



## UvA-DARE (Digital Academic Repository)

### Que(e)rying political practices in Europe: Tensions in the struggle for sexual minority rights

Beger, N.J.

**Publication date**  
2001

[Link to publication](#)

#### **Citation for published version (APA):**

Beger, N. J. (2001). *Que(e)rying political practices in Europe: Tensions in the struggle for sexual minority rights*.

#### **General rights**

It is not permitted to download or to forward/distribute the text or part of it without the consent of the author(s) and/or copyright holder(s), other than for strictly personal, individual use, unless the work is under an open content license (like Creative Commons).

#### **Disclaimer/Complaints regulations**

If you believe that digital publication of certain material infringes any of your rights or (privacy) interests, please let the Library know, stating your reasons. In case of a legitimate complaint, the Library will make the material inaccessible and/or remove it from the website. Please Ask the Library: <https://uba.uva.nl/en/contact>, or a letter to: Library of the University of Amsterdam, Secretariat, Singel 425, 1012 WP Amsterdam, The Netherlands. You will be contacted as soon as possible.

## AFTERWORD

### Tensions in the Struggle for Sexual Minority Rights

My quest to que(e)ry political practices in Europe for the underlying centrality of gender and sexuality as epistemological ordering principles set out in the introduction has initially led me from working definitions of queer theory and of political practices to investigating a form of tension that accompanied the years of this research: the conflict between politics—or what can be called Realpolitik—and queer theory. I analysed the implications of this tension in my own work and attempted to fertilise the relations between critical theoretical inquiries and political practices around sexual minority rights through a deployment of the concept of hybridity in its relation to antagonism, desire, and dialogism. Consequently, dissolving practice-theory tensions as insurmountable gaps gave way to a critical reading of the conditions of struggles for sexual minority rights in Europe.

The fact that queer approaches to politics have had little resonance among European activists led me to think about the difference between the European transnational context and the mainly US based theoretical critique. The most decisive difference is the centrality of human rights discourses. However, while I followed the logic of human rights argumentation in Europe, the concepts underpinning human rights, such as freedom, equality, integrity, and respectability, turned out to be very perceptible to a critical queer investigation. The concept of humanity produces tensions that cannot be reduced to the seeming objectivity and universal applicability of the human rights discourse. Struggles for sexual rights as human rights are different from civil rights strategies, albeit not any less problematic.

Even within the realm of anti-discrimination legislation—which so far has never been critically deconstructed—a careful exploration of the concrete implications of the discourse of discrimination illuminates tensions in a struggle for rights and those tensions are only apparently academic. The way activists speak about discrimination and, thus, politically materialise and utilise the situation of lesbians and gay men in Europe, incorporates themes and concepts—such as material change, ideological rewards, diversity, liberal legal equality and the hegemony of the juridical—which can be read as problematic from a philosophical and a practical political view.

A similarly precise analysis must be conducted on European court rooms as spaces of political action for change. The tension between the hegemony enshrined in the binary gender system—including the consequences that system bears on questions of sexuality—and the law as a decisive actor in maintaining that very hegemony is not as severe as might be assumed. The theoretical interconnection of gender and sexuality, gender identity and sexual orientation, and, subsequently, homosexual and transgender politics necessitates a critical reflection on the realm of the law as allegedly the most important guarantors of rights, justice, and equality. Yet, paradoxically, specific legal arguments and procedures already in use can be

deployed to disrupt the epistemological authority of the law as a crucial site for the constitution, consolidation, and regulation of sexuality.

The lack of legal rights is often criticised as indicating a second-class citizen status for lesbians and gay men. Citizenship is a particularly important and complex issue in European politics, since it is the indicator of European integration in general. For sexual rights the historical, political, and economical legacies implied in the concept of European citizenship once again illuminate intricate complexities and tensions in the call to citizenship. Unravelling as a contradictory process of recognition these complexities become interpretable. Claims to citizenship involve the production of meanings of what it is one wants to be recognised *as* and of the structure of this *as*. While citizenship claims cannot fulfil their goal of equality, they can clear the view to shifting solidarities and political group making.

