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How Does the Use of “Culture” and “Tradition” Shape the Women’s Rights Discourse in Transitional Serbia?

Abstract Although social anthropologists have mostly abandoned the essentialist view of “culture” and “tradition”, these static notions are still frequently used in Serbian public discourse regarding women’s rights. I believe that analysing the production of cultural meaning and knowledge among different social actors and the state is important when exploring the implementation, transformation and protection of women’s rights at a local level. In this article, I shall investigate how “culture” and “tradition” are being constructed and used by certain right wing groups, political leaders, intellectuals and by the Serbian Orthodox Church. On one side, arguments of “culture” and “tradition” are used in order to “preserve the national identity” and save it from “imposed Western norms” and “Western imperialism”, while on the other, they are used to explain the cultural obstacles regarding the effective protection of women’s rights. “Tradition”, often constructed as a linear project of inherited “cultural” and “moral” values and practices, stands in opposition to the EU; therefore, it calls to be nurtured and protected or changed and abandoned. Consequently, I see women rights issues trapped into a pro-EU or against EU, pro-traditional values or pro-liberal values discourse. I conclude that women rights in Serbia are and probably will be affected more by the use and abuse of different concepts of “culture” and “tradition”.

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The aim of this article is to explore in what ways and for what purposes concepts of “tradition”¹ and “culture” are being used in the public discourse related to women’s rights in contemporary, transitional Serbia. Although social anthropologists have mostly abandoned the essentialist (Grillo 2003) view of “culture” and “tradition”, these static definitions are still used in Serbian public discourse. Different actors, such as politicians, state officials and right wing groups are referring to women’s rights using arguments of “culture” and “tradition”. Moreover, in its observations regarding the implementation of CEDAW, Serbia has “acknowledge[d] in paragraphs 100 and 105 of its report that traditional views on the role of women and their status in society persist” (CEDAW/C/SRB/Q/2-3). After democratic changes in 2000 and the fall of Milošević regime, Serbia has chosen the path towards EU. Among many accession criteria is the obligation of the candidate state to guarantee the protection of human rights. Therefore, women’s and human

1 I am using terms “culture” and “tradition” in inverted commas, as there is no consensus on their definition among anthropologists and other social scientists, and I “define” these terms as socially constructed, fluid, contested, relational, changing and dynamic.

rights have been a part of every government's agenda. Consequently, in order to meet relevant EU requirements, the Serbian parliament adopted several laws on human and women's rights, (Council of the European Union, 2012) and expressed no reservation on CEDAW (CEDAW/C/SCG/CO/1/CRP). This article explores the public discourse and the production of cultural meaning related to women's rights in this particularly sensitive moment of struggle to obtain a date to open the negotiation process for joining the EU. How concepts of "tradition" and "culture" are used in explaining women's rights and with what purpose? How do these arguments reflect the EU debate and how these arguments and the EU debate affect the women's rights?

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As Merry (2003) points out, in human rights discourse, particularly in CEDAW, "culture" is often seen as subordinating women while women's rights and modernity are freeing them. The same view of "culture" and "tradition", as this paper intends to show, is present in Serbian public discourse, where the fight for women's rights becomes a fight against "backward mentality", "tradition" (Nešić 2013), "rural thought" (Ramet 1996) and "Balkan's re-traditionalisation" (Božilović 2010). On one hand, ruling state elites, which embrace women's rights together with the EU perspective, are using the arguments of "culture" and "tradition" to explain encountered difficulties in the implementation of these rights. In this article, I argue that state officials use these arguments as an excuse, by blaming "tradition" for the inefficiency of the state to protect women's rights. As a consequence of this, they turn the women's rights fight into a fight against tradition (Merry 2003, Cowan 2001). On the other hand, right wing groups² ("Dveri", "Naši", "1389"³) and the Serbian Orthodox Church present themselves as the protectors of "tradition" against "imposed Western values". They also

2 Some far right groups in Serbia, created a couple of decades ago as marginalised, religious, sport, sub cultural, para-political organisation gradually changed into legitimate political parties. It has been estimated that almost 10% of Serbs voted for different far right representatives (CESID 2012).

