy young family with small child as a web identity of "GROZD" association). An example of the emotional manipulation was a poster of a girl who allegedly felt asleep in the in the drawing of her deceased mother, she herself draw on the street. The media discovered the message that the picture asserted was fake, as it was an artistic photo taken by an Iranian photographer one of her niece (V.Š. and R.J. 2013).

3.3. Power of Networks and Mobilizing Structures

Tarrow (2011: 123-124) argued it is possible to distinguish among three different meanings of movement organization: the first meaning refers to the organization of collective action at the point of contact with opponents usually controlled by one formal organizations or a coalition of organizations; the second meaning refers to the advocacy organization who either promote or resist social change; and the third meaning of organization refers to "the connective structures or interpersonal networks that link leaders and followers, centers and peripheries, and different parts of a movement sector with one another, permitting coordination and aggregation, and allowing movements to persist even when formal organization is lacking." Tarrow (2011:183), in addition, argued that that social movements depend on three levels of organization: "the social networks at their base, the organization of collective action, and some degree of formal organization." The third meaning of movement organization, i.e. the one that asserts the interpersonal networks between movement leaders represents, as well as the first level of movement's organization, i.e the social network, constitute a main connective structure of the Croatian religioplitical movement. Representatives of the liberal civil society gathered in the campaign "Citizens vote against!" argued that behind the citizens' initiative "In the Name of the Family" is actually standing "one marginal political option", i.e. a conservative political party HRAST (Građani glasaju PROTIV, 2013). Similar messages were voiced in the writing of portals and journals that were not sympathetic to the idea of constitutional referendum (R.I. 2013). It is impossible not to acknowledge the movement is represented by merely several figures that re-appear in a dozen of conservative civil society organizations and sometimes being formally connected to the institutions of the Catholic Church. Željka Markić, who is informal leader of the citizen's initiative "In the Name of the Family", was a former president of HRAST. Ladisalv Ilčić, the

current president of HRAST was the former president of "GROZD". Krešimir Planinić, who is legal councillor of the citizen's initiative "In the Name of the Family" is through his wife associated with organizations Mary's Meals; Krešimir Miletić; currently associated with the association "Vigilare", is also the president of the "Association for Promoting Family Values 'Blessed Alojzije Stepinac'", a member of the "Croatian Marriage and Family Alliance CRO-BIOS", and a former member of the party HRAST. Vice Batarelo, who is the president of the association "Vigilare" is also a head of the Office for the Pastoral Care of the family of the Archdiocese of Zagreb. Stjepan Bartulica, who is the president of the citizens' association "Center for the Renewal of Culture", used to serve as the former President's Ivo Josipović advisor for religious issues. Although ideologically opposite informants from the liberal civil society organizations and media asserted that a core of the religiopolitical movement is made of several friends and family members who established a number of civil society associations in order to enhance their leverage of success, my informants from the conservative civil society organizations claimed they had not been initially coordinated and acquainted with each other. On the contrary, their argued that shared values and interest brought them together, and as a result of that they are acquaintances and friends today. Indeed, interpersonal networks that for sure exist among the movements leaders (a dozen of associations and civil society organizations often share personnel in governing boards and bodies) are the driving force behind movement identity development.

The informants from the liberal civil society argued the leaders of the religiopolitical movement are closely related to the Croatian Catholic Church. However, the informants from the conservative civil society organization repeatedly articulated that a nature of their initiative is non-confessional and apolitical but nevertheless seek partners across religious boundaries and presented themselves as acting across religious divides. As proclaiming non-confessional character of the initiative it managed to increase participation opportunities to

religious institution that are, no matter their nomination is, as a rule sensitive towards the issue of marriage. Such an outlook indeed had a strategic effect, as the initiative managed to mobilize a support for a referendum on the definition of marriage of the Catholic Church, but also of other major religious communities.