In European political and philosophical history, the concept of citizenship has strong connections to kinship. The role of the economically active citizen depends on kinship ties that create a private haven in which the active citizen is created and nurtured. In struggles for sexual minority rights the demand for equal citizenship is commonly assessed against the legal and social recognition gay and lesbian partnerships receive. In fact, the right to be recognised as a family constitutes the most central rallying point in European gay and lesbian rights struggles but also their greatest stumbling block. The language of kinship centrally serves both sides of the argument—those for and those against gender and sexual orientation equality—and has its origin in the centrality of kinship for the political formation in European capitalist democratic societies. An analysis of the official kinship debate illustrated how kinship is the frame upon and in which the social being that forms the basis for the political sphere in European culture is created, shaped and enacted. This analysis highlighted the role heteronormativity plays in the framing of kinship. The theoretical concept of framing can increase our understanding of the relationship between political kinship debates and heteronormativity without reducing the one to the other. This understanding is achieved through the introduction of a web of interrelating frames that surround kinship. Framing kinship makes explicit once more the tension between justified claims to family recognition and the problem that these claims contribute to re-instating heteronormativity as the overarching frame of any kinship debate.

While tensions are clearly apparent on the structural level of struggles for sexual minority rights, there are also tensions that arise from the way individual activists locate themselves as agents of change. Activists do not only conceptualise their personal motivation and their power to achieve change as a simple expression of their own coherence and independence from the constricting forces of a marginalised sexuality. They also explicitly deal with the contradictions agency produces with regard to actively seeking change in the order of gender and sexual relations. The concept of political agency positions activists in relation to their actions and those relations are discursively determined through the rules of political

participation and the historical ideal of equality and justice. Political agency is inevitably marked by contradictions.

In conclusion to my initial quest, I maintain that tensions in the struggle for sexual minority rights are neither a purely academic concern nor a political hindrance. Theory cannot predict all political necessities and incorporate all aspects of politics' contingency. Yet, it can become a technique of reading that finds and explains tensions which are already apparent to those working for change in the political field. Thus, I have to resist the temptation to end this investigation with "here are my ten prescriptions to better it all" or to write the last chapter under the theme of "what is to be done". For such a move pre-empts the whole point that political decisions are invariably connected to frame and contingency. It remains an ongoing political and theoretical task to find those instances in the present political practices that actually touch upon the fundamental, underlying conditions of discrimination, marginalisation, and violation. To analyse whether certain political practices are of help in actually breaking present exclusionary regimes and presenting radical ruptures or whether they have within them traces of the very regimes they want to expose, is a specific task which this research adds to future what-to-do lists. However, any theory needs to remain alert to the ironies possibly involved: what seems radical might not turn out to achieve radical change and aspects of practices that seem almost reactionary turn out to unwittingly leave a trail of radical impact. This is where the process of history permeates all theory.

Even if no such what-to-do list on the political level is attached to this conclusion, there remains a rather large agenda for research in the field of European political practices. For one, my limitation to traditional lobby politics as the political practices investigated must be supplemented. What are the implications of political practices on other levels and how do different forms of conceptualising the political intersect with each other? At another level, the academic debate on activism and political change warrants more scrutiny from a transdisciplinary approach that interrogates the assumptions underpinning the difference among approaches in political science, legal studies, sociology, and philosophy. Additionally, the intersecting lines of various forms of marginalisation beyond gender and sexuality—such as race, ethnicity, disability, or age—need to be incorporated into a larger picture of political rights practices in Europe.

These and other problems remain to be addressed in further research within the field I opened with this book. Emphasising existing tensions with regard to the political practices analysed and with regard to the reductions and limitations one has to impose to make writing manageable is a conclusion that remains faithful to both theory and political practice. It promises further work and gives access to many more important questions to be asked. Thus, the only tenable characteristic of que(e)rying political practices in Europe is to continuously illuminate, materialise, and analyse the manifold tensions in the struggle for rights and to emphasise the central role gender and sexuality play in all political discourses on rights.