3 "Dveri", "Naši" and "1389" are three influential right wing organisations created in 1999 -"Dveri", in 2004 - "Naši" and in 2005 -"1389", declaring themselves as patriotic, non-government, non-profitable, aiming to "preserve tradition and [...] [affirm] culture, historical, spiritual and other values of Serbian people[...]"(1389 2013). Those values are, for all three organisations, the Orthodox church [...] and the sovereignty and territorial integrity of Serbia (against the independence of Kosovo). They all declare themselves as being firmly against Serbia entering EU and NATO and they proclaim state alliance with Russia. "Patriotism and family values are among our most important, basic principles. We are also developing campaigns against drug addiction and abortion" (1389 2013). "Dveri" is more intellectually oriented, and highly political, producing a lot of studies, written documents and academic papers in support of their theories, "Naši" is firmly fighting "traitors and foreign spies" (Naši 2013) by producing lists of enemies and organising marches against gay pride while "1389" declares itself open to new ideas and even has a part of their website in foreign languages (1389 2013).

strongly oppose the EU integration process. In their view, “tradition”, constructed as a linear and static project of inherited “cultural” and “moral” values and practices, stands in opposition to the “shameful” and “perverted” Europe and calls to be nurtured and protected.

The result of this analysis hints that the EU process may not be incentive to further development of women’s rights in Serbia but rather likely to marginalize the issue by setting those rights among mandatory and unpopular political EU conditions.⁴ This may explain the fear of some human rights activists that the EU may turn a blind eye on women issues if Serbia does fulfil “more important” political conditions, like the normalisation of Serbia’s relations with Kosovo, judicial reforms etc. (Mršević, personal interview 27 Feb 2013).

The production of cultural meaning, especially in relation to Serbia’s EU-accession and to the Serbian symbolic battlefield around “tradition”, “culture” and women’s rights, cannot be understood without knowing the patterns of the Western “orientalist discourse”⁵ (Said 1978) in which Balkans is perceived as unfinished and “uncivilised” Europe. Created a couple of centuries ago, mostly in France and Great Britain, this set of negative images on Balkans and Serbia has been resurrected during the Yugoslav wars of the 1990s and has been kept alive since, both internationally and locally, deeply affecting contemporary Serbia and, more precisely, the EU and the women’s rights discourse. This oriental discourse has its roots in early travel books in which the Balkans was perceived as a mystical, patriarchal, tribal and rural place. After World War I, it inspired the creation of new words (balkanization, to balkanize) designating the breaking up “into smaller and often hostile units” (*Encyclopædia Britannica*, 2013). During fifty years of communism in the second half of the XX century, Yugoslavia was mainly known for its third way into socialism and an allied force during World War II. However, the old patriarchal and tribal discourse made its forceful comeback in Western literature during Yugoslav wars (Drezgić and Žarkov 2006). As Drezgić and Žarkov (2006) notice, in most feminist academic literature regarding the Balkans and Serbia, men are presented as violent, misogynous warriors, while women are mostly defined as passive victims of the war (see Allcock 1991, Stiglmyer 1993). These revived “Western” media and cultural definitions of the Balkans and Serbia have

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4 Slow progression towards EU, unpopular political conditions (cooperation with the ICTY, Kosovo independence) made the public support to the EU integration process drop from 72 in 2002 to 41% in December 2012 (Serbia European Integration Office 2013).

5 The term describes what Said argued was an academic and artistic tradition of outsider interpretations of the East, based and shaped by prejudices and the European imperialism in the 18th and 19th centuries.

been adopted and also partly produced by regional and local academic and political actors; they have contributed to this image and perpetuated these "imagined geographies" (Bakić-Hyden 1992).

