“AN ARMY OF GENERALS WITHOUT RANK-AND-FILE”: BUILDING A GAY AND LESBIAN SOCIAL MOVEMENT IN ROMANIA AFTER 2001

by Vlad Levente Viski

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Department of Political Science

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Supervisor: Prof. Lea Sgier

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ABSTRACT

The institutionalized gay and lesbian social movement emerged in Romania after the decriminalization of homosexuality in 2001. Using a narrative analysis I reconstruct the development of social activism centered on sexuality. Using oral history and grey data, I bring forward the story of a marginalized and excluded group. I argue that Romanian gay and lesbian activists framed their demands under the larger concepts of human rights and Europeanization. I look at points of access for activists in their relationship with the Romanian state and at the transnational structures used in order to promote gay and lesbian rights. I show that this relationship was a sinuous one, mostly influenced by transnational entities such as the EU or international human rights organizations. After Romania joined the EU, gay and lesbian rights became less of a priority for the Romanian state. I underline the main debates within the gay and lesbian movement in Romania showing that after 2005, a schism took place, with one side continuing its top-down strategy, relying mostly on lobby and advocacy, and the new one applying an American-type, bottom-up grassroots strategy in order to build a community, using HIV/AIDS prevention as a frame. I argue that the top-down approach lead to the advancement of a favorable legislation, but it failed to build a community. The grassroots approach survived as long as it had funding. Since important international donors withdrew from Romania after 2012, the gay and lesbian movement has been experiencing a major crisis.

Keywords: ACCEPT Romania, PSI Romania, antidiscrimination

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I have come to believe over and over again that what is most important to me must be spoken, made verbal and shared, even at the risk of having it bruised or misunderstood. (Audre Lorde)

INTRODUCTION

In 2014, the Eurovision Song Contest was won by openly gay, bearded drag queen, Austrian pop singer Conchita Wurst. As frivolous as it might sound, immediately after their win, voices in the media claimed that this was no mistake, suggesting that it was Europe's reaction to the passage of an anti-gay propaganda law[1] by the Russian Federation. Recently, gay and lesbian rights have become the contentious space in which national identity is defined. Russia is at the forefront of this identity battle, underlining, at least officially, the contrast between itself and the Western understanding of human rights, individual freedoms and political language. Russia joins a group of countries, which lately have pushed back on some of the gains gay and lesbian activists around the world have claimed since the 1990s, amongst those Uganda or Kazakhstan. This comes in a context in which gay and lesbian rights have become, in the past three decades, one of the core aspects of human rights throughout the world (Kollman and Waites, 2009). Next to women's rights or immigrant rights, gay and lesbian protection has become the standard for international institutions. The European Union has long advanced the rights of sexual minorities and has made it mandatory for candidates to decriminalize homosexuality (where it is the case) and promote antidiscrimination legislation[2]. This was revealed by the recent developments in Georgia, Ukraine and Republic of Moldova, which signed in 2014 Association Agreements with the European Union and were asked to either promote antidiscrimination legislation (including sexual orientation and gender identity) and/or repeal anti-gay propaganda legislation enacted in the past years.

[1] See Persson (2014) for more information on the content of the law.
[2] Presidency Conclusions, Copenhagen European Council (June 21-22, 1993), which set up the *Copenhagen Criteria* for membership to the European Union.

However, Western nations often pressure the global South to reform itself, and use gay and lesbian rights as the standard for measuring the level of development of one nation. At the same time, gay and lesbian rights are being used by the Western world as a way to sanction and criticize non-Western countries. Often times, the use of the gay rights movement is selective and it is directed only towards those countries opposing a certain order. Risse and Sikking (1999) claim that developing countries advance the rights of gays and lesbians because of advocacy networks created by Western countries, who pressure governments. Herdt (1997) talks about an "Americanization of homosexuality," in which issues such as gay parenting, same sex marriage and gay identity are central and overly promoted as the only way to provide for the rights of gay and lesbian individuals. Jackson (2009) goes even further and claims that "like McDonald's and Disney, global queering began in the United States and has transformed the planet's queer cultures by cultural borrowing or cultural imperialism as a result of American global hegemony" (p. 358). Jasbir Puar's (2007) concept of "homonationalism," defined as "the use of 'acceptance' and 'tolerance' for gay and lesbian subjects as the barometer by which the legitimacy of, and capacity for national sovereignty is evaluated" (p. 24), has become more and more used in the academia, in order to better understand the importance of gay and lesbian rights in the grand scheme of global politics.

In the case of Central and Eastern Europe, gay and lesbian rights and the social movements built around the issues of sexuality have evolved in rather uneven ways, that's why it is important to look closely at the within-region differences. If Hungary and Czech Republic are champions concerning gay and lesbian rights, Romania and Poland are still lagging behind when it comes to promotion of human rights for sexual minorities. Long (1999) looks comparatively at Hungary, Romania and the Czech Republic and shows how early decriminalization of homosexuality in

Hungary and the Czech Republic allowed for the development of stronger gay and lesbian social movements, while in Romania activists had to adopt a larger human rights discourse to promote their interests. Renkin (2007) and Holzhacker (2012) look at Hungary's early liberalization of same sex sexual relations between consenting adults as a first step in the development of a more cohesive and strong community, which later turned into political action. However, despite the fact that Long (1999) and Renkin (2007) show how in 1988 the first political democratic organization founded in Hungary was a gay group called Homeros Lambda, Holzhacker (2012) claims that after 1995 the gay and lesbian rights social movement adopted an "incremental change mode of interaction, involving insider, discreet lobbying" (p. 37), due to the fact that it acted in a highly politicized environment. Leaving that aside, both in Hungary and in Czech Republic the gay and lesbian rights social movements were successful in promoting their agenda, which included legislation concerning civil partnerships between two consenting adults, irrespective of the gender of the partners.

In the case of Poland, both O'Dwyer (2010; 2012) and Chetaille (2011) see accession into the European Union as an impediment for the continuation of reforms favorable to gays and lesbians. Chetaille (2011) claims that post-accession, political elites and the powerful Catholic Church forged alliances in order to suppress gay and lesbian rights. As I will discuss later on, it might seem like that has been the case in Romania as well. I will try to look closely at the case of Romania, focusing on the advancement of positive legislation concerning gay and lesbian rights, on the ways in which the gay and lesbian community was built, and the crystallization of a social movement around sexual identity. The research questions are: 1. *How was the gay and lesbian rights movement in Romania born, who sponsored it and how did it evolve?* 2. *How was gay and lesbian identity built and framed?* 3. *What were the main debates and, if any, the main fractures*

within the gay and lesbian rights movement? In doing so I will also identify strategies employed by gay and lesbian rights activists in their relationship with the Romanian state.

I argue that the Romanian gay and lesbian rights social movement was built on three major pillars: i) *legislative, lobby and advocacy*, ii) *identity politics and community building*, and iii) *HIV/AIDS prevention and community building*. Moreover, my argument is that the Romanian gay and lesbian social movement was approached from two directions: firstly, through a top-down approach, under the larger frames of human rights and Europeanization, and secondly, through a bottom-up approach, using community-building and HIV/AIDS prevention strategies imported from the United States.

The first type of gay and lesbian activism emphasized the advancement of a positive legislative framework, which would presumably lead to the organic formation of a gay and lesbian community. It was built around ACCEPT, the most important organization concerning the rights of gay, lesbian, bisexual, and transgender people in Romania. The main argument here is that after the legal oppression from the state is removed and gay and lesbian people become more visible, a community follows. In order to exemplify the strategies employed by gay and lesbian rights activists, I look at the following crucial aspects: the points of access for activists in their relationship with the Romanian state, the use of transnational structures in order to advance the gay and lesbian rights agenda, and the framing of a gay and/or lesbian identity through the first gay pride parade in Bucharest, as well as through a reclaiming and reinterpretation of Romanian history. The positive legal environment was advanced through the repeal of Article 200, which criminalized homosexuality, through the passage of comprehensive antidiscrimination legislation and through the development of the National Council for Combating Discrimination (CNCD). This positive legal environment was achieved by using transnational networks in order to pressure the

Romanian government to respect its promises to its Western partners. In order to evaluate these networks, I will analyze the following elements: the grander issue of Europeanization and the compliance with European standards concerning sexual minorities, the relationship between activists and foreign embassies, seen as agents of change, as well as the connections between activists and European-wide gay and lesbian rights organizations.

The second type of activism, the bottom-up grassroots one, concerned less the legal aspects. It was interested more in building a community from scratch. First and foremost, I must underline the fact that this type of activism was centered mostly on gay men. If ACCEPT tries to be an umbrella association for gay, lesbian, bisexual and transgender people, PSI Romania, the second major actor in the Romanian gay and/or lesbian social movement, focused on men who have sex with men (MSM). This was due to the profile of the organization itself, which I will discuss in detail later. In order to exemplify the ways in which this type of activism was employed, I look at two major campaigns developed by PSI Romania, one concerning the development of micro-communities outside Bucharest[3], in ten major cities in Romania, and another one concerning the framing of homosexual identity as being innate. The activists used the larger HIV/AIDS prevention framework in order to develop projects and campaigns concerning not only the healthcare of gay men, but also raising awareness, creating networks amongst gay men, and fighting against stigma, which in turn built and framed a gay identity.

The aforementioned strategies of gay and/or lesbian social activism developed in three major time periods. The first one took place between 2001 and 2005 and concerned more the legislative aspects. By 2006 Romania had one of the most progressive antidiscrimination legislation in Europe, and the CNCD was functioning more or less effectively. The second period

[3] The capital of Romania

started roughly around 2005, when a group of gay men left ACCEPT and embarked on the project called PSI Romania. ACCEPT continued its work concerning its relationship with the Romanian state, but also used transnational networks to organize the first gay pride parade in Bucharest. The third period started in 2012 and it is ongoing. Gay and lesbian activism is going through a major crisis, lacking both money and human capital.

Methodologically, I use content analysis, media analysis, and archival research in order to develop a narrative. I have conducted seven semi-structured in-depth interviews with gay and lesbian rights activists, amongst the most important ones in the post-2001 period of time. I have interviewed activists involved in ACCEPT Romania, PSI Romania and in other HIV/AIDS prevention programs. The media analysis on one of PSI Romania's campaigns was done by PSI Romania and I have included it in the data. In my analysis I also include gay-themed blogs, as for a long time they have been a space for both identity framing and community building. In the data toolbox I have also included newspaper articles, internal reports on some of the projects developed by both ACCEPT and PSI Romania, financial reports, as well as reports sent by activists to international organizations.

By way of organization the first chapter provides the literature review of the gay and lesbian rights movement in Romania. The second chapter includes a conceptual framework, as well as the literature on social movements, identity and sexuality. This will help better understand how identity is constructed and will provide an insight on the choices gay and lesbian activists made when framing identities. The third chapter deals with the methodology, the research questions, the limitations and the interviewing process. The fourth chapter offers a historical overview of homosexuality in Romania and details the main institutional aspects of both ACCEPT and PSI Romania. The next chapter, the analysis, reveals the developments of the three major

pillars of gay and lesbian rights activism between 2001 and post-2012. I look at the time periods and at the main players, and I bring forward concrete examples of the strategies employed by gay and lesbian social activists in order to advance their agenda. The final parts include the conclusion, the appendices, and the list of references.

CHAPTER 1: LITERATURE REVIEW

The fall of communism in Central and Eastern Europe meant a re-defining of national identity and a quest for the countries in this region to (re)become European, and this main frame of Europeanization presents itself as follows:

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

As Long (1999), Renkin (2007), Chetaille (2011) or Helzhacker (2012) notice, countries such as Hungary, Czech Republic or Poland expanded the rights of gay and lesbian people under the frame of Europeanization. Hungary had a long history of protecting this minority, at least legally, either by mistake or willingly. One of the most interesting aspects concerning the gay and lesbian rights movement in Hungary is the fact that it was started in 1988, before the fall of communism. After 1986, the communist regime started liberalizing and finally allowed political organizations to be formed. Surprisingly, the first political organization to be registered was Homeros Lambda, under the 1988 Law of Association, but as an AIDS-prevention organization (Long, 1999; Renkin, 2007). After the fall of communism, more organizations appeared, with a major split between the gay men organizations and the lesbian ones, but however, "[c]ommunity is the problem. Hungarian gays and lesbians have been unable to set up either a national organization or efficient, lasting local constituency groups" (Long, 1999, p. 255). In 1995 the Hatter organization was founded. According to Holzhacker (2012), this organization's strategy is that of "incremental change mode of interaction, involving insider, discreet lobbying" (p. 37). Moreover, as Renkin (2007) and Long (1999) notice, Hungary was amongst the first countries in Europe to legalize same sex

partnerships, following a 1996 decision by the Supreme Court. This decision was followed by intense debates amongst scholars and legislators, as how to be put in place. The Supreme Court ruled that marriage is limited to the union between a man and a woman, but the benefits for couples living together should nevertheless include same sex couples. In 2007 the Socialist government passed a law legalizing same sex partnerships, which was to take effect in 2009. The opposition parties contested the law, which was struck down by the Supreme Court, but the same leftist government passed an updated version of it, therefore in 2009 Hungary legalized civil partnerships for both same sex and opposite sex couples. However, as Renkin (2007) notes, despite the favorable legal status of gays and lesbians, discrimination in Hungary was widespread and this group was faced with constant police harassment, discrimination in the workspace and on the street, as well as violence.