3.4. Role and Power of Law in Shaping the Repertoire of Contention

The Croatian religiopolitical movement uses human rights rhetoric, act within the institutional framework, and rely on democratic tools such a referendum. It transmits conservative values and ideas chiefly through institutional means, primarily through attempt to influence the drafting of legislation and by addressing juridical institutions, predominantly the Constitutional Court, for a judicial review of constitutionality of legislative provisions, but also, as it was shown above, by initiating the civic referendum. Such a repertoire of contention constitutes an exception to a traditional social movement activity which suggests that movements are rational attempts by excluded groups who advance own collective interests through noninstitutionalized means (McAdam 1982: 37). Quite the contrary, the Croatian movement demonstrates the ability to play with legal norms and to use them strategically. For example, the movement relied twice already to an institution of the civic referendum; and it addressed the Constitutional Court to decide on the conformity of regulations with the Constitution and to review the constitutionality of legislation. The social movement literature has indeed acknowledged that social movements chiefly struggle for their goals through noninstitutional politics, but also they might turn to the courts or other legal institutions (e.g. the Supreme or the Constitutional Court) in pursuit of their goal to strike down the undesired legislative and policy proposals (Lempert 1976; Zemans 1983; Harlow and Rawlings 1992). Reliance on the courts and referenda presents an organized effort to resist changes in the structure of the society. However, if law is to serve as an instrument of social change, it necessarily requires engagement of legal professionals which are being associated to the movement. The power in the Croatian religiopolitical movement came with a this relatively cheap repertoire of contention that legitimizes claims of the movement not only before the authorities but also in the wider public.

Law, however, shall not be considered as the only mobilization resource of the Croatian religopolitical social movement. The research established that social movements' legal strategies are often incorporated in conjunction with other political strategies (Boutcher 2013, Cummings and Eagly 2001; McCann 1994). Indeed, the legal mobilization outcomes of the religiopolitical movement researched depended also on the "elections, political realignments, and leaders able to take advantage of a widening political opportunity structure" (Browning, Marshall, and Tabb 1984), what has been described above already.

3.5. Anti-Gay Referendum as a Means for Positioning of a New Political Actor?

Until the success in the Constitutional referendum the religiopolitical movement had not held position of power or authority, but its success has legitimated it both as a new societal and a political actor. Several of my informants from the liberal civil society organization articulated that the informal leader of the religiopolitical movement Željka Markić had calculated with the idea to be a presidential candidate of the central-rightist Croatian Democratic Union, at the presidential elections held in December 2014. Although she had not utilized popularity at the latest presidential elections, informants from the conservative civil society organizations have clearly articulated their intention to become politically engaged. Besides, the choice of the second referendum initiative, the one on the redefinition of the electoral rules, confirmed the political nature of the movement.

Following the rejection of the referendum initiative by the Constitutional Court, Krešimir Miletić from the initiative "In the Name of the Family" disclosed that "many who gathered around the failed referendum initiative to change the electoral system are in search of a political expression, being dissatisfied with the major parties' positions on fundamental issues of democracy in Croatia." (Srdoč 2014). He argued that "these people are looking for a new political model that would include their candidates in the parliamentary elections. I cannot tell whether Željka Markić will activate politically. Theoretically, if she wanted to do so, she could have already participated in any election held so far [i.e. for the European Parliament, at the local elections or a presidential one]." (Srdoč 2014). Talking about future political prospects of potential political activity of Željka Markić, Ladislav Ilčić, the curent leader of the political party HRAST, that has signed coalition with currently the biggest oppositional central-rightist Croatian Democratic Union, expressed his concern such move would be disappointing to supporters of the civic initiative. He argued that the success of the initiative "In the Name of the Family" largely came through a support of devoted citizens from all over Croatia who were neither politically motivated nor party affiliated. The activities of the movement's leaders disclose at least their personal political aspirations. Majority of them had been associated or is still active in the party HRAST- Movement for a successful Croatia, or, according to media, could become a new political party in the forthcoming parliamentary elections (Puljić Šego and Maretić Žonj. 2015).