682 In that sense, Drezgić and Žarkov (2006) provided an excellent analysis of the work of Slavenka Drakulić, often perceived as "Simone de Beauvoir of Eastern Europe" and "Gloria Steinem of Socialism" and whose works regarding communism and wars in ex-Yugoslavia represent an "authority in the West" (Drezgić and Žarkov 2006: 293). Throughout examples from her work, they reveal how Western stereotypes of communism were reproduced and combined with descriptions of the "savage" Balkans. Authors demonstrate how Drakulić demonises communism through metaphors of tumour and dark, brainwashed people whose mentality and system of beliefs needs exorcizing, depicting irrationality that is about to explode, women as passive victims without agency and the communist society divorced from all individual responsibility. Furthermore, the savageness of the Balkans is illustrated through the images of wars in ex-Yugoslavia and examples of nationalism and the rural, male brutality, where "rural" becomes almost an explanation for violence itself (Drezgić and Žarkov 2006: 293–296). This "rural" motive as an explanation of violence and nationalism may be found elsewhere, for example in the work of Ramet (1996: 78):

"The rural character of the Serbian national movement explains the movement's 'traditional' values, which are stridently anti-feminist, strongly oriented towards the Serbian Orthodox Church, and laced with xenophobia: in short, the paradigmatic 'traditional' values that one associates with the countryside. It is also significant that the increase in inter-ethnic violence that had already begun in earnest in 1990 was accompanied by a simultaneous increase in wife-beating in Serbia."

As Todorova (1994) points out, "Balkanism and its subject are imprisoned in a field of discourse in which 'Balkans' is paired in opposition to 'West' and 'Europe', while 'Balkanism' is the dark other of 'Western civilization'. [...] the Balkans are left in Europe's thrall, anti-civilization, alter ego, the dark side within" (Todorova 1994: 482). This is important to note, when examining the production of cultural meaning, especially in relation to Serbia's EU-accession.

European Union has an important role in spreading women's rights and different gender policies, such as, for example, gender equality and gender mainstreaming policies (Spehar 2011). However, the contemporary political discourse regarding the Western Balkans and its EU accession (which includes Albania, Serbia, Montenegro, Kosovo, Croatia, the Former Yugoslav Republic of Macedonia, Bosnia and Herzegovina) stresses that "countries in this region have serious political and security problems, including the existence of intolerance, pathological nationalism and xenophobia, underdeveloped

democratic political culture and lacking the art of compromise” (Pritham 2008, cited in Spehar 2011: 365).

Therefore, some Serbian academics believe that European integration of the Balkan countries implies, among other things, the release of their societies’ burdens of the past embodied in various traditionalist prejudices, superstitions, inferiority complexes or multiple values, habits, and mentalities (Božilović 2011: 114). Moreover, Božilović (2011: 117) argues that Serbia, since it belongs to the Balkans, still reflects strong tribal relations. As a consequence, he argues that Serbia should not count on support and aid from Europe, unless it gets rid of the negative burden of the past still present in people’s patterns of behaviour, such as hatred, contempt, envy, greed, hypocrisy, greed, deceit and malice. Therefore, the modernization, the development of Balkans’ societies appears as a basic condition for its integration to the EU. In this way, this essentialist argument which reproduces the discourse of “Balkanism” (Todorova 1994) became strongly related to EU-accession, the perspective of which is described as a project of civilisation, of modernising and upbringing of the “savage” countries from the region.

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As, arguably, the Western Balkans represent the most difficult set of prospective accession countries so far encountered by the EU (in Spehar 2011: 365), the described context – related to the Balkans, Serbia and the EU – frame women’s rights discourse in more than one way. These “imagined geographies” (Bakić-Hyden 1992), embraced as well as produced locally, define and generalise the Serbian context and “culture” as “rural”, “backward”, “barbarian”, “traditional”, “patriarchal” and “misogynous” while the implementation of women’s rights becomes related to the project of “modernisation”, “de-communisation”, “europeanisation” and “civilisation”. Describing them as “imagined geographies” (Bakić-Hyden 1992) does not qualify them as false or true, but stress the symbolic weight they contain, the generalised pictures they produce and the feelings they invoke.

Filipescu (2012) have identified the orientalist discourse in the enlargement documents of the European Union regarding the Western Balkans. The opposite may also be said: such academic and political discourses on the Balkans and Serbia shape the symbolic battlefield around EU in transitional Serbia and reflect on the women’s rights. In order to examine in what way they do so, the next section of the article analyses relevant examples of the use of “culture” and “tradition” related to the women’s rights issue in Serbian public discourse in the recent past.