In Poland, Chetaille (2011) finds groups of mostly gay men as early as the mid-1980s, which "show[s] that niches in the socialist state could be used as a space for early LG [lesbian and gay] activism – particularly in 1987-1989, due to the destabilization of the socialist regime – and combined with transnational resources" (p. 121). After the fall of communism, due to the desire for European integration, legislation favorable to gay and lesbian people was passed, but following Poland's accession into the EU in 2004, the political parties and the Catholic Church forged an alliance in order to institutionalize homophobia. O'Dwyer (2012), however, using the political opportunity structure model and emphasizing the issue of framing an identity as well, identifies three waves of activism in Poland, a silent one between 1989 and 1997, one based on EU membership conditionality between 1998 and 2004, which caused a backlash from society, and one following Poland's 2004 accession, which saw not only a backlash and increased polarization, but also a better mobilization from gay and lesbian activists: "[t]his period of polarisation

broadened and thickened the activist network while at the same time garnering public sympathy for gay rights. The images of police arresting peaceful protesters resonated for many observers outside the movement with the memory of Solidarity's repression" (O'Dwyer, 2012, p. 346). In many respects, the backlash against gay and lesbian people had a reverse effect.

Gay and lesbian rights organizations choose different strategies based on the environment in which they are active. Holzhacker (2012) identifies three modes of interaction between "civil society organizations" and the political environment: "morality politics," "incremental change," and "high-profile politics." He argues that gay and lesbian rights organizations throughout Europe fit different models based on a series of factors, which in turn shapes the type of interactions and strategies they choose. Morality politics is a mode in which gay and lesbian rights organizations are confronted with a "hostile and organizad opposition" (p. 23), incremental change refers to slow and discreet lobbying, while high-profile politics has to do with using transnational structures to pursue certain goals.

The literature on gay and lesbian rights is Romania is scarce and covers only certain elements and phases of the fight for recognition of this group of citizens. Moreover, a lot of it concerns the 1990s, when same sex sexual relations between consenting adults were still considered a criminal. Long (1999) analyses the status of the gay and lesbian rights movement in Romania at that time and concludes, amongst other things, that on one hand the Orthodox Church in Romania tried to re-legitimize itself after the fall of communism by scapegoating gay and lesbian individuals, and on another hand, the gay and lesbian rights movement was built using an ethnicity archetype. The Orthodox Church had been de-legitimized by its collaboration with the communist state: "discredited by its collaboration with Ceausescu [the Romanian communist dictator between 1965 and 1989] (…) wielding homophobia as a way to reassert its political

influence" (Long, 1999, p. 248). During the debates over the repeal of Article 200, the Patriarch of the Orthodox Church sent open letters, lobbied MPs against voting for the repeal, and even proposed a national referendum on the issue. Nachescu (2005) documents the debates on the repeal of Article 200, and identifies the Orthodox Church as one of the main stakeholder in the debates, while Woodcock (2012) says, "Orthodox student groups protested in the street, and the Patriarch himself and other religious figures held regular public speeches against homosexuality. Unsigned posters pasted along the major boulevards of Bucharest listed supposedly damaging effects lesbians and gay men would have on Romanian society" (p. 6).

Despite Long's claim that in terms of lobby and advocacy the gay and lesbian rights activists used the ethnic framework to advance their cause, Woodcock (2012) claims that after the decriminalization of homosexuality in 2001, the gay and lesbian individuals continued to exhibit racist attitudes and the identity of the local gay and/or lesbian was built on anti-Roma sentiments, best revealed during a concert held by pop-artist Madonna in Bucharest, when she was booed because she defended gay and lesbian people and Roma people:

> "[the] nascent Romanian LGBT movements rely on racist discourses against Roma in order to claim a place for homosexuality in the heteronormative nation. (...) the LGBT movement in Romania relies on racial exclusion in the unique and dynamic space and time of post-socialist neo-liberalism. (...) The queer communities that exist at and as the critical margins of the LGBT movement, however, also rely on racial discourses of the Ţigan other in order to claim Romanian ethno-national identity in the face of specifically EUropean pressures, including economic and legislative reforms which are obscured by naming liberalization 'post-socialism'" (Woodcock, 2012, p. 2).

Woodcock (2012) maps out the reactions (mainly on blogs) of the gay and lesbian community to Madonna's defense of Roma people and concludes that gay and lesbian individuals exhibit racist attitudes towards the Roma, while saluting the artist's defense of the gay and lesbian community. However, in terms of the gay and lesbian rights movement, there is sufficient proof to say that gay

and lesbian rights activists and Roma activists have collaborated and forged alliances to advance both their causes. The importance of the Antidiscrimination Coalition, an umbrella-type of coalition which was formed in 2000 and included ACCEPT and Roma rights organizations, is just one example.

The advancement of gay and lesbian rights in Romania after 2001 did not go unnoticed in some of the literature, which looks at the globalization of sexual rights from a rather critical perspective. Kollman and Waites (2009) mention the strategies adopted by gay and lesbian rights activists in Romania in the 1990s in order to advance their cause, but also look at the problematic aspects concerning the universalization of sexual rights as human rights: "concepts of 'rights' have sometimes been advanced in local contexts where poor individuals lack the education, language or resources to claim and operationalize them, contributing to feelings of disempowerment unless individuals are assisted in developing a sense of ownership of such rights" (p. 7). Franke (2012) makes similar observations to the Romanian case, where at times it seemed that gay and lesbian rights were being promoted without serving a certain community, which gave the impression of this social movement being an artificial one. The issues surrounding these concepts I will discuss later on.

The framing of gay and lesbian rights in Romania under the larger concept of Europeanization is underlined by Andreescu (2011), whose quantitative study looks at homophobic attitudes amongst Romanians. She concludes that "[d]ecriminalization of homosexuality and the enactment of anti-discrimination laws were necessary but not sufficient conditions for immediate changes in public perceptions of a stigmatized group" (p. 228). Woodcock (2009) also looks at the violent reactions from the Romanian society to the first gay pride parades in Bucharest and while she does consider them as a societal reaction to the inclusion

of gay and lesbian rights within the larger frame of Europeanization, she claims that the "Romanian state utilises the language and resources of EUropean non-violent 'tolerance' to police and contain 'diversity" (p. 1).

Stychin (2004) also looks at Romania as a case study for the globalization of the human rights discourse and identifies that one of the strategies gay and lesbian social activists employ is "the reclaiming of an authentic gay past within a national community context" (p. 951). Following the same line, Florin Buhuceanu's 2003 book, Homoistorii, comes to complete this missing piece. It is the first study which tries to put together a collection of oral stories. It deals mostly with the period of time before-1989, during communism and the interwar period, and it features mostly gay men, writers, composers or painters. It is a collection not only of stories, but also of homosexual instances in the Romanian intellectual world. In many respects, this book is the first of its kind because it recovers the past, introducing real gay characters into the Romanian intellectual past. After 2001 the development of a gay identity continued, Adrian Schiop published in 2004 the first gay-themed novel in the Romanian literature, "pe bune/pe invers" an autobiographical novel describing the coming of age of a gay man who discovers their sexuality. The novel was followed by another one, in 2013, "Soldatii. Poveste din Ferentari," which reveals a love story between a PhD student/journalist/writer and a Roma ex-convict, a love story which takes place in the ghettoes of Bucharest.

Even though not abundant, the literature on sexuality in Central and Eastern Europe and more specifically on Romania emphasizes the Europeanization element as central to advancement of gay and lesbian rights in this part of the world, as part of a larger globalizing human rights discourse. However, both the evolution of the gay and lesbian social movements and the reactions

from the general society reveal within-region differences which are worth exploring in depth in the future.

CHAPTER 2: CONCEPTUAL FRAMEWORK

2.1 Social Movements and Sexuality

In *Power in Movements*, Sidney Tarrow (1998) sees social movements as "collective challenges, based on common purposes and social solidarities, in sustained interaction with elites, opponents, and authorities" (p. 4), which underlines the fact that social movements must be thought of in their relationship with the state. Political opportunity structures must be analyzed based on four dimensions: access to political institutions, gaining allies and maintaining alliances within state structures, shifting political alignments, and existing cleavages. This model helps explain also some of the strategies gay and lesbian rights activists choose. Political institutions become central for social movements, and play an important role in the development of such movements. The state becomes, in many respects, a conversation partner of the gay and lesbian social movement, a means to advance a certain agenda. By agreeing to develop a relationship with the state, the gay and lesbian rights movement accepts the state's authority, it confirms it.

Tarrow (1998) also underlines other crucial aspects for any social movement, such as building transnational networks and alliances, framing injustice, or using "repertoires of contention" in order to advance their cause. This last concept is defined as "a structural and a cultural concept, involving not only what people *do* when they are engaged in conflict but what they *know how to do* and what others *expect* them to do" (Tarrow, 1998, p. 30). As I will show later on and as discussed before, when it comes to gay and lesbian social movements, the issue of transnational alliances and support becomes crucial, as part of the larger mechanism of Europeanization and globalization of sexual rights politics. The concept of framing injustice is also extremely important, as it can lead to different results. As discussed before, for example, and as underlined by Long (1999), in the case of Romania (but not limited only to Romania), the

inclusion of gay and lesbian rights in the larger framework of human rights proved to be a successful method of advancing gay and lesbian rights. Finally, when it comes to repertoires of contention, same Tarrow (1998) offers three types of contention: violence, disruption and convention. Given the fragility of the gay and lesbian social movement in Romania, I would argue that violence is less used, while disruption and convention are employed more often. In many regards, the politics of visibility, through gay pride parades, employs the disruption strategy as part of its repertoire of contention.

Duyvendak (1995) is amongst the first to theorize Tarrow's approach in relationship to gay and lesbian movements, stressing the importance of, for example, political systems and the ways institutions provide the context for gay and lesbian movements to happen. However, Duyvendak's (1995) account might be applicable in societies with functioning liberal democracies and with strong and predictable institutions, but in the case of Romania, Chetailles' (2011) account of the importance of Europeanization and external pressures provides a better framework in understanding how and why the state chooses to incorporate demands coming from gay and lesbian movements. Not only the state desires to become integrated into a larger European structure, but itself is a moving target, constantly changing and reforming.

Worth mentioning when it comes to promotion of gay and lesbian rights are also the issues raised by Cohen and Arato (1992), for whom civil society is seen as a necessary element of the democratization process, of the transition from an authoritarian regime to a functioning democracy. In Central and Eastern Europe, the civil society had the role to mediate between state, society and the economy and had to promote development of institutional human rights tool. In the end, civil society had to generate change within the system, to improve it, while still being a

part of it. Social movements generate social change not in the form of a revolution, but as incremental change.

Paternotte et al (2011) go further and claim that gay and lesbian politics are instrumental in identifying the changes the state generates in terms of identities of citizens, important when discussing civil society, rule of law, internal societal cleavages, national identity and even globalization. Paternotte et al (2011) uses the *political opportunity structure* in order to map out the different facets of the state and the aspects which must be kept in mind when looking at the relationship between gay and lesbian social movements and at the different strategies gay and lesbian activists employ in order to increase the chances of success. First, it is important to understand the complexity of the state and its variations in time and space. The state is not monolithic, according to them, and one must keep in mind the history of the state, the political culture, as well as institutional legacies, which are fundamental for the interactions between citizens, social movements and institutions. In the section analyzing the organizing of the first gay pride parade in Bucharest such internal debates amongst different state actors will be revealed.

