

# Occasional Paper 15

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## *One bill fits all? Notes on the new LGBTQ/same-sex legislation in contemporary Greece*

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On 23 December 2015, a bill recognizing same-sex unions in Greece was passed with a substantial majority that exceeded 3/5 of the MPs, becoming law 4356/2015.<sup>1</sup> This law marks the most recent expansion of LGBTQ<sup>2</sup> (Lesbian, Gay, Bisexual, Trans and Queer) rights in Greece. Male same-sex sexual activity had actually been decriminalized already in 1951, but was not until 2005 that the LGBTQ community gained further rights, when a law prohibiting discrimination in employment based on sexual orientation was enacted.



*Athens Pride Parade, Saturday 11 June 2016. Courtesy Athens Pride ©*

This expansion of LGBTQ rights has accelerated in the context of the crisis in Greece: in this vein, in September 2014 the Law against racism was revised and, as a result, Law 4285/2014 criminalized hate speech and violence against LGBTQ individuals or groups. Moreover, in December 2015 not only were same-sex unions legalized, but also article 347 was abolished by Article 68 of Law 4356/2015. The abolition of the law has effectively led, among other effects, to the legalization of male prostitution,<sup>3</sup> equally subject to the existing laws that regulate female prostitution: in order to work legally a prostitute needs a certificate which is granted if the prostitute is at least 18 years old, not married, is not the carrier of sexually transmitted diseases, does not suffer from psychiatric or mental health conditions, and is not a drug user.

Despite those developments, however, the LGBTQ community is far from enjoying the same rights as heterosexual men and women in Greece. LGBTQ activists, as argued by OLKE (Ομοφυλοφιλική Λεσβιακή Κοινότητα Ελλάδας, Homosexual Lesbian Community of Greece), quite tellingly have stressed a very important deficit of law 4356/2015—it did not foresee the right of LGBTQ persons to marry and adopt children (Marangidou 2015).



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In the meantime, public opinion appeared to be in favor of law 4356/2015. An opinion poll conducted by the University of Macedonia in December 2015 showed that 41% of the society totally agreed with this measure, with an additional 14.5% probably agreeing.<sup>4</sup> However, public debates surrounding the bill reproduced what I would like to label as a distorted and narrow understanding of what same-sex relationships have been. In particular, what appeared to be the general understanding of same-sex relationships was the assumption that such relationships in general and couples in particular necessarily consist of gay men or lesbian women.

This assumption was evident in voices that treated homosexuality with derision. For instance, Metropolitan Amvrosios of Aigialeia and Kalavryta gained a degree of notoriety for vilifying homosexuals in anticipation of deliberations around this bill when he asserted, that “Homosexuality is a deviation from natural laws,” and encouraged his audience to “spit on those disgraceful people!” (*To Vima* 2015). Similarly, even purportedly neutral reports on the bill in popular newspapers, such as *To Vima*, referred to “unions of homosexuals” (*To Vima* 2015 b), when addressing the institutional rights of same-sex couples.

Should, however, same-sex relationships in general and couples in particular necessarily be equated with gay and lesbian identities? The answer is not an unequivocal yes. To show the complexity of this relationship, what follows in this position paper is a brief account that demonstrates some of the shifting and diverse forms of same-sex relationships and couples that have appeared in contemporary Greece; it will also address the equally complex link between sexual orientation and gender.