In 2009, when the Serbian government announced it would soon deliver a Law on Gender Equality, an important public debate on “Gender Equality in Serbia” was organised as a part of the project called “Democratic political forum” which gave the floor to representatives from different subject fields, ministries, institutions and organisations such as the Director of

Gender Equality of the Ministry of Labour and Social Policy, several university professors, the European Movement in Serbia, the Belgrade Centre for Human rights, Ombudsman, the Belgrade Fund for political Excellence, Incest trauma Centre – Belgrade, Centre for Gender Equality, Centre for Women's Studies and Gender Research, The Centre For Democracy Foundation, eminent political democratic leaders, researchers, journalists and many more.

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Almost all actors in the debate agreed that the Serbian legislation is largely aligned primarily with the consolidated EU Directive in 2006, mostly in dealing with social and economic issues of gender equality. In this sense, they consented that Serbia would "at least not have a problem at the normative level, when the experts from the Commission and the Council of Europe come", as Gasmi (2009) pointed out. Nevertheless, all participants agreed as well that the implementation of legal provisions was likely to be difficult. While some actors concentrated on political, economic and educational constrains which were compromising the implementation of gender equality provisions, others were using the argument of "tradition" and "culture" as being a significant obstacle to a successful implementation of the adopted legal framework. However, the static and essentialist notion of "tradition" and "culture" they used in their discourse was not meant to serve nationalistic interests and discredit the universality of human rights as Pollis (cited in Harris-Short 2003: 164) would point out, or to give misleading interpretations of "culture", but was rather used to demonstrate that state elites, favourable to the EU integration of Serbia, were favourable to women's rights and gender equality standards as well, but were having difficulties to implement them. As those difficulties were related mainly to cultural tradition, it almost implied that the state should not be held responsible for them.

In this respect, the statement of an influential politician, philosopher, and – at the time – member of the parliament for the Democratic Party, Dragoljub Mićunović (2009), seems particularly illustrative:

"I see the problem of male-female relationships, above all, coming from a male oriented, criminal and traditional culture and this has been like that since the time of old epics and Greek tragedies through the present day. This affects society and shapes its values. There is no relationship between men and women that is not marked by endemic violence by men against women [...] It comes from the depths of our society [...] That is how our society is like and that is what comes from culture. We have to act against this anti-women, violent culture. Take 'Building of Skadar on Bojana'[traditional folk poem] as an example, and how they bricked up one unfortunate woman with her child. When epics like this are taught, we have to say it is a terrible shame and that this poem is not beautiful but hideous, disgusting. Thus, it is an attitude requiring a change of values. We should count on facing terrible resistance [...]".

Furthermore, Mićunović (2009) argues that “no good law can help. The problem of the rule of law in Serbia is not so much in the lack of legal documents, but in their complete disregard”. What he failed to explain was by whom these laws were disregarded or who was responsible to enforce and implement legal provisions. At the time he delivered this statement, Mićunović was a member of the formerly governing Democratic Party, which introduced significant police and judiciary reforms during 2003, 2006 and 2009 (EU Delegation to the Republic of Serbia 2012). These reforms, however, kept old inefficient strategies, procedures and less than mild punishment penalties against violence and discrimination towards women in Serbia (EU Delegation to the Republic of Serbia 2012). The Coordinator of Safe houses and the Counselling Centre for domestic violence Stanojević (2013) argues that Serbia’s regulations to punish violence against women are nothing more than a dead letter on paper, as the prosecutors, the judges and the police does not seem willing to apply them during the criminal chain process. Proceedings are slow, inadequate and long, dismissal of criminal investigation or dismissal of court case frequent, sentences are light and the protection of women by the police or during proceedings is rare and inefficient, she explains. Therefore, the number of victims has not been reduced, says Stanojević (2013). Moreover, she stresses out that legal provisions are wrongly interpreted and performed in practice in a discriminatory way, involving witnesses and victims going through secondary victimization (Stanojević 2013). This example makes it obvious that relevant institutional actors are actually contributing to further violations of women’s rights and that the state have failed to protect those it has the duty to protect, demonstrating its incapacity to deal with those issues through the system and existing institutions. On the contrary, “tradition”, “customs” and “backward culture” arguments in the discourse of state officials may be seen rather as an abuse of existing stereotypes, which consequently transfer the blame and the responsibility from the state to culture. As Ombudsman and LGBT rights defendant Mršević (2009) points out, most victims of violence with tragic consequences had been seeking help from public institutions and the police or social welfare centres years before the tragic event occurred. Therefore, it may be concluded that arguments of “tradition” or “culture” in the state officials’ public discourse in Serbia serve as an excuse for inaction, inefficient government policies and deeper socio-economic reasons for violations of women’s rights, as described by Harris-Short (2003).