I use Paternotte et al's (2011) framework, in order to better understand how the Romanian gay and lesbian social movement has been shaped by the Romanian state, but also how this movement has influenced changes within the state, because this relationship is co-dependent in many ways. I map the evolution of this relationship, while at the same time assessing also how influential the state is in its relationship with the citizens. This last element of our analysis cannot be evaluated without two other key aspects concerning both the communist legacies of the Romanian state and the brutal invasion of the state in the private realm during communist times, when abortion was banned.

When discussing legacies within the Romanian state, one must underline the highly centralized nature of the Romanian state. On one hand, this meant less points of access for the gay and lesbian social movement in their relationship with the state, and on another hand it allowed for the promotion of favorable antidiscrimination legislation despite opposition from different actors within the larger society, such as the Orthodox Church. Once the political elites became committed to Europeanization, including with regards to sexual minorities, they were able to implement legislative pieces in a swift manner, regardless of the opinion of the majority of the population.

One last aspect, which I use from Paternotte et al's (2011) framework, concerns the ways in which gay and lesbian social movements are approached from the researcher's point of view. My analysis does not look only at the political process approach, but rather reveals also "strategies related to the construction of meaning, and (…) concentrate[s] on consciousness-raising, identity-building or self-help" (Patternotte et al, 2011, p. 4). Social movement theories also look at alternative ways to investigate social change, which relate to larger aspects of contention to power and social mobilization. Amongst these, the work on HIV/AIDS activism becomes central (Gamson, 1995; Taylor and Whittier, 1992).

2.2 Identity and Sexuality

In the context of European multiculturalism, the policies associated with it, and the struggle between identity and recognition, Charles Taylor's (1994) work on politics of recognition becomes extremely important. He argues that identity is shaped by recognition and these two intertwined elements become central to the issue of collective action. Non-recognition, according to him, leads to oppression, with self-depreciation being the most important tool being used. Identity is seen as negotiated through a dialogue with others, a struggle between the politics of universalism (that is

equality amongst all members of the human race) and the politics of specificity, the importance of the individual identity, of being true to oneself, an authentic self: "being true to myself and my own particular way of being" (p. 28). The politics of universalism is fundamental to equal recognition strategies, in terms of rights, privileges and protections. At the same time, the politics of difference is crucial as well, in the context of dominant cultures subjugating minority groups, "dominant groups tend to entrench their hegemony by inculcating an image of inferiority in the subjugated" (p. 66). In the context of gay and lesbian rights the politics of sameness versus politics of difference represents the divide between the fight for equal rights in the relationship with the state and the need to be recognized as being different and/or oppressed in relationship to the image of the white, male, heterosexual hegemonic norm.

In terms of strategies developed by activists in defining a gay and lesbian identity, Epstein's (2009) work is extremely important. He identifies three major aspects to be dealt with, which we will use in our analysis. First, one should find the answers to the *Debate of identity and difference*. In other words, how does the gay and lesbian community want to define itself, how should sexual identity be categorized and how should it situate itself in relationship to the people not belonging to it? Moreover, should the gay and lesbian community be treated as a homogenous entity with activists speaking on its behalf, or are there competing ideas, arguments and strategies? In this regard, in the case of the Romanian gay and lesbian social movement spoke also in the name of bisexual, intersex and/or transgender people, which were under-represented. However, as Paternotte et al (2011) argues, "the scope of the issues studied is already large" (p. 8), therefore my analysis will not include these groups, which do deserve a separate investigation. Regardless, here I must mention that gay and lesbian rights activism in Romania has developed in close

connection to issues surrounding transgender people and many times it provided a voice for them (see the report "Persoane trans in Romania. Recunoasterea juridical a identitatii de gen[4]")

Second, when analyzing activist strategies, we must understand the *Debates of desire*, the role and place sexual relations play within the movement. In the US, for example, post-1990s activists emphasized that sexual desire is irrelevant and underlined the fact that the fight against the state is for equal rights amongst citizens. The normalization discourse employed by the Romanian gay and lesbian social activists I will discuss in my analysis, concerning a nationwide campaign meant to frame homosexuality as being innate.

Finally, one must look at the important *Public/Private Debate*. This last aspect has been tackled by second wave feminism, but third wave feminism has called for a redrawing or complete elimination of this divide. In Romania, the main argument against recognition of gay and lesbian people is that "they should keep their sexual desires in the bedroom," so how have activists counter-argued it? The separations between the public and the private are ubiquitous and could not be separated even in the Romanian context, where the state has tried to define a more clear cut separation between the two spheres. In the case of Romania this divide has been characterized by the brutal invasion of the state in the private realm before 1989, when the state banned abortions.

[4] Transl.: *Trans people in Romania. Legal recognition of gender identity*

CHAPTER 3: METHODOLOGY

3.1 Building a Case Study

Given the fact that the topic I am discussing is quite under-researched, I employ a reconstructive approach to build a case study, trying to tie together different data in order to create a coherent narrative of the Romanian "story." Yin (2003), Tellis (1997), Stake (1995), and Baxter and Jack (2008) discuss in detail the importance of case study research for social sciences. It "allows the researcher to explore individuals or organizations, simple through complex interventions, relationships, communities, or programs (Yin, 2003) and supports the deconstruction and the subsequent reconstruction of various phenomena" (Baxter and Jack, 2008, p. 544). Yin (2003) classifies case studies as explanatory, exploratory or descriptive, while Stake (1995) defines them as intrinsic, instrumental or collective. Based on Yin's (2003) approach, I use "propositions" and "issues" to guide my research process, in order to bind together the data and the conceptual framework. The data I use comes from multiple sources, which, according to Yin (2003), enhances the data credibility. They identify six ways of reporting a case study: linear, comparative, chronological, theory building, suspense, and unsequenced. In many regards my case study is chronologically based, but it reveals patterns of theory building and unsequenced ways of reporting. The data toolbox is comprised of interviews, archival records, media records, as well as published and grey secondary data from the literature.

3.2 Interviews

I have conducted seven semi-structured interviews with the main gay and lesbian rights activists following decriminalization of homosexuality. Having been quite involved in the gay and lesbian community in Romania, I was able to easily identify the interviewees. I have chosen people who

worked and/or are still working for the two main gay and lesbian organizations, ACCEPT and PSI Romania. Having known about the aforementioned schism within the gay and lesbian activism, I felt compelled to present both types of social activism, especially given the fact that while ACCEPT appears in most of the literature, PSI Romania is quasi-absent. Moreover, having imagined how the case study will be built, I tried to interview exactly the activists who were most involved in the projects I was interested in. For me, it is like taking a picture of an important and defining moment for the gay and lesbian social movement and linking it to the theory. Therefore, I chose to interview the main actors, the main organizers, the main participants in that scene. The respondents were either directors or program coordinators in one of the aforementioned organizations. Some of them had left the organizations, some are still active in this field of social activism, while some are working on broader issues concerning HIV/AIDS.

I used two types of topic guides. The first one was designed to address issues such as legislation, lobbying and advocacy, building transnational networks or the relationship with the Romanian political environment and the foreign embassies. It had a political edge. The second topic guide concerned more the grassroots activities, and was focused mostly on outreach programs and community building. Both topic guides did have elements in common, both contained questions concerning the internal debates between the activists, the ways in which their organizations function or the ways in which they regard the development of the gay and lesbian community.

I started the interviews with a warming up phase, which included asking respondents a few questions about their personal backgrounds in relationship with their activism. In the more elaborative stages, I asked both content mapping questions, about the history of the gay and lesbian movement, as well as content mining questions, regarding the internal debates within the

movement. I tried as much as possible to ask clear questions, without leading the interviewees towards an answer I needed to hear.

Some of the interviews were quite long, almost three hours, some of them were two hours, while others stopped after one hour. The interviews were conducted in Romanian and were transcribed in the same language, most of them in full. The transcribing process was a rather sinuous and difficult one.

3.3 Interviewees

Finding the respondents was quite an easy task, as they were available and willing to discuss with me. Most of the interviews were conducted in official settings. The main problem in my case was gaining the trust of the interviewees. Between 2007 and 2010 I had run a gay-themed blog, which constantly criticized the ways in which gay and lesbian rights activism was run in Romania. Moreover, I uncovered a case of mismanagement of funds within one of the organizations, which created distrust now, in 2015. I was able to overcome these difficulties by assuring my subjects of confidentiality and of the fact that the questions I would ask them would not reveal any internal affairs concerning the ways in which their organizations work. This created some issues, as I was unable to cover some important elements, which would have helped me to better understand some internal processes, such as internal communication, allocation of funds within the organization, as well as hiring/recruitment policies.

Another aspect which proved to be problematic had to do with the fact that I started the interviews with "soft" questions, asking activists to provide some personal details about their involvement in activism, at times these personal stories proved to be too long and concerned their coming out stories. I was able to re-set the tone into a more official manner. Obviously, the personal stories of the interviewees are important for reconstructing certain realities. However,

most of them referred to the realities of the Romanian society in the 1990s, which did not necessarily contributed to my research, as I am trying to reconstruct the events happening after 2001.

3.4 Other Data and Use of Data

Besides the interviews, I used internal reports about the effectiveness of different grassroots activities, financial reports which were public, legislation concerning antidiscrimination and public records coming from official institutions such as CNCD, newspaper articles related to important events for the gay and lesbian social movement, reports sent by ACCEPT to international bodies which were monitoring the implementation of Romania's antidiscrimination legislation, as well as gay-themed blogs, which in the past had been public spaces where gay and lesbian identity had been defined and bound.

After collecting the data, I tightened it and identified themes and categories, which would corroborate with the literature on the Romanian gay and lesbian social movement and with the theoretical framework. For example, using Paternotte et al's (2011) theory, I identified the points of entry for activists in their relationship with the state. Besides coming up with the major coding scheme, I also placed the data in the time frame I had set beforehand. This time frame was not artificially imposed, but it is rather an emanation based on the observations I have made and the literature I have read. This type of coding can be classified as deductive, while adding meaning and analyzing complex patterns and interactions.

3.5 Difficulties

I was confronted sometimes with stories concerning personal disputes between activists, which did not provide actual data, but rather revealed some internal differences. This did show me, however, that besides the personal disputes, the differences are of vision on the ways in which the

gay and lesbian rights social movement should be run. Due to my history in the gay and lesbian social movement, I was perceived as a partial insider. This was both beneficial, as interviewees felt like they were talking to someone who understands their stories and the context in which they work, as well as detrimental, as some of the elements of the story were considered "obvious" and therefore not explored in depth.

One other difficulty I faced was the fact that some of the interviewees in many respects were "playing a role." It seemed to me that these were not the first academic interviews they gave and they were calibrating their answers to fit, in many ways, with the image they had constructed for their organization. They were quite familiar with the literature on their organization and they were playing the part they felt more compelled to present. This could provide a possible gap, which was not filled enough by the content mining questions.

One of the most difficult tasks was that of anonymizing the interviewees. Some of the interviewees insisted that their names be mentioned in my research. For them it was an issue of coming out and in many respects about the historical acknowledgement of their work in the community. Other interviewees either did not care too much about this issue or asked me directly to make sure that the information is not backtracked to them. I chose a compromise, in which three of the interviewees were named on their real identities, while the other ones received common Romanian names. I also made sure that the latter would not be recognized by the positions they occupied in the gay and lesbian social movement.

Building a case study is never an easy task, as it combines a wide range of data tools with literature and theory, in order to develop a holistic image of a certain phenomenon. However, "[c]ase studies are multi-perspectival analyses. This means that the researcher considers not just the voice and perspective of the actors, but also of the relevant groups of actors and the interaction

between them. This one aspect is a salient point in the characteristic that case studies possess. They give a voice to the powerless and voiceless" (Tellis, 1997)

CHAPTER 4: HISTORY OF HOMOSEXUALITY IN ROMANIA

4.1 Overview

Through out history, homosexuality in Romania has been defined by the state based on the public/private divide. If in the 1864 French-inspired Penal Code, there was no mentioning of homosexuality, starting with 1936 things changed. Given the rise of fascism in the interwar period in Europe and the targeting of minority groups, King Charles II enacted a new Penal Code, which included article 431, criminalizing homosexual acts, punished by six months to two years in prison. This is the first account of the Romanian state's intrusion into the private sphere and the criminalization of sexual relations amongst consenting adults of the same gender. This was part of a larger package of legislation in which the state tried to control every aspect of the citizen's lives. After World War II, when communists took power, things have not changed in Romania, they even got worse. In the 1950s and 1960s, homosexuality was considered a deviation specific to the bourgeois class and was punished with more than five years in prison. Moreover, the new government began a "witch hunt" against intellectuals of the old regime. Amongst the most common accusations was that of homosexuality. Numerous sham trials were organized and people from all classes, but mostly intellectuals, were accused of practicing homosexuality. One of the most famous trials was the 1954-1955 "Sibiu Trial," a show trial targeting intellectuals. According to surviving witnesses, the accused were made aware of the accusations in public and made to wear banners saying "homosexual." Some of the accused were sentenced to prison, some of them had to leave the country and some of them died soon after. The aforementioned trial was followed by numerous other ones, in which twenty-thirty people were tried at once, under the same accusations. Given the fact that the new regime was not completely established, homosexual trials were used just as one of many tools to determine people to become submissive and loyal. Literary

critic Ion Negoitescu, historian Mihai Radulescu or art critic George Oprescu were also victims of the regime's decision to criminalize homosexuality[5].

