

## SLOVENIA



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### **1. Geographical and historical context**

Slovenia is a country of around 2.5 million people in Central Europe. Capital of Slovenia is Ljubljana. Slovenian belongs to South Slavic language group, but it also has affinities to West Slavic Czech and to Slovak. The earliest written record in the Slovenian is found in the Freising manuscripts (*Brižinski spomeniki*), dating from about AD 1000.

In the past, the Slovene lands were subsumed in the Holy Roman Empire (800–1806) and were under the rule of German royal family of Habsburgs from the 14<sup>th</sup> century on. After Napoleon's rise to power, great portion of the present-day Republic of Slovenia was included in the Illyrian Provinces (1809–1814).

### Illyrian Provinces (1809–1814)



After that, the Slovene lands were again subsumed in the Habsburg monarchy, i.e., in the Austrian empire and the Dual Monarchy Austria-Hungary (1867–1918).



Both parts of the Habsburg Dual Monarchy were constitutionally autonomous, each having its own government and a parliament, but one emperor, Franz Joseph of the Habsburg family and his court, the minister for foreign affairs and the minister of war. Common affairs were to be considered at the “delegations”, annual meetings of representatives from the two parliaments. Suggestions for treating Slavs (Poles, Czechs, Slovaks, Slovenes, Croats) and Romanians living on the territory claimed by the monarchy, with the same measure as Germans and Magyars (Hungarians) was rejected. Although, the Fundamental Laws granted them equality before the law and freedom of press, speech and assembly, stating that “all nationalities in the state enjoy equal rights, and each one has an inalienable right to the preservation and cultivation of its nationality and language. The equal rights of all languages in local use are guaranteed by the state in schools, administration and public life.”

In 1908 Austro-Hungary annexed Bosnia and Herzegovina, previously belonging to the declining Ottoman Empire. The Turkish government (Ottomans) had agreed to the annexation in return for a monetary compensation. Serbia, who wanted Bosnia for itself, was enraged, as was Serbia’s patron, Russia. In 1914, the heir to the Dual Monarchy, the archduke Franz Ferdinand, and his wife,

were shot to death in Bosnian capital, Sarajevo, by a Serbian nationalist. A month later, the First World War started. The Austro-Hungarian monarchy collapsed in 1918.

After the First World War, at the end of 1918, Slovenia was incorporated into the Kingdom of Serbs, Croats and Slovenes (in 1929 renamed as Kingdom of Yugoslavia, also known as the First Yugoslavia).

### YUGOSLAVIA 1945-1991



After the Second World War, the Federal People's Republic of Yugoslavia (renamed as Socialist Federal Republic of Yugoslavia in 1963) was established. It was made up of six republics: Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, Serbia and Slovenia, and two autonomous provinces within Serbia (Kosovo and Vojvodina). The only authorized political party in Yugoslavia was the Communist Party. The capital of Yugoslavia was in Belgrade, Serbia. Led by Josip Broz Tito, the Yugoslav communist government sided with the Eastern Bloc at the beginning of the Cold War, but cut ties with Stalin in 1948. Yugoslavia became one of the founding members (together with India, Egypt, Ghana and Indonesia) of the Non-Aligned Movement in 1961, an organization of world states that did not seek to formally align themselves with either the United States of America or the Soviet Union, but sought to remain independent or neutral.





In Spring 1990 Slovenia held first free, multiparty elections in which a former communist official Milan Kučan was elected president, and in December a referendum calling for a sovereign, independent Slovenia was endorsed by more than 90 percent of the voters. In 1991 Slovenia seceded from Yugoslavia and adopted, on the 23rd of December, a democratic constitution. Slovenia became a full member of the European Union in 2004.