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At the other end of the Serbian public discourse, the use of “culture” and “tradition” as arguments in the public discourse regarding women’s rights is observed among right wing groups. These groups declare themselves as defenders of Serbian “authentic tradition and culture” which is threatened by “imposed Western ideas” (groups like “Dveri”, “Naši”, “1389”). This example

illustrates Narayan's (1997, cited in Lilly and Irvine 2007: 96) argument that nostalgic reactions are often present in non-Western societies as a reaction to the potential threats to the established gender roles. Following this, it may be said that in Serbia, the concepts of "culture" and "tradition" are used against the emerging new order, West and its dominant model of gender.

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In Serbia, right wing groups use culture, which includes different cultural and religious symbols, myths and history, as a powerful nationalist and political tool. Although the instrumental use of tradition has never been absent from the Serbian society, as Naumović (1994) explains, being a part of different nationalistic and political projects through history, its particularly powerful comeback is observed during the 80s and the 90s. The instrumental use of tradition in Serbia, according to the same author, includes three separate but interrelated set of phenomena. The first is the Serbian Orthodox tradition which involves the conceptual system, churches, monasteries, frescoes and icons, religious rituals and holidays. The second set relates to the Serbian historical tradition (real and mythic images that people have about their state and national past), and the third set is embodied in the folk, rural tradition. The instrumental use of tradition is a practice of manipulating with any of those sets (cited in Božilović 2010: 116). Although the instrumental use of tradition in the last three decades of the Serbian past is mainly referred to as to the political manipulation from the government, especially at the time of Yugoslav wars, it continues to shape all aspects of public life in Serbia. However, one striking contemporary example of the instrumental use of tradition is observed in relation to human rights issues in general, and women's rights in particular.

Bearing in mind that all right wing groups in Serbia share a similar approach to tradition, women and EU, in order to illustrate this, I shall analyse how the most influential⁶ among them, the nationalistic and pro-fascist⁷ organisation "Dveri", uses the concept of "tradition" and "culture" and how it manipulates with different cultural, historical, political and religious symbols in building its arguments against women's rights.

"What is the meaning of a new, extreme feminism, arising out of the Bolshevik, who is now being imposed not only to Serbia, but to all Christian nations of the world, under the guise of fighting for women's rights?" asks

6 During parliamentary elections in May 2012 "Dveri" almost crossed the threshold and succeeded in entering the local administration after the local elections. (CESID 2012)

7 As Kuljić (2002) and Griffin (2006) (cited in Stakić 2013: 2) point out that contemporary right wing extremism has routes in fascism. Stakić (2013: 2) gives a brief overview on different definitions of contemporary fascism and provides a theoretical common ground. According to her, contemporary fascism includes: anti-liberalism, anti-modernity, anti-communism, cult of tradition, extreme nationalism, conspiracy theory, anti-Semitism and romanticism with militarism.

the organisation via its website. The question is answered through a set of mixed arguments against the communist heritage, the “imposed Western norms” and critiques of tradition, illustrated, among others, by Mićunović’s speech during the debate on “Gender equality in Serbia”. They begin with the critique of communism and its secularity:

“The 8 March, the day [...] celebrated as the Day of Women only in Eastern Europe, which is still partially polluted by Communism, coincides with the day the Church celebrates the Finding of the Head of St. John the Forerunner. St. John’s head had been cut off by the lawless king Herod the Younger, at the urging of his wife Herodias [...] the darkest female character in the New Testament [...]. Herodias, unlike other women described in the New Testament, is the personification of lust, malice and hatred towards everything that is holy. So the Communists, accidentally or not (inspired by the Father of lies) have selected [for the Women’s Day] the same day the Church celebrates the honourable head of St. John the Baptist, inviting women to follow the example of Herodias, a personification of darkness, sin and death, instead of following the example of the Holy Mother of God” (Dveri 2009).