Following a change in policy in late 1960s, once Nicolae Ceausescu took power in communist Romania, a new Penal Code was adopted in 1968 and that is when the famous "Article 200" appeared. The text of the article read as follows:

> *Sexual relations between people of the same gender*
> *1. Sexual relations between people of the same gender carry a punishment of imprisonment from one to five years.*
> *2. If the deed in Line 1 is performed against a minor, against a person who could not defend themselves or through force, carries a punishment from two to seven years in prison.*
> *3. If the aforementioned deed results in physical harm of one of the partners, the punishment will be three to ten years in prison, and if it leads to the death or suicide of the victim, the punishment will be seven to fifteen years in prison.*
> *4. Luring of a person into committing the deed mention in Line 1 is punished by imprisonment from one to five years.*

Through this article, the state was institutionalizing a new order, which would prevent the development of a gay identity and of a gay community, suppressing thus the freedom of expression and assembly. If in the case of ethnic minorities such identities existed and they were suppressed by the communist state, in the case of sexual minorities, the state was trying to kill them before they formed. Moreover, accusations of homosexuality could be used, at any time, as a tool against political opponents.

After the fall of communism, the Romanian society and the political elites made the choice to consider communism as an anomaly in the Romanian history, as a regime imposed from the outside. Given the fact that they had to create a public discourse of continuity, the new regime tied itself to the interwar period, an age of cultural peak, a "golden age" of the Romanian nation. This

[5] See Buhuceanu (2003) for a complete picture of the oppression of homosexuals during communism.

included a desire to become "European." Joining the main Western treaties became a panacea for the newly established Romanian state. When Romania joined, in 1993, the Council of Europe, one of the requirements was to abolish Article 200 of its Penal Code. However, the authorities delayed the decision concerning homosexual relations and the international organizations did not provide enough pressure to determine the change. Carstocea (2010), Long (1999) and Nachescu (2005) wrote extensively on the conditions under which homosexuality was decriminalized in Romania in 2001, underlining also the situation of gay and lesbian people in 1990s Romania. Worth mentioning is the fact that Romania during those times was the only country in Europe which criminalized same sex sexual relations between consenting adult women. The case of Mariana Cetiner is probably the most famous one coming from those times. She was arrested for homosexuality, and Amnesty International declared her a "prisoner of conscience," the first homosexual person in the world to be included on this list. Kollman and Waites (2009) do mention this strategy by Amnesty International, which underlines the full inclusion of sexual rights into the global human rights politics. Due to the fact that my research focuses on the developments following decriminalization of homosexuality in 2001, the next section will look quickly at the two main gay and/or lesbian organization functioning in post-decriminalization Romania.

4.2 ACCEPT Romania

ACCEPT Romania is the main gay and lesbian rights organization in Romania. In 1996, when it was officially founded, Article 200 was still a part of the Romanian Penal Code, which prohibited the set up of an organization for gay and lesbian rights. Carstocea (2006) documents extensively the situation of the organization in the 1990s, the support this organization got from civil society, from entities such as the Association for the Defense of Human Rights in Romania – Helsinki Committee (APADOC-CH) and the Soros Foundation (later the Open Society Foundation).

Nachescu (2005) offers also a full profile of ACCEPT as a main player during the debates for decriminalization of homosexuality. Due to the aforementioned motives, ACCEPT was registered as a human rights organization. The literature on gay and lesbian rights in Romania describes extensively the profile of the organization, so I will not insist on this aspect. I would like to stress, however, the professional character of the organization, who functions in a very institutionalized way, having a permanent board who oversees the activities of the organization and decides on the strategies to follow (Statutul, 28.09.2013, 6-7, Int. No. 5, p. 2).

Instead, I would like to concentrate on the ways in which this human rights framework has affected the evolution of the organization throughout the three periods of activism, which I have identified after the decriminalization of homosexuality in Romania. Worth mentioning is the fact that throughout the interviews I have identified the usage of the expression "human rights" quite often. One of the activists mentioned the human rights profile of ACCEPT over thirteen times (Int. no. 5). Initially understood as a strategic step in order to circumvent the existing legislation at that time, the human rights print allowed later on gay and lesbian rights activists to use both the human rights argument, as well as the ethnic model of activism (Long, 1999). Moreover, as gay and lesbian rights were becoming more and more part of the globalized discourse on human rights (Kollman and Waites, 2009; Stychin, 2004; Franke, 2012), ACCEPT was able to use its profile as a human rights organization in order to forge alliances with international entities (Raport, 2013, p. 5), same goes for its relationship with the Romanian state (Raport, 2010, p. 5), the human rights profile gave it an increased legitimacy. However, this has created tensions within the gay and lesbian rights movements, which I will discuss later.

4.3 PSI Romania

Population Services International (PSI) is a global organization, founded in 1970, based in Washington, DC, with chapters throughout the world, in sixty countries, targeting vulnerable groups in terms of health, mostly focusing on issues such as malaria, tuberculosis and HIV/AIDS (Brosura, 2011, p. 9). The organization functions on a corporate-business model and it is amongst the pioneers of social marketing, defined as "the explicit use of marketing skills to help translate present social action efforts into more effectively designed and communicated programs that elicit desired audience response" (Kotler and Zaltman, 1971, p. 5). Shortly, PSI uses market principles in order to advance different causes and influence the behavior of socially vulnerable groups.

PSI Romania was formed in 1998 and has applied the principles of its parent organization (Brosura, 2011, p. 9). In 2004-2005, they developed programs targeting groups such as men who have sex with men (MSM), Roma people or women (Int. No. 3, p. 1). While the literature on gay and lesbian rights in Romania does talk extensively about ACCEPT, PSI Romania is missing, I was not able to find any mentioning of this organization, despite the fact that it is of utter most importance for better understanding the development of the gay and lesbian rights social movement in Romania. Around 2004-2005, when PSI Romania was trying to recruit more local staff, before that being mostly run by Americans and other foreign employees, in the gay and lesbian rights activist world a major schism took place (Int. No. 3, p. 1). Having developed a different vision about how activism should be done and accusing ACCEPT of being too elitist and rather centered mostly on a legislative, lobby and advocacy approach, a group of activists were recruited by PSI Romania in order to develop the MSM program of the organization (Int. No. 3, p. 1; Int. No. 6, p. 1). Tudor Kovacs was amongst these activists:

> *"In 2004 I left the Board of ACCEPT, and in 2005 I gave up my membership and started working for PSI. I discovered my activist side that I like to speak to people. My openness towards simple people was very important, I learned to organize groups that helped a lot later on. (...) PSI entered Romania with a new vision for*

> *Romania, they were organizing parties, some sort of catchy activism. (…) PSI wanted to implement a program developed in the US, which showed results, they were looking for someone with background in training and education, they also wanted a gay activist. (…) If until then their program was focused mostly on condom usage, I came with a vision, which included gay activism. (…) I wanted to transform PSI's gay program into something truly communitarian."*
>
> (Tudor Kovacs, PSI activist, Int. No. 3, p. 1)

The second period of gay and lesbian rights social movement activism began with this division within the gay and lesbian rights activist community, with the PSI Romania group becoming influential mostly amongst gay men, the main target of their campaigns. PSI Romania was targeting mostly gay men who were not represented at that time by ACCEPT and for whom the pro-gay and anti-discrimination legislative agenda was not necessary a priority (Int. No. 3, p. 6). PSI Romania often used methods and patterns of increasing visibility and fighting stigmatization of gay men, methods and patterns, which had been developed in the United States of America[6] (Int. No. 3, p. 5; Int. No. 7, p. 6), thus importing in many respects the model of activism developed there. Amongst these methods worth mentioning are the naming of pop star Loredana Groza as ambassador of the LGBT community, as well as organizing, in 2011, the international pageant competition Mr. Gay Europe in Poiana Brasov (Int. No. 3, p. 4, LGBT Program, 2011, p. 36). These events not only lead to more visibility, but also meant forging alliances with straight allies and with transnational entities.

The fact that ACCEPT was not necessarily catering to the needs of all of the gay and lesbian community was admitted even by Florin Buhuceanu, one of the most influential leaders of the organization:

> *"The people who left, the community-oriented ones, a diverse group of people, were under the impression that they practiced a different kind of activism. Some*

[6] See Gamson (1989) for a broader discussion on the links between HIV/AIDS activism and community building in the gay community in the United States.

> *succeeded, very few of them, but their leaving was not meant to destabilize ACCEPT, but to create a grassroots initiative, which did not stand a chance during those times. There's always been tensions and clashes of ideas, I encourage them, its normal to have different ways of thinking."*
>
> (Florin Buhuceanu, ACCEPT activist, Int. No. 5, p. 13)

ACCEPT did define itself from the beginning as a human rights organization, and despite some of the activists' claim that it was only out of strategic reasoning, this identification influenced the ways in which this organization evolved. Whenever criticized for their lack of involvement in immediate issues of the gay and lesbian community, ACCEPT's answer has always been that they are a membership-based human rights organization and their duties are solely towards their members (Statutul, 28.09.2013, Wannabegay 07.07.2009). Franke (2012) remarks that "ACCEPT defined itself explicitly as a human rights organization, not as a local gay and lesbian grassroots service provider. (…) it [did not] see itself as enabling or responding to a local or indigenous grassroots gay or sexual rights movement in Romania" (p. 26-27). Despite Franke's quite strong claims, I do show throughout this paper that ACCEPT did have programs meant to define a gay and lesbian identity in Romania, and had attempts to interact with the gay and lesbian community, but it always had to happen under its own terms. The elitist view of ACCEPT and, at times, the rejection of dialogue with the local, indigenous (mostly) gay community was revealed to me while I was interviewing Florin Buhuceanu:

> *"Part of out clientele came from this area, let's call it proletarian, very simple people with immediate needs, with no other place to turn to. (…) ACCEPT is an organization with rules, internal procedures, and has a program, assumed projects for which we have to answer in front of out donors. (…) Slowly we moved towards a bureaucratization, an institutionalization of different programs: if we're talking about a cultural program, it has to look a certain way, it has to have a certain matrix, if we have to monitor something, these are the rules, if we organize a festival, these are the ingredients."*
>
> (Florin Buhuceanu, activist, Int. No. 5, p. 13)

The split between the elite-based and community-based gay and lesbian rights activists surfaced quite often, mostly in key moments for the gay and lesbian community, moments in which the community found itself under attack from the majority. One such example I will discuss later, a nationwide anti-stigmatization campaign, lead by PSI Romania, using outdoor banners picturing a newborn with a tag on their arm, which read *homosexual*, accompanied by the message *Sexual orientation is not a choice, homophobia is* (Int. No. 6, p. 5). The campaign became known in the gay and lesbian community as the *Homosexual Newborn Campaign*. The reactions to the campaign were not extremely positive and PSI Romania found itself in the position to consider legal action against the Romanian state (Int. No. 3, p. 5; Int. No. 6, p. 6; Opinia Timisoarei, 18.04.2011). However, due to lack of resources and given the profile of the organization, it was not able to acquire judicial council from professionals. The stories from the activists I interviewed reveal the split between the two groups of activists: ACCEPT activists claimed that they offered assistance, but they were refused (Int. No. 2, p. 8), while PSI Romania activists claimed that they asked for such help, but they were refused by ACCEPT (Int. No. 6, p. 5). Obviously, there is no way to check the information given by either side, but nevertheless, it is a perfect example revealing the tensions within the gay and lesbian rights activist community.