## 2. Women's position

Under the Habsburg monarchy the right to vote was linked to education and a specific tax revenue. In the second part of the 19<sup>th</sup> century female landowners and women with business earnings could vote in many municipalities, but their votes had to be cast by a male proxy (widows, spinsters) or a husband (married women), and women were not eligible to vote for the parliament. Between 1884 and 1904 the voting rights of female taxpayers were taken away on the municipal and regional level in several crownlands. A universal equal suffrage for men was adopted in 1907 in the Austrian part (including the Slovene lands, i.e. Carniola – the central, biggest part of p.d. Slovenia, southern Carinthia, Lower Styria, Gorizia and Gradisca, Trieste, Slovene part of Istria) of the Dual Austro-Hungarian monarchy, whereas the suffrage for women was rejected, which means that female

landowners who previously could vote lost that right; because: "The majority of the committee took the view that women are not included in any of the States of Europe where universal suffrage has been introduced and it would be very dangerous to attempt to allow them to participate in political life in Austria at a time of profound political change." In Carniola, where the (Catholic) Slovene People's Party gained the absolute majority in 1908, a voting reform was introduced in 1910 that gave female taxpayers, landowners, teachers (active and retired) the right to vote on the municipal level. They could also vote in person, not by proxy. At first such elections, on the 23<sup>rd</sup> of April 1911, a special voting place for women was open and 1.348 female citizens of Ljubljana showed up at Mladika, an elementary school for girls on Bleiweis street (now Prešeren st.). Liberals organised a protest and whistled and shouted at women who came to vote, and spat on the Ursuline nuns (female religious order dedicated to girls' education).

In Habsburg monarchy women had the right to basic education. Compulsory schooling for children aged six to twelve, regardless of their sex and social position, was instituted in 1774 by the archduchess Maria Theresa of Austria, including on the Slovene lands. In 1869 eight-year elementary schooling was introduced. On the Slovene lands women were for the first time allowed to matriculate in 1896, and those who passed the exam could enroll at the university in Vienna. Between 1897 and 1918 27 Slovene women studied there. In the Kingdom of Yugoslavia, Slovene women were more educated compared to other women in that union. In fact, in 1931 32,2 percent of male population over ten years of age in the Kingdom of Yugoslavia were illiterate and 56,4 percent of women in that age range, whereas in Slovenia there was in the same year only 5,8 percent of illiterate women over ten.

First Slovene women's society appeared in 1887 in Trieste as an off-shot of the national liberationist St Cyril and Methodius Society. First Slovene female workers society was the Catholic society for female workers, from 1894; it was later renamed as *Krekova prosveta* (after Dr J. E. Krek of the Christian Socialists). It had three sections: union for female workers, union for female clerks and women in trade, and union for maids. First women's magazine with feminist ideals (i.e., woman is not only a mother and a housewife, but also has a place in the nation and society at large) was *Slovenka*, launched in Trieste in 1897. At first it was attached to the newspaper *Edinost* twice a month and then from 1899 printed as an independent paper, but only until 1903 due to a lack of readership. First women's society with a specific goal of suffrage for women was the Slovene female teachers' society, founded in 1898. The General Woman's Society was founded in July 1901, still within the Austro-Hungarian monarchy. It was connected with the Austrian women gathered in the

Bund der Österreichischen Frauenvereine, and can be regarded as the first Slovene feminist society. Its tasks were general education for females, with support for the talented poor girls, and preparation for joining the existential fight. Its members were politically diverse, but with a vision of a socially just society. There was no social-democratic or proletarian women's movement on the Slovene lands before the WWI. In fact, the strongest support for women's political emancipation was expressed in the resolution of the Christian Socialists at the workers gathering at Preska in 1906, despite Krek's views on the role of women in society being more or less conservative (e.g., woman burns for others in silence, like a candle, until it burns out; although, woman is not a man's slave or toy). The Social Democrats on the Slovene lands were part of the Austrian Social Democratic movement which opted against women's suffrage in 1907 and for universal men's suffrage.