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According to the organisation, the “usurious globalization” and the EU, as the Satan’s kingdom or the Fourth Reich,⁸ should be blamed for putting the pressure on Serbia to implement the Law on Gender Equality. This imposition is based on false ideological assumptions that women are subordinated and discriminated in all societies, that their opportunities to engage in politics are limited and that all differences between men and women ultimately lead to discrimination of the latter (Dveri 2009). It claims that this legal provision is based on promoting the androgynous concept of a human being and continues: “Authorities appoint their Commissioners for ‘gender equality’ anywhere and everywhere: they continue to claim that the other names of Serbia are misogyny and violence [...] because, of course, Serbian culture is more violent than others”. This argument illustrates both the reaction of “Dveri” to the Western “hegemonic” discourse on Serbia, as well as the organisation’s perception of women’s rights as an integral part of that “imposed” discourse. Women’s rights are perceived as something externally imposed and not as something genuinely important. Moreover, the organisation criticises Mićunović’s attack on tradition and culture and his ambition to influence the way some traditional folk poems are interpreted in schools: “by starting a legislation on gender equality [and by] attacking the poem ‘Building of Skadar’ [they intend to] complete the creation of a society with no incest and no taboos, in which paedophilia is normal [leading, in the end to] the triumph of cyborgs” (Dveri 2009).

8 More on “Dveri” and their vision of EU can be found in a special issue for Easter 2008 of their magazine *Dveri srpske* called EUtanasia. http://www.dverisrpske.com/pdf/casopis/37_KosovoiEvropskaunija.pdf

If we assume that all the members of this right wing group share the same feelings of being pressured, threatened and conditioned by the "hegemonic and perverted" West, then, they may, as described by the hedgehog theory⁹, tend to resist and reject all ideas or policies of a presumably Western origin. This is a response to the oriental discourse as well: "Finally, we are the Balkans, 'the Other' in Europe, the screen where [the EU] is traditionally projecting its own negative side, and we look at ourselves through that Western pair of glasses, we see ourselves as backward, monstrous and all wrong" says Papan (2008), one of the right wing ideologists.

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Although it would be interesting to explore whether members of this right wing group, either as a group or individually, really believe to be threatened or are just manipulating with this idea, it would require a research of the internal group organisation and ideology that goes beyond the scope of this paper. Analysing their website, however, shows how they construct the "authentic tradition" and how, by combining different religious, national or mythical symbols in opposition to communism and the West, they intend to "defend the nation" from "this new revolutionary ecstasy about democracy, human rights and the EU integration" (Dveri 2009).

Consequently, some right wing groups published, in 2012, a "black list" of Serbian NGOs (Autonomous women center 2012) :

"There is a new wave of traditionalization in Serbia which is reflected in the strengthening the role of the church and right-wing organizations [...] There are 3 women's NGOs out of 17 civil society organizations on the list of 'undesirables' (Women in Black, Autonomous Women's Center and Reconstruction Women's Fund)" (Autonomous women center 2012).

However, conservative ideas are not the exclusive property of right wing organisations. Some independent researchers, for example, use cultural arguments to discredit adopted legal provision regarding women's rights on the basis of their incompatibility with the local context. Certain laws "simply cannot be implemented here, because they are essentially betraying the established patriarchal relations, which is not good" says a well-known criminologist for a wide-circulation newspaper (Nikolić 2012). This betrayal of established gender relations, explains Nikolić (2012), has led to a situation where mothers are spending the whole day at work, come home "frustrated" and therefore quarrel with their husbands. In this case, the argument of patriarchal tradition is given a positive connotation. Women's agency should, according to him, be reduced to private sphere, to family and home, while the violence against women is described as a consequence of change in gender roles. Consequently, working women

9 The hedgehog dilemma, in psychology, describes how people's possible reactions to ostracism, or any other social rejection. (Maner et al. 2007)

are to blame for playing an inappropriate role in a recommendable patriarchal context.