The history of homosexuality in Romania is revealed by Florin Buhuceanu (2003), who tries to recover some of the instances of homosexuality in the Romanian intellectual world before and during communism. Long's 1998 report on "public scandals" also reveals some of the unknown historical elements of homosexuality in Romania. After 1989, the main struggle was that of decriminalization of homosexuality. Following the 2001 repeal of Article 200, it was absolutely natural that a gay and lesbian social movement would develop. My analysis looks at some of the

important moments in which activists defined themselves in the relationship with the Romanian state and with the gay and lesbian community at large. I am completing the story.

CHAPTER 5: ANALYSIS

5.1 2001-2005: Coming Out of the Woods

The first period of the post-decriminalization gay and lesbian social movement evolved roughly between 2001 and 2005, and was based on the three major directions: legislative, lobby and advocacy, identity politics and community building, and HIV/AIDS prevention and community building. The gay and lesbian rights activists were beginning from scratch to build a community, while at the same advancing their human rights. In 2000 the then-minister for minorities, Peter Eckstein Kovacs, a member of the Hungarian ethnic party UDMR, promoted in the executive an emergency decree, which created the legal basis for the nondiscrimination policies of Romania[7]. He had been a longtime supporter of the gay and lesbian community, working before on repealing Article 200 and being a close ally of nongovernmental entities such as the APADOR-CH (Int. No. 2, p. 3; Int. No. 5, p. 6). The main opposition came from the main party of the governing coalition, PNTCD, Christian-Democrats (Ziua Drepturilor Omului, Revista 22, 20.01.2005). However, Eckstein Kovacs was able to convince his colleagues of the necessity of such legislation. According to one of the activists I interviewed, the timing for introducing legislation tackling discrimination was strategically planned:

> *"Peter Ecktein Kovacs can be called the 'father' of the antidiscrimination legislation in Romania. He proposed to the executive the bill two-three days before they were finishing their mandate and worked to change it in such ways that it would pass. He knew how to use all of the avenues and opportunities in order to make sure that the bill would be accepted. He created allies and had the intelligence to speculate the moment"*
>
> (Florin Buhuceanu, ACCEPT activist, Int. No. 5, p. 6)

[7] OUG Nr. 137/2000

Interestingly enough, Romania had enacted in 2000 one of the most progressive antidiscrimination pieces of legislation in all of Eastern Europe, addressing issues concerning not only the workspace, but also access to healthcare, education and housing. Moreover, this legislation included sexual orientation amongst the vulnerable groups, which had to be protected by the law. At that point in time homosexuality was still illegal in Romania, but nevertheless the country had legislation prohibiting discrimination based on sexual orientation. Given the procedures concerning emergency decrees, gay and lesbian rights activists had to continue their work in order to make sure that this piece of legislation (which falls under the prerogative of the executive, but later has to be approved by the legislative body) is approved by the parliament as well. In 2002, the parliament approved the emergency decree, making it into law[8].

On the same pillar, legislation, lobby and advocacy, gay and lesbian rights activists had more work to do. In 2003 ACCEPT released a report, the first of its kind, targeted at gay and lesbian individuals, trying to educate this minority concerning their identity, their rights, as well as the discrimination they are facing. (Despre noi, 2003). In the relationship with the Romanian state, the main target was the newly installed socialist executive, which refused to implement the antidiscrimination legislation. In order to better advance their cause, the gay and lesbian rights activists joined a coalition of nongovernmental organizations, called Coalitia Antidiscriminare[9]. This coalition brought together feminist groups, gay and lesbian rights groups, as well as Roma rights organizations such as Romani Criss:

> *"For associations such as ACCEPT and Romani Criss this coalition meant legitimacy. Unlike Romani Criss, we did not have legitimacy, we did not have a culture, a history, a legal raison d'etre, we were a spontaneous generation, rebels."*
>
> (Florin Buhuceanu, ACCEPT activist, Int. No. 5, p. 5)

[8] Legea nr. 48/2002.

[9] Transl. Antidiscrimination Coalition

The Antidiscrimination Coalition threatened to take the executive to trial if the antidiscrimination legislation was not to be implemented. The main request from activists was setting up one of the most important bodies tackling discrimination, the National Council for Combating Discrimination (CNCD). Despite the fact that the legislation created the legal framework for such an institution, the executive was promoting the idea that Romania had no discrimination (Implementarea, 2004, p. 26). The gay and lesbian rights activists used two avenues to promote the agenda: an internal one and an external one. On one had, through Coalitia Antidiscriminare and the threat to sue the executive, and through constant communication with European authorities, which had been asking for a faster implementation of the antidiscrimination legislation:

> *"The Nastase government promoted the theory that Romania had no discrimination. Nevertheless, we were in constant communication with Brussels, it was absurd for them to present themselves in front of the Europeans with such a discourse. It was a very clear signal and it was a matter of days until the government created CNCD."*
>
> (Florin Buhuceanu, ACCEPT activist, Int. No. 6, p. 6-7)

Following the set up of CNCD[10], Coalitia Antidiscriminare decided to propose Csaba Astalos, a member of the Hungarian ethnic party UDMR, for the seat reserved on the Council for the civil society. However, the relationship between the gay and lesbian rights activists and CNCD was far from positive, as the rest of the members of the Council were named through the political parties and had refused to consider cases of discrimination against gay and lesbian individuals. Moreover, for a period of time CNCD was not able to function properly due to the slow process of nominating members on its board and lack of funding (Implementarea, 2004, p. 24). This body became more active during the second period of gay and lesbian activism, which I will discuss later.

[10] HG nr. 1194/12.12.2001, the government ordinance setting up the CNCD.

Regarding the second pillar of our analysis, the identity and community-building one, things presented themselves in a rather grim manner during those times. ACCEPT was still in the institutionalization stage, it was difficult to recruit staff and create the internal cohesion and a rules-based type of functioning. If in the 1990s ACCEPT's main occupation was collecting stories of people arrested under Article 200[11], post-decriminalization, the organization became more of a safe space for gay and lesbian individual, a place for socialization, for community-building:

> *"ACCEPT only had one office and it was full of people wishing to drink coffee. There was a need, coming from the people, for a safe house, a place to call home, to feel like they are part of a larger phenomenon, to acquire a feeling of belonging. They were reading books, most of them published outside Romania, they were discussing, coffee became a social glue."*
>
> (Florin Buhuceanu, ACCEPT activist, Int. No. 5, p. 5)

> *"I started going to meetings at ACCEPT, they had meetings twice a week, people would gather and discuss, drink coffee, it was the only place in Romania where you could go and meet other people like yourself, there was no internet at that time"*
>
> (Tudor Kovacs, PSI activist, Int. No. 3, p. 1)

> "*When I got there there were boys in the bathroom, in the kitchen, smoking, some sort of volunteers, that was the fauna around, I wasn't too thrilled the whole feeling was a bit weird. No one had clear responsibilities, it was a complete mess*"
>
> (Stefan Iancu, ACCEPT activist, Int. No. 7, p. 1)

Unlike countries such as Hungary or Czechoslovakia (at that time), which decriminalized homosexuality in the 1960s and which had safe spaces, apartments and other gathering places, Romania did not have them during communism (Long, 1999). The only "community places" were the public areas used for cruising, where the urgent sexual needs were taken care of, but which did not create any feeling of solidarity. This carried on after the fall of communism and has affected greatly the capacity to generate group identity and solidarity. For ACCEPT creating this safe space in its headquarters was a way to create community. Moreover, regarding the third pillar of our

[11] See Long's (1998) report "Public Scandals. Sexual Orientation and Criminal Law in Romania"

analysis, HIV/AIDS prevention, gays and lesbian rights activists found themselves in the position to build community also in unusual places such as cruising places, parks and public restroom, activists would pass around condoms, but also brochures with information about safe sex. These were the incipient phases of the gay and lesbian rights social movement. The connections between community building, identity and HIV/AIDS prevention have been discussed in the literature by Gamson (1989; 1995), which looks at the ways in which the New York-based organization ACT UP has shaped the evolution of the gay and lesbian social movement during the AIDS crisis in the United States.

To summarize, the first period of the gay and lesbian rights social movement took place between 2001 and 2005, was based on three different directions, a legislative, lobby and advocacy one, an identity and community building one, and an HIV/AIDS prevention and community building one, and had ACCEPT as the only player which was able to successfully promote its agenda in the relationship with the Romanian state and has provided the basis for the development of a gay and lesbian community through creation safe spaces and through outreach programs.

5.1.1 ACCEPT: Organizing Gay Fest

In 2004 ACCEPT decided to organize *Festivalul Diversitatii*[12], using the pattern of similar types of actions happening in the West for decades. It was meant to be bring together different minority groups from Romania, showing not only the diversity of the Romanian society, but also to unify civil society. According to Florin Buhuceanu, the idea was put forward by one of the employees of ACCEPT, who had been to Manchester Pride and wanted to use the same archetype for the pride in Bucharest (Int. No. 5, p. 8). This first step was meant not only to import Western patterns of identity politics, but was meant to institutionalize the gay and lesbian rights social movement:

[12] transl. Diversity Festival

"[t]he kind of gay subject these politics call up is one whose identity would coagulate in public institutions such as gay pride parades and gay community centers, where 'gayness' could be isolated and privileged over other kinds of identification grounded in, for instance, class, ethnicity, or religion" (Franke, 2012, 28). What Franke claims is that the organizing of this festival was a way for West to promote its sexual politics agenda, the *homonationalism* developed by Puar (2007), "the use of 'acceptance' and 'tolerance' for gay and lesbian subjects as the barometer by which the legitimacy of, and capacity for national sovereignty is evaluated" (p. 24). This understanding of *homonationalism* is confirmed by Stefan Iancu, one of the activists I interviewed, who claimed that even though the event was meant to include different discriminated groups, was transformed into an all-gay event due to the fact that ACCEPT was the only organization which had money from international donors to sponsor the event:

> *"The whole festival was meant to be inclusive of many minority groups, it was sponsored by the local government, which withdraw its support and ACCEPT was the only one amongst those groups with money for this event, from the Global Fund I believe, so the whole thing became gay.*
>
> (Stefan Iancu, ACCEPT activist, Int. No. 7, p. 3)

The literature on social movements does tackle the issue of mobilization and does apply it to gay and lesbian rights movements. Bernstein (1997) claims that "celebration or suppression of differences within political campaigns depends on the structure of social movement organizations, access to the polity (Tilly 1978), and the type of opposition" (p. 532). Same Bernstein continues: "[m]ovements such as the lesbian and gay movement are internally oriented and follow an identity logic of action" (p. 533). Gay prides are a way to institutionalize Western standards of sexual politics and it comes as no surprise that within the gay and lesbian rights movement in Romania we find internal struggles:

> *"I wasn't too thrilled by the idea and there wasn't a lot of enthusiasm for the idea amongst the staff, mostly because such an event meant also coming out. There was*

> *an attempt to associate ourselves with other minority groups, we failed, not all of them were comfortable to associate themselves with us."*
>
> (Florin Buhuceanu, ACCEPT activist, Int. No. 5, p. 8)

Besides the fact that Florin Buhuceanu's words confirm Franke's (2012) claims, they also reveal not only the internal struggles within the gay and lesbian rights activist world, but also the fact that at times the promotion of gay and lesbian rights in Romania was done by pushing gay and lesbian individuals out in the public arena, despite their reluctance to the idea of such an event. The politics of visibility was pretty much done in a top-down manner. In many ways, we could argue that the gay and lesbian community in Romania has resisted this Westernization until today, the participation in the gay pride parades constantly being quite low for almost a decade, despite an increase in security and a decrease in anti-gay violence.

Coming back to *Festivalul Diversitatii*, we do see, however, that within the Romanian gay and lesbian community there has been a push to include a gay pride parade:

> *"Initially I lobbied inside the organization for a gay pride parade, I felt like we had to act politically, to increase visibility, but everyone else was quite skeptical, the main argument was that people won't show up. (…) Maybe it was better that in the first year we didn't have a parade."*
>
> (Stefan Iancu, ACCEPT activist, Int. No. 7, p. 3)

In 2005, after a hard fought battle, the first gay pride parade did take place in Bucharest. The event revealed a clash between gay and lesbian rights activists and the state, but also amongst different entities within the Romanian state. Initially, the mayor of Bucharest refused to give ACCEPT the approval for the march and even ordered the police commissioner to disperse the participants if they went ahead with the rally without approval from the city hall (Evenimentul Zilei, 23.05.2005; Adevarul, 24.05.2005).