Right before the collapse of the Austro-Hungarian monarchy in 1918, women in Slovene's General Woman's Society campaigned for South Slavic union within Austro-Hungarian monarchy. The so-called May Declaration was laid before the Austrian parliament by the South Slavic deputies in hopes for the third unit in the monarchy, i.e., they envisioned Trialism instead of Dual monarchy. But then the monarchy collapsed in 1918. After the First World War the Kingdom of Serbs, Croats and Slovenes was formed, and women were put on the side yet again in this new formation, too, as the right to vote was not introduced, in fact, some women who previously could vote were now stripped of that right. The Yugoslav Social Democrats (including the Slovene Social Democrats) who declared in 1919 their support for equal, general and direct voting right for women in their program, changed their mind by 1921 and withdrew support. (They didn't want women voting for the Slovene People's Party which was the only party that pretty much consistently supported female suffrage, despite being conservative.) In the Kingdom of Serbs, Croats and Slovenes women were without any citizenship rights. Due to this betrayal Slovene General Woman's Society declared its independence from all political parties in 1921. The gap widened between the women with different background, so much so that women supporting general feminist ideals were labelled "bourgeois", in contrast to "proletarian" women activists. Naturally, the socio-economic question was a pressing matter, however, the division was caricatured by some proletarian activists, e.g.: "Different kinds of women's action show their class differentiation in our region, too. On the one hand, the struggle of proletarian and working women for a piece of bread, for the right to work, for the human and social equality, for a new society, on the other hand the samaritanism, body culture, aesthetics and glamour" (M. Mohorić, 1934). Caricatured, because the right to vote does not come at the expense of hunger and those supposedly bourgeois feminists did not turn away from the poor women; after all, at the time the majority of poor women were from peasantry. (Even in the 1960s, the state of

pregnant and birthing women was horrendous in the rural parts of the Slovene lands, especially in the forested mountain areas. There's more to the existential situation of a woman than her proletarian status.) In fact, Mohorić's description of the divide between two branches of women/feminists somewhat more befits the current clash between radical feminists (defending sex-based women's rights and fighting against gender stereotyping) and (post)feminist gender identity ideologues (immersed in performative aspects of gender). Universal suffrage for woman was instituted in the constitution of the Federal People's Republic of Yugoslavia in 1946: "All citizens, regardless of sex, nationality, race, creed, degree of education or place of residence, who are over eighteen years of age, have the right to elect and be elected to all organs of state authority." However, the Communist Party was the only party one could vote for. This attitude had not been seriously addressed until the middle of the 1980s. So many disputes and hatred between political parties and Slovene citizens to this day stem from this state of affairs, both Left and Right are still resentful of each other on these grounds.

Due to tough life circumstances the incidence of abortion, both legal and illegal, as well as of infanticide and suicide was high. According to the legislation in the Kingdom of Yugoslavia during the 1930s, abortion was legal if woman's health or life was in danger, as deliberated by a medical board consisting of three members. In May 1933 the Association of Working-class Women and Girls (formed in 1924) demonstrated in favour of including socio-economic reasons for the termination of pregnancy. Apart from the coverage in some newspapers, their meeting didn't gain much notice among the general population. Catholic women's groups distanced themselves from the proposed change, whereas liberal women were hesitant and supported it partially. With respect to women's rights worth mentioning is this section from the Yugoslav constitution from 1946: "Women have equal rights with men in all fields of state, economic and social-political life. Women have the right to the same pay as that received by men for the same work ... The state especially protects the interests of mothers and children by the establishment of maternity hospitals, children's homes and day nurseries and by the right of mothers to a leave with pay before and after childbirth." (Generally speaking, the constitution in toto was good on paper, in practice though things got complicated.) In 1974 the freedom of reproductive choice (contraception, termination) was introduced into the constitution of the Socialist Federal Republic of Yugoslavia. In 1977 abortion for non-medical reasons was legalised. Maternity leave was extended to one year in 1985.

After Slovenia's independence (post 1991), women retained free access to abortion (on demand until first ten weeks and after that on the approval of a special medical assessment board), although



the pressure from some Christian groups has increased. (Occasionally, they hold silent demonstrations in front of the building of The Division of Gynaecology and Obstetrics and shame women who come visit there.) Paid maternity leave in Slovenia extends to 105 days (for all with basic, compulsory, health insurance). Fathers are entitled to 30 days of paid paternity leave (when no father is in the picture, it's transferable to a person in lieu of him). Parental leave takes place for another 260 days and is intended for a mother or a father for full or partial absence from work.