### *The recent past*

Labels such as “man,” “woman,” “homosexual,” and “heterosexual” are far from embedded in nature. The very idea that men and women are two totally different categories in terms of biological characteristics gradually gained momentum in Western thought from the late eighteenth century on. As Thomas Laqueur has argued, what had been pervasive up to that point was the “one-sex model,” namely the notion that women are “imperfect” versions of men, which also affected how their anatomy and physiology was viewed when, for instance, the vagina was regarded as an interior penis. Nevertheless, the “two-sex model” has become hegemonic (albeit not uncontested) since the post-Enlightenment era. According to this story, women and men have fundamentally different organs and feelings (Laqueur 1990).<sup>5</sup> The very definition of “heterosexuality” and “homosexuality” as sets of distinct norms opposed to one another has also been a very recent development (Ned Katz 2007); it actually dates back to the nineteenth century—or, even, in some contexts, including Greece, to just a few decades ago, to the middle of the twentieth century. However, in their everyday lives, individuals have actually construed their gender and sexuality in several ways that do not neatly fit the male versus female and heterosexual versus homosexual taxonomies (for instance, Boydston 2008, 559 – 569, 578; Monro 2007). As an example, sex with a man could be proof of virility for the active, penetrating, single, young working-class men in London in the first half of the twentieth century (Houlbrook 2005). Moreover, the relationship between gender and sexual orientation needs to be viewed as aporetic, as many combinations are possible: a homosexual person, for instance, may feel and perform as male, female, neither, both of these, or none.



*Athens Pride Parade, Saturday 11 June 2016. Courtesy Athens Pride ©*

Exploring the history of same-sex relationships and couples in contemporary Greece is yet another testament to the fact that no standardized version of such relationships exists. In this respect, and talking about Athens in the post-World War II years, it would be non-sensical to refer to “gay couples” or “gay” men in general, not at all because same-sex relationships did not exist, but because

the framing was very different. What could be observed instead was what has been identified as “the culture of the *πονηροί*” – a notion best translated in this occasion as a man who intuitively “that another man is susceptible to his erotic advances” as Kostas Yannakopoulos has pointed out (2016, 175) – that existed between the 1950s and the 1970s in Greek urban centers. At that point, similar to what had transpired in London in the preceding decades, it was regarded as perfectly “manly,” legitimate, and within the terms of dominant norms, for a man to penetrate another man, as long as the act was not reversed and reciprocated (Yannakopoulos 2016; Avdela 2013). What Paola Revenioti, a transgender sex worker, artist, and activist for LGBTQ rights has mentioned in an interview to *Lifo*, is telling of this position: “I grew up in a district of Piraeus, where eroticism of boys towards other boys had of course to follow certain rules, but was pervasive . . . . We went, for example, to the mountain, where we had the opportunity to explore one another, to laugh, and count the size of our small dicks” (LiFO 2013). The *πονηροί* engaged in ephemeral relationships that did not transform into stable couples; however, their relationships sometimes switched from sexual to emotional ones. They could be either “active” or “passive” in sex. Their sexual roles often reflected social class distinction: the “active” *πονηροί* were usually blue-collar workers, soldiers or peasants visiting Athens; the “passive” ones usually had sedentary white-collar jobs, who would offer treats, such as a dinner at a taverna, to their “masculine” lovers. (Yannakopoulos 2016, 174–180).

Despite the opportunities for the *πονηροί* to engage in same-sex activity, this was still a profoundly hierarchical society, which did not accept certain forms of gender performance—whatever their sexual roles were, the appearance of the *πονηροί* had to fit the (prevalent at that point) norm of “manliness.” For example, they had to strictly avoid the use of cologne, which would at that point be lambasted as non-“manly” (Yannakopoulos 2016, 174–180). After all, the *πονηροί* had to confront a stereotype pervasive in Greece at that point and also manifest in Greek popular cinema movies in the 1950s–1970s, that presented those men who desired to engage in same-sex activities as “effeminate,” namely nothing more than caricatures of the “real” men. Therefore, in these films, the “effeminate” men were confined to secondary roles and were always portrayed without a sexual partner (Hadjikyriacou 2013, 90–91).