However, the then-minister of justice, Monica Macovei, and the president of Romania, Traian Basescu, came out in support of the rally, framing the whole situation in terms of freedom

of speech and freedom of assembly (Evenimentul zilei, 25.05.2005). President Traian Basescu also underlined Romania's *Europeanness* and commitment to promotion of democratic and European values. In the case of Romania, it was one of the instances in which the national identity issue re-surfaced, and the country, including the political leaders, saw themselves having to choose between *being European* or *being Orthodox*. *Traditional values* vs *modernity*: "*Modern states* are expected to recognize a sexual minority within the national body and grant that minority rights-based protections. *Pre-modern* states do not" (Franke, 2012, p. 5). Both Macovei and Basescu have been amongst the most aggressive promoters of the European agenda in Romania and went on to become the biggest promoters of economic neoliberalism in Romania[13]. This goes hand in hand with Franke's (2012) claims that promotion of gay and lesbian rights in transition societies means not only implementing a certain view on human rights and minority protection, but includes economic liberalization and an open-market philosophy. Gay and lesbian rights activists find themselves caught in between their honest fight for recognition of the oppressed and these "imperialist misisonaries": "Following in the footsteps of the white Western women's movement, (…) which sought to universalize its issues through imposing its own colonial feminism on (…) women's movements in the non-Western world (…) the gay movement has adopted a similar missionary role" (Massad, 2002, p. 361). However, this clash between activists and the state and between factions of the state had one missing piece: the gay and lesbian subjects. The debate had little to do with them and more to do with the choices the Romanian society was making, willingly or not.

[13] Macovei ran for president in 2014 under a radical neoliberal program, and Basescu promoted harsh austerity measures in Romania after the 2009 economic crisis.

After holding an emergency meeting with president Traian Basescu and minister of justice Monica Macovei, the mayor of Bucharest decided to approve the march and make sure that participants were protected. Interestingly enough, Monica Macovei, having worked previously with APADOR-CH, had interacted with gay and lesbian rights activists before and, according to Florin Buhuceanu, she came up with the idea that ACCEPT register in 1996 as an organization defending human rights, given the fact that at that time Article 200 was still part of the Romanian Penal Code and section 5 of the article prohibited promotion of a gay and/or lesbian agenda (Int. No. 5, p. 5). Monica Macovei's "missionary zeal to universalize Western, sexualized identities that have little or no fit with the ways in which sexuality – or, for that matter, identity – takes form in settings outside the West" (Franke, 2012, p. 3) had developed long before 2005, when the debate over organizing the gay pride parade in Bucharest took place.

Another aspect concerning the refusal by the mayor of Bucharest to approve the gay pride parade was the use of transnational networks in order to promote the interests of the gay and lesbian rights social movement. Tarrow (2011) does look at transnational networks, globalization and internalization, as well as strategies used by NGOs: "most social movements are primarily organized at the grassroots, and look outward for transnational alliances and activities" (p. 419). The interesting fact about the case of organizing the first gay pride parade in Bucharest had to do with the fact that gay and lesbian rights activists also used religious transnational networks in order to advance their cause, which was revealed by Florin Buhuceanu. Diane Fischer, American reverend at the Metropolitan Community Church, an inclusive Protestant denomination, which caters to lesbian, gay, bisexual and transgender people, had been a close ally of the gay and lesbian rights social movement in Romania and a close friend of Florin Buhuceanu. Having witnessed in person the struggles to get approval for the gay pride parade in Bucharest, she alerted all of the

members of her church throughout the world of the situation and asked them to send emails and faxes to the policymakers in charge of making the decision concerning the approval of the rally. Thousands of emails were sent to the mayor of Bucharest, the president of Romania, the Ministry of Justice and the Ministry of Internal Affairs. So many emails were sent that all of the servers of these institutions crashed (365gay.com, 26.05.2005). The method used in this case is a very *American* one, a way to lobby policymakers. This shows not only the transnational element, but also reveals the fact that methods of lobby perfected in the West were used in order to put pressure on Romanian policymakers.

One other aspect worth mentioning has to do with the fact that the Romanian media reacted immediately to the situation. Besides the moralistic, traditional and, at points, sensational way in which the whole event was treated, important Romanian journalists took a stance in favor of the gay and lesbian rights activists:

> *"For journalists the freedom of expression and the freedom of assembly are extremely important, its in their DNA, it has to do with their professional identity, and they're non-negotiable. Important journalists said at that time that this decision affects them directly and that it has nothing to do with the homosexuals, that it is about principles of freedom."*
>
> (Florin Buhuceanu, activist)

As I mentioned before, in the end, the mayor did approve the march, which saw over five hundred people on the streets of Bucharest, surrounded by an army of police officers, in order to hold back the people protesting against the gay pride parade. The opposition to the march, mostly made out of the Orthodox Church and extreme right wing parties, was caught off guard and was not able to organize properly. However, in the following years, the opposition to the gay and lesbian rights social movement grew and 2006 and 2007 saw clashes with the police and an increase in violence (Woodcock, 2009). In 2007 over one hundred anti-gay protesters were arrested, most of them carrying cold weapons, such as knives (Realitatea TV, 08.05.2007). Molotov cocktails were flying

in the air, rocks and eggs were thrown towards the gay pride parade, which lead to a decrease in participation in the gay pride parade. However, the Romanian state's commitment to *Europeanization* and *modernization* led to less and less incidents each year. The Western, universalizing faction in the Romanian state had won the battle.

The year 2009 saw the first gay pride parade without violent incidents, a reality which has perpetuated since then. Even though Western embassies issue since 2005 letters of support for the gay pride parade and for Gay Fest, the week-long festival taking place before the rally, and also hosted events and supported financially ACCEPT for different projects, in 2009 ambassadors decided to attend the gay pride parade. This was not only a symbolic signal, but it also meant an increase in security of participants:

> *"The embassies played an important role because the budget was limited and they had the capacity to acquire movie rights, to invite people, to suggest topics for discussion, to offer their facilities. (...) The police had to make make sure that the diplomats were safe, it would've been unacceptable for the American ambassador to be hit by a Molotov cocktail, for example. Some of the diplomats knew why they were there, besides the political statement, their support was vital and honest, they wanted to make sure everything ended well."*
>
> (Florin Buhuceanu, ACCEPT activist, Int. No. 5, p. 11)

> *"Their support [the embassies] was through open letters and participations in the march. (...) The embassies also offered us spaces for debates, they brought people from their countries, organized parties. (...) The Netherlands [embassy] even supported ACCEPT financially.*
>
> (Ana, activist, Int. No. 2, p. 4)

On another hand, using Tarrow's (2011) approach to social movements, I can conclude that in the case of organizing the gay pride parade in Bucharest, the gay and lesbian rights activists were able to fully exploit the opportunities they had in their relationship with the Romanian state, as well as the transnational networks they had, in order to advance their agenda. Going out in the streets and claiming space is both a political act, but it also creates identity. As Stella (2012) puts it, "Pride

parades and marches (…) are based on the principle of reclaiming public space and making queerness visible" (p. 1823). However, the gay and lesbian identity that this social movement creates is a Western, modernizing and universalizing one. In the following section I will shed light on some of the subsequent development in the Romanian gay and lesbian social movement.

5.2 2005-2012: Building a Movement, Defining an Identity

The second wave of gay and lesbian rights activism in Romania developed around 2004-2005, when two major events happened: the major split in the gay and lesbian rights community, and the development of an alternative, grassroots, community-building branch of activism, centered around PSI Romania and targeting mostly gay men. ACCEPT Romania continued to advance its agenda on the legislative, lobby and advocacy direction, while PSI Romania tried to cover the identity and community building, and the HIV/AIDS prevention and community building directions. In this chapter I will present a few examples of the ways in which these two organizations understood their mission.

5.2.1 Building a Community: PSI Romania, *Eu Sunt! Tu?* Campaign

In 2004 PSI Romania was able to launch a nationwide program called *Eu Sunt! Tu?*[14], meant to increase awareness on issues such as discrimination and stigma against sexual minorities. It targeted gay men and it represented for PSI Romania the main tool for community building. The idea behind the project was to create micro-communities of gay men throughout Romania, in order "to create a healthier, more responsible and more unified gay community, by decreasing the number of new HIV infections and by raising the level of trust and solidarity among community members" (Brosura, 2011, p. 13). The activists invited gay men in ten major cities in Romania to

[14] I Am! You?

informal meetings, to chat and discuss their problems. These were then followed by training sessions meant to raise awareness not only on sexual health issues, but also issues revolving around trust, relationships, coming out, etc. Shortly, these micro-groups were meant to "develop communities and social solidarity" (Brosura, 2011, p. 18; Int. No. 3, p. 2; Int. No. 6, p. 2), which in turn would increase the self esteem of these men, would increase their social responsibility, binding them together as a group, as a community.

> *"We were trying to raise the level of solidarity and responsibility in the gay community, by creating support amongst equals, by developing networks, awareness raising activities and generate involvement. We tried to be open minded and instead of telling people what to think and how to behave, we treated them as adults, we tried to listen to them rather than coordinate them, we wanted to create safe spaces for discussion."*
>
> (Tudor Kovacs, PSI activist, Int. No. 3, pp. 1-2)

The program is the best exemplification of grassroots organizing and was new for Romania and especially for the gay community in Romania. ACCEPT tried similar type of interventions, without too much success (Int. No. 3, p. 8 on ACCEPT's Balkan Triangle project). The concept behind PSI Romania's approach and the model were based on the ACT UP-type of organizing in the United States, where in the 1990s, during the AIDS epidemic, gay communities organized in order to both pressure the American state to protect the gay community and intervene on a health level, and to create solidarity within the community (Gamson, 1989).

The project took place in ten major cities in Romania and the planning took place between 2005 and 2006/7. The activists tried to identify in each of the cities the so-called gatekeepers, the informal leaders of the local communities. The literature on HIV/AIDS prevention does discuss about these popular opinion leaders as key to changes in sexual behavior of gay men: "engaging key opinion leaders popular with gay men in small cities to serve as behavior change endorsers to their peers, produced reductions in the proportion of men in the population who engaged in high-

risk activities and produced concomitant, population-wide increases in precaution-taking" (Kelly et al, 1991, 171). Once these local leaders were identified, PSI Romania invited them to a series of informal meetings. The activists had to gain their trust. The informal meetings soon transformed into motivational trainings, as well as informational sessions, in which people were not only taught about discrimination and HIV/AIDS prevention, but also learned about self-awareness and self-empowerment:

> *"People got to learn about discrimination and stigmatization, some of them weren't even aware that they were discriminated against. We tried to get to the point in which they would want to take attitude, to change the situation in which they were living in."*
>
> (Tudor Kovacs, PSI activist, Int. No. 3, p. 2)

Once these trainings were over, the activists invited these small groups (around eight-ten people) to imagine, plan and organize their own projects, with PSI Romania covering most of the expenses. The projects were not big projects, but they created a bond amongst the participants. Groups had different ideas: some created short films (Youtube, "Fii ce vrei Heroes,[15]" 26.08.2010; Youtube, "Tu,[16]" 09.05.2013) about discrimination and/or gay relationships, others wrote articles and published them in Playboy magazine[17], others organized parties or events similar to those surround gay prides in the West (Zilele Curcubeului[18], 2005-2013).

PSI Romania was able to organize three such cycles of community and grassroots organizing, especially due to the fact that the grants they had received from the Global Fund were

[15] Transl. "Be what you want to be, Heroes," a street campaign organized by volunteers in the city of Brasov, in which gay men dressed as superheroes handed out fliers to people passing by in the center of the city.
[16] Transl. "Tu," a short film directed by gay activists in the city of Arad, which discusses relationships, coming out and other issues as such.
[17] Playboy was chosen because it was a magazine targeting mostly men.
[18] Transl. "Rainbow Days," a gay-themed festival in the city of Iasi organized by gay activists.

to be spent throughout longer time periods (Int. No. 3, p. 4; Int. No. 6). However, once the funding was over and the Global Fund decided to withdraw from Romania, the project died off and many of the groups, which were formed, soon disappeared. Nevertheless:

> *"The essential ingredient is leadership. In cities (…) with strong leaders, the groups resisted, continued to meet, people still speak with each other, the network is still working, sometimes they meet and donate clothing or toys to poor kids. (…) In Timisoara [one of the major cities part of the campaign] they did outreach in parks, they passed around condoms. They even contacted the company making HIV tests and asked for oral tests and made a small project in the community."*
>
> (Tudor Kovacs, PSI activist, Int. No. 3, p. 3)

The *Eu Sunt! Tu?* project is the perfect example of grassroots organizing meant to both help solidify the gay community in Romania, and intervene in a vulnerable social group in order to reduce the incidence of HIV/AIDS. It is also an example of gay activists importing programs implemented successfully in the West and trying to adapt them to the Romanian context. Moreover, it shows exactly how important international funding is for the gay and lesbian rights social movement is: once one of the most important players in international aid withdrew from Romania, the projects meant to help vulnerable groups were stopped. One last aspect worth taking into account has to do with the fact that the processes associated with community building are slow processes, which take time: in the case of Eu Sunt! Tu?, activists spend over a year brainstorming for ideas and developing the program and another year trying to gain the trust of their subjects and build solidarity within the local communities. Nevertheless, as successful or unsuccessful as it was, the project was an attempt by activists to link HIV/AIDS prevention and grassroots organizing, and create identity and group solidarity out of thin air.