Conclusions

Social movements challenge the behaviour or the legitimacy of specific social or political actors when they act as collective undertakings by people who wish to redirect power. When political interactions occur between authorities and social movements that wish to impose traditional, conservative or religious values by challenging the political structure the nature of such movements is religiopolitical. One of such movements, the religiopolitical movement in Croatia, was a matter of my research interest in the present thesis. At the outset of this research I detected that the Croatian religiopolitical movement shares a number of features to similar social conservative movements arising and acting globally. The Croatian religiopolitical, similarly to its counterparts abroad, uses religious identity and values as a fuel for the social change. Subsequently, by analysing the roots, the evolution, and the goals of the religopolitical movement that promotes social conservative values in Croatia I established a relation between the contentious politics and social change. My central goal was to detect how the religiopolitical movement managed to utilize opportunity structures to leverage political power. The three distinct opportunities were available to movement that explain why and how the religiopolitical movement managed to leverage power from the government to their interest. First, by detecting a crucial change in the referendum legislation that lowered requirements for conducting a nation-wide referendum my research confirmed that this structural change proved crucial for the positioning of the movement, led to a raise of movement activities and eventually to its success. Thus, the recent changes in the referendum regulation, that lowered the threshold for the referendum success, generated a political context that proved favourable to the religiopolitical movement to seize political opportunity to advocate for more traditional social order embodied in the religious and moral values by initiating a referendum to introduce the definition of marriage as a union between a man and a woman in the Constitution. Apart from favourable referendum requirements, I established a deep distrust into mainstream politics as well as the economic crisis as instigators of change that were conductive to the claims of the religiopolitical movement. The disillusionment with and lack of support for the current centre-left government that underperformed in a segment of needed economic reforms have likely contributed to a success of the referendum. Supporters of the religiopolitical movement perceived it as uncorrupted actor, without corruptive and nepotistic legacy most of traditional political institutions are endowed with. The leaders of initiative "In the Name of the Family", moreover, had been stressing while they were mobilizing voters for the referendum support that their initiative is not Catholic, but non-confessional, and that they are acting merely as citizens concerned of the society's moral fall down. Though the political nature of the initiative and the movement become both disclosed and admitted afterwards, at the time of the referendum mobilization was taking place the citizens who supported the initiative might have believed the activity is indeed a product of concerned devoted Catholic who act in common interest.

The theoretical concepts I opted for in explaining the case of successfully organized referendum on the Constitutional definition of marriage required the identification of movement's social and political adversaries and the change in the structure of political opportunity; the movement's framing processes; movement's network and organization; and a repertoire of contention that used referencing to law I established that contentious politics can be used for a positioning of a novel political actor. I demonstrated that the movement organized the contention upon a frame of the endangered traditional family and endangered values, though the family was not a matter of constitutional referendum at all. The movements' capacity for contention was strengthen by an impressive organization of volunteers and supporters who were willing to collect signatures needed to initiate the referendum. The central organizational strength lays however in the movement's leadership

that is closely interconnected even by family ties. The movement's leadership secured not only internal organization of the activities, but also almost exclusively represented movement's claims in media and in public. Although the interpersonal networks of the leaders served as the basic organizational structure of the religiopolitical movement, the support of the oppositional central-rightists and rightist political parties, as well as of the Catholic Church, significantly contributed to the organizational strengths of the movement in the cycle of contention described above. The collective action of the Croatian religiopolitical movement was constructed both out of organizational strength, but also out of cognitive frames that deployed protection of endangered traditional family, in this way mobilizing emotions crucial to collective action. The leadership had opted to use referring to legislative provisions, particularly those on human rights, their interpretation, and the address to juridical institutions (particularly the Constitutional Court) as the chief repertoire of contention. By using legal discourse as the repertoire of contention the social movement entrepreneurs managed to position the movement as a credible and legitimate new political actor.

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