### **3. Change of terminology and its implications**

The constitution of the sovereign Republic of Slovenia from 1991 stipulates that everybody is equal before the law: *Vsi so pred zakonom enaki* (article 14). The word *enak* means literally “the same”, the context specifying: before the law (*pred zakonom*); the one word encapsulating this type of relationship between individuals and the law is *enakopravnost*.

In 2004 Slovenia adopted a legislation about Equal Opportunities for Men and Women to address not only the equality before the law (*de jure*), but also on societal plane (*in praxis*). The same year Slovenia became a full member of the European Union. Part of the process was instilling on the Slovene territory European terminology, and to this end the Directorate-General for Employment, Social Affairs and Equal Opportunities of the European Commission issued The EQUAL Guide on Gender Mainstreaming which Slovenia adopted in 2004. The Gender Mainstreaming Guide was prepared in order to educate people (politicians, really) about the abstract term gender mainstreaming: it's “a tool to better understand the causes of inequalities between women and men in our societies and come up with appropriate strategies to tackle them. The goal is to achieve equality between women and men”. It further reads: “Under the EQUAL Community Initiative, gender mainstreaming is not optional. It cannot be something you add on to make your application more acceptable by saying for example ‘we don't discriminate’ or ‘we treat everyone the same’ or ‘we are an equality project so this does not apply to us’ or that ‘men and women are working together, so there is no need to focus separately on their respective needs.’ ... You cannot strive to tackle inequalities without embracing the gender mainstreaming concept.” The Guide uses the elusive word “gender” but the document as a whole makes it clear that the goal is to address the two sexes – females and males – and women's position in society. On the other hand, the Slovene application of the concept “gender mainstreaming” (*integracija/vključevanje načela enakosti spolov*) was a stepping stone toward obscuring the relations between women and men. Namely, until 2004 the common phrase used in legal documents was *enakopravnost med spoloma*, since then it was superseded with the phrase *enakost spolov* (“gender equality”).

Let me clarify the problem by adding a few words about the Slovenian language.

Grammatically, Slovenian has preserved the dual number, in addition to singular and plural. Nouns are marked for number, case (nominative, genitive, dative, instrumental, locative, vocative; similar to Latin) and grammatical gender, either masculine, feminine or neuter, each with its different declension patterns. The adjectives are inflected for gender, number and case, according to the noun to which they are associated with. Most pronouns also decline for genders. Verbs are conjugated and agree with their subject in gender and number. So, whereas from the old terminology (*enakopravnost med spoloma*) one can discern not only that the individuals shouldn't be discriminated on the basis of sex, but also the number of sexes (two: female and male), the new phrase obfuscates things: *enakost spolov* can be interpreted as there being more than two sexes, as well as implying the sameness, not equality, between them.

(a) -- *Enakopravnost med spoloma*: the word *spoloma* is in instrumental; the distinction between dual and plural is preserved with a noun in instrumental case and there is no room for misinterpretation that there might be 3, 5, 69 sexes. This is in contrast to *enakost spolov*, with the word *spolov* being in genitive; using *spol* in genitive brings ambiguity vis-à-vis the number of sexes.

Pre 2019, the Slovene Ministry of Labour, Family, Social Affairs and Equal Opportunities used to introduce the Equal Opportunities framework on its homepage by explicitly addressing the changes of terminology. And for obvious reasons, too, as Slovenians were familiar with the concept of women and men being treated equally before the law and in society in general under the term *enakopravnost (med spoloma)*. We knew that the term refers to non-discriminatory treatment in all aspects of life, that is, in law (*de jure*), as well as applied to real life social, political and economic circumstances (*in praxis*). The new nomenclature – *enakost (spolov)* – was confusing because, translated literally, it means “sameness” and people know that males and females are not (biologically) the same, despite being equals. So, instead of taking the necessary and appropriate steps – that is, action – to apply to society at large the non-discriminatory treatment of women, the Slovene Ministry, following the rather nebulous “gender equality” and “gender mainstreaming” framework of the EU, changed its nomenclature – that is, the language. It instructed Slovenians that we are the same (*enakost spolov*). The channel for gender identity ideology was thus laid out. Truth be told, the Slovene Ministry did conclude at the time that women and men aren't actually the same, but the nomenclature it introduced opened the door to misinterpretation. And misinterpretation is precisely what followed next, together with a deliberate bastardisation.