Finally, regarding the use of notions of “culture” and “tradition” in Serbian public discourse, Malešević (2006, cited in Božilović 2010: 125) points to the complete marginalization of those aspects of Serbian tradition that are based on rationalism and the Enlightenment, the liberal and universal values of openness towards the other and all those elements of Serbian heritage that are complementary to the best aspects of European tradition.

Apart from the described problematic discourse going from the “civilising the savage” to “defending real Serbian traditional values”, women’s rights in transitional Serbia are also trapped inside the imperative obligation of abandoning “inappropriate” heritage and tradition related to communism. By this inappropriate heritage I mean everything that was created and installed by the former communist regime. In respect to this, we should bear in mind that most international women’s rights have not been alien to the local context, due to the country’s fifty years long communist past and to the significant role women had played as guerrilla fighters in the communist-led Yugoslav Liberation Army during the World War II. Therefore, Yugoslav women were recognised as officially equal and were granted civil rights (Gudac-Dodić 2006). However, in a transitional context where the state seeks to distance itself from all its communist past, this positive heritage has been entirely left out from the public discourse.¹⁰

On the contrary, as Malešević (2006, cited in Božilović 2010: 125) stressed out, conservatism and patriarchy, xenophobia and primitivism with elements of hate speech remain unreasonably vital.

10 The debate on women’s position and women’s equality within Yugoslav communism goes beyond the scope of this paper. On one hand, it is said that “After the success of the ‘partisans’ in suppressing the fascists, and the establishment of the Socialist Federal Republics of Yugoslavia, the Anti-Fascist Front of Women was disbanded by the Communist Party, on the basis that, under communism, women would have equal rights with men, and so there was no need to organise separately. However, communism has never effectively addressed the fact that societies throughout the world are patriarchal, regardless of their political and economic structures. This means that there are a number of unwritten rules and regulations, implicit to our cultures, which explicitly disadvantage women” (Stanisavljević 1995: 37). In contrast, there is the argument that “In communist Yugoslavia, the Titoist programme was archetypally of the city. The emphasis on self-management (a model of decision making drawn from a specifically industrial context), like the accompanying efforts to promote secularism, gender equality, and ethnic coexistence all undercut the ethos of the village. Titoist politics was hostile to the political aspects of traditional culture, and made strong efforts to overcome traditional-rural prejudice against women, to erode the political authority of the Churches (always strongest in the countryside), and to anathematize all manifestations of nationalist sentiment, especially when translated into political programmes or demands” (Ramet 1996: 76).

Public actors in Serbia use the essentialist notion of "culture", where culture is perceived as a static, shared, consensual and coherent system. This old notion of culture is a form of cultural essentialism that defines culture as a way of life, a property of the people who are the carriers of that culture. Culture, perceived in a static way that determines individual and collective identities (Grillo 2003), can be easily blamed for disadvantages or violations of human rights and this old, misread notion of culture makes it harder to spread and implement human rights (Merry 2003). Paradoxically, although – as we have examined – state representatives' talk about culture conceals their incapacity to efficiently protect and implement women's rights, by indirectly or directly putting the blame on "rural thought" and engaging in a fight against "tradition", they actually do perpetuate "tradition" as an essentialist notion and consequently, it does become an issue. On the other hand, despite the fact that right wing conservative groups use different "cultural" and "traditional" arguments for different purposes than the pro-EU state officials, they keep perceiving culture in the same essentialist and static way, mainly in order to oppose the hegemony of the official discourse while spreading their nationalistic ideology or conservative ideas.