5.2.2 Framing an Identity: PSI Romania, The Homosexual Newborn Campaign

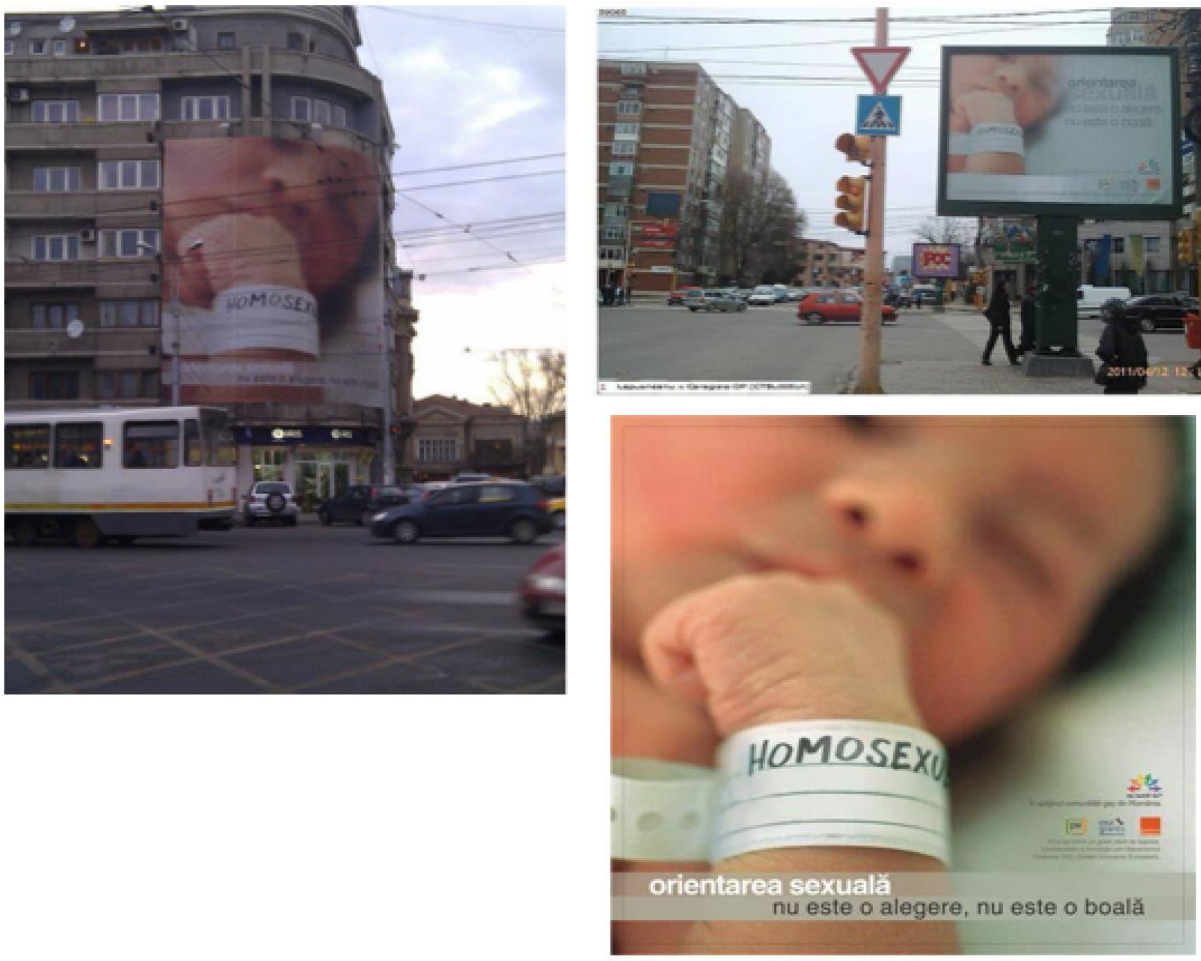
In 2011, PSI Romania tried to frame the issue of homosexuality in the eyes of the majority of the population. Tarrow (2011) discusses the concept of framing collective action, in which social

movements collect, define, shape and reinterpret meanings: "social movements are deeply involved in the work of 'naming' grievances, connecting grievances, connecting them to other grievances, and constructing larger frames of meaning that will resonate with a population's cultural predispositions and communicate a uniform message to powerholders and to others[19]" (p. 247). The activists at PSI Romania started working on an anti-stigmatization campaign, meant to target the general population, which would reinterpret the meaning of homosexuality, or at least inform people on the nature of homosexuality (Int. No. 3, p. 4; Int. No. 6, p. 7). Despite contention in the international medical and activist communities regarding the innate or acquired nature of sexual orientation, activists imagined a nationwide campaign suggesting that sexual orientation was innate:

> *"We were thinking of the direction we should take, and we decided we should present the idea that homosexuality is not a sin, it's not a disease, it's not something abnormal, it's not something we choose."*
>
> (Tudor Kovacs, PSI activist, Int. 3, p. 5)

Activists found on the website of a Canadian gay and lesbian rights organization a picture from one of their campaigns, picturing a newborn with a tag on their arm, a tag which read *homosexual*, with a message next to it, which read *Sexual orientation is not a choice, it's not a disease*. In many respects, the fact that Romanian gay and lesbian rights activists chose to import a concept developed in Canada shows clearly how transnational networks work in the case of the global gay and lesbian rights movement, how ideas, pictures and concepts travel quickly throughout the world. PSI Romania got the approval of the Canadian organization to use their work and signed contracts with private entities responsible for outdoor advertisement. The campaign was going national and the banners were installed in major cities throughout Romania (see Picture 1).

[19] Tarrow uses, of course, Goffman's (1974) concept of framing, reinterpreted by Snow and Benford in their book, "Master frames and cycles of protest" (1992)



Picture 1. Banners from the *Homosexual Newborn* campaign

The backlash from the general public and from opinion leaders was strong and opposition to the campaign grew quickly. Throughout Romania, mayors came out publicly against the banners, and behind-the-curtains pressures started against the companies managing the outdoor advertisement spaces. In Craiova[20] the mayor threatened the company in charge of the outdoor advertisement spaces that if the banners are not taken down immediately, they will not receive any new contracts from the local government (Int. No. 3, p. 5). In Iasi[21] the mayor reinterpreted a law protecting minors to pressure PSI Romania (Int. No. 3, p. 5; Adevarul, 21.04.2011). In Bucharest[22] the

[20] City in southern Romania
[21] City in eastern Romania
[22] The capital of Romania

banners were defaced (Youtube, Actiunea Picasso bannerul gay[23], 19.03.2012). The most violent case was in Timisoara[24], where a member of the Romanian parliament (Opinia Timisoarei, 15.04.2011), a few priests and parishioners physically removed the banners. The biggest grievance against the campaign, besides the fact that it depicted a newborn, was the fact that it was launched right before the Orthodox Easter. Again, the Orthodox-Christian identity was "under attack" and the Romanian society found itself in the position to (re)define its national body. The Romanian state itself also found itself in a position to either respect the wishes of the majority of the population or to respect the rule of law, as the aforementioned banners were installed legally on private properties.

Besides the clashes between gay and lesbian rights activists and the Romanian state and the issue of framing homosexuality, the *Homosexual Newborn* campaign served two other purposes: on one hand to measure indirectly the level of latent homophobia (still) existent in the Romanian society, but also to bring the frail Romanian gay and lesbian community together:

> *"I believe the most important result was the wakeup call that we got. Romanian society was already accustomed with the gay pride parades, there weren't anymore violent incidents. (...) That campaign's role was to show the level of homophobia in Romania. (...) Secondly, for the first time I saw people from the community, mostly on facebook, people with no previous involvement in gay activism started writing letters, sending messages, commenting, defending the banners, I saw the community rallying."*
>
> (Tudor Kovacs, PSI activist, Int. No. 3, p. 6)

Regardless of the outcome, the Homosexual Newborn campaign was one of the first attempts to frame homosexuality in the eyes of the majority of Romanian people as being innate. As mentioned

[23] A video of people in Bucharest spraying paint over the banners.
[24] City in western Romania

by Epstein (2009), the strategy employed by activists was that of "normalcy," trying to adopt a position in which sexual orientation is more about identity and less about difference.

5.2.3 ACCEPT: Legislation, lobby, advocacy

After 2005, ACCEPT continued to work on its share of the gay and lesbian rights activism, concerning the development of a positive legislative environment, lobby and advocacy. In 2006 the antidiscrimination legislation was updated and ACCEPT used most of the possible instruments to determine legislators to listen to its demands. It did so not directly, but through the Antidiscrimination Coalition, which helped both confer legitimacy to the demands and build stronger ties with other human rights organizations in the Romanian civil society.

ACCEPT also started having trainings with police officers, professors, psychologists, judges and prosecutors and health providers, in order to provide a basis for the real implementation of the antidiscrimination legislation (Int. No. 2, p. 2; Int. No. 4, p. 6). The more "militarized" entities of the Romanian state were more prone to include in their procedures and regulations issues concerning discrimination against gay and lesbian people. The Ministry of Internal Affairs and the local police were committed to implement the antidiscrimination legislation. This did not happen voluntarily, but rather due to the fact that ILGA Europe was monitoring several countries in Europe on these issues (Raport, 2013). The Europeanization factors and the desire to comply with European norms represented the main catalyst for the Romanian state to move forward with the implementation of the antidiscrimination legislation:

> *"…some entities, such as the Ministry of Internal Affairs, understand the rules and try to respect them. When they are told that there are some international recommendations, they understand that it is the duty of Romania, if it assumed such policies, to respect them. The Ministry of Internal Affairs would look at their piece of the pie and ask themselves What should we do, what's our duty? (…) Initially it was difficult to work with the police, but when we had international tools to use, it all became much easier (…) as they are a highly centralized body."*
>
> (Ana, activist, Int. No. 2, p. 2)

The other aspect concerned the relationship with CNCD, a rather sinuous one. As the members of the Council were named politically, cases of discrimination would constantly be thrown away or ignored. However, things began to change in 2005, when the national Romanian airline company, TAROM, was fined for not including gay couples in a Valentine's Day promotion targeting couples (Int. No. 5, p. 7). This was the first time CNCD had taken such a decision (Ziarul Financiar, 02.03.2005). In the following years such cases became more common, but nevertheless they were never more than six or seven per year.

The relationship with the embassies was cultivated as well by ACCEPT, gay and lesbian rights activists. Moreover, often time embassies became the "neutral" ground where gay and lesbian rights activists could meet Romanian politicians and hold informal talks (Int. No. 2, p. 4). This became one of the entry points for gay and lesbian activism. However, politicians were admitting that it is their duty to protect gay and lesbian citizens, but nevertheless were not courageous enough to go against the tide of homophobia still present in the society at large (Atitudinea parlamentarilor, 2007).

To summarize, I would underline the fact that the interactions between gay and lesbian activists and the state were both direct and indirect. Firstly, using Romanian and international/European legislation, activists pressured the state to reform itself and implement the norms that it assumed to be its own. Secondly, the activists used the transnational networks and allies they had at their disposal in order to communicate, both formally and informally, with different state entities. Finally, the advancement of gay and lesbian rights in Romania was highly dependent upon the level of centralization of the state institutions targeted.