From the 1970s onwards, the culture of the *πονηροί* has subsided. What has appeared on a broader scale is a clear demarcation of sexual orientation based on one’s choice of sexual partners—men have been increasingly divided into and perceived themselves as homosexuals (gay men) or heterosexuals. In this vein, as Yannakopoulos notes (2016, 180–183) gay men usually prefer to socialize in their distinct venues, such as in bars. The 1970s were significant in the history of same-sex relationships in Greece, for many reasons but also because that was the point when the ideal of forming couples appeared and became prevalent among gay men (Yannakopoulos 2010, 265–282). Meanwhile, what also emerged in several Western contexts at that point was the gay movement. Thus, AKOE (*Απελευθερωτικό Μέτωπο Ομοφυλοφίλων Ελλάδας*, the Front for the Liberation of Homosexuals in Greece, which mainly addressed male homosexuals), made its appearance in 1977 and published the magazine *AMPHI* (ΑΜΦΙ). Moreover, the “Autonomous Group of Homosexual Women” was founded most probably in 1980 and published the magazine *The Lavrys* (Η Λαύρυς). The lesbian liberation group was smaller than the gay one—in its first meeting only ten women participated, while its magazine was significantly more short-lived: While *AMPHI* circulated from 1978 to 1990, *The Lavrys* was published only from 1982 until 1983 (Kantsa 1995–1996, 73–95; Papadogiannis 2015, 266–270).

This growing demarcation, however, does not mean that categories in-between homosexuality (male and female) and heterosexuality have ceased to exist. The story of *παρέα*, a secret society of women living in a provincial town close to Athens in the 1990s, is telling in this respect. Several of the women of *παρέα* led conventional lives abiding by the social norms of that area, such as being married to heterosexual men. However, they simultaneously and covertly engaged in same-sex relationships (Kirtsoglou 2004) while they were reluctant to be identified as exclusively homosexual.



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Moreover, they preferred to mix behavior patterns labeled as both “masculine” and “feminine” in the town where they lived. In this respect, they consumed copious amounts of alcohol in their favorite night spot, a pursuit which the residents of the town found unacceptable for women. Still, they did not appear inebriated and remained in control, something that could be interpreted as both a “male quality” and as compatible with “female modesty” that was the desirable behavior in this town (Kirtsoglou 2004, 77–78).

Members of the *παρέα* developed diverse relationships that they experienced as affective kinship, which on no account did they regard as secondary to blood-based kinship ties. Such relationships included friendship as well as erotic interaction. When the latter became a long-lasting relationship, it could be marked by a symbolic, ritualized marriage, which was covert to anyone beyond the *παρέα* (Kirtsoglou 2004, 62–87).

### *Celebrating diversity at present*

Same-sex relationships have been imagined and experienced as part of varying notions of gender and sexuality not only in the recent past, but also in the present. It has certainly not been uncommon in the recent past and nowadays for gay men and lesbians in Greece and elsewhere in the West to try to form stable couples and families (Kantsa 2006, 355–382; Weston 1991). Same-sex couples, however, are far more diverse as they can certainly involve trans individuals who define themselves as non-binary, namely neither men nor women. A same-sex couple may also include a bisexual partner. The relationships and, in fact, the very existence of the latter hardly feature in Greek media, though. Such a “bisexual erasure” is not atypical in public discussions in other Western contexts as well, such as in the case of TWO (Truth Wins Out) in USA (see TWO 2012).

Nuancing our understanding of same-sex relationships and couples also pertains to notions of sexuality and gender that derive from non-Western contexts. Relevant Western and non-Western taxonomies have frequently been forged in interaction with one another. There are individuals who engage in same-sex acts in India who depict themselves as gay, to such an extent that there exists a “Mr. Gay India” contest. But there are also persons in non-Western contexts who use labels identifying their gender and sexual practices for which there is no exact Western equivalent. Some such persons may be among the migrants and refugees from South Asia, the Middle East, and Africa coming to Greece especially in the last 15 years. For instance, there might be *hijras* among the refugees and migrants. *Hijra* is a South Asian community that represents “an existing Indian tradition which clearly contests any hetero-normative understandings of gender, sexuality and the body” (Narain, Bhan 2005, 5). Their practice is subversive in this respect in diverse ways, including undergoing sex-change operations or cross-dressing. As a result, although they are officially recognized by the state in India, Pakistan, Bangladesh and Nepal, they face prejudice by individuals in South Asia who conform to heteronormative standards. *Hijras*, however, cannot be accurately placed into the modern Western taxonomy of gender and sexual orientation (Stryker and Whittle 2006).<sup>6</sup> How would such a category of people be configured in terms of rights if they moved to Greece as refugees or migrants? If debates in Greece refer to relationships either among heterosexuals on the one hand and gay men/lesbians on the other, such groups of migrants are a priori neglected. In the context of the frequent oppression of refugees and migrants in Greece, this becomes a serious issue as it may lead to an added layer of oppression besides what they are already bound to experience as migrants.