Presenting patriarchy, primitivism and misogyny as "Serbian tradition" is a form of politically ineffective essentialism. It perpetuates the post-war media and political discourse about Serbia people may easily find offensive, thus giving fuel to right wing groups to "defend the authentic tradition" and to discredit women's rights and all policies coming from the "West". As authenticity is just a historically specific dominant ideology, which can change over time (Asad 1979, cited in Wright 1998: 8), the official presentation of "culture" and "tradition" in such ways normalises this problematic discourse without having the power to challenge it. Thus, the patriarchal and misogynous definitions of culture become a dominant discourse and unquestionable truths. This politicisation of "culture" is a form of ideology that becomes a prevalent way of thinking and in such a hegemonic system "culture" appears coherent and consensual (Wright 1998). As Merry (2003) points out, culture is not only a system of beliefs, it is also a product of institutional arrangements and legal provisions so, in this process, the state plays an important role in shaping culture and public opinion.

I strongly agree with authors who claim that human rights should be grounded in the local "culture" (Merry 2003, An Na'im 1990, Dundes Ruteln 1988); therefore, investigating the local context is important. Before blaming "culture" or "tradition" for the lack of implementation of women's rights, all specific causes for gender inequality, violence against women and others structural obstacles on the ground as well as within institutions, laws and constitutions should be examined. The country will not advance on human rights matters if there is no honest political will to implement

and spread women's rights through all state's structures and official institutions such as education and social services. Unfortunately, it appears that Serbian government and state officials are willing to fight for the advancement of women's rights only through legislation and because it is a condition set by the EU.

The analysis of the public discourse of different actors who have the power to define "culture" and "tradition" in relation to women's rights in Serbia shows that women rights issues in Serbia are trapped into a pro-EU or against EU, pro-traditional values or pro-liberal values discourse, between tradition or modernity and that consequently, in the public discourse, women's rights appear as a condition to access the EU rather than a genuinely important issue. I agree with Višnjić (2012) who evaluates women's rights in Serbia as being a mere decoration of democracy. Therefore, in my view, women rights in Serbia, as a kind of collateral damage, are and probably will continue to be strongly affected and shaped in the future by the use and abuse of concepts of "culture" and "tradition".

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Sara Petrovski

Kako upotreba „kulture“ i „tradicije“ oblikuje diskurs o ženskim pravima u tranzicionoj Srbiji?

Rezime

Iako su kulturni antropolozi mahom napustili esencijalističko viđenje „kulture“ i „tradicije“, njihove statičke definicije su i dalje prisutne i često upotrebljavane u javnom diskursu o ženskim pravima u Srbiji. Smatrajući analizu proizvodnje ovih kulturnih značenja od strane različitih i relevantnih društvenih aktera na društveno političkoj sceni u Srbiji važnom za razumevanje implementacije, transformacije i zaštite ženskih prava na lokalnom nivou, u članku proučavam na koji način desničarske organizacije, politički lideri i intelektualci iz različitih društvenih sfera, kao i Srpska pravoslavna crkva, konstruišu i upotrebljavaju „kulturu“ i „tradiciju“. Sa jedne strane se argumenti „kulture“ i „tradicije“ upotrebljavaju u cilju „zaštite nacionalnog identiteta“ od „nametnutih zapadnih vrednosti“ i „zapadnog imperijalizma“. Sa druge strane, oni služe da opravdaju kulturne poteškoće sa kojima se susreću državne institucije i drugi relevantni akteri u procesu zaštite ženskih prava, gde je „tradicija“ često percipirana kao neupitni, linearni projekat nasleđenih „kulturnih“ i „moralnih“ vrednosti i praksi koje su u suprotnosti sa politikom i kulturnim vrednostima Evropske unije. U skladu sa tim, „tradicija“ mora biti ili branjena i zaštićena, ili izmenjena i napuštena. Posledica toga je da su ženska prava upletena u diskurs o borbi za ili protiv EU, za ili protiv „tradicije“ koja stoji nasuprot „modernim“ i „liberalnim“ vrednostima. Zaključujem da upotreba i instrumentalizacija različitih koncepata „kulture“ i „tradicije“ na mnogo načina utiče na razumevanje, prihvatanje i zaštitu ženskih prava u Srbiji.

Ključne reči: kultura, tradicija, ženska prava, javni diskurs, Evropska unija, Srbija, Balkan