The Ministry further explained on its homepage that the concept *enakost spolov* comes from Gender Studies and it spread from there into the jargon used by the United Nations bodies and the European Union. Now, the so-called Gender Studies are an academic discipline which has in most universities in the developed world superseded Women's Studies. Still within Women's Studies, feminists in the United States of America began using the term "gender" to name the systemic sexism that resulted in women getting paid less than men, excluded women from male-dominated vocations and prevented women from entering male-only institutions based on stereotypes about women. It was used to explain the mechanisms via which people of the female sex were being discriminated – stereotypical roles, attire, attitudes, skills are forced onto females as a means to demarcate women's place and our subservient status. Also in the United States, due to squeamishness sex began to be replaced in legal documents with gender, as if they were synonyms. Eventually, this practice crept into most areas dealing with women's issues and was adopted by most institutions and organisations that use English language. Once pointing at the hierarchy that the concept of gender facilitates, it eventually came to be used as an alternative word for biological reality of sex. The implications of this process for women and girls are grave. The initiatives adopted for the protection of women and girls from discrimination on the basis of sex (i.e., discrimination that is carried out via power imbalance inherent to the concept of gender) have since been trending under the labels "gender", "gender-based", "gender equality", etc., that it, under the name of the very tool responsible for the unequal treatment of human females.

Legislation and other materials disseminated worldwide by the United Nations, European Union, etc., sometimes define gender vs. sex as referring to sex stereotypes vs. biological dimorphism in humans, but more often they don't. Sometimes they use both terms interchangeably, and at other times with a variation, although the distinction between the terms is seldom upheld consistently throughout those documents. For example, sex is defined by the UN Women's Gender Equality Glossary as "the physical and biological characteristics that distinguish males from females;" the Glossary also defines gender, namely as "the roles, behaviours, activities, and attributes that a given society at a given time considers appropriate for men and women... These attributes, opportunities and relationships are socially constructed and are learned through socialization processes." However, the UN agency for women announced in 2019 that it's no longer focused on women's rights but rather on "equality of all genders". The announcement came at a UN event called "Gender Diversity Beyond Binaries". Targeting discrimination of women and girls has thus been made invisible, or irrelevant, by the UN Women's caucus, and what it promotes instead is the very hierarchy that gender is. Good praxis for the UN would have been to retain or adopt in all its

documents concerning women the term sex. The word gender, on the other hand, should be used only when it refers to sex stereotypes. As feminist activist and professorial fellow in the School of Social and Political Studies at the University of Melbourne, Sheila Jeffreys, writes: “changes replacing references to the category of sex, which is biological, with the language of ‘gender’, which refers to stereotyped sex roles, in United Nations and European Commission documents has led to confusion which ultimately risks undermining the protection of women’s rights. Women’s rights, which have been achieved on the basis of sex, are now being undermined by the incorporation into international documents of concepts such as ‘gender identity’ and ‘Sexual Orientations and Gender Identities’ (SO&GI).”

While sex and gender are being used inconsistently in English language already, when rendered to languages other than English, things get even more complicated.

(b) -- The word “gender” is translated in Slovenian as *družbeni spol*, that is, the qualifier *družbeni* (social) is added, pointing out that gender concerns social roles applied onto sex (in order to demarcate the status of females in society). In practice, however, gender is translated simply as *spol*, that is, sex. The qualifier *družbeni* (social) is normally omitted and so the whole distinction between biological and social realms gets blurred completely, more so than in English where at least occasionally the terms retain their actual precise meaning.