As this position paper has shown, same-sex desire and relationships have always existed, but have been construed by people engaging in them in multiple and shifting ways. It is high time that public debates demonstrate more awareness of such diversity. Its acknowledgment could also enrich debates around the forthcoming gender identity bill (ERT 2016) currently considered by the Greek government as well as around the proposed legislation about the equal treatment of individuals regardless of their background, including their sexual orientation and gender identity (Greek Parliament 2016). Although the final content of such proposed legislation is not yet known, it will possibly establish a formal process through which citizens will be able to define and have legally recognized their self-ascribed gender identity.

The preparation of this legislation certainly offers the chance to encourage reflection within public discussions on the various potential links between sexuality and gender and to capture the voices of individuals who feel neither homosexual nor heterosexual—how do they identify in terms of gender? What if they feel as neither women nor men, but, for instance, as non-binary? What options

will these bills offer to them? Moreover, what fields, such as work and family, will such legal recognition of gender identity affect? If the objective of the government is to grant Greek citizens effectively, rather than nominally, the right to freely declare a gender identity, then all legal restrictions on those LGBTQ who define their gender identity in non-binary terms should be lifted. Will this allow or push all LGBTQ (and not just homosexuals) who wish to marry or become parents to do so? It remains to be seen. What is certain is that bigotry will not disappear overnight; several prelates and other public figures, such as Metropolitan Amvrosios of Aigialeia and Kalavryta, will certainly continue to encourage spitting acts against persons with whose gender identity and/or sexual orientation they disagree. Still, this is also an opportunity to help dissolve certainties around the LGBTQ self-ascription in Greece and to demonstrate the multiple expressions of gender and sexuality, especially the notion that all combinations of gender and sexual orientation are possible and must be viewed as legitimate.

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## NOTES

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<sup>1</sup> The text of the law can be accessed here: <http://www.ministryofjustice.gr/site/Portals/0/4356-2015.pdf> (accessed 14 September 2016)

<sup>2</sup> I refer to the “LGBTQ” throughout the text but, as made clear later on, I do not approach the category as homogeneous and I take into consideration the shifting ways in which individuals engaging in same-sex practices conceive of and describe themselves. Moreover, whereas in general homosexual women may describe themselves as both “gay” and “lesbian” (for instance see Weston 1991, 15), the organizations that claim to represent them in Greece usually employ the term “lesbian.”

<sup>3</sup> On changes in relevant legislation, see ILGA 2016.

<sup>4</sup> See [http://www.iefimerida.gr/sites/default/files/finalreport\\_skaitaseis\\_14-15dec15.pdf](http://www.iefimerida.gr/sites/default/files/finalreport_skaitaseis_14-15dec15.pdf) (accessed 2 October 2016).

<sup>5</sup> On this issue, see Laqueur 1990.

<sup>6</sup> On a very brief overview of classifications of gender and sexuality in Western and non-Western contexts as well as their interconnections, see Stearns 2009, 159–160. Unfortunately, however, Stearns places all these taxonomies under the rubric of “homosexuality.”

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### **USEFUL LINKS**

a) Magazines

<http://www.10percent.gr/>

<http://avmag.gr/>

b) Associations

<http://ilga.org/>

<http://www.transgender-association.gr/>

<http://clubs.pathfinder.gr/fmtrans>

<http://olkegr.blogspot.co.uk/>

<http://www.ermis.de/>

<http://ouraniotoksofamilies.blogspot.co.uk/2016/02/love-creates-families-conference.html>

<http://athenspride.eu/>

<http://thessalonikipride.com/>

<http://www.greekhelsinki.gr/bhr/english/index.html>