5.3 Post-2012: No End In Sight?

The third period of the gay and lesbian rights social movement in Romania begins around 2012 and it is ongoing. The future looks quite grim for gay and lesbian rights organizations in Romania. PSI Romania had ended most of their programs and was not able to find funding to develop new ones, while ACCEPT has almost completely withdrawn from the HIV/AIDS prevention and community building area of intervention (Int. No. 1, p. 2; Int. No. 3, p. 2; Int. No. 5, p. 15). Moreover, both organizations have been confronted with an acute crisis of leadership. Most of the senior staff of PSI Romania had left the organization, while ACCEPT was not able to find people to cover its top management positions, having to ask former leaders to come back and save the organization. During the interviews, ACCEPT activists told me that it is difficult to find people willing to assume a certain gay and/or lesbian identity publicly, which affects the desire to work in an organization such as ACCEPT, which sometimes transforms people into targets (not necessarily physically speaking) for opponents of the gay and lesbian rights social movement (Int. No. 6, p. 4). Moreover, the recruitment of leaders is influenced also by the financial aspects, as many people would not give up a corporate job and salary in order to get involved in gay and lesbian rights activism.

In 2010, the Global Fund withdrew from a series of countries around the world, countries, re-categorized as "middle income" countries (Int. No. 1, p. 1). Romania was one of these nations. Nevertheless, the Romanian government had signed agreements with the Global Fund to continue funding for the programs developed in the previous years. As many expected, the Romanian government did not keep its promise. The Global Fund had been, for many years, the main source of income for the gay and lesbian rights movement in Romania. Both PSI Romania and ACCEPT had been relying on these grants in order to develop their HIV/AIDS prevention programs, programs which also helped in community building and identity framing. I have discussed before

the connections between HIV/AIDS and community building, so I will not insist upon them. However, both ACCEPT and PSI Romania were able to continue some of their programs until 2011-2012, with help from other international donors:

> *"Since Global Fund's exit from Romania in 2010, no more projects targeting vulnerable communities had been developed. We continued with our projects through financing from EEA and Youth Aids , until the end of 2012. Global Fund left and we did other things until the end of 2012."*
>
> (Tudor Kovacs, PSI activist, Int. No. 3, p. 4)

> *"Global Fund had been for five years one of the most important donors. Obviously, if over 50% of your budget is dependent upon such a donor, its leaving produces chain effects and it becomes difficult to find a replacement. (...) In the case of ACCEPT it was very difficult, it was harsh, the unpleasant thing is that this organization decided to take out of its strategic plan anything related to HIV/AIDS prevention and community intervention, quite different from our human rights profile."*
>
> (Florin Buhuceanu, ACCEPT activist, Int. No. 5, p. 15)

Given the recent developments, almost all of the people I interviewed mentioned the fact that the gay and lesbian community might soon be confronted with a major epidemic of HIV/AIDS. According to Florin Buhuceanu, for the first time HIV/AIDS will be linked, in the popular mind, with homosexuality, which in turn will lead to an increase in discrimination and stigmatization.

CONCLUSION

Often time sexuality in Central and Eastern Europe is treated through Western lenses and it is incorporated in the European framework of human rights and global politics. As the countries in this region become more European, it is implied that the trajectory for gay and lesbian social movements should follow the existing patterns in the West. However, still dealing with their communist legacies and uneven transitions to democratic rule, the CEE nations developed rather distinctly when it comes to protection of their gay and lesbian citizens. As Long (1999), Renkin (2007) or Holzhacker (2012) notice, countries such as Hungary and/or Czech Republic differ in their approach to gay and lesbian rights, compared to countries such as Romania or Poland (Chetaille, 2011; Franke, 2012; O'Dwyer, 2012; Woodcock 2012). Therefore, besides the geographical proximity, one must look also at within-region differences, in order to better understand the processes related to building gay and lesbian social movements in this part of the world. Moreover, as Patternotte et al (2011) underline, sometimes the political process approach cannot explain the whole story of the ways in which gay and lesbian rights activists interact with the state or develop their social movements. Issues such as identity or HIV/AIDS prevention can provide a wider picture on the ways in which systems of authority are challenged.

My research tried to answer the following questions 1. *How was the gay and lesbian rights movement in Romania born, who sponsored it and how did it evolve?* 2. *How was gay and lesbian identity built and framed?* 3. *What were the main debates and, if any, the main fractures within the gay and lesbian rights movement?* I tried to look at the gay and lesbian rights movement in Romania in a holistic way, underlining cultural, historical and personal aspects. I discovered that gay and lesbian activists in Romania did not understand their role in a unified way, but rather tried to build their activism from two extremely different positions.

On one hand, ACCEPT activists employed a top-down strategy in order to create a positive legislative environment for the community they represented. They used different tactics, including building alliances within the Romanian state and with transnational actors, promoting politics of visibility in the public sphere and framing their requests within the larger European and/or human rights political realm. Partly, they were successful, but at the same time they found themselves missing a community to back them up. As one of the activists I interviewed put it, they are almost like "an army of generals without file-and-rank" (In. No. 3, p. 7). Of course, ACCEPT's brand of activism cannot be completely rejected, as the ideology behind it is quite sound: once the political and legislative barriers and oppression are eliminated, the chances for a gay and lesbian larger community growth are higher.

On another hand, PSI Romania activists tried to build a community using a grassroots bottom-up strategy, linking community building, identity framing and HIV/AIDS prevention in order to help the most vulnerable members of the gay and lesbian community. I shed light on some of the projects they developed and I showed that they were partially successful in their quest, but once the major international donors withdrew their support, these projects became less and less effective.

I identified three major pillars on which gay and lesbian activism was built in Romania. The first one was the legislative, lobby and advocacy pillar, concerned mostly with having a conversation with the Romanian state, either directly or using transnational networks. The second one was the identity framing and community building one, while the third one was the HIV/AIDS prevention and community building one. All these three directions evolved throughout time. Between 2001 and 2005 gay and lesbian activism was in its incipient stages and concerned mostly the institutionalization of the main actors and entities. The period between 2005 and 2012 was

probably the most fruitful one, in which gay and lesbian activism was able to experiment with different strategies, using funding from different sources, in order to develop all sorts of programs concerning all three pillars of my analysis. Finally, following 2012, the gay and lesbian rights started experiencing a major crisis, both financially and institutionally. The problem of human capital is more prevalent than ever.

The birth, development and evolution of the Romanian gay and lesbian social movement is an extremely under-researched topic. Issues concerning the relationship between the heterosexual majority and this minority group deserve further consideration. Same goes for problems such as bullying, a possible HIV/AIDS epidemic, or the geopolitical and global cultural realignments following Russia's recent actions. The Romanian story is far from finished.

APPENDICES

APPENDIX I: Data Body

Official and legal documents

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6. Activity report, ACCEPT Romania, 2008, http://accept-romania.ro/wp-content/uploads/2009/05/activity-report-2008.pdf
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8. Persoane trans în România. Recunoașterea juridică a identității de gen, 2014, http://accept-romania.ro/wp-content/uploads/2014/02/Recunoasterea-juridica-a-identitatii-de-gen-a-persoanelor-trans-in-Romania-page-by-page.pdf

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2. LGBT Program, PSI Romania, 2011, https://www.dropbox.com/s/994n23eielqmifx/PSI%20Romania_LGBT%20program_English.doc?dl=0
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2. Proiect Cultural Cluj, Serile Filmului Gay, 23.10.2011, PSI Romania, https://www.youtube.com/watch?v=wHkJZxtyKV4
3. Clip Antidiscriminare Voluntarii Eu Sunt! Tu? Timisoara, 26.09.2011, PSI Romania, https://www.youtube.com/watch?v=RF9krnbFfOs
4. Tu, 09.05.2013, PSI Romania, https://www.youtube.com/watch?v=uP5KzQnSCsg
5. Acțiunea Picasso, bannerul gay, 19.03.2012, https://www.youtube.com/watch?v=_PYqD1akFAk

Interview Data

#	Name/Pseudonym	Interviewees position in the gay and lesbian social movement between 2001 and 2005	Interviewees position in the gay and lesbian social movement between 2005 and 2012	Interviewees position in the gay and lesbian social movement after 2012	Time and place of meeting	Duration of the interview	Data status
No. 1	Rebeca	N/A	HIV/AIDS prevention	HIV/AIDS prevention	05.01.2015, ACCEPT Association headquarters (1:28 pm)	1h 1min	Recorded conversation; transcript in Romanian
No. 2	Ana	activist	activist	activist	06.01.2015, café in Bucharest (10:29 am)	1h 44 min	Recorded conversation; transcript in Romanian
No. 3	Tudor Kovacs	ACCEPT	PSI Romania	PSI Romania	06.01.2015, PSI headquarters (1:19 pm)	1h 32min	Recorded conversation; transcript in Romanian
No. 4	Alexandra	N/A	N/A	ACCEPT	07.01.2015, ACCEPT headquarters (1:48 pm)	1h 4min	Recorded conversation; transcript in Romanian
No. 5	Florin Buhuceanu	ACCEPT	ACCEPT	ACCEPT	08.01.2015, ACCEPT headquarters (9:45 am)	2h 48min	Recorded conversation; transcript in Romanian
No. 6	Marius	N/A	PSI Romania	N/A	08.01.2015, his home (3:29 pm)	1h 12min	Recorded conversation; transcript in Romanian
No. 7	Stefan Iancu	ACCEPT	ACCEPT and freelance activism	N/A	09.01.2015, art gallery (7:15 pm)	50min	Recorded conversation; transcript in Romanian

APPENDIX II: Topic Guides

Topic Guide 1

Introduction

- Disclaimer on confidentiality and anonymization of data
- Introduction to the research topic
- "Soft" entry – questions about personal background and career trajectory

Organizational profile

- History of the organization
- Official strategies and mission
- Important projects and goals

Transnational networks

- Importance of the Council of Europe, the European Union and other European institutions
- The relationship with foreign embassies in Bucharest
- The relationship and channels of communication with European-wide NGOs concerning gay and lesbian rights (such as ILGA Europe)

Relationship with the Romanian state

- Point of entry, discussion with state entities
- Allies within the structures of the Romanian state
- Relationship with the National Council for Combatting Discrimination
- Antidiscrimination legislation

Global Fund and HIV/AIDS prevention

- Projects sponsored by money from the Fund
- Importance of the Fund and the evolution
- Withdrawal

Relationship with Romanian civil society

- Alliances and relationships with other NGOs
- Antidiscrimination Coalition

Gay Fest

- Organizing aspects
- First prides, difficulties, backlash, understanding
- Internal debates and/or struggles concerning gay pride parades
- The logic behind gay pride parades and politics of visibility

Relationship with other gay and/or lesbian rights activists

- ACCEPT vs PSI
- Struggles and debates within the organization

Crisis

- Human capital issues, recruiting new leaders
- Financial aspects/difficulties

Concluding remarks/questions

<u>Topic Guide II</u>

Introduction

- Disclaimer on confidentiality and anonymization of data
- Introduction to the research topic
- "Soft" entry – questions about personal background and career trajectory

Organizational profile

- History of the organization
- Official strategies and mission
- Important projects and goals

Eu Sunt! Tu? Campaign

- Idea and concepts
- Objectives
- Evolution

The *Homosexual Newborn* Campaign

- Concept behind it
- Target populations
- Anti-stigma and framing of homosexual identity
- Launch before Easter

Global Fund and HIV/AIDS prevention

- Projects sponsored by money from the Fund
- Importance of the Fund and the evolution
- Withdrawal

Transnational networks

- Relationship with the embassies
- Relationship with parent organization
- EEA Grants, Elton John Foundation, foreign grants

Relationship with other gay and/or lesbian rights activists/organizations

- The split with ACCEPT
- The different views of activism
- Major tension points

Concluding remarks/questions and perspectives

APPENDIX III: Coding Scheme Logic

Category Time period	LEGISLATION LOBBY ADVOCACY	IDENTITY	HIV
		COMMUNITY	
2001-2005	ACCEPT: Antidiscrimination legislation ACCEPT: Antidiscrimination Coalition	ACCEPT: safe spaces	ACCEPT: minimal prevention programs, mostly in cruising places
2005-2012	ACCEPT: Gay Fest ACCEPT: trainings with police officers, judges, nurses, doctors, teachers, other state employees ACCEPT: National Council for Combating Discrimination	PSI Romania: *Homosexual Newborn* campaign *ACCEPT*: Gay Fest *ACCEPT:* LGBT History Month	PSI Romania: *Eu sunt Tu?* campaign (trans. I am [LGBT]! You?
Post-2012	ACCEPT: Gay Pride becomes Bucharest Pride ACCEPT: Civil partnership bills	ACCEPT: Bucharest Pride ACCEPT: LGBT History Month	PSI Romania: Global Fund leaves, no more financial and human resources ACCEPT: completely withdraws from this area, leaves it to specialized NGOs

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