“Discrimination based on sex” is translated as *diskriminacija zaradi spola* or *slabša obravnava zaradi spola*, “gender-based violence” as *nasilje zaradi spola*, “gender equality” as *enakost spolov*. In all these instances it is impossible to see a distinction between biological and social usage, since in practice gender always gets rendered shortly as sex, without the adjective social. One of the most bizarre instances of this bastardisation is when *spol* (sex) as the basis on which the State according to the Slovene Constitution shall not discriminate, is translated by Slovene academics and translators writing in English as gender instead of the actual proper word, sex (e.g., M. Antić, I. Selišnik, or in ReNPEMZM).

Then there’s “gender identity”, another pressing example of this practice; it is translated as *spolna identiteta*. Because this translation makes a reference to (biological) sex instead of gender, it is easier to lump this issue together with sexual orientation (*spolna usmerjenost*). The average person does not comprehend that those two concepts (SO and GI) are different, sexual orientation (SO) being something that explicitly refers to biological sex, whereas gender identity (GI) is an internalised and/or performative response to sex stereotyping. *Spolna identiteta* is terminus

technicus in which the usurpation of sex (*spol*) by gender is completed. *Spolna, spolni, spolno* (that concerning bio. sex) is devoured by gender (*družbeni spol*).

Let's further illustrate the process: "Gender expression" is translated as *spolni izraz*; again, the word *spolni* which should have been reserved for sex, is being usurped by gender. "Sex characteristics" is translated as *spolne značilnosti*; because the previous two terms, gender identity and gender expression, were translated with the adjective *spolna.../spolni...* (which should have been reserved for sex) while pointing at gendered (= sexist) stuff, one can't tell from the Slovenian translation that these characteristics (*značilnosti*) are, this time indeed, about sex, i.e., they refer to biological stuff. And thus, the blur between sex and gender, sexual and gendered, is completed.

#### **4. Policies addressing women's issues**

Following the Slovene Constitution from 1991, making it clear that no discrimination shall be made on the basis of sex (or national origin, race, language, religion, political or other conviction, material standing, birth, education, social status, disability or any other personal circumstance) and postulating equality before the law for all and equal opportunity of men and women, Slovenia issued in 2002 *Zakon o enakih možnostih žensk and moških* (Equal Opportunities for Women and Men Act). Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) took effect in Slovenia on the day of its independence, 25 June 1991, and since May 2004 Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women has been in force. In 2004 (amended in 2007) *Zakon o uresničevanju načela enakega obravnavanja* (Implementation of the Principle of Equal Treatment Act) tackled sex, as well as nationality, race or ethnicity, religion or conviction, disability, age, sexual orientation. In 2005 *Resolucija o nacionalnem programu za enake možnosti žensk in moških, 2005–2013* (ReNPEMZM, Resolution on the National Programme for Equal Opportunities for Women and Men) focused on the elimination of all obstacles for the attainment of equality between women and men in their full participation in the labour market and their reconciliation of professional, family and private life. It critically addressed the problem of gendered roles and stereotypes, as well as prostitution and pornography as two vehicles facilitating exploitation of women, especially socially vulnerable and migrant women. It stressed the importance of prevention and elimination of causes for trafficking, including the demand for prostitution. In that respect it laid ground for the adoption of the so-called Nordic model, namely the abolitionist position; but this abolitionist initiative never came into effect. In 2008 *Zakon o preprečevanju nasilja v družini* (Domestic Violence Prevention Act) was adopted.



In 2015 *Resolucija o nacionalnem programu za enake možnosti žensk in moških, 2015–2020* (ReNPEMZM15–20, Resolution on the National Programme for Equal Opportunities for Women and Men) brought a major change in Slovene policies in regard to women’s sex-based rights. A paragraph in the resolution reads: “The National Programme is a strategic document and as such primarily focused on promoting equality between women and men, taking into account the fact that women and men form heterogeneous groups and that some people are positioned beyond the binary sex model due to their gender identity or sexual expression. Therefore, an intersectional approach is required to comprehensively address the issue of social inequality.” Apart from denying the fact that human species is sexually dimorphic and only two sexes exist (individuals born with sexual development disorder, a.k.a. intersex, are still either male or female, and they have a medical condition demanding proper diagnosis to address the exact type of disorder affecting their health), this resolution reflects the usurpation of the concept of intersectionality. In the prior resolution (ReNPEMZM, 2005–2013) intersectionality had been understood in its proper sense, namely as relating to socio-economic conditions, disability, race/ethnicity and age, for example, all affecting in different ways the position of women in society, whereas the new resolution (ReNPEMZM15–20) hijacked intersectionality to imply gender identity and gender expression, thus making it possible for men who identify as women to present themselves as one of the most vulnerable groups of women. (Apart from that, “gender identity” actually disguises the vulnerabilities of females who have identity issues and/or body dysmorphia and usually suffer from other kinds of mental health issues as well, for example eating disorder or similar self-harming behaviours, are autistic, victims of sexual abuse or simply can’t come to terms with being homosexual. By affirming their “gender identity” the underlying issues remain unresolved and will eventually escalate in some form or another.) Instead of the needed critique of regressive sex stereotyping of men/boys and women/girls we had been served with the nebulous “non-binary” concept which all it does is play with fashion accessories and other visual signalling, while enforcing compelled speech. Also worth mentioning is that the problem of prostitution was limited to the so-called forced prostitution (and trafficking), as if prostituted people could choose among several options to pay the bills and would enter prostitution as a “work” option after an actual free deliberation. Pornography, too, is barely mentioned, again as forced. (As opposed to freely chosen, I suppose, never mind that our society has turned into pornocracy at this point and so many young women and girls in particular believe they have to expose themselves in this manner.) In 2016 *Zakon o varstvu pred diskriminacijo* (Protection Against Discrimination Act) came into force. Gender identity and gender expression were sneaked in this act without prior public discussion and consensus among the general population.

## 5. Gender identity ideology

How has this happened? In 2015, TransAkcija from Slovenia and Transgender Europe lobbied the Slovene Ministry of Labour, Family, Social Affairs and Equal Opportunities (no. 2015-2611-0039/30) to include in the Resolution on the National Programme for Equal Opportunities for Women and Men (ReNPEMŽM15–20) policies that would eventually open door to self-declaration for those who don't identify as the sex they are. Terms such as “transwoman”, “ciswoman”, “non-binary”, “sex assigned at birth”, “stereotypical view that there are only two sexes” had been used in the exchange, without the knowledge of any of it among the general public. And we ended up with the unscientific claim that sex is not a binary model, along with gender identity and gender expression being framed as the axes of oppression in intersectional approach. (Cf. above, the direct quote from the ReNPEMŽM15–20.) Early in 2017 TransAkcija lobbied again, this time explicitly for the right of the so-called transgender people to self-determination (a.k.a. self-ID). They have been unsuccessful so far.

In preparation is the Resolution on the National Programme for Equal Opportunities for Women and Men until 2030. It's targeted at labour and domestic relationships and social welfare in order to fix the gap between the sexes and assure that women and men are economically independent; to fight stereotypical gendered roles and sexism in general; secure better health and appropriate health assessment for men and woman; fight all forms of violence against women and girls; and encourage equal opportunities for women and men in decision making and in foreign affairs, with the goal of securing and defending women's rights worldwide. It builds on CEDAW, as well as Istanbul convention (ratified in 2015 in Slovenia), UN Beijing+25, The Sustainable Development Goals Agenda 3000, and so on. The issues that women and girls – most frequently referred to specifically as women and girls rather than being subsumed under the nebulous “gender equality” label – are in the focus. Also mentioned is the need to tacked toxic masculinity, because without addressing boys, too, and educating them about the importance of peaceful and respectful behaviour, fighting sexism and violence against women and girls can only go so far. Socially vulnerable women, such as rural, elderly, disabled, refugee, migrant and Roma women are taken into account, namely, the actual intersectional approach is applied. Prostitution and trafficking, forced marriage and other forms of sexual violence against girls and women are addressed in the proposed resolution.

The proposal was finished by February 2021 and was open to consultation between the 2<sup>nd</sup> and 18<sup>th</sup> March. (As an average member of the general public I learnt about it a few days ago, while writing

this report for WHRC, so again only certain groups have been in the know about the procedures taking place.) The Advocate of the Principle of Equality was among those responding to the consultation, writing to the minister that “legislation should be amended so that the prohibition of the so-called intersectional discrimination will be included in a clear and unambiguous way” (ref. 0709-19/2021/1). Since the proposed new resolution doesn’t lack in the actual intersectional approach, one can speculate that what he means by that is the intersection as understood by gender identity ideologues. The fact that he participated in a three-day seminar “Building bridges between equality bodies and trans and intersex activists” organised by European Equinet Working Group on Gender Equality in December 2020 supports this speculation. (I’d be happy to be proven wrong, and what he meant was the “old fashioned” intersectionality.) Another high-profile group responding to the consultation was Asociacija, a network of individuals and groups who aim to secure sustainable conditions and systematic support for professional non-governmental producers and independent creators in Slovenia. They write that the resolution should be rewritten so that “it will include wider aspects of discrimination on the basis of *spol* (gender/sex?), one that isn't limited to binary view on men and women ... we need to evaluate the strategic approaches to the inclusion of transgender persons on all levels, as well as measures that will enable the implementation in practice”. The letter further reads: “Teaching materials and curricula need to be amended so that they will include more female authors and persons of other *spolov* (sexes/genders?)”.

We don’t know yet what these responses to the proposed ReNPEMŽM30 will entail. Evident so far is that the pressure from certain institutions and lobby groups has intensified in Slovenia with regard to gender identity ideology. The latest steps for pushing forward trans agenda are two workshops and lectures *Basics of LGBT with the emphasis on transgenderism* (Sept. 2021), organised by Legebitra for teachers in elementary and secondary schools and social workers; and lectures by Prade Parade, titled *School as safe and inclusive space for LGBTIQ+ Youth*, that will address “violence and hate speech on the basis of sexual orientation and gender identity [*sic*]” (Oct. 2021; Feb. 2022), aimed at teachers in elementary and secondary schools, headmasters and administration and social workers. Both are supported by the Slovene Ministry of Education, Science and Sport.

## **6. Legal recognition of gender (identity)**

In Slovenia, one can change sex marker (500 M, 505 F) on unique master citizen number (EMŠO) after acquiring a certification of “transsexualism”. No medical intervention (hormone therapy or surgery) is needed, apart from a letter of affirmation by a psychiatrist. The procedure is the same regardless of age, minors only need parental consent.

One has to arrange for an appointment at the Interdisciplinary Council for the Gender Identity Affirmation operating within the Outpatient Clinic for Sexual Health (or Outpatient Clinic for Children and Adolescents in case of a minor) at The Centre for Mental Health, University Psychiatric Clinic Ljubljana. The individual presents their case to a psychiatrist, then the medical council decides on the further course. The psychological therapy usually consists of three separate visits, each about three hours long. Besides conversation, different types of tests are carried out, among them the Rorschach test.

After the completion of this step, one can, if they so want, begin the hormonal treatment by signing a letter of consent. Testosterone therapy for females begins with a gel AndroTop, followed after a few months by injections Nebido. Adult males get anti-androgen blockers, Aldactone gel and then Estrofem in tablets, gel or patch; they take anti-androgens until they opt (if they do) for orchiectomy (removal of testes), and they stay on estrogen for life, if they continue on this path. Health insurance covers for those with a certificate: hormones, mastectomy, breast implants, reduction of Adam's apple and genital surgery (hysterectomy, metoidioplasty, phalloplasty; vaginoplasty). If approved in Slovenia, the surgery is carried out in Serbia; it takes one to three months to get a reply to the application for the surgery. Covered by the Slovene health insurance in this case are: air ticket, taxi, expenses for a hospital stay, food, apartment for the time spent in Serbia after the surgery, including for a companion.

Monika Jerič

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